



AGENDA

CULTURE AND COMMUNITY COMMITTEE

12 MAY 2022

MEMBERSHIP: Councillors J Black, L Burns, S Chowdhury, M Dickerson, V Etheridge, J Gough, R Ivey, D Mahon, P Wells and M Wright.

The meeting is scheduled to commence at pm.

	Page
CCC22/16 LEAVE OF ABSENCE (ID22/887)	
CCC22/17 CONFLICTS OF INTEREST (ID22/890) In accordance with their Oath/Affirmation under the Act, and Council's Code of Conduct, Councillors must disclose the nature of any pecuniary or non-pecuniary interest which may arise during the meeting, and manage such interests accordingly.	
CCC22/18 WELLINGTON MUSEUM - FACILITY REVIEW (ID22/508) The Committee had before it the report dated 21 March 2022 from the Manager Regional Experiences regarding Wellington Museum - Facility Review.	2
CCC22/19 ALCOHOL AND OTHER DRUGS REHABILITATION FACILITY (ID22/873) The Committee had before it the report dated 2 May 2022 from the Director Liveability regarding Alcohol and Other Drugs Rehabilitation Facility.	19
CCC22/20 TREE PRESERVATION ORDER - CONSIDERATION OF INTRODUCTION OF STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021 (ID22/884) The Committee had before it the report dated 3 May 2022 from the Manager Recreation and Open Space regarding Tree Preservation Order - Consideration of Introduction of State Environmental Planning Policy (Biodiversity and Conservation) 2021.	28



REPORT: Wellington Museum - Facility Review

DIVISION: Culture and Economy
REPORT DATE: 21 March 2022
TRIM REFERENCE: ID22/508

EXECUTIVE SUMMARY

Purpose	Seek direction or decision	
Issue	Dubbo Regional Council's ongoing provision of financial support to the Wellington Historical Society (the Society) for the housing of the private museum collection operated as the Wellington Museum.	
Reasoning	<ul style="list-style-type: none"> • Council has no strategic plans or commitment to exploring or undertaking development of a new museum facility in Wellington, or further capital investment in the Old Wellington Police Station (OWPS). • Council staff are seeking direction or decision on the level of financial support Council are comfortable with providing for the ongoing storage, display and provision of services to a privately owned collection operating as the Wellington Museum by the Wellington Historical Society. 	
Financial Implications	Budget Area	Culture and Economy
	Funding Source	DRC General Rates and Revenue Operational Budget – Regional Experiences Division
	Proposed Cost	To be determined.
	Ongoing Costs	\$26,000 per year as per the 2022/2023 draft budget for the general maintenance and associated costs of the OWPS. \$7,000 is also allocated for the ongoing Museums and Galleries Advisory Program which, which currently funds a museums advisor consultant, who is working directly with the Wellington Museum.
Policy Implications	Policy Title	There are no policy implications arising from this report.

STRATEGIC DIRECTION

The 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes five principle themes and a number of strategies and outcomes. This report is aligned to:

Theme:	5 Liveability
CSP Objective:	5.8 The diversity of our heritage is maintained and promoted
Delivery Program Strategy:	5.8.1 Conservation of heritage items through their adaptive re-use is encouraged

RECOMMENDATION

1. That Council note the report, including all options for consideration and associated financial implications, in context of the organisations existing and forecasted capital works and maintenance backlog.
2. That a workshop be held with Councillors to define the strategic intent of the Old Wellington Police Station building.
3. That the workshop also define the level of ongoing support to be offered to the Wellington Historical Society, support of a Wellington exhibition, and/or longer term display or storage options for the collection held by the Wellington Historical Society.
4. That Council dispose of the property at the corner of Warne and Percy Streets, Wellington (the former museum).
5. That following Council workshop, further discussions be undertaken with the Wellington Historical Society regarding long-term options for their consideration, and agreement of next steps be undertaken to establishing an agreeable long-term solution for their collection.

Natasha Comber
Director Culture and Economy

JA
Manager Regional
Experiences

BACKGROUND

Detailed reasoning behind the report

- Wellington Historical Society have been located at the Oxley Museum for since 1967. The Oxley museum building is owned by Council, however the site has been determined unsafe for an experience open to the public due to aged infrastructure that has not been maintained over an extended period.
- The Wellington Historical Society have recently signed a licence for the Old Wellington Police Station (OWPS) which ends in June 2023.
- The Society do not have substantial funds, nor does the OWPS have capacity to store the whole collection – specifically outdoor displays.
- In signing this licence the Society have indicated concerns regarding long term solution, the length of licence term and whether the OWPS will be suitable for the long term operations of the museum and storage of the extensive collection.
- The temporary exhibition being created for the OPS is estimated to display under 2% of the entire private collection. The collection is not being stored currently within recommended NSW Museum Standards.
- Council has no strategic plans or commitment to exploring or undertaking development of a new museum facility in Wellington, or further capital investment in the OWPS.
- Council staff are seeking direction or decision on the level of financial support Council are comfortable with providing for the ongoing storage, display and provision of services to a privately owned collection operating as the Wellington Museum by the Wellington Historical Society.

Redevelopment of the Old Wellington Police Station

The Old Wellington Police Station (OWPS) is a highly visible and a much loved community asset in the heart of the CBD. The site has been underutilised for many years, with the most recent site activation being limited to the Wellington Arts and Crafts Society utilising a small area within the site for a half day one day a week. The large majority of the site, including the large outdoor prisoner exercise yard and cell blocks is currently not utilised. Until 2020, the site was poorly maintained and had been developing into an eyesore in the main street of Wellington.

In June 2020, a State Government funded, \$260,000 refurbishment of the facility was completed. Funding was provided with an associated concept of a Justice Museum to be developed, leveraging the unique building design and previous use of the building. Although this renewal project improved the aesthetic appeal of the site, the funds were not adequate to repair much of the building nor to create and deliver content to provide a Justice Museum experience. Furthermore, Council did not have strategic intent or financial capacity to operate another museum experience.

The improved presentation internally and externally included an upgrade to flooring, painting, power, air conditioning and landscaping. The work also commenced Stage 1 of the heritage restoration of the gaol walls and cells, which included an \$85,000 chemical dampcourse restoration of the cell walls.

The funding was not adequate to provide the level of restoration or protection for the larger yard walls that is still required. Stage 2 restoration of the walls and cells is currently being assessed, although no funding is currently allocated for the works to be undertaken. Similar works were previously undertaken at the Old Dubbo Gaol with the \$660,000 wall restoration project funded by the RESTART NSW Cobbora Transition Fund. It is expected a similar project will be required at the Wellington Police Station over the coming years with a likely higher cost than what was undertaken at the Old Dubbo Gaol.

Council held discussions with multiple groups regarding potential use of the site including Wellington Arts, Wellington Arts and Crafts Society and Wellington Museum Committee.



Figure 1: Street view of Entrance



Figure 2: New front landscaping of the Old Wellington Police Station

Outside \$26,000 for annual maintenance, there is no budget for any additional storage construction or upgrades to the OWPS.

The Oxley Museum building

The Oxley Museum building is located on the corner of Warne and Percy Streets, Wellington. It was originally the bank and manager's residence of the Bank of New South Wales from 1883 to 1922. The building was purchased by Wellington Council in 1967 and is currently occupied by the Wellington Historical Society.

The Society are in the possession a large collection of objects that have provenance to Wellington and surrounding area, including a large collections of textiles, weapons, medical equipment, Chinese related materials and domestic and commercial objects. They also own a number of farming and commercial vehicles (horse drawn), as well as commercial machinery, a mobile classroom and Stinson's wooden slab cottage from 1851. The majority of these objects are displayed at the Oxley Museum within either the residence or one of two sheds on the grounds. The classroom and cottage are free standing and external and the site also has built-in heritage items such as a large, in-ground brick water storage. Visitation to the museum has been approximately 700 visitors per annum prior to 2020. Prior to closing in 2021, the museum was open Tuesday and Wednesday between 1.30pm and 4.30pm.



