



Agenda and Business Paper

Ordinary Meeting of Council

To be held on
Monday 13 October 2025
at 6:00 PM

Civic Centre cnr Baylis and Morrow Streets,
Wagga Wagga NSW 2650 (PO Box 20)
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NOTICE OF MEETING

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

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



Peter Thompson
General Manager

WAGGA WAGGA CITY COUNCILLORS



Councillor Dallas Tout (Mayor)

Councillor Dallas Tout was elected to Council in 2012 and was elected Mayor in 2022.



Councillor Georgie Davies (Deputy Mayor)

Councillor Georgie Davies was elected to Council in 2021 and was elected as Deputy Mayor in 2024.



Councillor Allana Condron

Councillor Allana Condron was elected to Council in 2024.



Councillor Richard Foley

Councillor Richard Foley was elected to Council in 2021.



Councillor Tim Koschel

Councillor Tim Koschel was elected to Council in 2016.



Councillor Jenny McKinnon

Councillor Jenny McKinnon was elected to Council in 2021 and was Deputy Mayor between 2022 and 2023.



Councillor Amelia Parkins

Councillor Amelia Parkins was elected to Council in 2021 and was Deputy Mayor between 2023 and 2024.



Councillor Karissa Subedi

Councillor Karissa Subedi was elected to Council in 2024.



Councillor Lindsay Tanner

Councillor Lindsay Tanner was elected to Council in 2024.

STATEMENT OF ETHICAL OBLIGATIONS

Councillors are reminded of their Oath or Affirmation of Office made under Section 233A of the Local Government Act 1993 and their obligation under Council's Code of Conduct to disclose and appropriately manage Conflicts of Interest.

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.

ORDINARY MEETING OF COUNCIL AGENDA AND BUSINESS PAPER

MONDAY 13 OCTOBER 2025

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ACKNOWLEDGEMENT OF COUNTRY

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

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

REFLECTION

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

APOLOGIES

CONFIRMATION OF MINUTES

CM-1 ORDINARY COUNCIL MEETING - 22 SEPTEMBER 2025

Recommendation

That the Minutes of the proceedings of the Ordinary Council Meeting held on 22 September 2025 be confirmed as a true and accurate record.

Attachments

1   Minutes - Ordinary Council Meeting held 22 September 2025 106

DECLARATIONS OF INTEREST

MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN**NOM-1 NOTICE OF MOTION - ESTABLISHMENT OF AIRPORT SPECIAL PURPOSE COMMITTEE**

Author: Councillor Richard Foley
Councillor Tim Koschel
Councillor Jenny McKinnon
Councillor Amelia Parkins
Councillor Lindsay Tanner

Summary: That Wagga Wagga City Council establish a time-limited Special Purpose Committee to provide structured oversight, community engagement, and expert advice in relation to the lease of the Wagga Wagga Airport negotiations, compliance obligations, capital works planning, and the strategic future of the airport. The Committee may also recommend the engagement of an independent aviation/airport consultant or specialist with extensive experience in airport operations and development to support its work.

Recommendation

That Council:

- a receives a report within two weeks setting out the process to implement a Wagga Wagga Airport Special Purpose Committee
- b resolve that all further lease negotiations be suspended until the Committee is convened and has advised on the best way forward
- c establishes the Committee pursuant to Sections 355 of the Local Government Act 1993 (NSW)
- d adopt the Terms of Reference for the Committee as set out in the body of the report
- e determines that the first meeting must be convened no later than November 2025
- f determines that the Committee shall operate for a maximum period ending 1 July 2026, unless extended by resolution of Council

Report

For many years, Wagga Wagga City Council has endeavoured to secure a renewal of the lease of the civilian part of the Wagga Wagga Airport.

The airport is owned by the Commonwealth Government and is an asset in the Defence portfolio. All but two of the NSW regional airports were transferred to Local Government about 30 years ago.

The two airports which were not transferred were Wagga and Williamtown as these were both active RAAF bases at the time and they continue to be active bases.

Wagga was given a lease of the airport and under the lease the Wagga Community pays Defence about \$200,000 per year and also maintains the assets at the airport such as the runway, terminal, landing lights etc.

Williamstown airport is an active base for flight operations by RAAF and as such receives extensive Commonwealth funding for maintenance of the airport assets. It also provides services to in excess of one million passengers per year and so delivers significant income from passenger charges. In contrast Wagga airport is not used by the RAAF for flight operations and so receives very little support from the Commonwealth to fund the assets. Similarly, the passenger numbers for Wagga are far less than Williamstown and so the income from providing the service is also less.

Notwithstanding the financial context of our airport, as a community we have been able to provide a broad range of services to passengers, the health sector, the education sector, the business community and emergency services.

The lease expires in June next year (2026) and Council were requested to put forward a submission which details the future of the airport if Council was the tenant and the key terms we were seeking. Importantly for Defence the submission needed to confirm the lease was cost neutral for Defence meaning Council had to accept sole liability for both maintenance at renewal/replacement of the capital assets.

The Council submission has been lodged in accordance with this request.

The purpose of this Notice of Motion is to initiate the formation of a Council Committee to oversee the next steps in the process.

If Defence rejects the Council submission, the Commonwealth Government is proposing to go to a public Expression of Interest process which may see this vital community infrastructure, key to our whole region, privatised for profit. If this occurs the Committee needs to be in place to guide the Council response to an event which will harm our region for generations.

If the submission is accepted, the Committee will be equally valuable to provide input into the future of the airport and delivery of high-quality service to our region on a not-for-profit basis.

The formation of the Committee is recommended to Council to ensure elected members have clear oversight and responsibility for the key strategy, policy and financial decisions to be made over the coming months.

Proposed Terms of Reference

Wagga Wagga Airport Special Purpose Committee

1. Purpose

The Committee is established to provide structured oversight, expert advice, and community engagement in relation to governance, lease negotiations, compliance obligations, capital works planning, and the strategic options for the future of Wagga Wagga City Airport.

2. Objectives

- 2.1 Examine and make recommendations on immediate compliance upgrades and long-term redevelopment options.
- 2.2 Provide guidance on lease negotiations with the Commonwealth Department of Defence and other stakeholders.

- 2.3 Engage with airlines, freight operators, emergency services, Defence, and relevant government agencies to ensure coordinated planning.
- 2.4 Recommend whether Council should engage independent aviation consultants or project specialists to support decision-making.
- 2.5 Consider all strategic options for the Airport, including retention, lease, partnerships, or divestment.
- 2.6 Ensure decisions are transparent, evidence-based, and in the best interests of the community.

3. Authority

- 3.1 The Committee is an advisory body established under Sections 355, 360, and 362 of the Local Government Act 1993 (NSW).
- 3.2 It does not have decision-making powers but may make formal recommendations to Council.
- 3.3 Council retains full authority to determine all final outcomes.

4. Membership

- 4.2 The Mayor
- 4.3 Three Councillors appointed by Council resolution
- 4.4 Council Staff:
 - General Manager (or delegate)
 - Executive Manager, Regional Activation – Projects (Airport portfolio lead)
 - Council Projects Manager
- 4.5 External Members: Up to five individuals with expertise in aviation, infrastructure, regional development, or community leadership.
- 4.6 Observers: State and Federal Members of Parliament for the Riverina region, or their Delegate, may be invited to attend in a non-voting capacity.

5 Chairperson

The Chairperson shall be elected by the Committee at its first meeting from among the appointed Councillor members.

6 Meetings

- 6.1 Meetings shall be conducted in accordance with Council's Code of Meeting Practice.
- 6.2 The Committee shall meet at least once every two months, or as required to meet deadlines for lease and capital works considerations.
- 6.3 A quorum shall consist of a majority of the appointed voting members.
- 6.4 The first meeting must be held no later than November 2025.

7 Conflict of Interest & Stakeholder Input

- 7.1 All voting members of the Committee are bound by Council's Code of Meeting Practice in relation to conflicts of interest.
- 7.2 The Committee may invite stakeholders (including airlines, Defence, freight operators, and industry participants) to attend meetings or contribute to specific agenda items in a non-voting capacity.
- 7.3 Appointed external members who declare a conflict may, with the Chair's approval, remain present to provide factual evidence or specialist knowledge, provided they do not participate in deliberations or voting.

- 7.4 This arrangement ensures the Committee can receive necessary industry input while maintaining compliance and transparency.

8 Reporting

- 8.1 The Committee will provide a Final Report with recommendations to Council no later than 18 May 2026.
- 8.2 Minutes of all meetings shall be recorded and tabled at Council meetings for transparency.

9 Transparency and Engagement

- 9.1 The Committee may invite subject matter experts to present advice and evidence.
- 9.2 Community and stakeholder engagement shall be coordinated through structured consultation as determined by the Committee.
- 9.3 Agendas and minutes shall be published on Council's website, except where confidential matters are discussed.

10 Term of Operation

The Committee will automatically dissolve on 1 July 2026, unless extended by resolution of Council. Extension beyond this date may only occur by a formal Council vote.

Financial Implications

There are no financial implications in preparing this notice of motion and subsequent report. Internal resources will be utilised to run and coordinate the committee.

Policy and Legislation

Code of Meeting Practice

Link to Strategic Plan

Regional Leadership

Vision for the future

Adopt a sound approach to strategic planning to ensure that we are preparing for future growth requirements of the city.

Risk Management Issues for Council

N/A

Internal / External Consultation

N/A

NOM-2 NOTICE OF MOTION – TRANSITIONAL HOUSING PILOT PROGRAM (12 UNITS)

Author: Councillor Richard Foley

Summary:

The purpose of this Notice of Motion is for Council to investigate and pursue a pilot program of 12 transitional housing units utilising rapid-deployment, modular or retrofitted structures to address homelessness in the city. The initiative is to be supported by State and Federal Government funding, with Council's contribution limited to in-kind facilitation, land allocation or access to Crown land.

Recommendation

That Council:

- a receive a report within six months on the feasibility of establishing a 12-unit transitional housing pilot program in Wagga Wagga, utilising rapid-deployment structures, including but not limited to:
 - i OPods (retrofitted concrete pipes).
 - ii Shipping containers converted for residential use.
 - iii Modular/tiny homes or prefabricated cabins.
 - iv Other low-cost demountable housing options.
- b request the report address:
 - i Potential Council-owned or Crown land sites suitable for deployment.
 - ii Cost estimates for capital and ongoing operations.
 - iii Service requirements (water, sewer, electricity).
 - iv Options for tenancy management and support service partnerships with NGOs.
 - v Risk management considerations and compliance pathways (planning, health, safety).
 - vi Potential external funding streams, including but not limited to NSW and Federal Government programs, NGOs, philanthropic sources, and large project operators such as Inland Rail and HumeLink under their community and social licence obligations.
 - vii Confirmation that Council's role is limited to in-kind contributions, with no financial contribution from ratepayer funds toward construction or operations.
- c write to The Hon. Rose Jackson, MLC (Minister for Housing, Minister for Homelessness, Minister for Water, Minister for Mental Health and Minister for Youth) to:
 - i advise them of Council's consideration of a 12-unit transitional housing pilot initiative; and
 - ii seek feedback on the concept, including potential opportunities for co-funding, policy support and collaboration.

Report

Homelessness is a visible and growing challenge in Wagga Wagga. Increasing numbers of residents are resorting to unsafe or costly measures such as repeated emergency service callouts, hospital presentations, or minor offending in order to secure shelter. This cycle imposes a significant and unnecessary burden on police, ambulance, emergency departments, and the courts, while failing to provide dignity or pathways to recovery for those affected.

This Notice of Motion demonstrates Council's leadership, empathy, and moral responsibility to address homelessness in a practical and cost-effective way. By examining transitional housing models such as OPods, converted shipping containers, and modular prefabricated cabins, Council can test innovative solutions that:

- Provide immediate, safe, and dignified short-term shelter.
- Reduce visible rough sleeping and improve community safety.
- Relieve pressure on emergency services and justice systems.
- Deliver taxpayer savings compared to the cost of repeated policing, hospitalisation, and incarceration.
- Create a pathway for individuals to transition into permanent housing with support services.

Transitional housing units under this model are intended as compact one-bedroom dwellings. While not large, each unit can be designed to include a small bathroom and kitchenette, ensuring that residents have dignity, privacy, and basic self-sufficiency during their short stay.

These units are not intended for long-term accommodation but as a safe stepping stone. It is intended that residents would also have access to wraparound services to help them stabilise and transition into more permanent housing and greater independence.

Ultimately, such an investment would save the taxpayer far more than it would cost to establish, by reducing reliance on policing, courts, jails, and hospitals as default responses to homelessness.

The initiative also provides scope for funding partnerships beyond Government and NGOs, including major infrastructure project operators such as Inland Rail or HumeLink, who have established community benefit obligations and may be approached to co-fund innovative transitional housing solutions as part of their social licence commitments.

A pilot program of 12 units, located on a suitable serviced site, would enable the city to test this model at scale, measure outcomes, and demonstrate to other regional centres how local government can play a constructive role without overstepping its financial remit.

Financial Implications

There are no financial implications associated with the preparation of the requested report. The work will be undertaken utilising existing staff and organisational resources.

Policy and Legislation

Wagga Wagga Code of Meeting Practice

Link to Strategic Plan

Vibrant

Reduce homelessness

Advocate for our community to access crisis accommodation and build capacity to prevent and respond to homelessness

Risk Management Issues for Council

There are no specific risks associated with preparing the report. Any risks identified through the feasibility study will be addressed in the subsequent report to Council.

Internal / External Consultation

N/A

REPORTS FROM STAFF

RP-1 REVISED ONSITE WASTEWATER MANAGEMENT STRATEGY 2025-2029 AND RISK MANAGEMENT FRAMEWORK

Author: Robert Gauci

Executive: Janice Summerhayes

Summary:

This report summarises the responses received during the public exhibition of the revised draft 'Onsite Wastewater Management Strategy 2025-2029' (the Strategy) which incorporates a Risk Management framework. The revisions in the Strategy are in response to a prior Notice of Motion and the release of new guidelines from the NSW Government. The Strategy was placed on public exhibition for 35 days from 28 July 2025 to 31 August 2025 with a total of 15 submissions received. Eleven of these were valid submissions, two stated they support another person's submission and two were invalid submissions. Council has a regulatory role for Onsite Wastewater Management as detailed in the Strategy and this report recommends the Strategy for adoption.

Recommendation

That Council:

- a receive and note the responses received during the public exhibition of the draft Onsite Wastewater Management Strategy 2025-2029
- b adopt the Onsite Wastewater Management Strategy 2025-2029

Report

Background

A review of the previous Onsite Sewage Management Plan was undertaken in 2024. At that time the only significant change to the plan was the reinstatement of inspections on properties greater than 20 hectares for septic systems across the Local Government Area (LGA) to ensure all systems meet the required performance standards. Council at its meeting on 8 April 2024 endorsed the draft 'Onsite Sewage Management Plan 2024-2028' and placed the Plan on public exhibition for a period of 28 days from 12 April 2024 to 10 May 2024, seeking public submissions. No submissions were received on the draft Plan, and it was adopted as exhibited on 11 June 2024.

On 28 October 2024 Council received a Notice of Motion related to this matter and on the motion of Councillors Tim Koschel and Lindsay Tanner (24/302) adopted to:

That Council receive a report on how this term of Council can review the On-Site Sewage Management Plan 2024-2028, including but not limited to:

- a a draft risk-based management regime for all on-site sewage management systems*
- b a comprehensive consultation program to enable the community to have input into the draft risk-based management regime*

While in the process of undertaking the above resolution, the NSW Department of Planning, Housing and Infrastructure (NSW Office of Local Government) released updated 'Onsite Wastewater Management Guidelines' for all NSW Councils in April 2025 (attached).

This was then considered as part of the Ordinary Council Meeting held on Monday 21 July 2025 where on the motion of Councillors Richard Foley and Amelia Parkins (25/200) adopted to:

That Council:

- a note the Department of Planning, Housing and Infrastructure Office of Local Government Onsite Wastewater Management Guidelines April 2025 for NSW Councils in meeting legislative requirements for the management of Onsite Wastewater Systems*
- b endorse the 'Onsite Wastewater Management Strategy 2025-2029' which has been revised to meet the NSW Office of Local Government Guidelines and includes a new Risk Management framework*
- c note the proposed engagement as detailed in this report to engage and inform on (a) and (b) of this resolution and place the documents on public exhibition for 35 days commencing 28 July and concluding 31 August 2025*
- d receive a further report after the public exhibition period:*
 - I on the engagement process and responses to the draft documents*
 - ii proposing the adoption of the 'Onsite Wastewater Management Strategy 2025-2029'*

Report

The staff report tabled to inform the 21 July 2025 Council resolution explained that the new 2025 NSW Guidelines were published to assist councils to manage and regulate Onsite Wastewater Management Systems in a systematic way that is cost-effective, consistent with regulatory standards and Government policies, and in accordance with current best practice. The revised 'Onsite Wastewater Management Strategy 2025-2029' (the Strategy) encompasses a Risk Management framework and is in line with the updated NSW guidelines.

Council is responsible for ensuring Onsite Wastewater Management Systems (OWMS) are operating effectively, which includes approval of installations, maintaining a register of systems and monitoring the effectiveness of OWMS within the LGA. This program is implemented through the Strategy and in accordance with legislative requirements under section 68 of the *Local Government Act 1993* and the *Local Government (General) Regulation 2021*. This report is attached for further detail and in summary:

The purpose of the Strategy is to comply with this legislation by:

- Managing and regulating the impact of OWMS in the Wagga Wagga LGA through efficient monitoring, regulation and community education that minimises risk to public health and the environment; and to
- Provide guidance to homeowners, applicants, installers, wastewater consultants, service technicians and developers on all aspects of OWMS.

Key differences between the 2024 adopted Plan and the publicly exhibited 2025–2029 Strategy are as follows:

- Renaming of the document and its adoption timeframe to align with the OLG 2025 Guidelines suggested terminology and structure
- Reinstatement of routine inspections for properties over 20 hectares as per legal advice to satisfy legislative requirements and address legal exposure of liability for Council.
- Inclusion of a new risk management framework to determine periods of initial licensing, inspections and re-licensing of existing systems.
- Risk category determination incorporating how a system is managed and operated in conjunction with local site conditions.
- Inclusion of an option for landholders to engage a licensed plumber or service agent to undertake some inspections instead of Council officers if they prefer.

The public exhibition period was extended past the normal 28-day period to 35 days to allow for notifications out to property owners. Council communicated the changes to the Strategy with a mechanism for residents to provide feedback. It should be noted that the change is legislative in nature and residents don't have the ability to influence change in its implementation, so the engagement approach was to 'inform' in line with Council's adopted Community Engagement Strategy.

During the public exhibition period between 28 July 2025 and 31 August 2025 the following communication activities were undertaken across the Wagga Wagga LGA. This is again referenced in the consultation section of this report.

The following activities were undertaken to inform the community of these changes:

- A Have Your Say project page detailing the changes, with a form to provide feedback.
- Addressed letters to landowners based on the Council rates database and known addresses for OWMS to advise of the changes, the public exhibition period and how to provide feedback. There were 1,868 letters with a Frequently Asked Question sheet sent to landowners, 1020 to over 20ha properties and 848 to under 20ha properties.
- Council News, which was published in the Weekend Advertiser on the following dates 2, 9, 16 and 23 August 2025 during the exhibition period.
- Inclusion in Council's EDM (Electronic Direct Mail) which is emailed every Friday, during the exhibition period.
- Inclusion in Council's social media informing the community of what is on exhibition.
- One requested face to face meeting with four community members.
- In total there were 13 phone and customer counter information engagements seeking information on the strategy, legislation, fees and licences, new plumber inspection option and specific information on the owner's current septic.

The aim of this engagement period was to:

- Present and inform stakeholders and community about the Strategy.
- Provide opportunities for stakeholders and community to participate and offer feedback.
- Collect comments and feedback to finalise the Strategy and recommend for endorsement.

During the public exhibition period and from the 1,868 letters sent to landholders Council received a total of 15 submissions, 11 of these were valid submissions, 2 stated they support another person's submission and 2 were invalid submissions. Invalid submissions typically include profanity, venting dissatisfaction and nonspecific to the consultation topic. Under a separate cover and attached to this report is every submission received through the public submission process. The table below provides a summary of the valid submissions and comments received to the draft Strategy.

Out of the submissions received, the following issues were raised:

- Cost of living impacts on landowners, how fees and charges are applied to onsite wastewater management inspections and how rural rates are applied to landowners.
- A view that landowners can self-manage their own OWMS with no need for Council to apply a preventative risk rating/approval program and hold a register for such.
- Other major state development infrastructure projects and other council services affecting landowners.
- The risk management approach to wastewater management and soil assessments relating to performance standards.

The following table summarises the valid submissions received and management's response accordingly.

