

AGENDA AND BUSINESS PAPER

Ordinary Meeting of Council

**To be held on
MONDAY
16 MARCH 2020
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
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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 Historic Council Chambers, Corner Baylis and Morrow Streets, Wagga Wagga, on Monday 16 March 2020 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**

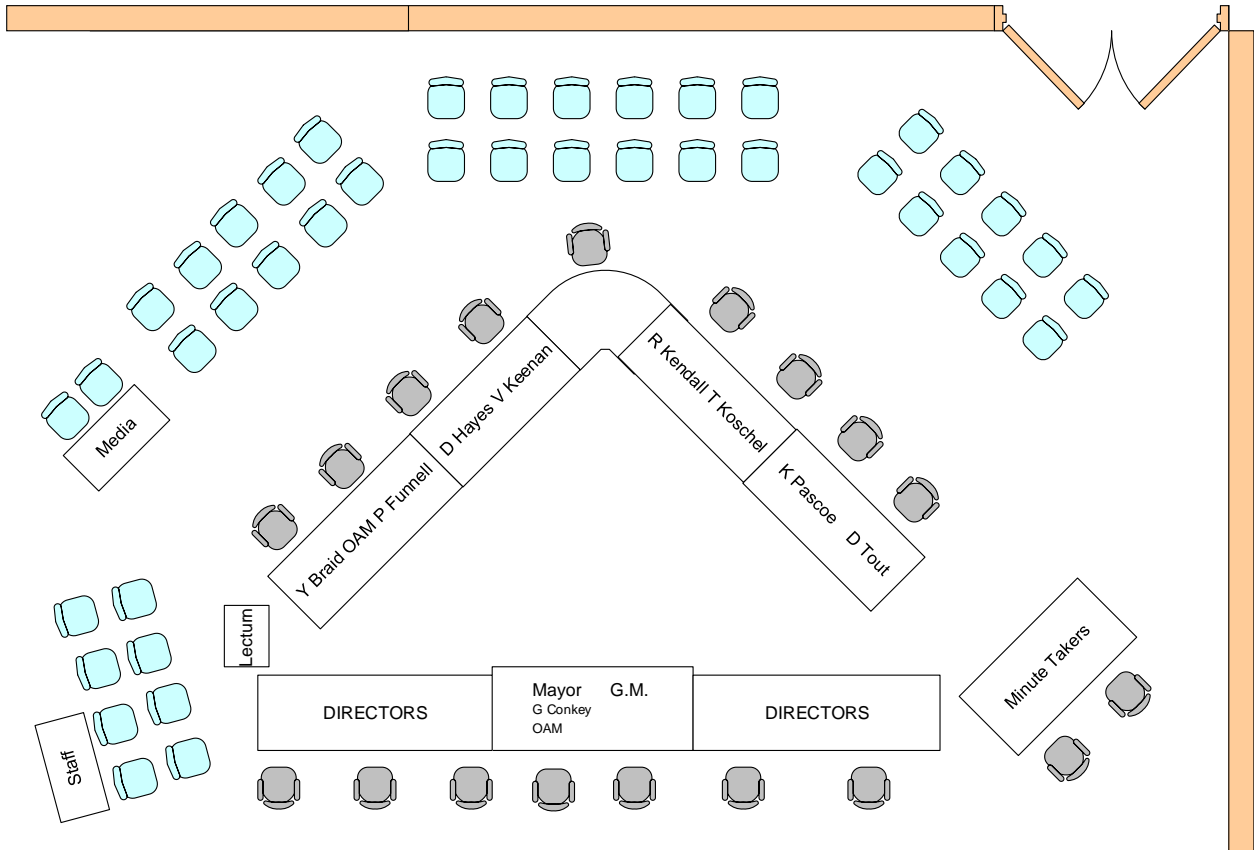


**Councillor Kerry
Pascoe**

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

MONDAY 16 MARCH 2020

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PRAYER

ACKNOWLEDGEMENT OF COUNTRY

APOLOGIES



CONFIRMATION OF MINUTES

CM-1 ORDINARY COUNCIL MEETING - 24 FEBRUARY 2020

Recommendation

That the Minutes of the proceedings of the Ordinary Council Meeting held on 24 February 2020 be confirmed as a true and accurate record.

Attachments

1   Minutes - Ordinary Council Meeting - 24 February 2020 226

DECLARATIONS OF INTEREST

MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN**NOM-1 NOTICE OF MOTION - DEFERRING COSTS AND CHARGES FOR NEW BUSINESSES**

Author: Councillor Tim Koschel

Summary: The purpose of this Notice of Motion is to receive a report outlining opportunities to defer Council related fees for new businesses in Wagga Wagga for an initial period to assist with initial cash flow of establishing a new business.

Recommendation

That Council receive a report back by the end of June 2020 on the positives and negatives of implementing a policy to assist new businesses establishing in the Wagga Wagga LGA by deferring all set up costs and fees until six months after opening.

Report

New businesses are often required to pay Council related fees and charges when first establishing. Depending on the business type and location, Council fees can range from development fees, health inspection fees, sewer connection fees and many other types of charges.

These initial costs may impact the viability of a new business or may impact the cash flow of the business and reducing the chance of long-term sustainability. I am recommending that Council receive a report back on assisting new businesses by deferring all Council related set up costs and fees until six months after opening.

Financial Implications

N/A

Policy and Legislation

Wagga Wagga City Council Code of Meeting Practice

Link to Strategic Plan**Growing Economy**

Objective: We have employment opportunities

Outcome: We have career opportunities

Risk Management Issues for Council

N/A

Internal / External Consultation

N/A

NOM-2 NOTICE OF MOTION - TRAFFIC MANAGEMENT IN THE NORTHERN GROWTH AREA**Author:** Paul Funnell, Councillor

Summary: This notice of motion requests that a high level report be presented to Council as soon as possible to demonstrate how vehicular movement will be managed in the Northern Growth area into the future.

Recommendation

That Council:

- a receive a report by 12 July 2020 presenting the methodology and solutions for traffic management in the Northern Growth Area (Estella and surrounding suburbs), and the connectivity options to the city
- b write to Transport for NSW (RMS) and relevant NSW government ministers calling for the release of the 'Wagga Traffic Corridor Study'
- c develop a communications and engagement plan to inform and present traffic management plans to the community

Report

With our Northern suburban precinct being the fastest growing group of suburbs in the city and ongoing traffic planning problems, it is important for the residents of Wagga to have confidence that appropriate planning concepts are being administered by Council.

Currently there appears to be a lack of public awareness of what the road network infrastructure will look like, and that it will be done on an ad hoc basis like it has been historically. There are currently future plans to expand residential sub-division to the south of Old Narrandera Road, with continued growth and land release to the North. Further transactions are beginning in the areas along Coolamon Road and beyond Harris road along Old Narrandera Road. This is all on top of the current large volume of land development being carried out.

The traffic issue and network has become a serious bone of contention due to increased risks, safety issues, lifestyle concerns and essential services access facing our residents in the Northern precinct and surrounds. I do not accept what a selected few call growing pains. This notice of motion requests that proper due diligence be done, and produce a high level report as soon as possible to demonstrate how vehicular movement will be managed into the future. In the current situation it is only a matter of time that without such reports and future proofing, there will be adverse affects and potentially life threatening situations arising.

Financial Implications

N/A

Policy and Legislation

Wagga Wagga Code of Meeting Practice

Link to Strategic Plan

The Environment

Objective: We plan for the growth of the city

Outcome: We have sustainable urban development

Risk Management Issues for Council

N/A

Internal / External Consultation

N/A

REPORTS FROM STAFF

RP-1 DCP AMENDMENT - MANAGEMENT OF ADDITIONS, SECONDARY DWELLINGS AND INFILL DEVELOPMENT WITHIN THE HERITAGE CONSERVATION AREA

Author: Tristan Kell
Director: Michael Keys

Summary: Revised DCP provisions are proposed for the management of additions, secondary dwellings and infill development within the Heritage Conservation Area. These seek to focus provision upon the key character considerations for the area and allow for development on sites in these areas to support strategic objectives for residential development in Central Wagga Wagga.

A second amendment is proposed for Cooedong Lane to preserve the character and mitigate traffic concerns along the laneway.

Recommendation

That Council:

- a Place the proposed DCP amendment in relation to heritage on public exhibition from 21 March 2020 to 18 April 2020 (inclusive) and invite public submissions on the amendment until 2 May 2020
- b Place the proposed DCP amendment in relation to the site-specific control for Cooedong Lane on public exhibition from 21 March 2020 to 18 April 2020 (inclusive) and invite public submissions on the amendment until 2 May 2020
- c Receive a further report following the exhibition and submissions period
 - i Addressing any submissions made in respect of the amendments
 - ii Proposing adoption of the amended DCP unless there are any recommended amendments deemed to be substantial and requiring a further public exhibition period

Background

The Heritage Conservation Area applies to a large tract of residential area in Central Wagga Wagga to the west of the CBD. The Heritage Conservation Area denotes this area as having key character attributes which should be taken into account during ongoing development. It does not identify any individual property as being of individual heritage significance, nor does it aim to preclude uptake of new development and improvement to properties within the area.

At the present time the CBD of Wagga Wagga is undergoing a period of change as interest increases in opportunities to live nearby to work, services and community facilities offered in the central area of the city. Council is supportive of the role the CBD can play in accommodating a greater proportion of the city's residents and has initiated strategic changes to this effect.

This trend is currently driving interest in the renewal of properties in the Heritage Conservation Area nearby the Wagga Wagga CBD. This includes the addition of secondary dwellings, additional floorspace to the main residence or the utilisation of infill sites within the Heritage Conservation Area.

Issues identified with current DCP provisions

Section 3 of the WWDCP2010 contains the majority of controls for heritage conservation.

Heritage items and the Wagga Wagga Heritage Conservation Area are listed in Schedule 5 of the WWLEP 2010.

The DCP advises that heritage items and conservation areas have special qualities that make them significant. Development needs to take particular care to ensure that the particular themes, features or characteristics that make the item or area significant are not compromised by change.

This can include:

- Retaining heritage items and encouraging changes to occur away from significant elements or sections of heritage items
- Ensuring new work has suitable bulk, scale, proportions and detailing so that it does not dominate or compromise the ability to interpret heritage items (including adjacent or nearby items) or the heritage conservation area
- Encouraging the use of suitable materials in new construction.
- Strategic priorities for the central business area of Wagga Wagga are:
- Opportunities for secondary dwellings fronting rear lanes providing new work does not affect the amenity of adjoining sites and parking can be accommodated without impacting the street
- Retaining the existing landscaped character of the streets, and maintaining the use of the rear lanes for vehicle access and associated structures
- Retaining the current patterns of building/open areas through site cover and landscaped area requirements.

New controls have been developed to allow for a performance-based approach to development assessment in the Heritage Conservation Area. Rather than providing prescriptive guidance on many aspects of a development, the revised controls seek to manage the cumulative impact of the development on the heritage character of the area. This is achieved by focussing considerations on key aspects of residential design for infill development as well as alterations and additions, which can result in impacts to the character of the area.

Council is currently undertaking a review of the Wagga Wagga Development Control Plan 2010 (DCP) with the aim to rewrite the DCP due to inconsistencies and difficulties experienced with interpreting the provisions. A revised DCP will provide alignment with recent strategic documents, guides and directives. This is a project which will be undertaken over an extended duration. The present revision to the DCP seeks to address matters that require attention now.

This iteration of DCP amendments will better align DCP controls for heritage with the city's strategic objectives for Central Wagga Wagga regarding infill development. The strategic need to support residential opportunities in the CBD can be fulfilled through careful adjustment of these controls. This allows property owners to pursue

improvements in keeping with the heritage significance of the area and enabling those properties to support residential living opportunities in line with contemporary expectations of inner urban living.

To achieve this, new DCP controls are proposed that will provide a more flexible approach than the prescriptive approach currently in place. This will put a stronger emphasis upon the primary street frontage in heritage planning considerations, where the greatest affects to neighbourhood character in the Heritage Conservation Area are apparent.

In combination with this the new controls will provide additional flexibility for the development of properties to the rear laneway frontage. This includes additions to the main dwelling and secondary dwellings.

Controls will be focussed upon key aspects of such developments including provision of required amounts of private open space and the design of the laneway interface with regards to setback and unenclosed through access from properties. The new controls will not allow additional development to undermine the primacy of the heritage character buildings located to the front of properties. Measures to this effect include controls to the width of new additions relative to the original structure and the visibility of elevated parts of additions when viewed from the street.

The cumulative effect of these new controls will be to encourage and facilitate ongoing investment into and renewal of properties in the inner-city character areas in a manner which retains the significant aspects of that character. By providing the ability for owners to make additions to properties to a contemporary standard, there is incentive for the heritage dwellings to be used and maintained to a high standard and avoid alienation over time.

The adoption of these proposed amendments does not propose a complete solution and can only be considered as an interim measure whilst awaiting future funding to undertake a new heritage study for Wagga Wagga. This will identify future directions as well as items and streetscapes of particular heritage significance.

Proposed DCP amendment

This report proposes amendments to heritage-related provisions at Section 3 of the DCP. Section 3 of the DCP 2010 includes development provisions for sites within the Heritage Conservation Area of Wagga Wagga. The new controls provide parameters for alterations and additions to residential properties in the Heritage Conservation Area within the city. This includes the development of secondary dwellings to these properties. Minor change is also provided at Section 9 of the DCP in sub-section 9.1.1 within the discussion of existing built form. This change provides consistency with changes elsewhere in the document.

The new controls provide guidance for development in these areas. The new controls provide for development which upholds the strategic imperatives that Council has adopted for Central Wagga Wagga to provide opportunities for infill development and a diverse range of housing types. The controls do this whilst respecting and supporting the significance of heritage items and allowing for the maintenance of key heritage values within the conservation area. The redrafting of controls directs focus to protecting these key values whilst retaining opportunities for development and to uphold the city's strategic objectives.

The following subsections of DCP Section 3 are proposed to be altered:

- About Section 3;
- 3.3.2 Residential Precinct

Within Section 3.3.2 Residential Precinct, changes are made principally to the section “Alterations, additions and infill development”. Objectives, controls and notes in this section are amended to refine the intent of the DCP section and make that intent clearer for applicants and assessors.

Included are new objectives allowing for the use of contemporary dwelling design for additions that uphold the heritage significance of the area and also allowing for critical design considerations at the interface of rear laneways.

The amended controls for additions and alterations are intended to;

- Ensure that additions do not overrun the requirement for private open space;
- Ensure that the functions of laneways within the Heritage Conservation Area are protected from encroachment and that necessary rear access to properties is retained;
- Ensure that the heritage features of properties remain the predominant character feature within the Heritage Conservation Area;
- Encourage, and provide sufficient freedom for, innovative use of contemporary design that is complementary to existing heritage buildings and areas.

Controls for infill development are simplified, with the character appropriateness of new infill development to be demonstrated through a heritage impact assessment. This replaces a highly prescriptive approach which outlined each singular aspect of character separately. These considerations shall now be integrated and considered as a whole.

A small portion of the introduction of Section 9 of the DCP is to be removed to reflect the same strategic intent of the amended Section 3 of the DCP.

Site Specific Controls – Cooedong Lane

Council has received representations from landowners and interested community members regarding recent and future development in the Cooedong Lane area. This area has unique characteristics where properties fronting Wollundry Lagoon between Simmons Street and Beckwith Street have restricted vehicular access to Cooedong Lane only. Noting the specific characteristics of this location and the potential implications for future development in this area Council officers have identified an opportunity to create specific controls for consideration in any future development in this area.

Draft provisions proposed to be included within the DCP are intended to control development along Cooedong Laneway. These provisions are in addition to the control existing at other locations in the Heritage Conservation Area. Inclusion of provisions specific to Cooedong Lane is at the discretion of Council.

It is proposed that public notification will include direct mailout to all property owners adjacent to and adjoining Cooedong Lane.

The proposed changes are shown below and are nominated to be included under Section 9.1.2.

9.1.2.1 Cooedong Lane Desired Future Character

Cooedong Lane is a residential precinct where dwellings have frontage to Wollondury Lagoon. Dwellings have primary frontage to the lagoon, which incorporate prominent Victorian and Edwardian dwellings that range between one and two storeys. Landscape within the front and rear of properties incorporate several significant trees that contribute to the character within the neighbourhood. Vehicular access is only available through Cooedong lane, which has its own streetscape value that contributes to the neighbourhoods character.

9.1.2.2 Distinctive Neighbourhood Statement

Objective

O1 To facilitate development that is consistent with the desired Future Character of Cooedong Lane Distinctive Area.

Controls

C1 Maintain the character and consistency in architectural detail consistent with the laneway.

C2 Preserve and maintain the historic subdivision pattern of Wollundry Ave and Cooedong Lane.

C3 Contain upper floors within the roof form, so as not to be visible from the lane frontage

C4 Improve the environmental amenity and safety for pedestrians accessing the laneway.

C5 Maintain the harmony/character of the neighbourhood by ensuring development is complementary in form and materials and reflects the cohesiveness of the streetscape.

C6 Preserve existing significant vegetation and landscape within front and rear setbacks of Cooedong Lane.

Financial Implications

This amendment to the DCP 2010 has originated from within the Council organisation, therefore there is no collection of application fees to take place in this instance.

Policy and Legislation

Environmental Planning and Assessment Act 1979
Wagga Wagga Local Environmental Plan 2010
Wagga Wagga Development Control Plan 2010

Link to Strategic Plan

The Environment

Objective: We plan for the growth of the city

Outcome: We have sustainable urban development

Risk Management Issues for Council

N/A

Internal / External Consultation

The development of the proposed controls has involved a collaboration between City Development section and City Strategy section. The amendment has the support of the relevant internal sections of Council.

The proposed amendment to the DCP will be subject to community consultation. The revised DCP shall be placed on public exhibition for 28 days from 20 March 2020 to 17 April 2020 (inclusive). The amendment will also be provided with a Council webpage to allow interested community members to view the amendment, familiarise themselves with the amendment process and provide submissions to Council on the content of the amendment.

The Community will be engaged and consulted as detailed below.

	Mail			Media				Community Engagement						Digital			
	Rates notices insert	Selected 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
TIER																	
Consult		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>					<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
Involve																	
Collaborate																	

Attachments

1. DCP 2010 - Section 3 - Heritage Conservation - Provided under separate cover



**RP-2 DA19/0603 - ALTERATIONS AND ADDITIONS INCLUDING REAR
EXTENSION AND GARAGE AT 93 BEST STREET, WAGGA WAGGA,
LOT 17 SECTION 49 DP 759031**

Author: Sam Robins
General Manager: Peter Thompson

Summary: This report is for a development application and is presented to Council for determination. The application has been referred to Council at the request of the General Manager.

Recommendation

That Council refuse DA19/0603 for alterations and additions to the dwelling house at 93 Best Street Wagga Wagga NSW 2650 based on the reasons outlined in the Section 4.15 assessment report.

Development Application Details

Applicant	GP Bannon and CE Bannon
Owner	GP Bannon and CP Bannon
Development Cost	\$475,000
Development Description	Alterations and additions to a dwelling house including rear extension and garage.

Report**Key Issues**

- Compliance with the objectives of the Wagga Wagga Local Environmental Plan 2010
- Compliance with a number of objectives and controls of the Wagga Wagga Development Control Plan 2010
- Impact on the context and setting
- Impact on the public interest with regard to precedent and consistency of implementation of community endorsed documents

Assessment

This proposal has been assessed having regard to the Heads of Consideration under Section 4.15(1) of the Environmental Planning and Assessment Act 1979, the provisions of Wagga Wagga Local Environmental Plan 2010 and all relevant Council DCPs, Codes and Policies.

Having regard for the information contained in the attached Section 4.15 assessment report, it is considered that the development is inconsistent with a number of objectives and controls of the relevant plans and policies applicable to the development. The assessment has also concluded that having regard to the desired future character of the Wagga Wagga Heritage Conservation Area, the impacts of the development are unacceptable with regard to the context and setting, precedent and public interest.

It is therefore recommended that DA19/0603 be refused for the following reasons.

Reasons for Refusal

- The proposal does not meet the following objective of Section 5.10 of the Wagga Wagga Local Environmental Plan 2010
 - (b) to conserve the heritage significance of heritage items and heritage conservation areas including associated fabric, settings and views*
- The proposal is not consistent with objectives O2 and O4 of section 3.3.2 (Alterations, additions and infill development) of the Wagga Wagga Development Control Plan 2010.
 - O2 Retain details and features that are characteristic of the conservation area, and encourage reinstatement of these features where they have been removed.*
 - O4 Ensure that new work is sympathetic to the bulk, mass and scale of characteristic buildings in the conservation area.*
- The proposal does not comply with controls C1 and C3 of section 3.3.2 (alterations and additions) of the Wagga Wagga Development Control Plan 2010.
 - C1 Design new work to complement the style and period of the building in terms of style, scale, form, roof form and materials. New works can be a modern interpretation and do not need to strictly follow the original style.*
 - C3 Additions are to retain, and be subservient in form and scale, to the primary form of the building.*
- The proposal does not comply with control C4 of section 3.3.2 (Garages and carports) of the Wagga Wagga Development Control Plan 2010
 - C4 Double garage – 6000mm wide x 7500mm long, 2400mm walls, 27 degree roof pitch rising to apex 3900mm high. Two roller doors 2600mm wide in 3 equal wall bays.*
- The proposal is not consistent with objective O1 of section 3.3.2 (Gardens) of the Wagga Wagga Development Control Plan 2010.
 - O1 Encourage traditional garden layout and planting schemes.*
- The proposal does not comply with control C1 of section 3.3.2 (Gardens) of the Wagga Wagga Development Control Plan 2010.
 - C1 Retain original paths and garden layouts.*
- The development does not comply with design principles P5 and P7 under Section 9 of the Wagga Wagga Development Control Plan 2010.
 - P5 Building siting, footprint, scale and bulk should be compatible with adjoining development and the established or intended built form.*

P7 Respond to the issues highlighted in the site analysis, taking advantage of natural features, minimising potential impacts to neighbours and achieving compatibility with neighbourhood character.

- The development does not comply with the following 'key priorities' under Section 9.1.1 (Central Wagga Wagga) of the Wagga Wagga Development Control Plan 2010.
 - *Retaining the current patterns of building/open areas through site cover and landscaped area requirements*
- The proposal is not consistent with objective O1 of section 9.2.1 (Site Layout) of the Wagga Wagga Development Control Plan 2010.

O1 Encourage site responsive development that is compatible with existing or desired built form.
- The proposed development is inconsistent with the context and setting of the centrally located residential area of the Conservation Area and unreasonably impacts on the current and desired future character of the area.
- The proposed development would not be considered in the public interest for the following reasons:
 - It would result in unreasonable context and setting impacts within the Heritage Conservation Area and set a poor precedent that has potential to result in the loss of important elements that help to define the Conservation Area.
 - The development is not consistent with objectives of the LEP, it is not consistent with objectives and controls within the DCP and therefore, approval would result in an inconsistent approach to implementing community endorsed documents that provide a degree of certainty to the public of what the expected built form may be within particular areas.

Site Location

The site, being Lot 17 Section 49 DP 759031, 93 Best Street Central Wagga is located on the eastern side of the Street three lots north of the junction with Forsyth Street.

The site measures 505.80m² and currently contains a detached single storey dwelling with small garden shed in the rear yard.

The site is flat and free of any restrictive easements.

The locality is a residential area. Consisting in the main of single storey detached dwellings with detached outbuildings to the rear.



Financial Implications

The decision could potentially be challenged in the Land and Environment Court.

Policy

N/A

Link to Strategic Plan

The Environment

Objective: We plan for the growth of the city

Outcome: We have housing that suits our needs

Risk Management Issues for Council




Refusal of the application may result in an appeal process in the Land and Environment Court, which will have to be defended by Council. The reasons for refusal will have to be justified and withstand scrutiny and cross examination in Court.

Internal / External Consultation

Pursuant to this provision of Section 1.10 of the Wagga Wagga Development Control Plan 2010, notification of the application was required. The application was notified to surrounding properties from 27/11/2019 to 11/12/2019 in accordance with the provisions of the DCP. No public submissions were received.

	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
TIER																	
Consult		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					<input checked="" type="checkbox"/>							<input checked="" type="checkbox"/>	
Involve																	
Collaborate																	

Attachments

1. DA19/0603 - Section 4.15 Report - Provided under separate cover

2. DA19/0603 - Plans - Provided under separate cover

3. DA19/0603 - Statement of Environmental Effects - Provided under separate cover


RP-3 DUNNS ROAD

Author: Peter Ross
Director: Caroline Angel

Summary:

In 2017, the Federal Government funded \$2.5M towards the construction of Dunns Road, which Council was required to match.

At its 28 August 2017 meeting, Council resolved to seek further options and a concept report from external consultants. A range of issues were identified within the finished report and through subsequent investigations and a workshop, resulted in Council members suggesting a revised design proposal.

A further grant was sought from the Federal Government to fund the costs associated with the revised concept. In December 2019, the Department of Infrastructure, Transport, Cities and Regional Development confirmed a total contribution of \$5.8M towards the construction of Dunns Road.

Recommendation

That Council:

- a accept the Federal Government grant of \$5,804,356 as a contribution towards the total cost of \$8,291,937 for the construction of Dunns Road
- b contribute \$2,487,581 towards the construction of Dunns Road
- c delegate authority to the General Manager or their delegate to execute any necessary documents on behalf of Council
- d proceed to complete the detailed survey and design of Dunns Road in line with the approved grant application
- e proceed with the preparation of a review of environmental factors/environmental impact statement (REF/EIS), co-ordinate relevant service authority infrastructure relocations, and commence negotiations for land acquisitions where appropriate
- f approve for the Dunns Road project outlined within the report (which is currently included in the Potential Projects listing) to be included in the 2019/20 and 2020/21 Capital Works Delivery Program
- g approve the budget variation for the timing of the works as detailed in the Financial Implications section of the report

Report

At the Council Meeting on 28 August 2017, Council received a report advising of a proposed co-contribution grant of \$2.5M from the Federal Government towards the construction of Dunns Road.

In response to Council's recommendation at this meeting, quotes were called for engineering consultants to investigate issues relating to Dunns Road and to prepare a report outlining options for the future of Dunns Road. SMEC were subsequently awarded the contract.

Due to the environmental significance of vegetation along the Dunns Road corridor and the possible negative impact from road construction, a new road alignment was proposed outside of the existing road corridor as an initial concept design for Dunns Road.

This concept design and preliminary quantities were provided to SMEC for review and to develop a concept estimate. Following the SMEC review of the concept design and after discussion with Council staff, the concept design and quantities were revised and used as the proposed design for the Dunns Road report. The SMEC report is provided under separate cover as Attachment 1 – SMEC Report Dunns Road.

As part of the environmental due diligence process within the investigation for Dunns Road, an Aboriginal Heritage survey was undertaken along the proposed and existing road corridor. This survey found several possible scar trees; however, these were later discounted. However, the survey did identify a tree of significance, known as a 'ring tree'. Ordinarily, trees of this nature have one ring. This 'ring tree' has three rings. The cultural significance of this tree to Aboriginal culture is still to be determined.

In May 2018, three community engagement sessions were held. Two were arranged specifically for each of the opposing viewpoints on the future of Dunns Road and one for the wider public. All sessions were well attended. Several Councillors took the opportunity to attend the community engagement sessions and social media was utilised as an engagement tool.

A Councillor workshop took place on 17 September 2018 with a presentation prepared by SMEC outlining a range of issues emanating from the investigation into Dunns Road (Attachment 2 – SMEC PowerPoint Presentation). The consensus from the workshop was that:

- the total cost to construct Dunns Road to appropriate design speed requirements and with ancillary works was prohibitive
- RMS be approached again to reconsider the speed zone along Dunns Road given the scenario that the road surface could be sealed.

Consensus was also gained for an alternative design proposal to be developed for Dunns Road as follows:

- the vertical and horizontal alignments should not change significantly from existing conditions
- the appropriate pavement depth for traffic usage
- the full length of Dunns Road to be sealed to industry standard width
- a roundabout to be constructed at the Holbrook/Dunns Road intersection
- an appropriate channelised right hand turn facility to be constructed at the intersection of the Olympic Highway and Dunns Road intersection
- Intelligent Traffic Signs (ITS) be installed along the rural section of Dunns Road
- a wire safety rope to be installed in selected areas along the rural section of Dunns Road to restrict construction impact upon the environmentally sensitive tree corridor and to improve driver safety
- appropriate measures to be taken to protect the recently discovered ring tree along Dunns Road (of significant importance to the indigenous community).

Roads and Maritime Services (RMS) were contacted following the Councillor workshop to seek their view for Dunns Road based on the alternate concept design noted above. An extensive report was received from RMS on 6 December 2018 (Attachment 3 – RMS Report). This report has been reviewed by Council staff who support most of the recommendations.

The RMS report included a comment that the existing speed limit for the urban section of Dunns Road could be reduced to 60km/h; however, the remaining rural section should be 80km/h. RMS noted that a speed reduction along the rural section of Dunns Road to 60km/hr would be difficult to justify or police where the frequency of access points is low.

Since both the existing horizontal and vertical alignments of the rural section of Dunns Road would most likely not align with the speed design requirements of the assumed posted speed limit, it was considered necessary that a road safety audit be included as part of the project. This audit will assess Dunns Road from a road safety perspective. Any sections that do not meet appropriate safety standards will require mitigation measures to ensure the deficiencies are addressed (for example Intelligent Traffic Signs).

It should be noted that, as part of the proposed works, it is estimated that 25 to 30 mature trees would need to be removed to allow for formation and culvert widening work. This has been allowed for within the revised scope of works as well as significant tree planting to compensate for the tree removal.

In consideration of the RMS report and consensus items from the Council workshop, an alternative design proposal was investigated and costed.

Prior to the 2019 Federal Election, a grant application was submitted to the Department of Infrastructure, Transport, Cities and Regional Development to seek additional funding for the Dunns Road project. Following the election, Council staff were advised to resubmit the previous grant fund application in a revised format with additional requirements.

The revised application was submitted, and on 12 December 2019, Council were advised that the application had been successful to a value of \$5,804,356 as part of a total cost of \$8,291,937 for the project. The funding agreement requires that Council contribute the balance of funds, which totals \$2,487,581.

Financial Implications

The proposed Dunns Road Traffic Facilities upgrade project is currently included in Council's Potential Projects list for a total of \$8,304,356 in the 2020/21 financial year, with a \$5,804,356 Grant and \$2,500,000 in proposed loan borrowings.

As advised earlier in this report, the total estimate for the Dunns Road project is \$8,291,937. It is proposed to leave the budget at \$8,304,356, with the additional \$12,419 over the grant application amount to be added to the contingency component of the project, to be used if required.

It is also proposed to bring forward \$400,000 of funding from the 2020/21 financial year into the 2019/20 financial year for required land acquisitions, review of environmental factors (REF), finalisation of detailed designs and relocation of essential energy

infrastructure. The remaining budget of \$7,904,356 will remain allocated in the 2020/21 financial year.

Policy and Legislation

N/A

Link to Strategic Plan

Community Leadership and Collaboration

Objective: We are informed and involved in decision making

Outcome: Everyone in our community feels they have been heard and understood

Risk Management Issues for Council

Three key risk issues relate to this project.

1. Budget: sufficient budget is required to provide a safe solution for the construction of Dunns Road
2. Safety: the adopted construction proposal for Dunns Road must provide acceptable real and perceived safety for road users
3. Project priority and public perception: the Dunns Road project is Council's next highest priority given the existing road infrastructure backlog

Internal / External Consultation






Council staff have conducted a range of internal and external consultation sessions relating to the Dunns Road project and social media has been employed as an engagement tool.

In May 2018, three community engagement sessions were held. Two were arranged specifically for each of the opposing viewpoints on the future of Dunns Road and one for the public in general. All sessions were well attended.

At the request of the Uranquinty Progress Association, a further engagement session was held on 24 October 2018 to update residents on project status.

Two Councillor workshops have been conducted and RMS were consulted and have provided commentary on a proposal for Dunns Road. Council staff from a range of business areas and across multiple Directorates were involved in discussions on various aspects of the investigation.

Attachments

1.  SMEC Report Dunns road - Provided under separate cover
2.   SMEC PowerPoint Presentation
3.   RMS Report



Dunns Road Corridor Upgrade Investigation

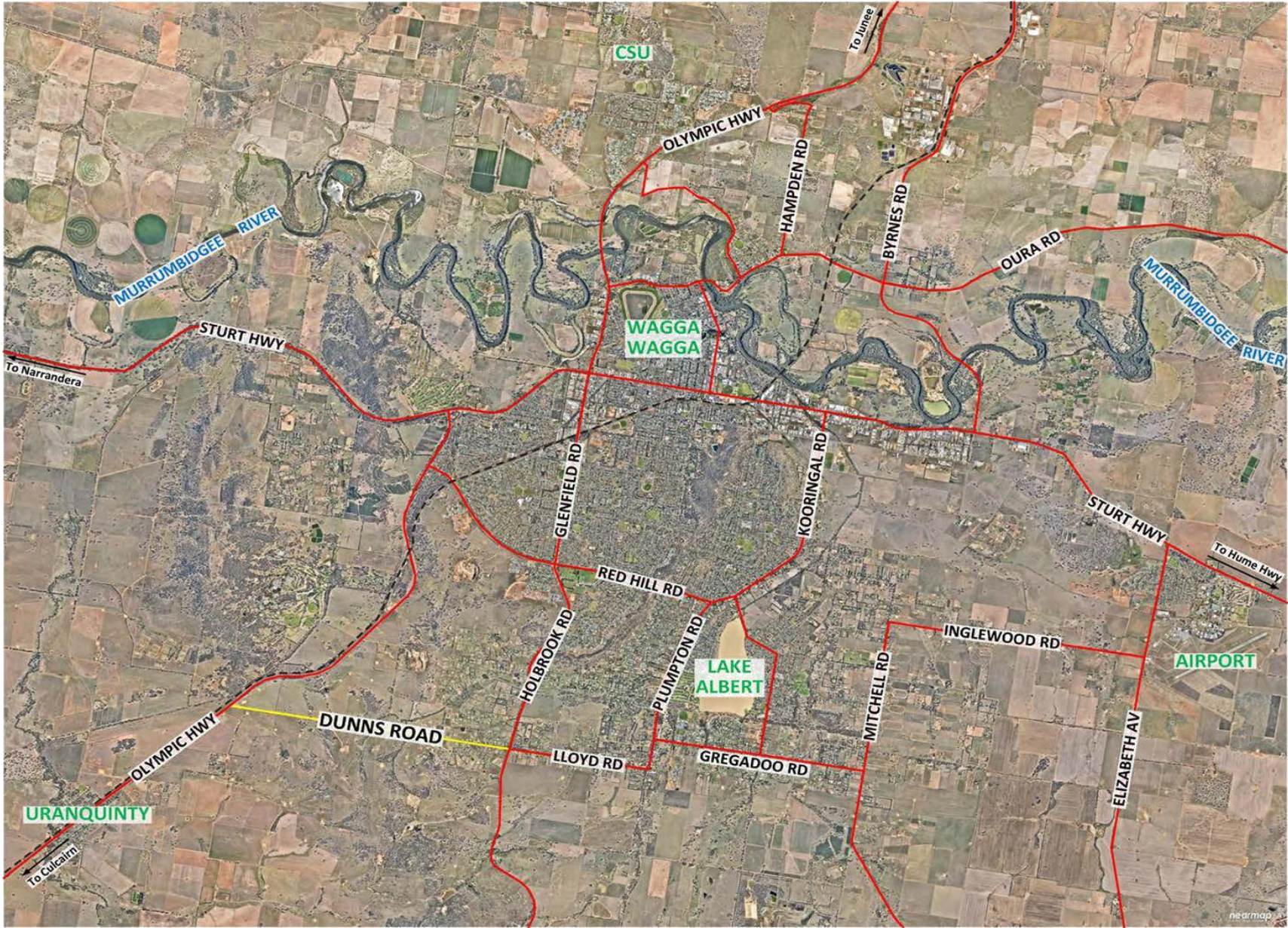
1

Background

Dunns Road runs east-west from Olympic Highway to Holbrook Road.

Crests have been sealed as well as the easternmost 1.8 km, with the remainder unsealed, narrow with known safety issues.

Federal Government has allocated up to \$2.5M match funding to upgrade Dunns Road.



Consultancy Scope

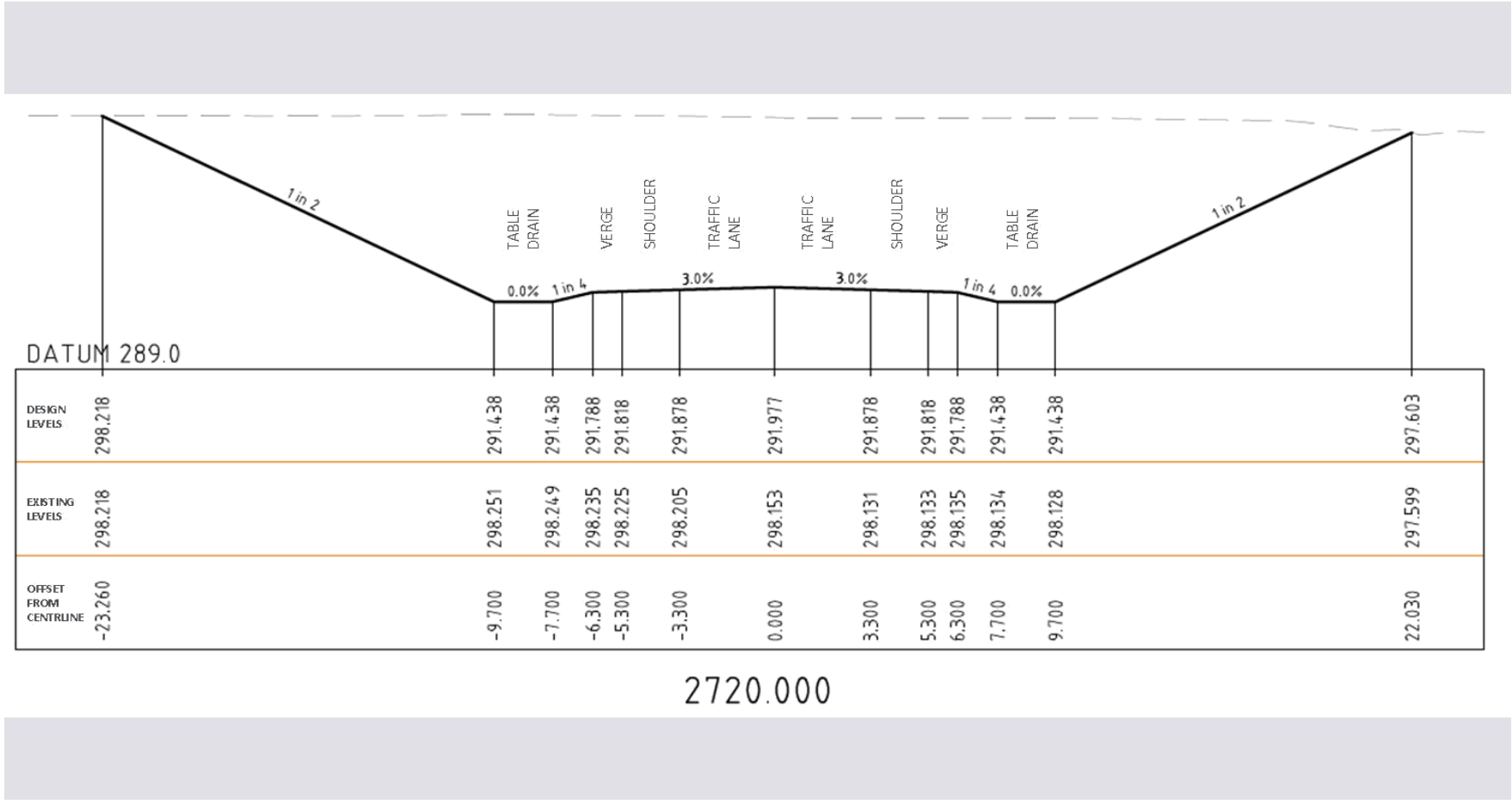
- Review background data
- Provide design criteria
- Review WWCC Dunns Road upgrade design
- Review 2003 Maunsell road safety report
- Report on safety, traffic and financial implications of the Dunns Road Upgrade and potential alternate projects

Design Criteria

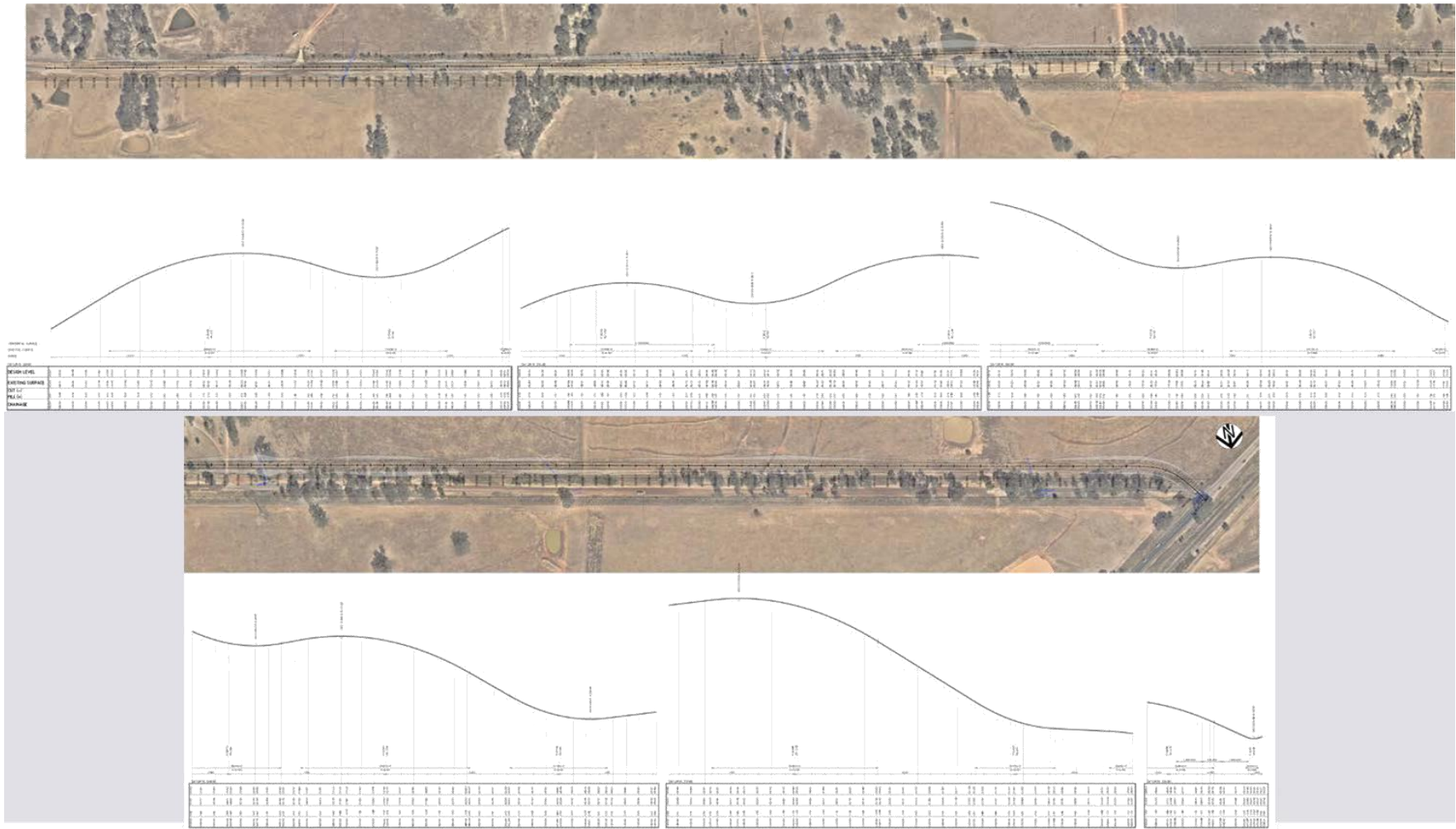
Design criteria were provided to WWCC based on:

- WWCC Engineering Guidelines for Subdivisions and Development Standards – Part 2 Guidelines for Design of Roads
- Austroads Guide to Road Design
- RMS Supplements to Austroads Guides (for Olympic Highway intersection)
- RMS Speed Zoning Guidelines
- Design criteria was utilised by WWCC to create a high level design for Dunns Rd Upgrade

Dunns Rd Design Typical Cross Section



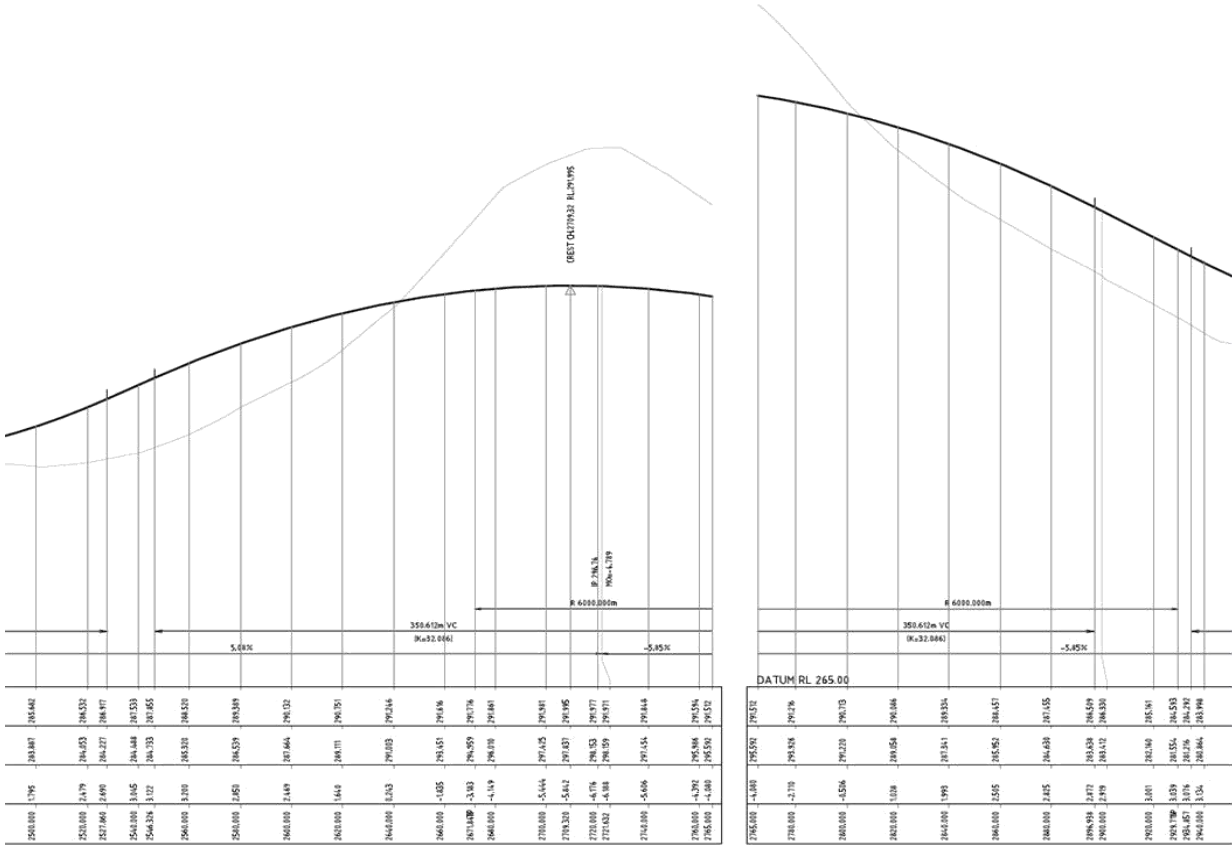
Dunns Rd Design Overview Plan



Dunns Road Corridor Upgrade Investigation



Dunns Rd Design Cutting



Review of Road Safety Audit

SMEC's assessment shows there are still critical safety issues on Dunns Road, including:

- Road geometry and pavement width not suitable for the 80km/h posted speed
- Unsealed pavement not suitable for the vertical geometry and 80km/h posted speed
- Various non-frangible hazards are present in the clear zone (e.g. power poles and trees)
- Intersection with Holbrook Road still allows drivers to "see through" the intersection which could result in drivers continuing across Holbrook Road without consideration of cross traffic

Dunns Rd Crash Data Analysis

Crash data from RMS was provided for the WWCC region from 2005 to 2017.