Figure 3: Photos of agricultural machinery

The current building that houses this private collection dates to 1883, and is generally sound at the main section of the building. However, the building is in need of significant restorative work to improve its safe access, make it more accessible to the public and to prevent further deterioration. Main works required include damp proofing, wall and skirting/architrave

repairs, and general painting. There are several areas where floorboards should be repaired or replaced. The second story veranda is currently closed to the public with the ground level veranda requiring works to make it accessible compliant.

An annex attached to the main building, built later at an unspecified date, was determined as not being the Building Code of Australia (BCA). It has significant issues with uneven floors, inadequate support elements, inadequate tying to the existing building and uneven/sloping floors. A toilet/bathroom on the second floor, also an addition to the existing building, is insufficiently tied in to the building and has inadequate supports.

The grounds and landscaping are poorly presented and additional work and repairs are required to bring the facility up to a presentable, secure and safe site for visitors. The exhibition sheds, portable classroom and wood slab cottage are of a high quality and well presented, and suit the site well in the current format. The site is currently closed to the public other than access by the Committee Society to access collection items currently stored at the site until a suitable storage facility can be established.

An estimated repair of items identified in the Crook Roe Structural Assessment 2013 to raise the building back to BCA Standard was \$810,000. At this stage this work has not been undertaken as funds were not available to undertake the work from Wellington City Council, nor since the amalgamation with Dubbo.

Wellington Historical Society/Museum Committee

The Wellington Museum Committee are caretakers of a private historic collection stored at the Oxley Museum building and are currently establishing an exhibition in the front three display rooms at the Old Wellington Police Station.

Previously, annual visitation to the museum collection has been reported as approximately 700 visitors per annum including approximately 200 children as part of guided school groups. The group also offers family history research assistance as a fee for service product.

Establishment of an exhibition at the Old Wellington Police Station

In February 2021 a report was presented to Council by the Manager Regional Experiences in relation to issues raised by the Wellington Historical Society and the expectation Council provide a suitable solution for the long term location of the Wellington Museum.

Previous Resolutions of Council

22 February 2021	<ol style="list-style-type: none">1. That the report of the Manager Regional Experiences be noted.2. That Council provide the Wellington Museum Committee with a license agreement for the amount of \$1.00 a year to operate from the Old Police Station in Wellington for a minimum 12 month period.3. That in addition to use by the Wellington Museum Committee, Council activate the Old Police Station in Wellington as a community creative arts and culture hub to be included in the public programming by Council.4. That during the 12 month licence period Council undertake a further assessment of the Oxley Museum property, and future restoration work required for the Old Police Station, and provide a further report on both buildings and future use to Council in March 2022.5. An Exhibition Developed and Curated by the Wellington Museum Committee, supported by Dubbo Regional Council be displayed in three rooms of the Old Police Station for a minimum 12 month period commencing 31 May 2021.6. That if requested by the Wellington Museum Committee, Council's Cultural Development Team assist in facilitating the development of a long term plan in line with Wellington Museum Committee's vision for their collection and capacity to manage a viable museum experience.7. That from the 31 May 2021, the Oxley Museum building on the corner of Warne and Percy Streets be closed for public use and accessed only as a storage site for the Wellington Museum Committee's private collection during the review period.
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On 29 April 2021 the Wellington Museum Committee met with Council staff including the Chief Executive Officer and Councillors to further discuss the Council resolution. It was reiterated at this meeting by the Committee, as it had been in a number of previous meetings with Council staff, that the Committee did not believe the OWPS was a suitable long term permanent home for the Wellington Museums collection.

Concerns included the ability to relocate the large objects to be housed outside, and the staff's induction that there would be inability for the cells to be used as part of the exhibition due to access issues.

The Committee did agree however, that whilst the reviews were undertaken for the Warne and Percy Street building, an exhibition at the Old Wellington Police Station would help the museum gain exposure to community and visitors of the importance of the collection. In response to Society's concerns regarding space and security at that meeting, the CEO

confirmed that no additional community users or public programming would be undertaken during their initial licence period.

On 6 May 2021, the Wellington Historical Society provided a letter to Council acknowledging the meeting and outcomes and additionally requesting modifications to the proposed offer from Council. As attached as **Appendix 1**, on 24 May 2021, Council provided the Wellington Historical Society with a proposed licence agreements and actions to be undertaken.

Staff have continued assisting with the Museum Committee in establishing an exhibition at the Old Wellington Police Station. Assistance has included facilitating the appointment of an external Museums Advisor, who has been co-funded by Council and the Museums and Galleries NSW. Exhibition support included the installation of additional blinds on windows and a hanging system in the exhibition rooms. Staff are currently working with the Committee on external signage to promote the exhibition.

On 26 April 2022, a licence deed was executed for the licenced use of the Old Wellington Police Station. **Figure 4** of this report shows a map of the facility and highlights the areas that are and are not included within the licenced area. At the time of this report it was unclear when an exhibition would be finalised with the Wellington Historical Committee for display at the facility. Council is continuing to assist in regards to this exhibition development, moving and installation. The licence fee for the use of this facility is \$1 plus GST.

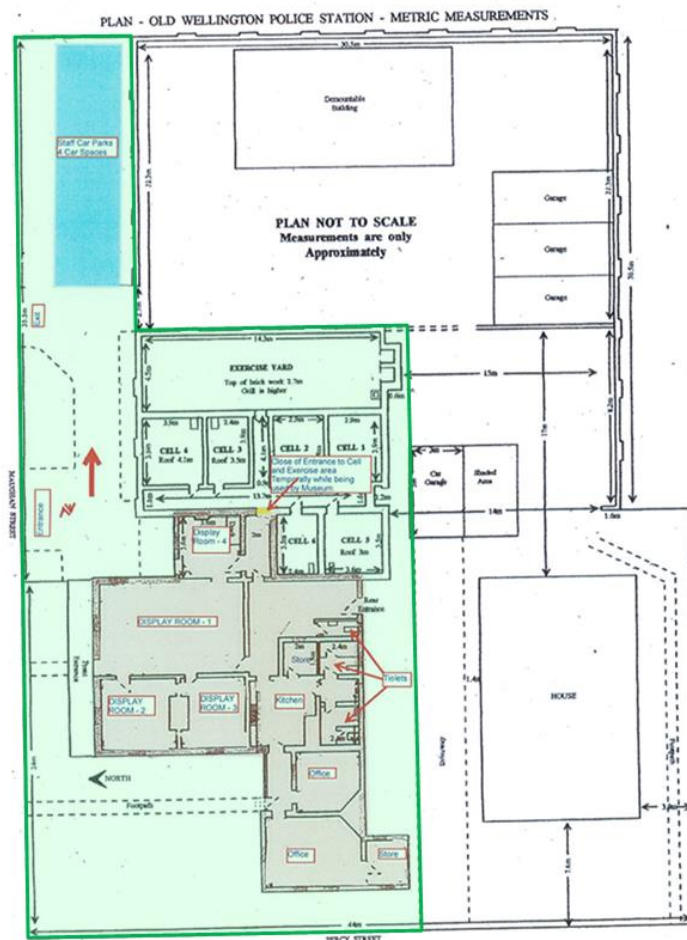


Figure 4: Map of Old Wellington Police Station with licence areas highlighted in pink. Green shaded area denotes the OWPS area

The current operational financial support will provide the licenced area for the display of an exhibition, across the three display rooms of the OWPS. This exhibition, as explained within the 22 February 2021 report to Council was to support the Wellington Museum in gaining a greater exposure to the community and visitors with a higher profile, highly visible location. This support was to assist the Committee in raising the visitation from approximately 700 visitors per annum that the museum previously received when located at the Oxley Museum building. In providing a safer and more visible facility to operate from it was also hoped this would support the Committee's effort to increase volunteer base to allow the Museum to operate for more days and hours. Prior to closing the museum, the museum was only open Tuesday and Wednesday between 1.30pm and 4.30pm.