Table 1: Summary table of submissions received

Number	Submission summary	Management Response and Recommendation
1	<p>Expressed concern about proposed septic inspections regulation of farmland over 20 hectares, asking when and whether decisions will be made locally or at the state level. They note a similar proposal failed years ago, possibly due to lack of council resources or legislation. The customer argues that residents with septic systems are already vigilant due to health risks. They cite recent inspections of community facilities as unnecessary and costly, with minimal benefit. Despite paying high rates, the customer receives limited services yet faces extra charges for inspections. They feel unfairly targeted despite responsibly maintaining their property and express frustration at being penalised while contributing to public health and safety. They urge decision-makers to consider the broader context and impact of these measures on rural residents.</p> <p>Not Supportive</p>	<p>The 2025–2029 Strategy is aligned with the NSW Onsite Wastewater Management Guidelines and adopts a risk-based framework for inspections. The proposal to include farmland greater than 20 hectares forms part of the overall Strategy for all landowners operating OWMS. The adoption of OWMS Strategies are made by local Councils in line with state legislation.</p> <p>Inspections are carried out under a state-mandated, risk-based framework that ensures resources are directed towards higher-risk systems, while low-risk systems (such as those well managed and with no compliance issues) may benefit from extended approval periods and reduced inspection frequency. Fees are set transparently through Council's budget process, with recognition of the financial pressures faced by landholders and community groups. Importantly, systems that are well maintained and located in low-risk areas are able to be granted longer licence periods, up to 15 years, significantly reducing inspection frequency and associated costs.</p> <p>It is acknowledged that many landholders maintain their systems diligently. Inspections are not based on an assumption of failure but provide independent verification that systems meet the statutory performance standards under the Local Government (General) Regulation 2021 and its conditions of approval under s68 of the Local Government Act 1993. This protects public health, water quality, and agriculture, while also reducing the long-term costs of system failure.</p>

Number	Submission summary	Management Response and Recommendation
		<p>Council also recognises the cost-of-living pressures faced by the community. Fees and charges are reviewed annually through Council's budget process to remain fair, transparent, and responsive to community conditions.</p> <p>No amendment recommended.</p>
2	<p>The author, a former Senior Regional Soil Surveyor, supports sustainable septic systems and proposes a risk-based inspection model using remote sensing. They recommend mapping all systems in the LGA with overlays of soil type, geology, and proximity to watercourses, then ranking them by environmental risk. Low-risk systems could be monitored via satellite, medium-risk via drone (with landowner consent), and high-risk by in-person inspection. A tiered fee structure would reflect inspection method and frequency. This approach aims to meet legislative requirements efficiently, reduce costs for Council and landowners, and focus resources on systems most likely to pose environmental risks.</p> <p>Supportive</p>	<p>The author's informed suggestions have been noted. While remote sensing and satellites offers potential, it can be prohibitively expensive to implement at scale. Currently Council uses its Intramaps system to map with environmental overlays. The current strategy already incorporates a risk-based approach, considering both environmental conditions and system functionality to ensure inspections are targeted, efficient, and fair to landowners across the region. This suggestion can be reconsidered in the 2029 review of the Strategy.</p> <p>No amendment recommended.</p>
3, 13, 14	<p>Submissions 3 & 14 are stating that they support submission 13's feedback as followed:</p> <p>The strategy is hazard-based, not risk-based, and does not reflect local conditions. No serious problems have occurred under the previous policy, showing that current risks are minimal. Rural ratepayers already fund installation, maintenance, and higher rates. Additional inspection and</p>	<p>Council is following regulations by applying a consistent, risk-based framework in its preventative approach. This aligns with the NSW Office of Local Government Guidelines and the draft Onsite Wastewater Management Strategy, which reference risk categories. Council inspects OWMS and assigns them to the appropriate risk category accordingly.</p>

Number	Submission summary	Management Response and Recommendation
	<p>licence fees are unfair. As the strategy benefits the wider community, costs should be met from council revenue. Classifying systems near water courses as “high-risk” is misleading, as farmland is rarely located to waterways and present no practical risk. Replacement costs of a septic system of around \$40,000 places an unreasonable burden on rural landholders. Claims of a 15–25-year operational life are inaccurate. With basic maintenance, systems function effectively for much longer without risk. The strategy does not allow for dwellings not permanently occupied, which should not be subject to the same compliance requirements as permanent residences. Current soil testing methods are inadequate and result in unnecessary trench construction, adding avoidable costs.</p> <p>Not supportive</p>	<p>Council sets fees annually through its budget process, with public feedback invited before adoption. These fees cover inspection costs and apply to all landowners with onsite wastewater management systems. The draft strategy and inspections aim to protect health and safety by ensuring systems function properly, and landowners are responsible for their upkeep.</p> <p>OWMS are assessed on multiple factors, not just location. Key considerations include system type and function, soil conditions, land slope, and whether effluent is discharged on or below the surface. These factors determine system performance, environmental impact, and regulatory compliance.</p> <p>The revised Onsite Wastewater Management Strategy does not set a specific life expectancy for systems, as this depends on many factors. Most systems operate effectively for 15–25 years before requiring major maintenance or sometimes replacement to meet legal standards. System failure can pose serious health and environmental risks, as effluent may still contain pollutants and pathogens. The lifespan of individual components varies by design, use, and maintenance, but all parts must function properly for the system to work.</p> <p>In the Wagga Wagga LGA, septic tanks with absorption trenches are the most common.</p> <p>The septic tank itself can often last much longer compared to other components of the system. The trenches usually last 15–25 years but may fail in as little as two years if poorly built or maintained.</p>

Number	Submission summary	Management Response and Recommendation
		<p>The 2025 NSW OLG Guidelines recommend inspection intervals of 1–10 years. Council's Strategy has instead incorporated a 1-15-year cycle, recognising the low risk of some systems and aiming to reduce unnecessary burdens on landholders.</p> <p>Council's Strategy excludes unoccupied rural dwellings, as inspections apply only to systems in use. If a dwelling is temporarily habitable, its wastewater system is inspected the same as a permanently occupied home.</p> <p>Soil types in Wagga Wagga vary with the underlying geology, influencing what activities can be done safely and sustainably. Wastewater disposal, for example, depends on soil type. Even within the same area, soils differ, and each site has its own limits. The effectiveness of a disposal area largely depends on the soil where it is built or where wastewater is dispersed, noting the type of soil is only one of the contributing factors assessed for a properly operating system.</p> <p>No amendment recommended</p>
6 & 7	<p>Statement made on seeing no reason for inspections and there being no possibility of contamination or risk to the environment, as majority of farming properties are well away from waterways, not near sensitive areas and no possibility of any of the items listed under the performance standards failing, with low occupancy on a 100-acre property and it is only used for irrigation. Areas of risk to be shown not a blanket approach.</p> <p>Not supportive</p>	<p>Council is required to carry out inspections to assess an OWMS with a view to determining the risk rating. This inspection will give council the knowledge it needs to give a risk rating and issue the appropriate approval to operate as required under Section 68 of the Local Government Act 1993 and is aligned to the April 2025 released Office of Local Government Guidelines for all NSW Councils for regulating OWMS in their LGA. The frequency of inspections is dependent upon the outcome of the initial inspection and risk assessment. For example, OWMS that have good buffer distances, are identified as having been serviced at regular intervals and are performing well, are</p>

Number	Submission summary	Management Response and Recommendation
		<p>categorised as low risk and subject to less frequent inspections by Council. As per the risk framework, a lower-risk system would have one routine Council inspection every 15 years through to medium risk and high risk with more frequent inspections.</p> <p>Inspections are not applied uniformly. Inspections for farmland over 20 hectares have been reinstated not as a blanket compliance measure, but as part of a risk-based management framework that ensures Council's program focus on properties with the highest potential for public health, environmental, and biosecurity risks, particularly those adjoining rivers, creeks, and sensitive catchments.</p> <p>No amendment recommended</p>
8	<p>Concerned about fees being placed on rural landholders and resources should be directed to other projects and initiatives in Council. Concern that rural rate payers already get limited benefits and have seen rates rise significantly in recent years, and the costs being applied to rural landholders with multiple houses on their farms. Stated that their wastewater systems have never posed any issues to others or the environment.</p> <p>Suggested that better value to all rate payers was:</p> <ul style="list-style-type: none"> • stopping Reconnecting River Country Program that will increase flooding and negatively impact hundreds of landholders • resolve Airport upgrade • progress bypass plans • continue road upgrade which have been positive in the last 2-3years 	<p>Council recognises that cost of living pressures is real and ongoing, however it is a legislative requirement that the design, installation and operation of OWMS are regulated under the NSW Local Government Act 1993. The NSW Local Government (General) Regulation 2021 sets out specific requirements for OWMS approvals and performance standards.</p> <p>The inspection program has been structured to minimise unnecessary costs, provide flexibility for landholders, and ensure that regulatory resources are directed where the risk is highest. Furthermore, recent revisions to the OWMS program provide greater flexibility for property owners. Landholders may now choose between inspections conducted by Council officers or by licensed plumbers/service agents for routine licence renewals. This can reduce costs by allowing landholders to engage a service provider they already use for system maintenance.</p>

Number	Submission summary	Management Response and Recommendation
	<p>No issues with new builds requiring systems to be installed to modern standards but was not in support of old system replacements on rural assets that have no health or environmental impacts.</p> <p>Partly supportive</p>	<p>Council inspection fees only apply for the inspection conducted and the licenced issued by Council. For example, if a premises is deemed low risk, it could be assigned a 15-year licence period. No further inspections are conducted within this period unless there is a complaint, building/ system modification or upon request for an inspection.</p> <p>This balanced approach reduces long-term costs for landholders while safeguarding community health and the environment.</p> <p>Having the proper licences and approvals can be important for home insurance and when selling the property. It demonstrates that your septic system was professionally installed and meets legal requirements. Councils also keep records of septic systems, which future buyers or builders can reference.</p> <p>How Council's rates are applied is explained in the finance section of this report as this relates across various services of Council.</p> <p>No amendment recommended.</p>
9	<p>Questioned why inspections for farmland over 20 Ha were being reinstated on a risk management framework and those with high-risk prioritised in highly sensitive areas such as along rivers and creeks or history of system issues or at their end of useful life as this was removed some years ago. Stated the cost of living and financial burden on farmers is in a variety of ways and continues to grow, along with inputs and tariffs.</p> <p>Not supportive</p>	<p>Onsite wastewater inspections are conducted in line with the <i>Local Government Act 1993</i>, Regulations, and OLG Guidelines to safeguard public health, waterways, and agriculture. Inspections are risk-based, prioritising high-risk systems in sensitive areas such as rivers and creeks. This approach ensures resources are directed where the greatest risks exist, while low-risk systems benefit from longer approval periods. Council acknowledges current cost-of-living pressures. Inspections ultimately protect landholders from higher long-term costs associated with system failures, environmental damage, and non-compliance. Inspections are not applied uniformly.</p>

Number	Submission summary	Management Response and Recommendation
		<p>Inspections for farmland over 20 hectares have been reinstated not as a blanket compliance measure, but as part of a risk-based management framework that ensures Council's program focus on properties with the highest potential for public health, environmental, and biosecurity risks, particularly those adjoining rivers, creeks, and sensitive catchments.</p> <p>The frequency of inspection is determined by the system's risk rating. Low-risk systems on suitable sites with a good compliance history are subject to longer licence periods (up to 15 years), reducing the financial burden compared to higher-risk system.</p> <p>Council has provision under <i>s608 of the Local Government Act 1993</i> to recover fees for service it provides. Council 's fees and charges are reviewed annually during Council's budgetary process and are subject to public exhibition and community input.</p> <p>No amendment recommended.</p>
10	<p>Stated happy for any inspector to come and inspect the septic system. Expressed disagreement with a fee for that inspection especially when the system is operating perfectly, in a low-risk area and it is nowhere near a flood plain or any water course and the nearest neighbour being two kilometres away, citing there never being any history of any problems and not meeting all requirements.</p> <p>Partly Supportive</p>	<p>Fees are set under the <i>Local Government Act 1993</i> and applied fairly within the new risk-based framework. Where no performance issues exist and systems are located in low-risk areas, properties achieve a low-risk rating. This can extend approval periods up to 15 years, significantly reducing inspection frequency and long-term costs for landholders. This approach ensures regulatory resources are directed to higher-risk systems in sensitive environments, while recognising responsible management and compliance. Council acknowledges current cost-of-living pressures and has structured this framework to minimise unnecessary burden while continuing to protect public health, waterways, and agricultural productivity. Fees only applies for the inspection conducted and the licence issued. For example, if a</p>

Number	Submission summary	Management Response and Recommendation
		<p>premises is deemed low risk, it could be assigned a 15 year licence period. No further inspections are conducted within this period unless there is a compliant, building/ system modification or request for an inspection.</p> <p>By detecting issues early, inspection programs can provide asset protection and avoid unexpected costly emergencies for landowners. For example, barricading with plants or fencing can prevent damage to the land application area, associated infrastructure, and pipework from vehicles or livestock.</p> <p>Council has provision under <i>s608 of the Local Government Act 1993</i> to recover fees for service it provides. Council's fees and charges are reviewed annually during Council's budgetary process and are subject to public exhibition and community input.</p> <p>No amendment recommended.</p>
11 & 12,	<p>Stated that this was poor timing for the OWMS Strategy. That most landowners are reeling from a myriad of government policy issues impacting them and a drought that has impacted them significantly. Cited the cost of living, massive hikes in the cost of inputs and poor commodity prices, placing an additional financial burden on affected landholders with more to come and landholders need a couple of years to recover.</p> <p>Stated that the proposed new Draft strategy is more government overreach and unnecessary money grabbing, that the proposed fees should be absorbed by farm rates, as</p>	<p>Council recognises the varying cost-of-living pressures faced by communities. Under this Strategy, all associated fees and charges are reviewed annually through Council's budget process, taking into account budget status, community conditions, and service delivery costs. This ensures fees remain fair, transparent, and responsive to changing economic circumstances while still supporting effective regulation to protect public health, the environment, and agricultural productivity. The program has been designed to avoid excessive cost through preventative management.</p> <p>Regular inspections based on risk are intended to identify small defects before they can escalate into major failures. Proactive</p>

Number	Submission summary	Management Response and Recommendation
	<p>the view was landholders receive little benefit e.g. no kerbside waste removal and local roads are not maintained.</p> <p>Not supportive</p>	<p>inspection and maintenance regime assists landholders to avoid these far greater costs over time.</p> <p>No amendment recommended.</p>
15	<p>Raising concern over introducing costs for inspection of septic to farmers in the environment of renewable industries and the opinion of the damage renewable projects are causing and expenses should be covered by those projects not farmers.</p> <p>Not supportive</p>	<p>Council recognises the varying cost-of-living pressures faced by communities. Under this Strategy, all associated fees and charges are reviewed annually through Council's budget process, taking into account budget status, community conditions, and service delivery costs. This ensures fees remain fair, transparent, and responsive to changing economic circumstances while still supporting effective regulation to protect public health, the environment, and agricultural productivity. The program has been designed to avoid excessive cost through preventative management.</p> <p>No amendment recommended.</p>
4 & 5, Invalid Submission	<p>Two invalid submissions were received and came through Have Your Say platform. Invalid submissions typically include profanity, venting dissatisfaction and nonspecific to actual feedback to the consultation topic.</p>	<p>No amendment recommended.</p>

In addition, one face to face meeting was requested and held with four community members. The following summaries this engagement:

Expressed frustration that farmers are having so many government officials in their lives, and this is an imposition and should not occur.

Council recognises the range of matters that farmers are engaging with at a State Government level and with other authorities, noting this strategy is in line with NSW Legislation Under Section 68 of the NSW Local Government Act 1993 and in line with the recently released Office of Local Government Guidelines for all NSW Councils. Council is obligated to discharge its regulatory function and maintain a register of all OWMS and to document all related inspections. Failing to meet this requirement places legal exposure to Council in the event of a public health and/or contamination event.

Should be hazard based and this term used not risk based. Staff to look at terminology used as this needs to be consistent.

Council is following the relevant regulations and guideline terminology as a consistent framework referencing risks and risk categories for a prevention approach and of which aligns its draft Onsite Wastewater Management Strategy, rather than the terminology Hazard Based. The Office of Local Government Guidelines consistently references risk categories throughout the document. In alignment with these guidelines, Council has adopted a risk-based approach to assess and assign onsite wastewater management systems to an appropriate risk category following inspection.

If this is for community benefit the Council or community should pay not the farmers.

The associated fees and charges are determined by Council through its annual budget process and placed for public comment before being adopted each year. Fees are to assist in the recovery of costs for inspections and apply to all landowners operating an OWMS. The draft strategy and upcoming inspections aim to protect public safety by ensuring these systems are functioning safely and properly, which is the responsibility of each landowner to maintain.

Need clarity or better explanation on fee types for example: Licence fee and operational inspection fees.

The fee for the OWMS inspections aligns with Councils other health inspection fees (such as for food, skin penetration, public pool and cooling tower inspections). Council considers the fee for service a fairer approach and more consistent with other health inspection fees. Especially if, for example, the system is rated as low risk and the inspection is only required every 15 years.

For clarity, the following fees and charges details have been provided below and are explained in the financial section of this report:

- **OWMS that passes their inspection will be charged:**
 - \$105.00 – Inspection Fee
 - \$75.00 - License Fee (per system)

- **OWMS that fails their inspection will be charged:**

- \$205.00 - System was found to be failing upon inspection and includes a re-inspection of the system.
- \$140.00 - any further re-inspections after the above to confirm compliance and ratification for works.

- **Multiple Onsite Wastewater Management Systems on the one property:**

Only one inspection fee applies to properties that have multiple systems. However, an operational license fee of \$75.00 will apply to each individual system.

Would like to see reduced fees or removal of fees altogether?

The associated fees and charges are determined by Council and apply to all landowners operating an OWMS. The draft strategy and upcoming inspections aim to protect public safety by ensuring these systems are functioning safely and properly, which is the responsibility of each landowner to maintain.

If more than one system can there only be one inspection fee?

Yes, it is Council's practice to charge only for one inspection fee per property. However, the licence fee is for each system and applied separately.

Clarity around fencing off requirements.

The *Local Government Regulations Subdivision 7 (44)* states the following:

- (1) A system of sewage management must be operated in a manner that achieves the following performance standards –
 - (f) Ensuring that persons do not come into contact with untreated sewage or effluent (whether treated or not) in their ordinary activities on the premises concerned.

To ensure this is achieved, the April 2025 Office of Local Government has referenced this in their Onsite Wastewater Management Guidelines, which states: Appendix A4.5.4 Surface irrigation systems '*Erect fencing or plant shrubs around the edge of the effluent irrigation area to protect it and prevent access by vehicles, livestock, domestic animals or children*'. This is captured in Council's Appendix Checklist of the Strategy.

Does the Strategy talk about unoccupied rural dwellings?

Council Strategy does not include unoccupied rural dwelling as inspections do not apply to uninhabited dwellings. Council inspections and assessments are conducted on systems in use.

On some farms their land is always soggy and wet in winter and this needs to be taken account of for inspections.

Inspections look at the differentiation of dampness and leakage/overflow of the immediate area of the system in comparison to the wider area of land and in the context of other performance standards in assessing the overall performance of a system. Staff take a wider context of conditions into account at the time of inspections.

In addition to the above, staff were asked at the 21 July 2025 Ordinary Council Meeting, to respond to Cr Foley's tabled six questions as part of the return staff report and once the public exhibition period was closed. These questions and responses are as follows:

Q1. Mapping Transparency

Will Council provide clear mapping to show which properties are considered "near environmentally sensitive areas such as rivers or creeks"?

Response: Council has utilised our mapping system "Intramaps" to identify all properties located near environmentally high-risk areas. Intramaps can also be accessed by the community through Council's website.

Q2. Definition of 'Near'

How does Council define "near" a river or creek - is there a specific distance or set criteria?

Response: Council will adopt the recommended buffer distances for all septic and aerated wastewater systems from the NSW Office of Local Government. Regarding waterways, the horizontal separation for all septic systems are as follows:

- 100 metres to permanent surface waters (e.g. rivers, streams, lakes).
- 250 metres to domestic groundwater well or bore.
- 40 metres to other waters (e.g., farm dams, intermittent streams, drainage channels etc).

Q3. Performance vs. Location

Will compliant systems still face more frequent inspections purely because they're near a river or creek?

Response: Landowners will not be subject to more frequent inspections just based on their system location alone, a system's functionality and environmental risk factor will be assessed against a risk matrix to determine the appropriate inspection frequency. The operating licence period based on the risk matrix can vary from 1, 3, 5, 7, 10 or 15 years for low risk.

Q4. Right to Contest Risk Rating

Can a landholder challenge their "higher risk" classification if their system has no issues and meets all standards?

Response: Council will not impose a higher risk rating on a system unnecessarily. However, if a landowner believes their system has not been classified accurately, they can ask for a review by submitting evidence to support their claims to the Manager Regulatory City Compliance, in line with Council's Complaint Handling Policy (POL 103) and as detailed further in question 6.

Q5. Safeguards Against Blanket Categorisation

What safeguards are in place to ensure not all properties near rivers or creeks are automatically treated as high risk?

Response: Onsite wastewater systems are not solely categorised on their location, they are also assessed on other varying factors such as system functionality, soil type, slope of the land, surface or subsurface discharge, etc. A blanket categorisation is not possible when having to take all these factors into consideration when rating the system.

Q6. Appeals and Independent Review

Is there a formal process to appeal inspection outcomes or seek independent review of a risk rating?

Response: Councils Complaint Handling Policy (POL 103) outlines the necessary steps and levels of review for customer complaints, including where a customer believes the matter has not been handled appropriately and wishes to escalate for further review. Some of the general nature complaints a customer can have reviewed are as follows:

- A decision that Council has made.
- The conduct of a Council employee or a Councillor.
- A Council policy or procedure.
- The service you received or Council's response after making an enquiry or Service Request.
- The timeliness of Council's response to your Service Request.

Councils Complaint Handling Policy (POL 103) is available on Council's website: <https://wagga.nsw.gov.au/imagesfiles/documents/the-council/policies/Complaints-Handling-Policy-POL-103.pdf>

In close of the public exhibition period and taking account of submissions received with managements responses, staff are now recommending Council to formally endorse and adopt the Onsite Wastewater Management Strategy 2025-2029. This recommendation is in line with Council's requirement to discharge it's regulatory function for onsite wastewater management systems as referenced in the risk section of this report.

Once approved, the plan will move into the implementation phase and be followed by a notification process in early 2026 for those high-risk properties needing an inspection.

Financial Implications

The feedback received during public exhibition requested clarity on fees and charges for applications, licensing and inspections, and consideration of multiple systems on one property to have one inspection fee.