The accident data indicates that there were 19 crashes on Dunns Road in this period, one of which was fatal.

This particular fatal crash related to a vehicle leaving Lloyd Road and turning right into Holbrook Road.

A high proportion of the crashes occurred at the intersection with Holbrook Road.

Dunns Rd Crash History Map (2005-2017)



Dunns Road Corridor Upgrade Investigation

Community Consultation

WWCC and SMEC undertook three community engagement sessions. Two of these occurred on Monday 21 May 2018 with another session on Tuesday 22 May 2018.

There were strong community views both for upgrading and closing Dunns Road.

Aboriginal Heritage

An Aboriginal Heritage Investigation has been carried out in the Dunns Road corridor.

Findings include a Ring Tree with 3 visible rings. This tree is of significant heritage value and is located immediately adjacent the existing Dunns Road. Further investigation is currently being undertaken.



Dunns Road Corridor Upgrade Investigation

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Design Review

SMEC provided comments on the design.

It was found that the design was generally consistent with design guidelines.

A number of considerations for future design stages were provided which could result in cost savings.

Traffic Assessment

Traffic operations around the Dunns Road area were assessed based on current counts and future (2036) strategic transport model forecasts.

No issues were found, with the current network and committed future upgrades able to accommodate the traffic, whether Dunns Road is upgraded or not.

If Dunns Road is upgraded, more detailed modelling will be required to analyse possible flow on effects to Lloyd Road, Plumpton Road and Gregadoo Road.

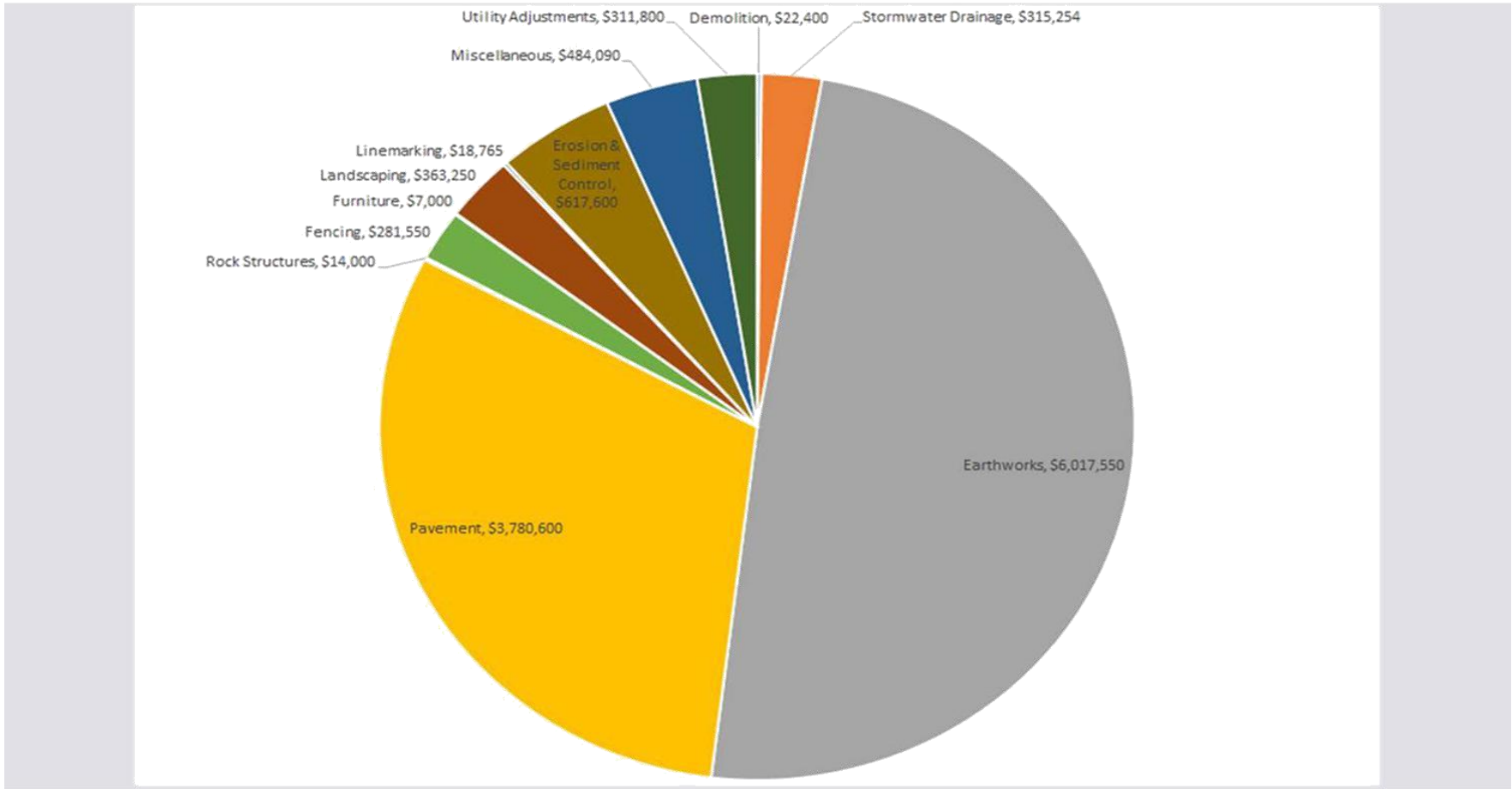
Cost Estimates

Cost estimates for the latest design were conducted. The base project cost was found to be \$20.6M, including GST and 30% contingency.

The estimate includes provision for the Olympic Highway intersection upgrade and construction of a roundabout at Dunns Road/Holbrook Road.

Rock cutting costs are a large proportion of the cost estimate and further geotechnical investigations may reduce the cost.

Cost Estimate Breakdown



Dunns Road Corridor Upgrade Investigation

17

Alternate Safety Upgrades

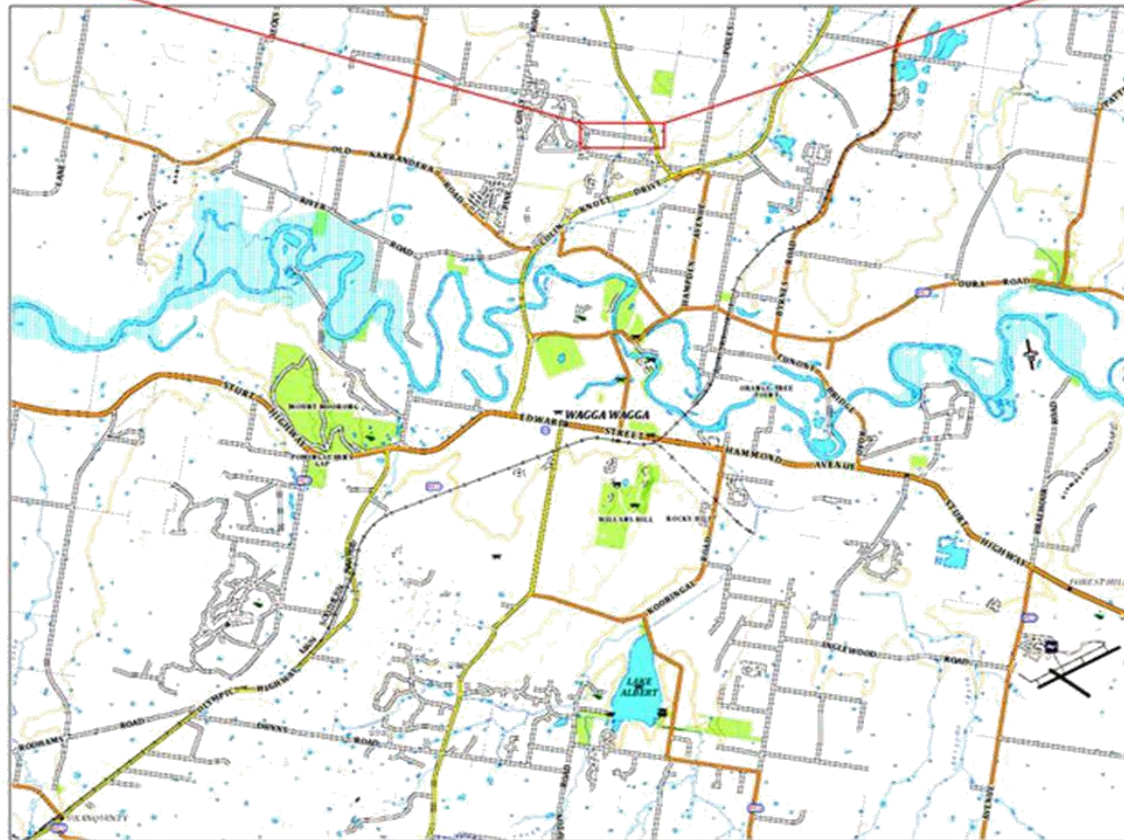
Possible alternate options to funding grant include:

1. Minimal modifications to Dunns Road
2. Farrer Road
3. Pine Gully Road
4. Red Hill Road

Note that if the federal funding is used for any road other than Dunns Road, Dunns Road may have to be closed to through traffic for the other projects to be eligible for the funding.

Possible Modifications to Dunns Road

- Staggered intersection with Holbrook Road and Lloyd Road
- Roundabout intersection with Holbrook Road and Lloyd Road
- Traffic calming measures

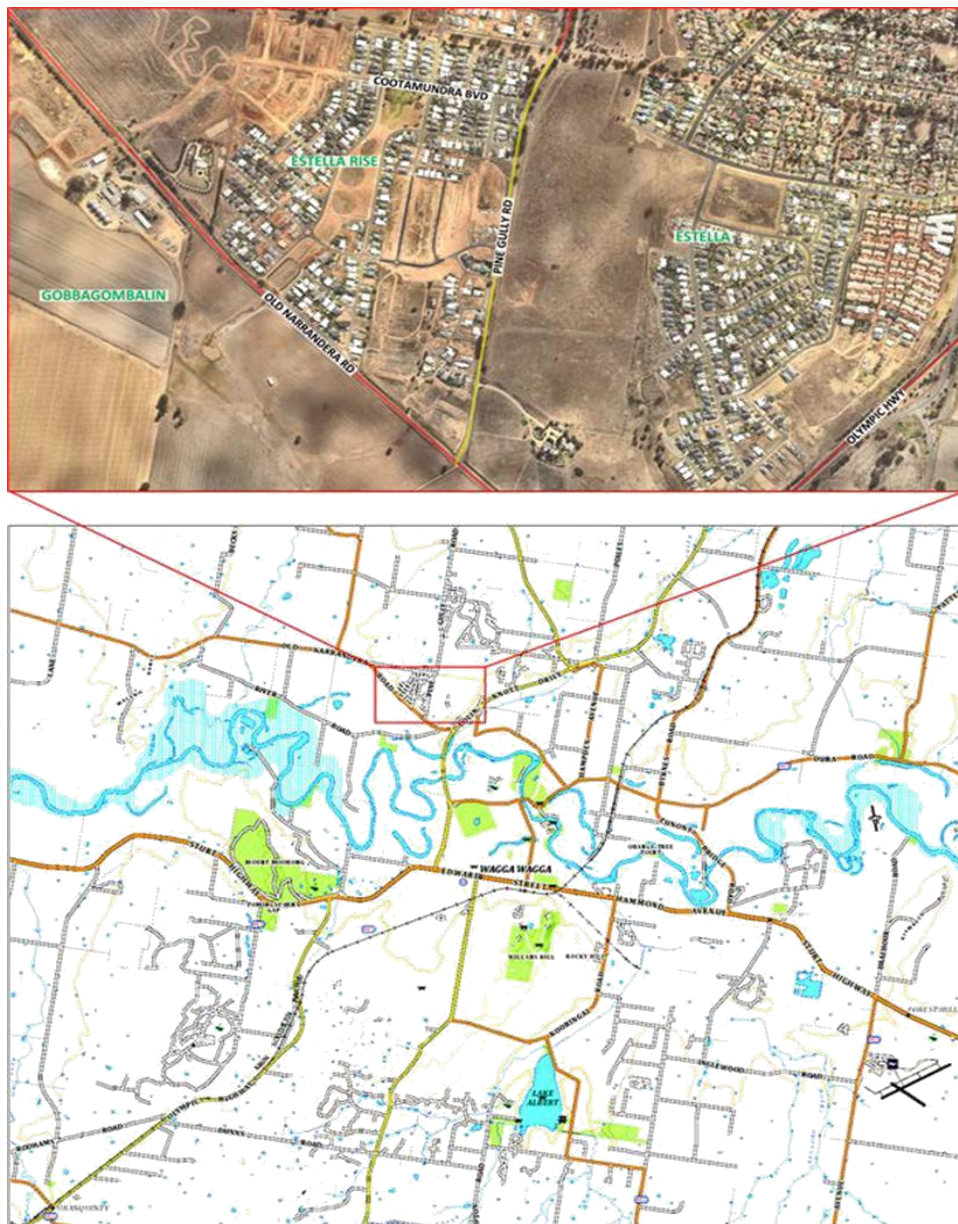


Farrer Road

Recent development in Estella, Boorooma and Gobbagombalin has resulted in higher traffic volumes on Farrer Road.

This is expected to continue to increase with continued growth in these areas.

The estimated cost to upgrade Farrer Road to four lanes is \$9.34 million



Pine Gully Road

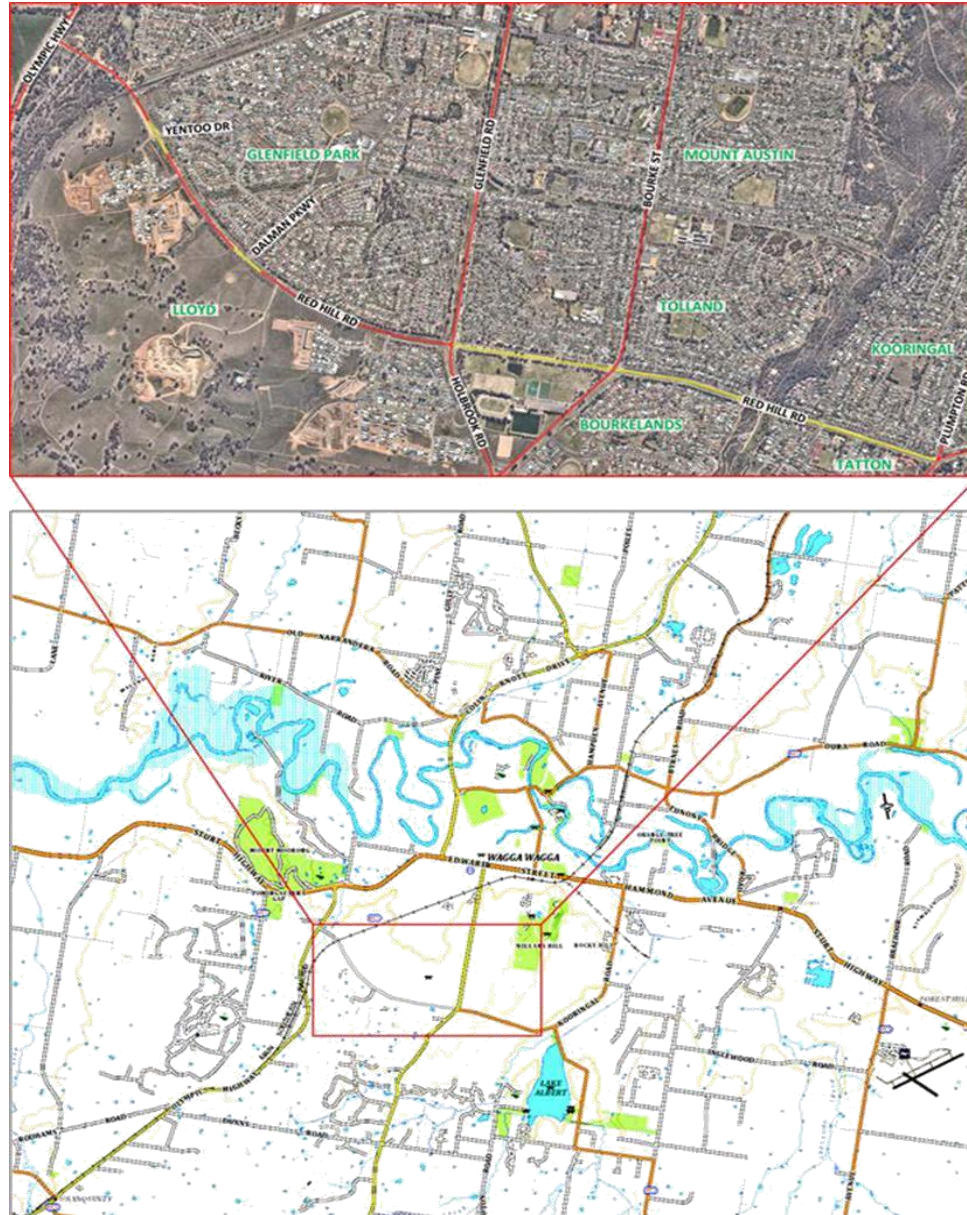
Recent development in Estella and Gobbagombalin (Estella Rise) has resulted in higher traffic volumes on Pine Gully Road. This road is also the main access to CSU student accommodation and agricultural sites.

Traffic volumes are expected to continue to increase with continued growth in these areas.

Pine Gully Road has experienced 32 crashes from 2005-2016 including 2 fatalities and 22 injury crashes.

Proposed works includes the addition of two new major intersections and several minor intersections to access Estella Rise (south of Estella Road). The intersection with Old Narrandera Rd is also proposed to be reconfigured.

WWCC financial documents suggest that the expected cost of upgrading Pine Gully Road to four lanes would be \$6.87 million. This is consistent with what is expected for this type of upgrade.



Red Hill Road

Traffic survey data supplied by WWCC indicate that the current (2013) traffic volumes on Red Hill Road, east of Olympic Highway are 2,680 vpd. By 2035, these volumes are expected to rise to approximately 5,000-6,000 vpd.

WWCC financial documents suggest that the expected cost of widening Red Hill Road to four lanes would be \$3.87.



INSPECTION REPORT AND RECOMMENDATION

Concept Proposal for
Wagga Wagga City Council – Dunns Road Upgrade

26 November 2018

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PART 1: WWCC CONCEPT PROPOSAL

a) Description of Work

Dunns Road is a local road 5.03km long within the City of Wagga Wagga connecting Holbrook Road (MR211) and Olympic Highway (MR78). The road is located wholly within an 80km/h speed zone and is partly within the Wagga Wagga City urban area. It is general a two lane gravel unsealed pavement with a bitumen seal around 6.0m wide for the first 1.45km, where most of the residential development occurs, and over five (5) isolated crests which are BB barrier line marked.

b) Traffic composition

The majority of the traffic for the eastern (Holbrook Road) end of the road is local residential with through traffic and some local traffic on the remainder of the route. The current AADT is around 350 with projection to 1000 in the future. Through traffic is generated by the outlying townships of Uranquinty and The Rock and the Australian Army base at Kapooka. The road is the shortest direct route from the Olympic Highway to the southern suburbs of Wagga Wagga and to the Mater Dei schools via Lloyd Road, which is the eastern extension of Dunns Road.

c) Existing Road Condition

The existing sealed sections of Dunns Road are quite narrow; the edge line and BB line marking is faded and worn and the sight distance over the crests is less than desirable. The unsealed lengths between the sealed sections comprise a loose gravel surface with creek crossings protected by steel guardfence barriers. Sight distance to property accesses is restricted, especially either side of the crests.

d) Concept Proposal

A standard complying design was originally proposed for the construction of Dunns Road, for 80k speed limit, but cost was found to be prohibitive. A simplified concept has been prepared incorporating the following:

- Construct a 250mm DGB pavement over the existing unsealed pavement material (existing pavement is assumed to be 150mm local gravel);
- Place a 6.2m wide seal over the pavement (similar to existing over crests)
- Line-mark appropriately
- Install 12 Intelligent solar powered traffic signs (two at six locations)
- Install wire rope safety fence for the total length of the existing rural section of Dunns Rd (2 x 3300m)
- Install roundabout at Holbrook Rd intersection
- Install appropriate intersection treatment at Olympic Highway
- Seek agreement from RMS to reduce speed limit to 60k based on recognised safety concerns along Dunns Road (this will be necessary as sealing the existing vertical geometry would not meet current design speed requirements for 80k speed limit)

PART 2: RMS REVIEW OF CONCEPT PROPOSAL

a) Pavement

The proposed 250mm DGB pavement over the existing unsealed pavement is considered sufficient for the projected traffic volumes and composition. A pavement investigation would need to be undertaken to determine the strength of the existing local gravel and for shoulder widening associated with the overlay.

b) Seal width of 6.2m (similar to existing)

The seal width between edge lines should be at least 6.5m with 0.5m-1.0m sealed shoulders with a 0.5m verge.

c) Linemarking

Edge line marking is recommended with S1 and BB lines as required.

d) Intelligent Solar Powered Traffic Signs

Installation and maintenance of 12 solar powered signs would be quite expensive and prone to vandalism. If the road is aligned, signposted and line marked correctly they are probably not necessary.

e) Wire Rope Safety Barrier

Installation of a wire rope safety barrier over the rural sections is not considered necessary. Steel barriers with appropriate end terminals will be required over the drainage structures, but with relocation of some utilities, tree removal and flattening of batters, additional barriers will not be required.

f) Roundabout at Holbrook Road

A roundabout at Holbrook Road should be considered when traffic volumes increase in the future.

If the speed limit on Dunns Road and Lloyd Road is posted at 60km/h for the urban length of both, then the safety of the intersection, especially in the approaches to Holbrook Road, would be enhanced.

g) Intersection with Olympic Highway

An appropriate intersection treatment with Olympic Highway would be a CHR (S). A re-alignment to square up Dunns Road may be required.

h) Reduced Speed Limit

The speed limit on Dunns Road (and Lloyd Road) urban sections could be reduced to 60km/h. The remaining rural section should remain at 80km/h as it would be difficult to justify or police a lower speed limit where the frequency of access points is low.

PART 2: RMS CONCEPT RECOMMENDATION

An assessment was made of the existing road condition and the following is recommended:

a) Pavement and Seal Width

A cross section comprising 2/3.25m lanes and 2/1.0m shoulders (0.5m sealed) is proposed.

b) Drainage

A review of the existing drainage has revealed the following:

- (i) Culvert at 0.46km (concrete box.) – Requires widening or driveable headwalls.
- (ii) Culvert under Lilli Pilli Place (concrete box.) – Requires driveable headwalls.
- (iii) Culvert at 1.075km (concrete box.) – Requires widening or driveable headwalls.
- (iv) Culvert under Kunzea Place (small dia) – may need a capacity assessment as table drain is scoured either side.
- (v) Culvert at 1.8km (1200 dia. Concrete) – Requires widening on the left and new headwalls and barriers.
- (vi) Culvert at 1.9km (1200 dia. conc. 8.3m between barriers) – Will require widening and new barrier system.
- (vii) Culvert at 2.47km (1200 dia. corrugated steel 9.5m between barriers) – No headwalls. This culvert has failed in the centre and will require replacement with a concrete pipe.
- (viii) Culvert at 3.0km (2/600 dia. conc. 12.6m between headwalls) – Requires new barrier system.
- (ix) Culvert at 3.6km (1500 dia. corrugated steel 7.5m between barriers) – Will require widening and a new barrier system.
- (x) Culvert at 4.05km (450 dia. 9.4m wide, silted) – Will require widening and clean out.
- (xi) Cutting at 4.4km – Requires widening and longitudinal drainage (possibly SO gutter)
- (xii) Culvert at 4.8km (450 dia. 9.6m wide) – Will require widening.

Existing transverse drainage lines will require assessment to prevent scour and sedimentation (evident throughout site). Inlet and outlet drains should be graded to existing creek beds to remove bunds at property boundaries. A review of culvert hydraulics, and erosion and sedimentation control measures should also be undertaken.

c) Horizontal Alignment

- (i) Section 1 – 0.00 (Holbrook Road) to 1.78km – Bitumen seal 6.2m wide with S1 linemarking and BB lines and E1 lines over the crest at 1.7km.
This section of Dunns Road has 14 individual property accesses and 3 local street intersections. There are reverse curves near the Kunzea Place intersection which have 45km/h and slippery road warning signs. This "wobble" could be removed if the power pole at 1.25km was relocated. A left hand curve at the crest could also be eliminated by relocating the power poles at 1.46km and 1.67km (see utilities section)
- (ii) Section 2 – 1.78km to 2.05km – Unsealed gravel pavement approx. 7m wide.
The culverts at 1.8km and 1.9km could be widened and the alignment shifted right to remove the reverse curves between 1.9km and 2.05km and align with section 3.
- (iii) Section 3 – 2.05km to 2.37km – Bitumen seal 6.2m wide with S1, BB (crest) and E1 linemarking. There is 1 property access on the left at 2.1km.
Widening on right to achieve cross section widths in (a) above.
- (iv) Section 4 – 2.37km to 2.64km – Unsealed gravel pavement approx. 7m wide.
The alignment could be improved by widening the culvert at 2.47km on the left and shifting the road alignment left to align with section 5.

- (v) Section 5 – 2.64km to 2.86km - Bitumen seal 6.2m wide with S1, BB (crest) and E1 linemarking. There are 2 property accesses at 2.73km left and 2.77km right. The access at 2.77km right has inadequate sight distance to the east and could be moved 30m east for safer intersection sight distance. Widening on the right is recommended as the left side is close to the road boundary. This would entail removal of 8 or 9 mature trees and some saplings.
- (vi) Section 6 – 2.86km to 3.23km - Unsealed gravel pavement approx. 7m wide. Widening on the right from 2.86km to the culvert at 3.0km is recommended, cross the culvert in the centre, then widen to the right to align with section 7 widening. Approximately 6 mature trees will need to be removed. There is a property access at 2.95km right and another at 3.18km left.
- (vii) Section 7 – 3.23km to 3.41km - Bitumen seal 6.2m wide with S1, BB (crest) and E1 linemarking. Widening on the right to avoid adjacent property boundary on the left. Approximately 6 mature trees will need to be removed.
- (viii) Section 8 – 3.41km to 3.72km - Unsealed gravel pavement approx. 7m wide. Widen on right from 3.41km to culvert at 3.6km. Widen culvert to the left and continue widening on the left to align with section 9. One very large tree adjacent to the culvert will need to be removed along with 4 mature trees on the right. Property access on left at 3.72km.
- (ix) Section 9 – 3.72km to 3.90km - Bitumen seal 6.2m wide with S1, BB (crest) and some E1 linemarking. Widening to left recommended to avoid large trees and cutting on the right. Removal of 2 mature trees on the left will be necessary.
- (x) Section 10 – 3.90km to 4.74km - Unsealed gravel pavement approx. 7m wide. Widening on left to the cutting at 4.3km then, raise the pavement levels through the cutting to achieve a 7.5m sealed width adjacent to SO gutter on both sides. From 4.47km (approx.) widen on left to align with section 11.
- (xi) Section 11 – 4.74km – 5.03km - Bitumen seal 6.2m wide with no S1, some BB (intersection) and no E1 linemarking. Moving the intersection with Olympic Highway around 80m to the north will provide an improved alignment, safer intersection sight distance to the south and a greater separation (240m) from the accesses immediately to the south of the existing intersection. A CHR (S) type intersection is recommended for Olympic Highway/Dunns Road. Re-alignment of Dunns Road to intersect at right angles with Olympic Highway is recommended. This would involve 185m of new formation and approximately 0.6ha of property acquisition of which 0.25ha could be disposed of to the adjoining owner.

d) Vertical Alignment

There are 4 crests with restricted sight distance:

1. At 2.2km - Stopping Sight Distance $1.1m - 0.2m = 90m$ (80km/h); $1.1m - 1.1m = 140m$
2. At 2.75km - Stopping Sight Distance $1.1m - 0.2m = 60m$ (60km/h based on a reaction time of 1.5 sec.); $1.1m - 1.1m = 90m$
3. At 3.8km - Stopping Sight Distance $1.1m - 0.2m = 80m$ (70km/h); $1.1m - 1.1m = 110m$
4. At 4.3km - Stopping Sight Distance $1.1m - 0.2m = 70m$ (60km/h); $1.1m - 1.1m = 100m$

Given the undulating terrain and low traffic volumes a reaction time of 1.5 seconds has been adopted. It would be expected that an object on the roadway could be avoided by weaving once the widening work is completed. Shoulder widening to 2.0m (sealed) at the crests would provide a safer manoeuvring area. Sight distance vehicle/vehicle is sufficient for 80km/h design speed.

Generally, the vertical alignment could remain as is, except for the following:

- (i) A 250mm DGB pavement overlay of the unsealed sections.
- (ii) Through the cutting between 4.3km and 4.47km (approx.) trim the cutting and raise the pavement levels sufficiently to provide a clear width of 10.5m (batter toe to batter toe) to include a 7.5m seal (linemarked to 6.5m), 2 X 1.0m SO gutters and 2 X 0.5m berms behind the gutters. This would also increase stopping sight distance at crest 4 above.
- (iii) Alignment as required to connect to new intersection with Olympic Highway.

e) Utilities

The following power line adjustments are required:

- (i) Between 0.0km (Holbrook Road) and 1.25km the power line is adjacent to the existing road and approx. 4m – 5m from the edge of the through lane. This is acceptable provided that the speed zone in this section is reduced to 60km/h
- (ii) Power poles at 1.22km, 1.46km, 1.66km and 2.68km are required to be relocated to provide a 5.0m clear zone and allow for formation widening.

f) Safety Barriers

New steel safety barriers with appropriate terminals are required at all larger culvert structures.

g) Vegetation

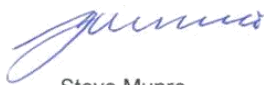
Approximately 25-30 mature trees would need to be removed to allow for formation and culvert widening work.

h) Signposting and Linemarking

The following signs will be required to be relocated or installed:

- (i) Crest warning signs at all 4 sight restricted crests detailed in (d) above. Additional 60km/h warning signs should be placed on the signs for crest 2.
- (ii) The "Reduce Speed" and Give Way Ahead and Give Way signs on the western approach to Holbrook Road should remain as is. The existing "Rumble Strips" should also remain or be replaced.
- (iii) 60km/h signs will be required to delineate the new lower speed limit up to Kunzea Place.
- (iv) "Concealed Driveway" signs where property accesses are located at crests.
- (v) T Junction warning and Give Way signs at intersection with Olympic Highway.
- (vi) Linemarking on Dunns Road should include S1, E1 and BB lines.

Concept sketches and photographs are attached.



Steve Munro
Lead Road Designer
26 November 2018

RP-4 PROPOSED NEW BUS ZONES

Author: Peter Ross
Director: Caroline Angel

Summary: Transport for NSW have for some time been reviewing the existing bus public transport routes in Wagga Wagga to provide better service to the community.

This is part of a greater scheme to improve bus transport systems within regional NSW. Of the sixteen proposed projects in NSW, Wagga Wagga is the second to be undertaken and is to be used as a template for the remaining projects.

Within this project initially, one new bus zone is to be created and an existing bus zone is to be extended. Due to time constraints, Council is being asked to approve the proposals to allow installation by 30 March 2020.

Recommendation

That Council:

- a endorse the recommendations of the Traffic Committee in respect of two business items that were distributed to members electronically on 10 February 2020 and that relate to the:
 - i the extension of an existing BUS ZONE on the western side of Fitzmaurice Street, immediately north of the intersection with Johnston Street, by a length of 12 metres
 - ii establishment of a new BUS ZONE in Macleay Street at the front of the TAFE NSW Wagga Wagga campus

Report

Transport for NSW have been reviewing the current public bus transport system in Wagga Wagga as part of a major transformation of public transport in regional NSW. Wagga Wagga is the second of proposed regional locations to be revitalised.

The prime objectives of the review were to:

- provide shorter and more direct bus routes
- provide direct linkages to customer destinations
- promote an increase in customer patronage
- provide better service to areas of low car ownership

These objectives were based on responses from community and customer surveys undertaken as part of the review process.

To accommodate changes to the bus routes, several new bus pick up and drop off locations were identified as being essential to the success of the project. Two of these locations are to be specific bus zones to ensure unimpeded access for buses.

Proposals for new bus zones need to be considered and recommended by Council's Local Traffic Committee. It is permissible within the provisions of the delegation to Councils for the regulation of traffic for matters that require urgent attention to be distributed to Traffic Committee members by electronic means. Members are permitted to respond in the same manner.

As such reports were prepared for the two bus zone locations and distributed by email to voting members of the committee for concurrence. The two reports are included below as Items 1 and 2. Voting members of the LTC who represent Transport for NSW, Police, Council, and the Local Member have all agreed to both proposals.

The two reports were presented to the TC on Thursday 12 March 2020 for confirmation of the reports and voting of members. Implementation of the new bus routes is scheduled to come into operation on Monday 30 March 2020. These reports have been presented to Council to fast track the formal process of adoption and allow time for installation of the works required for the bus zones.

The first report relates to the extension of an existing BUS ZONE on the western side of Fitzmaurice Street immediately north of the intersection with Johnston Street (Attachment 1).

The second report relates to the establishment of a new BUS ZONE on the eastern side of Macleay Street adjacent to the front doors to the Riverina Campus of TAFE (Attachment 2).

As stated, Traffic Committee members voted in favour of both recommendations. The short time frame between the next meeting of the Traffic Committee and the intended commencement of the revised public bus service in Wagga Wagga on 30 March 2020 requires that this matter must be sent to Councillors for consideration before the minutes of the Traffic Committee meeting are likely to be available.

Financial Implications

The total cost of implementing these two bus zone proposals is to be funded by Transport for NSW.

Policy and Legislation

A Guide for the Delegation to Council's for the Regulation of Traffic (RMS)

Link to Strategic Plan

Community Leadership and Collaboration

Objective: We are informed and involved in decision making

Outcome: Everyone in our community feels they have been heard and understood





Risk Management Issues for Council

The installation of the two bus zones included within this report are a critical component of a broader project by Transport for NSW for the revision of existing Bus Routes for the Wagga Wagga public bus transport system. The new bus routes come into operation on 30 March 2020. Non-approval of this report will mean that the two bus zones will not be able to be implemented by the due date.

Internal / External Consultation

Consultation has taken place with Infrastructure NSW, Busabout, RMS and Council staff (particularly the Traffic Section)

Attachments

1.   Fitzmaurice Street – Extending bus zone near Johnston Street
2.   Macleay Street – Bus zone at TAFE

RP-11 FITZMAURICE STREET - EXTENDING BUS ZONE NEAR JOHNSTON STREET**Author:** Bill Harvey**Recommendation**

Traffic Committee members note that the following matter was distributed to members by email on 10 February 2020 with members responding in favour of the recommendation.

Traffic Committee recommends that the existing BUS ZONE located on the western side of Fitzmaurice Street, immediately north of the intersection with Johnston Street, should be increased in length from 18 to 30 metres, by converting two parallel parking bays to be included in the BUS ZONE. This will enable two buses to be accommodated in the zone at one time, as per the diagram below.

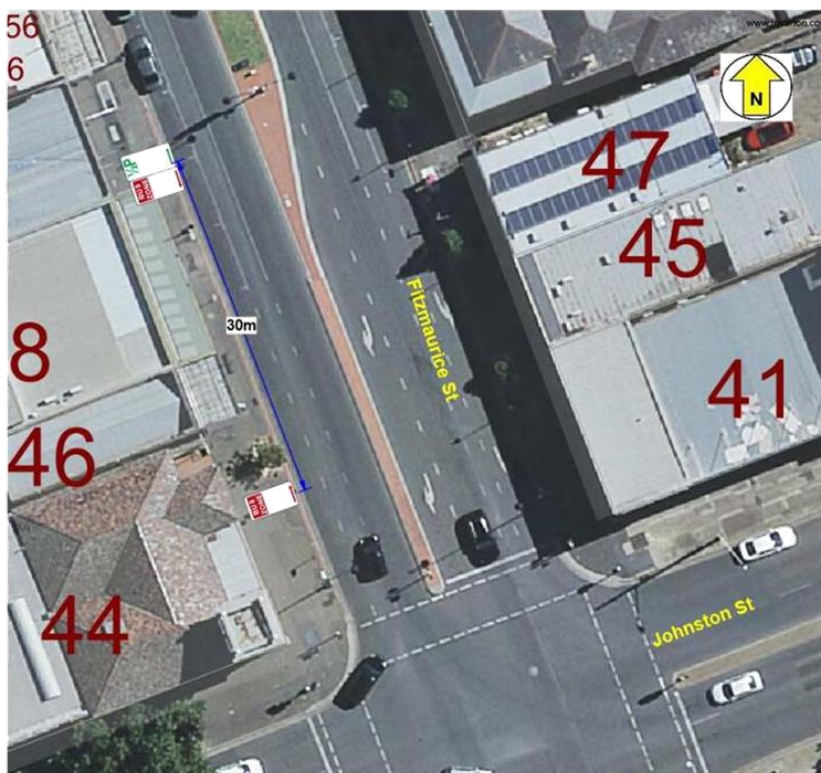
Report

The public bus service that is provided in Wagga Wagga through Transport for New South Wales (TfNSW) and by Busabout has been under review for some time. Options are being taken with the aim of improving the service in a number of ways that include providing the service for increased hours on some days, providing a service on Sundays and providing a service to the Bomen Industrial Estate. Operation on the new service times and routes is to commence on 30 March 2020. Some changes have already been made to BUS ZONE infrastructure to accommodate the new routes, e.g. the recent lengthening of the BUS ZONE that is located at the Court House.

One of the issues that has been identified is the need for drivers to take mandatory rest breaks without causing an undue delay to any particular service. Many of the services run along Baylis Street and into Fitzmaurice Street, turning at Gurwood Street, Kincaid Street and Travers Street.

The planned method that will enable drivers to take breaks is that a fresh driver will take a bus from the depot and meet an assigned service where the two drivers will swap buses. The fresh driver will continue on the assigned service with little or no disturbance to passengers. The other driver will take the second bus to a location in the city that has been used for drivers to take breaks for many years. Toilet and other facilities are available for drivers at that location. After taking the mandatory break, the refreshed driver will commence a fresh assigned service, as per the bus timetable.

A location that is north bound in Fitzmaurice Street, immediately north of the intersection with Johnston Street, has been identified as a point where many of the services can exchange drivers. There is an existing 18-metre-long BUS ZONE at that location. By converting two parallel parking bays that are immediately to the north of the existing zone into additional kerb length included in the BUS ZONE, it will be possible to accommodate two 12.5 metre long buses to be stopped at kerb at the same time. The following diagram shows the changes that need to be made to accommodate two buses.



A Council Officer has canvassed shop and business operators in the relevant section of Fitzmaurice Street. There were no objections raised about the proposal to convert the two half-hour parking spaces to be included into the BUS ZONE.

A second issue that has become apparent as part of the proposed upgrade of the overall bus service in the City is that the existing BUS ZONE that is located in Johnston Street to the west of the intersection with Fitzmaurice Street will no longer be required. Consequently, that zone which is effectively the same length as three parking bays, will be converted back to parallel parking and absorbed into the timed parking that is located on the northern side of Johnston Street.

Risk Management Issues for Council

There are no risks associated with this matter.

Internal / External Consultation

Consultation was undertaken with Busabout, Transport for New South Wales, and with all the business operators near the proposed change.

RP-12 MACLEAY STREET - BUS ZONE AT TAFE**Author:** Bill Harvey**Recommendation**

Traffic Committee recommends the installation of 21 metres of BUS ZONE, using standard R5-20 series signs with added words:

7am – 7pm
Sun to Wed
7am to 10pm
Thu to Sat

on the eastern side of Macleay Street between the southern end of the NO PARKING zone at the front of the TAFE administration building and the northern end of the NO STOPPING zone that is associated with the pedestrian kerb bulb.

Report

Changes to the bus service network in Wagga Wagga, scheduled to take effect from 30 March 2020, will result in a new regular bus service on Macleay Street. Transport for NSW (TfNSW) and Busabout have asked for a BUS ZONE to be installed near the front of the main administration building at TAFE NSW Wagga Wagga ('TAFE'). There is already a corresponding BUS ZONE on the opposite side of Macleay Street, accommodating north-bound services at Wagga Wagga High School.

There is a location between the southern side of an existing NO PARKING zone and the northern end of an existing NO STOPPING zone that is suitable for this purpose. The area at present has seven 60° angle front to kerb parking bays. Implementation of this recommendation would see the loss of those parking spaces from that location.





There is currently a BUS ZONE in Coleman Street outside of the TAFE 'D' Block. That zone is more than 25 metres long and is recessed behind the kerb line. Since Coleman Street will no longer be part of a bus route, the BUS ZONE will be removed, and the

Report submitted to the Traffic Committee on Thursday 12 March 2020

RP-12

kerb length returned to untimed parallel parking. This change will accommodate at least four of the seven spaces that will be lost from Macleay Street. TAFE also has off-street parking available that can be accessed from Coleman Street and that has capacity for additional vehicles.

Risk Management Issues for Council

There are no risks that are associated with this matter.

Internal / External Consultation

Consultation was undertaken with Transport for NSW and Busabout. Consultation will be undertaken with TAFE before the zone is implemented if the option is favoured by Council.

Traffic Committee - Thursday 12 March 2020

Page 3

RP-5 KINCAID ST - CENTRE OF ROAD PARKING - REVIEW OF TRIAL

Author: Tristan Kell
Director: Michael Keys

Analysis: This report outlines the concerns of stakeholders with the centre of road parking in Kincaid Street and details the community consultation on the matter. Additionally, the report recommends a further 6-month parking trial that incorporates a revised layout based on recommendations made by Council Traffic Committee Officers.

Recommendation

That Council:

- a recommends endorsement of an additional 6 months parking trial in the centre of Kincaid Street including:
 - i adoption of the proposed changes recommended by Council Traffic Officers to remove six parking spaces
- b approval of a budget variation of \$1500 for the proposed changes to the layout and continuation of the trial, to be funded from operational budgets

Report

In 2016-2017 a trial of 90° centre-of-road angle parking was conducted in Kincaid Street over a six-month period. In general, the trial has continued since that time without incident.

There have been no crashes in the trial area reported to Wagga Wagga City Council.

Original consultation of the trial highlighted that two business operators in the area, Elders and Carpet Court, were having difficulty receiving deliveries of goods. This was caused by the establishment of parking bays in the middle of the road, preventing larger vehicles from manoeuvring into the respective driveways. The Traffic Committee business paper for 9 March 2017 recommended removing six parking spaces to allow larger vehicles access to the delivery driveways.

At the Traffic Committee meeting held on 9 March 2017, two stakeholders raised concerns including:

- The Roads and Maritime Services (RMS) representative questioned the compliance with the Australian Standards (in particular AS2890.05). Road design engineers had raised the question of non-compliance with the RMS representative.
- The NSW Police representative cited instances where Police had witnessed dangerous pedestrian movements between the centre of road parking and the footpaths. Police reported anecdotal evidence of dangerous vehicle manoeuvres when drivers are egressing from the centre of road bays.
- From a risk perspective, Council's insurer has advised that should parking spaces be removed from the current configuration to accommodate for truck

movements into businesses along Kincaid Street, that the new configuration be for a six-month trial period – the same as the original trial. This trial will provide the opportunity to evaluate the concerns raised by RMS, the Police and other businesses along Kincaid Street.

- From an insurance perspective, Council's insurer advises that Council, as the Road Authority, have the right to implement the proposed changes acknowledging the RMS and Police concerns.

There is no definitive indication in the Standard regarding the length of a parking bay in a centre of road parking environment. The nearest indication came from Figure 2.5 within AS2890.05. 'Layout and Minimum Roadway width for 90 Degree Angle Parking Spaces'. That particular table refers to parking bays that are adjacent to a kerb. In that instance the minimum length is 5.4m. The parking bays in Kincaid Street reflect this length, however unfortunately, this limits vehicles that can use these bays as many personal passenger vehicles on NSW roads exceed 5.4m in length.

Further consultation was conducted from 19 June to 7 July 2017. Businesses and community members were surveyed within the vicinity of the parking trial with 229 responses collected. From the responses collected, 74% supported the continuation of the scheme.

Council has recently received further representation from one of the property owners seeking implementation of the changes including removal of the 6 parking spaces. In accordance with Council's insurers advice a further 6-month trial is recommended if this occurs.