Storage of the collection

The private collection owned by the Wellington Historical Society is currently being stored at the Oxley Museum building. With a storage lease in place this provides a suitable short-term location, however the issues relating to the property remain and access continues to be limited. The collection items relevant to the exhibition at the Old Wellington Police Station will be relocated as part of the exhibition development but this represents a very small percentage of the overall extensive collection. This is estimated at under 2% of the entire collection. The collection is not at being stored currently at the recommended NSW Museum Standards.

REPORT

In consideration for Wellington Historical Society's ongoing concern regarding long-term stability and location suitability, this report looks to establish Council's short term and long-term commitment to supporting the storage and exhibition of a private museum collection operated by the community group, Wellington Historical Society.

In establishing a level of commitment and support for the Society, it is proposed that Council consider financial support based on Council's appetite for:

1. Supporting the operational costs of an independent museum service within Wellington above the current \$33,000 identified in draft budget.
2. Providing significant investment for future capital investment for further redevelopment of the Old Wellington Police Station site, including wall restoration and potential relocation costs of the large objects.
3. Potential disposal of the property at the corner of Percy and Warne Streets, Wellington (former Oxley Museum building site), noting alternative solutions are required for large objects display and storage.

Strategic direction is required to ensure expectations of community can be managed, assorted concerns being addressed, limited staff resources can be appropriately deployed and funding strategies, including detailed costings, can be further identified in accordance with Council's direction.

At the heart of the issue, Council is currently facing conflicting financial commitments and requests, as well as a range of aging infrastructure of existing cultural tourism facilities such as the Wellington Caves and the wider organisations capital works maintenance backlog. The requested increase to operational and capital investment to support the Wellington Historical Society needs to be considered within this context along with the redevelopment of any new facility's needs.

Consultation

- Cultural Development Team: Ongoing development and implementation of actions and outcomes derived from Council's SPARC Cultural Plan
- Councillors: The Society have met with the Mayor and Deputy Mayor. The CEO, Director Culture and Economy and the manager Regional Experiences have provided a briefing to the Mayor and Deputy Mayor on the history of the OWPS lease. Councillors visited Wellington Facilities on 17 march 2022 and were advised of the challenges.
- Wellington Historical Society (Wellington Museum Committee):
 - The Committee has requested a suitable long-term location for the museum operations is provided by Dubbo Regional Council. Until recently, the proposal for the permanent relocation to the Old Wellington Police Station was protested against strongly by the Committee over several years of meetings. They believed the facility was not suitable, lacked the significant storage the collection required, has minimal exhibition space and parking was difficult in this area of the CBD.
 - The Committee has requested a suitable storage (museum standard) be provided for the long term storage of the private museum collection is provided by Dubbo Regional Council.
 - The Committee has now requested full use of the Old Wellington Police Station as part of their licence agreement including full use of heritage police cell area. This area is currently not covered within the Development Application conditions and issues exist with the development of this area in the building with compliance, access and heritage repairs/refurbishment required before public access would be permissible.
 - The Committee, through a meeting with the Mayor on 25 February 2022, has requested the Old Wellington Police Station be allocated as the long-term location of the Wellington Museum. Council's response to this request should fully consider and communicate consider the limiting factors of the site, the lack of suitable collection storage at the site, cost of relocation of all collection items and Council's appetite for further investment at the OPS.

The concerns raised through consultation and requests from the committee in relation to the OWPS have not yet been addressed due to the financial implications the level of support could potentially trigger. Council has limited information on the costs involved in the repairs of both the Warne and Percy Streets building and the OWPS in addition to the potential costs involved in providing museum standard collection storage. Prior to further resourcing to required investigation the commitment level to provide financial support to a community group for the protection and housing of a private collection needs to be established.

Resourcing Implications

Current financial support provided:

Council, as per forward 2022/2023 budgets have forecast operational expenses for ongoing operations, insurance, utilities and maintenance costs of the OWPS. There is currently \$26,000 per annum budgeted. This is based on current facilities presentation and use. Council is also supporting the provision of an external museums advisor in partnership with Museums and Galleries NSW for \$7,000 per annum. This advisor is supporting the Committee in the establishment of improved collections management and assisting in the development of the exhibition to be displayed at the OWPS. Council's Cultural Development staff are also providing support in relation to the establishment of the exhibition.

Council does not have any funds allocated in forward budgets for capital improvements or upgrades for the Old Wellington Police Station or the Oxley Museum.

Total Financial Implications	Current year (\$)	Current year + 1 (\$)	Current year + 2 (\$)	Current year + 3 (\$)	Current year + 4 (\$)	Ongoing (\$)
a. Operating revenue	1	1	1	1	1	1
b. Operating expenses	33,000	33,000	33,000	33,000	33,000	33,000
c. Operating budget impact (a – b)	32,999	32,999	32,999	32,999	32,999	32,999
d. Capital Expenditure	0	0	0	0	0	0
e. Total net impact (c – d)	32,999	32,999	32,999	32,999	32,999	32,999
Does the proposal require ongoing funding?	Yes					
What is the source of this funding?	General Rates and Revenue					

Table 1. Ongoing Financial Implications of the current provision of service and licence agreements.

Options Considered

Maintain current level of financial support and provide a longer-term lease option:

If the current levels of support are maintained, the issues raised by the Committee for a long-term location to display and store their collection are not resolved. Although the current arrangement does provide a small area to display an exhibition, that can be maintained permanently at the OWPS if Council would like to extend the licence terms, the ongoing issue about larger displays and storage of the larger collection remain unresolved. This issue is further compounded with the lack of space to expand for the museum at the OWPS location and costs involved with access and heritage maintenance of the site.

Dependent on Council's decisions regarding the former museum location, the Society would be required at some point in the future, to prioritise their collection for display and storage on site and undertake a process of rehouse remaining parts of their collection.

Repair Warne and Percy Street Property: estimated cost \$1.2 M – \$1.4 M

As highlighted in the 2013 report provided to Wellington Council by Cook Roe Structural Engineers, the Warne and Percy Street property is in disrepair and needs substantial funding to repair the building to be suitable for either long-term storage or the operational location for the Wellington Museum. In 2013, the estimated cost to ensure ongoing compliance was \$810,000. This figure would be substantially more today with the increased cost of construction materials and labour. If the operational location was to be maintained at this location, consideration for repairs and upgrade to the grounds around the facility and fencing as well as the current storage sheds would need to be evaluated and included also. Any decision by Council to renew or dispose of this asset in the short or long term would need to consider the Society's capacity to relocate their extensive collection.

Dispose of Warne and Percy Street Property: income gained as a result of property disposal

If a permanent relocation of the museum operations and suitable collection storage is achieved, the property at Warne and Percy Streets could be considered to be excess to Council's operational needs and could be considered for commercial sale. Although the facility does have maintenance and repair issues, the site still holds considerable heritage appeal and may attract private investment in restoring the site as a private home or commercial business.

Upgrade OWPS to Provide Permanent Home for Wellington Museum: estimated cost \$300,000 - \$1 M

Expected costs involved in the conversion of the existing Cell Block area to allow public access to address Development Application conditions of access, safety etc. These costs have not been ascertained at this stage although could be worth as much as \$300,000.

Heritage repairs to external walls of courtyard for rising damp and salinity issues. Current estimations are between \$750,000 and \$1,000,000 based on previous work undertaken at Old Dubbo Gaol in 2017. Due to local heritage advice stating that the site should be state heritage listed, these heritage repairs may still be required if Council wishes to continue to actively maintain the site for community use. Such repairs would need to be considered as part of Councils maintenance backlog priorities.