The fee for the OWMS inspections aligns with Councils other health inspection fees (such as for food, skin penetration, public pool and cooling tower inspections). Council staff considers the fee for service a fair approach and more consistent with other health inspection fees. Especially if, for example, the system is rated as low risk and the inspection is only required every 15 years.

The following is the adopted fees and charges for Onsite Wastewater Management Systems (OWMS).

- **OWMS that passes their inspection will be charged:**
 - \$105.00 – Inspection Fee
 - \$75.00 - License Fee (per system)

- **OWMS that fails their inspection will be charged:**
 - \$205.00 - System was found to be failing upon inspection and includes a re-inspection of the system.
 - \$140.00 - applies to each additional re-inspection after the above to confirm compliance and ratification for works.
- **Multiple Onsite Wastewater Management Systems on the one property:**
 - Only one inspection fee applies to properties that have multiple systems. However, an operational license fee of \$75.00 will apply to each individual system.

Council has provision under s608 of the *Local Government Act 1993* to recover fees for service it provides. Council 's fees and charges are reviewed annually during Council's budgetary process and are subject to public exhibition and community input.

Council rates pay for essential local government services and infrastructure that benefit everyone in the local area. These services include road maintenance, parks and other public spaces, bushfire prevention, cemeteries, dog and cat management, festivals and events, food and health inspections, street lighting, tourism and library services.

Rates are calculated on land values supplied by the Valuer General of NSW. These land values are used to calculate the annual rates for each property. New valuations are issued by the Valuer General of NSW every three years which Council uses for the following financial year.

Councils are limited on the rates charges they can raise each financial year. In NSW, the rate peg is the maximum percentage increase that a local council can apply to its general income from rates each year. The Independent Pricing and Regulatory Tribunal (IPART) sets this percentage to protect ratepayers from excessive increases, basing it on factors like changes in council costs and population growth.

Policy and Legislation

NSW Local Government Act 1993

NSW Local Government (General) Regulation 2021

NSW Protection of the Environment Operations Act 1997

The NSW Department of Planning, Housing and Infrastructure (NSW Office of Local Government) Onsite Wastewater Management Guidelines April 2025

Link to Strategic Plan

Vibrant

Our community feels safe.

Support public safety.

Risk Management Issues for Council

The Onsite Wastewater Management program recognises that there is potential for risk to human health and the environment by the failure of OWMS or the inappropriate irrigation of effluent. The level of risk is determined by a number of factors such as density of population, proximity to a water body, soil type and performance of the system. The priority will be given to properties near environmentally sensitive areas (such as near a river or creek) or systems previously identified with issues where there is a higher risk to public health or the environment.

Council sought legal clarification from Lindsay Taylor Lawyers on whether low risk systems could be excluded entirely from the Onsite Wastewater Management program, and was advised that as Council has regulatory functions to uphold in regarding onsite wastewater management, a failure by Council to exercise those regulatory functions could result in Council breaching its charter and potentially expose Council to liability should any damage result from the failure of an Onsite Wastewater Management System (attached under separate cover).

Internal / External Consultation


During the public exhibition period 28 July 2025 to 31 August 2025 Council communicated the recent changes to the Strategy with a mechanism for residents to provide feedback. It should be noted that the change is legislative in nature and residents don't have the ability to influence change in its implementation, so the engagement approach was to 'inform' in line with Council's adopted Community Engagement Strategy.

The following activities were undertaken to inform the community of these changes:



- A Have Your Say project page detailing the changes, with a form to provide feedback.
- Addressed letters to landowners based on the Council rates database and known addresses for OWMS to advise of the changes and the public exhibition period and how to provide feedback. There were 1,868 letters with a frequently asked question sheet sent to landowners, 1020 to over 20ha properties and 848 to under 20ha properties.
- Council News, which was published in the Weekend Advertiser on the following dates 2, 9, 16 and 23 August 2025 during the exhibition period.
- Inclusion in Council's EDM (Electronic Direct Mail) which is emailed every Friday, during the exhibition period.
- Inclusion in Council's social media informing the community of what is on exhibition.
- One requested face to face meeting
- In total there were 13 phone and customer counter information engagements seeking information on the strategy, legislation, fees and licences, new plumber inspection option and specific information on the owner's current septic.

	Mail			Traditional Media			Community Engagement				Digital					
	Rates notices insert	Direct mail	Letterbox drop	Council news	Media release	Media opportunity	TV/radio advertising	One-on-one meeting(s)	Community meeting(s)	Stakeholder workshop(s)	Drop-in session(s)	Survey/feedback form(s)	Have your Say	Email newsletter	Social media	Website
Inform		<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"/>
Consult																
Involve																
Collaborate																

Attachments

1. Onsite Wastewater Management Strategy 2025-2029 - Provided under separate cover 
2. Lindsay Taylor Lawyers Legal - Advice On-Site Sewage Management - October 2024

This matter is considered to be confidential under Section 10A(2) of the Local Government Act 1993, as it deals with: advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege. - Provided under separate cover

3. Onsite Waste Management Guidelines OLG April 2025 - Provided under separate cover 
4. 21 July 2025 Ordinary Council Meeting Report - Revised Onsite Wastewater Management Strategy and Risk Management Framework - Provided under separate cover 
5. OWMS Submissions Received

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

RP-2 KERBSIDE COLLECTION POLICY (POL 016)**Author:** Andrea Baldwin**Executive:** Ben Creighton**Summary:**

Following public exhibition of the draft Kerbside Collection Policy (POL 016) from 22 July to 18 August 2025, and the submission period closing on 31 August 2025, Council officers have considered all feedback received. The exhibition period concluded with two (2) submissions received. This report provides a summary of the feedback, Council officers' responses to the issues raised, and recommends the adoption of the policy.

Recommendation

That Council:

- a note the public submissions received during the exhibition period on the draft Kerbside Collection Policy (POL 016)
- b adopt the draft Kerbside Collection Policy (POL 016)

Report

As part of the scheduled review of the Replacement of Stolen or Damaged Kerbside Collection Bins Policy, Council officers have undertaken a comprehensive update and expansion of the policy. The revised policy has been consolidated into a broader framework titled Kerbside Collection Policy (POL 016), providing clearer guidance on the provision and delivery of kerbside collection services.

Council at its meeting on 21 July 2025 on the motion of Councillors G Davies and K Subedi (25/218) adopted to:

- a *endorse the revised and renamed draft Kerbside Collection Services Policy (POL 016), incorporating the former Replacement of Stolen or Damaged Kerbside Collection Bins Policy*
- b *place the draft Kerbside Collection Services Policy (POL 016) on public exhibition for a period of 28 days from 22 July 2025 until 18 August 2025 and invite public submissions until 31 August 2025 on the draft Policy*
- c *receive a further report following the public exhibition and submission period:*
 - i *addressing any submission made in respect of the proposed draft Kerbside Collection Services Policy*
 - ii *proposing adoption of the policy unless there are any recommended amendments deemed to be substantial and requiring a further public exhibition period*

The Kerbside Collection Policy (POL 016) was placed on public exhibition for a period of 28 days from 22 July 2025 until 18 August 2025 with submissions open until 31 August 2025.

Council received two submissions during this period (Attachment 1). A summary of the points raised in the submissions is provided below.

Submission Summary	Comment
Request to reduce the eligibility criteria for bin requirements from two children to one child	An option is available under the new policy to upsize the garbage bin for families with children in nappies. The policy does not restrict parents with one child from applying for an additional bin. However, in the instance of a one child family applying the decision would be made based on the process of assessment and engagement with the household.
Request to add/have a larger garbage bin or move the garbage collection to a weekly collection service	The option is available under the new policy to upsize the garbage bin, approval is based on reviewing the households waste management systems and ensuring they are separating waste materials correctly. This item is already considered in the new policy.

It is recommended that Council adopt the exhibited Kerbside Collection Policy (POL 016) without change.

Financial Implications

NA

Policy and Legislation

NSW EPA Sustainable Materials Strategy 2041
Local Government Act 1993

Link to Strategic Plan

Regional Leadership

Engaged Community

Deliver timely, clear and accessible sharing of information with our community.

Risk Management Issues for Council





Council policies are essential to ensure transparent legal, fair and consistent decision-making across the Council. They support Council in achieving its corporate objectives and provide a critical guide for staff, Councillors and other stakeholders. In the absence of effective policies there is a greater risk of inconsistency, confusion and inefficiency.

Internal / External Consultation

Public exhibition was for a period of 28 days from 22 July 2025 until 18 August 2025 with public submissions invited until 31 August 2025 on the draft Policy. Engagement included:

- The draft policy was made available on Council's website and Council's "Have your say" page for the duration of the exhibition period.
- A public notice was published in *Council News* and through the required formal advertisements in accordance with legislative requirements.

Attachments

- 1   Kerbside Collection Policy Submissions - Redacted
- 2   Kerbside Collection Policy (POL 016)

From: "Have Your Say Wagga Wagga" <noreply@wagga.nsw.gov.au>
Sent: Wed, 27 Aug 2025 17:28:03 +1000
To: "City of Wagga Wagga" <Council@wagga.nsw.gov.au>
Subject: Make a submission - Draft Kerbside Collection Services Policy (POL 016) Form Submission



Make a submission - Draft Kerbside Collection Services Policy (POL 016) Form Submission

There has been a submission of the form Make a submission - Draft Kerbside Collection Services Policy (POL 016) through your Have Your Say Wagga Wagga website.

First Name

Last Name

Email Address

Phone Number

Document Set ID: 6744766
Version: 1, Version Date: 28/08/2025

Submission

I would like to submit to either having a larger garbage bin (red), or weekly collection of the current smaller garbage red bin.

I have been a Wagga resident for just over a year now, with a household of 4 people. The smaller red bin and fortnightly collection is not adequate for the amount of rubbish we accumulate over a two week period. We also experienced an extremely hot summer with rubbish sitting in the red bin causing smell and pest issues due to fortnightly collections. We had to invest in pest management for the red bin with maggots growing every fortnight, not to mention trying to control the smell.

I'd like to think my household is rubbish and environment conscious with us utilizing the green and yellow bins accordingly, however it is the garbage bin that is failing us every fortnight. I'd like this to be submitted noting either a larger bin collected fortnightly or, keeping the smaller bin but collected weekly.

Cheers

To view all of this form's submissions, visit

https://haveyoursay.wagga.nsw.gov.au/index.php/dashboard/reports/forms_new/data/9

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Have Your Say Wagga Wagga.



Make a submission - Draft Kerbside Collection Services Policy (POL 016) Form Submission

There has been a submission of the form Make a submission - Draft Kerbside Collection Services Policy (POL 016) through your Have Your Say Wagga Wagga website.

First Name

Last Name

Email Address

Phone Number

Submission

The eligibility requirements for a second garbage bin for households should be reduced

to one child with nappies, not two. A fortnight's worth of nappies for one child fills the red bin very quickly and is not fair on residents with children.

To view all of this form's submissions, visit

https://haveyoursay.wagga.nsw.gov.au/index.php/dashboard/reports/forms_new/data/269

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Have Your Say Wagga Wagga.

Kerbside Collection Policy

Reference number:	POL 016
Approval date:	17 October 2022
Policy owner:	Gregadoo Waste Management Facility Manager
Next review:	September 2029

Purpose

Council under the Local Government Act is required to supply to all householders' access to waste management services which include general waste, food organics and garden organics (FOGO) and recycling services.

This policy has been developed to:

- provide guidance for the provision and delivery of Council's kerbside collection service.
- ensure that kerbside collection services are provided across the municipality in an efficient, effective and sustainable way to achieve improved service delivery and environmental outcomes.
- ensure that the replacement of stolen, damaged or lost kerbside collection bins is undertaken in a fair and equitable manner, that encourages care of Council's asset by the landholder.

Scope

This policy applies to kerbside collection services provided by Wagga Wagga City Council (WWCC). It defines services for residential and non-residential premises, contamination management processes and waste associated programs.

Policy Provisions

Council provides and maintains Mobile Garbage Bins (MGBs) for kerbside collection of commercial, general waste, FOGO and recycling on a care and responsibility basis.

Council delivers kerbside collection services to more than 28,000 properties across the municipality which provide a cost-effective service to ratepayers while minimising the environmental and social impacts of waste.

POL 016 –Kerbside Collection Policy

The bin sizes provided as 'standard' as part of the residential kerbside collection are:

- 140 L garbage bin – serviced fortnightly
- 240 L recycling bin – serviced fortnightly
- 240 L food and garden organics bin – serviced weekly

As a default, Council will issue the standard bin option to all properties unless alternative sizes are requested and approved.

Residential Properties

Bin audits may be undertaken by Council at any time to contribute to its understanding of user's waste and resource recovery practices.

Bins should be placed on the kerbside the night before collection and returned within the property by the occupier as soon as reasonably practical or within 24 hours after the contents of the mobile kerbside bin have been collected.

Bins provided to ratepayers remain the property of Council and must be kept at the address they have been issued to.

Council will arrange for a new collection service for properties upon receipt of an occupation certificate.

Council will arrange changes to bin services, repairs and replacements.

All occupied residential properties can apply to receive one additional recycling or food and garden organics bin. Additional bins incur an additional charge.

The below criteria apply to all requests associated with the upsizing or additional garbage bins only and are accompanied by a bin assessment.

- A household with two or more children in nappies (fees apply)
- A large household of 5 or more plus residents (rooming houses, airbnbs and other holiday and business rentals do not qualify under this criteria, no fees apply)
- A household with one or more members with medical conditions generating excess waste (no fees apply for an additional garbage bin)

Residents with medical conditions that result in larger than usual waste generation can apply to receive an additional or upsized garbage bin. This is provided free of charge. The waste must be able to be disposed of through the kerbside collection service and cannot include sharps or other hazardous medical waste.

Council will request suitable documentation from residents to support the request.

Properties receiving additional services for medical purposes will be contacted at the end of each financial year to determine if the service is to continue.

Non-residential Properties

Non-residential premises have an option to arrange a collection service by contacting Council.

POL 016 –Kerbside Collection Policy

The non-residential premise must be on an existing collection route.

Non-residential premises will be provided a 'standard' suite of bins and will only be provided where a kerbside service is deemed suitable, with storage space and able to be collected.

The bin sizes provided as 'standard' are:

- 140L garbage bin – serviced fortnightly
- 240 L recycling bin – serviced fortnightly
- 240L food and garden organics bin – serviced weekly

Non-residential premises will be provided with the suite of bins and not be permitted to have variables of this bin service.

Non-residential premises as part of the service will be required to participate in Council's contamination management program. If non-residential premises are not able to adhere to these requirements, they will be referred to contact a local waste contractor to arrange a service.

Collection Days

Collection days for areas within the municipality are outlined on Council's Kerbside Collection Calendar and via Council's website. Kerbside collection services are maintained irrespective of public holiday days throughout the year.

Collection days and times may alter due to the following:

- Emergency events
- Traffic and or other activities which may restrict reasonable access to bins; or
- Change in routes with the growth of the city

Council will provide adequate notice to residents impacted by these alterations.

Service Charges

Council is entitled to charge rates and charges for the collection and disposal of waste under the Local Government Act.

Council will declare kerbside collection service charges as part of the budget process each financial year.

A kerbside collection service charge is an annual charge on a property or charged pro rata if a service commences during the year.

Kerbside collection service charges are structured to reflect the service cost to Council and are delivered towards encouraging residents to reduce waste to landfill.

Refusal of Service and Contamination

Council may refuse to provide a collection service to a property if:

- The bin is contaminated with hazardous materials or wastes

POL 016 –Kerbside Collection Policy

- The recycling and food and garden organics bins have repeatedly been contaminated with wrong materials
- A bin is not a Council approved bin
- A bin weighs more than 80kg

Council will use the contamination management process for recycling and organics services. Occupiers will be informed of contamination in their bin. On the fourth occurrence, Council will remove the bin from service. The occupier will be required to provide a declaration or undertake education to have their bin returned.

Household Goods Collection Service

WWCC provides a once yearly pre booked household waste collection service to all occupied residential properties that have a waste charge on their rates. The purpose of this service is to remove items that are too large for the kerbside collection bin service. This service can be booked by contacting Council or via Council's website. The service cannot be accessed by non-residential premises.

Replacement of Stolen or Damaged Kerbside Collection Bins

In the case of lost, stolen or damaged MGBs, the landholder may request a new MGB from Wagga Wagga City Council which will be provided as soon as possible with a subsidised replacement charge payable by the landholder, as set each year in the Revenue and Pricing Policy.

Any MGB provided by Council that is stolen or damaged beyond repair by unknown persons at no fault of the landholder, will be replaced free of charge provided the theft or damage has been reported to Council or the Police and a copy of the Police report number or signed statutory declaration is submitted to Council.

The following provisions outline the responsibilities, reporting requirements, and approval processes related to the replacement of lost, stolen, or damaged MGBs:

- **Responsibilities** - Responsibility for the final decision, to accept or deny a claim to supply a MGB, lies with Council's Gregadoo Waste Management Centre Facility Manager and will be executed by the officer(s) of the Division.
- **Reporting Requirements** - On request, the Gregadoo Waste Management Centre will provide a report to Council with the cost of bins and community feedback.
- **Approval Arrangements** - Approval will be arranged through Council's Customer Service staff following the submission of a signed original statutory declaration or a Police report number.

Related Documents

- Contract 10/2007 - Kerbside Waste Collection Services.
- Multi-Unit Development Bin Service Procedure
- NSW EPA Sustainable Materials Strategy 2041
- Local Government Act 1993

POL 016 –Kerbside Collection Policy

Definitions

Term	Definition
Landholder	Owners of residential & commercial lots located within Wagga Wagga City Council kerbside collection area and serviced under the kerbside collection contract
MGBs	Mobile Garbage Bins, including Domestic 140/240 red lid general waste bin, 240lt green lid FOGO bin, 240/360lt yellow lid commingled recycling bin, Commercial 240lt red lid general waste bin, 240lt green lid FOGO bin, 240/360lt comingled recycling bin. waste bins.
Organics	Food and garden organics

Revision History

Revision number	Council resolution	Council meeting date
1	Res No: 01/581	25 June 2001
2	Res No: 04/243	23 August 2004
3	Res No: 08/036	25 February 2008
4	Res No: 09/077	27 August 2009
5	E-Team	26 March 2013
6	Res No: 13/224.1	26 August 2013
7	Res No: 17/279	28 August 2017
8	Revision approval under General Manager delegated authority	11 August 2022
9	Res No: 22/354	17 October 2022

RP-3 ADOPTION OF SEWER AND STORMWATER POLICIES**Author:** Ray Graham**Executive:** Henry Pavitt

Summary: The draft Sewer Policy (POL 036), Stormwater Policy (POL 037), and two newly developed policies, Building in the Vicinity of Underground Assets Policy (POL 066) and Low-Pressure Sewer Systems and Connections Policy (POL 067) were placed on public exhibition from 22 July to 18 August 2025, with public submissions invited until 5 September 2025. The exhibition period concluded with one (1) submission received. This report provides a summary of the feedback, Council officers' responses to the issues raised, and recommends the adoption of the policies.

Recommendation

That Council:

- a note the submission received during the exhibition period on the draft Sewer Policy (POL 036), Stormwater Policy (POL 037), Building in the Vicinity of Underground Assets Policy (POL 066) and the Low-Pressure Sewer Systems and Connections Policy (POL 067)
- b adopt the draft Sewer Policy (POL 036)
- c adopt the Stormwater Policy (POL 037)
- d adopt the Building in the Vicinity of Underground Assets Policy (POL 066)
- e adopt the Low-Pressure Sewer Systems and Connections Policy (POL 067)

Report

As reported to Council on 21 July 2025, Council engaged BetterAim in November 2024 to undertake a comprehensive review of the Sewer Policy (POL 036) and Stormwater Policy (POL 037) to align them with current best practice, industry standards, and legislative updates. The review involved consultation with internal staff across planning, subdivisions, and infrastructure teams, and resulted in major rewrites of the existing policies and the development of associated operating standards.

The Sewer Policy (POL 036) has been significantly streamlined to focus on strategic direction, with technical content relocated into new operating standards on Sewer Rates Charging Approach and Sewer Connections. The former broad content relating to Building in the Vicinity of Underground Assets and Low Pressure Sewer Systems has been removed from the Sewer Policy and developed as standalone policies.

The Stormwater Policy (POL 037) has also been restructured to provide a clear strategic purpose and now references supporting documents such as Engineering Guidelines and Major Overland Flow studies, with content relating to building near underground assets removed and placed in a new standalone policy.

The new Building in the Vicinity of Underground Assets Policy consolidates previous duplicated provisions from both the Sewer and Stormwater policies, aligns with industry standards, integrates with the development application process, and includes updated guidance, examples, and diagrams in a supporting operating standard.

A new Low Pressure Sewer Systems and Connections Policy has been developed to clearly define ownership, maintenance responsibilities, and connection requirements for the over 500 properties on low pressure systems, supported by an operating standard to guide staff in its application.

At this meeting Council resolved (25/216) on the Motion of Councillors Tim Koschel and Lindsay Tanner to place the draft policies on public exhibition for a period of 28 days from 26 August 2025 until 23 September 2025 and invite public submissions until 6 October 2025.

Council received one (1) submission during this period (Attachment 1). A summary of the points raised in the submission is provided below.