Financial Implications

The report presented to the 30 May 2016 Ordinary Meeting of Council titled MM-1 Mayoral Minute – Interim CBD Parking trial stated (excerpt):

- c fund any costs incurred in the interim trials from the Parking Reserve*

The total costs incurred for the trials were \$32,554.13.

If this trial is to continue for a further 6 months, the estimated cost is an additional \$1500.00. This is to be funded from operational budgets.

Policy and Legislation

N/A

Link to Strategic Plan

Community Leadership and Collaboration

Objective: City of Wagga Wagga services reflect the needs of the community

Outcome: The City of Wagga Wagga has efficient and effective processes

Risk Management Issues for Council

The risk to council is that safety and community feedback is contradictory with most members of the public expressing the need for a parking solution near or in Fitzmaurice Street while also expressing concerns on safety for drivers and pedestrians in the area.

There is a high chance that there will be media against the report's recommendations due to the majority calling for the trails to continue.

Internal / External Consultation

The 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...."

Community consultation was conducted during March 2017 with Kincaid street businesses.

Further consultation was undertaken from 19 June to 7 July 2017, consisting of online and face-to-face surveys with businesses and reply paid survey postcards.

A breakdown of the consultation process is attached in the community and engagement report.

A Councillor Workshop occurred in July 2019, to discuss the proposed development. Subsequent workshops occurred with local businesses impacted by the proposed development in August 2019

	Mail			Media				Community Engagement						Digital			
	Rates notices insert	Selected 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
TIER																	
Consult		☒			☒			☒	☒				☒	☒			
Involve																	
Collaborate																	

It is proposed to remove the six spaces and monitor for a further 6month period, as recommended by Council's insurer. Further consultation on the changes and trial will be conducted at the end of this period.

Attachments

1  Communication Engagement summary

2   Traffic Committee Report

3   Revised Layout



Kincaid Street centre parking



Communications and Engagement Summary

As a part of a review of a trial of centre parking on Kincaid Street, Wagga Wagga City Council conducted a survey to help measure the success of the trial.

There was a very high response rate for a survey of this nature with 229 responses.

The vast majority (169, 74%) support the continuation of the initiative, but less (141, 62%) believe it is safe for pedestrians.

A full summary of results as well as the approach and participation is provided in the body of this report.

Approach

The survey was available online as well as in a shorter, reply paid postcard form (appendix 1), which were made available at businesses in the vicinity of the centre parking as well as at Council's Customer Service Desk. Businesses were approached directly and encouraged to complete the survey in full on the spot.

An outline of the initiative, feedback already received and potential changes that may need to be considered if the initiative was to remain in place were outlined as part of the online survey as well as in a flyer that accompanied the postcards.

Promotion

The survey was promoted in Council News, all of Council's social media platforms, via a media release, in Your Say Wagga newsletters, flyers and street walk of businesses in the vicinity of the centre parking (appendix 2).

Where the promotional platform was not online (Council News and media release) residents were provided a phone number that they could call in addition to the website link and were encouraged to provide feedback via whatever means suited them.

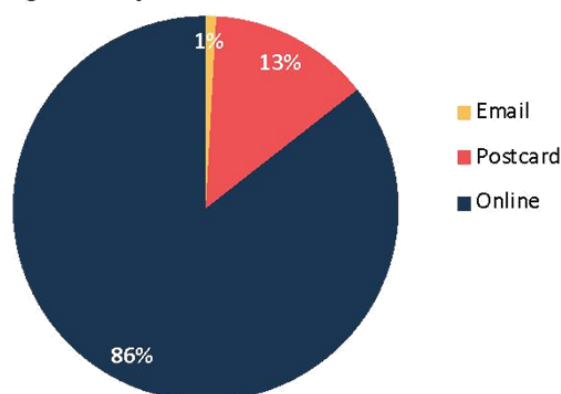
Thousands were reached via social media, newsletters and local media with hundreds visiting the project page on the Your Say Wagga website

Sixty-four businesses were approached during a street walk.

Participation

Most of the responses were via the online survey, however some people took the opportunity to complete the reply paid postcard or send an email (Fig 1)

Fig 1 - survey method



Platform	Reach
Facebook	9,112 total reach 247 link clicks
Your Say Wagga	1500+ reached via newsletter 515 visits to the project page
Council News story	Printed in both The Weekend Advertiser AND The Riverina Leader and emailed to around 600 subscribers of Council News. The Weekend Advertiser has a distribution of 13,500 and The Riverina Leader, which is a free community newspaper, is available in 87 locations across the Wagga Wagga Local Government Area.
Other social media	2,500+ Twitter followers 1620 Instagram followers
Street walk	64 businesses were directly approached about completing the survey and/or hosting flyers and postcards, 27 completed the survey during the visit and 62 took flyers and/or survey postcards.

Table 1

Summary of results

While all of the questions featured on the online survey, a reply paid postcard was distributed with only basic demographic questions and the main question about whether or not the centre parking should remain and why. This explains the high 'no answer' rate in some of the responses below and should be considered when interpreting results.

Use of centre parking

The majority of survey respondents (162, 71%) had used the trail parking at some point (Fig 2) with dining the most popular reason for doing so (Fig 3). Notably, no one said they used the parking as a resident.

Continuation of the initiative

All survey respondents (i.e online and postcard) were asked if they would like to see the Kincaid Street centre parking to continue and why.

Nearly three quarters said they wanted to see the initiative continue (Fig 5) with most saying it alleviates a parking shortage and works well (Fig 6). Some said that their support was conditional on changes being made or noted that it could be difficult to navigate.

Of those that were against continuing the initiative or unsure (26%), most said that it was unsafe and difficult to navigate (Fig 7).

Responses about why respondents did or didn't support the initiative were free text and have been categorised into themes for the purpose of analyses, they were not options provided.

Pedestrian safety

A quarter of respondents said the parking is unsafe for pedestrians (Fig 8), mostly do to reduced visibility (Fig 9). A stronger 62% think it is safe, with many arguing it is as safe as any road and pedestrians need to take usual precautions (Fig 10). 13% did not answer the question, which is reflective of the number of people that completed the survey via postcard or email. While we can't speculate on what their answers would have been, particularly as some people support continuing the initiative despite acknowledging that it is not safe for pedestrians, it is worth noting that 25 of the 31 (80%) email or postcard respondents support continuing the initiative.

Fig 2 - Have you used the parking?

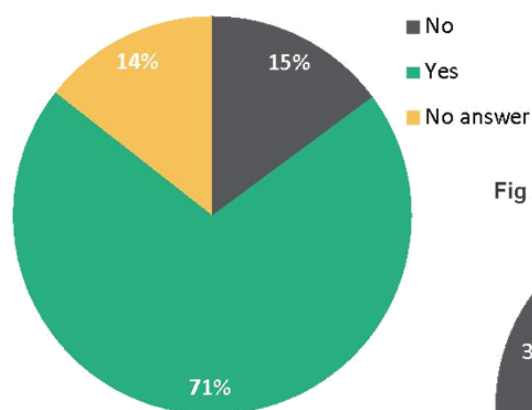


Fig 3 - reason for parking (multiple options could be checked)

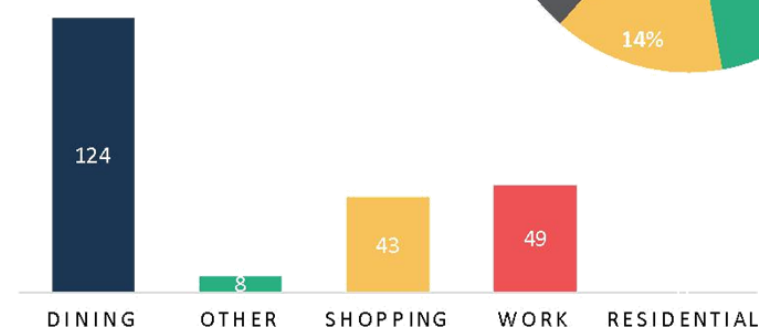


Fig 4 - length of parking

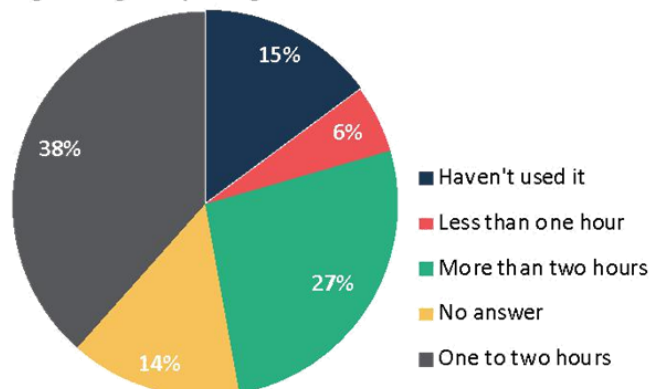


Fig 5 - should the Kincaid Street centre parking continue?

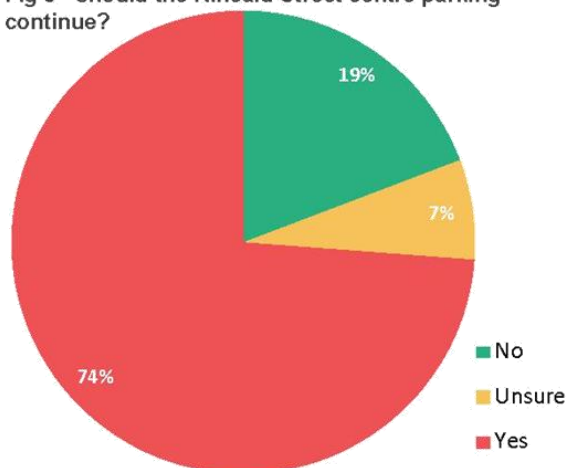
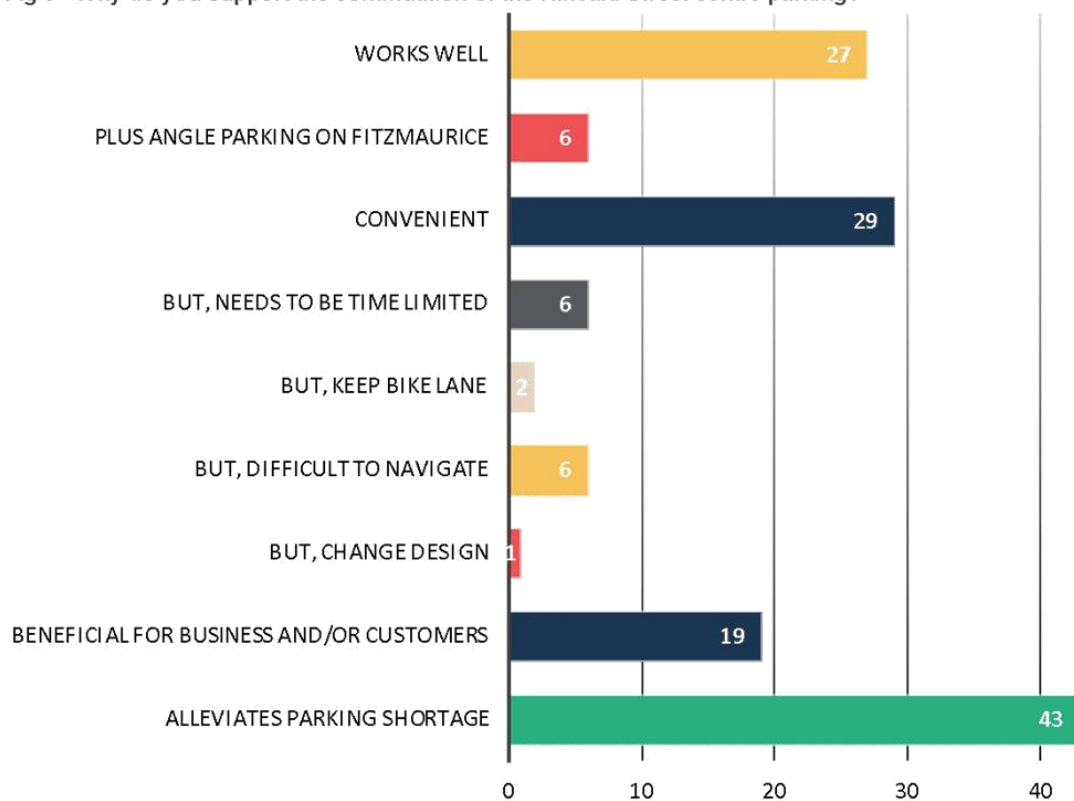


Fig 6 - Why do you support the continuation of the Kincaid Street centre parking?



Examples of why respondents support continuing the initiative.

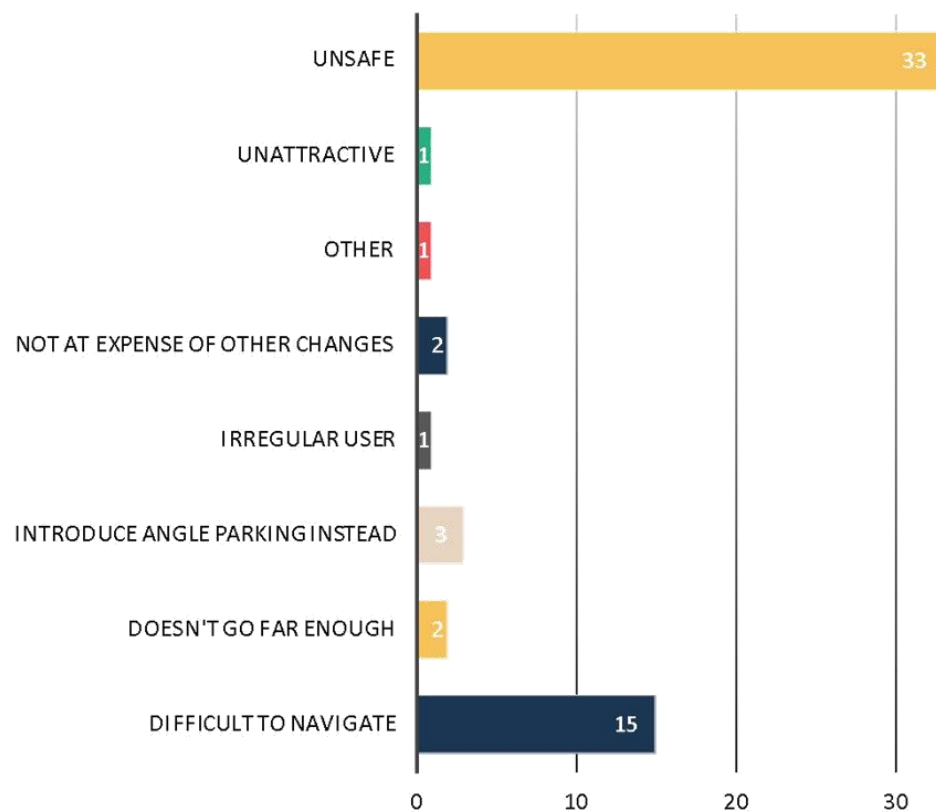
"There's a lot of nice eateries in that precinct and it makes them more easily accessible."

"I've never struggled to find a car park, and for those who complain, this is better than an awful multistorey car park."

"It works well with businesses and we have noticed more parks along Fitzmaurice street."

"It offers a convenient location for parking but oncoming traffic is sometimes a bit scary."

Fig 7 - Why don't you support or are unsure about the continuation of the Kincaid Street centre parking?



Examples of why respondents don't support or are unsure about continuing the initiative.

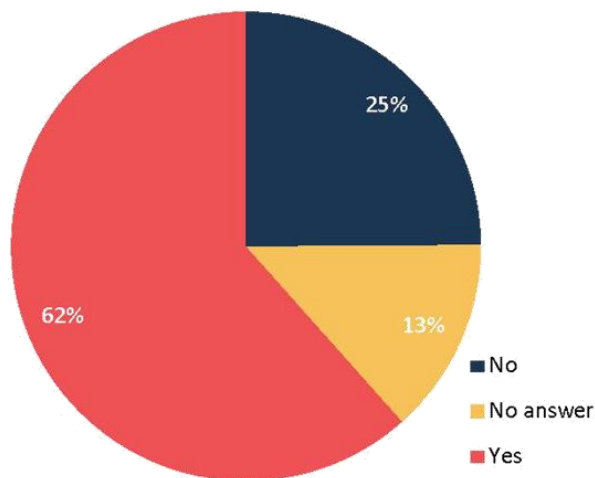
"Unsafe due to angle, cause chaos for local businesses for drop off & pick ups (eg. trucks)."

"I work in Baylis Street and now find it very dangerous to drive down that part of Kincaid Street. There is no vision when cars are pulling out!! We need angle parking on Baylis Street."

"Hard to see when exiting and I don't think there is sufficient room to drive down Kincaid street now."

"It is good to have more parking, but it spoils the streetscape and visibility is not good."

Fig 8 - Do you consider the Kincaid Street centre parking to be safe for pedestrians?



Examples of why respondents think the initiative is unsafe for pedestrians.

"Cars have to pull all the way through the carpark into the path of oncoming traffic just to be able to see if it's safe to pull out into the traffic. This is incredibly unsafe when as a pedestrian you are attempting to cross the road."

"People tend to just appear from nowhere."

"I have seen near misses as cars entering Kincaid St from Fitzmaurice do not have enough warning or visibility. The unclear road lane markings add to this hazard."

"It's not because there is no crossings there for pedestrians, and there is constantly cars coming in and out of the street."

Fig 9 - Why do you consider the Kincaid Street centre parking to be unsafe for pedestrians?

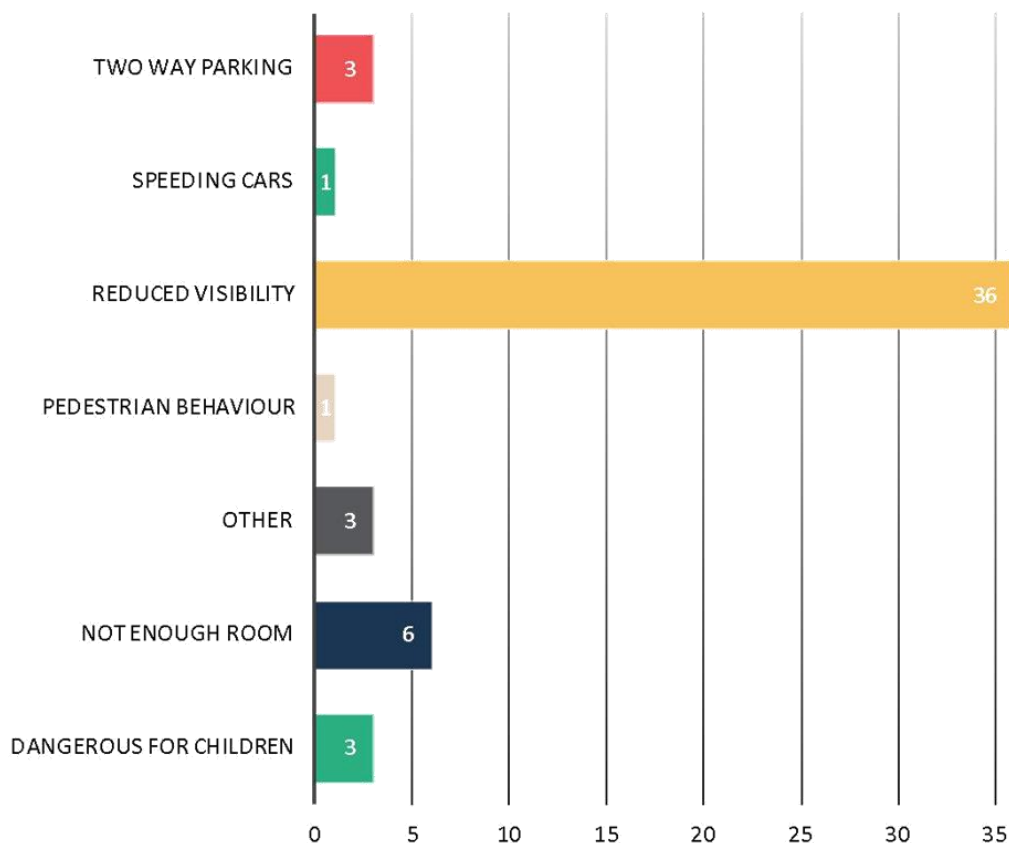
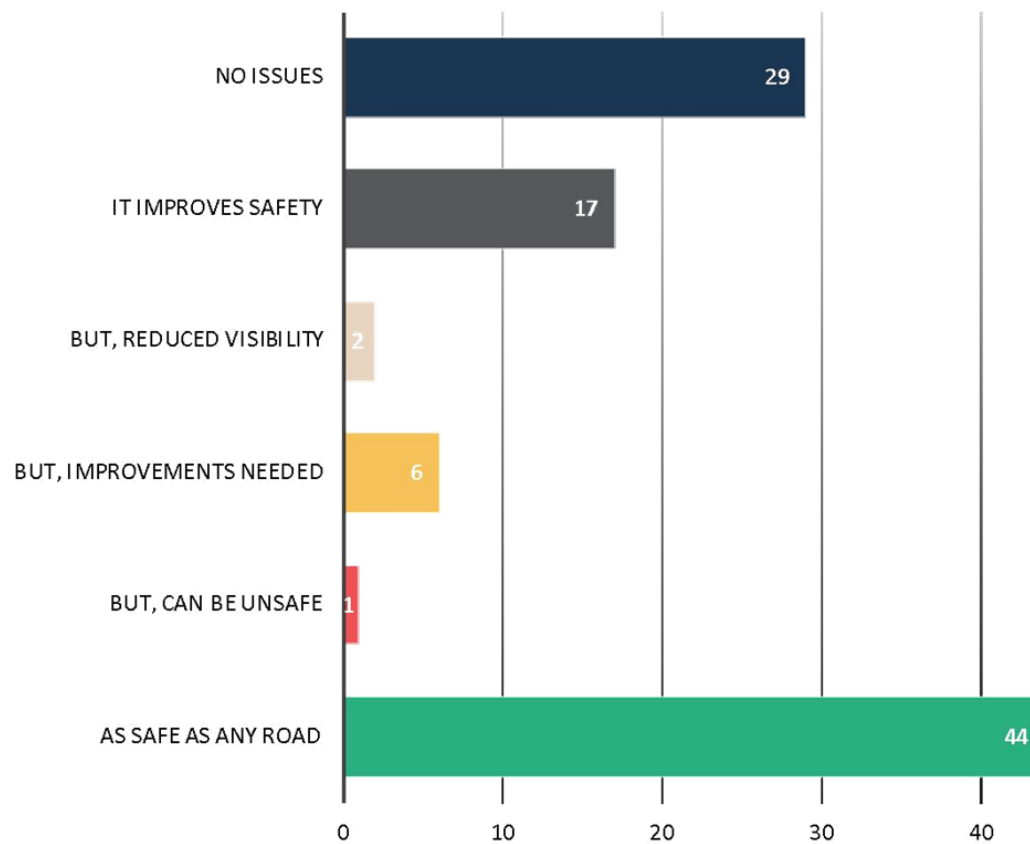


Fig 10 - Why do you consider the Kincaid Street centre parking to be safe for pedestrians?



Examples of why respondents think the initiative is safe for pedestrians.

"It us a pedestrian's responsibility to watch for traffic as they cross the road."

"It is easier to cross the road because of the narrow width of car access. I have trouble walking and find it easier having the parking section in the middle that can be a refuge between the car lanes."

"But I drive below the speed limit on that section of road mainly out of concern someone parked in the centre will cross the road without looking. It's more of a concern considering there is a family restaurant on the block, so children about."

"The perception that the travel lanes are narrower causes drivers to reduce speed in this area. Pedestrians still have to take care crossing the road same as always."

Appendix 1 - Surveys

Online survey

Kincaid Street centre parking

In response to calls for more parking around the Fitzmaurice Street precinct a six month trial of all day centre-of-road parking was conducted on Kincaid Street. Now that the trial has finished we would like to know how you think it went and whether the initiative continues.

During the trial the number of parking spots on Kincaid Street between Fitzmaurice Street and Trial Street went from 0 to 47, with the centre of road spots marked all day.

No incidents were reported to the City of Wagga Wagga during the trial however, Roads and Maritime (RMS) have informed that centre of road parking is prohibited against within the Australian Roadside (AR) zone. Some local area residents expressed concerns about the safety of pedestrians leaving and returning to their cars and concerns have been raised about the safety of cars parking and exiting spots.

If the initiative was to continue the following changes will need to be considered:

- Some parking being removed to allow for delivery vehicles to enter premises
- No right turn into Fitzmaurice Street from Kincaid Street
- Removal of the cycle lane

Please share your thoughts by completing the survey below.

SURVEY

Survey

Please complete the questions below. The information provided will be used to help determine whether or not the Kincaid Street parking trial will continue.

Full name*

Please limit answer to 255 characters

Contact number or email

Please limit answer to 255 characters

Age 1

☐ 18-24 ☐ 25-34 ☐ 35-44 ☐ 45-54 ☐ 55+

Gender *

☐ Female ☐ Male ☐ Other

Have you used the all day centre-of-road parking on Kincaid Street, between Fitzmaurice and Trial streets?

☐ Yes ☐ No

Why do you park in the Kincaid Street centre parking?

☐ Shopping ☐ Dining ☐ Work ☐ Residential ☐ Other

On average, how long would you park at Kincaid Street centre parking for?

☐ Less than one hour ☐ One to two hours ☐ More than two hours

Would you like the Kincaid Street centre parking to continue?

☐ Shopping ☐ Dining ☐ Work ☐ Residential ☐ Other

On average, how long would you park at Kincaid Street centre parking for?

☐ Less than one hour ☐ One to two hours ☐ More than two hours

Would you like the Kincaid Street centre parking to continue?

☐ Yes ☐ No ☐ Unsure

Why or why not?

Please limit answer to 255 characters

Do you consider the Kincaid Street centre parking to be safe for pedestrians?

☐ Yes ☐ No

Why or why not?

Please limit answer to 255 characters

Enter your email

Engagement Survey

☐ I agree to the Terms of Use and Privacy Policy for using Engagement HQ

Submit

Register now or log in with

Key Dates

Survey open
11 June – 30 July 2017

Related information

- Media release: Centre of road parking trial to begin on Kincaid Street, 26 September 2016
- Traffic Committee meeting agenda: 1 March 2017
- Traffic Committee meeting minutes: 1 March 2017
- Council meeting agenda: 26 April 2017
- Council meeting minutes: 26 April 2017

Kincaid Street Centre of Road Parking Concept

All day centre-of-road parking was trialled in Kincaid Street. The six month trial began as a result of calls for more parking around the Fitzmaurice Street precinct. Now that the trial is complete we would like your thoughts on whether the initiative should be continued.

Would you like Kincaid Street centre of road parking to continue?

☐ Yes ☐ No, why? ☐ Unsure

Name: _____

Email/Phone: _____

Please note this postcard will be used as a formal submission.

Gender: ☐ M ☐ F **Age Bracket:** ☐ 0-24 ☐ 25-44 ☐ 45-64 ☐ 65+

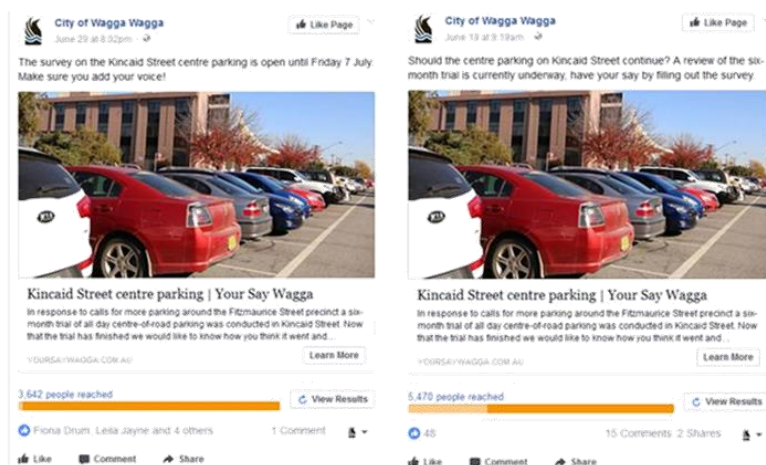
City of Wagga Wagga

1300 292 442
wagga.nsw.gov.au/kincaid

Reply paid post card

Appendix 2 - Examples of promotion

Facebook



Instagram



Twitter



Council News 24 June 2017

Share your feedback on Kincaid St parking trial

Wagga Wagga City Council is currently reviewing the six-month trial of centre parking in Kincaid Street and would like to know how you think it went.

The trial was in response to calls for more parking around the Fitzmaurice Street precinct and resulted in an increase from 41 to 67 parking spots between Fitzmaurice and Trail streets.

Manager City Strategy Instan Kell is encouraging everyone to have their say on the trial.

While no incidents were reported to Council during this time, Roads and Maritime (RMS) and New South Wales Police have raised concerns about safety and meeting Australian Standards, he said.

"We now want to hear from the community

and stakeholders about how it went and what to do next."

In making a decision about whether or not to keep the centre parking Council will consider the feedback received alongside other factors such as liability and Australia Standards.

If the initiative was to continue the following changes will need to be

considered:

- Removal of some parks to allow for delivery vehicles to enter premises
- No right turn into Barrard Street from Kincaid Street
- Removal of bike lane

Have your say by filling out the survey online or by calling 1300 292 442.

wagga.nsw.gov.au/kincaid

Sample of Your Say Wagga Newsletter - 19 June 2017

**HAVE YOUR SAY: Kincaid St centre parking**

Hi [PARTICIPANT_SCREEN_NAME],

A review of the six-month trial of centre parking in Kincaid Street is underway, how do you think it went?

RMS and NSW Police have voiced concerns about the concept, Council would also like to hear from the community and stakeholders before making a decision about whether or not to continue the initiative.

[Read more and fill out the survey.](#)

[LAST CHANCE FOR #WWITS2040](#)

You only have until the end of next week to get your submission in for the draft Wagga Wagga Integrated Transport Strategy and Implementation Plan 2040 (WWITS 2040).

WWITS 2040 identifies a number of short, medium and long term actions that can be taken to

Sample of Your Say Wagga Newsletter - 30 June 2017

[Kincaid Street Centre-of-road parking](#)

What do you make of the six-month trial of all day centre-of-road parking in Kincaid Street? So far more than 170 people have conducted the survey, [add your voice](#) on whether or not the parking should remain.

Other updates

A number of documents that involved consultation via Your Say Wagga were adopted at the June Council Meeting:

RP-12 KINCAID STREET - CENTRE OF ROAD PARKING - REVIEW OF TRIAL

Author: Harvey, Bill

Recommendation

That Traffic Committee:

- a Receive and note the content of the following report, as per the recommendation that was made in RP-7 of the minutes of the Traffic Committee meeting on 10 November 2016
- b Endorse
 - i a recommendation to permanently adopt the centre-of-road parking arrangement that has been trialled in Kincaid Street between Fitzmaurice Street and Trail Street as per the recommendations that were detailed in RP-7 of the minutes of the Traffic Committee meeting on 10 November except for point 'e' of that minute,
 - ii point 'e' of the minutes of 10 November 2016 should be amended so that a total of thirty-seven 90° angle spaces are marked, 18 in the section between Fitzmaurice Street and Barrand Street and 19 in the section between Barrand Street and Trail Street.
 - iii An additional two spaces will be gained in the section between Fitzmaurice Street and Barrand Street by shortening the length of the planned splitter island on the eastern end by six metres.
 - iv Nine spaces that have been trialled in the position that is adjacent to the driveways at 27 and 22 Kincaid Street should be returned to the arrangement that was in place before the trial so as to allow unimpeded access to those driveways by heavy vehicles.
 - v in addition to the recommendations mentioned in point 'i', install an 'A' size R2-6R 'NO RIGHT TURN' sign in Kincaid Street, facing east bound traffic, at the intersection with Barrand Street

Report

A trial of 90° centre-of-road angle parking has been conducted in Kincaid Street over a six month period. In general the trial has continued without adverse incident. There have been no crashes in the trial area reported to Wagga Wagga City Council.

A number of people have offered anecdotal evidence of near misses and difficulty when exiting the parking spaces. Sight distance to the left is restricted by other parked vehicles and the situation is exacerbated when a larger variety of vehicle is parked immediately to the left of a vehicle that is leaving a parking space. Drivers have adapted to this situation, being particularly careful in the situation that is described. The confined nature of the travelling lanes has generally encouraged slower vehicle speeds in this section of Kincaid Street.

Vehicles that were parked on the eastern side of the intersection with Barrand Street were found to restrict the sight distance for east bound drivers that were intending to

turn right into Barrand Street. It is proposed that the right turn movement at this location should be prohibited using a NO RIGHT TURN sign in an effort to eliminate this risk. Drivers that are wishing to access Barrand Street from an east bound direction in Kincaid Street can do so by turning right at Trail Street or by continuing on to Fitzmaurice Street where a U turn can be made at the roundabout.

A canvass has been conducted of business operators in this section of Kincaid Street to ascertain if there were any adverse effects that arose from the trial. Complaints were received in relation to the restriction that centre-of-road parking has placed on access for heavy delivery vehicles to driveways at numbers 22 and 27 Kincaid Street. These two driveways are opposite each other. Removal of nine 90° angle parking spaces will allow heavy vehicles to turn across Kincaid Street, gaining access to the two driveways.

All other comments that have been made in respect of the trial have been positive in nature.

Cost

Estimated cost of implementing this initiative \$60,000

Funding for implementation of the recommendation is expected to be sourced from the Parking Reserve.

Risk Management Issues for Council

The intended purpose of this report is to safely manage a risk issue that has been identified and that is detailed in the report.

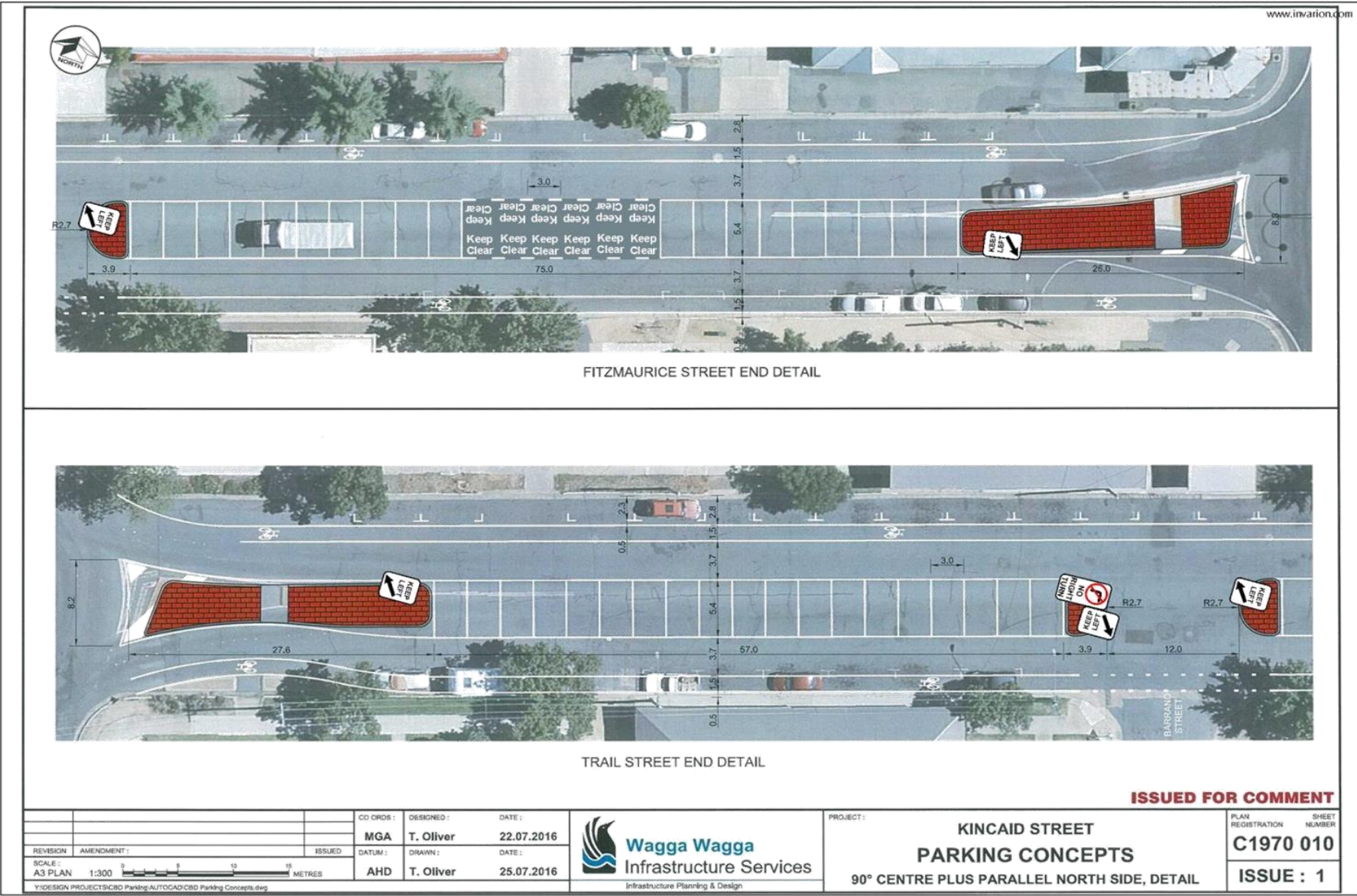
The risk involved in this matter without any treatment to accommodate the centre of road parking arrangements has been assessed as – Moderate / Likely which places it in the – **HIGH** category.

Internal / External Consultation

Consultation was undertaken with business operators and property owners in the vicinity of the trial area.

Attachments

1. Kincaid Street - Centre of Road Parking - Revised Concept



RP-6 WAGGA WAGGA SPECIAL ACTIVATION PRECINCT (SAP)**Director:** Michael Keys**Summary:**

The NSW State Government announced the Wagga Wagga Special Activation Precinct in January 2019. Since that time the Department of Planning and Environment has been preparing the legislative framework to enable the Special Activation Precincts (SAP) to operate and function.

A key element of the SAP framework is the Masterplan for the precinct. The draft Masterplan and supporting planning controls will form the basis for future development across the Wagga Wagga SAP encompassing the Bomen Enterprise Area.

The Draft Masterplan and planning controls will be placed on public exhibition at the end of March and Council has been asked to provide in principle support prior to exhibition.

This report seeks Councils in principle support for the SAP planning framework and controls.

Recommendation

That Council provide in-principle support for the draft Wagga Wagga Special Activation Precinct Masterplan being placed on public exhibition to enable community consultation and engagement.

Report

The NSW State Government announced the Wagga Wagga Special Activation Precinct (SAP) in January 2019.

The SAP's are a new approach to attracting and supporting investment and employment in regional NSW through a combination of infrastructure investment, upfront precinct wide planning analysis and Masterplanning to be overseen and enabled by the newly formed Regional Growth NSW Development Corporation (RGDC).

Wagga Wagga is one of 5 Special Activation Precincts to be announced in NSW and is the second most advanced following the initial development and rollout of the Parkes SAP.

The first stages of development of the SAP have involved extensive and detailed analysis and planning to create a new Masterplan for the SAP including planning controls. The draft Masterplan is nearing completion and proposed to be placed on public exhibition at the end of March. This is subject to finalisation of the planning controls and supporting legislative provisions for the Special Activation Precinct State Environmental Planning Policy. One of the key elements of the Special Activation Precinct is a streamlined planning approval process to be overseen and managed by the RGDC.

Financial Implications

The Draft Masterplan will inform and guide the infrastructure for the precinct. This will have financial implications for Council and further consultation and development will occur as the plans are being finalised. Implications for Council relate to ownership and maintenance arrangements as well as financing through infrastructure contribution provisions. These issues will be the subject of further reports to Council once this information is finalised.

Policy and Legislation

Wagga Wagga Local Environmental Plan 2010
Wagga Wagga Development Control Plan 2010

Link to Strategic Plan

Growing Economy

Objective: We are a Regional Capital

Outcome: We are leading freight and logistics centre, encourage business investment

Risk Management Issues for Council

The Special Activation Precinct offers a unique opportunity to Wagga Wagga and the Bomen Enterprise Area. The major risk associated with this project was that the Masterplan and supporting legislation and infrastructure planning was undertaken in isolation and without Council input or consultation. This has not been the case and Council has been involved in the development and evolution of all aspects of the Special Activation Precinct. It is important for Council to remain an active participant in the development and rollout of this project.

The Special Activation Precinct is a new approach to planning and investment attraction in NSW. Therefore, communication and engagement with Council, the community and industry will be imperative to ensure that all parties are informed and aware of how the new system works. Council will continue to work with the NSW Department of Planning and Environment and the Regional Growth NSW Development Corporation to represent the interests of Council, our community and industry.

Internal / External Consultation

The NSW Department of Planning and Environment has engaged with local businesses and community groups throughout the development of the Special Activation Precinct Draft Masterplan and associated technical studies.

Key stakeholders from Council have been involved in the development of the Draft Masterplan including Community, Environmental, Assets and Commercial Operations teams.

The Wagga Wagga Special Activation Precinct Masterplan and supporting planning controls and provisions will be placed on public exhibition prior to adoption. The Department of Planning and Environment will be responsible for the community consultation and engagement.

Council will continue to ensure that local community groups and industry organisations as well as existing business owners in the Bomen Enterprise area are engaged and consulted with.

The NSW Department of Planning and Environment have sought in principle support from Council prior to seeking the Minister for Planning's endorsement.

	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
TIER																	
Consult		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>	

RP-7 DRAFT REGIONAL PROCUREMENT PREFERENCE POLICY

Director: Natalie Te Pohe

Summary: For Council to consider the draft Regional Procurement Preference Policy – POL 064 and place it on public exhibition to seek feedback from the community.

Recommendation

That Council:

- a note that the Audit, Risk and Improvement Committee have provided feedback at their meeting on 20 February 2020 that has been incorporated into the draft Regional Procurement Preference Policy – POL 064
- b endorse the draft Regional Procurement Preference Policy – POL064 and place on exhibition for a period of 28 days from 21 March 2019 and invite public submissions for 42 days until 2 May 2020 on the draft Regional Procurement Preference Policy – POL 064
- c receive a further report following the public exhibition and submission period:
 - i addressing any submission made in respect of the draft Regional Procurement Preference Policy – POL 064
 - ii proposing adoption of the Policy unless there are any recommended amendments deemed to be substantial and requiring a further public exhibition period

Report

Background

At the 20 January 2020 Council meeting, Councillors formally requested officers to draft a Policy in relation to providing a Regional Procurement Preference (Resolution No. 20/016).

That Council:

- a *request the General Manager, or their delegate to proceed with the development of a draft Regional Procurement Preference Policy that contains the following general components:*
 - i *applied to the region defined as being within the boundary of the Riverina Joint Organisation area*
 - ii *applied to all procurement activities (both quotations and Tenders) \$250,000 and above*
 - iii *all procurement activities \$250,000 and above are to have selection criteria developed similar to Tender activities including a Regional Content Selection Criteria*
 - iv *the Regional Content Selection Criteria must be no greater than 5% (so that it is not the determining factor in any procurement activity, and the appropriate weighting can still be provided for quality and price for example)*

- v *that subject to public submissions and subsequent adoption, the impact of applying the Policy is to be reviewed after 12 months and reported back to Council in order to determine whether the Policy should continue or be rescinded*

This came after a recommendation was made by Councillors during the meeting on 9 September 2019 to investigate options, and a workshop held on 9 December 2019 to discuss appropriate Policy provisions. A copy of the presentation made to Councillors has been included as Attachment 1.

The Audit, Risk and Improvement Committee considered the draft Regional Procurement Preference Policy at their meeting on 20 February 2020 and made the following recommendation:

That the Audit, Risk and Improvement Committee:

- a *receive and note the report and note suggested amendments*
- b *note the workshop held with Councillors on 9 December 2019 and the subsequent Council report presented on 20 January 2020 including the recommendations made by Council*
- c *recommends to Council that:*
 - i *Council endorse the draft Regional Procurement Preference Policy – POL064 and place on public exhibition for a period of 28 days and invite public submissions for a period of 42 days on the draft Regional Procurement Preference Policy – POL064*
- d *note that the Council will receive a further report following the public exhibition and submission period:*
 - i *addressing any submission made in respect of the draft Regional Procurement Preference Policy – POL064*
 - ii *proposing adoption of the Policy unless there are any recommended amendments deemed to be substantial and requiring a further public exhibition period*

The Audit, Risk and Improvement Committee's feedback was supportive, and only included a numbering and slight wording amendment. These have been amended accordingly.

As outlined in the draft Policy (Attachment 6):

"The purpose of this Policy is to encourage and support regional businesses and support economic activity within the region, where it is efficient to do so, while achieving Council's overall 'value for money' objectives. Council recognises that through supporting regional businesses it can assist in economic sustainability that will flow to social benefits across regional communities."

While certain statistics were outlined in the previous Council report, it is worth noting that during 2017/18, Council's approximate expenditure (based on purchase orders raised and a review of contracts) demonstrated that 77% (\$46.140M) was made in regional and local NSW (where an office was present). This was highlighted in Table A within the Council report (Attachment 2).

There are advantages and disadvantages of such a Preference Policy that were outlined within the Council Report, however broadening the definition to be the Regional Joint Organisation Area rather than the Wagga Wagga Local Government Area will support not only the vision of the Riverina Joint Organisation being “Strong regions, progressive local government, vibrant communities”, but also the community’s vision outlined in Wagga Wagga’s Community Strategic Plan 2040 which states “In 2040 Wagga Wagga will be a thriving, innovative, connected and inclusive community on the Murrumbidgee. Rich in opportunity, choice, learning and environment, Wagga is a place where paths cross and people meet.”

Also contained within the Council Report were options for parameters that were discussed with Councillors during the workshop whereby it was determined not to include a Pricing Preference, but to only retain a Regional Content preference. Originally the Policy was intended to apply to all procurement activities of \$50,000 and above, however further discussions around the operational impact of this resulted in Councillors amending the amount during the Council meeting to be \$250,000 (GST Inclusive) and above.

Attached is a draft of the proposed Regional Procurement Preference Policy (Attachment 6). It has been made quite clear within the Policy that Regional Preference is not a price benefit, but rather a quantitative measurement that can be utilised in recognition of the physical presence of the supplier in the Riverina Joint Organisation Area, as well as the demonstrated and/or actual accompanying social and economic benefits that this provides to Council and the regional community. The intent is not to detract suppliers from submitting Tenders and Quotations for works to Council, but to encourage both regional and metropolitan suppliers to support regional areas in ways that may provide social or economic benefits.

