



AGENDA

INFRASTRUCTURE AND LIVEABILITY

COMMITTEE

12 OCTOBER 2020

MEMBERSHIP: Councillors J Diffey, V Etheridge, D Grant, D Gumley, A Jones, S Lawrence, G Mohr, K Parker, J Ryan and B Shields.

The meeting is scheduled to commence at _____ pm.

		Page
ILC20/50	ROAD CLASSIFICATION REVIEW AND TRANSFER (ID20/1227) The Committee had before it the report dated 28 September 2020 from the Senior Transport Asset Specialist regarding Road Classification Review and Transfer.	2
ILC20/51	PROPOSED ROAD CLOSURE - CAMPANIA ROAD RAWSONVILLE (ID20/1010) The Committee had before it the report dated 7 August 2020 from the Road Services Engineer regarding Proposed Road Closure - Campania Road Rawsonville.	11
ILC20/52	SECTION OF WALKWAY AT MEADOWBANK DRIVE AND SPRINGFIELD WAY DUBBO - OWNERSHIP CHANGE (ID20/1182) The Committee had before it the report dated 15 September 2020 from the Road Services Engineer regarding Section of Walkway at Meadowbank Drive and Springfield Way Dubbo - Ownership Change.	15
ILC20/53	MACQUARIE CLUB DUBBO - APPLICATION TO INCREASE GAMING MACHINE THRESHOLD (ID20/1212) The Committee had before it the report dated 22 September 2020 from the Manager Community Services regarding Macquarie Club Dubbo - Application to increase gaming machine threshold.	19



DUBBO REGIONAL
COUNCIL

REPORT: Road Classification Review and Transfer

AUTHOR: Senior Transport Asset Specialist
REPORT DATE: 28 September 2020
TRIM REFERENCE: ID20/1227

EXECUTIVE SUMMARY

In February 2019, the NSW Government announced the initiation of a Road Classification Review and the potential transfer of up to 15,000 km of regional roads to State management. The review has commenced with an independent panel set up to assess nominations and provide recommendations to the State Government.

The Road Classification Review and Transfer are two separate initiatives that are being assessed by the independent panel:

- Road classification review; and
- Regional road transfers.

Dubbo Regional Council has been invited to nominate roads for reclassification and to also provide a non-binding list of regional roads for transfer to State control. Nominations closed on 25 September 2020.

The financial implications of a successful 'reclassification' of local to regional roads should be positive, however the ability to make informed regional road 'transfer' decisions is severely impaired by the unknown future maintenance and funding models, and the possibility that Council may be excluded from future involvement in these roads.

Dubbo Regional Council shares common boundaries with five other local government areas, who have also been invited to submit their own roads for review and transfer. With the exclusion of Gilgandra, all have indicated that they will nominate regional roads that they share with Dubbo for reclassification or transfer to the State.

Funding grants, both State and Federal, are calculated with the total length of roads as a factor; a loss of regional road length will affect the calculation and will result in a significant reduction of both State and Federal funding assistance.

FINANCIAL IMPLICATIONS

The financial implications of the Classification Review and Transfer are difficult to assess due to the unknowns. The unknowns have been created by the limited terms of reference issued to the independent panel, and the lack of information in regard to future funding and maintenance models being provided by the State Government.

There is no certainty that maintenance of roads transferred to State control will be given to Council, and there is high potential for grant funds to be reduced due to loss of road length.

Financial implications of the 'Road Classification Review':

The financial implications of a successful reclassification of the Obley, Circle and Fashions Mount Roads and Wheelers Lane to regional roads should be positive.

Regional roads attract funding assistance from the State Government through the annual Block Grant program, and also via the annual Repair Program.

There are currently 242 km of regional roads within the Dubbo LGA, Council will receive \$2,022,000 of Block Grant funding for these in 2020/2021. Additionally, Council generally receives \$400,000 for road renewal works annually under the State Government funded Repair Program.

The Federal Government also provides funding assistance under the identified road component of the Federal Assistance Grants (FAG), the level of funding is calculated using the total length of local and regional roads as a factor. Changing a road classification from local to regional will have a neutral financial effect on this grant.

The total length of roads nominated for regional status is 51.4 km. When applying a pro-rata calculation the additional road length has the potential to attract an additional \$429,000 through the Block Grant annually, however this is still unknown.

Financial implication of 'Regional Road Transfers':

The recommendation is made to not consider transferring any regional roads to State control.

The ability to make informed decisions is severely impaired by the unknown future maintenance and funding models that will be set by the State Government, and the possibility that Council may be excluded from future involvement in these roads.

As previously shown, Council receives over \$2m of Block Grant funding for 2020/2021, this equates to around \$8,350 of annual assistance per kilometre. It is assumed that Block Grant funding assistance would be reduced equivalent to a ratio of kilometres of road transferred.

Additionally, Council receives annual funding of \$3.55m under the road component of the FAG. The methodology used to determine the annual grant includes the total length of Council's local and regional roads in the calculation. A loss of road length will have a significant impact on the total annual FAG assistance, this is expected to be greater than \$0.5m annually.

If roads are transferred it is likely that Council would lose a portion of both the annual Federal and Block Grant funding assistance grants, and the possibility of not being engaged to undertake future maintenance works. These are the unknowns that may impact Council's finances.

POLICY IMPLICATIONS

There are no policy implications arising from this report.