Construction of on-site museum standard collection storage at the OWPS would be required to suitably store the substantial large object collection. This would be based on heritage approval allowing construction on the site, although initial conversations with Councils Heritage Architect did not rule this out as a possibility, the process could be problematic to provide a suitable solution on site. Costs estimations on providing this capital improvement to the site is estimated at a minimum of \$600,000, including design and construction but realistically for construction suitable at the site that could be accessed by the public and complementary to the sites aesthetical appeal, the costs could be substantially more. This

value could be well in excess of \$1,000,000. These figures are purely estimates as the full scope of works on what would be required and location has yet to be undertaken.

This steps required to be taken above does not resolve all of the issues related to this location as the internal exhibition and storage space is still limited and parking in this area of the CBD is limited. These costs to not provide a solution in regards to these issues.

Wellington Historical Society is gifted the long-term use of the OWPS: Income of peppercorn rent with cost of annual funding

As Council and the State Government have provided a level of capital investment to the OWPS, future investment and development could be led by the community who are passionate about their collection and its long-term future. Council could establish long term lease 10+ years for peppercorn rent In addition to an annual funding allocation to support the museums operations and essential building maintenance.

This would not preclude the Society from seeking further funding from Council, state government or private industry however it would also not guarantee it. With low visitation numbers and a small volunteer base, management of the facility in addition to service provision would likely be unsustainable for the community group in the long term.

Such an arrangement would likely still have to come with a substantial commitment from Council to support heritage related preservation if required, and any arrangement would have to consider any level of commitment to have the cells renewed to form part of an experience. This arrangement would have to include Society's capacity to deliver an ongoing, accessible visitor/community experience operating from the facility.

Wellington Historical Society collection is relocated for longer-term safekeeping across a number of locations in Wellington: Unknown relocation costs plus required installations

This option has not been discussed with the committee however is could be a feasible option to further explore with the committee if significant funding as required for the above options is not available. If this was an option the committee was open to exploring, Council could work with them to identify suitable locations within Wellington for the safekeeping of the broader collection and large objects. Even just considering Council owned facilities; these potential facilities could include Wellington Showground, Wellington Caves, Council Administration Building and Wellington Library. There would be a level of investment required to relocate the collection, and fund any storage or display requirements.

Include Wellington museum as part of the Wellington Council Administration and Visitor Information Centre:

This was conceptually explored to have permanent display upstairs where unused space, at that stage the Council Chambers, would support a certain level of exhibition. There are opportunities to further explore this concept downstairs in underutilised staff office space with access and security well supported as council staff are already there seven days a week with the Visitor Information Centre now located in a part of the building. Recent decision for council to start hosting meetings there would need to be considered if upstairs, and how this may impact staffing if lower level is utilised. There are alternative buildings such as the Civic

centre if meetings are to continue in Wellington that could be considered. Relocation of the large external object t would still need to be addressed. External storage would still need to be considered for these items with parts of the rear carpark or Cameron Park that could be assessed for suitability.

Explore dual use of Wellington Civic Centre:

The alternate use of the civic centre, or partial use were looked at as part of the consideration towards how to approach a potential solution. The site although considerable in size, allowed for no suitable space for this activity without considerable investment. It would potentially limit capacity of the existing use and limit the current strategy and effort to increase usage of the site and have more performances in Wellington.

Funding strategy developed:

Council could consider funding linked to a new development for the purpose of supporting the Historical Society and their collection. Funding allocated to this service or project would need to be considered as part of budget considerations. This may include reducing service levels in other areas of Council to ensure a balanced budget. It needs to be noted, Council does not own collection so donation of the collection or commitment/loan to have displayed for long period would need to be considered. The project would need to be considered in priority of other community desired major capital investments.

Planned Communications

Wellington Historical Society (Wellington Museum Committee)

- The Wellington Historical Society will be notified of the intended level of support Council is prepared to provide for the ongoing operation of the Wellington Museum and storage of their private collection.
- The Wellington Historical Society will be notified of the strategic intent of Council in regards to future capital investment in any facilities for their potential lease to house and display their collection.
- The community group will be encouraged to provide their feedback as part of forward budget preparation and adoption of the operational plan.

APPENDICES:

- 1 [↓](#) Letter to Wellington Historical Society - Proposal

ED21/

24/05/21



President of the Wellington Historical Society
P.O. Box 281
Wellington NSW 2820

Dear Mr Blake,

PROPOSAL TO MOVE WELLINGTON MUSEUM TO THE OLD POLICE STATION WELLINGTON

In response to your correspondence on 6 May 2021, in response to the meeting held at the Wellington Museum on 29th April 2021, I offer the follow confirmations and comments.

On confirmation on the proposed actions being formally accepted by the museum committee, a partnership agreement and licences will be presented to the Wellington Historical Society from Dubbo Regional Council to be mutually signed by both parties for the temporary relocation of the Wellington Museum to the Old Police Station and recommended actions in regards to collection items as well as the current building the museum resides at on the corner of Percy and Warne Streets.

The proposed licence agreements will include the following actions:

1. That Council provide the Wellington Historical Society a licence agreement for the amount of \$1.00 per year to operate from the Old Police Station in Wellington for a 24 month period.
2. The licence agreement will provide exclusive use of the Old Police Station including all rooms, kitchen, bathrooms and the exercise and front yards. The cells will also be included in the licence agreement, if occupancy approval can be attained through Councils change of use development application.
3. Council will provide an additional licence for the Oxley Museum building on the corner of Percy and Warne Streets for 12 months to act as a storage facility only for the Wellington Museum Collection. The licence will include the grounds and storage sheds on site, allowing access of the grounds, sheds, Stinson Cottage and Windora School House for guided tours only.

The proposed partnership agreement will include:

1. During the first 12 months of the licence agreement, Council will undertake a further safety and building assessment of the previous building the Oxley Museum is currently housed on at the Corner of Percy and Warne Streets. This report will provide



All communications to: **CHIEF EXECUTIVE OFFICER**

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- recommendations for repair and costings for restoration work required to assess the future use of the facility. This report will be shared with the Wellington Historical Committee.
2. During the first 12 months of the licence agreement, Council will undertake a report on the future restoration work required for the Old Police Station. This report will be shared with the Wellington Historical Committee.
 3. An Exhibition will be developed and curated by the Wellington Historical Society on behalf of the Wellington Museum, supported by Dubbo Regional Council on request, to be displayed in all accessible rooms of the Old Police Station for a minimum of 12 month period commencing no later than 31 August 2021. A determination on an exhibition in the cell area will be addressed as part of the Development Application process.
 4. During the first 12 months of the licence agreement, the Wellington Historical Society will prepare an updated, long term strategic plan to be presented back to Dubbo Regional Council.
 5. That from the 31 May 2021, the Oxley Museum building on the corner of Warne and Percy Streets be closed for public use. The building will act as a storage facility only for the Wellington Museum Collection. The Wellington Historical Society will provide relevant Work Health and Safety documentation for the safe access and operation of the buildings and grounds of the Oxley Museum before accessing the site, upon closure 31 May 2021.
 6. Council will provide the Wellington Historical Society a copy of the 2016 Conservation Management Plan for the Old Police Station in Wellington. A needs assessment will be undertaken in conjunction with Councils Heritage Architect to assess the needs and improvements necessary for the Old Police Station to be utilised, long term as a museum. This assessment will include the grounds.
 7. The Old Police Station will continued to be maintained by Dubbo Regional Council. This will include ground maintenance and repairs as required.
 8. Dubbo Regional Council will provide relevant signage at the Old Police Station to appropriately represent the Wellington Museums presence at the location prior to the exhibition launch.
 9. Dubbo Regional Council, upon request, will assist, where possible, the Wellington Historical Society to relocate items relevant to the exhibition to be displayed at the Old Police Station.
 10. Dubbo Regional Council will provide the installation of CCTV system, Internet access and Public WiFi connection through Councils data and security network at the Old Police Station prior to relocation of collection items.
 11. All locks on entry doors will be changed prior to occupancy, with keys limited to Wellington Museum Volunteers and Essential Council employees. A key register will be activated for the building with all keys accounted for through the key register.
 12. Council will install a security fence at the Oxley Museum site on the corner of Warne and Percy Streets.
 13. Building maintenance and repairs, in relation to the building located on the corner of Warne and Percy Streets, will take place in accordance to recommendations from

building assessment to be undertaken. Any emergency repairs that place the collection in jeopardy will be immediately rectified.