The criteria has been established with a maximum 5% consideration so as not to overshadow other criteria generally used in assessments such as quality, price, experience and Work, Health and Safety. While the criteria provides businesses with a regional preference, it is not the intent that it become the main consideration unless all other factors are equal.

It is therefore recommended that Council now consider placing the draft Regional Procurement Preference Policy on public exhibition.

Financial Implications

Given the proposed Regional Procurement Preference Policy does not include a Pricing Preference, even if the Policy is adopted by Council, there will be no financial implications for Council other than the time to assess this particular criteria as part of the submission process.

Policy and Legislation

The following legislation and Council documents are relevant to the draft Policy:

- *Local Government Act 1993, Section 55*
- *Local Government (General) Regulation 2005*
- *Competition and Consumer Act 2010*
- Office of Local Government Tendering Guidelines
- Council’s Code of Conduct

- Council's Statement of Business Ethics
- POL 110 Procurement and Disposal Policy
- POL 112 Conflict of Interests Policy
- POL 060 Delegations Policy
- POL 053 Corporate Purchase Card Policy
- POL 107 Gifts and Benefits Policy
- POL 101 Legislative Compliance Policy
- POL 079 Risk Management Policy
- POL 100 Fraud and Corruption Policy
- POL 109 Public Art Policy

Link to Strategic Plan

Growing Economy

Objective: We are a Regional Capital

Outcome: We attract and support local businesses and industry

Risk Management Issues for Council

- The Policy may impact on competition where some businesses outside the Regional Joint Organisation Area may not submit to a Request for Quote/Tender, which can also lessen the drive of a business to contain costs. The risk may be reduced if the supplier understands that they can still achieve points within the scoring matrix proposed even if they're not based in the Area but utilise resources from within.
- By defining the Regional Preference Criteria within the Policy, it is the intention that this remove any bureaucracy in determining what inputs of an offer may be classed as Regional and those that are not.
- By excluding a Price Preference, the Policy doesn't increase the costs to Council or the community to deliver the same services and infrastructure.
- Given the Policy is not designed to significantly reduce competition it is unlikely to contravene the *Competition and Consumer Act 2010*.
- There still remains the potential for increased risk of negative perceptions forming about the probity of Council practices and conflicts of interest for staff and councillors, although this may be lessened through the expansion of the Policy's application to the Riverina Joint Organisation Area rather than a local area.

Internal / External Consultation

The 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 Procurement team has consulted with the Corporate Review Committee and Executive along with holding a Councillor workshop on 9 December 2019 with the following Councillors present:

- Mayor Greg Conkey OAM
- Deputy Mayor Dallas Tout
- Cr Yvonne Braid OAM
- Cr Dan Hayes

- Cr Vanessa Keenan
- Cr Rod Kendall
- Cr Tim Koschel
- Cr Kerry Pascoe

Feedback was provided by Councillors during the workshop and subsequent Council meeting on 20 January 2020 and has been incorporated into the draft Policy.




The Audit, Risk and Improvement Committee were provided a copy of the draft Policy at the 20 February 2020 meeting, and their comments have been included.


If supported by Council, the draft Policy will be placed on public exhibition for 28 days and seek feedback for 42 days. It is intended that feedback be sought through several channels such as the Wagga Wagga Business Chamber and their associated newsletter, Women in Business Wagga Wagga Inc., Committee 4 Wagga, Council's Your Say Website and the local newspaper. The draft Policy will also be circulated to those Council's within the Riverina Joint Organisation Area for feedback. It is also intended that two community forums be held; a breakfast and a networking meeting whereby the following would be discussed at a high level:

- Regional Procurement Preference Policy
- Requests for Tenders/Quotations that are currently in the market, and coming up
- Electronic Procurement Solution and what that means for businesses (including signing up)
- Future training opportunities in the completion of Tenders/Quotations.

	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
TIER																	
Consult				✖	✖	✖			✖	✖				✖	✖	✖	

Attachments

1. [Attachment 1 to Council Report - Comparison of Local Preferences](#)

2. [Attachment 2 - Council Report - Proposal to Draft Regional Preference Policy - 20 January 2020](#)

3. [Attachment 3 to Council Report - ACCC Guidelines on Misuse of Market Power](#)


4.  Procurement Preference - Councillor Workshop 9 December 2019



5.  Extract from OLG Tendering Guidelines



6.  Attachment 6 - Draft Regional Procurement Preference Policy POL064



LOCAL PREFERENCE POLICY EXAMPLES						
Attachment No.	Reference Council/Other	State	Price Preference Discounts	%age Reduction	Maximum \$ Reduction	Other Comments
2	Cr Uden	NSW	Local suppliers and non-local suppliers which include use of local content if at least 25%.	5%	\$ 15,000	Applies to all quotations and tenders.
3	Tweed Shire Council	NSW	Purchases greater than \$10,000 (incl. GST)	10%		Local Content has a mandatory weighting of 10%; Local Preference has a score out of 10. Local Preference Selection Criteria doesn't apply if the cost above the most competitive complying offer exceeds a dollar value by a particular amount.
4	Griffith Regional Council	NSW	Purchases up to \$5,000 with local content Purchases from \$5,000 - \$15,000 with local content Purchases from \$15,000 - \$99,999 with local content Purchases of \$100,000 or more	10% 5% 3% N/A		Discount only applicable to the local content component of the price, and not the total price submitted. Does not apply a Local Pricing Preference but applies a Local Content assessment within submissions up to a maximum of 10%.
	Albury City	NSW	No local preference policy.			
5	Lachlan Shire	NSW	Local suppliers and non-local suppliers which include use of local content if at least 25%.	5%	\$ 15,000	Community notified of cost of applying the policy
6	Orange City Council	NSW	Local suppliers and non-local suppliers which include use of local content if at least 25%. Does not apply to goods acquired by service contractor or sub-contractor as not directly acquired by Council.	2%	N/A	Applies to quotations between \$10,000 - \$149,999.
7	Central Highlands Regional Council	Qld	Where total contract value is less than \$200,000 in a financial year Tenders greater than \$200,000 and have demonstrated local content of 30% in their submission	15% 5%		
8	Mid-Western Regional Council	NSW	Purchases up to \$5,000 Purchases from \$5,000 - \$100,000 Purchases over \$100,000	10% 5% 3%		Discount only applicable to the local content component of the price, and not the total price submitted.
9	Berrigan Shire	NSW	Quotations for building construction works over \$50,000 and all purchases made through formal tender process	5%	\$ 15,000	Only applied if each supplier is regarded as being 'equal' on the non-price considerations. Excludes purchases under \$50,000 or purchases made through pre-qualified contracts via a prescribed organisation.
10	Leeton	NSW	Purchases up to \$5,000 Purchases from \$5,000 - \$100,000 Purchases over \$100,000	10% 5% 3%		Discount only applicable to the local content component of the price, and not the total price submitted.
11	Manderah	WA	Supply of goods and services valued \$75,000 and over Construction (building) services valued \$75,000 and over Supply of goods and services valued \$75,000 and over Construction (building) services valued \$75,000 and over Where there is the opportunity to do so, quotations under \$75,000 are to be sourced as follows:	10% 5% 10% 5%	\$ 50,000 \$ 50,000 \$ 50,000 \$ 50,000	to businesses located within the City of Manderah to businesses located within the City of Manderah to businesses located within the other non-metropolitan Peel Region Council districts to businesses located within the other non-metropolitan Peel Region Council districts

LOCAL PREFERENCE POLICY EXAMPLES						
Attachment No.	Reference Council/Other	State	Price Preference Discounts	%age Reduction	Maximum \$ Reduction	Other Comments
			* \$1,000-\$9,000: requirement of 1 quotation to be sourced from a local business with 2 verbal quotations required. * \$10,000-\$74,999: requirement of 2 quotations to be sourced from local businesses with 3 written quotations required.			Maximum price reduction for levels outlined is \$50,000, and only applies if all other scores are equal. Sourcing from pre-qualified suppliers doesn't preclude application of requirements.
12	Rockhampton Regional Council	Qld	Applies different ratings within tenders and quotation assessments depending on location.			Applies minimum weighting values. Contracts greater than \$1M will be 5%; and those greater than \$150,000 when there is a minimum of local content of 30%, a weighting of 10% applies.
	Snowy Valleys Council	NSW	No local preference policy.	0%	\$ -	Tumut and Tumbarumba formerly had Local Preference Policies, however these were superseded.
13	Kiama Council	NSW	Local suppliers and non-local suppliers which include use of local content if at least 25%.	5%	\$ 15,000	Assessment based on total net cost bid.
14	Local Government (Functions and General) Regulations 1996 (WA)	WA	<p>24D. Discounts permitted for regional price preferences</p> <p>(1) A preference may be given to a regional tenderer by assessing the tender from that regional tenderer as if the price bids were reduced by —</p> <p>(a) up to 10% — where the contract is for goods or services, up to a maximum price reduction of \$50 000; or</p> <p>(b) up to 5% — where the contract is for construction (building) services, up to a maximum price reduction of \$50 000; or</p> <p>(c) up to 10% — where the contract is for goods or services (including construction (building) services), up to a maximum price reduction of \$500 000, if the local government is seeking tenders for the provision of those goods or services for the first time, due to those goods or services having been, until then, undertaken by the local government.</p> <p>(2) Although goods or services that form a part of a tender submitted by a tenderer (who is a regional tenderer by virtue of regulation 24B(2)(b)) may be —</p> <p>(a) wholly supplied from regional sources; or</p> <p>(b) partly supplied from regional sources, and partly supplied from non-regional sources, only those goods or services identified in the tender as being from regional sources may be included in the discounted calculations that form a part of the assessments of a tender when a regional price preference policy is in operation.</p> <p>(3) Despite subregulation (1), price is only one of the factors to be assessed when the local government is to decide which of the tenders it thinks would be most advantageous to that local government to accept under regulation 18(4).</p>	10% 5% 10%	\$ 50,000 \$ 50,000 \$ 500,000	Each council in WA determines the %age and maximum price reduction within the limits set in the Regulations.

Report submitted to the Ordinary Meeting of Council on Monday 20 January 2020

RP-11

RP-11 PROPOSED DEVELOPMENT OF A DRAFT REGIONAL PROCUREMENT PREFERENCE POLICY**Author:** Natalie Te Pohe**Director:** Natalie Te Pohe

Summary: To provide a recommendation to Council for officers to draft a Regional Procurement Preference Policy in response to resolution 19/326 from the 9 September 2019 Council meeting and subsequent workshop on 9 December 2019.

Recommendation

That Council:

- a request the General Manager, or their delegate to proceed with the development of a draft Regional Procurement Preference Policy that contains the following general components:
 - i applied to the region defined as being within the boundary of the Riverina Joint Organisation area.
 - ii applied to all procurement activities (both quotations and Tenders) \$50,000 and above.
 - iii all procurement activities \$50,000 and above are to have selection criteria developed similar to Tender activities including a Regional Content Selection Criteria
 - iv the Regional Content Selection Criteria must be no greater than 5% (so that it is not the determining factor in any procurement activity, and the appropriate weighting can still be provided for quality and price for example)
 - v that subject to public submissions and subsequent adoption, the impact of applying the Policy is to be reviewed after 12 months and reported back to Council in order to determine whether the Policy should continue or be rescinded

Report

This report provides a response to Council resolution 19/326 from the 9 September 2019 Council meeting, specifically part e being:

e conduct a Councillor workshop and receive a further report at a meeting in January 2020 regarding the option of implementing a regional price preference policy.

History and Discussions to Date

There have been several discussions in relation to establishing a local preference policy for Council prior to the current active resolution including:

Date	Matter
31 January 2011	Notice of Motion and a draft Local Preference Policy considered by Council – requested a further report

Report submitted to the Ordinary Meeting of Council on Monday 20 January 2020

RP-11

18 February 2011	Legal advice received in relation to the draft Policy
28 March 2011	Council resolved not to proceed
15 February 2016	Workshop with Councillors to discuss a Local Preference Policy and building resilience in local suppliers. No consensus on proceeding with a Policy

While there was an initial workshop with Councillors held on 9 December 2019 to discuss the potential of developing a Regional Procurement Preference Policy, Council has resolved not to proceed with this activity in the past. Officers are therefore requesting a Council resolution prior to proceeding with the development of a Policy, and to ensure consistency with the 9 September resolution of Council.

During the workshop with Councillors held on 9 December 2019, it was highlighted that the during 2017/18, Council's approximate expenditure (based on purchase orders raised and a review of contracts) demonstrated 77% (\$46.140M) was made in regional and local NSW (where an office was present). This is highlighted in Table A below.

Table A

State/Territory	Total	Regional	Local	Other	Total	Regional	Local	Other
New South Wales	49,761	14,017	26,037	9,707	82%	23%	43%	16%
Victoria	7,145	4,548	-	2,597	12%	8%	0%	4%
Queensland	2,519	501	1,036	982	4%	1%	2%	2%
Australian Capital Territory	814	-	-	814	1%	0%	0%	1%
South Australia	110	-	-	110	0%	0%	0%	0%
Western Australia	27	-	-	27	0%	0%	0%	0%
Tasmania	101	-	-	101	0%	0%	0%	0%
Northern Territory	3	-	-	3	0%	0%	0%	0%
	60,481	19,067	27,073	14,341	100%	32%	45%	24%

Such a large spend within the region is not generally seen when compared to some other councils, and is a positive outcome. It is therefore unclear as to whether the community would see the development of such a Policy as a benefit or a hindrance. In considering whether to proceed with the development of a Procurement Preference Policy and what parameters may be contained within such a Policy, some of the advantages and disadvantages were discussed:

Potential Advantages

- developing local businesses
- assists to deliver local economic growth by retaining spend within the area
- assists creating or retaining employment opportunities
- strengthens business relationships

Potential Disadvantages

- can impact on competition (some businesses outside the area may not submit to a Request for Quote/Tender) which can also lessen the drive of a business to contain costs
- adds a layer of bureaucracy in determining what inputs of an offer are classed as local/regional and those that are not
- potential increased costs to Council and the community to deliver the same services and infrastructure
- possible contravention of the *Competition and Consumer Act 2010* (formerly the *Trade Practices Act 1974*) established by the Federal Government (unlikely unless the Policy is designed to significantly reduce competition)
- increased risk of negative perceptions forming about the probity of council practices and conflicts of interest for staff and councillors.

Options for Parameters

There are numerous options for parameters that require definition, with Attachment 1 highlighting some of the differences between councils across Australia. It should be noted that each of the documents listed in Attachment A are public and available on the respective council websites. In relation to the possible parameters, the following were discussed:

- *Local or Regional and how to define*

The Policy may apply only locally in order to support the Wagga Wagga Local Government Area, or it could have expanded parameters and define a Regional Area. While this could be determined by the RDA – Riverina Region, it could also be determined as the Riverina Joint Organisation area, and given Wagga Wagga is an associate member of the Canberra Joint Organisation, it could be expanded to this area also.

While the above options were discussed, during the workshop, most Councillors indicated that if a Policy were to be developed, that it be applied regionally to the area defined by the Riverina Joint Organisation whereby the member councils are: Bland, Coolamon, Cootamundra-Gundagai, Greater Hume, Junee, Lockhart, Temora, and Goldenfields Water and Riverina Water County Councils.

- *Regional Content Definition*

If a Policy were to be developed it's proposed that Regional Content be defined as goods or services procured from a supplier or employees living permanently within the defined Riverina Joint Organisation Region. Note that this could be restricted to only those suppliers or employees living permanently in the Wagga Wagga Local Government Area, however supporting regional neighbours is important in the context of Wagga Wagga operating in a hub and spoke model for many services and trying to support economic growth across the region.

- *Regional Supplier Definition*

If a Policy were to be developed it's proposed that Regional Supplier be defined as a business, contractor or industry:

- a. Either permanently based in, or employing staff operating from permanent premises situated within the Riverina Joint Organisation Region (noting that

this would be defined as the region containing the member Councils outlined above) for not less than six (6) months prior to the date of the Procurement Request, and

- b. Registered or licensed in New South Wales.

Part b would need to be further defined to resolve the potential for not providing a preference when a local office exists. As an example, one supplier that Council utilise have their registered office (as determined by the Australian Securities and Investments Commission (ASIC)) in metropolitan Sydney, their postal address on invoices is for a location in Melbourne and yet they have a local office established. If a Policy is resolved to be drafted, the intent of officers would be to provide a preference to a business, irrespective of size, if there is an office located in the defined region and this can be evidenced in some way.

- *Percentage Price Discount for Assessment Purposes*

There are numerous options that could be applied:

- a. Council could apply both a local and a regional content and supplier definition and scale the discount; or
- b. The discount could be scaled according to the purchase amount;
- c. There is an option to include a maximum discount amount; and
- d. Council could only apply a price discount if all qualitative assessment scores were equal.

There are other factors to consider in implementing a percentage price discount such as the requirement to set aside funds in a Reserve so as not to impact the project costs if the procurement activity is awarded overall based on price. Another consideration would be to ensure that there is transparency in the use of such a Policy and incorporating the cost of such a price discount as part of the Council resolution so that the community can see the impact. There is also the option for the reporting of the cost of the Policy impact in the Annual Report.

During discussions with officers at Port Macquarie-Hastings, it was interesting to note that while they have a Local Preference Policy, in the last two years, there would not have been a different outcome in any of the procurement activities awarded.

Officers believe that a percentage price discount for assessment purposes contains more disadvantages and risks for the region than it does provide advantages and are therefore not recommending to incorporate a price discount if a draft Policy is to proceed. This was generally supported during the workshop.

- *Regional Content Selection Criteria*

For procurement activities undertaken by Council, a regional content weighting may be incorporated into the selection criteria. Regional content may include such things as:

- a. Creation of local employment opportunities
- b. More readily available servicing support
- c. Economic growth within the region
- d. Contributions to the regional area

It would be a requirement of the supplier to demonstrate their regional content as part of the procurement process being undertaken. Discussions were then had as to what levels this could realistically be applied to from an operational perspective and whether

it should be included in Tenders only, or whether it was to be included in quotation processes also. Currently, the Procurement Team are generally involved in most procurement activities that exceed \$50,000. Many of those at a lesser value are managed by the respective officers, with the Procurement Team only being involved once the purchase requisition is raised. This process will modify with the introduction of the e-Procurement solution whereby Procurement Team will no longer see all purchase requisitions prior to them being finalised as an order, making it more difficult for there to be oversight of the assessment of Regional Content.

In summary, officers are therefore proposing that if a draft Policy is to be developed, that it contains the following general components:

- Applied to the region defined as being within the boundary of the Riverina Joint Organisation area.
- Applied to all procurement activities (both quotations and Tenders) \$50,000 and above.
- All procurement activities \$50,000 and above are to have selection criteria developed similar to Tender activities including a Regional Content Selection Criteria.
- The Regional Content Selection Criteria must be no greater than 5% (so that it is not the determining factor in any procurement activity, and the appropriate weighting can still be provided for quality and price for example).
- That subject to public submissions and subsequent adoption, the impact of applying the Policy be reviewed after 12 months and reported back to Council in order to determine whether the Policy should continue or be rescinded.

Financial Implications

While the development of a draft Policy contains no financial implications, the final components of the Policy adopted by Council, will determine if there may be financial implications when implemented.

Policy and Legislation

The OLG Tendering Guidelines in relation to Local Preference Policy – Attachment 2.

The ACCC guidelines regarding the misuse of market power – Attachment 3.

Link to Strategic Plan

Growing Economy

Objective: We are a Regional Capital

Outcome: We attract and support local businesses and industry

Risk Management Issues for Council

The risks to Council will be determined by the details of the proposed Policy, however the intent of officers is to minimise any risk imposed, hence the suggestion not to include a Price Preference for assessment purposes in a draft Policy for example.

Report submitted to the Ordinary Meeting of Council on Monday 20 January 2020

RP-11

Internal / External Consultation

A workshop was undertaken on 9 December 2019 with the following Councillors in attendance:

Mayor Greg Conkey
Deputy Mayor Dallas Tout
Cr Yvonne Braid
Cr Rod Kendall
Cr Tim Koschel
Cr Kerry Pascoe
Cr Dan Hayes
Cr Vanessa Keenan

Initial discussions have also been held with the President of the Wagga Wagga Business Chamber concerning the Local Government Procurement Toolkit that has been developed by the NSW Small Business Commissioner, and also in relation to the community education that Council intends to roll out during 2020. While it is early in the engagement process, the initial meeting was positive and will continue. Discussions will also be undertaken with appropriate representatives from the First Nations People.

Attachments

1. Comparison of Local Preferences
2. Extract from OLG Tendering Guidelines
3. ACCC Guidelines on Misuse of Market Power

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Guidelines on misuse of market power

August 2018

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ACCC Guidelines on s. 46

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ACCC Guidelines on s. 46

Purpose of these Guidelines

Section 46 of the *Competition and Consumer Act 2010* (CCA) has been revised. Section 46 now prohibits a firm with a substantial degree of market power from engaging in conduct that has the purpose, effect or likely effect of substantially lessening competition in a market.

The ACCC is responsible for investigating and enforcing the competition provisions of the CCA, including s. 46. This includes the power to bring court proceedings seeking to prove that the CCA has been contravened.

Businesses may also be subject to action by private parties for contraventions of s. 46.

These Guidelines set out how the ACCC currently proposes to interpret s. 46 and describe the general approach the ACCC will take in investigating alleged contraventions of s. 46.

Australian courts are ultimately responsible for:

- interpreting the CCA
- determining if s. 46 has been contravened
- determining what, if any, penalty or other orders should be imposed.

Decisions of the courts may be inconsistent with the ACCC's approach referred to in these Guidelines. If so, those decisions will be incorporated in revisions of these Guidelines as appropriate.

These Guidelines set out the ACCC's understanding of the law and are prepared for the general guidance of legal practitioners and business advisors. They are not a substitute for legal advice.

ACCC Guidelines on s. 46

1. Why the ACCC takes action under section 46

- 1.1. Markets function well where firms strive to develop and offer products that are more attractive to customers than the products offered by their rivals. A firm with substantial market power may be able to damage this competitive process by preventing or deterring rivals, or potential rivals, from competing on their merits. That is, a firm with substantial market power may maintain or advance its position by restricting or undermining its rivals' ability to compete, rather than by offering a more attractive product. Sometimes this is referred to as 'exclusionary conduct'. Such conduct undermines the effective operation of markets and the economy.
- 1.2. Preventing firms with a substantial degree of market power from engaging in conduct that has the purpose or effect of substantially lessening competition is now a central limb of Australia's competition laws. Where it considers s. 46 has been contravened, the ACCC will take action to protect the competitive process and address consumer harm.
- 1.3. Section 46 does not prohibit a firm from obtaining a substantial degree of market power. Nor does it prohibit a firm with a substantial degree of market power from 'out-competing' its rivals by using superior skills and efficiency to win customers at the expense of firms that are less skillful or less efficient. This conduct is part of the competitive process, which drives firms to improve their performance and develop and offer products that are more attractive to customers, and should not be deterred. As stated by the High Court in *Queensland Wire Industries v Broken Hill Pty Ltd* (1989):

Competition by its very nature is deliberate and ruthless. Competitors jockey for sales, the more effective competitors injuring the less effective by taking sales away. Competitors almost always try to 'injure' each other in this way...these injuries are the inevitable consequence of the competition section 46 is designed to foster.¹

2. Section 46 – key concepts

- 2.1. Subsection 46(1) of the CCA provides that a:

corporation that has a substantial degree of power in a market must not engage in conduct that has the purpose, or has or is likely to have the effect, of substantially lessening competition in

- a) that market; or
- b) any other market in which that corporation, or a body corporate that is related to that corporation:
 - i) supplies goods or services, or is likely to supply goods or services; or

¹Mason CJ and Wilson J in *Queensland Wire Industries v Broken Hill Pty Ltd* (1989) 167 CLR 177 at p. 191 ('QW').

ACCC Guidelines on s. 46

- ii) supplies goods or services, or is likely to supply goods or services, indirectly through one or more other persons; or
 - c) any other market in which that corporation, or a body corporate that is related to that corporation:
 - i) acquires goods or services, or is likely to acquire goods or services; or
 - ii) acquires goods or services, or is likely to acquire goods or services, indirectly through one or more other persons.
- 2.2. The key concepts in s. 46 are:
- a) 'market'
 - b) 'substantial degree of power in a market'
 - c) purpose, effect or likely effect
 - d) 'substantially lessening competition'.

Market

- 2.3. A market is the product and geographic dimension in which the competitive process takes place. It is defined in s. 4E of the CCA to mean 'a market in Australia', and includes goods or services that are substitutable for, or otherwise competitive with, the goods or services under analysis.
- 2.4. The ACCC's starting point for assessing market definition is to identify:
- a) the good or service supplied or acquired by the relevant firm and its close substitutes (product market); and
 - b) the geographic region in which the relevant firm supplies (or acquires) the good or service and close geographic substitutes (geographic market).
- 2.5. The ACCC also considers the functional dimension of the market (the different levels in the supply chain such as the production, wholesale or retail functional level) and the timeframe over which substitution possibilities should be assessed.
- 2.6. Market definition is purposive. In *ACCC v Flight Centre* [2016], the High Court observed that:
- Identifying a market and defining its dimensions is 'a focusing process', requiring selection of 'what emerges as the clearest picture of the relevant competitive process in the light of commercial reality and the purposes of the law'.²
- 2.7. This means that a market is not defined in isolation. The definition of a relevant market will be considered in the context of the particular conduct under

² [2016] HCA 49 at [69], quoting *Singapore Airlines Ltd v Taprobane Tours WA Pty Ltd* (1991) 33 FCR 158 at 178.

ACCC Guidelines on s. 46

investigation. It is well recognised that market definition is not an exact science and that it is not possible or necessary to identify precise boundaries.³

Product market

- 2.8. To determine the product market, the ACCC considers the good or service under analysis and then identifies substitute products — typically those products to which consumers would switch if the price of the good or service under analysis increased.
- 2.9. In addition to this substitution by customers (demand-side substitution), a firm can also be constrained by the potential behaviour of firms supplying other products (supply-side substitution). If the price of a good or service increased, the ability of suppliers to switch quickly and without significant investment to supply the product or a substitutable product will be relevant.

Example 1: Product market

Firm A is a supplier of a popular brand of ice cream. Firm A decides to increase the price of its product by 10 per cent above the competitive level, resulting in a significant number of Firm A's customers switching to a brand of frozen yoghurt produced by Firm B. In this scenario, both Firm A's ice cream and Firm B's frozen yoghurt would be included in the relevant product market.

Geographic market

- 2.10. To determine the geographic market, it is first necessary to identify the area in which the good or service under analysis is supplied or could readily be supplied. The ACCC then considers the geographic areas where consumers would be able or willing to find substitutes for the goods or services in question.
- 2.11. A number of factors will determine the extent of the relevant geographic market, including the portability of the relevant good, costs to customers of obtaining supply from alternative regions, and any regulatory or other practical constraints on suppliers selling to alternative regions.
- 2.12. Although s. 4E refers to a 'market in Australia', the geographic market may contain goods or services from overseas. Section 4 of the CCA makes it clear that competition includes competition from imported goods or from services rendered by persons not resident or not carrying on business in Australia.

³ For example, see: Gordon J in *Air New Zealand Ltd v ACCC*; *PT Garuda Indonesia Ltd v ACCC* [2017] HCA 21 at [57]–[66]; Deane J in *Queensland Wire* at [196]; Allsop J in *ACCC v Liquorland* (2006) [2006] FCA 826 at [428]–[430]; Dowsett J in *ACCC v ANZ* (2015) 324 ALR 392 at [135].

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Example 2: Geographic market

Firm A operates the only pet supply store in the regional town of Kiama. It decides to increase the price of pet food by 5 per cent, resulting in a substantial number of customers switching to a pet supply store in a neighbouring town. In this scenario, the relevant geographic market in which Firm A competes would include at least Kiama and its neighbouring town.

Substantial market power

- 2.13. A firm may only contravene s. 46 if it has a substantial degree of market power.
- 2.14. Market power comes from a lack of effective competitive constraint. A firm with market power is able to act with a degree of freedom from competitors, potential competitors, suppliers and customers. The most observable manifestation of market power is the ability of a firm to profitably sustain prices above competitive levels. Substantial market power may also enable a firm to raise barriers to entry, profitably reduce the quality of goods or services or slow innovation.⁴
- 2.15. There are a range of factors that can influence the degree of competitive constraint faced by a firm which are likely to be relevant to the ACCC's assessment. These factors can include those outlined by the Trade Practices Tribunal in *Re Queensland Co-Op Milling Association Limited and Defiance Holdings Limited*:
- a) the number and size distribution of independent sellers, especially the degree of market concentration
 - b) the height of barriers to entry, that is the ease with which new firms may enter and secure a viable market
 - c) the extent to which the products of the industry are characterised by extreme product differentiation and sales promotion
 - d) the character of 'vertical relationships' with customers and with suppliers and the extent of vertical integration
 - e) the nature of any formal, stable and fundamental arrangements between firms which restrict their ability to function as independent entities.⁵
- 2.16. The ACCC does not impose a market share threshold in determining whether a firm has a substantial degree of market power. While market share can be an important factor, more than one corporation may have a substantial degree of power in a market.⁶ Further, a firm may have market power even though it does not substantially control the market or have absolute freedom from the constraint of

⁴ See discussion on market power in Kaysen and Tumer, *Antitrust Policy* (1959), p. 75 in QWL at [200].

⁵ (1976) 8 ALR 481 at 515–516.

⁶ Section 46(7) of the CCA.

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competitors.⁷ Similarly, financial strength does not by itself determine whether a firm has market power.

- 2.17. The ACCC will assess each case on its merits according to the specific nature of the good or service, the industry and the particular competitive impact likely to result in each case.

Purpose, effect or likely effect

- 2.18. Even with a substantial degree of market power, a firm will only contravene s. 46 if its conduct has the purpose, effect or likely effect of substantially lessening competition in a relevant market.
- 2.19. **'Purpose'** refers to a firm's intention to achieve a particular result. It can be established by direct evidence or by inference. The purpose specified in s. 46 need not be a firm's only purpose, but it needs to be a substantial purpose.
- 2.20. **'Effect'** refers to the direct consequence of a firm's conduct. This is determined objectively by examining the actual impact on the competitive process within the relevant market. Although not determinative, evidence of consumer or competitive detriment will be relevant to the ACCC's consideration of whether to pursue a matter.
- 2.21. **'Likely effect'** refers to the likely consequences of a firm's conduct, including its potential impact on the competitive process. 'Likely' means that there is a real chance or a possibility that is not remote.
- 2.22. When assessing a firm's conduct, the ACCC considers the nature and extent of that conduct, including the firm's commercial rationale. For example, whether the conduct is likely to be profitable for the firm because it improves its customer offer or because it restricts rival firms from improving their customer offers. A firm's commercial rationale may be relevant to understanding the conduct in question and assessing its purpose and/or effect on competition. However, it will not amount to a defence. Conduct engaged in by a firm with substantial market power may still have the effect or likely effect of substantially lessening competition even where the firm did not have the purpose of substantially lessening competition.
- 2.23. When assessing effect or likely effect on competition, the ACCC may undertake a 'with or without test'. This compares the likely state of competition 'with' the conduct, to the likely state of competition 'without' the conduct, to determine whether any lessening of competition would be the effect or likely effect of the firm's conduct.

Substantially lessening competition

- 2.24. There is no legislative definition of 'substantially lessen competition'; however, the test is longstanding within Australia's competition laws. In essence, conduct

⁷ Section 46(5) of the CCA.

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substantially lessens competition when it interferes with the competitive process in a meaningful way by deterring, hindering or preventing competition. This can be done by raising barriers to competition or to entry into a market.

- 2.25. '**Lessening competition**' means that the process of rivalry is diminished or lessened, or the competitive process is compromised or impacted. 'Lessening competition' extends to 'preventing or hindering competition' (s. 4G of the CCA).
- 2.26. '**Substantially**' means meaningful or relevant to the competitive process. It is a relative concept and does not require an impact on the whole market.
- 2.27. In *Rural Press v ACCC* (2003), the majority of the High Court relevantly assessed 'substantially' by asking:

...whether the effect of the arrangement was substantial in the sense of being meaningful or relevant to the competitive process, and whether the purpose of the arrangement was to achieve an effect of that kind.⁸

- 2.28. In *Universal Music v ACCC* (2003), the Full Court observed:

... The lessening of competition must be adjudged to be of such seriousness as to adversely affect competition in the market place, particularly with consumers in mind. It must be 'meaningful or relevant to the competitive process'.⁹

3. Types of conduct that may involve a contravention of s. 46

- 3.1. It is not possible to identify with precision particular types of conduct that will necessarily contravene s. 46. Whether or not conduct contravenes s. 46 will always depend on the circumstances.
- 3.2. Despite this, competition agencies and courts have regarded some types of conduct as having greater potential to contravene s. 46. These include:
 - a) refusal to deal
 - b) restricting access to an essential input
 - c) predatory pricing
 - d) loyalty rebates
 - e) margin/price squeezing
 - f) tying and bundling.

⁸ (2003) 216 CLR 53 at [41].

⁹ (2003) 131 FCR 529 at [242] quoting *Stirling Harbour Services Pty Ltd v Bunbury Port Authority* [2000] FCA 38 at para 114.

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Refusal to deal

- 3.3. Businesses are generally entitled to choose whether or not they will supply or deal with another firm, including a competitor. Even if a firm has a substantial degree of market power, there is usually no obligation for it to deal with other firms.
- 3.4. However, in limited circumstances, a refusal to deal by a firm with a substantial degree of market power may amount to a contravention of s. 46. For instance, where a firm that has a substantial degree of market power in the supply of a key input:
 - a) refuses to supply that input to its competitors in a downstream market and the purpose, effect or likely effect of the conduct is to prevent or hinder those competitors from being able to compete in the downstream market, or
 - b) states a willingness to supply a key input to its competitors in a downstream market, but only on terms at which no competitor would reasonably be willing to buy the input (for example, by charging an excessively high price), and if the purpose, effect or likely effect of the conduct is to prevent or hinder those competitors from being able to compete in the downstream market.

Example 3: Refusal to deal

A firm owns the only cement works in a regional town. The next closest cement works is a considerable distance away. The cost of transporting cement to the town from the next closest cement works is significant. The firm also owns all the ready-mix concrete plants servicing the regional town. It is not possible to transport ready-mix concrete to the town from the next closest ready-mix plant. Cement is an essential input into ready-mix concrete.

A new entrant plans to set up a ready-mix concrete plant in the regional town. The new entrant has a strong track record of operating successful ready-mix concrete operations in other towns. The new entrant approaches the firm to acquire supplies of cement. The firm refuses to supply the new entrant with cement. One of its reasons for doing so is to protect the employment of its workers in its ready-mix concrete plants. The new entrant does not proceed with its plans to establish a ready-mix plant in the town.

Assessment

The firm has a substantial degree of market power in the supply of cement in the regional town. It is the only supplier of cement in the town and the nearest potential competitor would incur very high transport costs in transporting cement to the town.

While one of the firm's motivations is to protect the employment of its workers, it is seeking to achieve this by preventing the rival firm from entering the market for the supply of ready-mix concrete and competing away business. Further, a purpose of substantially lessening competition only needs to be a substantial purpose for the conduct and does not need to be the only purpose.

The effect of the firm's refusal to supply is to prevent the new entrant entering the market for the supply of ready-mix concrete and competing with the firm on its merits.

The conduct has the purpose and effect of substantially lessening competition.

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The ACCC is of the view that the conduct is likely to breach s. 46.

Restricting access to an essential input

- 3.5. In some circumstances, a firm with a substantial degree of market power may prevent or restrict a competitor's access to an essential input. Where this conduct has the purpose, effect or likely effect of substantially lessening competition, it may breach s. 46.
- 3.6. 'Essential inputs' are non-substitutable resources which are indispensable for the provision of goods and services. Restricting access to an essential input has the potential to prevent competitors from competing with a firm on their merits.

Example 4: Restricting access to an essential input

A large fuel retailer operates six out of eight retail fuel sites in a major but remote town. By volume, it supplies 85 per cent of the town's fuel. All fuel retailers in the remote town rely on acquiring fuel from two seaside storage facilities, owned by two competing fuel wholesalers. There are considerable barriers to establishing new fuel retailing businesses or wholesale storage facilities.

Travelling distances and associated costs mean it is not feasible for retailers to switch to other sources of road based fuel supply, or for the wholesalers to profitably sell outside the remote town. Given the shipping, storage and other running costs, each fuel wholesaler must supply some of their fuel to the large fuel retailer to remain viable.

The large fuel retailer separately approaches each fuel wholesaler stating it will only acquire fuel from that wholesaler if it receives better trading terms than the other fuel retailers, including a 5 per cent lower price than the lowest price offered to the large fuel retailer's competitors on a daily basis and first preference to fuel in the case of shortages. While each wholesaler may lose some revenue if it agrees to these terms, it stands to lose more if the large fuel retailer ceases acquiring fuel from it.

The wholesalers independently decide to agree to the terms.

Assessment

It is likely that the large fuel retailer has a substantial degree of market power in the market for the acquisition of fuel in the remote town.

The large fuel retailer's threats to not acquire fuel from wholesalers who also supply its competitors mean that the retailer's competitors will be unable to acquire fuel on competitive terms, making their businesses untenable in the medium term. New entrants would face the same insurmountable barrier. The large fuel retailer's conduct is likely to have the purpose and effect of substantially lessening competition in the retail fuel market in the remote town.

The ACCC is of the view that the conduct is likely to breach s. 46.

Predatory pricing

- 3.7. Businesses compete by providing more compelling offers to consumers than their competitors. This often involves businesses undercutting prices offered by rivals. In almost all circumstances low pricing is beneficial for consumers and is part of the competitive process. However, in rare circumstances, very low pricing by a firm with a substantial degree of market power may be predatory.

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- 3.8. Predatory pricing occurs when a firm substantially reduces its prices below its own cost of supply for a sustained period:
 - a) causing competitors to exit the market,
 - b) disciplining or damaging competitors for competing aggressively, or
 - c) discouraging potential competitors from entering the market.
- 3.9. Predatory pricing might result in a firm losing money in the short to medium term. However, if the practice leads to a reduction in competition or the potential for competition, the firm may be in a position to charge higher prices and maintain or increase its market share in the longer term.
- 3.10. Predatory pricing by a firm with a substantial degree of market power can harm an individual competitor; however, the test is whether the conduct has the purpose, effect or likely effect of substantially lessening competition in a market.

Example 5: Predatory Pricing

A firm publishes the only newspaper in a major regional town. The firm provides the newspaper for free and has built up a substantial readership through its focus on local news and events. The firm attracts substantial revenues from local businesses who advertise in the newspaper and earns substantial profits. Most local businesses consider it essential to advertise in the newspaper.

A new entrant commences publishing a competing regional newspaper and offers advertising rates comparable to those offered by the firm. The new entrant starts to win some advertising sales from the firm.

The firm reduces its advertising rates for all of its customers to less than 50 per cent of the rates offered by the new entrant. At the new advertising rates, the firm does not cover its costs of printing and distributing its newspaper. The firm's board documents indicate it is willing to incur these losses to reinstate its position as the sole regional newspaper and the profits that position generates.

The new entrant is unable to attract sufficient advertisers and closes its newspaper. After the closure, the firm raises its advertising rates to their original level.

Assessment

It is likely that the firm has a substantial degree of market power. Being the only regional newspaper has enabled the firm to build a substantial readership. Advertising in the newspaper is the most effective way for local businesses to reach local residents, and there are no close substitutes available.

The firm's reduction in advertising rates was substantial. The reduced rates were substantially below those offered by the new entrant and were not sufficient to cover the costs of printing and distributing the newspaper. The reduced advertising rates were not a short-term offer, lasting until the rival newspaper closed. The financial losses made by the firm during this period were substantial.

The firm had the purpose of forcing the rival newspaper to close and prevent it from

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competing on its merits. In reducing its prices, the conduct had the purpose, effect or likely effect of substantially lessening competition.

The ACCC is of the view that the conduct is likely to breach s. 46.

Loyalty rebates

- 3.11. Businesses are generally free to set their own sales promotions, including rebates. Rebates usually do not harm competition. In many cases, including where the firm offering a rebate has substantial market power, rebates are an example of the benefits of the competitive process, incentivising retailers to promote the supplier's products and reducing the overall price customers pay for goods and services.
- 3.12. However, in limited circumstances a firm with a substantial degree of market power offering rebates can substantially lessen competition. This is most likely to occur where a rebate is conditional on a retailer meeting certain targets. For instance, where a firm offers its retail customers volume rebates which are conditional on the retailer purchasing a large proportion of its requirements from the firm (loyalty rebates). Such conditions can have the effect of preventing retailers from purchasing from competing suppliers.
- 3.13. Unconditional rebates, which simply reduce the price of an item with no additional conditions placed on the retailer, will likely only raise concerns if the reduced price amounts to predatory pricing.

Example 6: Loyalty rebates

Firm A is a supplier of patented transmissions used in heavy-duty vehicles. Heavy-duty vehicle manufacturers prefer to use Firm A's patented transmission systems in the majority (approximately 80 per cent) of heavy-duty vehicles.

However, there are some heavy-duty vehicles where Firm A's transmissions do not have key advantages over competing systems, and manufacturers generally fit transmissions from either Firm A or its competitors, depending largely on price. Demand for Firm A's transmissions has generally been stable relative to demand for its competitors' transmissions. There has also been low to no growth in heavy-duty vehicle manufacturing. Firm A's sales growth has stalled.

To address this, Firm A offers heavy duty vehicle manufacturers a new supply agreement. The agreement contains an offer to pay those manufacturers a conditional 10 per cent rebate on the price of every heavy-duty vehicle transmission they purchase from Firm A. The customer will only qualify for the 10 per cent rebate if the customer purchases at least 15 per cent more transmissions from Firm A than they did the previous financial year. The rebate structure ensures Firm A's customers must buy substantially more transmissions from Firm A for vehicles which could use competitors' transmissions, if they want to receive a 10 per cent rebate on every heavy-duty vehicle transmission purchased that year.

Assessment

It is likely that Firm A has a substantial degree of market power in the market for heavy-duty truck transmissions. It has significant market share in Australia and there are no close

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substitutes available to its patented system which is preferred in most heavy-duty vehicles.

The likely effect of the rebate is to deter or prevent competing heavy-duty vehicle transmission suppliers from being able to compete effectively on their merits to sell heavy duty vehicle transmissions. The structure of the conditional rebate creates an incentive for heavy-duty vehicle manufacturers to increase their purchases from Firm A by 15 per cent, as the rebate will then be applied to every transmission sold.

Firm A's rivals are unlikely to be able to effectively respond by offering an equivalent or higher discount, as the heavy duty vehicle manufacturers stand to lose the 10 per cent rebate offered by Firm A on the 80 per cent of transmissions they already purchase from that firm if they do not meet the additional 15 per cent target.

The conduct is likely to have the effect of substantially lessening competition in the supply of heavy-duty truck transmissions. The ACCC is of the view that the conduct is likely to contravene s. 46.

Margin/price squeeze

- 3.14. Businesses are generally entitled to charge different prices to different buyers for the supply of goods or services along the supply chain.
- 3.15. However, a firm with a substantial degree of market power in the supply of a key input can disadvantage its competitors in downstream markets by reducing the margin available to these competitors. It could do this, for example, by charging its competitors an input price that makes it uncommercial for them to offer a competitive price in the downstream market.¹⁰
- 3.16. As competitors in the downstream market require the input and have limited alternative sources of supply, a margin or price squeeze has the potential to prevent equally efficient competitors in the downstream market from competing with the firm on their merits.

Example 7: Margin/price squeeze

Firm X holds 90 per cent of the world's known deposits of a rare earth mineral (the REM) which becomes a key input in the development of touchscreens. While exploration is underway in a number of potential new REM sites and new touchscreen technologies are being developed, it is not known how many years it will be before either becomes available.

Firms A, B and C are the major producers of touchscreens for use on smartphones, tablets and other devices. They account for 70 per cent of the world's demand for the REM.

Firm X establishes a subsidiary to begin competing with Firms A, B and C in the manufacture and supply of touchscreens.

¹⁰ For example, a price that is similar to the price the corporation charges in the downstream market.

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Shortly afterwards, Firm X substantially increases the price at which it sells the REM. Even with access to the remaining sources of the REM (which also increase their prices in response to X's price increase), Firms A, B and C all require access to the REM from Firm X to make their touchscreens.

Firm X offers a number of two-year contracts to provide touchscreens to major mobile phone and tablet producers where the price offered per screen is only just above what it will now cost Firms A, B and C to buy the REM required to produce each touchscreen.

Assessment

It is likely that Firm X has a substantial degree of market power in the supply of REM. It has 90 per cent of the world's supply of the REM and new entry in the foreseeable future is unlikely.

Firm X offers touchscreens at a price above what it would cost its competitors to buy the REM required to produce each touchscreen. However, if Firm X had to pay the same price for the REM as it charged Firms A, B and C, it would make a loss on each touchscreen sold when taking into account its other production and distribution costs.

The conduct is likely to have the effect of substantially lessening competition in the supply of touchscreens. The ACCC is of the view that the conduct is likely to breach s. 46.

Tying and bundling

- 3.17. Businesses are generally entitled to supply goods or services as part of a tied or bundled arrangement.
- 3.18. **'Tying'** occurs when a supplier sells one good or service on the condition that the purchaser buys another good or service from the supplier. For example, a printer supplier may sell a printer on condition that the customer also acquires ongoing servicing from the supplier.
- 3.19. **'Bundling'** occurs when a supplier only offers two products as a package or for a lower price if the two products are purchased as a package. For example, a mobile phone operator may offer bundles of handsets and mobile phone services plans where the price of the handset and plan is cheaper if consumers buy them together than if they buy each one separately.
- 3.20. Tying and bundling are common commercial arrangements which usually do not harm competition and in many scenarios promote competition by offering consumers more compelling offers. However, in limited circumstances, tying or bundling by a firm with a substantial degree of market power may amount to a contravention of s. 46. This can occur when a firm with substantial market power in one market uses a tie or bundle to extend or 'leverage' this market power into another market.