Policy	Submission Summary	Comment
POL 066	What does a Section 88E agreement look like? Does Council have an example? What is the owner of the land agreeing to?	A section 88E under the Conveyancing Act 1919 is a positive covenant which indemnifies Council against all or any claims that might be made against it as a result of any structure erected over the main or other pipe or structure and/or easement.
	How does Council legally access assets not protected or burdened with an easement into the title? ie sewer main running diagonally across blocks of land?	<p>Section 191A of the Local Government Act 1993 - gives Council the power of entry to construct and maintain water supply, sewerage and stormwater drainage works</p> <p>Section 59A of the LG Act 1993 specifies that Council is the owner of all works of water supply, sewer and drainage installed in or on land by the Council (whether or not the land is owned by the Council)</p> <p>Section 59A(3) states that Section 59A applies despite Section 42 of the Real Property Act 1900. This means that the council owns the works and has the powers set out in Section 59A(2) despite the fact that there is no easement or other interest in respect of the ownership of the works or the council's right to operate and carry out work on those works, registered on the title to the relevant land. That is, no</p>

Policy	Submission Summary	Comment
		easement is required for the works.
	What has gone wrong from Council's point of view for this policy to be updated (ie. has Council been sued for damaging property that are built over underground assets?)	<p>There are numerous instances where councils statewide have had issues accessing water, sewer and drainage systems on private property due to unauthorised works being constructed.</p> <p>Council has always maintained these provisions in policy; however, they were previously included in both the Sewer Policy and the Stormwater Policy. The new policy consolidates these provisions to avoid the need to amend two separate policies whenever changes are required.</p>
	Concerned about the cost and time in relation to creation of 88E instrument (ie documentation requirements listed in policy, geotech, surveyor cost, legal cost, title registration cost etc)	<p>Yes, this is a cost to the landowner</p> <p>Recently, Council has been notified of several property sales where it was discovered that unauthorised structures (such as sheds and pergolas) had been built over sewer or stormwater infrastructure. By having the option of an 88E can potentially remove the need for the illegal structure to be demolished IF it is still able to be approved due to other Building or planning restrictions - this makes it a cheaper and more cost-effective option available</p> <p>Also, the 88E being assigned to the land gives future purchasers assurance that the structure is approved, and the potential purchaser gets no surprises post purchase as it will come up during a property search</p>
	How does an 88E then captured to be extinguished if say a new owner of the property removes structure above underground asset and want to sell and remove this from the sale of land contract (ie	Agree, yes can be done but will be at cost to the landowner

Policy	Submission Summary	Comment
	surveyor cost, legal cost, title registration cost)	
	To cap costs, does Council have readily available information that they can share with industry in relation to assets to ensure build overs or encumbrance zones are avoided i.e.. exact pipe location within or not within easements and the asset depth? If this information is not provided by Council and/or unavailable, concerns regarding costs again as it is likely a plumber, surveyor and possibly geotech will be needed for this information.	<p>Recently Council has gone live with approximate location details for Sewer and Stormwater Assets on its website, as the information internally improves this will be improved on the public access portal.</p> <p>Council is also engaging with Before you Dig and will have approximate location details available for Before you dig searches.</p> <p>Council staff will then work with the developer, builder or landowner etc to confirm exact locations, depths to assist in the process. Council understands the difficulties and issues with our information, but we are also looking for the information submitted around a development to give some dimensions on location relative to boundaries to aid in assessment.</p>
	Category 1 - retaining walls >1m high right next to an easement line. Zones of influence (depending on depth of asset) may mean that to avoid an 88E instrument, the retaining wall may need to be located further away from easement line.	Correct, alternatively the footings could be extended below the zone of influence
	Category 2 - retaining walls <1m high are permissible? These will typically not require a signed Section 88E agreement.	Correct
	Category 3 - overhanging structures like eaves and cantilevered roof structures are permissible? Does this category typically not require a signed Section 88E agreement?	Correct
	In relation to existing encumbrances that do not have Council approval, the policy states that "Council may require the	The Section 88E can give the option to not demolish by the landowner accepting the liability.

Policy	Submission Summary	Comment
	building to be demolished, moved or substantially modified so that it complies with this policy". Would this be triggered even if Council do not need to access the asset? ie require all infringements in Wagga to enter into 88E. Would it be easier to issue an order for unapproved structures requiring demolition?	
	What role does re-sleeving technology play in reducing the impost of accessing / fixing underground assets?	Yes, this is something that will be considered. However, it should be noted that one of the technologies Council may need to use is pipe bursting as in some cases relining will not be applicable. Also, if older pipes have been completely eroded i.e. concrete or old vitreous clay, a reline will not work. We also need to be mindful of access to chambers, inspection points and pits. The access and impact on these structures can affect whether approval is given or denied. An example is there are pools that have been constructed over sewer mains, these have been done under a CDC, there are concerns that the weight of the pool may impact the sewer main underneath, as well as any works Council may do will affect the integrity of the pool.

Accordingly, it is recommended that Council adopt the draft Wagga Wagga draft Sewer Policy (POL 036), Stormwater Policy (POL 037), Building in the Vicinity of Underground Assets Policy (POL 066) and the Low-Pressure Sewer Systems and Connections Policy (POL 067) as exhibited.

Financial Implications

N/A

Policy and Legislation

- *Local Government Act 1993*
- *Protection of the Environment Operations Act 1997*
- *Water Management Act 2000*
- Sewer Policy (POL 036)
- Stormwater Policy (POL 037)

Link to Strategic Plan

Regional Leadership

Ethical Leadership

Provide strategic direction and leadership for our region to deliver key community priorities.

Risk Management Issues for Council

Council policies are essential to ensure transparent, legal, fair and consistent decision making across the Council. They support Council in achieving its corporate objectives and provide a critical guide for staff, councillors and other stakeholders. In the absence of effective policies there is a greater risk of inconsistency, confusion and inefficiency and can lead to non-compliance with the requirements of legislation and regulations.











Internal / External Consultation

Public exhibition was for a period of 28 days from 22 July 2025 until 18 August 2025 with public submissions invited until 31 August 2025 on the draft Policies. Engagement included:

- The draft Policy will be made available on Council's website for the duration of the exhibition period.
- A notice will be published in Council News and through the required formal advertisements.
- A face to face meeting was held with representatives of the representatives of the local Home Industry Association (HIA)

	Mail			Traditional Media			Community Engagement			Digital						
	Rates notices insert	Direct mail	Letterbox drop	Council news	Media release	Media opportunity	TV/radio advertising	One-on-one meeting(s)	Community meeting(s)	Stakeholder workshop(s)	Drop-in session(s)	Survey/feedback form(s)	Have your Say	Email newsletter	Social media	Website
Inform				×												×
Consult										☑						
Involve																
Collaborate																
Other methods (please list specific details below)																

Attachments

1.  Submission on draft Building in the Vicinity of Underground Assets Policy (POL 066)

2.  Sewer Policy (POL 036)

3.  Stormwater Policy (POL 037)

4.  Building in the Vicinity of Underground Assets Policy (POL 066)

5.  Low-Pressure Sewer Systems and Connections Policy (POL 067)




Thank you for affording the HIA Riverina branch the opportunity to speak directly to you regarding the subject draft policy.

As discussed with you on the phone, there were a number of talking points about the draft policy that were canvassed during our recent HIA meeting Tuesday week ago.

Whilst the HIA understands the importance of ensuring structures built do not impact on Council assets, entering into (in some cases) an 88E agreement seems excessive and costly. It's another cost burden and is bound in red tape when the Federal government is trying to reduce red tape, build more homes and address housing affordability. Further, the policy is not just for building over easements or assets, but it also applies to 'encumbrance zones' - the vicinity of the asset.

Some of those points raised during the HIA meeting include:

- What does a Section 88E agreement look like? Does Council have an example? What is the owner of the land agreeing to?
- How does Council legally access assets not protected or burdened with an easement into the title? ie sewer main running diagonally across blocks of land?
- What has gone wrong from Council's point of view for this policy to be updated (ie. has Council been sued for damaging property that are built over underground assets?)
- Concerned about the cost and time in relation to creation of 88E instrument (ie documentation requirements listed in policy, geotech, surveyor cost, legal cost, title registration cost etc)
- How does an 88E then captured to be extinguished if say a new owner of the property removes structure above underground asset and want to sell and remove this from the sale of land contract (ie surveyor cost, legal cost, title registration cost)
- To cap costs, does Council have readily available information that they can share with industry in relation to assets to ensure build overs or encumbrance zones are avoided ie. exact pipe location within or not within easements and the asset depth? If this information is not provided by Council and/or unavailable, concerns regarding costs again as it is likely a plumber, surveyor and possibly geotech will be needed for this information.
- Category 1 - retaining walls >1m high right next to an easement line. Zones of influence (depending on depth of asset) may mean that to avoid an 88E instrument, the retaining wall may need to be located further away from easement line.
- Category 2 - retaining walls <1m high are permissible? These will typically not require a signed Section 88E agreement.
- Category 3 - overhanging structures like eaves and cantilevered roof structures are permissible? Does this category typically not require a signed Section 88E agreement?
- What does a building in the vicinity of underground assets application form look like?
- In relation to existing encumbrances that do not have Council approval, the policy states that "Council may require the building to be demolished, moved or substantially modified so that it complies with this policy". Would this be triggered even if Council do not need to access the asset? ie require all infringements in Wagga to enter into 88E. Would it be easier to issue an order for unapproved structures requiring demolition?
- What role does re-sleeving technology play in reducing the impost of accessing / fixing underground assets?

I have included a few of the HIA stakeholders in this email that may be interested in attending a workshop on the draft policy so that a better understanding can be achieved.

Please contact me if you have any questions.

Please let me know when you are thinking of holding this workshop on the draft policy so that interested persons can attend.

		
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SEWER POLICY

Reference number:	POL 036
Approval date:	October 2025
Policy owner:	Manager Wastewater & Stormwater
Next review:	September 2029

This Policy is to be read in conjunction with Council's Engineering Guidelines for Subdivisions and Development Standards, technical guidelines and other related policy documents. This Policy does not cover every Council requirement relevant to Sewer. Other policies and relevant documents referred to in this Policy provide additional information.

Purpose

The sewer policy outlines Council's overarching principles, responsibilities, and the regulatory framework for managing sewer infrastructure within its jurisdiction.

Sewer management refers to activities including planning, designing, and implementing strategies and infrastructure to protect the public and environmental health and amenity of the region, by ensuring that appropriate sewer services are provided and maintained.

Council will achieve this through the following:

1. Ensuring that appropriate sewage collection, transport, treatment and disposal facilities are available to all properties in Council's Development Servicing Plan (DSP).
2. Ensure that public health and the environment are not adversely impacted by the operation of sewer infrastructure
3. Optimise the operation and maintenance of sewer systems to ensure reliability and cost-effectiveness.

The primary audiences of this policy include:

Elected Councillors	To provide assurance that the policy aligns with broader council objectives, sustainability, and regulatory compliance.
Council staff	To guide direction, decision-making and resource allocation.
Regulators and Government Agencies	To provide assurance that the policy complies with relevant legislation, policies and guidelines.
Developers	To understand Council's objectives in relation to sewer service provision.
Community	To assist in understanding Council's commitment to sewer management and environmental sustainability.

POL 036 – Sewer Policy

Scope

Geographic and Administrative Scope

This policy covers all urban, suburban, rural, and industrial areas within the council's boundaries.

This includes all sewer infrastructure and is applied to council-managed assets and onsite sewage systems.

This policy is Council's overarching sewer policy document and other sewer policies are subordinate to this policy document and must be read in conjunction with the requirements of this policy. Subordinate policies include the Liquid Trade Waste – Regulation Policy (POL 006) and the Low Pressure Sewer Systems & Connections Policy (POL 067).

Service Areas

Areas that are or will be serviced utilising sewer infrastructure shall be included in Council's sewer service area and identified in Development Servicing Plans (DSPs).

Infrastructure and Assets in Scope

- Sewer Mains (gravity and rising)
- Sewer Manholes
- Sewer Pump Stations
- Sewage Treatment Plants
- Pressure Sewer Systems (covered in POL 067)
- Onsite Sewage Management Facilities (covered in Onsite Sewage Management Strategy)

Activities in Scope

This policy covers activities spanning the whole asset lifecycle i.e. planning, design, construction, commissioning, handover, operations, maintenance and decommissioning and disposal.

Policy Provisions

Objectives

In line with Council's legislative responsibilities, financial resources, and with appropriate consideration of risk, cost, sustainability and performance. Council will aim to:

1. Ensure that appropriate sewage collection, transport, treatment and disposal facilities are available to all properties in the Council's DSPs by:
 - Maintaining, operating and where required upgrading/augmenting the existing sewer infrastructure (collection, transportation, treatment and disposal facilities) to ensure compliance with regulatory requirements, consideration of public health and environmental stewardship and in accordance with relevant industry standards.
 - Working with developers and other key stakeholders extend sewer services in conjunction with ongoing development and growth within the region.

POL 036 – Sewer Policy

2. To ensure that onsite sewage treatment and disposal facilities are appropriately managed by:
 - Ensuring that all new developments, in areas without access to the public sewer service, install appropriate on-site sewage treatment and disposal facilities suitably sized for the anticipated loads.
 - Ensuring that all existing on-site sewage facilities are properly and appropriately operated and maintained.
 - Keeping a register of all on-site sewage facilities and requiring regular reports or inspections on their condition.
 - Any substandard or malfunctioning on-site sewage facilities are progressively upgraded to appropriate standards, with priority being given to those facilities, which could adversely impact on public health or the environment.
3. Optimise the operation and maintenance of sewer systems to minimise environmental impact, ensure reliability and improved economic outcomes by:
 - Adopting industry guidelines and practices to ensure efficient and sustainable operations.
 - Utilising monitoring and management systems to detect and respond to issues in a timely manner.
 - Implementing routine inspection and maintenance programs for sewer infrastructure to prevent leaks, overflows and blockages that may cause a health or environmental risk.
 - Pursuing recycled water opportunities and upgrade of sewer infrastructure where environmentally and economically appropriate to reduce environmental discharges or increase the standard of treatment provided.

Specific Provisions – Strategy, Planning, Development & Design

Sewer Strategy Management Plan and Guidelines

Council intends to develop a Sewer Strategy and supporting management plans in alignment with the Sewer Policy. The strategy and plans detail how Council will achieve the Sewer Policy objectives, including Council's infrastructure planning, funding strategies, and risk management approaches.

Sewer Service Area Extension

Automatic Extension

Council's Sewer Service Area will automatically be extended to cover any subdivision or development that creates land parcels as defined by the adopted DSP of land of 0.6ha or smaller or that are immediately adjacent to Council's Sewer Service Area.

Provisional Extension

Council will extend its Sewer Service Area to service land additional land parcels. Provided that such extension does not increase costs to other sewer users and subject to the following conditions:

- Sewer network extensions must be designed to serve all of the possible land parcels that the extension passes.
- When an extension is carried out, the landholders involved must pay all of the associated costs. All Council fees and costs must be paid prior to work commencing and Council will not be involved in complex financial arrangements or holding costs.

POL 036 – Sewer Policy

- The existing sewer network must have sufficient capacity to accept the additional flows from the land parcels serviced by the extension.
- Each connection to sewer will be subject to a connection fee, equal to Council's Sewer Charge under the DSP.

Engineering Guidelines for Subdivisions and Development Standards

The Engineering Guidelines for Subdivisions and Developments outline Council's general procedures, practices in respect of engineering and technical requirements for subdivision and development of land within the Wagga Wagga City Council local government area. These guidelines are to be used to inform planning, design and construction works for all types of sewer infrastructure. Where Council's engineering guidelines do not contain specific details for an activity reference should be made to the relevant Water Services Association of Australia (WSAA) Code or Australian Standard. Reference is also made to Council's Operating Standard – Sewer Connections that details requirements relating to creation of new or changes to existing sewer connections.

Specific Provisions – Property Connection / Property Owner / Occupier

Maintenance Responsibility

Council accepts responsibility for the maintenance of all sewer mains and service connections up to the boundary trap, or riser, provided the trap/riser is accessible and has not been damaged or impacted by activities of the property owner. If the trap/riser is not accessible or has been damaged, then Council's responsibility ceases at the property alignment, or if the sewer main is on the property at the first joint on the spur.

The property owner is responsible to properly maintain the balance of the house service.

Easements

Council requires sewer easements to be created over all new sewer mains not in road reserves. In the case of any subdivision, easements for sewer and drainage shall be created and registered, at the developers cost as part of the development.

Conditions relating to activities within Council easements are detailed in the Building in the Vicinity of Underground Infrastructure Policy (POL 066).

Power of entry

The Local Government Act (1993) gives Council the power of entry onto land. Staff from Council's Wastewater & Stormwater and Regulation Services Divisions shall be issued with the appropriate authority under delegation of Council, to carry out necessary inspections and maintenance work.

Where possible Council's will provide formal notice of intention to enter land (other than for emergency maintenance) to both the property owner and occupier.

Swimming Pools

Discharge from Swimming pools and pool filtration units can only be accepted into sewer in such a way as not to impact normal operation of the sewer system flow rates are to be restricted to less than 2500 L/hr (0.7 L/s).

POL 036 – Sewer Policy

Specific Provisions - Sewer Management Issues & Rectification Activities

Plumbing Certification

All sewer plumbing work carried out on any sewer installation, in the region, shall be carried out in accordance with the Plumbing Code of Australia 2022 and AS / NZS3500, by a person with the appropriate licence and properly certified.

Plumbing Inspection & Rectification

With regard to any property connected to its sewer system, Council reserves the right to inspect, require rectification and, in the final instance, to deny service, in the case of:

- Sewer plumbing work not carried out by a licensed plumber or drainer.
- Sewer plumbing work not carried out in accordance with the Plumbing Code of Australia 2022 and AS / NZS3500
- Sewer plumbing work, which because it is in need of repair or rectification, or which is causing a public health or environmental problem.
- House or internal sewer services or activities that are non-compliant with Council policies, relevant legislation or standard operating practices.

Rectification Action & Cost Recovery

Council reserves the right to recover the costs associated with rectifying defective plumbing or drainage works on properties that have not rectified the issue or taken steps to address the defect in a timely manner.

Specific Provisions – Fees & Charges

Sewer Contributions

Where a development application submitted for approval impacts Council's sewage system, Council will require developers to obtain compliance certificates prior to the release of subdivision or approval of the application. Certificates will only be issued following receipt of the required contribution. The level of contribution is defined by the adopted Development Servicing Plan(s) as adopted by Council. Council will make adopted Development Servicing Plan(s) available for public view.

Sewer Rates

Sewer rates are chargeable for all properties within the DSPs whether connected or not. In accordance with S552 of NSW Local Government Act 1993, sewer rates and charges issued by Council are levied per lot. The sewer rates and charges are captured in Council's standard fees and charges. The approach for determination of the Sewer Rates is captured in Operating Standard – Sewer Rates Charging Approach.

Responsibilities

The Manager Wastewater & Stormwater, through the Director Infrastructure Services, is the responsible Officer for matters relating to this Policy and the Sewer System.

POL 036 – Sewer Policy

Legislative Requirements

- Local Government Act 1993
- Protection of the Environment Operations Act 1997
- Water Management Act 2000
- Independent Pricing and Regulatory Tribunal Act 1992
- Conveyancing Act 1919
- Local Government (General) Regulation 2021
- Environmental Planning and Assessment Act 1973
- NSW State Government - State Environmental Planning Policy (Infrastructure) 2007

Related Documents

- Australian and New Zealand Standard Plumbing and drainage AS/NZS 3500:2021
- Asset Management Strategy
- Building in the vicinity of underground infrastructure (POL 066)
- Community Strategic Plan 2050
- Development Servicing Plan No 1: Sewerage Services
- Engineering Guidelines for Subdivisions and Development Standards
- Wagga Wagga City Council Fees and Charges
- Regulation Policy (POL 006)
- Pressure Sewer Systems & Connections Policy (POL 067)
- Onsite Sewer Management Strategy
- Sewer Connections Operating Standard
- Sewer Rates Charging Approach Operating Standard
- Sewer Network Pollution Incident Response Management Plan
- Swimming Pool Safety Policy (POL 049)
- Urban Cooling Strategy 2022 – 2052
- National Construction Code (NCC) – Volume 3 - Plumbing Code of Australia
- NSW Department Planning, Industry and Environment - Liquid Trade Waste Management Guidelines
- NSW Water Directorate – Odour Management Guidelines
- NSW Water Directorate – Section 64 Determinations of Equivalent Tenements Guidelines
- NSW Water Directorate – STP Buffer Zone Land Use Planning Guidelines 2020
- Water Services Association of Australia – WSA 07: 2007 Pressure Sewerage Code of Australia
- Water Services Association of Australia – WSA02: Gravity Sewerage Code of Australia – Regional NSW Edition
- Water Services Association of Australia – WSA04: 2022 Sewer Pumping Station Code of Australia

POL 036 – Sewer Policy

Definitions

Term	Definition
Conventional Sewer System	A sewer system where properties are connected to public owned sewer reticulation and trunk assets through a standard sewer connection. In a conventional sewer system sewer pump stations are trunk assets owned by Council.
Council	Wagga Wagga City Council.
Development Control Plans (DCP)	Provides detailed planning and design guidelines to support the planning controls in the Local Environmental Plan.
Development Servicing Plan (DSPs)	Details the sewer developer charges to be levied on development areas utilising sewer infrastructure. The DSP's cover sewerage developer charges in regard to the development areas served by Council.
Low Pressure Sewer Connection	A property connection comprising the pumping unit, internal pressure pipework and boundary kit. The responsibility for infrastructure is split between Council (pump and control panel) and the property owner (all other assets). Dual occupancy properties will be serviced by a single connection.
Low Pressure Sewer System	A sewer system where properties are connected to a pressurised main via individual onsite pump stations. Low pressure sewer systems are used where conventional sewer systems are not viable.
Sewer Connection	A connection to a convention sewer system. Council owns up to the boundary trap or riser and property owners are responsible for pipework beyond this point.
Trade Waste	Discharges to the sewer system that have a characteristic contaminant loading and/or hydraulic volume that is greater than domestic sewage. The management of trade waste is considered as part of the Liquid Trade Waste - Regulation Policy (POL 006).