Dubbo Regional Council requests confirmation of the 3 recommended actions in relation to licence agreements and 13 recommended actions in relation to a proposed partnership agreement with the Wellington Historical Society. We request confirmation or further comment. Upon receiving a confirmation the society is happy to proceed, both the licence agreements and partnership agreement will be produced for both parties to sign.

Thank you,

Yours faithfully

A black rectangular redaction box covering the signature of Jamie Angus.

Jamie Angus
Manager Regional Experiences



DUBBO REGIONAL
COUNCIL

REPORT: Alcohol and Other Drugs Rehabilitation Facility

DIVISION: Liveability
REPORT DATE: 2 May 2022
TRIM REFERENCE: ID22/873

EXECUTIVE SUMMARY

Purpose	Strategic Project Update	
Issue	<ul style="list-style-type: none"> Current status of land availability for the alcohol and other drugs rehabilitation facility. 	
Reasoning	<ul style="list-style-type: none"> Council's previous offers of land parcels needs to be reconsidered by Council To provide advice on previous land options and possible future ones. 	
Financial Implications	Budget Area	Liveability
	Funding Source	
	Proposed Cost	Nil at this time
	Ongoing Costs	Nil
Policy Implications	Policy Title	Collective Impact for Social Change
	Impact on Policy	Consistent

STRATEGIC DIRECTION

The 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes five principle themes and a number of strategies and outcomes. This report is aligned to:

Theme:	5 Liveability
CSP Objective:	5.2 The health of the community is maintained and enhanced
Delivery Program Strategy:	5.2.1 The health of the community is maintained through the availability of effective medical services and facilities
Theme:	5 Liveability
CSP Objective:	5.3 The lifestyle and social needs of the community are supported
Delivery Program Strategy:	5.3.1 The social services requirements of our community are met

RECOMMENDATION

1. That further discussion be undertaken with Western NSW Health on land options.
2. That further discussions be undertaken with Council's Property Services branch on land options.

John Watts
Director Liveability

JW
Director Liveability

BACKGROUND

As part of the Business Case for the establishment of a 15 bed rehabilitation and eight bed detox facility in the Dubbo LGA, land options were provided for consideration.

Previous Resolutions of Council

23 October 2017	<i>In Part:</i> 7. That a Social Justice and Crime Prevention Working Party comprising the Mayor, five Councillors and relevant staff be established to formulate a draft policy document detailing how Council can lead in addressing entrenched social problems in our community. 8. That this document include a clear policy direction relating to the implementation in the region of: <ul style="list-style-type: none">• A new committee of council designed to help people and families break the link between intergenerational social disadvantage and substance abuse, criminal behavior and other social problem;• Drug Court;• A Residential Rehabilitation Centre;• A Youth Koori Court; and• Justice Reinvestment initiatives.
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REPORT

The following parcels of land were offered for consideration to the Social Justice and Crime Prevention Working Party on 20 August 2018:

- North Bunglegumbie Dubbo Regional Council owned land. Various lots-R2 Low Density Residential.
- Greengrove Dubbo Sewage Treatment/Farm. Lot DP 1215338-RU1 Primary Production.
- Pine Avon Wongarbon Sewage Treatment Plant/Farm. Various lots including Lot 146 DP 754321. RU1 Primary Production-contains heritage listed homestead.
- Council Quarry-93L Railway Land, Wongarbon. Lot 1 DP 263339- RU1 Primary Production-contains moderate diversity.

These options were not pursued by Council for various reasons or were not considered by Western LHD as appropriate. The North Bunglegumbie land was withdrawn by Council staff in 2022 based on future development of the land for residential purposes and the adjoining river land which is zoned as RE1 public recreation for open space. The demand for planning for the North West urban release areas has increased rapidly over the last 12 months and a rehabilitation facility in a residential area is not appropriate.

Council's Property Services branch are also reviewing other possibilities in relation to either donating land or identifying land for sale.

Health have also advised that they are in consultation with the Aboriginal community in regards to suitability of sites.

Next Steps

- Further discussion will be held with Western NSW Health and Council's Property Services branch in relation to identifying a suitable parcel of land for the construction of the alcohol and other drugs rehabilitation facility.

APPENDICES:

- [1](#) Alcohol and other drugs rehabilitation facility land options 2/5/22

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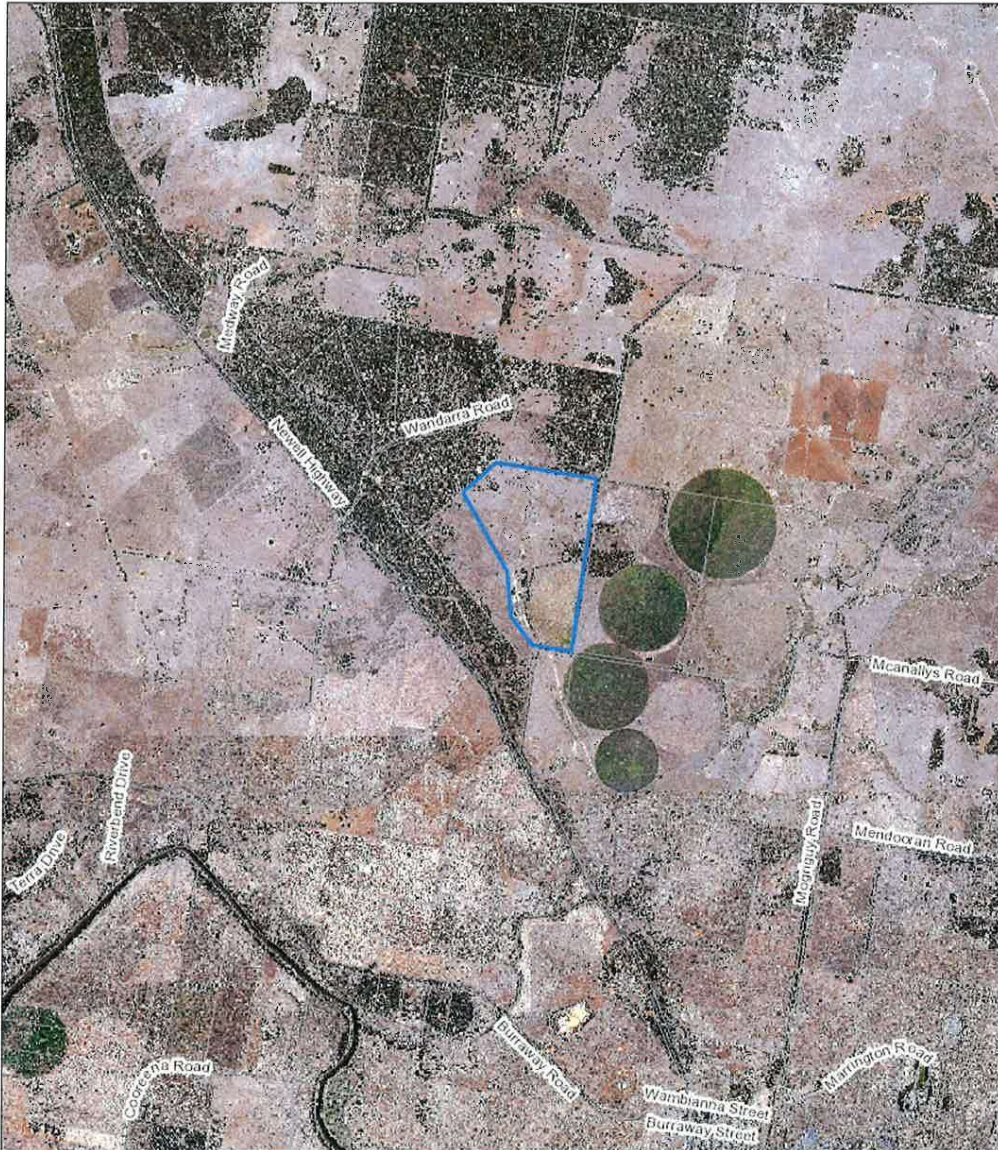
Option 1 - North Sunglegumby Rd -