Example 8: Tying and bundling

A firm has the patent over the active ingredient in the only drug that can treat a common

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heart condition (Drug A). The patent for Drug A lasts for another five years. The firm has the patent for another drug that treats a different and comparatively rare heart condition (Drug B). The patent for Drug B is about to end. Manufacturers of generic drugs are making plans to manufacture a generic version of Drug B.

The firm decides to alter its selling practices to only sell Drug A and Drug B as a package. The firm writes to all pharmacies stating that it will only sell Drug A to a pharmacy if the pharmacy agrees to purchase all of its requirements of Drug B from the firm. Pharmacies normally acquire drugs from a range of manufacturers. Absent the tie, there are no benefits to pharmacies in acquiring Drug A and Drug B from the same manufacturer.

Assessment

It is likely that the firm has a substantial degree of market power in the supply of Drug A. It is the monopoly supplier of Drug A (for the duration of the patent) and there are no comparable drugs.

If a pharmacy cannot dispense Drug A, it is likely to lose a significant number of customers. As a result, it is likely that almost all pharmacies will purchase both Drug A and Drug B exclusively from the firm. This will prevent or hinder manufacturers of generic drugs from competing to supply Drug B to the majority of pharmacies.

The conduct is likely to have the effect of substantially lessening competition in the supply of Drug B. The ACCC is of the view that the conduct is likely to breach s. 46.

4. Types of conduct that are not likely to contravene s. 46

- 4.1. The ACCC investigates s. 46 allegations with the aim of distinguishing between vigorous competitive activity which is desirable, and economically inefficient monopolistic practices that may exclude rivals and harm the competitive process.
- 4.2. Whether conduct breaches s. 46 will depend on all the circumstances. Conduct that enhances efficiency, innovation, and product quality or price competitiveness is unlikely to substantially lessen competition.
- 4.3. The ACCC considers that the following conduct would not generally raise concerns:
 - a) innovation, regardless of how 'big' the firm is
 - b) efficient conduct designed to drive down costs
 - c) responding to price competition with matching or more competitive (above cost) price offers
 - d) responding efficiently to other forms of competition in the market such as product offerings and terms of supply.
- 4.4. The aim of s. 46 is to preserve the integrity of markets so that businesses have the incentive to enter or operate more efficiently, price competitively and offer better products to their customers. Businesses that compete by undertaking a successful promotional campaign, undertaking research and development which results in

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ACCC Guidelines on s. 46

better products or more efficient processes, or passing savings through to consumers will be enhancing competition, not lessening it.

Example 9: Research and development

A firm with 80 per cent of the market has developed a substantially improved version of an existing technological product. This new product supersedes the first generation products currently on the market. The vast majority of consumers prefer the new product causing many suppliers of the first generation product to close.

Assessment

Investment by the firm to innovate and improve its product to make it more attractive to consumers is part of the competitive process. The exit of other suppliers is the result of the firm engaging in competitive activity, not the result of the firm engaging in conduct which deters its rivals from competing on their merits. The ACCC is of the view that the firm's conduct **would not** have the purpose or the effect of substantially lessening competition.

Example 10: Price war

Three firms each with 25 per cent of a market compete with a significant fringe of smaller suppliers. Periodically, one of the firms significantly discounts the prices of its product to win more customers. These price reductions are quickly matched by the other firms causing a price war. While the three firms remain profitable during the price war, some smaller suppliers do not and decide to close.

Assessment

Each firm faces significant competitive constraint from the other firms and smaller suppliers. The firm leading the price discounting has the purpose of winning customers from its rivals. The price matching by the other firms is a competitive response. This is competition on the merits and the conduct **would not** breach s. 46.

Example 11: Investing in new production technology to increase efficiency

A firm manufactures an iconic brand of lawn mowers. The popularity of the brand means that it currently supplies 70 per cent of lawn mowers sold in Australia. It is rumoured that a large established international manufacturer of lawn mowers is planning to commence selling its lawn mowers in Australia. The firm invests in new production technology to lower its costs and improve the reliability of its lawn mowers. As a result of its lower production costs, the firm reduces the prices of its lawn mowers. The firm advertises the price reductions and improved reliability of its lawn mowers extensively. The international manufacturer of lawn mowers decides not to sell its lawn mowers in Australia.

Assessment

Investing in new production technology to improve the reliability of its lawn mowers and to enable it to reduce its prices is a competitive response by the firm to the threat of new entry. The firm's conduct is not exclusionary. That is, it did not prevent or deter the

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ACCC Guidelines on s. 46

potential new entrant from competing with the firm on its merits. The decision by the international manufacturer not to enter the market is because the firm improved its offer to consumers. The conduct **would not** have the purpose, effect or likely effect of substantially lessening competition.

Example 12: Rewarding behaviour

Firm A identifies a new way of treating timber to prevent termite infestation and markets its new patented product extensively under the brand Tproof Timber. Tproof Timber becomes very popular for residential construction in regional, bushland and rural areas. While the research and development costs were high, the new treatment is very inexpensive to apply. However, Firm A charges a very substantial premium on the product, keeping the price near but below steel beams and almost double the price of other treated timbers.

Assessment

Even though Firm A is making a considerable margin on each Tproof Timber product sold, the ACCC is of the view that the conduct **would not** breach s. 46.

Even if Firm A did have substantial market power, which would depend on the Tproof Timber's substitutability with other building products among other factors, its ability to charge higher prices is Firm A's reward for its innovation. Rather than deterring competition on its merits, Firm A's higher profits should incentivize other timber producers to seek to develop better termite resistant products that compete directly with Firm A's offering.

5. Authorisation

- 5.1. Authorisation provides protection against legal action for future conduct that might breach the competition provisions of the CCA, including s. 46. Parties can apply to the ACCC for authorisation where they believe that there is some risk that the conduct they propose to engage in would or may breach s. 46 and they require the certainty provided by an authorisation to undertake the activity.
- 5.2. In general, the ACCC may grant authorisation if it is satisfied that the proposed conduct is either unlikely to substantially lessen competition or likely to result in a net public benefit.
- 5.3. Authorisation is a formal and public process. The application and supporting submission will be available on the ACCC's public register and provided to interested parties for their comment or response. All public responses are made available on the public register. The ACCC's draft and final determination including the reasons for the decision are also publicly available.
- 5.4. The ACCC cannot retrospectively grant authorisation for conduct that has already occurred. Parties are encouraged to contact the ACCC if they have any concerns about future or ongoing conduct.
- 5.5. Further detailed information on the authorisation process is available in the ACCC's authorisation guidelines at www.accc.gov.au

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ACCC Guidelines on s. 46

6. The ACCC's approach to investigating alleged contraventions of s. 46

- 6.1. In assessing allegations of contraventions of s. 46, the ACCC will consider:
 - a) the nature and extent of competitive constraints on the firm engaging in the conduct
 - b) the nature and extent of the conduct
 - c) competitors or areas of competition to understand the impact of the conduct
 - d) likely market outcomes, including what would likely happen if the conduct did not occur, and
 - e) whether and the extent to which the competitive process is being restricted, deterred or prevented in any relevant market
- 6.2. In deciding whether to take enforcement action, the ACCC focuses on the extent to which matters will, or have the potential to, harm the competitive process especially where this is likely to cause widespread consumer detriment. The ACCC cannot pursue all the complaints it receives and will direct its resources to matters that provide the greatest overall benefit for competition and consumers.
- 6.3. To assist with this determination, the ACCC publishes an annual Compliance and Enforcement Policy which sets out the priorities for the following year. A copy of the Policy can be found at www.accc.gov.au.

7. Sanctions

- 7.1. If a court determines that a person has contravened, attempted to contravene or has been involved in a contravention of s. 46 (as set out in s. 76 of the CCA), the court may impose orders including but not limited to:
 - a) requiring that person to pay a civil pecuniary penalty
 - b) requiring that person to pay damages
 - c) preventing that person from engaging in certain conduct
 - d) declaring that person has contravened the CCA
 - e) in the case of individuals, disqualifying a person from managing a corporation.
- 7.2. The maximum penalty payable by a body corporate for each act or omission (as set out in ss. 76(1A)(b) of the CCA) is the greatest of:
 - i) \$10,000,000;
 - ii) if the Court can determine the value of the benefit that the body corporate, and any body corporate related to the body corporate, have obtained directly or indirectly and that is reasonably attributable to the act or omission—3 times the value of that benefit;
 - iii) if the Court cannot determine the value of that benefit—10% of the annual turnover of the body corporate during the period (the turnover

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ACCC Guidelines on s. 46

period) of 12 months ending at the end of the month in which the act or omission occurred.

- 7.3. The maximum penalty for any other person, including an individual, is \$500,000 for each act or omission (ss. 76(1B)(b) of the CCA).

Procurement Preference

6 December 2019



Procurement Preference

Outcomes

- To provide an overview of prior discussions
- To highlight the advantages and disadvantages of Procurement Preference
- If Councillors wish to proceed, discuss the key parameters that could be included within a draft Policy
- To provide an overview to Councillors of the other mechanisms that are being developed to assist local businesses to do business with Council



Procurement Preference

Prior Discussions



Procurement Preference

Prior Discussions

Date	Matter
31 January 2011	Notice of Motion and a draft Local Preference Policy considered by Council – requested a further report
18 February 2011	Legal advice received in relation to the draft Policy
28 March 2011	Council resolved not to proceed
15 February 2016	Workshop with Councillors to discuss a Local Preference Policy and building resilience in local suppliers. No consensus on proceeding with a Policy.



Procurement Preference

Advantages and Disadvantages



Procurement Preference

Advantages

- Developing local businesses
- Assists to deliver local economic growth by retaining spend within the area
- Assists creating or retaining employment opportunities
- Strengthens business relationships



Procurement Preference

Disadvantages

- Can impact on competition (businesses outside the area may not submit to a Request for Quote/Tender) which can also lessen the drive of a business to contain costs
- Adds a layer of bureaucracy in determining what inputs of an offer are classed as local/regional and those that are not
- Potential increased costs to council and the community to deliver the same services and infrastructure
- Possible contravention of the *Competition and Consumer Act 2010* (formerly the *Trade Practices Act 1974*) established by the Federal Government (unlikely unless the Policy is designed to significantly reduce competition)
- Increased risk of negative perceptions forming about the probity of council practices and conflicts of interest for staff and councilors

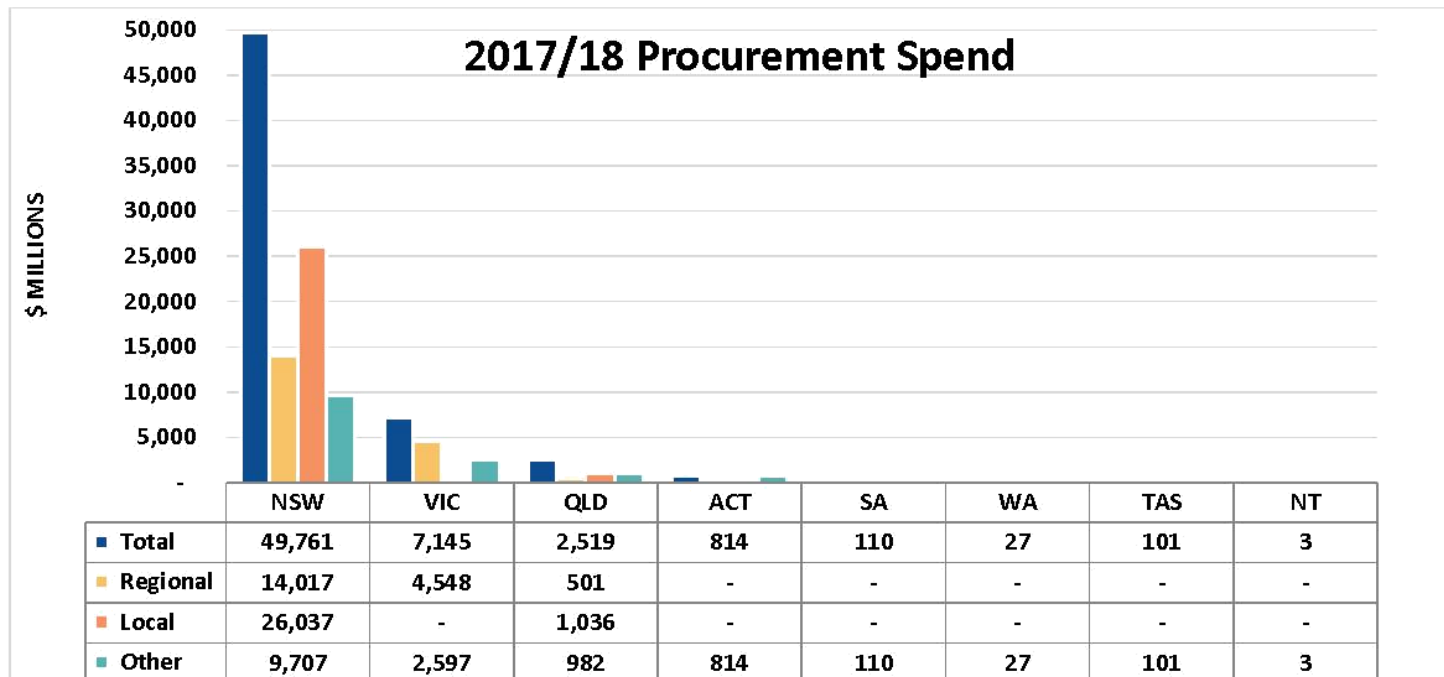


Procurement Preference

Wagga Wagga City Council Statistics



Wagga Wagga City Council Statistics



Wagga Wagga City Council Statistics

State/Territory	Abbreviation	Total	Regional	Local	Other	Total	Regional	Local	Other
New South Wales	NSW	49,761	14,017	26,037	9,707	82%	23%	43%	16%
Victoria	VIC	7,145	4,548	-	2,597	12%	8%	0%	4%
Queensland	QLD	2,519	501	1,036	982	4%	1%	2%	2%
Australian Capital Territory	ACT	814	-	-	814	1%	0%	0%	1%
South Australia	SA	110	-	-	110	0%	0%	0%	0%
Western Australia	WA	27	-	-	27	0%	0%	0%	0%
Tasmania	TAS	101	-	-	101	0%	0%	0%	0%
Northern Territory	NT	3	-	-	3	0%	0%	0%	0%
		60,481	19,067	27,073	14,341	100%	32%	45%	24%



Procurement Preference

Options for Parameters



Options for Parameters

Local or Regional

- How to define?
- Local Content – means goods or services procured from a local supplier or employees living permanently in the Wagga Wagga Local Government Area
- Local Supplier – means a business, contractor or industry:
 - Either permanently based in, or employing staff operating from permanent premises situated within the Wagga Wagga LGA boundary for not less than six months prior to the date of the Procurement Request, and
 - Registered or licensed in New South Wales



Options for Parameters

Regional

- Similar definitions as local content and local supplier, however expanded to cover the RDA – Riverina Region



Options for Parameters

Percentage Price Discount for Assessment Purposes

- Many options
- Could apply both definitions of local and regional and scale discount
- Could scale discount according to purchase amount
- Option to include a maximum discount amount
- Could only apply price discount if all qualitative assessment scores were equal



Options for Parameters

Local Content Selection Criteria

- For procurement activity could include a local content weighting as part of the selection criteria:
 - RFQ's to commence at what value? Over \$50,000 Procurement Team generally involved
 - RFT's – possibly RFT's only?
- Requirement of supplier to demonstrate local content
- Could include such things as:
 - Creation of local employment opportunities
 - More readily available servicing support
 - Economic growth within the local area
 - Contributions to the community



Procurement Preference

Other Factors to Consider

- Potentially not proceeding unless Local and Regional procurement expenditure falls below a certain percentage
- If proceeding:
 - Trial period – 6-12 months
 - Setting aside funds for additional purchase price in a Reserve (if any) so as not to impact on project costing
 - When/if Policy used for Tenders, inclusion of impact in Council resolution
 - Possibly include cost of Policy impact in Annual Report



Alternative Mechanisms

LG Procurement Toolkit

- Developed by NSW Small Business Commissioner – “Easy to do Business”
- Can utilise resources without signing up to Pilot (finishes in March)
- Includes tools for Councils and tools for small businesses



Community Education

Stage 1

- Developing education program
- Engaging with Business Chamber and appropriate First Nations contacts to determine opportunities
- Provision of LG Procurement toolkit to community through:
 - Key stakeholders
 - Forums
- Identify pain points for contractors
- Upcoming Procurement Opportunities with Council
- Broad discussion on:
 - Procure to Pay Project – what it means to suppliers
 - Electronic Procurement – stage of project and what it may involve (dependent upon outcome of RFQ and supplier chosen)



Community Education

Stage 2

- Specific training opportunities relating to:
 - Electronic procurement portal and onboarding
 - RfX processes and how to make a submission



Next Steps?



1.6. Local Preference Policy

Councils often have a significant role in local and regional economic development. This may include consideration of local supply issues and Aboriginal and young people's employment participation policies.

The implementation of local preference policies is not necessarily inconsistent with the principles of National Competition Policy. However, the use of local preference in the evaluation of tenders and awarding of contracts possesses inherent risks in terms of anti-competitiveness and the maintenance of defensibility, accountability and probity.

Where a council wants to consider local preference as a factor in the supply of goods and services or the disposal of property, it should develop and adopt a local preference policy. This policy should be based on sound reasoning and outline the circumstances in which the council would bring this policy into effect. For example, where an additional cost would be incurred by the council in implementing its local preference policy, the maximum amount or percentage of that additional cost should be specified and the particular circumstances in which the amount should also be acceptable to the local community.

The policy, as well as a statement indicating the basis for its use, should be provided to any potential tenderers prior to their decision to submit a tender. Such a policy should be included in the tender documents and identified in the evaluation criteria.

When reporting the result of a tender evaluation process, the application of the policy should be clearly referred to and details provided regarding any additional costs to be incurred by the council if it accepts a tender, other than the lowest tender, as a result of the implementation of the policy.

Councils should also consider seeking legal opinion regarding their proposed local preference policy to ensure the policy does not breach either the *Trade Practices Act 1974* (Cth), the *Fair Trading Act 1987* (NSW), or various international trade agreements.

Regional Procurement Preference Policy

Reference number: POL064
Approval date: XXXX 2020
Policy owner: Corporate Services
Next review: XXXX 2024

Every four years or in the first twelve months of the new term of Council, whichever is earliest.

Purpose

The purpose of this policy is to encourage and support regional businesses and support economic activity within the region, where it is efficient to do so, while achieving Council's overall 'value-for-money' objectives. Council recognises that through supporting regional businesses it can assist in economic sustainability that will flow to social benefits across regional communities.

Council believes that overall policy must be underpinned by sound principles, which are well understood; communicated to the community and staff and is compliant with current legislation.

Council's objectives in establishing this Policy, in conjunction with those contained within Council's Procurement and Disposal Policy POL110 are to:

- Support the regional economy and enhance the capabilities of regional business and industry, while ensuring an equitable approach is undertaken.
- Ensure compliance with *Competition and Consumer Act 2010*.
- Ensure leading practice policies and procedures are followed in relation to the Procurement Activities for Wagga Wagga City Council.
- Undertake Procurement processes that ensure value for money for the Council.
- Ensure openness, transparency, fairness and equity through the Procurement process to all potential suppliers and buyers therefore strengthening integrity and confidence in the Procurement practices.
- Ensure efficient and consistent purchasing processes are implemented and maintained across Council.
- Ensure compliance with the *Government Information (Public Access) Act 2009* ("GIPAA") and the *Privacy and Personal Information Protection Act 1998* ("PPIPA"), and associated records management practices and procedures of Council.

POL064 – Regional Procurement Preference Policy

Scope

This Policy covers all Procurement Activities above \$250,000 (GST Inclusive) by Wagga Wagga City Council and its employees. This includes all Tenders and all Quotation processes where there are Preferred Supply Contracts or Pre-Qualified Supplier Panels

Wagga Wagga City Council is obliged to call Tenders for the procurement of goods or services with an estimated value exceeding the *Local Government Act 1993* Tender Threshold of \$250,000, or another amount as may be prescribed by the Regulations.

This Policy does not apply to the procurement of goods and services in the following instances:

- a) An emergency situation as defined by the Act;
- b) The purchase is under auction that has been authorised by Council;
- c) The goods or services are being supplied through a renewal or extension of the term of a contract (the original contract) where;
 - i. The original contract was administered through a public Tender process;
 - ii. The invitation for Tenders contained provisions for the renewal or extension of a contract;
 - iii. The original contract contains an option to renew or extend its term; and
 - iv. The supplier's Tender included a requirement for a renewal or extension of the term of the original contract.
- d) A contract that is an environmental upgrade agreement (within the meaning of Part 2A of the *Local Government Act 1993* Section 55)
- e) A contract made with a person or body approved as a disability employment organisation under the *Public Works and Procurement Act 1912* for the purchase of goods or services in relation to which the person or body is so approved
- f) A contract arrangement between Council and the Electoral Commissioner for the Electoral Commissioner to administer the Council's elections, Council polls and constitutional referendums
- g) Where the goods or services are sourced from internal Wagga Wagga City Council sources.

POL064 – Regional Procurement Preference Policy

Policy Provisions

Policy Implementation

In procuring goods and services, Council will:

- Encourage a “buy regionally” culture within Council;
- Ensure links to all Tenders, Quotations and Expressions of Interest that are anticipated to be \$250,000 (GST Inclusive) or higher in value are available on Council’s website;
- Encourage regional suppliers to participate in Council business by advertising regionally through associated networks and websites, where possible;
- Ensure that procurement policies and procedures do not disadvantage local suppliers;
- Ensure transparency and accountability in Procurement procedures;
- Encourage the use of regional suppliers by contractors whenever goods or services have to be sourced from outside the Regional Joint Organisation Area;
- Apply a Regional Preference Evaluation in favour of regional suppliers, as set out in this Policy;
- Ensure that all Procurement Requests issued by Council clearly state whether and how a Regional Preference will be applied so that respondents to such Procurement Requests are aware of the Regional Preference Policy prior to responding to the Procurement Request;
- Procure goods and services at the best price and best value;
- Comply with statutory obligations;
- Maintain commercial confidentiality; and
- Encourage regional businesses to promote their goods and services to Council.

Ethics and Integrity

Code of Conduct

All Council Officials undertaking Procurement Activities must have regard for the requirements contained in Wagga Wagga City Council’s Code of Conduct and shall observe the highest standards of ethics and integrity. All Council Officials must act in a manner that is honest and professional and supports the standing of the Council at all times.

Procurement Principles

The following principles, standards and behaviours must be observed and enforced through all stages of the Procurement Activity to ensure the fair and equitable treatment of all parties:

a) *Accountable*

Council Officials shall take full accountability for all Procurement decisions and the efficient, effective and proper expenditure or receipt of public monies based on achieving value for money.

POL064 – Regional Procurement Preference Policy

b) Compliant

All Procurement practices shall comply with relevant legislation, regulations and requirements consistent with Council policies and the Code of Conduct.

c) Transparent, Honest and Equitable Dealing

Council Officials must ensure that Procurement processes are undertaken on the basis where all potential suppliers, contractors and buyers are treated impartially, honestly and consistently, taking into account the requirements of this Policy.

All prospective suppliers and vendors will have the same information about the procurement to enable them to submit prices, quotations and Tenders on the same basis. Council must adequately test the market in a consistent manner so that potential suppliers and the public have confidence in the outcome.

All processes, evaluations and decisions shall be transparent and fully documented in accordance with applicable policies, audit requirements and relevant legislation.

d) Confidentiality

Any information provided to Council by a potential supplier and contractor shall be treated as commercial-in-confidence and must not be released, other than in the course of Council business, unless authorised by the supplier or relevant legislation.

Confidentiality of commercially sensitive material such as prices, discounts, rebates, profits, manufacturing and product information or other matters which come to notice in the course of official duties, must be maintained at all times.

e) Conflicts of Interest

Council Officials must avoid situations where their private interests' conflict with their Council procurement or disposal duties. Any actual, perceived or potential Conflicts of Interest are to be identified, disclosed and appropriately managed in accordance with the requirements outlined in Council Policy POL112 Conflicts of Interest.

f) Gifts and Benefits

Council Officials must not by virtue of their position solicit, accept or acquire for any personal advantage, any gift or benefit from contractors or suppliers, both current and potential, or their representatives. Council's commitment to this is detailed in the Council Policy POL107 Gifts and Benefits.

POL064 – Regional Procurement Preference Policy

Value for Money

Value for money is an overarching principle governing Procurement Activities which allows the best possible outcome to be achieved for Council. It is important to note that compliance with the Procurement specification is more important than obtaining the lowest price, particularly taking into account user requirements, quality standards, sustainability, life cycle costing and service benchmarks.

An assessment of the best value for money outcome for any Procurement Activity should consider both price and non-price factors including:

- All relevant Total Costs of Ownership (TCO) and benefits including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as, but not limited to holding costs, consumables, deployment, maintenance and disposal;
- The technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions, and any relevant methods of assuring quality, including but not limited to an assessment of levels and currency of compliances, value adds offered, warranties, guarantees, repair and replacement policies, ease of inspection, ease of after sales service, ease of communications, service and support;
- Financial viability and capacity to supply without risk of default (competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history);
- A strong element of competition is the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable;
- The safety requirements associated with both the product design and specification offered by suppliers and the evaluation of risk when considering procuring goods and services from suppliers;
- Providing opportunities for businesses within the Regional Joint Organisation Area to be given the opportunity to quote for providing goods and services wherever possible;
- The supplier's commitment to supporting regional businesses and the regional economy through sub-contracting and other supplier arrangements.

Procurement Thresholds and Policy Requirements

The requirements that must be complied with by Council Officials, including Procurement thresholds and processes, are prescribed within the legislation, this Policy, Council's Procurement and Disposal Policy POL110 and Council's Procurement and Disposal Manual.

Determining the Procurement value is to be based on the following considerations:

- Inclusive of Goods and Services Tax (GST);
- The actual or expected value of a contract over the full contract period (including all options to extend); or
- The extent to which it could be reasonably expected that Council will continue to purchase a particular category of goods, services or works and what total value is or could be reasonably expected to be purchased.

Any Procurement Activity must be undertaken in accordance with the Council Official's delegated purchasing authority limit as approved by the General Manager.

POL064 – Regional Procurement Preference Policy

No Procurement Activity is to be undertaken until it is approved by an Authorising Officer.

In some cases, suppliers may not respond to a request for quotation. In this instance, Council Officials must provide documentation to demonstrate their attempt to source the required number of quotations, however non-responses should not delay any Procurement Activity unless it would be considered inappropriate to proceed. This shall be determined by the appropriate Authorising Officer.

Regional Preference Evaluation Criteria

Regional Preference is not a price benefit to a Regional Supplier, but rather a quantitative measurement that can be utilised in recognition of the physical presence of the supplier in the Riverina Joint Organisation Area, as well as the demonstrated and/or actual accompanying social and economic benefits that this provides to Council and the regional community. Council acknowledges that in assessing 'overall value for money' the following non-price considerations should be considered (where relevant) in relation to a Procurement Activity:

- Creation of new and/or maintenance of existing local employment opportunities;
- More responsive and readily available servicing support;
- Closer and more convenient communication regarding progress, performance and measurement to enable effective and efficient contract administration and management;
- Encouragement for the relocation of established businesses from outside the region to physically enter, establish and maintain a physical presence ongoing in the region;
- To assist businesses to become sustainable and ongoing;
- To assist local businesses to remain competitive;
- Support for economic growth within the local area; and
- Returning value-added benefits to Council and its ratepayers from the associated regional commercial transactions.

For the purposes of comparing the submissions in relation to the Regional Preference Evaluation Criteria, the criteria will be applied and provided to:

- a. regional suppliers submitting responses to Procurement requests which are assessed with consideration of this Policy; and
- b. non-regional suppliers submitting responses to Procurement requests, which include use of regional content and which are assessed with consideration of this Policy.

POL064 – Regional Procurement Preference Policy

The below ratings will be applied when evaluating Procurement Activity where this Policy is applicable:

Criteria	Equivalent Weighting Rating	Supporting Business
Business head office set up and run within the Region	5	With the commitment to regional businesses and economy
Business branch operating within the Region, with head office outside of the Region	4	With commitment to regional economy
Business based outside of the Region employing staff, and/or using resources from within the Region	3	With a minor impact on local economy
Business established and run outside of the Region but within New South Wales.	2	Within the State
Business operating outside of New South Wales.	0	

Regional Preference Evaluation Weighting

Where the Procurement Activity value will be \$250,000 (GST Inclusive) or above, all offers will be subject to this Policy and incorporate Regional Preference Evaluation Criteria with a weighting of 5%.

Obtaining a Regional Preference Score

To be eligible for a score in relation to the Regional Preference Evaluation Criteria, suppliers must specifically detail and explain in their submission to Council's Procurement request the particular facts upon which they rely to establish their eligibility for a score and must provide any evidence of such eligibility as reasonably required by Council.

Records Management

Records of all Tenders, Requests for Quotations and other Procurement Activities must be retained in compliance with the *State Records Act 1998*.

POL064 – Regional Procurement Preference Policy

Legislative Context

- Local Government Act 1993, Section 55
- Local Government (General) Regulation 2005
- Competition and Consumer Act 2010
- Government Information (Public Access) Act 2009
- Privacy and Personal Information Protection Act 1998
- State Records Act 1998

Related Documents

- Local Government Act 1993, Section 55
- Local Government (General) Regulation 2005
- Competition and Consumer Act 2010
- Government Information (Public Access) Act 2009
- Privacy and Personal Information Protection Act 1998
- State Records Act 1998
- Competition and Consumer Act 2010
- Statement of Business Ethics
- Wagga Wagga City Council – Procurement and Disposal Manual
- Code of Conduct
- Tendering Guidelines issued by the Department Local Government (Version 9 2009)
<https://www.olg.nsw.gov.au/sites/default/files/Tendering-Guidelines-for-NSW-Local-Government.pdf>
- POL 110 Procurement and Disposal Policy
- POL 112 Conflict of Interests Policy
- POL 060 Delegations Policy
- POL 053 Corporate Purchase Card Policy
- POL 107 Gifts and Benefits Policy
- POL 101 Legislative Compliance Policy
- POL 079 Risk Management Policy
- POL 100 Fraud and Corruption Policy
- POL 109 Public Art Policy
- Commonwealth Indigenous Procurement Policy: 1 July 2015
- Registrar of Indigenous Corporations at: <http://www.oric.gov.au/>
- ISO 20400: Sustainable Procurement
- Guidelines for Managing Conflicts of Interest in the Public Sector produced by the Independent Commission Against Corruption

POL064 – Regional Procurement Preference Policy

Responsibilities

The Manager Procurement Services, through the Director Corporate Services is the responsible Officer for matters relating to this Regional Procurement Preference Policy.

The Manager Procurement Services or their delegate from within the Procurement Services team will also be responsible for:

- Oversight of each procurement activity where this Policy is applicable;
- Provision of this Policy in the documentation provided to suppliers for all procurement activities \$250,000 (GST Inclusive) and above;
- Establishing and ensuring the details of each procurement activity for which this Policy applies are recorded with sufficient information to ascertain the success of this Policy;
- Providing a report to Council on an annual basis that outlines the impact of this Policy and recommending whether to retain the Policy or otherwise.

Reporting Requirements

All Procurement Requests resulting in a Regional Preference being applied must be capable of identification and verification through the Council's audit or internal control mechanism.

On an annual basis, the Manager Procurement Services will be required to report to Council the impact of the Policy.

Review Procedures

Subject to the recommendation and subsequent decision of Council, this Policy will be reviewed every four years or in the first twelve months of the new term of Council, whichever is earliest.

Definitions

Term	Definition
Authorising Officer	A Wagga Wagga City Council employee who is registered in the delegation register as authorised by the General Manager to incur expenditure and claims for payment, within a specific monetary limit.
Conflict of Interest	A Conflict of Interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your public duty.
Contract	A Contract is a legally binding agreement between the Council and another Party for the supply of goods and/or services. A Purchase Order is a Contract.

POL064 – Regional Procurement Preference Policy

Term	Definition
Council Official	Includes employees of Wagga Wagga City Council and Councillors.
Deduction	A fixed amount or percentage that has been authorised to be subtracted from an employee's income.
Expression of Interest (EOI)	An Expression of Interest is used to shortlist potential suppliers before then seeking detailed bids from the shortlisted Tenderers through an RFQ or RFT process.
Grant	A sum of money given by Wagga Wagga City Council to an eligible recipient (grantee) for a particular purpose following an application and assessment process.
Preferred Suppliers	Include NSW Preferred Supply Contracts (which are specifically designed around local government requirements) or State Government Common Use Arrangements (where local government access is permitted).
Pre-Qualified Supplier Panel List	A list of suppliers that have been appointed for the supply of goods and/or services following a public Tender process undertaken by Council.
Procurement Activity	For the purposes of this Policy, Procurement Activity is restricted to the process involving all activities following the decision that a good or service is required whereby it is anticipated to be \$250,000 (GST Inclusive) or above. It involves the acquisition of goods and services.
Purchase	The acquisition of a good or service whether placing or transmitting an order orally, in hard copy, electronically via e-commerce, or buying across the counter to achieve council business and is inclusive of purchasing, hire, lease, rental, exchange or any other commercial transaction involving the outlay of funds in return for the provision of goods, services equipment and related services, construction and service contracts. A purchase is not a Reimbursement, a transfer to another organisation or a Deduction, a Refund, a Grant or Sponsorship.
Refund	A repayment of a sum of money.
Regional Content	Means goods or services procured from a supplier or employees living permanently within the boundaries of the Riverina Joint Organisation Area.

POL064 – Regional Procurement Preference Policy

Term	Definition
Regional Supplier	Means a business, contractor or industry: <ul style="list-style-type: none"> either permanently based in, or employing staff operating from permanent premises situated within the Riverina Joint Organisation Area for not less than six (6) months prior to the date of the Procurement Request; and Registered or licensed in New South Wales.
Registered Business	Shall mean a company or entity as defined by the Australian Securities and Investment Commission (ASIC) and that also appears as "Active" in the ASIC Business Name Register and as amended from time to time.
Reimbursement	A repayment of funds that have been expended by a Council Official undertaking business on behalf of Wagga Wagga City Council.
Requisitioning Officer	A Wagga Wagga City Council employee who has system access to raise a purchase requisition. This employee will not necessarily have purchasing authority, in which case, the requisition, and associated documentation is forwarded to an Authorising Officer for consideration.
Request for Proposal (RFP)	A Request for Proposal is a document that solicits proposals, often made through a bidding process, by the Council to potential suppliers, which is followed by an RFQ or an RFT process.
Request for Quotation (RFQ)	A Request for Quotation is a process with the purpose of inviting suppliers into a bidding process to bid on specific products or services.
Request for Tender (RFT)	A Request for Tender is a process which is a formal, structured invitation to suppliers to submit a bid to supply products or services.
Riverina Joint Organisation Area	The Riverina Joint Organisation Area means the Local Government Areas of Bland, Coolamon, Cootamundra-Gundagai, Greater Hume, Junee, Lockhart, and Temora.
Tender	Includes prices, bids, quotations and consultant proposals and means the lodgement of a Tender response containing all requested information and accompanying documentation.
Tender Threshold	The amount in dollars as determined and published in the <i>Local Government Act 1993</i> or associated Regulations.

POL064 – Regional Procurement Preference Policy

Revision History

Revision number	Council resolution	Council meeting date
1	Res No:	16 March 2020
2	Res No:	

RP-8 PROPOSED NEW FEE FOR THE 2019/20 FEES AND CHARGES**Author:** Zachary Wilson**Director:** Natalie Te Pohe

Summary: This report proposes the adoption and inclusion of the new domestic waste kerbside collection fee for the supply of 1,100L general waste bins to the 2019/20 Fees and Charges following the public exhibition period.

Recommendation

That Council:

- a note that there were no public submissions received during the exhibition period
- b adopt the following new fee for inclusion in the 2019/20 Fees and Charges:

Item Number	Fee and Charge Description	Pricing Policy ID	2019/20 Fee (exclusive of GST)	GST	2019/20 Fee (inclusive of GST)	Basis
NEW	Domestic Waste Management Service Charge – Provision of 1,100L General Waste bins to Multi Unit Developments (Non Strata) Provided on application and Council Officer approval. Charged per bin, per year and is in addition to the Domestic Waste Management Service Charge – Multi Unit Developments (Non Strata) and additional bins service charges.	C	\$650.00	\$0.00	\$650.00	Each Bin

Report

Council, at its meeting of 20 January 2020, resolved:

That Council:

- a place the following new fee on public exhibition for a period of 28 days from 25 January 2020 to 22 February 2020:

Item Number	Fee and Charge Description	Pricing Policy ID	2019/20 Fee (exclusive of GST)	GST	2019/20 Fee (inclusive of GST)	Basis
NEW	Domestic Waste Management Service Charge – Provision of 1,100L General Waste bins to Multi Unit	C	\$650.00	\$0.00	\$650.00	Each Bin

	<p>Developments (Non Strata)</p> <p><i>Provided on application and Council Officer approval. Charged per bin, per year and is in addition to the Domestic Waste Management Service Charge – Multi Unit Developments (Non Strata) and additional bins service charges.</i></p>					
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b invite public submissions on the proposed new fee until 22 February 2020

c receives a further report following the public exhibition period:

- i addressing any submission made in respect of the proposed new fee*
- ii proposing adoption of the new fee unless there are any recommended amendments that will require a further public exhibition period*

This proposed new fee was placed on public exhibition from 25 January 2020 until 22 February 2020 and Council invited public submissions during this period.

No public submissions were received on the proposed new fee.

The initial report indicated that Council officers considered that the provision of these bins in these locations (Multi Unit developments – Non-Strata) will alleviate the persistent non-compliance with the sorting and distribution of waste to the appropriate bin. As there were no public submissions, and it was a request from the community, it is recommended that the new fee be included in the 2019/20 Fees and Charges and reviewed in accordance with the annual process each year thereafter.

Financial Implications

The collection of bin charges is factored into Council's annual operating income budget.

Policy and Legislation

Local Government Act 1993

Chapter 15, Part 10, Division 1:

- Section 608 Council fees for services

Chapter 15, Part 10, Division 2:

- Section 610B Fees to be determined in accordance with pricing methodologies

Chapter 15, Part 10, Division 3:

- Section 610D How does a council determine the amount of a fee for service?
- Section 610F Public notice of fees

Local Government (General) Regulation 2005

Regulation 201 Annual statement of council's revenue policy

Link to Strategic Plan

The Environment

Objective: We create a sustainable environment for future generations

Outcome: We minimise our impact on the environment

Risk Management Issues for Council

The risks to Council of not endorsing the proposed new fee includes:

- Impact over time on the success of the Food Organics, Garden Organics (FOGO) service, and therefore increased negative impact on the environmental sustainability of Wagga

Internal / External Consultation

The proposed new fee was publicly exhibited through Council News and on Council's website, seeking public submissions.

RP-9 NATIONAL GENERAL ASSEMBLY - CALL FOR MOTIONS

Author: Ingrid Hensley
General Manager: Peter Thompson

Summary: Consideration and endorsement of Motion's to be submitted to the Australian Local Government Association for the 2020 National General Assembly of the Local Government under this year's theme, "Working Together for our Communities".

Recommendation

That Council endorse submitting the motion outlined in the report to the National General Assembly of Local Government Annual Conference on 14 to 17 June 2020.

Report

This report provides an opportunity for Councillors to consider any motions for submission to the ALGA. To be eligible for inclusion in the ALGA business papers, motions must follow the following criteria:

1. Be relevant to the work of local government nationally
2. Be consistent with the themes of the NGA
3. Complement or build on the policy objectives of your state and territory local government association
4. Be submitted by a council which is a financial member of their state or territory local government association
5. Propose a clear action and outcome
6. Not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

To assist Council in preparing motions, a discussion paper has been prepared by the ALGA. This paper provides background information on the theme and is designed to assist Councils in developing motions.

The following Motion/s is recommended for submission to National General Assembly of Local Government Annual Conference on 14 to 17 June 2020:

Lay Down Facilities

Advocate to the NSW Minister for Families, Communities and Disability Services, the Minister for Transport and Roads and the Shadow Minister for Disability Inclusion, to call upon the State Government to fund adult laydown change facilities along NSW highways.

Advocate for the National Construction Code to include laydown change facilities as a requirement at major highway service centres.

Motions must be received by the ALGA by 11.59pm on Friday 27 March 2020.

Financial Implications

N/A

Policy and Legislation

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 are accountable and transparent

Risk Management Issues for Council

N/A

Internal / External Consultation

Councillors
Executive Officers

Attachments

1   National General Assembly Discussion Paper





KEY DATES

End of November 2018
Opening of Call for Motions

29 March 2019
Acceptance of motions close

16 - 19 June 2019
National General Assembly

SUBMITTING MOTIONS

The National General Assembly of Local Government (NGA) is an important opportunity for you and your council to influence the national policy agenda.

To assist you to identify motions that address the theme of the NGA, the Australian Local Government Association (ALGA) Secretariat has prepared this short discussion paper. You are encouraged to read all of the sections of the paper, but are not expected to respond to every question. Your motion/s can address one or all of the issues identified in the discussion paper.

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

1. be relevant to the work of local government nationally
2. be consistent with the themes of the NGA
3. complement or build on the policy objectives of your state and territory local government association
4. be submitted by a council which is a financial member of their state or territory local government association
5. propose a clear action and outcome
6. not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

Motions should generally be in a form that seeks the NGA's support for a particular action or policy change at the Federal level which will assist local governments to meet local community needs. For example: That this National General Assembly call on the Federal Government to restore funding for local government financial assistance grants to a level equal to at least 1% of Commonwealth taxation revenue.

Motions should be lodged electronically using the online form available on the NGA website at: www.alga.asn.au. All motions require, among other things, a contact officer, a clear national objective, a summary of the key arguments in support of the motion, and endorsement of your council. Motions should be received no later than 11:59pm on Friday 29 March 2019.

Please note that for every motion it is important to complete the background section on the form. Submitters of motions should not assume knowledge. The background section helps all delegates, including those with no previous knowledge of the issue, in their consideration of the motion.

All motions submitted will be reviewed by the ALGA Board's NGA Sub-Committee as well as by state and territory local government associations to determine their eligibility for inclusion in the NGA Business Papers. When reviewing motions, the Sub-Committee considers the importance and relevance of the issue to local government. Please note that motions should not be prescriptive in directing how the matter should be pursued. With the agreement of the relevant council, motions may be edited before inclusion in the NGA Business Papers to ensure consistency. If there are any questions about the substance or intent of a motion, ALGA will raise these with the nominated contact officer. Any motion deemed to be primarily concerned with local or state issues will be referred to the relevant state or territory local government association, and will not be included in the NGA Business Papers.

INTRODUCTION

The purpose of this discussion paper is to provide guidance to councils developing Motions for Debate at the 2019 National General Assembly. This will be the 25th National General Assembly and will focus on the future of local government and local communities. It will consider what Councils can do today to get ready for the challenges, opportunities and changes that lie ahead.

Local governments across Australia already face a host of challenges including financial constraints, adapting to rapidly evolving technologies and community expectations of access to 24/7 services via websites, mobiles and call centres, changes in demographics and population size and preferred means of community engagement. It is unlikely that these challenges will disappear. In some cases, they will be compounded by climate change, the ageing population and further advances in disruptive technologies including artificial intelligences.

The challenges may also be exacerbated by increasing community expectations about the level and types of services and infrastructure provided by councils and the community's willingness to pay. The community, as council's customers, are increasingly growing accustomed to steadily falling prices for better products and services such as cars, computers, overseas travels. Exceptions to this are housing and in many cases government services such as health care and tertiary education. Another exception is council rates. While a number of states have capped rates, rates across the nation typically continue to rise.

In the case of rates, local communities can perceive that they are being asked to pay more money for the same product. The community may feel that they are paying enough and are therefore unlikely to be supportive of rate rises or swing behind the call for increased federal funding for local government ($\geq 1\%$ FAGs).

KEY QUESTIONS

This therefore raises the questions of:

1. What can local governments do differently now, and in the future, to deliver more for less?
 - o Are there new business models and new partnerships, new technologies and the willingness to reduce, phase out or change existing practices, opportunities for more sophisticated service planning and more efficient procurement?
2. How can local governments collaborate, be entrepreneurial and embrace disruption and innovation?
3. How can the Commonwealth Government help local governments prepare for the future and why should they care?
 - o What are the opportunities for leveraging regional, state and national partnerships?

THE PRESENT

Demographics

In 2018 the Australian population reached the 25 million mark.

73% of the population lives in stand-alone houses, while 27% of the population live in homes such as flats, apartments, semi-detached, row houses and town houses. 38% of occupied apartments are in high rise blocks with four or more storeys. That's up from 18% in 2006.

67% of Austalians live in capital cities, 23% in other urban areas and 10% live in rural Australia. In total more than 90% of our population lives within 100km of the coast making us one of the world's most urbanised coastal dwelling populations. 86% of all Aussie households have internet access at home.

Australia has an aging population and we're also living longer with almost 4,000 people over the age of 100. In 2017, 308,000 babies were born. As a population, we're made up of more than six million families and they come in all shapes and sizes¹.

Diversity and culture

Australia has one of the most multicultural populations in the world with more than 300 different ancestries and 28% of our resident population born overseas — nearly 7 million people. Across the country more than 300 languages are spoken.

At the 2016 Census 50.7% of the population was female. However, gender equality advances have stalled across the local government sector. The rates of women in senior positions are far lower than any other tier of government. At the last round of local government elections, women accounted for just 32 per cent of all candidates and were elected to 30 per cent of positions. Even fewer (24 per cent) mayoral candidates were women but almost all were elected. Women account for 46 per cent of staff positions but this falls as the management level rises. Only 11 per cent of council chief executives are women².

At the 2016 Census Aboriginal and Torres Strait Islander people made up 2.8 per cent of the Australian population (approximately 649,000 out of 23.4 million people). Only eight politicians who identify as Indigenous have served in the Federal Parliament with six of those having been elected since 2010³. With the exception of a small number of local governments it is expected that there are very few Aboriginal and Torres Strait Islanders holding elected or senior executive positions in local government (data is not available for this issue).

According to the 2016 Census, almost 50 per cent of Australians were born overseas or had a parent born overseas. Census data also indicates that almost one quarter of Australians speak languages other than English in their homes. State and federal parliaments and local governments should reflect contemporary Australia but fail to do so.