Revision History

Revision number	Council resolution	Council meeting date
1	Res. No. 00/610	22 May 2000
2	Res. No. 02/1141	28 October 2002

POL 036 – Sewer Policy

Revision number	Council resolution	Council meeting date
3	Res. No. 04/243	23 August 2004
4	Res. No. 05/023	24 January 2005
5	Res. No. 08/175	26 May 2008
6	Res.No.08/467.7	27 December 2008
7	Res. No: 09077	27 July 2009
8	Res. No: 12/223	30 July 2012
9	Res No: 13/224.1	26 August 2013
10	Res No: 17/279	28 August 2017
11	Revision approval under General Manager delegated authority	May 2019
12	Res No: 22/354	17 October 2022

Stormwater Policy

Reference number:	POL 037
Approval date:	October 2025
Policy owner:	Manager Wastewater & Stormwater
Next review:	September 2029

This Policy is to be read in conjunction with Council’s Stormwater Management Plan and Engineering Guidelines for Subdivisions and Development Standards. This Policy does not cover every Council requirement relevant to Stormwater. Other policy documents referred to in this Policy provide additional information.

Purpose

This stormwater policy outlines Council's overarching principles, responsibilities, and regulatory framework for managing stormwater within its jurisdiction.

Stormwater management refers to activities including planning, designing, and implementing strategies and infrastructure to manage the quantity and quality of stormwater runoff.

Council's stormwater management policy objectives are to:

- 1. Minimise flood risks and protect public safety.
- 2. Minimise pollution from stormwater runoff to protect local waterways, wetlands, and estuaries.
- 3. Consider the use of stormwater as a water resource.
- 4. Ensure stormwater infrastructure is managed sustainably from a financial perspective.
- 5. Build climate resilience into stormwater infrastructure.

The primary audiences of this policy include:

Elected Councillors	To provide assurance that the policy aligns with broader council objectives, sustainability, and regulatory requirements.
Council staff	To guide direction, decision-making and resource allocation.
Regulators and Government Agencies	To provide assurance that the policy complies with relevant legislation, policies and guidelines.
Developers	To understand Council's objectives in relation to stormwater service provision.
Community	To assist in understanding Council's commitment to stormwater management and environmental sustainability.



POL 037 – Stormwater Policy

Scope

Geographic and Administrative Scope

This policy covers all urban, suburban, rural, and industrial areas within the council's boundaries.

This includes public stormwater infrastructure, natural waterways, wetlands, and drainage systems. It applies to council-managed assets as well as privately owned developments that impact Council or other third party owned stormwater systems.

Infrastructure and Assets in Scope

- Stormwater drainage networks (pipes, culverts, pits, open drains, etc.).
- Retention and detention basins.
- Gross pollutant traps and sediment control structures.
- Water-sensitive urban design (WSUD) features (for example - raingardens, swales etc.).
- Flood mitigation infrastructure (levees, floodgates, overland flow paths).
- Maintenance of natural stormwater systems (rivers, creeks, estuaries, wetlands).
- Inter-allotment drainage.
- Open drains.

Activities in Scope

This policy covers activities spanning the whole asset lifecycle i.e. planning, design, construction, commissioning, handover, operations, maintenance and decommissioning and disposal.

Policy Provisions

Objectives

In line with Council's legislative responsibilities, financial resources, and with appropriate consideration of risk, cost, sustainability, and performance, Council will aim to:

1. Minimise the Risk and Minimise the Impact of Floods and Protect Public Safety by implementing effective stormwater drainage infrastructure and flood mitigation measures.

Council will do this by:

- Planning, constructing, maintaining and upgrading stormwater drainage networks.
- Developing and implementing overland flow path management strategies.
- Ensuring flood-sensitive land-use is considered in the planning of new developments.

2. Minimise Pollution from Stormwater Runoff to protect waterways.

Council will do this by:

- Ensuring stormwater systems have appropriate stormwater treatment measures, for example - gross pollutant traps.
- Enforcing erosion and sediment control during construction activities.
- Where required, and based on risk, monitor stormwater discharge and assessment of compliance with water quality standards.

POL 037 – Stormwater Policy

3. Integrate Water-Sensitive Urban Design (WSUD) Principles in development to enhance natural stormwater absorption and reuse.

Council will do this by:

- Requiring new developments to incorporate appropriate WSUD infrastructure.
- Promote on-site stormwater detention and reuse where appropriate.
- Retrofitting public infrastructure with WSUD elements where appropriate.

4. Protecting Natural Waterways to support biodiversity and ecological health.

Council will do this by:

- Preserving natural watercourses and encouragement of buffer zones.
- Implementing projects to enhance stormwater treatment and management.
- Restricting developments that negatively impact sensitive aquatic ecosystems.

5. Ensuring Compliance with Stormwater Regulations through council policies, development controls, and compliance monitoring.

Council will do this by:

- Defining roles and responsibilities of internal and external parties with respect to all aspects of stormwater management and operation.
- Enforcing stormwater drainage requirements in Development Control Plans.
- Conducting audits of stormwater systems and industrial discharges.
- Issuing compliance orders for stormwater breaches.

6. Enhancing Community (residents, businesses, developers etc.) Awareness and Engagement on leading practices (considering the size, scale and complexity of Council's activities) for stormwater management.

Council will do this by:

- Supporting community workshops on stormwater-friendly landscaping and pollution prevention.
- Providing stormwater management guidelines for developers and businesses.
- Supporting community initiatives such as urban cooling, rainwater harvesting, land and water care initiatives, and stormwater monitoring programs.

7. Building Climate Resilience into Stormwater Infrastructure to reduce risks from extreme weather events.

Council will do this by:

- Increasing stormwater system capacity to handle higher-intensity rainfall.
- Developing infrastructure and non-infrastructure solutions to accommodate the impact of our changing climate – for example, rising sea levels, urban heat effects.
- Implementing green infrastructure solutions to improve stormwater management outcomes.

POL 037 – Stormwater Policy

8. Ensuring Sustainable Funding for Stormwater Management including infrastructure maintenance, upgrades, monitoring and innovation.

Council will do this by:

- Implementing charging structures to fund stormwater maintenance and capital works.
- Applying for state and federal grants supporting stormwater infrastructure.
- Encouraging private sector partnerships in WSUD initiatives.
- Integrating Council management initiatives within other regulatory authority regional management plans.

Specific Provisions

Stormwater Management Plan and Guidelines

Council will develop a Stormwater Management Plan outlining how this Policy will be implemented. The plan will include additional detail on how the objectives above will be delivered, including Council's infrastructure planning, funding strategies, and risk management approaches.

Engineering Guidelines for Subdivisions and Development Standards

All development has an impact on the behaviour of stormwater through the addition of impervious surfaces, diversions and drainage and through changes to water quality.

The Engineering Guidelines for Subdivisions and Development Standards outline Council's general procedures, practices in respect of engineering and technical requirements for subdivision and development of land within the local government area. These guidelines are to be used to inform planning, design and construction works for stormwater infrastructure.

Council generally does not support pump out stormwater systems or absorption trench or similar type stormwater disposal.

Easements

Council requires easements for drainage to be created over all new stormwater mains not in road reserves. In the case of any subdivision, easements for sewer and drainage shall be created and registered, at the developers cost as part of the development.

Inter-Allotment Drainage

Council is not responsible for the maintenance and management of inter-allotment drainage and bears no liability for any damages caused by a lack of maintenance to these assets. Responsibility for inter-allotment drainage maintenances resides with the owner of the property where the inter-allotment drainage is installed. Council only holds responsibility for maintenance and management of inter-allotment drainage where Council is listed as a benefiting authority through a Section 88B Instrument.

Council will not become involved in disputes between neighbours in relation to maintenance of inter-allotment drainage unless the issue presents a significant risk to the operation of Council's stormwater system. Where Council is required to intervene the cost of maintenance works will be recovered from the relevant property owner(s).

POL 037 – Stormwater Policy

Overland Flow Path – Responsibility for concentration and downstream flow management

Development works that are likely to cause adverse downstream environmental or nuisance impact due to increased stormwater runoff will require appropriate mitigation to reduce the potential for flooding or damage. The responsibility for any mitigation works resides with the entity completing the development works. Council's Engineering Guidelines for Subdivisions and Development Standards detail requirements relating to stormwater flow management including attenuating time of concentration and limiting increase in flow rates.

Stormwater Management Levy

Council develop and maintain a charging system for stormwater including an Annual Stormwater Levy to oversee the delivery of the above policy objectives including improvements to the stormwater system in accordance with Section 496A of the Local Government Act 1993.

Stormwater Contribution Scheme

Where a development application submitted for approval impacts Council's stormwater drainage system, Council will require developers to obtain compliance certificates prior to the release of subdivision or approval of the application. Certificates will only be issued following receipt of the required contribution. The level of contribution is defined by the adopted Development Servicing Plan(s) (DSPs) as adopted by Council. Council will make adopted DSPs available for public view.

Responsibilities

The Manager Wastewater & Stormwater, through the Director Infrastructure Service, is the responsible Officer for matters relating to the Stormwater Policy and Council's Stormwater System.

Legislative Context

Legislation	Context
Civil Liability Act 2002 (NSW)	Section 42 outlines principles determining whether Council has a duty of care, Section 43 outlines civil liability proceedings covering an alleged duty of care breach, Section 45 outlines non feasant protections for road authorities.
Conveyancing Act 1919	Outlines legal mechanisms councils can utilise to facilitate effective stormwater management in their jurisdiction.
Environmental Planning and Assessment Act 1979 (NSW)	Outlines requirements for integration of stormwater in development planning.

POL 037 – Stormwater Policy

Legislation	Context
Local Government (General) Regulation 2021 (NSW)	Outlines council responsibilities for stormwater approvals and charging. Outlines stormwater reporting requirements for the Council's annual report where annual charges for stormwater have been levied.
Local Government Act 1993 (NSW)	Outlines council responsibilities for stormwater ownership, maintenance, approvals, community engagement and charging.
NSW Flood Risk Management Manual (2023)	Outlines requirements for managing stormwater in flood-prone areas.
Protection of the Environment Operations Act 1997 (NSW)	Outlines requirements for stormwater pollution prevention.
Roads Act 1993 (NSW)	Outlines Council authority to conduct drainage work on land adjoining public roads to ensure proper stormwater drainage, and Council requirements for contribution of costs for constructing drainage systems that serve areas beyond classified roads.
Water Management Act 2000	Outlines water management principles emphasising sustainable and integrated management of water resources, including stormwater considerations.

Related Documents

- Asset Management Strategy
- Building in the vicinity of underground infrastructure (POL 066)
- Community Strategic Plan 2050
- Engineering Guidelines for Subdivisions and Development Standards
- Wagga Wagga City Council Fees and Charges
- Flood Management Studies (refer Council's website)
- Major Overland Flow Floodplain Risk Management Study and Plan (MOFFS)
- Stormwater Network Asset Management Plan
- Urban Cooling Strategy 2022 - 2052
- Department of Local Government – Stormwater Management Service Charge Guidelines

POL 037 – Stormwater Policy

Definitions

Term	Definition
Building in the vicinity of underground infrastructure	<p>Where a structure is proposed to be built in the zone of influence but not over stormwater assets. The structure is likely to impact on Council stormwater assets and associated structures.</p> <p>Zones of influence refers to the area around a stormwater pipe where construction activities can potentially affect the stability and integrity of the infrastructure. It is typically defined by a line projected at a specific angle (often 45 degrees) from the invert (bottom) of the pipe to the ground surface.</p> <p>This area is critical because any construction within it can impose additional loads or cause ground movement that might damage the pipes or private infrastructure.</p> <p>Refer to POL 066 Building in the vicinity of underground assets.</p>
Community Strategy Plan	A Plan that describes the community's vision and aspirations for a period of ten or more years. The development of plan is a requirement of the NSW Government Integrated Planning and Reporting Framework.
Council	Wagga Wagga City Council.
Development Control Plans	Provides detailed planning and design guidelines to support the planning controls in the Local Environmental Plan.
Development Servicing Plan (DSPs)	Details the stormwater developer charges to be levied on development areas utilising stormwater infrastructure. The DSP cover stormwater and developer charges in regard to the development areas served by Council.
Inter-allotment Drainage	<p>Inter-allotment drainage is drainage infrastructure installed on private property during land development to enable stormwater drainage from properties that cannot discharge stormwater to the street.</p> <p>Maintenance responsibility for inter-allotment drainage resides with the owner of the property on which it is installed</p>
Overland flow path	The route taken by water when the constructed drainage network is overloaded.
Stormwater	Untreated rain water that runs off the land onto which it falls
Stormwater Management Plan	Council's management plan for stormwater to achieve the strategic objectives of the stormwater policy
Stormwater System	The system of pits, pipes, overland flow paths, creeks, and canals used to convey stormwater to the receiving environment

POL 037 – Stormwater Policy

Term	Definition
Water Sensitive Urban Design (WSUD)	An approach to planning and designing stormwater infrastructure in developed areas to reduce environmental impact and where possible increase amenity and level of service provided.

Revision History

Revision number	Council resolution	Council meeting date
1	Res No: 02/1141	28 October 2002
2	Res No: 04/243	23rd August 2004
3	Res No: 09/077	27 July 2009
4	Res No: 13/187	29 July 2013
5	Res No: 13/224.1	26 August 2013
6	Res No: 17/279	28 August 2017
7	Res No: 22/354	17 October 2022

Building in the Vicinity of Underground Assets Policy

Reference number: POL 066

Approval date: October 2025

Policy owner: Manager Wastewater & Stormwater

Next review: September 2029

Purpose

The purpose of the Building in the Vicinity of Underground Assets Policy is to provide a framework for assessing the impact of building in the vicinity of underground assets or sewer and drainage easements within the City of Wagga Wagga ('Council') local government area. The policy outlines how, where and when activities involving building in the vicinity of underground assets and easements may be approved by Council.

The policy will ensure compliance with legislative and regulatory requirements relating to building in the vicinity of underground assets and easements and consistency in application to ensure these activities are only approved where appropriate.

The policy intent is to ensure the protection of Council and private infrastructure from potential damage and minimise liability for repairs and asset renewals whilst supporting the ongoing growth and development of the Wagga Wagga local government area.

The primary audiences of this policy include:

Elected Councillors	To provide assurance that the policy aligns with broader council objectives and regulatory requirements.
Council staff	To guide direction, decision-making and resource allocation.
Regulators and Government Agencies	To provide assurance that the policy complies with relevant legislation, policies and guidelines.
Developers	To understand Council's objectives in relation to building in the vicinity of underground assets or easements.
Property Owners	To assist in understanding requirements relating to building in the vicinity of underground assets or easements on their property including indemnity, restoration activities and costs incurred.

POL 066 – Building in the Vicinity of Underground Assets Policy

Scope

Geographic and Administrative Scope

This Policy applies to all relevant properties within the Wagga Wagga local government area that are serviced or potentially could be serviced by sewer or stormwater infrastructure or that have drainage or sewer easements located within them and that are planning building activities that are in the vicinity of underground assets or easements.

The policy shall apply to any building activities occurring in the vicinity of underground assets or easements.

Infrastructure and Assets in Scope

- Sewer Network Infrastructure (Sewer Mains, Manholes and Pump Stations)
- Stormwater Infrastructure (Stormwater Mains and stormwater pits, Open Drains)
- Easements

Activities in Scope

Building activities are considered to be in the vicinity of underground assets or easements when they are constructed in an easement or encumbrance zone.

An encumbrance zone is an area where Council's ability to safely access, operate and maintain sewer and stormwater assets is impacted.

The definition for building activities encompasses physical building works as well as activities such as fencing and landscaping.

This policy covers all building activities that occur within the vicinity of underground assets or easements and spans the whole asset lifecycle i.e. planning, design, construction, commissioning, handover, operations, maintenance and decommissioning and disposal.

Policy Provisions

Conditions for consideration of building activities in the vicinity of underground infrastructure or easements

Council will consider consenting relevant building activities in the vicinity of underground infrastructure or easements where no suitable alternative construction approach is available. The hierarchy of assessment for construction approaches will be:

- Relocation of proposed building works to avoid conflict with underground assets
- Relocation or augmentation of underground assets
- Building in the vicinity of underground assets or easements

The investigation and documentation of the above approaches is to be completed by the applicant and supporting documentation to be provided to Council. Council is not obligated to approve building works in the vicinity of underground assets or easements where the risk of approval is deemed excessive to Council, the property owner or the public.

POL 066 – Building in the Vicinity of Underground Assets Policy

Documentation Requirements

If the risk is considered acceptable the applicant will provide as part of their construction certificate application supporting documentation, where requested, for building in the vicinity of underground assets or easements including:

- A site plan showing proposed works, position relative to the property boundaries, easements and Council assets,
- If available, architectural plans,
- Geotechnical report and testing results to inform footing depth and size requirements (refer Note 1),
- Detailed structural designs of footings,
- Remedial works for underground assets (e.g. relocation of manholes),
- Pre- and post- CCTV dilapidation inspection of underground assets, where deemed necessary, to understand asset condition and risk prior to works commencing and at the completion of works
- Signed indemnity agreement (Category 2 & Category 3 – building activities) or if requested a Section 88E (Category 1 – building activities) agreement for the property.

Note 1: Geotechnical engineering works are only required for Category 1 activities but may also be submitted to support a modified zone of influence assessment (refer Operating Standard – Building in the Vicinity of Underground Assets).

The extent of supporting documentation requested will depend on the building activity category:

- Category 1 activities will require full engineering documentation including geotechnical and a signed Section 88E agreement.
- Category 2 activities may not require full engineering documentation or remedial works for underground assets and typically will not require a signed Section 88E agreement.
- Category 3 activities will generally not require detailed engineering documentation. The extent of documentation requested is at Council's discretion and applicants should contact Council to confirm documentation requirements to support their development application.

Note there may be circumstances where a building activity does not trigger the requirement for a Development Application, typically Category 3 – building activities, but could still impact underground assets. In this situation the applicant will be required to complete a building in the vicinity of underground assets application form and provide requested supporting documentation.

Building Activity Categories

The building in vicinity of underground infrastructure policy applies to the following three categories of building activities:

Category 1 - Heavy or permanent structures

- Houses
- Factories
- Warehouses
- Brick garages / workshops
- Structures that are permanently habitable or used as a workplace
- In-ground swimming pools
- Retaining walls >1m height

POL 066 – Building in the Vicinity of Underground Assets Policy

Category 1 building activities for new works will not be approved to build over underground assets or within easements but may be approved to be constructed in the vicinity of underground assets.

Category 2 - Lightweight or semi-permanent structures

- Pergolas
- Garden sheds
- Above-ground pools (restrictions apply)
- Carports
- Timber / fibro / aluminum garages
- Glass houses / ferneries
- Barbecue facilities
- Retaining walls <1m height

Category 2 building activities may be approved to build over underground assets or within easements and building in the vicinity of underground assets.

Category 3 - Miscellaneous structures

- Fences
- Driveways (concrete, asphalt, pavers, etc)
- Tarmac areas
- Garden beds
- Rainwater tanks (small <1000litres)
- Overhanging structures (eaves, cantilever roof structures over easement only)
- Trees and shrubs

Category 3 building activities may be approved to build over underground assets or within easements and building in the vicinity of underground assets.

Requirements and Standards for Building in the Vicinity of Underground Assets

The design of building and sewer and stormwater assets associated with any building activity in the vicinity of underground assets must be designed:

- In accordance with Council's Engineering Guidelines and Development Standards and in the absence of relevant design clauses in accordance with the latest version of the 'WSAA Gravity Sewerage Code of Australia'.
- In accordance with Council's Operating Standard – Building in the Vicinity of Underground Assets
- In accordance with the NSW Water Directorate Guidelines - Building in the Vicinity of Sewer and Trunk Water Mains Guidelines, 2019
- In accordance with relevant building design standards and codes
- by the applicant or their representative.

Indemnity and Agreements

Where an encumbrance on a Council sewer or stormwater asset exists as a result of a building activity the applicant and property owner acknowledge that Council will not be held responsible for any damage that could result from the encumbrance. This is to indemnify Council against claims arising from the existence of an encumbrance within the zone of influence of the assets. The owner must also guarantee access to Council assets for maintenance work at any time.

POL 066 – Building in the Vicinity of Underground Assets Policy

This indemnity agreement will take the form of a standard Council indemnity agreement or a Section 88E agreement for the property. The form of agreement will be determined based on the building activity category and assessed risk to Council and the applicant's infrastructure. The applicant is responsible for all costs associated with obtaining an indemnity agreement.

Encumbrance Zones

There are two types of encumbrance zones.

Zones of loading influence are areas on the ground which extend either side of the pipe's location. Structures built in this zone may transmit load through the ground onto the pipe, increasing the chance of pipe failure. Sinking of the original trench or scouring caused by pipe failure may undermine any structure built within the zone.

Zones of clearance are used to provide sufficient room for repairs and/or replacement of sewer and stormwater assets. Unauthorised structures in this zone may endanger Council employees, restrict critical repairs or themselves be damaged or demolished at the owner's expense.

Limiting building activities in encumbrance zones is critical to the safe operation of underground assets and to the safety of the structures themselves.

Existing Encumbrances

Where building activities have been completed that have encumbered Council's underground assets without Council approval then Council may require the building to be demolished, moved or substantially modified so that it complies with this policy. Alternatively, a property owner can complete a building in the vicinity of underground assets application form and provide requested supporting documentation including a signed Section 88E agreement or indemnity agreement.

Where it is necessary to access an underground asset for maintenance or repair work Council will not be held liable for the cost of restoring any unapproved building and the property owner may be charged for any extra work required as a result of the unapproved building.

Where a building activity in an encumbrance zone has been given permission previously by Council, no further extensions, additions or reconstructions will be allowed without further assessment. Council will assess each structure on its own merit to give permission for any changes.