997 0 748 1,496

Meters

Projection: Transverse Mercator
 Coordinate system: MGA (GDA94) Zone 55

L



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Option 2 - Greengrove - Dubbo

997 0 748 1,496

Meters

Projection: Transverse Mercator
 Coordinate system: MGA (GDA94) Zone 55

L



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Option 3 - Pine Avon - Wongarbron

499 0 374 748

Meters

Projection: Transverse Mercator
 Coordinate system: MGA (GDA94) Zone 55

L



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Option 4 - Council Quarry - 93L

499 0 374 748

Meters

Projection: Transverse Mercator
 Coordinate system: MGA (GDA94) Zone 55

L



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Option 5 - 48 Brennans Way -

Meters

Projection: Transverse Mercator
 Coordinate system: MGA (GDA94) Zone 55



REPORT: Tree Preservation Order - Consideration of Introduction of State Environmental Planning Policy (Biodiversity and Conservation) 2021

DIVISION: Liveability
REPORT DATE: 3 May 2022
TRIM REFERENCE: ID22/884

EXECUTIVE SUMMARY

Purpose	Addressing Council resolution Seek direction or decision	
Issue	<ul style="list-style-type: none"> Provision of information relating to the introduction of Tree Preservation Order through the State Environmental Planning Policy (Biodiversity and Conservation) 2021, to protect trees on private property in the urban area, and other native vegetation within the local government area. 	
Reasoning	<ul style="list-style-type: none"> Introduction of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 would satisfy the original intent of the Council Resolution and provide protection to private urban trees, level to be determined, and vegetation generally across the local government area. Biodiversity Conservation Act 2016 	
Financial Implications	Budget Area	Recreation and Open Space
	Funding Source	Option 1 – existing wages and salaries within Recreational and Open Space Option 2 – wages and salaries within the Recreational and Open Space function and Organisational salaries and wages (additional resource).
	Proposed Cost	Option 1 - \$0 Option 2 - \$126,000 p.a. - \$119,000 additional staff resource plus vehicle
	Ongoing Costs	Option 1 - \$0 Option 2 - \$126,000 plus annual wage increase and CPI costs associated with vehicles.
Policy Implications	Policy Title	Development Control Plan (DCP)
	Impact on Policy	Would need to be redrafted

STRATEGIC DIRECTION

The 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes five principle themes and a number of strategies and outcomes. This report is aligned to:

Theme:	5 Liveability
CSP Objective:	5.1 Our City, town and villages are well-maintained, are welcoming, showcase their heritage and what they have to offer
Delivery Program Strategy:	5.1.1 Our towns and villages are sustainable and promoted for their range of lifestyle opportunity
Theme:	5 Liveability
CSP Objective:	5.1 Our City, town and villages are well-maintained, are welcoming, showcase their heritage and what they have to offer
Delivery Program Strategy:	5.1.3 The City of Dubbo is recognised as being attractive and welcoming

RECOMMENDATION

1. **That Council considers the adoption of Chapter 2 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 to protect prescribed vegetation across defined areas of the local government area.**
2. **That**
 - a. **Council undertakes community consultation on the options including the *status quo*; and**
 - b. **This consultation takes place in July 2022 with a subsequent report to the relevant Standing Committee of Council in August 2022.**

John Watts
Director Liveability

IM
Manager Recreation and
Open Space

BACKGROUND

Previous Resolutions of Council

27 September 2021	That the CEO provide a report to the October 2021 Ordinary Council meeting on the options and indicative costs of the implementation of a Tree Preservation Order.
25 October 2021	That further investigation in regards to the level of resourcing and associated costs in developing, implementing and resourcing the State Environmental Planning Policy (Vegetation) be carried out with a further report to Council by May 2022.

In 1995 the then Dubbo City Council adopted a Street Tree Master Plan setting a strategic direction for the management of all trees within the urban area of Dubbo. Under this master plan, public trees (that is street trees and trees found in parks, ovals and reserves) were identified as coming under the care, control and management of Council. In contrast, the management and responsibility of trees located on private property was given over to the owner of the land. However, it was also identified that there were trees located on both private and public property that should be protected due to their “significance.” This significance could be derived for a number of reasons including for single trees:

- Being part of a remnant landscape;
- It being planted by a famous person;
- It may be rare, old or magnificent;
- It may be a particularly fine specimen of its species;
- It may be a specimen of an endangered specimen;
- It may be of cultural value, for example may have Aboriginal markings or early survey markings;
- It may have particular aesthetic value;
- It may have biological value to the environment.

It also recognise that groups of trees may also be listed as significant for the following reasons:

- They collectively fulfil any of the criteria for single trees;
- They may form part an integral part of the landscape of a heritage building or precinct;
- They may be a group of trees which have some historic value;
- The trees should co-exist or support another feature of the natural environment that would face extinction if this association was to cease;
- The trees should provide a fundamental understanding of the customs or lifestyles of previous generations, either alone or in association with other elements;
- The trees are an integral part of the watershed and drainage system (including the aquifer recharge system); and
- The trees provide habitat for native wildlife.

Trees that the general public, and staff, consider to be considered can be nominated through a formal process. The nominated tree/s are then assessed and if deemed appropriate are placed on the Significant Tree Register. This is updated annually.

The existing process of allowing residents to manage trees on their own property appears to have proven successful with Dubbo's urban tree canopy effectively increasing from 8.9% in 2003 to 15.9% in 2017. The greatest increase was achieved through the private urban forest (4.4%) followed by park trees (1.6%).

The introduction of the State Environmental Planning Policy (SEPP) (Biodiversity and Conservation) 2021 will also provide Council with powers currently unavailable to it in relation to illegal native vegetation, including grasslands) clearing in managed areas across the local government area. Legitimate farm lands are not managed by Council under the *Biodiversity Conservation Act* (2016), under which the SEPP (Biodiversity and Conservation) is authorised. Currently landholders can clear native (and non-native) vegetation in urban or rural areas of the LGA prior to the lodgement of a Development Application and Council has very limited actions available to it.

REPORT

The original request to investigate the implementation of a Tree Preservation Order covering private trees arose from the September 2021 Ordinary Meeting of Council as a result of concerns raised by Street Tree Advisory Panel about the clearing of trees located on private property within the urban area. The concern raised was that while public trees had a level of protection through the implementation of the Tree Preservation Order and Significant Tree Register, private trees effectively had no protection and residents could remove them without a permit. The subsequent report in October 2021 identified that Council had the opportunity to introduce the NSW State Environmental Planning Policy (Biodiversity and Conservation) under the *Biodiversity Conservation Act* 2016. The SEPP (Biodiversity and Conservation) effectively enables Council to manage prescribed vegetation (native and non-native) across defined areas of the local government area.

The premise of this report, however, deals primarily with the introduction of the SEPP (Biodiversity and Conservation) as it relates to the management of the urban forest (private and public trees). The identified costs in the report again on relate to urban tree management, and not non-urban vegetation management.

As part of the investigation a number of other regional councils were approached to identify what, if any, urban tree protection that they currently have, what level of resourcing to manage urban trees and the canopy coverage of their urban area.