A 2016 report by the Australian Human Rights Commission revealed that 1.61 per cent of federal and state public service heads of department, and 0 per cent of federal Ministers and Assistant Ministers come from a non-European background. In the federal parliament 79 per cent of the 226 elected members in the Australian Parliament have an Anglo-Celtic background, 16 per cent have a European background and those from a non-European background make up less than four per cent of the total⁴. There are no statistics available about cultural diversity in local government.

Fair Work Australia statistics indicate that workers compensation claims involving alleged bullying in local government were among the second highest of all sectors in 2017, with 42.2 claims per 100 million hours worked in 2017, up from being the third highest in 2016⁵.

Roles and funding

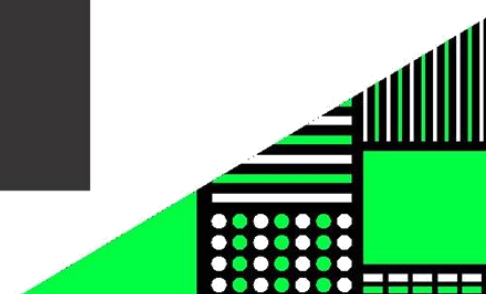
The scale and functional scope of local government spending has been subject to significant change over the last two decades. According to a report by the McKell Institute there has been a fourfold increase in spending by local governments in nominal terms (7.3% p.a. compound growth rate) from total outlays of A\$8.2 billion in 1994-95 to A\$33.6 billion in 2014-15 and \$35.9 billion in 2016-17 despite the fact that in some jurisdictions significant public service responsibilities (such as water and sewerage) have been stripped out from local government.

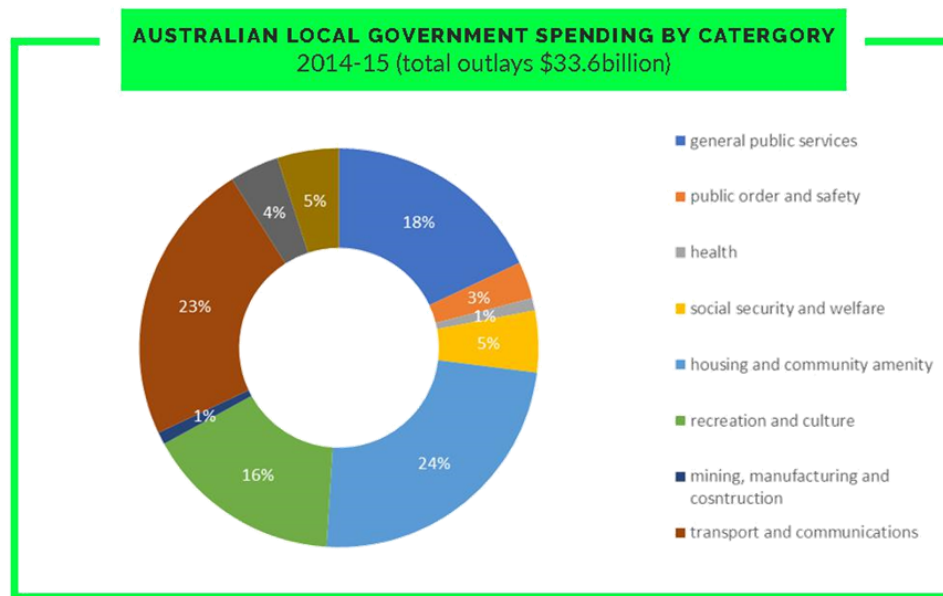
Causes for the increase in functions undertaken by local government⁶ include cost shifting, the need to address market failure (particularly in rural areas where it is commonly not financially viable for the private sector to provide essential goods and services such as aged care or childcare) and increasing community demand which has been rising steeply over the past two decades.

A gap has emerged between the community's propensity to pay for various amenities and the cost to council in providing those services. This has resulted in local governments under-charging and failing to effectively demonstrate the cost to consumers.

KEY QUESTION

What can local governments do differently?

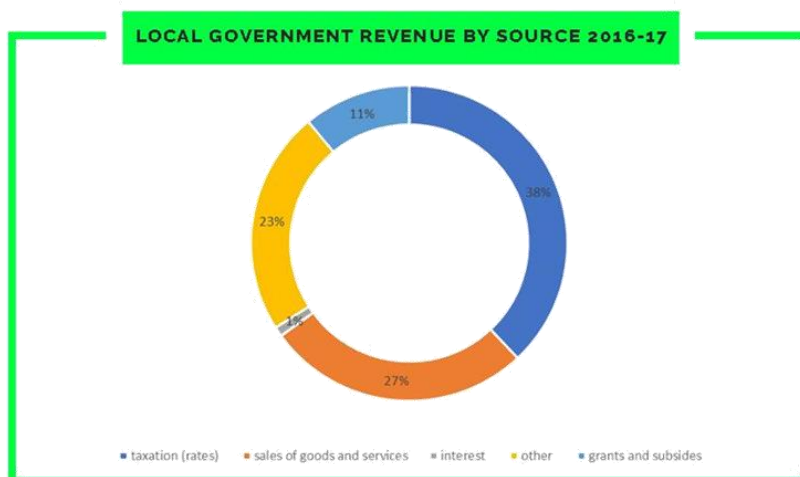




The following table demonstrates some of the key changes in local government expenditure between 2011-12 to 2016-17

Expense by purpose	Proportion of total expenditure	
	2011-12	2016-17
Transport and communications	23.7%	21.5%
Housing and community services	22.3%	24.2%
General public service	18.3%	17.6%
Recreation and culture	15%	16.6%
Social security and welfare	5.3%	4.8%
Other purpose	3.9%	4.2%
Other economic affairs	3.6%	3.6%
Public order and safety	2.6%	2.5%
Public debt transaction	2.1%	1.8%
Health	1.3%	1.2%
Mining, manufacturing and construction	1.2%	1.0%
Education	0.5%	0.6%
Fuel and energy	0.1%	0%
Agriculture, forestry and fishing	0.1%	0.1%
Total in \$\$	\$30.6b	\$35.9b

Between 2011-12 and 2016-17 local government revenue increased from \$36 billion to \$45.5 billion. Of this 88% (in 2011-12) and 89% (in 2016-17) was own source revenue⁷. Funding from the Commonwealth Government in the form of Financial Assistance Grants (FAGs) was \$2.14 billion in 2011-12 and \$2.29 billion (following the end on the freeze to indexation).



KEY QUESTIONS

How can the Commonwealth Government help local governments?

Why should they care?

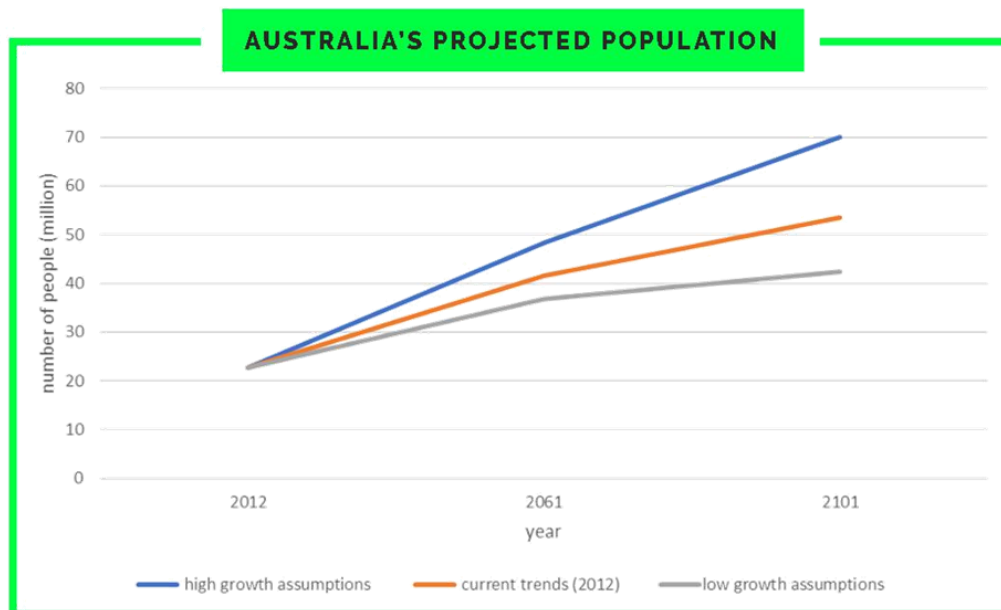
Total assets increased from \$350 billion in 2011-12 to \$467 billion in 2017-18. It has been estimated that the gross replacement value of local government infrastructure for all Australian councils was \$438 billion in 2014. 11% or \$47 billion of assets are in poor or very poor condition and require renewal or upgrade. Seven per cent or \$31 billion of the asset stock has poor function requiring upgrading to meet current or emerging local and regional service level targets for safety, compliance, social, environmental and economic performance. A further seven per cent or \$31 billion of assets have poor capacity and require augmenting to support growth and meet service needs⁸.

THE FUTURE

Demographics

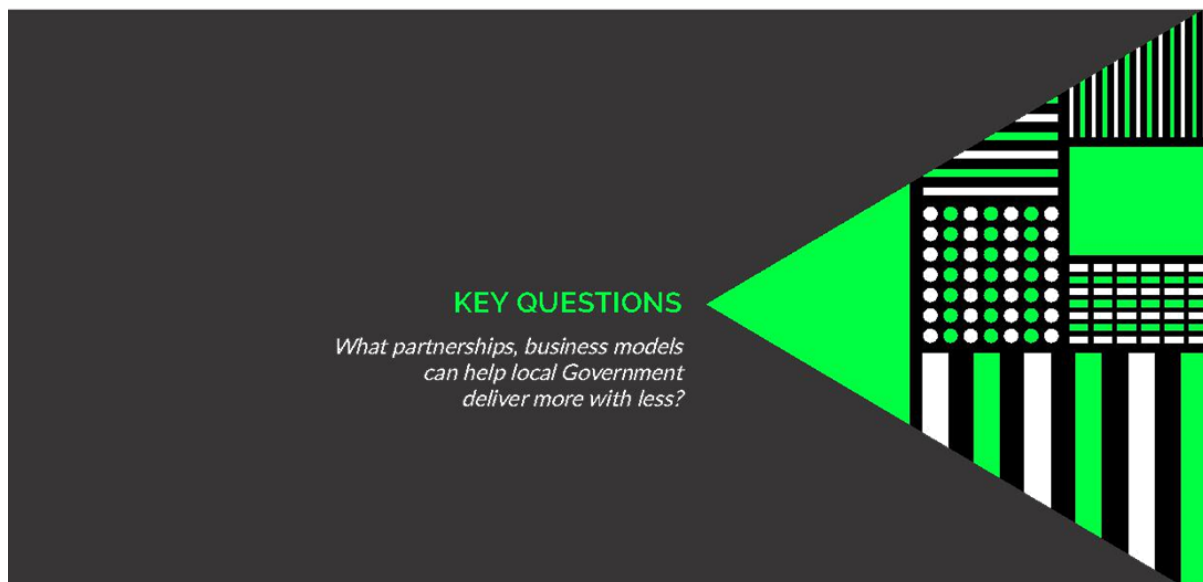
Population projections by the Australian Bureau of Statistics illustrate the growth and change in population which would occur if certain assumptions about the future level of fertility, mortality, internal and overseas migration were to prevail over a projection period. Based on an estimated resident population of 22.7 million people at 30 June 2012 the population has been projected to increase to between 36.8 and 48.3 million people by 2061 and to between 42.4 and 70.1 million by 2101.

The median age of Australia's population (37.3 years at 30 June 2012) is projected to increase to between 38.6 years and 40.5 years in 2031 (high growth and low growth respectively) and to between 41.0 years and 44.5 years in 2061.



Source: ABS Population projections, Australia 2012 3222.0

Assuming the current (2012) trends continuing, the population will grow in all states and territories except Tasmania. All capital cities except Darwin are projected to experience higher percentage growth than their respective state or territory balances, resulting in a further concentration of Australia's population within the capital cities. In 2012, 66% of Australians lived in a capital city. By 2061 this proportion is projected to increase to 74%.



State	2012	2061		
		Low growth scenarios (C)	Current trend (B)	High growth scenario
NSW total	7.3 million	10.8 million	11.5 million	12.6 million
Sydney	4.7 million	8.0 million	8.5 million	8.9 million
Balance	2.6 million	2.9 million	3 million	3.7 million
Victoria Total	5.6 million	9.0 million	10.3 million	12.1 million
Melbourne	4.2 million	7.6 million	8.6 million	9.8 million
Balance	1.4 Million	1.4 million	1.7 million	2.3 million
Queensland total	4.6 million	7.9 million	9.3 million	11.1 million
Brisbane	2.2 million	3.8 million	4.8 million	5.6 million
Balance	2.4 million	4.1 million	4.5 million	5.5 million
Western Australia total	2.4 million	5.4 million	6.4 million	7.7 million
Perth	1.9 million	4.4 million	5.4 million	6.6 million
Balance	500,000	975,000	950,800	1.1 million
South Australia total	1.7 million	2.1 million	2.3 million	2.6 million
Adelaide	1.3 million	1.7 million	1.9 million	2.2 million
Balance	377,900	373,700 *	387,400	451,200
Tasmania Total	512,200	460,900 #	565,700 #	714,000
Hobart	217,000	228,700	270,600	339,300
Balance	295,400	232,200	295,100	374,700
Northern Territory total	235,200	455,700	453,000	457,800
Darwin	131,900	254,800	225,900	182,000
Balance	103,200	203,000	227,100	273,700
ACT Total	375,100	612,400	740,900	904,100

* In the low growth scenario, the population for the balance of South Australia is projected to increase marginally over the next twenty years, peaking at 398,100 in 2033, before declining to 373,700 in 2061.

In the current trend scenario (2012) Tasmania's population increases slowly before levelling out by around 2046 and then decreasing marginally from 2047 onwards. In the low growth scenario Tasmania's population increases only slightly over the first 15 years and begins to decline from 2028 onwards.

In the high growth scenario, Australia's growth rate initially increases to 1.9% per year and remains above the 20-year average (1.3%) until the middle of the century. Over the second half of the century, growth rates gradually decline, reaching 1.0% in 2071 and 0.8% in 2101. In the current (2012) trend scenario Australia's annual growth rate decreases from 1.7% in 2012 to 1.0% in 2045, and to 0.5% in 2101. In the low growth scenario Australia's annual growth rate decreases at a faster rate, reaching 1.0% in 2031 and 0.2% in 2101.

Climate Change

The CSIRO and Bureau of Meteorology have compiled different models for predicting the outcome of climate change in Australia. According to this work, droughts are predicted to increase in a large portion of southern Australia, ("medium" level of confidence). It is predicted that in the main the southern half of Australia will experience less rainfall in winter, spring or both (high or medium confidence). Every part of Australia will continue to experience increases in average temperature, and will have a higher frequency of hot days. This will also result in higher evaporation across Australia, which will continue to make drought conditions worse in the future.

People living in large cities can be more susceptible than non-urban dwellers to the effects of heatwaves as a result of the urban heat island effect. This is caused by the prevalence in cities of heat absorbing materials such as dark coloured pavements and roofs, concrete, urban canyons trapping hot air, and a lack of shade and green space in dense urban environments. It can result in substantially higher temperatures (particularly overnight) than surrounding non-urban areas.



<https://www.climatechangeinaustralia.gov.au/en/climate-projections/future-climate/regional-climate-change-explorer/super-clusters/>

Northern Australia

- Average temperatures will continue to increase in all seasons (very high confidence).
- More hot days and warm spells are projected with very high confidence.
- Changes to rainfall are possible but unclear.
- Increased intensity of extreme rainfall events is projected, with high confidence.
- Mean sea level will continue to rise and height of extreme sea-level events will also increase (very high confidence).
- With medium confidence, fewer but more intense tropical cyclones are projected.

The Rangelands

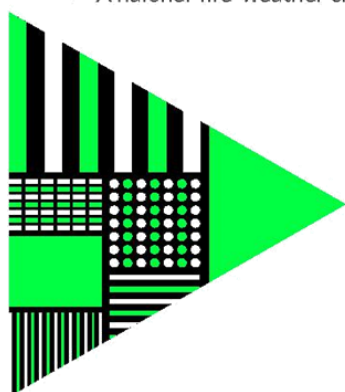
- Average temperatures will continue to increase in all seasons (very high confidence).
- More hot days and warm spells are projected with very high confidence. Fewer frosts are projected with high confidence.
- Changes to summer rainfall are possible but unclear. Winter rainfall is projected to decrease in the south with high confidence.
- Increased intensity of extreme rainfall events is projected, with high confidence.
- Mean sea levels will continue to rise and height of extreme sea-level events will also increase (very high confidence).

Eastern Australia

- Average temperatures will continue to increase in all seasons (very high confidence).
- More hot days and warm spells are projected with very high confidence. Fewer frosts are projected with high confidence.
- Average winter and spring rainfall is projected to decrease with medium confidence. Changes in summer and autumn are possible but unclear.
- Increased intensity of extreme rainfall events is projected, with high confidence.
- Mean sea level will continue to rise and height of extreme sea-level events will also increase (very high confidence).
- A harsher fire-weather climate in the future (high confidence).

Southern Australia

- Average temperatures will continue to increase in all seasons (very high confidence).
- More hot days and warm spells are projected with very high confidence. Fewer frosts are projected with high confidence.
- A continuation of the trend of decreasing winter rainfall is projected with high confidence. Spring rainfall decreases are also projected with high confidence. Changes to summer and autumn rainfall are possible but less clear.
- Increased intensity of extreme rainfall events is projected, with high confidence.
- Mean sea level will continue to rise and height of extreme sea-level events will also increase (very high confidence).
- A harsher fire-weather climate in the future (high confidence).



KEY QUESTIONS

How can local governments collaborate, build partnerships to address climate change?

Table 1 Climate Change Projections for selected Australian Cities

Variable	2030 (intermediate emission scenario)	2090 (intermediate emission scenario)	2090 (high emission scenario)
Adelaide			
Temperate	0.7	1.5	2.9
Rainfall (%)	-4	-7	-9
Days over 35°C (currently 20)	26	32	47
Alice Springs			
Temperate	1	2.1	4.4
Rainfall (%)	-2	-5	-4
Days over 35°C (currently 94)	113	133	168
Brisbane			
Temperate	0.9	1.8	3.7
Rainfall (%)	-4	-9	-16
Days over 35°C (currently 12)	18	27	55
Cairns			
Temperate	0.7	1.4	2.9
Rainfall (%)	0	-2	-2
Days over 35°C (currently 3)	5.5	11	48
Canberra			
Temperate	0.8	1.8	3.8
Rainfall (%)	-2	-6	-5
Days over 35°C (currently 20)	7.1	12	29
Darwin			
Temperate	0.9	1.8	3.7
Rainfall (%)	0	-1	+4
Days over 35°C (currently 11)	43	111	265
Dubbo			
Temperate	1	2.1	4.2
Rainfall (%)	-2	-4	-6
Days over 35°C (currently 22)	31	44	65
Hobart			
Temperate	0.6	1.4	2.9
Rainfall (%)	1	-1	-2
Days over 35°C (currently 1.6)	2	2.6	4.2
Melbourne			
Temperate	0.6	1.5	3
Rainfall (%)	-2	-7	-9
Days over 35°C (currently 11)	13	16	24
Perth			
Temperate	0.8	1.7	3.5
Rainfall (%)	-6	-12	-18
Days over 35°C (currently 28)	36	43	63
Sydney			
Temperate	0.9	1.8	3.7
Rainfall (%)	-3	-2	-3
Days over 35°C (currently 3.1)	4.3	6	11

Source: Webb, L.B. and Hennessy, K. 2015, *Projections for selected Australian cities*, CSIRO and Bureau of Meteorology, Australia.

12 16 - 19 June 2019 NATIONAL GENERAL ASSEMBLY

Employment

Into the future, some of the most significant factors influencing employment will include change in industry structure, technological advances and globalisation. The trend towards employment requiring skills and training is also set to continue. The CSIRO estimates that while 44 per cent of Australian jobs are potentially at high risk of automation, this technology will also be responsible for the creation of new jobs. A projected growth area for regional economies is in the human services-related industries, particularly health care and social assistance for an ageing population. This will have significant implications for regional populations as service industries are more likely to cluster in regional centres than in smaller towns and rural areas. Tourism and related industries such as accommodation, food services and retail trade are also expected to continue to deliver economic growth in regional areas with help from the low Australian dollar. The knowledge economy, science, technology and finance will drive employment growth in urban areas.

Technology

The pace of technological change at present is increasing and almost daily we hear of new technologies that will disrupt existing markets and change the way our communities live, work, play and travel. It is difficult to predict which of these new technologies will come to fruition, let alone the full impact that they will have. It is also difficult to predict what is likely to occur in the future in terms of the type of technological changes and the speed of change. Forward planning is therefore problematic but it is reasonably safe to assume that drones and electric vehicles and semi-or fully autonomous vehicles (self-driving cars) will be part of our future. These will have dramatic impact on the look and feel of our communities and the services and infrastructure needed to support them.

Local government services that utilise Artificial Intelligence (AI) are already emerging. AI has the ability to tap into social media to learn about problems in real time. When people post or tweet about issues in the local area AI powered systems can improve council response times and reduce costs. Predictive elements in AI help councils analyse infrastructure issues and fix small problems before they grow larger. Modern systems can track water pressure and alert workers to fix pipes before they burst. The application of blockchain should allow local councils to reduce a great amount of transaction costs in the delivery of local services, while also providing greater transparency and participation for citizens.

Contact centre chat bots (virtual customer service assistants) can help the public to pay parking fines and rates, or apply for a permit at any time. Customer service AI can help community members find the information they need. Website AI can help individuals navigate online services. Some AI can even help residents with applications, guiding them through the process and suggesting additional services.

KEY QUESTIONS

How can local government embrace disruption and innovation?



AI technology is an opportunity to reimagine how future services can be delivered as well as gain value in:

- Reducing demand on services
- Improving efficiencies
- Enhancing the customer experience
- Driving better decision making from data insights

AI technology will not displace a team or service but complement it to truly be user-centric. It can reduce the burden of administrative tasks enabling staff to put their skills to more strategic and creative tasks and gain faster access to valuable insights. In doing so, the council is empowered to make better decisions for citizens.

AI has benefits for the workplace and citizens alike helping solve a problem and improving the lives of citizens. AI can have an enabling role in achieving this for local government today and for the 'council of the future.'

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PAGE FIVE - THE PRESENT:

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⁷ Australian Bureau of Statistics (2018) Government Finance Statistics, Australia, 2016-17 Catalogue No: 55120 <http://www.abs.gov.au/ausstats/abs@.nsf/mf/5512.0>

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PAGE SEVEN - POPULATION

⁹ Source: ABS Catalogue 3222.0 - Population Projections, Australia, 2012 (base) to 2101 (LATEST ISSUE Released at 11:30 AM (CANBERRA TIME) 26/11/2013) [http://www.abs.gov.au/ausstats/abs@.nsf/Products/3222.0Main%20Features52012%20\(base\)%20to%202101?opendocument&tabname=Summary&prodno=3222.0&issue=2012%20\(base\)%20to%202101&num=&view=](http://www.abs.gov.au/ausstats/abs@.nsf/Products/3222.0Main%20Features52012%20(base)%20to%202101?opendocument&tabname=Summary&prodno=3222.0&issue=2012%20(base)%20to%202101&num=&view=) (downloaded 4 September 2018)



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RP-10 RFT2020-10 PROVISION OF INTERNAL AUDIT SERVICES**Author:** Ingrid Hensley**General Manager:** Peter Thompson

Summary: This Report makes a recommendation that Council carry out the requirements of the provision of internal audit services contract itself, which follows from the resolution of Council on 24 February 2020 that council decline accept any of the tenders.

Recommendation

That Council, in accordance with Clause 178(3)(f) of the Local Government (General Regulation) 2005 (LG Regulation) formally declines to accept any tender for the reason that it will carry out internal audit services using employed staff.

Report

Council had sought tenders from internal audit providers contemporaneously with undertaking recruitment for an in-house Internal Auditor to see which process would attract the highest level of specialist skills and/or resources, for the best price. Council wanted to consider both options in relation to the future of internal audit and following the Tender Evaluation and recruitment selection process.

On 24 February 2020, Council resolved to decline to accept any of the tenders submitted in response to RFT2020-10 Provision of Internal Audit Services, in accordance with Clause 178(1)(b) of the Local Government (General Regulation) 2005 (LG Regulation).

Following that resolution, Council progressed discussions with the preferred candidate for the in-house Chief Audit Executive (CAE) position, as considered in the Report to Council on 24 February 2020. These discussions have been successful and the appointment has been made. On this basis it is appropriate to conclude the tender process by declining any of the tenders for the reason that Council will perform the majority of internal audit work using an employed internal auditor.

Financial Implications

N/A

Policy and Legislation

Council's POL 110 Procurement and Disposal Policy is relevant and has been applied, along with section 55 of the *Local Government Act* 1993 (NSW) and Local Government (General) Regulation 2005, Regulation 178.

Internal Audit Charter

Link to Strategic Plan

Community Leadership and Collaboration

Objective: We have strong leadership

Outcome: We are accountable and transparent

Risk Management Issues for Council

To address the risk management issues related to compliance and probity, the request for tender and evaluation processes for this supply was performed in accordance with Council policies and procedures and legislative requirements.

Internal / External Consultation

Internal consultation has taken place with officers from the Corporate Services, Commercial Divisions and Community Division. A Councillor Workshop was held in February 2020, presented by the Deputy Chairperson of the ARIC, which included discussion in relation to internal audit resourcing.

RP-11 PERFORMANCE REPORT - JULY TO DECEMBER 2019

Author: Serena Wallace
General Manager: Peter Thompson

Summary: This report provides details of Council's performance against the Combined Delivery Program and Operational Plan 2019/2020 as at December 2019.

Recommendation

That Council accept the Performance Reports against Council's Combined Delivery Program and Operational Plan 2019/2020 as at December 2019.

Report

In accordance with the Integrated Planning and Reporting (IPR) framework, Council is required to report its progress against the Delivery Program on a biannual basis.

The attached reports are a summary of Council's performance against the targets identified in the Combined Delivery Program and Operational Plan 2019/2020 as at December 2019.

The report includes performance against service targets as well as project progress information on all capital items.

As per the structure of the DPOP for 2019/20, reports have been presented by functional area to provide a summary of their relevant deliverables, projects and measures.

Financial Implications

N/A

Policy and Legislation

NSW Local Government Act 1993

Link to Strategic Plan

Community Leadership and Collaboration



Objective: We have strong leadership

Outcome: We are accountable and transparent

Risk Management Issues for Council

N/A

Attachments

1.  Combined Delivery Program and Operational Plan 2019-2020 as at December 2019


Operating Performance Report

As at 31 December 2019

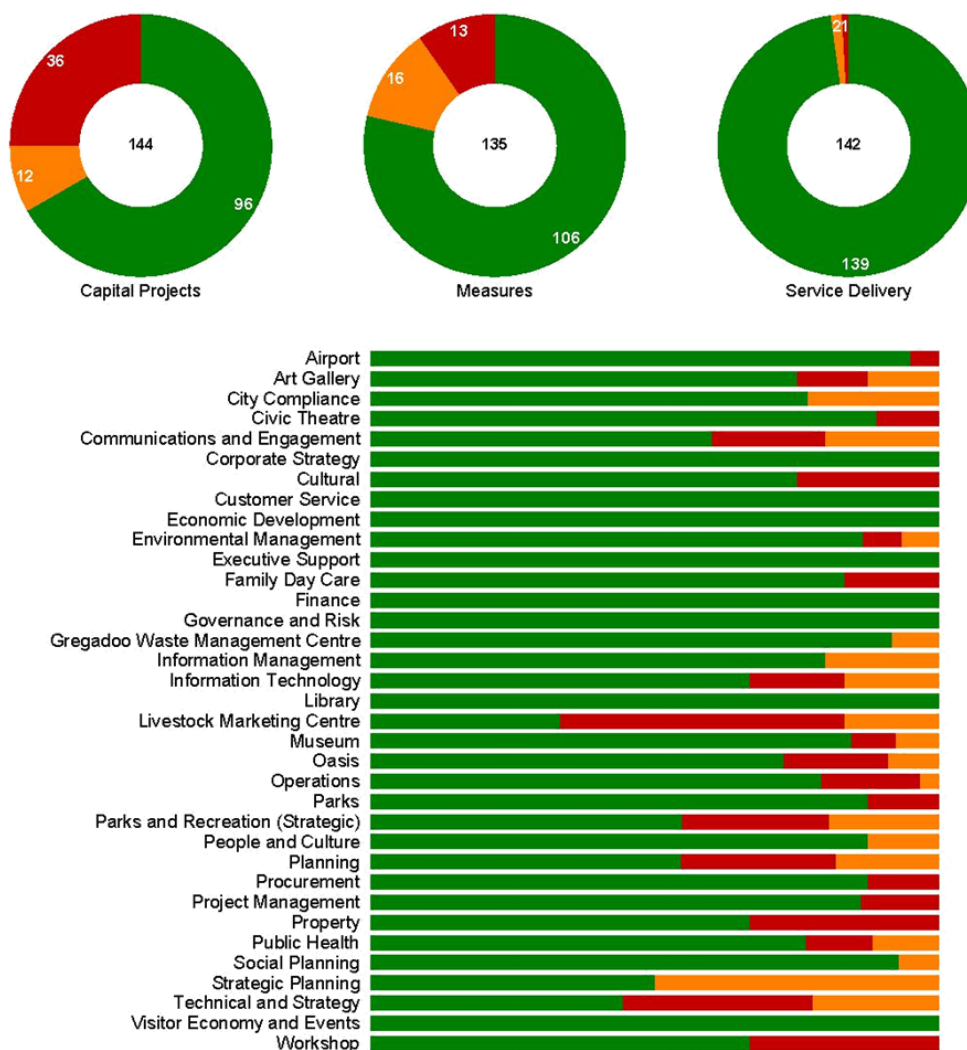


Executive Summary

In accordance with the Integrated Planning and Reporting (IPR) framework, Council is required to report its progress against the Operational Plan on a biannual basis. IP&R is the planning and reporting framework that Council uses to work towards achieving the community's vision.

The framework ensures councils illustrate their various plans together, to understand how they interact in planning for the future. The framework opens the way for council and our community to have important discussions about funding priorities, service levels and shaping local identity and to plan in partnership for a more sustainable future. Another important element of the IP&R framework is reporting and monitoring our performance.

This report is a summary of Council's performance against the targets identified in the Combined Delivery Program and Operational Plan 2019/2020 as at December 2019. The report includes performance against service targets as well as project progress information on all capital items.



Operational Item		Target / Budget	Actuals / Commit	Status
Airport		19	0	1
Service Delivery				
All outstanding items on the Corrective Action Register actioned and distributed		Completed	Completed	■
Maintain a budget neutral service		Completed	Completed	■
Safety and management plans updated and approved annually (or following regulatory changes or significant events)		Completed	Completed	■
Undertake daily, weekly, monthly and periodic safety and serviceability inspections		Completed	Completed	■
Undertake four-monthly VHS inspections		Completed	Completed	■
Undertake six-monthly security systems audits		Completed	Completed	■
Undertake annual Emergency Plan exercises		Completed	Completed	■
Undertake monthly fire detection inspections		Completed	Completed	■
Undertake six-monthly security systems inspections		Completed	Completed	■
Undertake annual technical inspection		Completed	Completed	■
Undertake annual OLS inspection		Completed	Completed	■
Undertake annual electrical inspection		Completed	Completed	■
Undertake annual aerodrome lighting inspection		Completed	Completed	■
Review Wildlife Hazard Management Plan annually		Completed	Completed	■
Review Transport Security Plan annually		Completed	Completed	■
Measures				
Comply with 100% of aviation screening notices		100%	100%	■
Threat image projections performance of at least 85%		85%	87%	■
Increase aviation income	The forecast for passenger growth was between 4-8% however to date growth actuals have been under this.	5%	.56%	■
Increase non-aviation income	The airport YTD is above the target for non-aviation income with both leases and services and carpark tracking above last years income.	5%	10%	■
Capital Projects				
Airport terminal flooring and seating	This project is on hold until the airport masterplan is finalised.	\$70,200	\$900	■
Art Gallery		6	1	1
Measures				
Increase visitation by 5%		5%	7%	■
Deliver two (2) outreach programs annually		2	2	■



■ Attention ■ Critical ■ On Track

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Operational Item		Target / Budget	Actuals / Commit	Status
Deliver 15 public programs annually	There were 55 programs delivered during this six (6) month period due to an increase in partnership programming agreements.	15	55	■
Deliver 13 education programs annually		13	7	■
Deliver 31 exhibitions annually		31	17	■
Capital Projects				
Art Gallery donations	Donations for 2019/2020 are on track and will be expended by 30 June 2020.	\$3,500	\$0	■
Acquire pieces for Australian Print Collection	One print has been acquired with the total value of \$1660, three more prints at \$695 and a purchase equated to \$4231.19. The Art Gallery team currently researching and compiling print acquisition listings for 2019/2020 purchases.	\$8,189	\$9,619	■
Acquire pieces for the National Art Glass Collection	The Art Gallery team have purchased; one work to the value of \$9500 and another work to the value of \$6,500; and an additional work for \$3300. Two other works are in the process of being purchased with the total cost pending.	\$20,473	\$19,000	■
City Compliance		10	3	0
Service Delivery				
Deliver the 'Pet of the Week' education campaign weekly		Completed	Completed	■
Measures				
85% satisfaction with customer requests for compliance / ranger services	Dissatisfaction with the barking dog complaint handling process has decreased this outcome.	85%	68%	■
80% of animals released / rehomed from animal shelter		80%	86%	■
Respond to regulatory requests for parking enforcement within two (2) business days		100%	96%	■
Process 90% of street activity applications within ten (10) business days		90%	83.1%	■
Inspect footpath obstructions within two (2) business days of receiving a request	Due to staff resourcing in this area the turn around time for inspections was extended. Resourcing has since been rectified.	100%	79.5%	■
Inspect abandoned vehicles within two (2) business days of receiving a request		100%	89.4%	■
Respond to fire hazard reduction requests within four (4) business days		100%	88.8%	■
Respond to regulatory requests for dog attacks within 24 hours		100%	100%	■
Respond to requests for roaming dogs within four (4) hours		100%	98.2%	■
Respond to customer requests for barking dogs within two (2) business days	Process improvements are required in the system to improve this outcome.	100%	74.1%	■

Operational Item		Target / Budget	Actuals / Commit	Status
Respond to environmental and developmental compliance requests within three (3) business days		100%	90%	■
Capital Projects				
Glenfield Road Animal Shelter cat isolation room	RFQ submissions due 20 November 2019. Evaluation panel still to be formed.	\$144,430	\$92,555	■
Civic Theatre		8	0	1
Service Delivery				
Deliver 20 workshops per annum		20	31	■
Deliver a Youth Program annually		Completed	Completed	■
Measures				
85% customer satisfaction with Civic Theatre workshops		85%	95%	■
85% customer satisfaction with Wagga Comedy Fest		85%	95%	■
40,000 tickets sold per annum (including hire and season program)		40000	26875	■
Customer satisfaction with Youth Program		85%	95%	■
Attendance of Youth Program		45	45	■
Capital Projects				
Civic Theatre upgrade of backstage equipment	We have requested funds from the Civic Theatre Technical reserve to use for the show relay equipment and equipment installation. This will go to Council at the December Council meeting. If approved, the work will commence in the new year.	\$11,699	\$0	■
Civic Theatre stage relay	This project is on track for completion, the cabling for the new system has been installed. The next stage is to install the audio visual system this is planned for early February and the project will then be complete.	\$70,000	\$700	■
Communications and Engagement		3	1	1
Measures				
Increase social media engagement (Facebook)	This will require in-depth study to determine what has changed and when.	10%	-8.99%	■
Increase Council's direct communication audience (Facebook)		35%	23%	■
Increase Council's direct communication audience (Instagram)		25%	40%	■
Increase Council's direct communication audience (EDM)		35%	38%	■
100% scheduled digital items completed		100%	100%	■
Corporate Strategy		1	0	0
Service Delivery				
Annual Report published by 30 November 2019		Completed	Completed	■



■ Attention ■ Critical ■ On Track

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Operational Item		Target / Budget	Actuals / Commit	Status
Cultural		3	0	1
Capital Projects				
Living spaces	Public art recommendation ratified. This will go to Council in early 2020.	\$104,650	\$70,416	■
Living communities	This project will take place as part of Lost Lanes 2020. Project finalisation is expected late June / early July 2020.	\$10,000	\$128	■
NightLights Civic Centre projections	Expression of Interest (EOI) process has been completed. Artist Commissioned. Negotiations presently underway as to timing of the masterclass / residency which is to be confirmed for first quarter of 2020.	\$30,196	\$10,186	■
Bright Lights Youth Civic Centre projections	Artist Commissioned, masterclass complete. Awaiting delivery of final projection commission which is due December 2019.	\$11,048	\$10,132	■
Customer Service		4	0	0
Measures				
Process all companion animal applications within two (2) business days		2 business days	100%	■
85% satisfaction with customer service		85%	95%	■
80% first call resolution		80%	72%	■
Call abandonment rate is not higher than 6%		6%	5%	■
Economic Development		2	0	0
Measures				
Hold / attend 36 industry meetings		36	36	■
Hold two (2) business events		2	2	■
Environmental Management		13	1	1
Service Delivery				
Respond to priority weed requests within five (5) business days		100	93.3%	■
Complete annual report on weed action program funding		Completed	Completed	■
Complete Environmental Protection Authority (EPA) licenses within 60 days of anniversary date		Completed	Completed	■
Conduct annual program of environmental monitoring as per EPA requirements		Completed	Completed	■
Undertake 1,300 inspections and tests per annum		Completed	Completed	■
Measures				
Reduce incursions of priority weeds by 5%		5%	5%	■
Complete 2500km of road side spraying for weeds per season	This is an estimated figure carried out in a seasonal program.	2500	2500	■
Conduct weed inspections on 200 rural properties per annum		200	80	■

Operational Item		Target / Budget	Actuals / Commit	Status
Plant 1400 native trees and shrubs on National Tree Day		1400	1500	■
Deliver six (6) environmental community workshops per annum		6	4	■
Conduct 80 school workshops and tours per annum	This figure is slightly behind as Council's 'School Sustainability Sessions' program was reassessed, redeveloped and reinvigorated for the 2020 school year.	80	36	■
Satisfaction with school workshops and tours		85%	100%	■
Capital Projects				
Narrung Street Wetlands Project	Project on hold.	\$0	\$67	■
Birrimal Conservation Area Lookout	On track for completion, concrete slab has been completed, the shelter is under construction and waiting inspection for sign off by Project Manager. Additional elements of binoculars and furniture are currently being researched and quotes being requested.	\$64,150	\$40,491	■
Birrimal Glider Poles Project	On track for completion, contractor has been engaged and currently installing the glider poles. This stage of the project will be completed by 30 August 2020 with rope bridge and landscaping to be installed by 30 June 2020.	\$45,598	\$20,989	■
Executive Support		13	0	0
Service Delivery				
Log, monitor and respond to requests from Councillors		Completed	Completed	■
Provide weekly updates to Councillors through the Councillor Bulletin		Completed	Completed	■
Provide weekly updates from the General Manager to staff		Completed	Completed	■
Review and approve business papers within three (3) days prior to Council meetings		Completed	Completed	■
Review and approve minutes within three (3) business days of a Council meeting		Completed	Completed	■
Coordinate and facilitate fortnightly Councillor Workshops		Completed	Completed	■
Coordinate monthly citizenship ceremonies		Completed	Completed	■
Coordinate quarterly Sister City Community Committee meetings		Completed	Completed	■
Measures				
75% of Councillor requests actioned within ten (10) days		75%	71.15%	■
11 Citizenship ceremonies held annually		11	6	■
Hold four (4) Sister City Community Committee Meetings annually		4	3	■
100% of Council meeting business papers distributed within required timeframes		100%	100%	■

Operational Item		Target / Budget	Actuals / Commit	Status
100% of Council meeting minutes approved within required timeframes		100%	100%	■
Family Day Care		5	0	1
Service Delivery				
Run two (2) reflective early learning sessions per week		Completed	Completed	■
Send a monthly newsletter to all educators and a quarterly newsletter to all families		Completed	Completed	■
Measures				
85% utilisation rate of Wagga Wagga Regional Family Day Care		85%	97%	■
Conduct 200 support and compliance visits to educators annually		200	118	■
Register 80 new families per annum	This figure is currently down due to a declining trend in the market. Further analysis will be undertaken to understand this trend.	80	20	■
Process 400 attendance records per fortnight		400	430	■
Finance		13	0	0
Service Delivery				
Compile Annual Financial Statements by 31 October 2019		Completed	Completed	■
Process and distribute cost statements within three (3) business days		Completed	Completed	■
Submit / Present financial summary reports to Council monthly		Completed	Completed	■
Submit budget review to Council and ARIC quarterly (excluding 30 June Quarter, as this is contained in the financial statements report)		Completed	Completed	■
Send quarterly rates notices (28 days before due date)		Completed	Completed	■
Process Section 603 Rating Certificates within 21 business days		100%	100%	■
Debtors invoiced within ten (10) business days of receiving the data		100%	100%	■
Monthly bank reconciliation completed within five (5) business days		Completed	Completed	■
Creditors processed within ten (10) business days of invoices being received by Accounts Payable	The greater majority of invoices received from suppliers to Accounts Payable are processed within ten (10) business days, however we are currently looking internally at how we can improve processing times on these invoices.	Completed	Completed	■
Reconciliation and processing of corporate credit cards completed within one month		Completed	Completed	■
Issue pay advice to employees fortnightly		Completed	Completed	■
Pay employee superannuation entitlements quarterly		Completed	Completed	■



■ Attention ■ Critical ■ On Track

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Operational Item		Target / Budget	Actuals / Commit	Status
Measures				
Manage our portfolio to achieve a monthly investment return rate above the Ausbond interest rate	Councils investment portfolio has returned 2.16% (annualised) - outperforming the AusBond Bank Bill index (1.50% at 31 December 2019) by 0.66%.	1.5%	2.16%	■
Governance and Risk		15	0	0
Service Delivery				
Monitor, review and annually test the Business Continuity Plan		Completed	Completed	■
Receipt, registration and referral of customer complaints		Completed	Completed	■
Investigate complaints in accordance with Council policies and statutory obligations		Completed	Completed	■
Facilitate and investigate public interest disclosures, and record and report disclosures that are made in accordance with the requirements of the Public Interest Disclosures Act and Regulations		Completed	Completed	■
Complete Continuous Improvement Pathway Program by 30 April 2020		Completed	Completed	■
Complete and submit report on code of conduct complaint statistics annually		Completed	Completed	■
Finalise business papers within three (3) days prior to Council meetings		Completed	Completed	■
Facilitate Council and Committee meetings		Completed	Completed	■
Publish minutes within three (3) business days of a Council meeting		Completed	Completed	■
Livestream all Council meetings		Completed	Completed	■
Undertake professional development program with Mayor and Councillors		Completed	Completed	■
Manage the delegations register		Completed	Completed	■
Deliver Risk and Governance training programs across Council		Completed	Completed	■
Develop, deliver, review and report on the risk based Internal Audit Strategic 4 year Plan and Annual Work Plan		Completed	Completed	■
Manage the effective operation of the Audit Risk and Improvement Committee		Completed	Completed	■
Gregadoo Waste Management Centre		11	1	0
Service Delivery				
Coordinate kerbside waste collection for 20,015 urban properties and 405 rural properties		Completed	Completed	■
McMahons Environmental report to management and EPA six (6) monthly		Completed	Completed	■
Measures				
Capacity does not exceed 100,000 tonnes		100000	32663	■
Capital Projects				



■ Attention ■ Critical ■ On Track

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Operational Item		Target / Budget	Actuals / Commit	Status
Gregadoo Waste Management Centre - Purchase of large cardboard compactor	The compactor has been tested and commissioned and is fully operational. Staff have been trained in its operation.	\$78,241	\$77,700	■
Gregadoo Waste Management Centre - Weighbridge relocation	Detailed preliminary designs for civil, structural and building have been received.	\$470,525	\$93,543	■
Gregadoo Waste Management Centre purchase of hook truck and bins	Four (4) hooklift bins delivered by Dynamic Waste on 9 November 2019. Bins received by Gregadoo Waste Management Centre and have begun being used. Execution stage finished, closure stage begun.	\$199,730	\$63,572	■
Gregadoo Waste Management Centre -Renewal of the Rural Transfer Stations	This project is to carry out upgrades over time to rural transfer stations in Collingullie, Mangoplah, Tarcutta, Uranquinty, Humula, Galore and Currawarna. Plans for the Collingullie Transfer Station upgrade have been issued by the designer for comment. An application to remove trees has been submitted. The site has been surveyed and trees for removal have been marked. A quote has been obtained to remove the trees and an order has been placed. Continuing work on compiling RFQ documents for this project to be delivered external to Council. Trees have been removed and mulched.	\$399,453	\$36,822	■
Gregadoo Waste Management Centre access road and fence construction	The defects from the defect list have been rectified and we are just waiting on as executed plans and manuals. The road will not be opened for use yet as Carbon Mate are still completing constructions works and their Development Application requires them to use Boiling Down Road during the constructions phase and they also need to construct the two access points that link the new road to their site. Have obtained a price from Council to install signage and guide posts and have given the go ahead for these works. The signs have been ordered and we are aiming for them to be installed before Christmas 2019.	\$472,818	\$404,966	■
Gas capture network expansion and gas powered evaporator	Contracts are being drawn up by Procurement. The contractor is due to start on site on Monday 20 January 2020 and the project duration is expected to be 8 weeks.	\$964,314	\$7,561	■
Managed wheel washing facility	New Project added in December 2019.	\$200,000	\$0	■
Cell geotech		\$40,000	\$37,341	■
Gregadoo Waste Management Centre - Development of the Domestic Precinct	New project added to be established as the Master Plan. Surveying of the site has been completed. Geotechnical soil testing has been completed onsite and a report has been received. Geotech report will be reviewed. Concept masterplans with traffic flows have been completed and shown at a Councilor workshop.	\$2,312,706	\$78,460	■