Reinstatement

If maintenance works are required on Council assets impacted by building activities all care will be taken to protect private property during routine or emergency maintenance works or other operations. However, Council will not be responsible for the cost of restoration beyond reinstatement to the standard condition of an unencumbered Council easement. Council will not be liable for rectification of damage to buildings or other structures approved under this policy caused by maintenance works unless Council was negligent in the completion of the works.

The above notwithstanding Council will act in good faith with property owners when completing maintenance works on properties with an encumbrance and seek to limit damage and impact as best possible.

POL 066 – Building in the Vicinity of Underground Assets Policy

Financial Considerations

If Council assets are required to be upgraded or relocated to accommodate a building activity this will be at full cost to the applicant.

The applicant will also need to fully fund any further works required as a result of the encumbrance.

In the cases of significant or high-risk structures the applicant will be required to pay for and organise the establishment of a positive covenant (Section 88E) which indemnifies the Council against all claims arising from the existence of an encumbrance within the zone of influence of the asset. This is to ensure that any future purchaser or other interested party will be notified of the existence of the encumbrance and any conditions placed upon it.

If maintenance works are required on Council assets encumbered by a structure, then the property owner will be responsible for the costs of rectification beyond restoration to an unencumbered easement.

Responsibilities

The Manager Wastewater & Stormwater, through the Director Infrastructure Services, is the responsible officer for matters relating to the Building in the Vicinity of Underground Assets Policy including approval of encumbrances on sewer and stormwater assets.

Legislative Context

This policy has been developed to meet industry best practice and legislation, including:

- Local Government Act 1993
- Protection of the Environment Operations Act 1997
- Water Management Act 2000
- Independent Pricing and Regulatory Tribunal Act 1992
- Conveyancing Act 1919
- Local Government (General) Regulation 2021
- Environmental Planning and Assessment Act 1973
- NSW State Government - State Environmental Planning Policy (Infrastructure) 2007

Related Documents

- Enforcement and Prosecution Policy (POL 012)
- Wagga Wagga City Council - Engineering Guidelines for Subdivisions and Development Standards
- Wagga Wagga City Council - Fees and Charges
- Building in the Vicinity of Underground Infrastructure Operating Standard
- Sewer Policy (POL 036)
- Stormwater Policy (POL 037)
- National Construction Code (NCC) – Volume 3 - Plumbing Code of Australia
- NSW Water Directorate - Building in the Vicinity of Sewer and Trunk Water Mains Guidelines
- Standards Australia - Australian and New Zealand Standard Plumbing and drainage (AS/NZS 3500:2021)

POL 066 – Building in the Vicinity of Underground Assets Policy

- Water Services Association of Australia; Gravity Sewerage Code of Australia – Regional NSW Edition (WSA02)

Definitions

Term	Definition
Build Over	<p>A build over activity involves building activities happening within Council's easements and will require the applicant to complete an indemnity agreement or Section 88E agreement and depending on the building category will require additional supporting documentation and works to be completed as part of the development application approval process.</p> <p>New Category 1 - building activities will not be permitted to be built over underground assets or within easements.</p> <p>Legacy Category 1 build overs must have an 88E agreement executed against the property.</p>
Building Activities	<p>Any construction activity that impacts on Council's easements (formal or assumed) or zones of influence. Building activities are classified based on the risk to Council and private infrastructure in the event of an asset failure.</p> <p>Category 1 – Heavy or Permanent Structures (higher risk)</p> <p>Category 2 – Lightweight or Semi-Permanent Structures (variable risk)</p> <p>Category 3 – Miscellaneous Structures (lower risk)</p>
Building in the vicinity	<p>Building in the vicinity of Council's underground infrastructure involves a building activity that although not completed within Council's easement may still impact Council's infrastructure and cause an encumbrance of sewer or stormwater assets.</p> <p>Depending on the building category the applicant may be required to provide additional supporting documentation and sign an indemnity agreement or Section 88E agreement as part of the development application approval process.</p>
Condition of an unencumbered Council Easement	<p>The standard condition of an unencumbered Council easement is a pipe asset constructed and backfilled in accordance with Council's Engineering Guidelines for Subdivisions and Development Standard's and grassed with prevailing local species.</p>
Easement	<p>Formal Easement: A legal right-of-way to obtain access to sewer and stormwater assets using relevant clauses in the Local Government Act and the State Environmental Planning Policy (Infrastructure) 2007.</p> <p>Assumed Easement: An inferred right-of-way for Council to obtain access to sewer and stormwater assets to complete required maintenance works.</p>

POL 066 – Building in the Vicinity of Underground Assets Policy

Term	Definition
Encumbrance	Any activity that hinders access to or may damage Council's sewer or stormwater assets.
Indemnity Agreement	An agreement that indemnifies Council against all claims arising from the existence of an encumbrance.
Maintenance access	Refers to the provisions made to ensure that sewer and stormwater mains are accessible for regular maintenance, inspections, and emergency repairs. This includes maintaining clear access to manholes, maintenance shafts, and other infrastructure components. Adequate maintenance access ensures that Council workers can perform necessary tasks without significant obstructions.
Structural integrity	Refers to the condition where the infrastructure is free from significant defects and capable of withstanding the loads and stresses imposed on it during its service life. This includes ensuring that pipes and associated structures are not compromised by external factors such as construction activities, ground movement, or corrosion. Maintaining structural integrity is essential to prevent failures and ensure the reliable operation of the sewer and stormwater systems.
Zones of influence	Refers to the area around a sewer or stormwater pipe where construction activities can potentially affect the stability and integrity of the infrastructure. It is typically defined by a line projected at a specific angle (often 45 degrees) from the invert (bottom) of the pipe to the ground surface. This area is critical because any construction within it can impose additional loads or cause ground movement that might damage the pipes.

Revision History

Revision number	Council resolution	Council meeting date
1	Res No:	

Low Pressure Sewer Systems and Connections Policy

Reference number:	POL 067
Approval date:	October 2025
Policy owner:	Manager Wastewater & Stormwater
Next review:	September 2029

Purpose

The purpose of this policy is to provide a framework for the provision of Low Pressure Sewer Systems or Low Pressure Sewer Connections within the City of Wagga Wagga ('Council') local government area. The policy outlines how, where and when low pressure sewers systems or connections may be approved by Council.

The Policy outlines the responsibilities of Council, developers and individual property owners and the associated processes and procedures with respect to planning, design, construction, maintenance, operation and ownership of low pressure sewer infrastructure and the relevant associated costs.

The policy will ensure compliance with legislative and regulatory requirements relating to low pressure sewer systems or connections and consistency in application to ensure low pressure sewer systems or connections are only installed where appropriate.

The primary audiences of this policy include:

Elected Councillors	To provide assurance that the policy aligns with broader council objectives and regulatory requirements.
Council staff	To guide direction, decision-making and resource allocation.
Regulators and Government Agencies	To provide assurance that the policy complies with relevant legislation, policies and guidelines.
Developers	To understand Council's objectives in relation to low pressure sewer service provision.
Property Owners	To assist in understanding extent of responsibility for low pressure sewer assets on their property and to understand the costs associated with these assets.



POL 067 – Low Pressure Sewer Systems and Connections Policy

Scope

Geographic and Administrative Scope

This Policy applies to all relevant properties within the local government area that are serviced or potentially could be serviced by a low pressure sewer system or connection, as determined through Council's Development Servicing Plan (DSP).

Service Areas

Areas that are or will be serviced utilising low pressure sewer infrastructure shall be included in Council's DSP but clearly identified as served by low pressure sewer systems.

Infrastructure and Assets in Scope

- Public low pressure sewer systems – Council owned low pressure sewer mains and sewage pump stations. Note this policy does not consider Council owned sewer rising mains and conventional sewage pump stations. These assets are considered under the Council Sewer Policy (POL 036)
- Private low pressure sewer assets – privately owned pressure sewer services including pumping units, service lines, boundary kits and supporting ancillary assets (e.g. power supply, control box). These assets are owned by the property owner but maintained under a maintenance services agreement with Council.

Activities in Scope

This policy covers activities spanning the whole asset lifecycle i.e. planning, design, construction, commissioning, handover, operations, maintenance and decommissioning and disposal.

Policy Provisions

Conditions for consideration of a Low Pressure Sewer System / Connection

Council will consider permitting the installation of low pressure sewer systems / connections for the provision of sewer services where other forms of sewer services cannot be effectively or economically used, or where low pressure systems / connections have particular environmental, economic or social benefits.

Specifically, Council will consider the approval of a low pressure sewer system or low pressure sewer connection under the following circumstances:

1. A conventional sewer system / connection is not viable due to topography, geotechnical, hydrological, environmental or public health factors
2. A low pressure sewer system / connection would result in improved economic outcomes for Council.
3. Implementation of a low pressure sewer system / connection achieves an overall corporate risk reduction for Council or aligns with Council's strategic objectives.

Where low pressure sewer connections are approved the property owner is responsible for all costs associated with the installation.

POL 067 – Low Pressure Sewer Systems and Connections Policy

Requirements and Standards for a Low-Pressure Sewer System / Connection

The Low Pressure Sewer System or connection must be designed:

- In accordance with Council's Engineering Guidelines for Subdivisions and Development Standards, Council's Operating Standard - Low Pressure Sewer Connections and in the absence of relevant design clauses in accordance with the latest version of the 'WSAA Pressure Sewerage Code of Australia'.
- To be consistent with the optimum design for the serviced property and catchment area with consideration of any future extension of the system to be accommodated.
- By either the developer, property owner or Council depending on the application type.

Further, low pressure sewer systems and connections will be subject to the standard Sewer Policy (POL 036) conditions with the following exceptions:

- Design and installation of the on-property pump units.
- As pump units are designed as part of an overarching interactive system design, selection and provision of the pumping unit shall be carried out by Council, installation and other connection works shall be the responsibility of the property owner.
- Boundary Kits.
- A boundary kit is comprised of an isolation valve, non-return valve and inspection/flushing point. The boundary kit marks the point of transfer between the property owner and Council.
- On-property service line.
- The property owner is responsible for maintenance of private pipe assets up to the boundary kit.
- Site suitability.

An audit shall be undertaken on all properties prior to connection to Council's pressure sewer system to ensure existing services including power boards; household sanitary plumbing and drainage are suitable for connection and to identify the most suitable location for installation of the pump station. If the audit identifies services are not suitable for connection, the owner must arrange for the services to be rectified prior to the connection being made to Council's pressure sewer system.

Existing Low Pressure Sewer Systems

Council currently operates several Low Pressure Sewer Schemes, unconnected properties within these schemes are eligible for a low pressure sewer connection with the following condition:

- On the basis that the household sanitary plumbing and drainage for existing properties has previously been approved for occupancy, household sanitary plumbing and drainage for existing properties connected to Council's pressure sewer system installed as part of Council's "Village Sewer Program" is deemed to comply with the current "National Plumbing and Drainage Code AS3500."

Ownership and Cost of Low Pressure Sewer Infrastructure

Low pressure sewer systems / connections have different ownership and maintenance requirements to conventional sewer services and property owners need to be aware of their responsibilities.

POL 067 – Low Pressure Sewer Systems and Connections Policy

Ownership for low pressure sewer infrastructure resides with the property owner and is inclusive of electricity connection and supply, plumbing and drainage, installation and operation of the pumping equipment. The demarcation point between the property owner and Council ownership and operation is the boundary kit of the pressure main which is between the pumping station and the pressure sewer network.

Council provides operation and maintenance support to all homeowners for the pump and control equipment only, for an annual fee nominated under Council's fees and charges, via a maintenance service agreement. The maintenance service agreement property owners have with Council and the fees paid as part of the service agreement covers asset maintenance, pumping unit and control panel renewal but does not include reactive works as a result of misuse of the private pressure sewer assets.

If Council are required to perform maintenance or renewal of private pressure sewer assets as a result of misuse by the property owner or those residing within the property then the cost of rectification will be paid by the property owner. If access to pressure sewer assets is restricted additional costs for rectification may be applied. Typical costs associated with misuse of a pressure sewer asset are nominated within Council's fees and charges. Depending on the severity of the misuse and damage caused to the pressure sewer asset(s) additional charges may apply.

Specific Provisions

Connections outside of Council's Development Servicing Plan

The nature of low pressure sewer connections is such that connection can be achieved for properties outside of Council's DSP if network capacity is available. Property owners outside of serviced land can seek approval to connect to Council's sewer systems and these connections may be approved provided the following conditions are met:

- The owner pays all costs associated with the connection.
- The owner pays a maintenance charge for all Council sewer infrastructure that exists solely to service the property.
- The owner pays normal sewer charges.
- The owner enters into a maintenance service agreement with Council.
- Council's network will not be hydraulically overloaded as a result of the connection.

Out of sequence development

Council does not favor out of sequence development however there may be circumstances where the use of a low pressure sewer system to allow such development to take place may be deemed appropriate. Such instances require specific Council approval and would be managed through the development application process. Approval will be conditional on the developer agreeing to convert the development to a conventional sewer system and to pay all of the costs associated with its provision when conventional sewer systems become available.

POL 067 – Low Pressure Sewer Systems and Connections Policy

Industrial & Trade Wastes

Because of the limited capacity and long detention times involved in low pressure sewer systems, applications under Category 2, 3 and 4 of Council's Non-Domestic Waste to Sewer Policy will be assessed and treated on their individual merits. Refer to Liquid Trade Waste – Regulation Policy (POL 006).

Swimming Pools

Discharge from swimming pools and pool filtration units can only be accepted into low pressure sewer in such a way as not to impact the normal operation of the system. Requirements for swimming pools are detailed in Council's Swimming Pool Safety Policy (POL 049).

Responsibilities

The Manager Wastewater & Stormwater, through the Director Infrastructure Services, is the responsible Officer for matters relating to Low Pressure Sewer Systems and Connections.

Legislative Context

The Low Pressure Sewer System and Connections policy is a subordinate policy to, and subject to the same legislative context, as the Sewer Policy (POL 036).

Related Documents

- AS/NZS 3500 National Plumbing and Drainage Code
- Wagga Wagga City Council - Agreement for the supply, installation and repair of pressure sewerage pump units and associated equipment
- Wagga Wagga City Council – Development Servicing Plan No 1: Sewerage Services
- Wagga Wagga City Council Engineering Guidelines for Subdivisions and Development Standards
- Wagga Wagga City Council – Fees and Charges
- Liquid Trade Waste – Regulation Policy (POL 006)
- Operating Standard - Low Pressure Sewer Connections
- Pressure Sewerage Service Owner's Manual
- Sewer Policy (POL 036)
- National Construction Code (NCC) – Volume 3 - Plumbing Code of Australia
- NSW Water Directorate – O&M Manual for Pressure Sewer Systems - 2017
- Water Services Association of Australia – WSA 07:2007 Pressure Sewerage Code Australia

POL 067 – Low Pressure Sewer Systems and Connections Policy

Definitions

Term		Definition
Boundary Kit		A valve box at the property boundary incorporating an isolating valve, non-return valve and an inspection tee.
Boundary Line		Boundary of responsibilities between Council and property owners.
Conventional System	Sewer	A sewer system where properties are connected to public owned sewer reticulation and trunk assets through a standard sewer connection. In a conventional sewer system sewer pump stations are trunk assets owned by Council.
Council		City of Wagga Wagga (CoWW)
Development Plans (DCP)	Control	Provides detailed planning and design guidelines to support the planning controls in the Local Environmental Plan.
Development Plan (DSPs)	Servicing	Details the sewer developer charges to be levied on development areas utilising sewer infrastructure. The DSP's cover sewerage developer charges in regard to the development areas served by Council.
Low Pressure Connection	Sewer	A property connection comprising the pumping unit, internal pressure pipework and boundary kit. The responsibility for infrastructure is split between Council (pump and control panel) and the property owner (all other assets). Dual occupancy properties will be serviced by a single connection.
Low Pressure System	Sewer	A sewer system where properties are connected to a pressurised main via individual onsite pump stations. Low pressure sewer systems are used where conventional sewer systems are not viable.
Maintenance Agreement	Service	A document outlining the roles and responsibilities of property owners and Council in relation to the operation and maintenance of low pressure sewer connections. The maintenance service agreement comes into effect once the low pressure sewer connection is constructed. There is an annual service charge associated with the maintenance service agreement detailed in Council's Fees & Charges. Additional charges may apply in the case of misuse of the low pressure sewer connection.
Misuse		Activities that are likely to cause a premature failure of the pumping unit or control panel and require Council attendance to rectify. This can include inappropriate disposal of waste to sewer (wet wipes, nappies, oil & grease etc.) or direct damage to the pump or control panel. If Council determine a pump or control panel has failed due to misuse additional charges for repair/replacement may be applied.

POL 067 – Low Pressure Sewer Systems and Connections Policy

Term	Definition
Pumping Unit	Consists of a below-ground collection chamber and pump unit which stores, grinds and pumps sewage under pressure into Council's sewerage system.
Sewer Connection	A connection to a convention sewer system. Council owns up to the boundary trap or riser and property owners are responsible for pipework beyond this point (see Sewer Policy (POL 036))

Revision History

Revision number	Council resolution	Council meeting date
1	Res No:	

RP-4 PROPOSED EXPRESSION OF INTEREST CAMPAIGN - OFFICE AND STORAGE SPACE/S - PART 150 COPLAND STREET, EAST WAGGA WAGGA**Author:** Matthew Dombrovski**Executive:** Ben Creighton

Summary: This report relates to a proposed Expression of Interest campaign to assess potential interest in a commercial licence opportunity within the Wagga Wagga Multi-Purpose Stadium.

Recommendation

That Council:

- a undertake an Expression of Interest campaign for the occupation of Office and Storage Space/s at Wagga Wagga Multi-Purpose Stadium, part 150 Copland St, East Wagga Wagga (being part Lot 21 in Deposited Plan 1161836)
- b receive a further report regarding all submissions received at the conclusion of the Expression of Interest process

Report

An opportunity has been identified by Council officers at the Wagga Wagga Multi-Purpose Stadium (MPS) for the potential licence of one of the office spaces at the venue. MPS is located on Council owned, operationally classified land.

There is currently one office space that is available for licence, being an area of approximately 40sqm. The space is currently underutilised as overflow storage, however Council officers have already identified ways that storage arrangements can be adjusted so as to make this space available to a third-party user. Given the nature of the site, this is being identified as a commercial licensing opportunity, and any licence amount accepted should be based on commercial terms.

The proposed offering would include use of the office space and a separate storage space. In addition, the successful applicant would have access to shared amenities such as the public toilets, changerooms and kitchen facilities.

In accordance with Council's Acquisition, Disposal and Management of Land Policy POL 038, a public Expression of Interest campaign should be undertaken to identify potential new tenants, ensure equal opportunity to apply, and to optimise the property's commercial potential. It is noted that Council has previously received enquires about availability of space to support administrative operations by sporting groups, so it is anticipated that there will be significant interest.

Given the size and scale of the Expression of Interest, it is proposed that the campaign would be administered using internal staff capabilities within the Property team.

It is anticipated that the campaign would run for a period of four (4) weeks. Indicative terms of the arrangement could include:

Term	Details
Licence term	Initial offer of three (3) years.
Permitted Use	Sporting administration, venue management, or related activities.
Operating Hours	By negotiation.
Commencing Rent (excluding GST)	To be confirmed by submissions.
Rental Reviews	Annually by the greater of 3% or CPI.
Maintenance	<p>The Licensee is responsible for routine repairs and maintenance of all fixtures, fittings and improvements within the licensed areas.</p> <p>The Licensor will be responsible for all structural repairs and maintenance (unless required due to the Licensee's use of the premises).</p>
Insurance	<p>The Licensee shall affect and maintain public liability insurance in the sum of \$20 million. Council will be listed on the policy as an interested party.</p> <p>The Licensee shall affect and maintain contents insurance for all contents belonging to the licensee.</p>

The following selection criteria are recommended for inclusion in the Expression of Interest.

Selection Criteria	Weighting
Proposed commencing rental amount (excluding GST).	40%
Details of proposed activities to be conducted on the site and how it is consistent with the proposed permitted use.	25%
Evidence of financial resources to satisfy obligations under the licence.	25%
Evidence of previous rental history and/or minimum two references from other parties whom the applicant has had a commercial business arrangement.	10%

Financial Implications

A further report will be presented to Council at the conclusion of the Expression of Interest campaign providing details of the outcome of the Expression of Interest and providing a recommendation as to a preferred tenant (if any).

Policy and Legislation

Local Government Act 1993

Acquisition, Disposal and Management of Land Policy POL038

Link to Strategic Plan

Growing Economy

Objective: Wagga Wagga is an attractive location for people to live, work and invest

Attract and support local businesses, industry, and employment opportunities

Risk Management Issues for Council

Council has a responsibility to appropriately manage its property assets. The conduct of an Expression of Interest campaign in order to determine interest in the use of the site ensures that Council is undertaking its dealings with property assets in an open and transparent manner.

Internal / External Consultation

Internal consultation has been undertaken within Council's Economy Business and Workforce Directorate.

The proposed Expression of Interest campaign will be advertised externally through the Council website, Council News and through social media.