Councils that have adopted the SEPP (Biodiversity and Conservation) include:

- City of Wagga Wagga
 - One strategic tree planning supervisor
 - Seven operational staff
 - Canopy coverage – 10.2%

- Orange City Council
 - 0.5 staff resource for strategic tree management
 - Seven operational staff

- Albury City Council
 - Three strategic tree planning staff
 - 12 operational staff
 - Canopy coverage – 23.6%

Councils that haven't adopted the Biodiversity and Conservation SEPP include:

- Tamworth Regional Council
 - Protection to trees located on private property through their Local Environment Plan.
 - One strategic tree management staff member
 - Three operational staff
 - Canopy coverage – 12.36%

- Dubbo Regional Council
 - 0.2 strategic tree management (MROS)
 - Three operational team members (Operations)
 - Canopy coverage – Dubbo 16.2%, Wellington 12% & Montefiores 17%

Adoption of SEPP (Biodiversity and Conservation) would allow Council to manage exotic and native vegetation within urban areas as Council chooses. Permits can be required for the clearing of defined vegetation; defined species, trees above a certain height, or within certain mapped urban areas can be managed and vegetation which does not meet those criteria are exempted. Application of the Biodiversity and Conservation SEPP emulates Tree Preservation Orders in the urban areas in this sense. For example – some Councils nominate a tree height of three metres under which a permit to clear is not required. Wagga Wagga City Council in contrast has nominated a tree height of eight metres to remain consistent with the *Biodiversity Conservation Act 2016*.

Dubbo Regional Council could also determine to introduce the SEPP (Biodiversity and Conservation) but only cover private trees in the urban area that are on the adopted Significant Tree Register. This approach would then provide protection and ability to act on illegal clearing of vegetation on the edges of edges of the urban areas and within villages. Currently without the SEPP (Biodiversity and Conservation) Council is powerless to act.

Adopting the Biodiversity and Conservation SEPP would increase Councils powers to police illegal clearing and it would be seen by the community as Council placing value on native vegetation within the local government area. It has been advised by Growth Planning that Council's current compliance staff have the capacity to undertake Biodiversity and Conservation SEPP compliance work in relation to illegal clearing of native vegetation on the outer non-urban lands and land zoned for environmental conservation/management that does not require development consent. The Biodiversity and Conservation SEPP applies to land in NSW that is zoned for urban purposes or for environmental conservation/management under the Standard Instrument – Principal Environmental Plan. For Dubbo

Regional Council these areas are shown below in **Figure 1**. Local Land Services Regulations apply to all other areas (exempt) of the local government area.



Figure 1. Urban and environmental mapped elements of the Dubbo local government area (blue line) to which the SEPP (Biodiversity and Conservation) 2021 would apply (grey).

Consultation

- A number of NSW regional councils were approached to ascertain what, if any, tree preservation orders that had in place to manage the private urban forest. The Councils that were approached were:
 - Albury City Council
 - Bathurst Regional Council
 - Orange City Council
 - Tamworth Regional Council
 - Wagga Wagga City Council
- Council Budget Workshop – 21 April 2022
- Manager Growth Planning/Environmental Systems Planner
- Consultation identified that there were a number of options available to manage the urban forest, including maintaining the *status quo*, managing private trees under the adopted Local Environmental Plan (LEP), or adoption and implementation of the State Environmental Planning Policy (Biodiversity and Conservation).

Dubbo Regional Council would be required to publicly exhibit the SEPP (Biodiversity and Conservation) prior to adoption. A consequence of this could be an increase of tree clearing by residents concerned that it may restrict them removing a tree in the future.

Resourcing Implications – Option 1

- This option requires no additional staffing. An existing position within Recreation and Open Space would transition to across to the Tree Management Officer.
- The Open Space Planner position responsibilities would be expanded to oversee private tree management (urban).

Total Financial Implications	Current year (\$)	Current year + 1 (\$)	Current year + 2 (\$)	Current year + 3 (\$)	Current year + 4 (\$)	Ongoing (\$)
a. Operating revenue	0	0	0	0	0	0
b. Operating expenses	60,000	0	0	0	0	0
c. Operating budget impact (a – b)	-60,000	0	0	0	0	0
d. Capital Expenditure	0	0	0	0	0	0
e. Total net impact (c – d)	-60,000	0	0	0	0	0
Does the proposal require ongoing funding?	No					
What is the source of this funding?	Staff wages would continue to be paid through Recreation and Open Space.					

Table 1. Ongoing Financial Implications

Resourcing Implications - Option 2

- This option requires an additional staff resource.
- An existing position within Recreation and Open Space would transition to across to the Tree Management Officer, with the new position of Tree and Landscape Compliance Officer being added to the structure.
- The Open Space Planner position responsibilities would be expanded to oversee private tree management (urban).

Total Financial Implications	Current year (\$)	Current year + 1 (\$)	Current year + 2 (\$)	Current year + 3 (\$)	Current year + 4 (\$)	Ongoing (\$)
a. Operating revenue	0	0	0	0	0	0
b. Operating expenses	126,000	130,260	135,210	140,358	145,713	151,281
c. Operating budget impact (a – b)	0	0	0	0	0	0
d. Capital Expenditure	-126,000	-130,260	-135,211	-140,358	-145,713	-151,281
e. Total net impact (c – d)	0	0	0	0	0	0
Does the proposal require ongoing funding?	Yes					
What is the source of this funding?	Organisation wages and salaries for additional staff resource. An additional vehicle for the function (\$6,500 p.a.) has been allowed.					

Table 2. Ongoing Financial Implications

Options Considered

As identified in the body of the report, two options have been considered for the management of private urban trees, not including the management and compliance requirements of the non-urban areas.

Option 1.

- Adoption of the SEPP (Biodiversity and Conservation) to enable management and compliance of vegetation across wider, prescribed areas of the local government area. Non-urban management and compliance would be undertaken by Councils current compliance staff.
- Private trees as prescribed, or that are identified on the Significant Tree Register, will be managed under the SEPP (Biodiversity and Conservation).
- All other trees located on private property (urban) will continue to be managed by property owners.
- The Horticulture and Landcare Technical Officer be transitioned across to a Tree Management Officer to assist the Open Space Planner in the management of the trees generally within the urban landscapes.

This option has the benefits of:

- Providing Dubbo Regional Council the opportunity to prevent illegal clearing of land in the non-urban areas of the local government area, especially on the outskirts of urban centres.
- Introducing the SEPP (Biodiversity and Conservation) into the urban areas, in a manner to be determined by Council. This still provides residents, in many cases, the opportunity to manage trees on their property without Council interference.

- No additional staff resources are required, although an existing position would be impacted.
- A greater focus on urban tree management would be achievable that has intergenerational benefits.

The potential negatives of this option include:

- Residents may react to the tighter controls of urban tree management relating to their private property and remove trees within the public exhibition period.
- It may be seen as not meeting the original intent of the Council resolution by members of the community.
- The realignment of the position would potentially impact the functions capability and capacity in asset management across the broader open space network.

Option 2.

- Adoption of the SEPP (Biodiversity and Conservation) to enable management and compliance of vegetation across wider, prescribed areas of the local government area. Non-urban management and compliance would be undertaken by Councils current compliance staff.
- A lower entry point for private tree management could be implemented extending the coverage of protection. Trees identified on the Significant Tree Register could also still be managed under this option. All other trees located on private property (urban) will continue to be managed by property owners.
- The Horticulture and Landcare Technical Officer be transitioned across to a Tree Management Officer to assist the Open Space Planner in the management of the trees generally within the urban landscapes.
- An additional staff and vehicle resource would be added to the Recreational and Open Space structure.