Operational Item		Target / Budget	Actuals / Commit	Status
Information Management		4	1	0
Service Delivery				
All incoming correspondence is distributed within 24 hours		Completed	Completed	■
Review the Agency Information Guide		Completed	Completed	■
Respond to all formal GIPA requests within 20 business days		Completed	Completed	■
Respond to all informal GIPA requests within 15 business days	Due to resourcing the processing of some applications where outside timeframes.	100	87	■
Measures				
Destroy 100 day boxes annually	Target remains likely to be met	100	40	■
Information Technology		4	1	1
Service Delivery				
Complete help desk requests within seven (7) business days	Due to resourcing the seven (7) day target has not been achieved.	100%	78.8%	■
Respond to police requests for CCTV footage within two (2) business days		100%	100%	■
Support the website refresh project		Completed	Completed	■
Measures				
Maintain 99% server and network uptime	This is being achieved as per the Microsoft best practice, patches and updates.	99%	99%	■
100% of desktop and laptops are up to date with regular upgrades	This is being completed as per the Microsoft best practice. Testing is also been undertaken.	100%	100%	■
Capital Projects				
Corporate hardware capital purchases	Projects to be undertaken include an upgrade to the Council Meeting Room, Virtual Desktop Review and Production Storage.	\$865,546	\$387,879	■
Library		9	0	0
Service Delivery				
Maintain library open hours 45 hrs per week from Monday – Saturday		Completed	Completed	■
Measures				
Maintain 250,000 loans of books, dvds, audio books and magazines per annum		250000	113331	■
Maintain 32,000 loans of eBooks, eAudio books and eMagazines per annum		32000	17483	■
Maintain 700 new members (including cyber members) at library per annum		700	1378	■
85% customer satisfaction with library programs	Post event evaluations occurred at Science Week events, community survey online and paper based along with a Storytime Facebook survey.	85%		■

Operational Item		Target / Budget	Actuals / Commit	Status
16,000 participants attend programs per annum	The six (6) month report is much higher than the estimated 8,000 or 50% of the year's total. Science Week events attracted over 4,000 participants, Storytime was held four (4) times per week across 20 weeks with 5,380 participants; 659 adults attended other diverse library events during this 6 month period; 70 people attended Tech Savvy Senior classes; 639 people attended Language Cafe; 897 attended all ages programming including Baby Bounce, Film Screenings and School Holiday Programs.	16000	11645	■
Deliver 26 programs per annum		26	13	■
Deliver 400 events per annum		400	200	■
Provide six (6) learning opportunities per quarter		6	10	■
Livestock Marketing Centre		2	1	3
Capital Projects				
Livestock Marketing Centre treatment of re-use water	This project has been on hold awaiting further funding. Transport for NSW funding applications have been on hold since the caretaker period prior to the election and subsequent appointment of a new Government Minister to this portfolio, who is reviewing the program.	\$386,281	\$1,088	■
Livestock Marketing Centre install new fan draft for receivals	Designs have been completed and forwarded to Council, along with indicative costings for construction. This project will require additional funding when Council progresses to the construction phase. Tender documentation is currently being prepared.	\$42,424	\$14,666	■
Livestock Marketing Centre landscaping	New project added in August 2019. A design has been completed for the new sign, with further planning to be undertaken on the landscaping surrounding the sign. This project was to be delivered internally by Parks and Strategic Operations, however due to current workloads, this project may need to be put on hold until staff become available, or be delivered externally.	\$63,976	\$180	■
Livestock Marketing Centre cattle yard capability upgrade	Defect and Liability phase was closed out in September 2019. Supply and installation of new signage is all that is remaining on this project.	\$50,000	\$25,905	■
Implement a Wifi network at the Livestock Marketing Centre	New project added in August 2019. Preliminary works have been completed including the installation of Wi-Fi to the Livestock Marketing Centre office and stock yards, along with upgrades to the electrical supply. Further upgrades to the network systems are extremely specialised and will therefore require significant investigation prior to installation.	\$160,488	\$11,512	■

Operational Item		Target / Budget	Actuals / Commit	Status
Livestock Marketing Centre sheep yard projects	Further discussion is required with the Project Sponsor to clarify the scope of the project, and determine if the tender will be done as a design and construct or as separate tender processes. If separate, design only may be able to be completed by June 2020 based on available budget.	\$50,000	\$1,405	On Track
Museum		11	1	1
Measures				
Maintain 12,500 visitors per annum		12500	5424	On Track
85% visitor satisfaction with the Museum		85%	91%	On Track
Increase bookings by 5%		5%	10%	On Track
Meet sales revenue target per annum		100%	218%	On Track
Deliver 6 exhibitions per annum		6	3	On Track
Satisfaction with exhibitions		85%	90%	On Track
Undertake conservation of three (3) significant items from the collection per annum		3	4	On Track
Scan 100 documents or images from collection per annum		100	300	On Track
Outreach services provided to ten (10) volunteer museums from the Riverina	During this six (6) month period the Museum service focused on the relocation of permanent collection holdings in preparation of Capital Works Program.	10	0	Attention
Capital Projects				
Botanic Gardens Museum Site Redevelopment Project	Forecast that a recommendation will be presented to Council at a February 2020 Council Meeting.	\$2,706,291	\$135,285	Attention
Entwine Project	Existing path upgrade works planning underway and likely to be complete before Christmas. 100% detailed design submission received and being reviewed.	\$923,961	\$125,491	On Track
Lord Baden Powell Drive Redevelopment Project	Application for Funding to go to Building Better Regions Fund Round 4.	\$10,000	\$9,340	On Track
Mobile Cooks Galley Conservation Project	Project does not need monthly reporting. Job number required for grant funding administration only. Works executed as part of Museum of the Riverina Redevelopment Project.	\$23,100	\$9,175	On Track
Oasis		8	1	2
Service Delivery				
Maintain Royal Lifesaving five (5) Star Rating		Completed	Completed	On Track
Respond to daily operational complaints within three (3) business days		Completed	Completed	On Track
Measures				
Maintain annual attendance of 290,000 people		290000	133757	On Track
Maintain session one (1) Learn to Swim enrolments at 80% capacity	This figure is down due to the Oasis shutdown for retiling works.	80%	60%	Attention

Operational Item		Target / Budget	Actuals / Commit	Status
Maintain session two (2) Learn to Swim enrolments at 80% capacity		80%	93%	■
Hold three (3) mainstream Learn to Swim sessions per annum		3	2	■
Deliver ten (10) Learn to Swim programs to schools		10	11	■
Deliver school holiday programs to 160 students		160	102	■
Capital Projects				
Oasis tile repairs / floor surfacing (2006/2019 Plan)	Site works completed. The Practical Completion Certificate has been issued. Minor defect has now being rectified.	\$307,520	\$252,666	■
Oasis ultraviolet (UV) light pool filters replacement	In the process of gaining Quotes.	\$218,288	\$181,698	■
Oasis Programmable Logic Controller (PLC) System Upgrade	In the process of gaining Quotes.	\$98,546	\$1,263	■
Operations		46	2	10
Service Delivery				
Undertake sewer and stormwater jetting and cleaning		Completed	Completed	■
Undertake CBD maintenance		Completed	Completed	■
Undertake line marking and sign maintenance		Completed	Completed	■
Undertake road reseals		Completed	Completed	■
Undertake asphaltting		Completed	Completed	■
Undertake pavement rehabilitation		Completed	Completed	■
Undertake gravel resheeting		Completed	Completed	■
Undertake gulvert renewal		Completed	Completed	■
Undertake the footpath grinding program		Completed	Completed	■
Maintain the kerb, gutter and footpath		Completed	Completed	■
Respond to customer requests for sealed roads within five (5) business days		Completed	Completed	■
Respond to customer requests for unsealed roads within five (5) business days		Completed	Completed	■
Respond to customer requests for line marking and signs within five (5) business days		Completed	Completed	■
Respond to customer requests for CBD maintenance and cleaning within five (5) business days		Completed	Completed	■
Respond to customer requests for kerb, gutter and footpath within five (5) business days		Completed	Completed	■
Respond to customer requests for graffiti removal within five (5) business days		Completed	Completed	■
Annual report on trade waste to Department of Industries		Completed	Completed	■
Complete inspection program for trade waste		Completed	Completed	■
Measures				

Operational Item		Target / Budget	Actuals / Commit	Status
Reduce the number of signs that require maintenance (10%)		10%	25%	■
Reduce the number of customer complaints for the CBD (10%)		10%	15%	■
Reduce the number of sewer and stormwater chokes (5%)		5%	24%	■
Reduce the number of complaints for sewer and stormwater (10%)		10%	15%	■
Capital Projects				
Kincaid Street to Flowerdale pump station drainage improvements	This project is an on going maintenance project. The bus shelters have been inspected and a scope of works is currently being produced.	\$300,000	\$845	■
Implement Street Lighting Improvements Program - R&T Facility	Awaiting additional funds to continue this project.	\$159,361	\$500	■
Drainage improvements - Jubilee Oval to Red Hill Road	Survey and stormwater analysis complete. This project feeds into the Glenfield Road Corridor Works and cannot be run in isolation from that.	\$200,000	\$803	■
Capital renewal - Reseal Program	Preparation works have commenced. This includes stabilisation and kerb and gutter works. Bitumen works to commence in November 2019.	\$2,906	\$19,068	■
Pavement Rehab Program	Geotechnical reports have been received from contractor, final preparation is being conducted.	\$5,052,638	\$450,965	■
Accessible adult changeroom Stage 2	Works have been completed and practical completion has been given. A defects list has been compiled. Just waiting on defects to be rectified and as-install drawings, manuals and certificates to be provided.	\$117,093	\$101,693	■
Stormwater drainage works - 64 Plumpton Road		\$46,178	\$50,810	■
Alan Turner Depot emergency power generator upgrade	A contractor has been appointed and the purchase order has been issued to contractor. The concrete slab has been completed on 13/09/2019. The generator delivered and placed on slab 30/09/2019. The purchase order has been issued to contractor. Cabling has been run from generator to the new main switchboard 31/11/2019 and we are currently finalising commissioning.	\$62,493	\$70,476	■
Ashmont reseals	Remove this. Update is provided under Capital Program - Reseals	\$47,740	\$38,736	■
Glenfield Park reseals	Remove this. Update is provided under Capital Program - Reseals	\$40,460	\$17,186	■
Koorlingal reseals	Remove this. Update is provided under Capital Program - Reseals	\$271,829	\$116,797	■
Ladysmith reseals	Remove this. Update is provided under Capital Program - Reseals	\$194,291	\$1,623	■
Lake Albert reseals	Remove this. Update is provided under Capital Program - Reseals	\$220,213	\$15,572	■
Mount Austin reseals	Remove this. Update is provided under Capital Program - Reseals	\$109,743	\$0	■

Operational Item		Target / Budget	Actuals / Commit	Status
Tarcutta reseals	Remove this. Update is provided under Capital Program - Reseals	\$245,928	\$0	■
Tatton reseals	Remove this. Update is provided under Capital Program - Reseals	\$13,129	\$0	■
Tolland reseals	Remove this. Update is provided under Capital Program - Reseals	\$168,955	\$3,975	■
Turvey Park reseals	Remove this. Update is provided under Capital Program - Reseals	\$90,026	\$6,885	■
Wagga Wagga reseals	Remove this. Update is provided under Capital Program - Reseals	\$171,442	\$658	■
Edward Street Footpath Project	New Project added in October 2019.	\$75,000	\$56,596	■
Gravel reseals	Yarragundry, 11 Mile, Dunns Road North East, Piper, Pulletp, Woodland, 13 Mile Reserve, Cheviot Hills, Cookadimnia, Emu Plains, Henty, Clifton Ring, Rands Tank, East Millwood and Hanging Rock Roads have been completed. This project has slowed down due to lack of water.	\$1,545,000	\$1,024,676	■
Conduct Urban Asphalt Program	Additional funding approved to carry out Stanley Street to Koorringal Road. Works commenced 10/11/2019 and completed on 23/11/2019.	\$1,668,451	\$1,581,255	■
Replace K & G	The design is ongoing.	\$474,038	\$82,527	■
Implement Sewer Mains Rehabilitation Program	66 junctions and 32 house services have been sealed last fortnight. 2 junctions, 1 deal end dig ons and 1 manhole raised.	\$2,779,780	\$2,539,353	■
Replacement and renewal of sewer plant	Ongoing as required.	\$52,284	\$10,776	■
Sewer reticulation - Progressive replacement of manhole lid	New Project added in September 2019.	\$70,000	\$197	■
Sewer pumping station Hammond Avenue - SPS15 new assets	Still awaiting issue of design and BOQ from the engineering team - project not issued for tender - not ready for delivery.	\$121,651	\$343	■
SPS01 + SPS02 sewer rising main network diversion	Project in execution with 1760 metres out of 2 kilometres of pipes laid. Project will be completed by 21/11/2019.	\$991,150	\$1,030,775	■
Ashmont sewer pump station, rising main and gravity main upgrade	Preliminary works being undertaken. Project budget is for design this financial year.	\$98,791	\$9,306	■
Sewer pump station - SPS23 Ashmont new assets	This project is currently on hold.	\$2,034,324	\$65,172	■
Sewer pump station - SPS24 Lakehaven West renewal		\$5,995	\$17	■
Sewer treatment works - Forest Hill plant new assets	The concept and scope being written for an RFQ to be issued. Project with engineering team.	\$1,140,528	\$6,136	■
The Riverina Anglican College (TRAC) sewer connection	New project added in August 2019.	\$74,538	\$21,853	■
Eliminate sewer joint connections	New project added in September 2019.	\$51,511	\$3,892	■
Koorringal treatment works rising main	Tenders have closed and a contractor has been selected.	\$1,550,419	\$48,499	■
Implement renewal program for gravity sewer	Ongoing as required.	\$142,055	\$21,226	■
Parks		21	0	3



■ Attention ■ Critical ■ On Track

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Operational Item		Target / Budget	Actuals / Commit	Status
Service Delivery				
Carry out seasonal maintenance program at cemetery		Completed	Completed	■
Carry out rural cemetery maintenance and inspections every six (6) weeks		Completed	Completed	■
Undertake six (6) monthly vet checks for zoo animals		Completed	Completed	■
Respond to customer requests within three (3) days		Completed	Completed	■
Respond to tree management applications within 20 business days		Completed	Completed	■
Annual program for school zone maintenance		Completed	Completed	■
Undertake a six (6) weekly mowing program – parks and reserves		Completed	Completed	■
Weekly mowing program – high profile fields		Completed	Completed	■
Fortnightly mowing program – second tier ovals		Completed	Completed	■
Annual road side mowing program		Completed	Completed	■
Carry out weekly scheduled rubbish removal		Completed	Completed	■
Undertake seasonal maintenance programs (horticulture) – quarterly		Completed	Completed	■
Conduct inspection of grounds within 24 hours after events		Completed	Completed	■
Measures				
Maintain 100,000 visitors to the zoo per annum		100000	48000	■
Plant 900 new street trees per annum		900	960	■
Capital Projects				
Lawn Cemetery Master Plan Stage 2A Works	Works have been completed and practical completion has been given. Defects have been fixed. Just waiting on install drawings and electrical certificates to be provided.	\$16,519	\$47	■
Wagga Lawn Cemetery and Crematorium - Furnace hot face reline	Quotes being obtained, once that has happened we can engage contractor to complete works.	\$98,634	\$278	■
Parks smart irrigation pilot	Quote obtained for Jubilee controller conversion but will not be actioned until Autumn 2020.	\$49,995	\$141	■
Botanic Gardens Capital Works	A contractor is currently compiling a contract to complete the front fence at the Zoo.	\$168,355	\$175,006	■
Lawn Cemetery lunch room	The viability of the project is to be discussed before commencing.	\$52,707	\$675	■
Botanic Gardens Zoo - Stage 2 CCTV installation	Additional CCTV is to be installed after front external fence Stage 1 installed.	\$10,201	\$131	■
Botanic Gardens Zoo - Stage 2 Exterior Fencing installation	Seeking fencing contractor quotes and vegetation removal quotes.	\$180,285	\$3,780	■
Robertson Oval shed extension		\$7,375	\$12,318	■
Botanic Gardens restaurant site building improvements	New project Added in December 2019.	\$127,500	\$0	■



■ Attention ■ Critical ■ On Track


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Operational Item		Target / Budget	Actuals / Commit	Status
Parks and Recreation (Strategic)		17	6	8
Service Delivery				
Coordinate the Canberra Raiders National Rugby League (NRL) premiership game		Completed	Completed	■
Measures				
Attract one (1) major sporting event to the city		1	1	■
Satisfaction with major sporting event	A post game survey conducted by Destination New South Wales (NSW) showed that 99% of attendees were satisfied with the event, with 87% rating their experience good or very good.	99%	99%	■
Capital Projects				
Renew playground equipment	The total project budget is \$100,000 for the 2019/2020 financial year. A purchase order for the supply and installation of the playgrounds and softfall will be in December 2019. Majority of the project lag time is a 10-12 week waiting period for the manufacture of the equipment.	\$100,000	\$75,950	■
Community facilities - Village and rural areas	Furniture has been installed at Uranquinty.	\$20,000	\$4,727	■
Lineal Park corridor recreation improvements	Majority of works completed. Remaining work includes construction of a path, site clean-up and hand over.	\$109,985	\$93,555	■
Pine Gully Road - Bike Track (2006/2019 Plan)	Quotes have been obtained. With current rate of subdivision allocated funds will need to be bought forward from 2020 to extend the path to the Northern perimeter of the sub division. Following advice from RMS on traffic network bike path to be moved eastern side of road.	\$29,250	\$7,344	■
Construction of Mount Austin Neighbourhood Park (Harris Park)	Fencing has been completed. Removal of vegetation has been completed. Preparation of new field site has been completed. Irrigation and field turfing works will commence November 2019.	\$53,376	\$49,709	■
Conolly Park Rugby expansion	New Project Added in September.	\$29,917	\$27,273	■
Estella - Neighbourhood Open Space Works (2006/2019 Plan)	Quotes have been obtained to widen the existing path through messenger park to cater for cycling. Connection from Boorooma Street to Puglesy Avenue will be completed.	\$14,680	\$12,161	■
Renew community amenities - Anderson Oval	Project on hold.	\$0	\$2,007	■
Renew recreational assets	This project scope includes the replacement of bins at Kessler Park, Gissing Oval, Anderson Oval and Rawlings Park with bin enclosures. Orders were placed in September 2019 with installation to occur November 2019.	\$23,397	\$20,707	■



■ Attention ■ Critical ■ On Track

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Operational Item		Target / Budget	Actuals / Commit	Status
Renew parks facilities	This project scope includes irrigation at Flinders Park, Basket Ball court in Tatton, Bubblers at Flinders and Hazelwood Parks, Picnic Settings at Sherwood, Henwood and Esplanade Park, top dress McDonald's Park, survey of Parramore Park. Orders have been placed. Construction will be completed over next six (6) months.	\$127,434	\$98,628	
Renew recreational facilities	This project scope includes irrigation at San Isidore Oval, replacement of basketball shooting area Glenfield, signage in various locations	\$129,158	\$88,038	
Riverside - Hampden Bridge Legacy Project	Abutment A refurbishment work has commenced. Landscaping has started. Pier Three repainting to start in Summer 2019/2020.	\$449,250	\$196,548	
Henwood Park footpath	New Project added in September 2019.	\$3,497	\$10	
Vehicle Barrier Fencing on reserves	New Project added in September 2019.	\$3,178	\$9	
Uranquity skate park	Project completed.	\$25,954	\$30,053	
Estella Rise embellishment - ROS4	Initial community consultation undertaken previously to determine priority items for inclusion in the park embellishment. Further feedback to be provided to the community during November 2019. Construction to commence December 2019.	\$250,000	\$196,472	
Wilga Park Koorringal embellishment	Project completed.	\$9,669	\$27	
Active Travel Plan - TT26	Completed construction of Asphalt Concrete work for the 2.1 km of cycle path between Yentoo drive and Glenfield road roundabout along with line marking, signage with post and diversion bank drain. Carried out final inspection with Contractor. Few defects were noticed in diversion bank and contractor was advised to fix them. Completed procurement package for construction of another 2.5 km cycle path from Glenfield road roundabout to Holbrook road from vendor Panel Lists. Tender will be awarded by the end of November 2019.	\$6,337,982	\$602,756	
Female change room facilities	Irrigation and drainage works have commenced.	\$281,235	\$792	
Stadium upgrades	Construction has commenced on French Field amenities. McDonald Park Seating, Harris Park lighting and French Field lighting completed.	\$1,232,783	\$1,111,788	
Wiradjuri Reserve walking track easements	New Project added in October 2019.	\$62,700	\$1,025	
Ladysmith asphalt bike track and access paths	BMX track sealing works have been completed. Path works remain.	\$63,000	\$21,387	
Euberta hall and sportsground water bore and irrigation system	Council has resolved to pay Euberta Polocrosse club to complete the bore installation. A agreement has been drafted for their signature.	\$43,425	\$43,982	
Open Space Explorer Park land acquisition	Project added in October 2019.	\$29,949	\$30,150	

Operational Item		Target / Budget	Actuals / Commit	Status
Equex Capital Works	Exit road design has been completed. Report on delivery of southern hill and seating was approved at 9 September 2019 Council meeting. A report approving the remaining items was endorsed by Council at the 28 October 2019 Council meeting. Construction has begun on the seating with a bay of seating concrete having been poured.	\$1,741,399	\$1,224,428	
Bolton Park amenities	A Functional Design Brief has been completed and a scope of works is being created. Tender will be released in December 2019.	\$999,926	\$14,713	
Riverside Wagga Stage 2 egrade		\$3,529,556	\$259,807	
Land Acquisition - 15-17 Trail St		\$830,000	\$0	
People and Culture		14	2	0
Service Delivery				
Develop a corporate training plan is annually		Completed	Completed	
Implement Chain of Responsibility Management System		Completed	Completed	
Present six (6) monthly WHS reports to the Executive team		Completed	Completed	
Fortnightly report to executive and management in relation to WHS Workplace Report on Incidents and Hazards		Completed	Completed	
Complete actions five (5) from Health and Wellbeing Strategy due for completion		Completed	Completed	
Produce quarterly reports on the Equity and Respect project	This item is ongoing until June 2021. Two (2) out of the total four (4) quarterly progress reports for the Department of Communities and Justice have been completed within the allocated timeframe.	Completed	Completed	
Implement recommendations from the gender audit/gender equity survey	This item is ongoing until June 2021. As the result of the first Equity Survey the Workplace Equity Strategy has been developed and implemented. Associated action plan items will be completed by June 2021.	Completed	Completed	
Develop a community-wide gender equity campaign	The Reflect Respect community-wide campaign has been launched in December 2019 across a number of different social media sites including: TV, radio, Facebook, Instagram. The campaign was launched across local pubs, clubs and hotels.	Completed	Completed	
Complete gender equity action plan by December 2019		Completed	Completed	
Measures				
10% of all staff identify as having a disability over the 4-year delivery program	This item is due for completion by 2021 in accordance with the Disability Inclusion Action Plan (DIAP) Action Items. This is not currently a mandatory requirement for employees to disclose as EEO information.	10%	3.1%	

Operational Item		Target / Budget	Actuals / Commit	Status
6% of all staff identify as ATSI over the 4-year delivery program	This item is due for completion by December 2020 in accordance with Reconciliation Action Plan (RAP) Action Items. In 2019, three (3) new identified apprentice positions were successfully recruited with further discussions to be held in 2020 with Council's Executive Team regarding further employment opportunities across the organisation.	6%	5.1%	■
5% of our workforce is made up of trainees, cadets, graduates and apprentices over the 4-year delivery program		5%	2.4%	■
All WHS policies and procedures are current	There are a number of Operating Procedures that are due for review. All processes undertake a biannual review process, so the policies and procedures will be based on the review schedule set and will never be at 100% because they all fall due at different times.	100%	75%	■
Complete actions (11) from Workforce Plan 2019/2020		11	7	■
Complete actions (19) from Employee Opinion Survey 2018/2019		19	14	■
Review 15 policies and procedures annually		15	15	■
Planning		6	2	3
Measures				
Reduction in number of applications that get sent back for additional information	378 applications were received and 146 of these were requested to provide additional information (38.6% up 0.2%). This may be attributed to the new electronic lodgement process, which will be refined to identify deficiencies prior to accepting applications.	40%	38.6%	■
85% customer satisfaction with building	We are currently looking internally at processes to increase this outcome	85%	60%	■
Process 75% of residential development applications within 40 business days		75%	73%	■
Process 60% of commercial development applications within 40 business days	We are currently looking internally at processes to increase this outcome.	60%	24%	■
Process 75% of Constructions Certificates within 40 business days		75%	75.2%	■
Process 90% of Complying Development Certificates within ten (10) business days	We are currently looking internally at processes to increase this outcome.	90%	38.1%	■
Inspect 80% of swimming pools within five (5) business days of receiving swimming pool certificate request	We are currently looking internally at processes to increase this outcome.	80%	25%	■
Process 90% of 10.7 planning certificates within five (5) business days		90%	98.7%	■
Process 80% of building information certificates within 27 business days	We are currently looking internally at processes to increase this outcome.	80%	63.8%	■
Process 90% of residential plumbing section 68 within seven (7) business days		90%	85%	■

Operational Item		Target / Budget	Actuals / Commit	Status
Process 90% of Drainage Diagrams within three (3) business days (if all inspections are completed)		90%	84%	■
Procurement		7	0	1
Service Delivery				
Develop draft tender documents within 12 business days of receiving the scope		Completed	Completed	■
Measures				
Reduce expenditure on hired equipment – 2% on previous year actual spend	At the moment there has been a minor reduction in cost YTD on hired equipment.	2%	1%	■
75% utilisation rate of heavy plant	Our heavy commercial vehicles based at the Gregadoo Waste Management Centre will not achieve the IPWEA recommended kilometre's as they do not travel off site which in turn brings the heavy plant utilisation down.	75%	67.7%	■
100% of plant and equipment replaced in accordance with the replacement program	This item is slightly behind target as new items have been purchased outside of this plan.	100%	38.5%	■
Deliver two (2) procurement training sessions per annum		2	2	■
Capital Projects				
Replacement of depot fuel tanks and bowsers	Testing of the tanks were complete by the end of December 2019 with the reports to be received early in the new year.	\$49,500	\$11,136	■
Depot stores upgrade	Work will commence after inventory review of stock holdings which is currently in progress. Quotes have been obtained for the roller shutters and the power supply for the shutters. Work is estimated to be complete by the end of November 2019.	\$48,480	\$30,619	■
Fleet management		\$6,195,273	\$2,394,455	■
Project Management		25	0	4
Measures				
100% of scheduled projects on track		100%	85%	■
Capital Projects				
Upgrade existing bus shelters	Investigation, modelling and design completed.	\$20,000	\$1,343	■
Farrer Road widening and reconstruction - TT4	High pressure gas main relocation is underway. A Civil Contractor has been appointed and has commenced early works onsite mid November 2019.	\$4,475,795	\$4,538,489	■

Operational Item		Target / Budget	Actuals / Commit	Status
Civic Theatre airconditioning upgrade	Stage 1 component of the works are complete with the installation of four (4) air-conditioning units as per the program of works. Stage 2 of the works were completed within the scheduled period 9/10/2019 till 22/10/2019. All units were installed and operational ready for Theatres operations on 23/10/2019, this included a temporary section of flexible ducting while metal ducting was being manufactured. A final crane lift for metal ductwork is planned for Monday 4/11/2019. Final commissioning now completed with practical completion being issued 29/11/2019.	\$143,113	\$137,576	■
Upgrade to airconditioning - Civic Centre (2nd floor) 2006-2019 Plan	Installation of Stage 1 with 28 units now fitted in place and operating with the contractor to be finalised. Remaining 27 units have arrived and contractors have commenced installing.	\$1,821,757	\$1,182,554	■
Renew and replace culverts	Culverts replaced on Wokolena and Carabost Roads. Lockhart Road box culvert construction is ongoing. Culvert is fully installed. Backfilling and roadworks ongoing. Relining of ten (10) culverts along Lockhart Road has been completed.	\$575,261	\$714,141	■
Eunony Bridge Road Bridge improvement	Soil testing completed and Appointment imminent.	\$9,608,740	\$9,603,616	■
Main City Levee Stage 1	Project completed.	\$0	\$6,092	■
Main City Levee Stage 2	The project is on track and scheduled to be completed in 2019/2020.	\$5,000,000	\$7,357,916	■
Pomingalarna Multisport Cycling Complex - ROS8	Tenders have been received and analysis is underway.	\$4,541,372	\$143,630	■
Lawn Cemetery irrigation / pump upgrade	Works have been completed and practical completion has been given. A defects list has been compiled.	\$0	\$1,545	■
Ladysmith / Brucedale Hall Rural Fire Service (RFS) toilet facility installation	An Occupation Certificate for Brucedale was received and the project is closed.	\$18,999	\$21,198	■
Energy Savings Project		\$47,173	\$17,495	■
Civic Theatre lighting	The contractor has issued Council a purchase order. Delivery of the light fitting is expected to arrive early February 2020.	\$49,240	\$44,582	■
Tarcutta truck stop lighting	This project is currently unscoped and not active.	\$98,188	\$1,792	■
Gregadoo Road Corridor Works - TT7	The project scope had changed and the process of land acquisition underway in a month or two (2). 50% of the design is complete with the design out for comment as a part of Stage 1. Stage 2 is in concept only.	\$1,169,000	\$56,716	■
Civic Centre lighting upgrade	Library 95% complete. Cost and time still on track.	\$630,526	\$569,128	■
Civic Centre solar upgrade	Resolved to award contract. Contract execution underway.	\$278,384	\$4,036	■



■ Attention ■ Critical ■ On Track

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Operational Item		Target / Budget	Actuals / Commit	Status
Mona Vale Bridge renewal	Discussions with adjoining owners, original owners and review of alternative access has taken place. Tywong Bridge cannot be used for alternative access, due to no roads, flood plain, Biosecurity on private property which blocks the route. New Bridge now to be built parallel to existing. Property Department indicates that they have provisional money of \$58,000 to contribute towards private property acquisition of private roads to the bridge. These will change with bridge relocation. Surveys and REF RFQs to be issued in the next two (2) days as Addendum to Palmer Road Survey and REF RFQs issued earlier this week. Discussions with neighbours regarding the road and bridge alignment and property acquisition following receipt of survey and REF.	\$75,000	\$30,561	■
Palmer's Road Bridge renewal	REF and Survey RFQs issued 11/11/2019. Addendum to be added to this for the Mona Vale Bridge, following resolution on bridge location.	\$75,000	\$25,048	■
MOR Botanic Gardens energy savings	Not active until Civic Centre Lighting Upgrade Project completed and Museum of the Riverina Redevelopment Project design completed and procurement method finalised.	\$194,012	\$546	■
Maxwell RFS toilet installation	New project Added in December 2019.	\$0	\$25,239	■
Victory Memorial Gardens Christmas lights - Stage 2		\$57,155	\$49,073	■
Oasis Energy Savings Projects		\$1,047,961	\$13,985	■
Livestock Marketing Centre pump house solar panels	Resolved to award contract. Contract execution underway.	\$87,570	\$1,540	■
Airport Energy Savings Projects	Project on hold until airport masterplan is finalised.	\$181,226	\$2,323	■
Sewer pump station - SPS22 Elizabeth Avenue Forest Hill new assets	The pump station near completion. All construction work has been completed spoil needs to be disposed of. Waiting on gravity sewer to be connected.	\$253,732	\$101,923	■
Sewer pump station - SPS30 Bomen new assets	Awaiting final design.	\$964,885	\$45,666	■
Forsyth Street - new sewer pump station	Project completed.	\$0	\$3,455	■
Property		2	0	1
Service Delivery				
Annual report to Council on the status of leases and licences		Completed	Completed	■
Renewal of leases and licences as they fall due		Completed	Completed	■
Measures				
Achieve land sales as per the Long Term Financial Plan	The Long Term Financial Plan (LTFP) target is not realistic considering the quality of land stock held and other mitigating factors which have prevented the sale of land identified as surplus.	1000000	\$9000	■



■ Attention ■ Critical ■ On Track

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Operational Item		Target / Budget	Actuals / Commit	Status
Public Health		13	2	2
Service Delivery				
Annual schedule of inspections as per Legionella Management Plan		Completed	Completed	■
Complete annual report for NSW Food Authority on inspections of local food businesses		Completed	Completed	■
Complete annual report to NSW Department of Health on public health compliance orders and notices		Completed	Completed	■
Process all public health applications within seven (7) business days	91% complete - The majority applications were processed within seven (7) business days. The major reason for those that weren't not processed within the timeframe was due to insufficient information provided at the lodgement of the application.	Completed	Not Completed	■
Respond to all public health customer requests within seven (7) business days		Completed	Completed	■
Respond to all high-risk public health complaints within 24 hours		Completed	Completed	■
Follow up on all notices and orders within designated timeframe		Completed	Completed	■
Produce Food Safety Calendar		Completed	Completed	■
Deliver educational program for Legionella legislative changes		Completed	Completed	■
Measures				
80% of eligible businesses participate in the Scores on Doors program	Due to resourcing the 'Scores on Doors' Program was not effectively promoted during the last six (6) months. However, over the next six (6) months advertising and promotion of this program will be increased to increase participation.	80%	40%	■
100% compliance rate for primary food inspections		100%	100%	■
Increase reach of Public Health online resources by 20%		20%	16%	■
Increase online applications by 10%	A total of 153 applications were received in the reporting period with 125 of those being received online. The vast majority of hard copy applications were for installation or alteration of onsite sewage management systems (18) for which there is no online option.	10%	4%	■
Conduct 150 septic (OSMS) renewal inspections per annum	The figure provided is an annual figure. This outcome is not as high as desired due to internal constraints.	150	53	■
Conduct 40 septic (OSMS) approval inspections per annum		40	57	■
Send two (2) food safety newsletters		2	1	■
Deliver four (4) Be Sharps Smart workshops		4	1	■
Social Planning		13	1	0
Service Delivery				



■ Attention ■ Critical ■ On Track

Page 25 of 27

Operational Item		Target / Budget	Actuals / Commit	Status
Implement all items from the Disability Inclusion Action Plan for 2019/2020		Completed	Completed	■
Implement all items from the Crime Prevention Plan for 2019/2020		Completed	Completed	■
Implement all items from the Youth Engagement Report		Completed	Completed	■
Develop and publish the Community Directory annually		Completed	Completed	■
Develop and deliver FRESH festival annually		Completed	Completed	■
Hold a Youth Forum biennially		Completed	Completed	■
Develop and deliver the FUSION festival annually		Completed	Completed	■
Measures				
85% satisfaction with ageing sector support		85%	86%	■
85% customer satisfaction with FUSION and FRESH		85%	95%	■
Attendance of FRESH festival		2000	2512	■
Satisfaction with Youth Forum		85%	100%	■
Satisfaction with FUSION festival		85%	95%	■
Attendance of FUSION festival	Weather conditions reduced attendance figures in comparison to the year prior.	12000	8000	■
Strategic Planning				
		1	1	0
Service Delivery				
Health Precinct Plan adopted by 1 July 2020		Completed	Completed	■
Measures				
Present 90% of planning proposals to Council within six (6) months of lodgement	Two (2) out of three (3) proposals lodged this financial year have progressed to Council.	90%	66%	■
Technical and Strategy				
		4	2	3
Service Delivery				
Complete review and implementation of a condition assessment schedule		100%	50%	■
Subdivision Certificate applications are determined within ten (10) business days	During this six (6) month period resourcing levels were down causing this figure to be lower than required. Resourcing levels have now doubled and this non-compliance will be resolved moving forward.	100%	66%	■
Subdivision Construction Certificate applications are determined within ten (10) business days		Completed	Not Completed	■
Assess and determine Section 68 (Public) Sewerage and Drainage applications within seven (7) business days		Completed	Completed	■
Review and update sewer and stormwater developer servicing plans		100%	70%	■

Operational Item		Target / Budget	Actuals / Commit	Status
Measures				
Undertake 90% of asset condition assessments in accordance with asset management plans		90%	50%	Attention
Process 90% of commercial section 68 within 14 business days		90%	100%	On Track
Capital Projects				
Bakers Lane widening and intersection Upgrade - TT5	New project added in August.	\$43,624	\$123	Critical
Implement Traffic Committee recommendations		\$51,007	\$2,558	Critical
Visitor Economy and Events		6	0	0
Service Delivery				
Produce the Annual Visitor Guide		Completed	Completed	On Track
Provide support and advice to community groups, businesses and industry operators relating to events, and visitor economy		Completed	Completed	On Track
Measures				
Maintain average spend per customer at the Visitor Information Centre		\$5	\$5	On Track
Maintain current engagement rate through Visit Wagga social media channels (engagement rate %)		100000	111147	On Track
Maintain tourism partner program member numbers (140)		140	150	On Track
Capital Projects				
Temporary events signage	Project complete. All new signs installed and old ones removed.	\$31,680	\$9,443	On Track
Workshop		2	0	1
Measures				
95% of routine maintenance schedule completed on time	This figure has depreciated by 5% due to the age of equipment and staffing constraints at various times. In recent times contractors have been required to assist with the workload.	95%	90%	On Track
Reduce the number of breakdown work orders	We have been unable to reduce this figure as as hoped due to the age of equipment and repairs required.	10%	0%	Critical
Reduce the number of call backs		5%	5%	On Track

RP-12 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 with Notice raised at previous Ordinary Council meetings.

Councillor V Keenan requested an update on the status of the resolution of her Notice of Motion - Advocacy Plan adopted at Council on 12 August 2019. Councillor V Keenan asked when this will be drafted and coming back to Council.

A Councillor workshop is scheduled for 6 April to get feedback from Councillors and to conduct a gap analysis of what has already been identified. The draft plan will then be reported to Council on 27 April as part of the IP&R suite of documents.

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

RP-13 LIVESTOCK MARKETING CENTRE - DELIVERY FAN DRAFT IMPROVEMENTS

Author: Darryl Woods
Director: Caroline Angel

Summary:

The project expanding the Livestock Marketing Centre (LMC) cattle yards capacity by 30% was completed last financial year and automation improvements in the sale ring have been well received by the LMC community. The improvements made in the sale ring have increased efficiency reducing the average per sale time from 30 sec to 20 sec per sale.

The requirement to upgrade the entire sale cycle was anticipated in the Wagga Livestock Marketing Centre Strategic Masterplan and in practice the expectation that the delivery of cattle into buyer lots would become the bottleneck in the system has materialised.

A design has been completed for the proposed upgrade, and this report asks Council to approve a budget variation from the Livestock Marketing Centre Reserve.

Recommendation

That Council approve the budget variations listed in the financial section to be sourced from the Livestock Marketing Centre reserve.

Report

The Wagga Livestock Marketing Centre Strategic Masterplan developed in 2015 outlined the continued operation and development of NSW's premier livestock saleyard to 2035.

Following on from the recent cattle yard upgrade Council has had designed a new fan draft system to accumulate the cattle into buyer transportation lots to create efficiency on the delivery side by allowing for a better flow for the cattle through to the delivery yards and provide a safer working environment for the horseback riders organising the delivery lots prior to loading.

The improvement made to the selling ring has sped up the sale where bottlenecks are now created in the delivery yards and this project purpose is to allow the cattle to flow through to the delivery yards and alleviate the need to stop and turn cattle to lead them to their destination pens

Currently the lots are moved through two lanes and buyer lots are accumulated deeper in the delivery yards. The design of the new fan draft allows for up to five delivery lanes to accumulate cattle into buyer lots.

An excerpt discussing Stock Flow from the LMC – Strategic Masterplan is attached.

Financial Implications

Budget Costs

Value of Construction Works	316,239
Contingency (10%)	31,600
Project Management (10%)	31,600
Expended to date	16,418
Total Project Budget Required	395,857
Current approved Budget - 2019/20 financial year	<u>42,424</u>
Budget Variation Required	353,433

The project will be completed over the next two financial years, with \$250,000 budget required for the remainder of the 2019/20 financial year, and \$103,433 for the 2020/21 financial year.

It is proposed to fund the total required budget from the Livestock Marketing Centre Reserve, which has current capacity.

Policy and Legislation

N/A

Link to Strategic Plan

Community Leadership and Collaboration

Objective: City of Wagga Wagga services reflect the needs of the community

Outcome: The City of Wagga Wagga has efficient and effective processes

Risk Management Issues for Council

Solution provides a better safety outcome for delivery horses and riders.

Internal / External Consultation

Livestock Marketing Centre – Agents Association

Attachments

1   Excerpt from LMC Strategic Masterplan

Attachment A – Excerpt from LMC Strategic Master Plan**Stock Flow****Existing Stock Flow**

Stock flow throughout the LMC is characterised by logical flows from load-in/drafting pens to stacking pens to delivery pens. In the case of cattle, the stock pass through the selling ring between the stacking and delivery pens.

When operating at design capacity the stock movements are very efficient and require minimal double handling. However, when stock numbers exceed the practical capacity of the facility (currently at almost every sale day) double and sometimes triple handling of stock is required and bottlenecks are created.

Proposed Stock Flow

The existing stock flows are functional and should undergo minimal alteration. However, several opportunities exist to enhance the efficiency of operations and improve safety. These include:

- The phased construction of additional drafting, stacking and delivery pens to eliminate the need for double and triple handling of stock
- The removal of latent pens around the weighbridge
- Redesign of the selling ring to facilitate faster stock movement through the ring
- The construction of a fan draft on exit from the selling ring to reduce bottlenecks for the delivery pen area.

Incorporation of the above measures are designed to enhance the efficiencies observed within an already highly efficient stock flow operation.

RP-14 GREGADOO WASTE MANAGEMENT FACILITY - NEW WEIGHBRIDGE INFRASTRUCTURE, APPROACH ROADS AND CONTROL OF ACCESS.

Author: Darryl Woods
Director: Caroline Angel

Summary: Gregadoo Waste Management Centre (GWMC) is planning to construct new weighbridge facilities that will be capable of weighing B-Double heavy vehicles in a single weigh. The intent is to move the new weighbridge toward the entrance to the Centre to facilitate weighing and improve management of waste and recycling activities.

Recommendation

That Council approve the budget variations detailed in the financial section of the report.

Report

Design documentation for the new weighbridge at GWMC is complete and this report seeks Council's approval for Financial Year 2020/2021 funding for the development of the weighbridge. Details are attached.

Staff are proposing to release two separate tenders for the development of the weighbridge, Tender 1 will be for supply and installation of the weighbridge decks, load cells, and software along with a full set of engineering drawings to allow a constructor to build the footings and foundations to accept the weighbridge. The second tender (Tender 2) will be for construction of the facility, road network, and access control in and out of the facility.

The reason for separating tenders is so that any weighbridge specific maintenance, software upgrades, and software support are direct to Council and not through a third-party contractor. In addition, during planning consideration was given to relocate the existing weighbridges; however, with an increasing number of B-Double deliveries and the relative cost of new weighbridges versus supplementing the existing weighbridges it was better to maintain the old weighbridges and keep them for internal use.

The project is included in the Long-Term Financial Plan and there is currently an approved allocation of \$470,525 for the weighbridges (Tender 1) and \$100,000 for the development of the domestic precinct infrastructure, which includes the weighbridge supporting facilities (Tender 2) in the current financial year. There is a budget allowance of \$2,212,706 included in the FY20/21 forecast.

Council are requested to approve the remaining funds required to construct the facility in FY 20/21. A Quantity Surveyor estimate of the entire development is provided at Attachment B and the required funds are within the budget of the Long Term Financial Plan One-Off Capital Projects – Capital Works Program 2020/21 – 2029/30 as detailed in the financial implications section below.

Financial Implications

Total Project Cost: \$2,398,132

Tender 1 Weighbridges:

Weighbridges	\$286,000
Contingency	\$17,472
PM Costs	\$12,800

Cost to Date	\$97,700
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Total Cost Weighbridge	\$413,972
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Tender 2 Weighbridge Infrastructure:

Project Costs	\$1,974,660
Tender costs	\$1,000
Procurement costs	\$5,000
PM Costs	\$3,500
Total Cost Infrastructure	\$1,984,160

Current Adopted Budgets included in Long Term Financial Plan:

Job #	Project Title	2019/20	2020/21	Total
70091	GWMC - Weighbridge Relocation	\$470,525		\$470,525
70147	GWMC - Domestic Precinct	\$100,000	\$2,212,706	\$2,312,706

Proposed Budget Allocations:

Job #	Project Title	2019/20	2020/21	Total
70091	GWMC - Weighbridge Relocation	\$470,525	\$1,927,607	\$2,398,132
70147	GWMC - Domestic Precinct*	\$100,000	\$600,000	\$700,000

*It is proposed to leave a total project budget of \$700,000 for future development of a Community Recycling Centre and associated road networks.

These projects are funded from the Solid Waste Reserve.