	Mail			Traditional Media				Community Engagement				Digital				
	Rates notices insert	Direct mail	Letterbox drop	Council news	Media release	Media opportunity	TV/radio advertising	One-on-one meeting(s)	Community meeting(s)	Stakeholder workshop(s)	Drop-in session(s)	Survey/feedback form(s)	Have your Say	Email newsletter	Social media	Website
Inform				<input checked="" type="checkbox"/>											<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Consult																
Involve																
Collaborate																
Other methods (please list specific details below)																

Attachments

1.  Attachment 1 - Location Map

2.  Attachment 2 - Floorplan

Location Map - 150 Copland Street, Wagga Wagga



Lot 21 DP 1161836



Multi-Purpose Stadium
Part Lot 21 DP 1161836

Map Date: September 2025

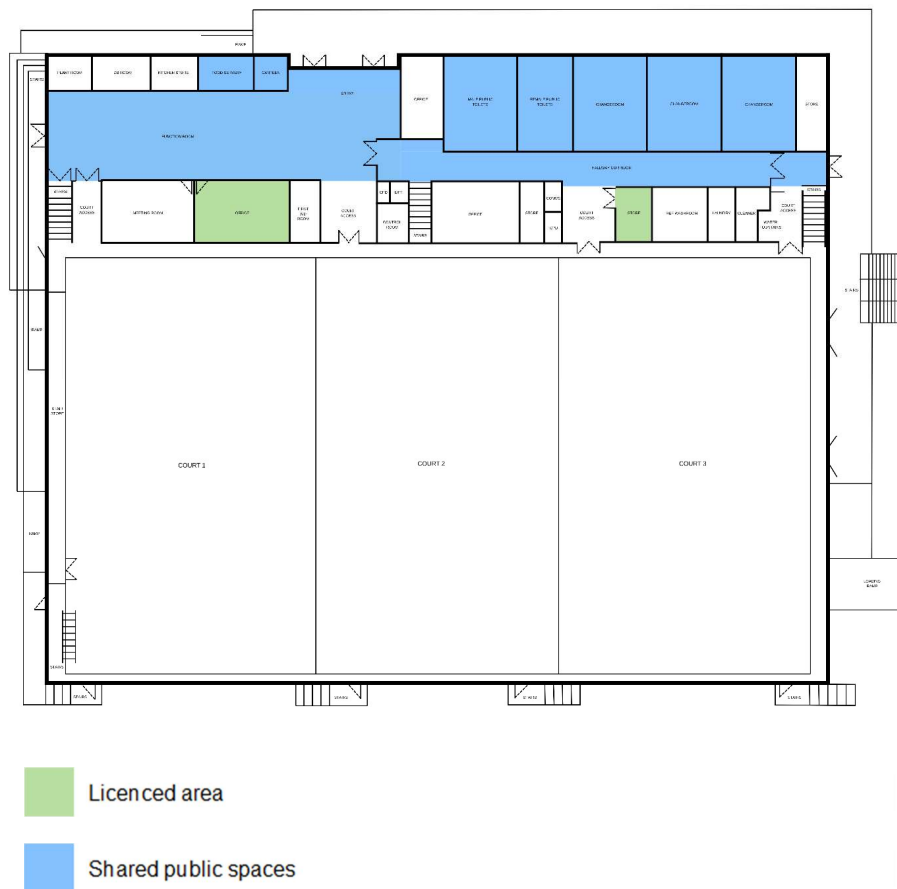
The City of Wagga Wagga does not warrant the accuracy or completeness of information in this product. Any person using or relying upon this product does so on the basis that the City of Wagga Wagga does not accept responsibility or liability for any errors, faults, defects or omissions in this product.



City of
Wagga Wagga



Floorplan Map



Disclaimer: This floorplan is for illustrative purposes only. All measurements, dimensions, and layouts are approximate and subject to change. No responsibility is taken for any errors, omissions, or misstatements. Interested parties should make their own enquiries.

RP-5 INITIAL CLASSIFICATION OF LAND - LOTS 1553, 1554 AND 1556 IN DP 1318011, BEING LAND DEDICATED TO COUNCIL UNDER PLAN OF SUBDIVISION

Author: Matthew Dombrovski
Executive: Ben Creighton

Summary: This report deals with the proposed dedication of land at Estella and the classification of this land pursuant to the Local Government Act 1993.

Recommendation

That Council:

- a agree in principle to classify the land described as Lots 1553, 1554 and 1556 in DP 1318011 as operational land in accordance with section 31(2) of the Local Government Act 1993
- b authorise the General Manager or their delegate to place the proposed resolution on public exhibition for a period of 28 days and invite public submissions
- c receive a further report following the exhibition and submission period addressing any submission made in respect of the proposed classification

Report

Council has recently approved a subdivision of land at 115 Pine Gully Road, Estella. As part of that subdivision five (5) lots were identified as land to be dedicated to Council. Council has identified that three (3) of those five (5) lots contain easements that benefit service authorities and/or Council

The locations of the three identified lots are shown in Figure 1 below

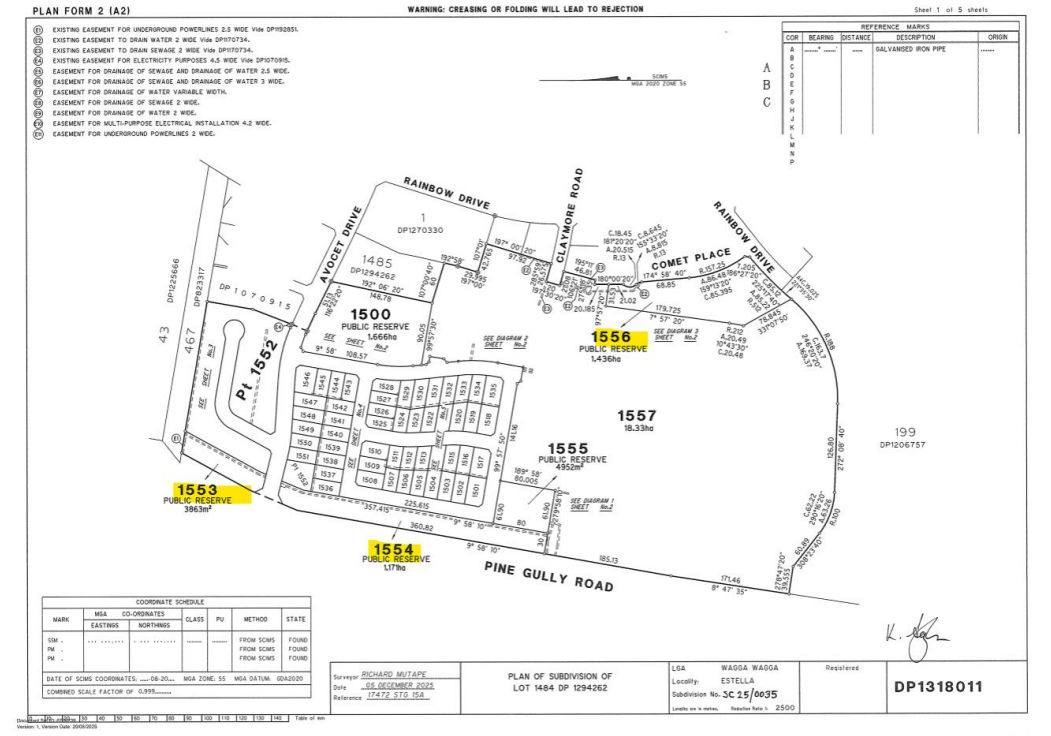


Figure 1 showing location of proposed Lots to be classified as operational land

The Local Government Act (LGA) provides that all land owned by Council must be classified as operational or community land. Section 27 of the LGA provides that the classification of land occurs either through a local environmental plan, or in certain circumstances, through the resolution of Council. More specifically section 31(2) of the LGA provides:

(2) Before a council acquires land, or within 3 months after it acquires land, a council may resolve (in accordance with this Part) that the land be classified as community land or operational land.

There are specific provisions in the LGA that would need to be managed if the land was to be dedicated as community land. These include obligations for Council to have adopted a Plan of Management of how these parcels of land are managed and used, and limiting the dealings that Council can have with such parcels of land.

It is also noted that Council's current Recreation, Open Space and Community Strategy and Implementation Plan 2040 (ROSC) specifically requires that any active and passive open space areas will not be located under major power lines, or in detentions basins, or evidence must be provided to show that the identified location of those assets will not reduce the functionality or amenity of the open space.

Given the constraints referred to above, and noting the easements proposed for the three identified parcels of land, Council officers are of the view that classification of the three identified parcels as community land is not considered appropriate. It is therefore recommended that Council classify these three parcels of land as operational land.

Included in the LGA is the requirement for Council to publicly notify its intention to classify the land for a period of 28 days. During this time, the public may make submissions in relation to the proposed classification.

Upon completion of the public exhibition a further report will be provided to Council noting any submissions received and seeking endorsement of a final resolution to classify Lots 1553, 1554 and 1556 in DP1318011 as operational land upon registration of the plan of subdivision.

Financial Implications

N/A

Policy and Legislation

Local Government Act 1993
Recreation, Open Space and Community Strategy and Implementation Plan 2040
Acquisition, Disposal and Management of Land Policy POL038

Link to Strategic Plan

Growing

Enabling infrastructure

Deliver critical community infrastructure to facilitate growth and attract business.

Risk Management Issues for Council

If Council does not classify the land as operational within the legislative timeframe, the land will automatically be classified as community land under the Local Government Act 1993. Community land is subject to signification restrictions – it cannot be sold, leased or used for commercial or operational purposes unless strictly in accordance with an adopted Plan of Management.

The land being acquired, through dedication, is intended for operational purposes. If reclassified is required at a later stage, it would involve a costly and time-consuming process including the preparation of a planning proposal and an amendment to the Local Environmental Plan (LEP).

Should Council act in a manner inconsistent with the community land classification, it may risk breaching the Local Government Act, potentially exposing Council to legal challenges, judicial review or injunctive relief.

Internal / External Consultation

Internal consultation has been undertaken within the Economy, Business and Workforce and Infrastructure Services directorates.

Public exhibition of the proposed resolution is required pursuant to Section 34 of the Local Government Act.

	Mail			Traditional Media			Community Engagement				Digital					
	Rates notices insert	Direct mail	Letterbox drop	Council news	Media release	Media opportunity	TV/radio advertising	One-on-one meeting(s)	Community meeting(s)	Stakeholder workshop(s)	Drop-in session(s)	Survey/feedback form(s)	Have your Say	Email newsletter	Social media	Website
Inform			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>									<input checked="" type="checkbox"/>			
Consult																
Involve																
Collaborate																
Other methods (please list specific details below)																

RP-6 CLASSIFICATION OF DRAINAGE RESERVES IN BROOKONG AVENUE**Author:** Matthew Dombrovski**Executive:** Ben Creighton

Summary: This report deals with the dedication of the drainage reserves in Brookong Avenue and the classification of the reserves pursuant to the Local Government Act.

Recommendation

That Council:

- a agree in principle to classify the land described as Lots 38 and 37 Section H in Deposited Plan 13345 and identified as drainage reserves 28A and 54A Brookong Avenue, Wagga Wagga as operational land in accordance with section 31(2) of the Local Government Act 1993
- b authorise the General Manager or their delegate to place the proposed resolution on public exhibition for a period of 28 days and invite public submissions
- c receive a further report following the exhibition and submission period addressing any submission made in respect of the proposed classification

Report

Council Officers have received enquiries from Martinus Rail on behalf of Inland Rail Pty Ltd to access the drainage reserve at 28A Brookong Avenue, Wagga Wagga to undertake the clearance of overhanging vegetation and at a point in the future, the erection of a temporary scaffold footbridge to replace the Cassidy Parade footbridge. Martinus Rail was advised Inland Rail Pty Ltd would need to enter into a Licence Agreement with Council on commercial terms for the use of this parcel of land. The drainage reserve was not incorporated into the previous negotiations for land use.

On further investigation by Council Officers it was discovered that the recorded ownership of 28A Brookong Avenue (and 58A Brookong Avenue) was in the name of James Joseph Salmon although Council has carried out maintenance of this drainage reserve and assumed ownership. Council officers understand that James Salmon died in or around 1936.

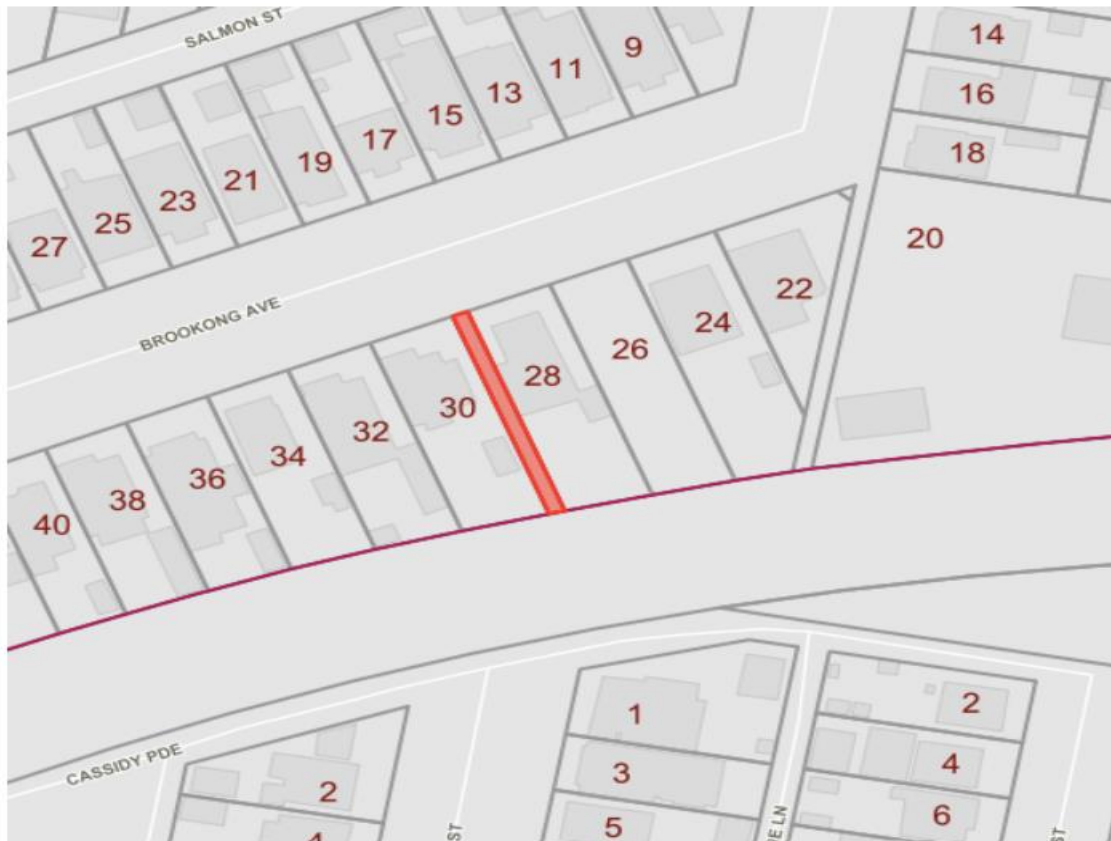


Figure 1 – shows location of 28A Brookong Avenue



Figure 2 – shows location of 54A Brookong Avenue

The title for 28A and 54A Brookong Avenue are recorded on the one title and is described as a drainage reserve. Between 24 November 1922 and 15 June 1964, a drainage reserve was not automatically vested in the Council on registration of the plan. A gazettal notice would ordinarily have been required to complete the dedication process however no evidence of such notice has been identified in available records.

To rectify the ownership of the drainage reserves, Council will publish a notice in the Government Gazette notifying that the land is vested to Council pursuant to section 50 (4) of the *Local Government Act* 1993. After the gazettal notice, the Council will lodge a Request Form 11R at the Lands Registry Services to be registered. Upon registration of the Request Form, the land will reflect Council as the proprietor of the drainage reserve.

In relation to classification of the land, the Local Government Act (LGA) provides that all land owned by Council must be classified as operational or community land. Section 27 of the LGA provides that the classification of land occurs either through a local environmental plan, or in certain circumstances, through the resolution of Council. More specifically section 31(2) of the LGA provides:

(2) Before a council acquires land, or within 3 months after it acquires land, a council may resolve (in accordance with this Part) that the land be classified as community land or operational land.

There are specific provisions in the LGA that would need to be managed if the land was to be dedicated as community land. These include obligations for Council to have adopted a Plan of Management of how these parcels of land are managed and used, and limiting the dealings that Council can have with such parcels of land.

It is more appropriate for the drainage reserve to be classified as operational land as it serves a solely functional purpose for stormwater management and is not intended or suitable for community use or recreation.

Included in the LGA is the requirement for Council to publicly notify its intention to classify the land as operational land for a period of 28 days. During this time, the public may make submissions in relation to the proposed classification.

Upon completion of the public exhibition a further report will be provided to Council noting any submissions received and seeking endorsement of a final resolution to classify 28A and 54A Brookong Avenue as operational land.

In relation to the licensing of the drainage reserve to Inland Rail Pty Ltd, it is proposed that Council enter into a licence agreement in the future with a commercial fee payable to Council for the use of Council land. The final terms will be subject to a separate report to Council once the terms have been agreed between the parties and Inland Rail Pty Ltd has completed engagement with the surround residents. It is anticipated that Council would enter into the licence agreement with Inland Rail for a period of 18 months. The licence will allow Inland Rail to maintain a temporary footbridge on Council-owned land for the duration of the works.

It is also proposed that Council give the Inland Rail Pty Ltd initial landowners consent to commence works for a period of 3 months subject to the terms of the commercial licence agreement being agreed prior to the works commencing.

Financial Implications

In relation to the transfer of the land to reflect the vesting of land in Council, the cost is minimal with legal fees estimated at \$1,500 which will be funded from the Property Management Legals budget (10 16750 7170). Ongoing Maintenance costs is provided for within existing budgets.

Policy and Legislation

Real Property Act 1900

Local Government Act 1993

Acquisition Disposal and Management of Land Policy (POL 038)

Link to Strategic Plan

Regional Leadership

Ethical Leadership

Provide strategic direction and leadership for our region to deliver key community priorities.

Risk Management Issues for Council

If Council does not classify the land as operational within the legislative timeframe, the land will automatically be classified as community land under the Local Government Act 1993. Community land is subject to significant restrictions – it cannot be sold, leased or used for commercial or operational purposes unless strictly in accordance with an adopted Plan of Management.

The land being acquired through registration of a transfer to reflect the ownership is intended for operational purposes. If reclassification is required at a later stage, it would involve a costly and time-consuming process, including a preparation of a planning proposal and amendment to the Local Environmental Plan (LEP). Should Council act in a manner inconsistent with the community land classification, it may risk breaching the Local Government Act potentially exposing Council to legal challenges, judicial review or injunctive relief.

Council has a responsibility to appropriately manage property assets which it owns or controls. At present, Council is incurring costs to maintain an asset that is not formally in its name. Formalising the ownership of this land represents a proactive approach by Council to address historical anomalies and ensure proper management of its infrastructure.

Internal / External Consultation

Internal consultation has been undertaken within the Economy, Business and Workforce directorate.

Public exhibition of the proposed resolution is required pursuant to section 34 of the Local Government Act.

	Mail			Traditional Media				Community Engagement				Digital				
	Rates notices insert	Direct mail	Letterbox drop	Council news	Media release	Media opportunity	TV/radio advertising	One-on-one meeting(s)	Community meeting(s)	Stakeholder workshop(s)	Drop-in session(s)	Survey/feedback form(s)	Have your Say	Email newsletter	Social media	Website
Inform		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>									<input checked="" type="checkbox"/>			
Consult																
Involve																
Collaborate																
Other methods (please list specific details below)																

RP-7 REQUESTS FOR FINANCIAL ASSISTANCE - SECTION 356**Author:** Carolyn Rodney

Summary: Council has received one (1) fee waiver request for Council's consideration.

Recommendation

That Council:

- a in accordance with Section 356 of the Local Government Act 1993, provide financial assistance to the following community group:
 - i St. Vincent de Paul for \$221.00
- b note the proposed budget available for financial assistance requests for the remainder of the 2025/26 financial year

Report

One (1) Section 356 financial assistance request is proposed for consideration at this Ordinary Council meeting:

1. St Vincent De Paul - \$221.00

In the attached letter, Carole Parkinson, the Wagga Regional Director of St. Vincent de Paul Society, requests a fee waiver for venue hire for Geohex Park rooms during December 2025. St. Vincent de Paul Society utilise the rooms to organise and pack Christmas Hampers.

The room booking for the December period has a fee of \$2,300.00, allowing for pack up. Included in the annual Section 356 Donations approved by Council at the 23 June 2025 Council meeting is a fee waiver of \$2,079.00. The additional two days hire from previous years allow for appropriate cleaning and pack up after. It is proposed for the annual Section 356 Donations amount will be increased in future years to allow for this additional hire days.

The above request aligns with Council's Strategic Plan "Strong sense of place and identity" – Objective: *Create a sense of identity and pride within our community*

St. Vincent de Paul Society received a \$990.00 fee waiver at the 7 July 2025 Council meeting for the hire of the Council meeting room for their regional gathering of members and volunteers.

Financial Implications**Budget Summary**

(rounded to the nearest dollar where applicable)

Total Section 356 Contributions, Grants and Donations 2025/26 Budget allocation	\$2,458,659
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Total of Section 356 Contributions, Grants and Donations budget allocations approved during 2025/26 Operational Plan adoption*	(\$2,435,433)
Total of fee waivers approved to date this financial year	<u>(\$3,930)</u>
Revised Balance of Section 356 budget available for requests received during the 2025/26 financial year	\$19,296
1) St. Vincent de Paul	(\$221)
Subtotal Fee Waivers included in this report proposed to be funded from the Section 356 Budget	<u>(\$221)</u>
Proposed Balance of Section 356 fee waiver financial assistance budget for the remainder of the 2025/26 Financial Year	\$19,075

* This figure includes Community leases rental subsidies (\$1,835,325); Annual Grants Programs (\$232,000); Major Events Sponsorships (\$100,000); Fee Waivers and Rates and Annual Charges Waivers (\$69,580); Contributions (\$55,587); Scholarships (\$6,000); Road Closures (\$29,000) and Other (\$107,941).

Policy and Legislation

POL 078 – Financial Assistance Policy

Link to Strategic Plan

Vibrant

Strong sense of place and identity

Create a sense of identity and pride within our community

Risk Management Issues for Council

N/A

Internal / External Consultation

Cross Directorate consultation has been undertaken as required.