This option has the benefits of:

- Providing Dubbo Regional Council the opportunity to prevent illegal clearing of land in the non-urban areas of the local government area, especially on the outskirts of urban centres, as shown in figure 1.
- Introducing the SEPP (Biodiversity and Conservation) into the urban areas, in a manner to be determined by Council. This extends the level of coverage of protection to private trees but still provides residents, in many cases, the opportunity to manage trees on their property without Council interference.
- A greater focus on urban tree management would be achievable that has intergenerational benefits.
- The additional staff and vehicle resource would reduce the impact of increased tree management requirements impacting on existing requirements of the function, such as asset management.
- The lower entry point may be seen as meeting the original intent of the Council resolution by members of the community.

The potential negatives of this option include:

- Residents may react to the tighter controls of urban tree management relating to their private property and remove trees within the public exhibition period.
- No additional staff resources are required, although an existing position would be impacted.
- Difficulties in securing prosecutions for breaches.

Preferred Option

The preferred longer term option is Option 2. It provides a higher level strategic tree management opportunity that lessens the ability of the Recreation and Open Space function to deliver its program of capital works, asset management and assist in the assessment and compliance checks of Developer landscape and subsequent works. However, it is noted that this additional capacity comes at a price of approximately \$130,000 p.a. and Council is significantly financially constrained. In the short term, should Council implement a form of Tree Preservation Order, Option 1 is preferred.

Planned Communications

If Dubbo Regional Council wishes to implement the SEPP (Biodiversity and Conservation) there will be firstly a requirement to redraft Council's Development Control Plans. There will be a need to also determine what parameters Council wishes to set for the implementation of the SEPP (Biodiversity and Conservation) as it relates to private urban tree management. For example – what is the entry point (height of tree) where a permit is required, or will it apply to trees on the Significant Tree Register only.

It is envisaged that the introduction of the SEPP (Biodiversity and Conservation) will need to be publicly exhibited for 28 days, seeking community input prior to further consideration by Council.



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PERMIT TO CLEAR VEGETATION (Trees)

State Environmental Planning Policy (SEPP) Part 3 Vegetation in Non-Rural Areas 2017

OFFICE USE ONLY				
TP	<input type="text"/>	Amount Due	<input type="text"/>	
		Date	<input type="text"/>	
CSO	<input type="text"/>	Rec No	<input type="text"/>	
		DA No	<input type="text"/>	
Note: Council does not accept application without payment				
Section 1 – Applicants Details				
<small>NOTE: All correspondence will be forwarded to this address or email, including any determination</small>				
Name	<input type="text"/>	Company	<input type="text"/>	
Address	<input type="text"/>		Postcode <input type="text"/>	
Phone	<input type="text"/>	Mobile	<input type="text"/>	
Email	<input type="text"/>	Signature	<input type="text"/>	
Section 2 – Site Details				
Address	<input type="text"/>		Suburb <input type="text"/>	
Legal Description (Lot & DP)	<input type="text"/>		Zone <input type="text"/>	
Section 3 – Please Identify Tree Type / Species				
<small>Information below is also to be completed before the application will be accepted. Failure to complete all the details will result in the application being delayed or rejected. Indicate number of trees effected, describe the extent of work (prune, removal, transplant, other) and reasons for works.</small>				
	Tree Type (species)	Remove ✓	Prune ✓	Reason
1	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
2	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
3	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
4	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>

Notes:

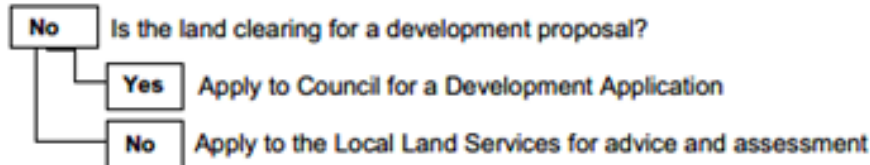
Check List for SEPP – Removal of a Tree or Vegetation

Part A

Click on the following link: <https://www.lmbc.nsw.gov.au/Maps/index.html?viewer=NVRMap>

Accept – click on "I want to" – choose "search address" – type in address of property – search. Subject land will appear in a Map. Is the subject land in a grey shaded area?

Complete Part B



Part B

Note: A permit is not required for any living tree in an urban area that is:

- a) Listed as an undesirable plant in section 5.2.3 of the DCP (See page 5 of this form)
- b) Of a height less than 8m, unless it is a Species of Local Conservation Significance as identified in section 5.2 of the DCP

	Information Required	Yes	No	Unknown
1	Is the tree height less than 8m?			
2	Is the native vegetation located in a wetland?			
3	Is the tree, irrespective of size, listed in a Register of Significant or Heritage trees?			
4	Is the clearing of vegetation a requirement for future development?			
5	Was the vegetation planted as a condition of development?			
6	Is the clearing of vegetation being carried out under the RFS 10/50 Code?			
7	Is the vegetation in the Conservation Area of the City? (See DCP, Section 3.3. refer map 3.3)			
8	Is the cleared vegetation part of an Aboriginal object or within an Aboriginal Place of significance?			

No If you have answered "no" to all of the above questions, proceed with application

Yes If you have answered "yes" or "unknown" to any questions, please see the Duty Planner for assistance

Guideline Information

Vegetation means a tree or other vegetation, whether or not it is native vegetation – See DCP 5.2

Notes for table above:

- a) A "yes" answer to Q2 requires the application to be referred to the Town Planners for assessment
- b) Q3 refers to the maps under the 2010 DCP
- c) Q4 refers primarily to land in the R5, RU2, RU4 and RU6 2010 zones

INFORMATION SHEET FOR PERMIT TO CLEAR VEGETATION (Trees)

Please read this information sheet carefully before filling out the Permit to Clear Vegetation (Trees) form.

Permit to Clear Vegetation (Trees) form:

- The permit form is to be signed by the property owner(s)
- A non-refundable permit fee applies
- If the tree is located on a common boundary, all parties that have joint ownership of the tree are to sign the permit form
- If the permit is in relation to any proposed or current development, building or subdivision application, you are still required to complete and lodge this permit form and pay the permit fee. The assessment will be carried out in conjunction with the relating Development Application
- A request to prune or remove a tree to eliminate the shedding of leaves or to enhance a view will not be considered
- In some situations Council may request an additional report by a suitable qualified arborist or structural engineer at the applicant's expense to support the permit

Neighbouring Trees:

Council may give consent to prune a neighbour's tree that is overhanging your property. Pruning can only be undertaken back to your property boundary. Council does not get involved in neighbour disputes. In such situations, the parties involved should contact the Community Justice Centre. Following is a link to their website:

http://www.cjc.justice.nsw.gov.au/Pages/cjc_what_is_mediation/com_justice_neighbours.aspx

Work Quality and Method:

Any approved tree works are to be carried out in accordance with the Australian Standards "Pruning Amenity Trees" (AS4373-2007) and "Protection of Trees on Development Sites" (AS4970-2009)

A Permit is not Required for the Following:

- Street tree, Park tree or Reserve tree not related to a DA
 - If the tree in question is a street tree, or located in a park or reserve, a request for assessment of the tree can be made online at Council (see links below), or by telephoning Customer Service on 1300 292 442.
- Dead Tree – these can be removed without approval

Street tree: (For requests for street tree pruning or removal, fallen branches, vandalism etc.)

https://eservices.wagga.nsw.gov.au/P1/eRequest/SubmitRequest.aspx?f=%24P1_ECR.SUBMIT.MNT&Group=CRTrees&GroupCategory=CROnline

Park or Reserve: (For any tree issues as above that are located in a park or reserve)

<https://eservices.wagga.nsw.gov.au/P1/WWCustom/GuestHome.aspx?r=WW.P1.WEBGUEST&f=WW.P1.EPR.GHOM.VIW>

Overhead Power Lines:

For trees impacting on electrical service wires within your property, contact Essential Energy on 13 20 80

Once lodged, your application will be given a Customer Reference Number

Your application will be assessed within twenty eight (28) working days