Policy and Legislation

N/A

Link to Strategic Plan

Community Leadership and Collaboration

Objective: City of Wagga Wagga services reflect the needs of the community

Outcome: The City of Wagga Wagga has efficient and effective processes

Risk Management Issues for Council

N/A

Internal / External Consultation

N/A

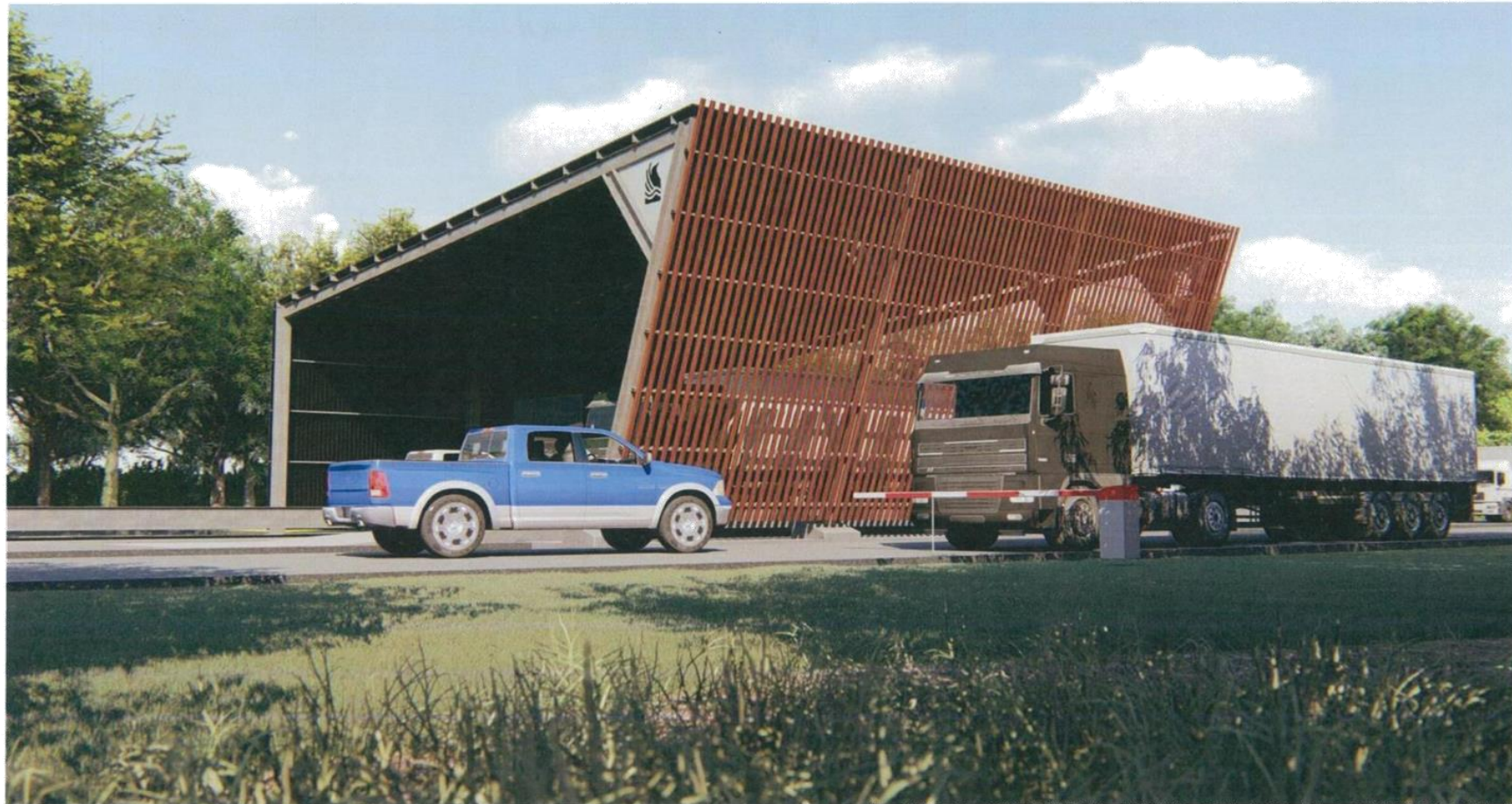
Attachments

1.  Attachment A - GWMC Weighbridge Concept Drawings



2. Attachment B - GWMC - Weighbridge Quantity Surveyor Report

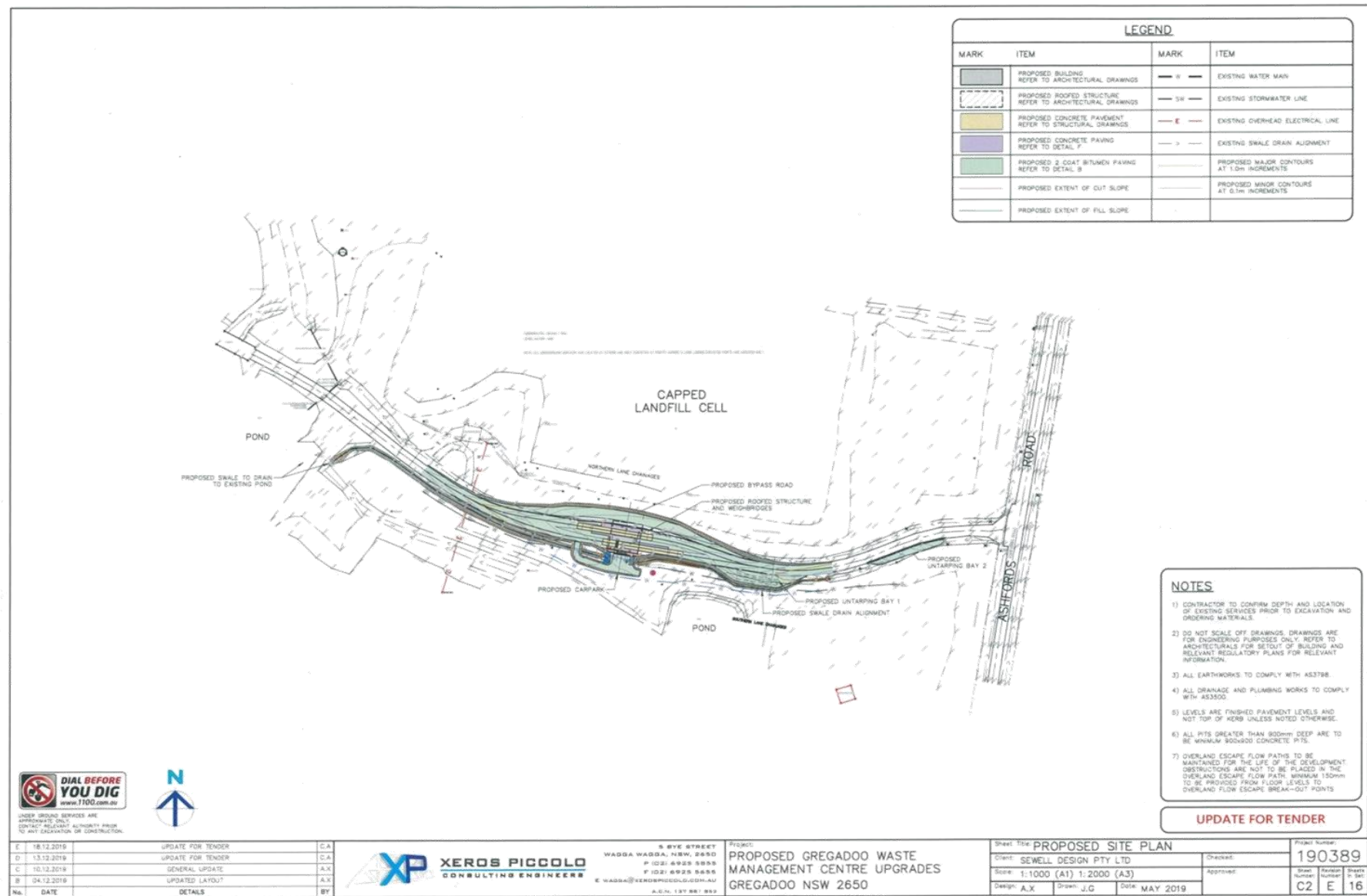
This matter is considered to be confidential under Section 10A(2) of the Local Government Act 1993, as it deals with: information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.



PROPOSED WEIGHBRIDGE STATION & WEIGHBRIDGE STATION OFFICE
WAGGA WAGGA CITY COUNCIL
 LOT 1 (DP580226)
 GREGAD00 WASTE MANAGEMENT CENTRE

SHEET NUMBER	SHEET NAME	REVISION	REVISION DESCRIPTION	REVISION DATE
00	COVER SHEET	A	PRELIMINARY CONCEPT	27.09.2019
01	LOCALITY PLAN / AREA OF WORKS PLAN / SITE PLAN / RETENTION SHEDS	B	CONCEPT REVISIONS	04.10.2019
02	WEIGHBRIDGE STATION FLOOR PLAN / ELEVATIONS & SECTION / RAINWATER TANK ELEVATION	C	ISSUED FOR CLIENT APPROVAL	08.11.2019
03	WEIGHBRIDGE STATION OFFICE FLOOR PLAN / ELEVATIONS, INTERIOR ELEVATIONS, SECTIONS, WINDOW & DOOR SCHEDULES & COLOUR SCHEME	D	ISSUED FOR CLIENT APPROVAL	05.12.2019
04	WATER CONDUIT LAYOUT / ELECTRICAL LAYOUT	E	ISSUED FOR CLIENT APPROVAL	13.12.2019
		F	ISSUED FOR CLIENT APPROVAL	15.12.2019
		G	ISSUED FOR CLIENT APPROVAL	18.12.2019
		H	ISSUED FOR TENDER	19.12.2019





COMMITTEE MINUTES

M-1 CRIME PREVENTION WORKING GROUP

Director: Janice Summerhayes

Summary: | The Crime Prevention Working Group met on 24 February 2020.

Recommendation

That Council:

- a receive the minutes of the Crime Prevention Working Group held on 24 February 2020
- b provides an update on the Crime Prevention Working Group in Council news and on Council's social media page

Report

The Crime Prevention Working Group met on 24 February 2020.

The minutes of these meetings are attached for Councillors' reference.

Financial Implications

N/A

Policy and Legislation

N/A

Link to Strategic Plan

Safe and Healthy Community

Objective: We are safe

Outcome: We promote safety and safe behaviours

Risk Management Issues for Council

N/A

Internal / External Consultation

N/A

Attachments

1  Crime Prevention Working Group Minutes - 24 February 2020

MINUTES of the CRIME PREVENTION WORKING GROUP held on Monday 24 February 2020.**APOLOGIES**

Simone Jolley	Department of Justice
Dr Joe McGirr	Member for Riverina
Troy Trgetaric	General Manager Wagga Base Hospital
Peter Thompson	General Manager Wagga Wagga City Council
Cr Paul Funnell	Wagga Wagga City Council

PRESENT

Andrew Stockman	Department of Premier and Cabinet
Adrian Telfer	NSW Police, Wagga Wagga Local Area Command
Bob Noble	NSW Police, Wagga Wagga Local Area Command
Jenene McGrath	Department of Education
Brad Wotton	Communities and Justice
Jye Ryan	Mission Australia
Mayor, Cr Greg Conkey	Wagga Wagga City Council
Cr Kerry Pascoe	Wagga Wagga City Council
Cr Tim Koschel	Wagga Wagga City Council
Colin Taggart	Neighbourhood Watch
Saba Nabi	Community Member
Justin Busuttil	Community Member
Thomas Gardiner	Community Member
Kat van der Wijngaart	Community Member

IN ATTENDANCE

Janice Summerhayes	Director Community
Madeleine Scully	Manager Community Services
Lisa Saffery	Social Planning Coordinator
Dianne Wright	Land and Real Property Coordinator
Michelle Castle	Minute Taker

The meeting of the Crime Prevention Working Group commenced at 1:00pm.

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.

MINUTES of the CRIME PREVENTION WORKING GROUP held on Monday 24 February 2020.

CONFIRMATION OF MINUTES

CM-1 CRIME PREVENTION WORKING GROUP - 25 NOVEMBER 2019

Recommendation:

On the Motion of Councillor K van der Wijngaart and T Gardiner

That the Minutes of the proceedings of the Crime Prevention Working Group Meeting held on 25 November 2019 be confirmed as a true and accurate record.

CARRIED

DECLARATIONS OF INTEREST

No declarations of interest received.

PRESENTATION BY MISSION AUSTRALIA

Jye Ryan, Program Manager, Mission Australia delivered a verbal presentation on the program "Youth on Track" and provided information on the project.

REPORTS

RP-1 PEDESTRIAN LANEWAY CLOSURE PETITION - BANDERA AVENUE, GLENFIELD PARK

Recommendation:

On the Motion of Councillor T Koschel and K van der Wijngaart

Recommendation

That the Crime Prevention Working Group:

- a note the receipt of the petition for closure of the pedestrian laneway in Bandera Place, Glenfield Park
- b defer any decision concerning closure of the pedestrian laneway until the full laneway review report is completed for 25 May 2020
- c receive information in the report in b) that considers physical treatments to address crime and antisocial activities

CARRIED

MINUTES of the CRIME PREVENTION WORKING GROUP held on Monday 24 February 2020.

RP-2 PRIORITIES FOR CONSIDERATION FOR THE CRIME PREVENTION WORKING GROUP

Recommendation:

On the Motion of K van der Wijngaart and Councillor T Koschel

That the Crime Prevention Working Group:

- a receive and note the report**
- b focus on the three identified priority areas of which align with Council's adopted Crime Prevention Plan 2017-2021 being:**
 - i Priority 1 – Neighbourhood and home security**
 - ii Domestic Violence**
 - iii Youth Crime**
- c invite representatives from NSW Department of Communities and Justice to present at the next Crime Prevention Working Group meeting on the new Re-offending Prevention Program for Wagga Wagga**

CARRIED

RP-3 REPORT ON ABANDONED SOCIAL HOUSING PROPERTIES

Recommendation:

On the Motion of S Nabi and Councillor T Koschel

That the Crime Prevention Working Group:

- a receive and note the report**
- b Communities and Justice to invite Department of Housing Tenancy Manager to the next Crime Prevention Working Group meeting.**

CARRIED

BUSINESS WITH NOTICE

1. Frequency and Timings of Meetings

Within the Crime Prevention Working Group Terms of Reference the Working Group is to meet quarterly, or as determined by the Working Group.

It was agreed by the working group to meet bi monthly from 12 noon to 2pm. The meetings will be held on the following dates;

- Monday 20 April 2020
- Monday 22 June 2020

MINUTES of the CRIME PREVENTION WORKING GROUP held on Monday 24 February 2020.

- Monday 31 August 2020

GENERAL BUSINESS AROUND THE TABLE**Working Group Members Around the Table**

1. Kat van der Wijngaart asked for clarification on Wagga Youth Interagency Groups. It was advised that Wagga Youth Interagency is non-government and government organisations that meet once a month to look at resources, programs, youth disadvantage focus areas and gaps in youth services in Wagga Wagga.
2. Kat van der Wijngaart advised that the Attorney General's Department has a funding program that can be accessed with a Crime Prevention Strategy in place.

Action: Council's Social Planner to investigate the Attorney General's funding program to clarify if this is still available for adopted Crime Prevention plans and advise back at the next meeting.

3. Kat van der Wijngaart would like an item included in Council news, on Council's social media page on the Crime Prevention Working Group.

Action: Council's Communication and Engagement team to implement.

4. Saba Naba discussed the lack of multilingual resources available on domestic violence.

Action: Council's Social Planning team to follow up with NSW Department of Health and/or other relevant organisations.

Wagga Wagga Local Area Command Update

Wagga Wagga Local Area Command provided an update on trending crime rates and the new High Visibility team that has commenced in Wagga Wagga with five police officers.

NEW BUSINESS WITH NOTICE

1. Kat van der Wijngaart requested Council to invite a representative from PCYC to attend the next Crime Prevention Working Group meeting to discuss Youth at Risk programs.

Action: Council's Social Planner to invite a representative from PCYC.

2. Thomas Gardiner put forward the following motion;

I'm calling for a sub-committee of the Crime Prevention Working Group to be put in place by the Wagga Wagga City Council with no more than 4-6 members to physically approach residents of high crime rated areas and discuss ideas, thoughts and actions they wish to take or would like to share with either the Wagga Wagga City Council or the Wagga Wagga Crime Prevention Group.

MINUTES of the **CRIME PREVENTION WORKING GROUP** held on **Monday 24 February 2020**.

Action: This motion was taken on notice to be discussed at the next Crime Prevention Working Group meeting.

NEXT MEETING:

Monday 20 April 2020 at 12 noon.

The Crime Prevention Working Group rose at 2:24pm.

M-2 AUDIT RISK AND IMPROVEMENT COMMITTEE - 20 FEBRUARY 2020

Author: Ingrid Hensley
General Manager: Peter Thompson

Summary: The Audit, Risk and Improvement Committee is an advisory committee of Council. This Report seeks that Council endorse the recommendations made by the Committee at its February 2020 meeting. Those recommendations relate to the role of the Committee in providing independent assurance and assistance to Council on financial reporting, risk management, internal controls, governance, and internal and external audit and accountability responsibilities.

Recommendation

That Council endorses the recommendations contained in the minutes of the Audit, Risk and Improvement Committee Meeting held on 20 February 2020.

Report**Chairperson Report**

Council reports discussed at this meeting are outlined below. Those reports noted without discussion are not included.

RP1: Senior Management Presentation

The Committee received a presentation from the Director Regional Activation. The Committee was provided a high level overview of current regional activation major projects falling under the three key areas of City Strategy, Major Projects and Land and Property. The Committee was interested to hear of the works underway and sought clarity surrounding some of the projects and their related risks.

RP2: General Manager Update

The General Manager verbally advised the Committee of:

- progress in relation to the recruitment of a Chief Audit Executive CAE and reactivating the internal audit function which has suffered from a hiatus since the resignation of the CAE in November 2018
- Council's membership of the Riverina Joint Organisation and association with the Canberra Joint Organisation
- bushfire impact – limited for Council but that Council undertook a leadership role in the region supporting impacted councils.
- commencement of a salary system review
- the Sydney office is working well and the access to professional and skilled staff has been invaluable
- legal matters update
- major projects including Active Travel – 42km of cycle ways

The Committee at its November 2019 meeting requested that the GM update be provided as a written report in the meeting papers. The GM confirmed that this will take effect from the May 2020 ARIC meeting.

RP5: Fraud Action Plan

The Committee was concerned, that although the Fraud Action Plan is agreed each year by the Management team and identified responsible officers, there were a number of planned activities that have not been completed with others not addressed with status comments such as:

- *Not being implemented at the current time*
- *Not currently being implemented*
- *Further review required*

The Committee commented that insufficient attention has been paid to completing the Fraud Action Plan and requested that attention be given to the outstanding planned activities and that progress be reported to the Committee at its next meeting in May 2020.

RP6: People and Culture Update

The Committee responded positively to this report noting its value and comprehensiveness. It has requested that in relation to leave statistics that these be reported in a tabular format for comparative purposes.

RP7: Governance and Risk Update

Mr. Bryce McNair provided feedback to the Committee on his presentation to the Councillor workshop on 3rd February 2020. The presentation related to the ARIC Annual report for the period 2018/2019 when Mr. McNair was Chair of this Committee.

Mr McNair advised the Committee that it was a valuable exercise which allowed a shared and open communication between Councillors and ARIC, with the opportunity to respond to questions from Councillors.

The Committee asked questions and received explanatory responses in relation to the detail and information presented in the document *Code of Conduct Statistics*.

RP8: Internal Audit Update

In relation to outstanding progress on internal audit recommendation the Committee asked questions regard the number of incomplete agreed recommendations.

Since it first meeting in 2017, this Committee has expressed concern on the number of internal audit recommendations that have been carried over and not completed, some of which have been carried over for a number of years.

The Committee advised that it will be paying very close attention to this area at each of its coming meetings.

The Committee has requested that Officers review each recommendation for which they have responsibility and provide this Committee with an explanation on the progress towards completion.

The Committee again commented on the length of time it is taking to replace the CAE and is keenly awaiting the outcome of the Tender for Internal Audit Services to enable progress towards provision of internal audit, however provided.

RP10: Proposed Development of a Draft Regional Procurement Preference Policy

The Committee was provided with background to this Policy and its relationship to the current major activation projects. The Committee provided feedback for improvement and increased clarity.

The Committee supports the objectives of the policy being to enhance and support the regional economy and to ensure compliance with relevant legislation and Council management practices and procedures.

RP11: Capital Works Update

The Committee discussed the current format of the Capital Works report and expressed an opinion that this format was difficult to read. The Committee requested that the Director Operations attend the ARIC May 2020 meeting to explain this new format.

RP12: Councillors Expenses and Facilities Policy

The Committee discussed this policy seeking clarification on elements of the document. The Committee provided feedback for improvement and increased clarity. These related to terminology, reimbursement timeframes and budget allocation.

Marg Nicholls

Chair

Wagga Wagga City Council Audit, Risk and Improvement Committee

25 February 2020

Financial Implications

Council has granted certain authorities to the Audit, Risk and Improvement Committee within the scope of its role and responsibilities, as defined within its Charter. As an advisory committee to Council, the Audit, Risk and Improvement Committee has no authority to action items that may have a budget and/or resource implication outside of this authority unless Council resolves to adopt the recommendations.

The Reports to the Committee considered financial implications as applicable to those individual matters.

There are no other direct budgetary implications associated with the minutes of the 20 February 2020 Audit, Risk and Improvement Committee meeting.

Policy and Legislation

Audit, Risk and Improvement Committee Charter

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 Audit, Risk and Improvement Committee assists Council by monitoring its risk exposure and determining if management systems have appropriate risk management processes in place

Internal / External Consultation

N/A

Attachments

- 1  Audit, Risk and Improvement Committee (ARIC) Minutes 20 February 2020



MINUTES of the AUDIT, RISK AND IMPROVEMENT COMMITTEE held on Thursday 20 February 2020.

PRESENT

Ms Margaret Nicholls (Chairperson)
Mr Bryce McNair
Mr Adrian Lindner
Mr David Rosetta
Councillor D Tout – for R-1 to RP-9 (inclusive)
Councillor R Kendall
Councillor Y Braid

IN ATTENDANCE

Councillor Mayor Greg Conkey – for RP-1 to RP-6 (inclusive)	
Director, Financial Audit NSW Audit Office	Lawrissa Chan
Audit Leader, Financial Audit NSW Audit Office	Michael Kharzoo
General Manager	Peter Thompson
Manager Finance	Carolyn Rodney
Manager Risk and Governance	Ingrid Hensley
Risk and Assurance Officer	Cathy Wade
Corporate Governance Coordinator	Nicole Johnson
Director Regional Activation - for RP-1	Michael Keys

APOLOGIES

Director Corporate Services	Natalie Te Pohe
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The meeting of the Audit, Risk and Improvement Committee commenced at 8:05am.

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.

MINUTES of the AUDIT, RISK AND IMPROVEMENT COMMITTEE held on Thursday 20 February 2020.

CONFIRMATION OF MINUTES

CM-1 AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

Recommendation:

On the Motion of B McNair and Councillor R Kendall

That the Minutes of the proceedings of the Audit, Risk and Improvement Committee Meeting held on 21 November 2019 be confirmed as a true and accurate record, noting that the recommendations contained in the minutes of that meeting were endorsed by Council at its Ordinary Meeting on 20 January 2020 with the following amendment:

The Committee noted that a leave of absence was granted to Councillor Dallas Tout and David Rosetta at the Audit, Risk and Improvement Committee Meeting on 10 October 2019.

CARRIED

DECLARATIONS OF INTEREST

No declarations of interest were received.

Margaret Nicholls (Chairperson) entered the meeting the time being 8:15am.

REPORTS

RP-1 EXECUTIVE PRESENTATION - DIRECTOR REGIONAL ACTIVATION

Recommendation:

On the Motion of A Lindner and D Rosetta

That the Audit, Risk and Improvement Committee note the presentation by the Director Regional Activation.

CARRIED

MINUTES of the AUDIT, RISK AND IMPROVEMENT COMMITTEE held on Thursday 20 February 2020.

RP-2 GENERAL MANAGER'S UPDATE

Recommendation:

On the Motion of D Rosetta and M Nicholls

That the Audit, Risk and Improvement Committee receive and note the report in relation the following:

- Internal Audit resourcing and timeline
- Riverina Joint Organisation
- Major Projects
- Bushfire emergency, local government response and support, acknowledging the significant contribution by Council staff in providing assistance in the emergency response
- Response to union requests, industrial matters and legal update
- Asset and infrastructure risks
- Sydney Office

CARRIED

RP-3 AUDIT OF 2019/20 FINANCIAL STATEMENTS

Recommendation:

On the Motion of D Rosetta and A Lindner

That the Audit, Risk and Improvement Committee:

- a note the NSW Audit Office's schedule for the audit of the 2019/20 Financial Statements
- b receives a presentation from the NSW Audit Office on the Annual Engagement Plan for the audit of the 2018/19 Financial Statements

CARRIED

MINUTES of the AUDIT, RISK AND IMPROVEMENT COMMITTEE held on Thursday 20 February 2020.

RP-4 DECEMBER 2019 QUARTERLY BUDGET REVIEW

Recommendation:

On the Motion of Councillor D Tout and M Nicholls

That the Audit, Risk and Improvement Committee note the Quarterly Budget Review for the quarter ended 31 December 2019 reported to Council at the 20 January 2020 Council meeting.

CARRIED

RP-5 FRAUD ACTION PLAN

Recommendation:

On the Motion of D Rosetta and Councillor D Tout

That the Audit and Risk Committee:

- receive and note the report
- provide an update to the next meeting on unresolved items from the Fraud Action Plan 2019 that require further review
- receive the Fraud Action Plan 2020 at the May 2020 Meeting

CARRIED

RP-6 PEOPLE & CULTURE UPDATE

Recommendation:

On the Motion of Councillor D Tout and D Rosetta

That the Audit, Risk and Improvement Committee receive and note the People and Culture update and request statistics be provided on a rolling basis for comparative purposes.

CARRIED

The Mayor, Greg Conkey OAM vacated the meeting the time being 9:00am.

MINUTES of the AUDIT, RISK AND IMPROVEMENT COMMITTEE held on Thursday 20 February 2020.

RP-7 GOVERNANCE AND RISK UPDATE

Recommendation:

On the Motion of M Nicholls and D Rosetta

That the Audit, Risk and Improvement Committee receive and note this Report.

CARRIED

RP-8 INTERNAL AUDIT UPDATE

Recommendation:

On the Motion of M Nicholls and A Lindner

That the Audit, Risk and Improvement Committee:

- a note the current reduced capacity of internal audit which is reflected in the level of current activity and review
- b note the steps being undertaken to secure a dedicated internal audit resource
- c request responsible officers identified in the Internal Audit Issues and Agreed Actions Register closely review each recommendation and provide an appropriate update to the May 2020 meeting

CARRIED

RP-9 ARIC ACTIONS REGISTER

Recommendation:

On the Motion of Councillor R Kendall and A Lindner

That the Audit, Risk and Improvement Committee receive and note the report.

CARRIED

Councillor Dallas Tout vacated the meeting the time being 10:00am.

MINUTES of the AUDIT, RISK AND IMPROVEMENT COMMITTEE held on Thursday 20 February 2020.

**RP-10 PROPOSED DEVELOPMENT OF A DRAFT REGIONAL
PROCUREMENT PREFERENCE POLICY**

Recommendation:

On the Motion of B McNair and Councillor Y Braid

That the Audit, Risk and Improvement Committee:

- a receive and note the report and note suggested amendments**
- b note the workshop held with Councillors on 9 December 2019 and the subsequent Council report presented on 20 January 2020 including the recommendations made by Council**
- c recommends to Council that:**
 - i Council endorse the draft Regional Procurement Preference Policy – POL064 and place on public exhibition for a period of 28 days and invite public submissions for a period of 42 days on the draft Regional Procurement Preference Policy – POL064**
- d note that the Council will receive a further report following the public exhibition and submission period:**
 - i addressing any submission made in respect of the draft Regional Procurement Preference Policy – POL064**
 - ii proposing adoption of the Policy unless there are any recommended amendments deemed to be substantial and requiring a further public exhibition period**

CARRIED

RP-11 CAPITAL WORKS UPDATE

Recommendation:

On the Motion of Councillor Y Braid and B McNair

That the Audit, Risk and Improvement Committee:

- a note the contents of the report**
- b request attendance by the Director Operations at the May 2020 meeting to provide an update on the capital works program**

CARRIED

MINUTES of the AUDIT, RISK AND IMPROVEMENT COMMITTEE held on Thursday 20 February 2020.

RP-12 COUNCILLORS EXPENSES AND FACILITIES POLICY - POL 025

Recommendation:

On the Motion of A Lindner and B McNair

That the Audit, Risk and Improvement Committee:

- a review and endorse the changes to Councillor Expenses and Facilities Policy (currently Payment of Expenses and Provision of Facilities to Councillors) - POL 025**
- b note comments made by the committee in regards to reimbursement timeframes, budget allocation and available facilities**

CARRIED

QUESTIONS WITH NOTICE

No Questions With Notice were received.

The Audit, Risk and Improvement Committee rose at 10:37am.

QUESTIONS/BUSINESS WITH NOTICE

CONFIDENTIAL REPORTS**CONF-1 RFT2020-16 ENTWINE LANDSCAPING DESIGN AND CONSTRUCT****Author:** Thomas Lemerle**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.

CONF-2 RFT2020-25 ROAD PAVEMENT MATERIAL SUPPLY**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.

CONF-3 FOREST HILL TENNIS COURTS

Author: Dianne Wright

Director: Michael Keys

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: -

- (b) discussion in relation to the personal hardship of a resident or ratepayer.

CONF-4 CODE OF CONDUCT MATTER**Author:** Ingrid Hensley**General Manager:** Peter Thompson

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: -

- (i) alleged contraventions of any code of conduct requirements applicable under section 440.

MINUTES of the ORDINARY MEETING OF COUNCIL held on Monday 24 February 2020.

PRESENT

The Mayor, Councillor Greg Conkey OAM
Councillor Yvonne Braid OAM
Councillor Dan Hayes
Councillor Vanessa Keenan
Councillor Rod Kendall
Councillor Tim Koschel
Councillor Kerry Pascoe
Councillor Dallas Tout

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)
Director Regional Activation	(Mr M Keys)
Manager Audit, Risk & Governance	(Ms I Hensley)
Manager Finance	(Mrs C Rodney)
Manager Corporate Strategy & Communications	(Mr S Gray)
Manager Operations	(Mr S Otieno)
Manager Technical & Strategy	(Mr P Ross)
Corporate Governance Coordinator	(Mrs N Johnson)
Communications & Engagement Officer	(Mr S Shaw)
Communications & Engagement Officer	(Mrs M Schoonmaker)
Governance Officer	(Ms B King)

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.

This is page 1 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **24 FEBRUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 24 February 2020**.

APOLOGIES

An apology for non-attendance was received and accepted for Councillor P Funnell on the Motion of Councillors R Kendall and K Pascoe.

CARRIED

PROCEDURAL MOTION - LEAVE OF ABSENCE

20/054 RESOLVED:

On the Motion of Councillors D Hayes and R Kendall

That Council grant a leave of absence to Councillor T Koschel for Monday, 30 March 2020 (inclusive).

CARRIED

CONFIRMATION OF MINUTES

CM-1 ORDINARY COUNCIL MEETING - 10 FEBRUARY 2020

20/055 RESOLVED:

On the Motion of Councillors D Hayes and T Koschel

That the Minutes of the proceedings of the Ordinary Council Meeting held on 10 February 2020 be confirmed as a true and accurate record.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Y Braid OAM
G Conkey OAM
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe
D Tout

Against the Motion

This is page 2 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **24 FEBRUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 24 February 2020**.

DECLARATIONS OF INTEREST

Councillor T Koschel declared a Non-Significant, Non-Pecuniary Interest in RP-2 FINANCIAL PERFORMANCE REPORT AS AT 31 JANUARY 2020 the reason being that his workplace is named in the report and remained in the chamber during its consideration.

Councillor R Kendall declared a Significant, Non-Pecuniary Interest in CONF-1 RFT2020-09 BOLTON PARK AMENITIES BUILDING DESIGN & CONSTRUCT the reason being that the owner of one of the tenderers is a business associate of his and vacated the chamber during its consideration.

Councillor D Tout declared a Non-Significant, Non-Pecuniary Interest in RP-1 PLANNING PROPOSAL (LEP19/0007) TO AMEND THE MINIMUM LOT SIZE FOR LOT 176, TUMBARUMBA ROAD, LADYSMITH the reason being that the proponent is a colleague at his workplace and vacated the chamber during its consideration.

PROCEDURAL MOTION - CHANGE OF STANDING ORDERS

20/056 RESOLVED:

On the Motion of Councillors D Hayes and V Keenan

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

CARRIED

PROCEDURAL MOTION - ENGLOBO

20/057 RESOLVED:

On the Motion of Councillors R Kendall and T Koschel

That the standing orders be varied for the meeting as set out hereunder:

- Items where councillors wish to speak
- Items where no councillors wish to speak
- Confidential
- Matter of urgency
- Closure of Meeting

That RP-2, RP-4 to RP-6, RP-11, RP-12, CONF-2 to CONF-4 be adopted as recommended in the business papers.

CARRIED

This is page 3 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **24 FEBRUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 24 February 2020**.

MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

**NOM-1 NOTICE OF MOTION - ADULT LAYDOWN CHANGE FACILITIES
ALONG NSW HIGHWAYS**

20/058 RESOLVED:

On the Motion of The Mayor, Councillor G Conkey OAM and Councillor D Hayes

That Council:

- a write a letter to the NSW Minister for Families, Communities and Disability Services, the Minister for Transport and Roads and the Shadow Minister for Disability Inclusion, to call upon the State Government to fund adult laydown change facilities along NSW highways
- b advocate for the National Construction Code to include laydown change facilities as a requirement at major highway service centres

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Y Braid OAM
G Conkey OAM
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe
D Tout

Against the Motion

REPORTS FROM STAFF

**RP-1 PLANNING PROPOSAL (LEP19/0007) TO AMEND THE MINIMUM LOT
SIZE FOR LOT 176, TUMBARUMBA ROAD, LADYSMITH**

Councillor D Tout declared a Non-Significant, Non-Pecuniary Interest and vacated the chamber, the time being 6:24pm.

20/059 RESOLVED:

On the Motion of Councillors T Koschel and K Pascoe

That Council:

- a note the results of the exhibition period for planning proposal LEP19/0007
- b adopt planning proposal LEP19/0007 to amend the Wagga Wagga Local Environmental Plan 2010

This is page 4 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **24 FEBRUARY 2020**.

.....MAYORGENERAL MANAGER

MINUTES of the ORDINARY MEETING OF COUNCIL held on Monday 24 February 2020.

- c gazette the plan and notify NSW Department of Planning, Industry and Environment of the decision

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

Y Braid OAM
G Conkey OAM
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe

Councillor D Tout re-entered the chamber, the time being 6.25pm.

RP-2 FINANCIAL PERFORMANCE REPORT AS AT 31 JANUARY 2020

20/060 RESOLVED:

On the Motion of Councillors R Kendall and T Koschel

That Council:

- a approve the Potential Projects outlined within the report to be included in the 2019/20 and 2020/21 Capital Works Delivery Program
- b approve the proposed 2019/20 budget variations for the month ended 31 January 2020 and note the forecasted balanced budget position presented
- c note the Responsible Accounting Officer's reports, in accordance with the Local Government (General) Regulation 2005 (Part 9 Division 3: Clause 203) that the financial position of Council is satisfactory having regard to the original estimates of income and expenditure and the recommendations made above
- d note the details of the external investments as at 31 January 2020 in accordance with section 625 of the Local Government Act 1993

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Against the Motion

Y Braid OAM
G Conkey OAM
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe
D Tout

This is page 5 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **24 FEBRUARY 2020**.

.....**MAYOR** **GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 24 February 2020**.

RP-3 SECTION 356 FINANCIAL ASSISTANCE REQUESTS - FEBRUARY 2020

20/061 RESOLVED:
On the Motion of Councillors D Tout and D Hayes

That Council:

- a** in accordance with Section 356 of the Local Government Act 1993, provide financial assistance to the following:
 - i** Wagga Basketball Association - \$116 (Request 1)
 - ii** Wagga Mardi Gras - \$625 (Request 2)
 - iii** Wagga Seventh Day Adventist Church - \$480 (Request 3)
 - iv** Southern Cross Austero -\$95 (Request 4)
 - v** Department of Communities and Justice \$1,812 (Request 5)
- b** note the remaining budget available for financial assistance requests for the 2019/2020 financial year

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Y Braid OAM
G Conkey OAM
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe
D Tout

Against the Motion

RP-4 PROPOSED TELECOMMUNICATIONS TOWER LICENCE TO THE NSW GOVERNMENT TELECOMMUNICATIONS AUTHORITY

20/062 RESOLVED:
On the Motion of Councillors R Kendall and T Koschel

That Council:

- a** enter into a licence agreement with the NSW Government Telecommunications Authority as follows;
 - i** Property – Mount Flakney tower (Lot 7300 DP 1157647)

This is page 6 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **24 FEBRUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the ORDINARY MEETING OF COUNCIL held on Monday 24 February 2020.

- ii Duration – twenty years comprising four consecutive five year agreements
- iii Initial Annual Rental: \$4,060
- b delegate authority to the General Manager or their delegate to complete and execute any necessary documents on behalf of the Council
- c authorise the affixing of Council's common seal to all relevant documents as required

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Y Braid OAM
G Conkey OAM
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe
D Tout

Against the Motion

RP-5 LLOYD ROAD REHABILITATION - ADDITIONAL FUNDING REQUEST

20/063 RESOLVED:

On the Motion of Councillors R Kendall and T Koschel

That Council:

- a receives and notes the contents of this 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
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe
D Tout

Against the Motion

This is page 7 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **24 FEBRUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 24 February 2020**.

**RP-6 RESETTING OF CAPITAL WORKS PROGRAM FOR 2019/20 AND
PROPOSED CAPITAL WORKS PROGRAM FOR 2021/30 LONG TERM
FINANCIAL PLAN**

20/064 RESOLVED:

On the Motion of Councillors R Kendall and T Koschel

That Council:

- a note the contents of the report
- b approve the reset Capital Works Program for 2019/20, including the proposed budget variations
- c approve the proposed Capital Works Program for 2020/21, including the proposed adjustments to the 2021/30 Long Term Financial Plan

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Y Braid OAM
G Conkey OAM
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe
D Tout

Against the Motion

RP-7 RESPONSE TO NOTICE OF MOTION - TRAFFIC RELATED MATTERS

20/065 RESOLVED:

On the Motion of Councillors D Hayes and V Keenan

That Council:

- a acknowledge its resolution, from the Ordinary Meeting on 29 January 2019, to improve its approach on traffic related matters
- b establish a separate committee for the above purpose in accordance with NSW Roads Act 1993 subject to:
 - i a workshop being held by the end of April 2020 amongst relevant Council staff and RMS representative to:
 - nominate members and formalise the structure of the committee
 - discuss committee and member responsibilities
 - assign reporting protocols

This is page 8 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **24 FEBRUARY 2020**.

.....**MAYOR** **GENERAL MANAGER**

MINUTES of the ORDINARY MEETING OF COUNCIL held on Monday 24 February 2020.

- schedule meetings dependent on LTC meeting schedule and meeting formats to review planning and development proposals
 - establish referral timeframes for general LTC matters
 - establish anticipated turnaround period for non – LTC matters
- c no later than the end of May 2020 receive a further report outlining the consensus of the Workshop and a draft Terms of Reference for the Committee

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Y Braid OAM
G Conkey OAM
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe
D Tout

Against the Motion

RP-8 2020 AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION ANNUAL CONFERENCE

20/066 RESOLVED:

On the Motion of Councillors V Keenan and R Kendall

That Council:

- a consider Council representation at the 2020 Annual Australian Local Government Women's Association (ALGWA) Conference to be held from Thursday 26 to Saturday 28 March 2020 in Shellharbour
- b appoint one Councillor as Council's delegate to attend the ALGWA Conference

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Y Braid OAM
G Conkey OAM
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe
D Tout

Against the Motion

This is page 9 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **24 FEBRUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 24 February 2020**.

Councillor V Keenan was nominated by Councillor R Kendall.

Councillor V Keenan accepted the nomination.

Councillor Y Braid was nominated by Councillor K Pascoe.

Councillor Y Braid accepted the nomination.

Councillor V Keenan was duly elected to be the Councillor representative at the 2020 Australian Local Government Women's Association Annual Conference.

RP-9 NATIONAL GENERAL ASSEMBLY - CALL FOR MOTIONS

20/067 RESOLVED:

On the Motion of Councillors D Tout and D Hayes

That Council:

- a endorse submitting a motion/s to the National General Assembly of Local Government Annual Conference on 14 to 17 June 2020**
- b nominate one alternate Councillor to attend the conference if the Mayor is unavailable**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Y Braid OAM
G Conkey OAM
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe
D Tout

Against the Motion

Councillor T Koschel was nominated by Councillor D Hayes.

Councillor T Koschel accepted the nomination.

Councillor T Koschel was elected to attend the 2020 National General Assembly of Local Government Annual Conference if the Mayor is unavailable.

This is page 10 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **24 FEBRUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 24 February 2020**.

**RP-10 COUNCILLOR INDUCTION AND PROFESSIONAL DEVELOPMENT
POLICY - POL 113**

20/068 RESOLVED:

On the Motion of Councillors V Keenan and R Kendall

That Council:

- a endorse the draft Councillor Induction and Professional Development Policy (POL 113), that is to be placed on public exhibition for a period of 28 days from 25 February 2020 to 26 March 2020 and invite public submissions until the 11 April 2020 on the draft Policy
- b receive a further report following the public exhibition and submission period:
 - i addressing any submissions made in respect of the proposed Councillor Induction and Professional Development Policy (POL 113)
 - ii proposing adopting of the Policy unless there are any recommended amendments deemed to be substantial and requiring a further public exhibition period

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Y Braid OAM
G Conkey OAM
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe
D Tout

Against the Motion

This is page 11 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **24 FEBRUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 24 February 2020**.

RP-11 WAGGA WAGGA CITY COUNCIL PARTICPATION IN MARDI GRAS 2020

20/069 RESOLVED:
On the Motion of Councillors R Kendall and T Koschel

That Council:

- a endorse the entry of a Wagga Wagga City Council float in the Mardi Gras 2020 at the request of Council staff**
- b approve the budget variation 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
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe
D Tout

Against the Motion

RP-12 RESPONSE TO QUESTIONS/BUSINESS WITH NOTICE

20/070 RESOLVED:
On the Motion of Councillors R Kendall and T Koschel

That Council receive and note the report.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion
Y Braid OAM
G Conkey OAM
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe
D Tout

Against the Motion

This is page 12 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **24 FEBRUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the ORDINARY MEETING OF COUNCIL held on Monday 24 February 2020.

QUESTIONS/BUSINESS WITH NOTICE

The following Questions/Business with Notice will be addressed in the next available Business paper:

1. Councillor D Hayes and The Mayor, Councillor G Conkey OAM congratulated organisers and everyone involved in the Junior State Cup Touch carnival held over the weekend. The Mayor, Councillor G Conkey OAM also passed on his congratulations to Council staff for the quality of the grounds, they are first class.
2. Councillor V Keenan stated that shade and amenities are being destroyed from street tree pruning by Essential Energy contactors and requested that Council advocate for quality control to be undertaken on the work of these contractors.
3. Councillor V Keenan requested an update on the status of the resolution of her Notice of Motion - Advocacy Plan adopted at Council on 12 August 2019. Councillor V Keenan asked when this will be drafted and coming back to Council.
4. Councillor R Kendall made a public announcement on behalf of the Snowy Valleys Council, notifying all that the official opening of the Tumbarumba to Rosewood Rail Trail will be held on Saturday, 4 April 2020 and encouraged the community, Councillors and Council staff to attend this great event.
5. Councillor T Koschel requested advice on any further updates on the bus interchange plans located at the Lutheran Primary School.
6. Councillor D Tout assisted with hosting the Rotary Peace Awards on behalf of the Mayor which was held Sunday, 23 February 2020. He had the pleasure of announcing Wagga Wagga City Council's nominee for the award this year, which was Jan Roberts. With an attendance of about 100 to 150 people, Jan's discussion was focused around domestic violence and the statistics on how bad domestic violence is in Wagga Wagga. Council D Tout requested if Council can put an article in our Council news this weekend regarding Jan's interview. The Mayor, Councillor G Conkey also congratulated Jan on receiving her award.

CLOSED COUNCIL

20/071 RESOLVED:

On the Motion of Councillors T Koschel and D Tout

That the Council now resolve itself into a Closed Council, the time being 6.48pm.

CARRIED

This is page 13 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **24 FEBRUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the ORDINARY MEETING OF COUNCIL held on Monday 24 February 2020.

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

CONFIDENTIAL REPORTS

CONF-1 RFT2020-09 BOLTON PARK AMENITIES BUILDING DESIGN & CONSTRUCT

Councillor R Kendall declared a Significant, Non-Pecuniary Interest and vacated the chamber, the time being 6:50pm.

20/072 RESOLVED:

On the Motion of Councillors T Koschel and D Tout

That Council:

- a in accordance with Clause 178 of the Local Government (General Regulation) 2005, decline all tenders for the RFT2020-09 Bolton Park Amenities D&C
- b pursuant to clause 178(3)(e) authorise the General Manager or their delegate to enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the design and construction of the Bolton Park Amenities Building
- c note the reason for entering into negotiations is that the evaluation has identified inconsistencies between the offer(s) and Council's tender requirements. The reason Council is not inviting fresh applications is that negotiation is expected to produce a satisfactory offer
- d authorises the General Manager or their delegate to enter into a contract, using Council's Common Seal if required, should negotiations be successful

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Y Braid OAM
G Conkey OAM
D Hayes
V Keenan
T Koschel
K Pascoe
D Tout

Against the Motion

Councillor R Kendall re-entered the Chamber, the time being 6.51pm.

This is page 14 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **24 FEBRUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 24 February 2020**.

CONF-2 RFT2020-10 PROVISION OF INTERNAL AUDIT SERVICES

20/073 RESOLVED:

On the Motion of Councillors R Kendall and T Koschel

That Council in accordance with Clause 178(1)(b) of the Local Government (General Regulation) 2005 (LG Regulation), decline to accept any of the tenders submitted in response to RFT2020-10 Provision of Internal Audit Services.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Y Braid OAM
G Conkey OAM
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe
D Tout

Against the Motion

CONF-3 PROPOSED INTERNAL LOAN FROM SEWER FUND

20/074 RESOLVED:

On the Motion of Councillors R Kendall and T Koschel

That Council:

- a delegate authority to the General Manager or their delegate to accept the amended conditions imposed by the Office of Local Government under Section 410(4) of the Local Government Act 1993, as outlined within this report
- b approve the budget variations as detailed in the Financial Implications section of this report

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Y Braid OAM
G Conkey OAM
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe
D Tout

Against the Motion

This is page 15 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **24 FEBRUARY 2020**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 24 February 2020**.

CONF-4 PROPOSED WRITE OFF OF UNRECOVERABLE DEBT OWED TO COUNCIL

20/075 RESOLVED:

On the Motion of Councillors R Kendall and T Koschel

That Council approve the write off of \$51,533.62 for general debtor account number 110088, in accordance with the Local Government (General) Regulation 2005 Section 213(5)(c).

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

Y Braid OAM

G Conkey OAM

D Hayes

V Keenan

R Kendall

T Koschel

K Pascoe

D Tout

Against the Motion

REVERSION TO OPEN COUNCIL

20/076 RESOLVED:

On the Motion of The Mayor, Councillor G Conkey OAM

That this meeting of the Closed Council revert to an open meeting of the Council, the time being 6.51pm.

CARRIED

THIS COMPLETED THE BUSINESS OF THE COUNCIL MEETING WHICH ROSE AT 6.53pm.

.....
MAYOR

This is page 16 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **24 FEBRUARY 2020**.

.....MAYORGENERAL MANAGER