Attachments

1  St Vincent De Paul - Request for Fee Waiver Section 356



St Vincent de Paul Society

good works

Care and Support Centre, Wagga Wagga
Corner Trail and Gurwood Streets
Wagga Wagga NSW 2650

16TH September 2025

Wagga Wagga City Council
P.O. Box 20
WAGGA WAGGA NSW 2650

ATTENTION; Mrs. L MCDERMOTT

Dear Lyn

I write once again to ask your indulgence in granting St. Vincent de Paul use of the McDonald Park rooms for December 2025. We greatly appreciate the Council making these rooms available to us for the last four years.

We expect that we will have greater demand for hampers this year, probably in excess of 300-400, toys and donated goods. The space provided at McDonald Park allows us to efficiently store and process the large amount of items

If Council cannot see fit to provide them again this year it would impact our ability to once again provide hampers to those most in need of them

We look forward to a favorable decision by The Wagga Wagga City Councilors and management.

Thank you for your consideration

Sincerely

Carole Parkinson
Wagga Regional Director
St. Vincent de Paul Society

RP-8 DISCLOSURE OF PECUNIARY INTEREST RETURNS - COUNCILLORS AND DESIGNATED STAFF 2025

Author: David Galloway
General Manager: Peter Thompson

Summary: | Clause 4.21 of the Model Code of Conduct requires all Councillors and Designated Staff to complete an annual Disclosure of Pecuniary Interest Return.

Recommendation

That the Register of Pecuniary Interest Returns, containing current returns of Councillors and Designated Staff for the period 1 July 2024 to 30 June 2025 be tabled in accordance with Clause 4.21 of the Model Code of Conduct.

Report

Under Clause 4.21 of the Code of Conduct, certain council officials, namely councillors and designated persons, are required to disclose their personal interests in publicly available returns of interests. These operate as a key transparency mechanism for promoting community confidence in council decision making, whether by councillors or by staff or others under delegation.

A Pecuniary Interest is described in Clause 4.1 of the Code as *“an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3 of the Code”*.

All returns of interests are to be lodged with the council’s general manager who must keep a register of returns required to be made and lodged with them. A return lodged within 3 months of 30 June must be tabled at the first council meeting after the last day the return was required to be lodged.

The General Manager reviewed the list of Designated Persons in the previous return period and, as a result, the number of persons who were required to complete and lodge a Return under Clause 4.21, was reduced. The result of this review continues to be reflected in the current register.

Declarations of Pecuniary Interest Returns were due by 30 September 2025. As at 1 October 2025, returns had been received from all nine (9) Councillors and all Designated Persons in accordance with the Code of Conduct.

Accordingly, Council’s register of Pecuniary Interest Returns 2025 is submitted to this meeting of Council as prescribed by the Code.

Councils must make all returns of interests publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the NSW Information Commissioner. A number of Councillor, Committee member, and staff returns have received approval from the General Manager and, following assessment of a request for redaction, are included in the attachment to this report in redacted form.

The Register of Pecuniary Interest Returns is available for inspection at Council's Civic Centre offices during ordinary business hours and will also be available on Council's website.

Financial Implications

N/A

Policy and Legislation

The Wagga Wagga City Council Code of Conduct (Code of Conduct) sets out the requirements in relation to the completion and lodgement of pecuniary interest returns. Under the Code of Conduct a person must also not make and lodge a return that the person knows or ought reasonably to know is false or misleading in a material particular.

Complaints about breaches of these requirements are to be referred to the Office of Local Government (OLG) and may result in disciplinary action by the council, the Chief Executive of OLG or the NSW Civil and Administrative Tribunal.

The following legislation and guidelines were also considered as part of the assessment of the request for redaction:

- *Government Information (Public Access) Act 2009 (GIPA Act)*
- *Government Information (Public Access) Regulation 2009 (GIPA Reg)*
- *IPC Guidelines and Information Access Guidelines*
- *Privacy and Personal Information Protection Act 1998* or a Health Privacy Principle under the *Health Records and Information Privacy Act 2002*

Link to Strategic Plan

Regional Leadership

Ethical Leadership

Deliver accountable and transparent leadership.


Risk Management Issues for Council

N/A

Internal / External Consultation

N/A

Attachments

1. Register of Pecuniary Interest Returns - Councillors and Designated Staff -
 Provided under separate cover

RP-9 QUESTIONS WITH NOTICE**Author:** Scott Gray

Summary: This report is to respond to questions with notice raised by Councillors in accordance with Council's Code of Meeting Practice.

Recommendation

That Council receive and note the report.

Report

The following questions with notice were received prior to the meeting, in accordance with the Code of Meeting Practice.

Councillor A Parkins

Can an update be provided on the lighting outside the Riverina Conservatorium of Music?

Council has been in contact with Essential Energy to undertake an assessment of the lighting, which will determine whether the requested works are achievable. Once this is received, a scope of work can be developed based on the outcomes of the assessment. We have followed up with Essential Energy regarding the request and are yet to hear back.

Councillor A Parkins

Can an update be provided on the feedback from organisers of the recent Wagga Wagga Tennis International, and what actions Council may take to encourage the tournament or similar events to return to Wagga Wagga?

Wagga Leisure management have received multiple informal acknowledgements following the city's first ever Women's Pro Tour ITF event. The anecdotal feedback has been overwhelmingly positive with Shaun Mulraney – Head of Tennis Operations & Pathways for Tennis NSW deeming the tournament a "huge success". Shaun believes that the successful collaboration between council staff and Tennis Australia officials will hold us in good stead to secure more international events in the future.

"In terms of Pro Tour events moving forward. As part of the Agreement between TA and Council, Council has the opportunity to work with TA/TNSW on attracting these events for further years and we are planning to follow-up with Council more formally in due course soon" Shaun stated

Wagga Leisure will hold an internal review in the coming weeks.

Based on the success of this event Tennis NSW have sanctioned the following:

- 2025 Riverina Open & Junior 125 De Minaur National Junior Tour tournament
 - Junior 125 event being elevated to a Junior 250 (only one of 6 in regional NSW)

- Tennis NSW Country Championships in July 2026
- Other events such as Regional Matchplay Series and Tennis Country Series events – dates TBC

Financial Implications

N/A

Policy and Legislation

Code of Meeting Practice

Link to Strategic Plan

Regional Leadership

Good governance

Provide professional, innovative, accessible and efficient services.

Risk Management Issues for Council

N/A

Internal / External Consultation

N/A

CONFIDENTIAL REPORTS**CONF-1 COMMISSIONING OF PUBLIC ART PROJECT IN KOORINGAL****Author:** Lauren Reynolds**Executive:** Janice Summerhayes

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 RFT CT2026002 ORBAL INLET SCREEN AND SCREW WASH PRESS REPLACEMENT**Author:** Ray Graham**Executive:** Henry Pavitt

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 RFT CT2026011 BULK CO2 SUPPLY OASIS**Author:** Marc Geppert**Executive:** Ben Creighton

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.

MINUTES of the ORDINARY MEETING OF COUNCIL held on Monday 22 September 2025.

PRESENT

The Mayor, Councillor Dallas Tout
Councillor Georgie Davies
Councillor Richard Foley
Councillor Amelia Parkins
Councillor Karissa Subedi
Councillor Lindsay Tanner

IN ATTENDANCE

Acting General Manager	(Mr S Gray)
Director Community	(Ms J Summerhayes)
Director Infrastructure Services	(Mr H Pavitt)
Director City Engineering	(Mr W Faulkner)
Chief Financial Officer	(Mrs C Rodney)
Acting Chief Operating Officer	(Mr D Galloway)
Manager City Growth & Regional Assets	(Mr B Creighton)
Executive Director Housing & Strategic Planning	(Mrs F Hamilton)
Acting Manager Corporate Governance & Performance	(Mr B Ristivojevic)
Manager Community Services	(Ms M Scully)
Community Development Coordinator	(Ms A Osgood)
Corporate Governance Coordinator	(Mrs N Johnson)
Communications & Engagement Officer	(Mrs M Oldaker)
Business Support Officer	(Ms R Brodin)

NOTICE TO MEETING

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

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

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

ACKNOWLEDGEMENT OF COUNTRY

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

This is page 1 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **22 SEPTEMBER 2025**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the ORDINARY MEETING OF COUNCIL held on Monday 22 September 2025.

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

REFLECTION

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

APOLOGIES

Apologies for non-attendance was received and accepted for Councillor T Kochel, General Manager, Mr P Thompson and Director Economy, Business & Workforce, Mrs F Piltz on the Motion of Councillors G Davies and R Foley.

LEAVE OF ABSENCE

Council noted that leave of absence was granted to Councillor J McKinnon (22 September 2025 to 10 October 2025 inclusive) and Councillor A Condron (22 September 2025).

CONFIRMATION OF MINUTES

CM-1 CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING - 8 SEPTEMBER 2025

25/301 RESOLVED:
On the Motion of Councillors G Davies and A Parkins

That the Minutes of the proceedings of the Ordinary Council Meeting held on 8 September 2025 be confirmed as a true and accurate record.

CARRIED

RECORD OF VOTING ON THE MOTION

<u>For the Motion</u>	<u>Against the Motion</u>
D Tout	
G Davies	
R Foley	
A Parkins	
K Subedi	
L Tanner	

This is page 2 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **22 SEPTEMBER 2025**.

.....**MAYOR** **GENERAL MANAGER**

MINUTES of the ORDINARY MEETING OF COUNCIL held on Monday 22 September 2025.

DECLARATIONS OF INTEREST

Councillor G Davies declared a Pecuniary Interest in RP-3 FINANCIAL PERFORMANCE REPORT AS AT 31 AUGUST 2025 the reason being that she owns property in close proximity to a parcel of land referred to in the report and vacated the chamber during its consideration.

Councillor R Foley declared a Non-Significant Non-Pecuniary Interest in NOM-1 NOTICE OF MOTION - USE OF DRONES BY NSW POLICE IN URBAN AREAS the reason being that one of the speakers ran on his ticket in the most recent Local Government Elections and remained in the chamber during its consideration.

Councillor L Tanner declared a Non-Significant Non-Pecuniary Interest in M-1 CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING - 8 SEPTEMBER 2025 the reason being that he is employed by Transport for NSW and remained in the chamber during its consideration.

PROCEDURAL MOTION

PM-1 ELECTION OF THE DEPUTY MAYOR

25/302 RESOLVED:
On the Motion of Councillors R Foley and A Parkins

That Council conduct the election of the Deputy Mayor for the period September 2025 to September 2026.

CARRIED

RECORD OF VOTING ON THE MOTION

<u>For the Motion</u>	<u>Against the Motion</u>
D Tout	
G Davies	
R Foley	
A Parkins	
K Subedi	
L Tanner	

The Acting General Manager, Mr S Gray, advised the meeting that he would act as the Returning Officer and conduct the election of the Deputy Mayor for the period September 2025–September 2026.

Election of Deputy Mayor

As there was only one nomination for the role of Deputy Mayor, the Acting General Manager, Mr S Gray, declared Councillor G Davies elected to the position of Deputy Mayor for the ensuing one-year term.

This is page 3 of the MINUTES of the ORDINARY MEETING OF COUNCIL of the Council of the CITY OF WAGGA WAGGA held on 22 SEPTEMBER 2025.

.....MAYORGENERAL MANAGER

MINUTES of the ORDINARY MEETING OF COUNCIL held on Monday 22 September 2025.

PROCEDURAL MOTION - ENGLOBO

25/303 RESOLVED:

On the Motion of Councillors L Tanner and R Foley

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 and M-1 be adopted as recommended in the business papers.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

D Tout
G Davies
R Foley
A Parkins
K Subedi
L Tanner

Against the Motion

PUBLIC DISCUSSION FORUM

NOM-1 NOTICE OF MOTION - USE OF DRONES BY NSW POLICE IN URBAN AREAS

- Wayne Deaner - Speaking in favour of the recommendation.
- Ken Taylor - Speaking in favour of the recommendation.

RP-5 MOTIONS LGNSW ANNUAL CONFERENCE 2025

- Dr Diane Colman - Speaking in favour of the recommendation.
- Michael Henderson - Speaking in favour of the recommendation.

This is page 4 of the MINUTES of the ORDINARY MEETING OF COUNCIL of the Council of the CITY OF WAGGA WAGGA held on 22 SEPTEMBER 2025.

.....MAYORGENERAL MANAGER

25/304 RESOLVED:

That Council move forward consideration of NOM-1 NOTICE OF MOTION - USE OF DRONES BY NSW POLICE IN URBAN AREAS and RP-5 MOTIONS LGNSW ANNUAL CONFERENCE 2025 to follow the public discussion forum.

CARRIED

For the Motion

Against the Motion

NOM-1 NOTICE OF MOTION - USE OF DRONES BY NSW POLICE IN URBAN AREAS

25/305 RESOLVED:

That Council:

- a write to Riverina Police District Superintendent-District Commander seeking feedback on establishing a multi-agency working group to co-design a regulatory and operational framework for the safe, trial-based deployment of drones in Wagga Wagga
- b if Riverina Police District are supportive, write to the NSW Minister for Counter-terrorism, CASA, NSW Police and any other relevant agency inviting appropriately qualified personnel to join a working group as described in Part (a)

CARRIED

For the Motion

Against the Motion

.....MAYORGENERAL MANAGER

MINUTES of the ORDINARY MEETING OF COUNCIL held on Monday 22 September 2025.

REPORTS FROM STAFF

RP-5 MOTIONS LGNSW ANNUAL CONFERENCE 2025

25/306 RESOLVED:

On the Motion of Councillors G Davies and R Foley

That Council submit the motions outlined in the report to the 2025 LGNSW Annual Conference 2025.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

D Tout
G Davies
R Foley
A Parkins
K Subedi
L Tanner

Against the Motion

RP-1 RESPONSE TO NOTICE OF MOTION - ADDRESSING ILLEGAL & DANGEROUS MOTORCYCLE ACTIVITY IN WAGGA WAGGA

25/307 RESOLVED:

On the Motion of Councillors R Foley and G Davies

That Council:

- a receives and notes the contents of this report**
- b request a further report within six months on compliant barrier options (bollards, gates, drain covers) to restrict illegal motorcycle access at identified hotspots**
- c ensure designs allows wheelchair, pram and emergency access**
- d identify up to three trial sites in consultation with NSW Police**
- e provide indicative costings, potential funding sources and advice on possible staging or trial implementation**

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

D Tout
G Davies
R Foley
A Parkins
K Subedi
L Tanner

Against the Motion

This is page 6 of the MINUTES of the ORDINARY MEETING OF COUNCIL of the Council of the CITY OF WAGGA WAGGA held on 22 SEPTEMBER 2025.

.....MAYORGENERAL MANAGER

MINUTES of the ORDINARY MEETING OF COUNCIL held on Monday 22 September 2025.

RP-2 PROPOSED ADOPTION OF NEW FEES AND CHARGES FOR 2025/26

25/308 RESOLVED:

On the Motion of Councillors L Tanner and R Foley

That Council:

- a note that no public submissions were received**
- b adopt the following new fee:**

Item Number	Fee and Charge Description	Pricing Policy ID	2025/26 Fee (exclusive of GST)	GST	2025/26 Fee (inclusive of GST)	Basis
NEW	Harris Park – Mini/Mod Fields	C	\$10.38	\$1.04	\$11.42	Hour

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

D Tout
G Davies
R Foley
A Parkins
K Subedi
L Tanner

Against the Motion

RP-3 FINANCIAL PERFORMANCE REPORT AS AT 31 AUGUST 2025

Councillor G Davies declared a Pecuniary Interest and vacated the chamber, the time being 7:09pm.

25/309 RESOLVED:

On the Motion of Councillors R Foley and L Tanner

That Council:

- a approve the proposed budget variations and note the balanced budget position as presented in this report**
- b approve the proposed budget variations to the Long Term Financial Plan Capital Works Program including new projects and timing adjustments**
- c note the Responsible Accounting Officer's reports, in accordance with the Local Government (General) Regulation 2021 (Part 9 Division 3: Clause 203) that the financial position of Council is satisfactory having regard to the original estimates of income and expenditure and the recommendations made above**

This is page 7 of the MINUTES of the ORDINARY MEETING OF COUNCIL of the Council of the CITY OF WAGGA WAGGA held on 22 SEPTEMBER 2025.

.....MAYORGENERAL MANAGER

MINUTES of the ORDINARY MEETING OF COUNCIL held on Monday 22 September 2025.

- d note the details of the external investments as at 31 August 2025 in accordance with section 625 of the Local Government Act 1993
- e accept the grant funding offers as presented in this report

CARRIED

RECORD OF VOTING ON THE MOTION

<u>For the Motion</u>	<u>Against the Motion</u>
D Tout	
R Foley	
A Parkins	
K Subedi	
L Tanner	

Councillor G Davies re-entered the chamber, the time being 7:11pm.

RP-4 ACQUISITION DISPOSAL AND MANAGEMENT OF LAND POLICY (POL038)

25/310 RESOLVED:
On the Motion of Councillors L Tanner and R Foley

That Council:

- a note no public submissions received during the exhibition period on the draft Acquisition, Disposal and Management of Land Policy (POL 038)
- b adopt the draft Acquisition, Disposal and Management of Land Policy (POL 038)

CARRIED

RECORD OF VOTING ON THE MOTION

<u>For the Motion</u>	<u>Against the Motion</u>
D Tout	
G Davies	
R Foley	
A Parkins	
K Subedi	
L Tanner	

RP-5 MOTIONS LGNSW ANNUAL CONFERENCE 2025 was moved forward to follow the public discussion forum.

This is page 8 of the MINUTES of the ORDINARY MEETING OF COUNCIL of the Council of the CITY OF WAGGA WAGGA held on 22 SEPTEMBER 2025.

.....MAYORGENERAL MANAGER

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 22 September 2025**.

RP-6 QUESTIONS WITH NOTICE

25/311 RESOLVED:

On the Motion of Councillors A Parkins and G Davies

That Council receive and note the report.

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

D Tout
G Davies
R Foley
A Parkins
K Subedi
L Tanner

Against the Motion

COMMITTEE MINUTES

M-1 CONFIRMATION OF MINUTES - LOCAL TRANSPORT FORUM - 4 SEPTEMBER 2025

25/312 RESOLVED:

On the Motion of Councillors L Tanner and R Foley

That Council:

- a receive and note the Minutes of the proceedings of the Local Transport Forum held on 4 September 2025**
- b approve the temporary restriction of right turn movements on Bourke Street between Urana Street and the railway line as part of the traffic mitigation measures associated with the trial closure of the Edmondson Street bridge for the Inland Rail project, and**
 - i. subject to the trial being successful, approve the temporary restriction of right turn movements on Bourke Street between Urana Street and the railway line for the period of construction of the upgrade of the Edmondson Street bridge as part the Inland Rail project**
- c approve the temporary installation of a roundabout at the intersection of Coleman Street and Macleay Street in Turvey Park as part of the traffic mitigation measures associated with the trial closure of the Edmondson Street bridge for the Inland Rail project, and**

This is page 9 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **22 SEPTEMBER 2025**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the ORDINARY MEETING OF COUNCIL held on Monday 22 September 2025.

- i. subject to the trial being successful, approve the temporary installation of a roundabout at the intersection of Coleman Street and Macleay Street in Turvey Park for the period of construction of the upgrade of the Edmondson Street bridge as part the Inland Rail project
- d approve the traffic management arrangements for the conduct of the Gears and Beers Festival 2025 on the 4th and 5th October 2025 in the Wagga Wagga Local Government Area
- e note that the Director City Engineering (under delegated authority) approved the traffic management arrangements for the conduct of the 2025 Lake Run and Ride Event at Apex Park, Koorringal and Lake Albert on Sunday 28 September 2025 organised by Wagga Lake Run and Ride Committee
- f approve the traffic management arrangements for the conduct of the '2025 Freedom of Entry' by the Royal Australian Air Force (RAAF) in Morgan Street, Baylis Street, Morrow Street, Fitzmaurice Street and Johnston Street on 18 October 2025
- g approve the traffic management arrangements for the conduct of the 2025 Spring Jam Festival at the Botanic Gardens on the 27th September 2025
- h approve the traffic management arrangements for the conduct of the 2025 Fusion Botanical (multicultural festival) at the Botanic Gardens, Tom Wood Drive, Turvey Park on 18 October 2025
- i endorse the installation of a Give Way sign and line marking as shown on MJM Sheet Number B1301 of Project Number 200705 Revision A dated 11 August 2025
- j note that the existing No Stopping/2P parking sign adjacent to 116-118 Peter Street has been relocated one bay north to mitigate the risk of vehicle collisions with an existing street tree
- k note the installation of a concrete annulus in the cul-de-sac head of Phar Lap Place, Boorooma and approve the signs and linemarking associated with it as shown on Eclipse Drawing Number C105-F Revision F dated 22 July 2025
 - i. approve the installation of signs and line marking at the intersection of Phar Lap Place and Messenger Avenue, Boorooma as shown on Rigore Drawing Registration Number RES2411.75.200 Sheet RD-003

CARRIED

RECORD OF VOTING ON THE MOTION

For the Motion

D Tout
G Davies
R Foley
A Parkins
K Subedi
L Tanner

Against the Motion

This is page 10 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **22 SEPTEMBER 2025**.

.....**MAYOR****GENERAL MANAGER**

MINUTES of the **ORDINARY MEETING OF COUNCIL** held on **Monday 22 September 2025**.

THIS COMPLETED THE BUSINESS OF THE COUNCIL MEETING WHICH ROSE AT 7:16pm.

.....
MAYOR

This is page 11 of the **MINUTES** of the **ORDINARY MEETING OF COUNCIL** of the Council of the **CITY OF WAGGA WAGGA** held on **22 SEPTEMBER 2025**.

.....**MAYOR****GENERAL MANAGER**