RECOMMENDATION

- 1. That the report of the Senior Transport Asset Specialist dated 28 September 2020 be noted.**
- 2. That the non binding submissions for the following roads for reclassification to regional road status be noted:**
 - a. The full length of Obley Road.**
 - b. A section of the Circle Road, from Burrendong way to the Fashions Mount Road.**
 - c. The full length of Fashions mount Road, from the Circle Road to the Burrendong Dam State Park entrance.**
 - d. The section of Wheelers Lane connecting the Golden Highway to the Mitchell Highway.**
- 3. That no regional roads have been considered for transfer from Council to State Government control be noted.**
- 4. That further actions be considered and a supplementary submission, if necessary, following outcomes from the independent panel review.**

Peter James
Senior Transport Asset Specialist

BACKGROUND

Dubbo Regional Council currently owns 2,511 km of local roads (sealed and unsealed) and seven regional roads, with a total length of 242.5 km. There are also 288 km of State and National roads that are managed on behalf of the State Government by TfNSW. Council undertakes maintenance works to 115 km on the State roads under the Road Maintenance Council Contract (RMCC).

Regional roads attract funding assistance from the State Government with \$2,022m being provided in 2020/2021, through the annual Block Grant funding assistance program. An additional \$400k is being provided via the annual Repair Program for pavement renewal and improvement works.

Additionally, Council receives annual funding of \$3.55m under the identified road component of the Federal Assistance Grant (FAG), these funds are tied directly to roads, but are otherwise discretionary funds.

In February 2019, the NSW Government announced the initiation of a Road Classification Review and the potential transfer of up to 15,000 km of regional roads to State Government management. The review has commenced, and an independent panel has been set up to assess Council nominations, and provide recommendations to the State Government.

The State Government has advised that the Road Classification Review has been initiated because:

- a. A review of existing road classifications should occur on a regular basis to maintain the integrity of the road network to support planning, policy making and the equitable distribution of resources.
- b. An issue has been identified in some council areas with the cost of maintaining regional roads, or with the standard of maintenance of some regional roads.
- c. There is an opportunity to make adjustments to individual road classifications and to re-examine the current classification framework to better align with current and developing State and National frameworks.

The independent panel has been established to consider a broad range of issues to:

- Lighten the load on councils by identifying which roads are appropriately managed by the State Government, and which are of sufficient significance to receive State funding.
- Consider larger-scale changes to the management of the road network such as levels of service, design standards, the collection and validation of data and reporting.
- Consider how technologies of the future can be accommodated on the NSW road network.

REPORT

The Road Classification Review and Transfer are two separate initiatives that are being assessed by the independent panel:

1. Road classification review; and
2. Regional ROAD transfers.

Council has been invited to participate in the first stage of the submission process by nominating roads for reclassification and also to provide the panel with a non-binding list of regional roads for transfer.

An information paper provided by the State Government has provided the following information:

“Requirements for the first stage of the submission process include:

- *The nomination of all roads both priority and non-priority planned to be submitted for either reclassification or transfer.*
- *Provide an overview of the roads intended to be submitted for either reclassification or transfer by council. This submission does not commit council to any course of action but is an initial expression of the intention to submit only.*
- *A submission for reclassification should be made where the submission is making a case that the classification of the road has changed in line with the criteria for characteristics and function of the road outlined in the Information Paper.*
- *Councils nominating a road for transfer should not request reclassification to State Road as the Regional Road is likely to retain its classification, with transfer of management and funding responsibilities only.*
- *A submission for transfer should be made where the road is currently classified as Regional Road and continues to fill that function in line with the criteria outlined in the Information Paper, but where council wishes to propose transfer of the road to State management.*
- *All recommendations of the Independent Panel are subject to review and decision by the NSW Government.*
- *A further stage of the submission process will then collect detailed information in relation to priority and non-priority roads. Supporting information requested by the Independent Panel may be provided to NSW State Government agencies for verification.”*

1. Road Classification Review

Traditionally road classification reviews are undertaken every five or more years, they are conducted between Council and Transport for NSW (TfNSW) and used to determine if a road meets current network and road user needs.

The review allows nominations for local roads to be reclassified to Regional Road status or for regional roads to be reclassified to State road status, or vice versa.

The Regional to State road reclassification portion of this review is separate to, and should not be confused with the Regional Road Transfer offer.

For this review Council has offered the Obley Road, a part of the Circle Road, Fashions Mount Road, and a section of Wheelers Lane to be reclassified from Local to Regional status.

Obley Road is classified as a sub-arterial road, it is an alternate route linking Dubbo City to the City of Orange via Yeoval, Cumnock and Molong, it connects directly with the Banjo Patterson Way which is an existing regional road linking Yeoval to Molong via Cumnock.

Ownership of the Obley Road is shared between Dubbo Regional and Cabonne councils. Dubbo owns and operates 44 km from the intersection with the Newell Highway to the Cabonne boundary, located approximately 20 km north of Yeoval.

Informal discussions with Cabonne Council staff indicate that they have not considered nominating the Obley Road as a regional road, however they advise that they will not oppose Dubbo's nomination.

The Circle and Fashions Mount Road provide access from the Burrendong Way to the Burrendong State Recreation Area, both roads are wholly owned by Dubbo Regional Council.

The Burrendong Way is a regional road that provides an alternate link between the township of Wellington and the City of Orange. It is a TASAC listed touring route that provides tourist access to the Burrendong State Recreation Area. It is proposed to nominate a section of the Circle Road and the full length of the Fashions Mount Road to complete full regional road access to the State significant tourist attraction at Burrendong Dam.

A section of Wheelers Lane, from the Golden Highway to the Mitchell Highway, has also been recommended for nomination to a regional road, this section is classified as an Urban Collector. It is a significant link joining the two State highways and it acts as a temporary detour when the Newell Highway is closed by flooding at the Erskine Street low level bridge.

Accelerated pavement damage in Wheelers Lane occurs during flood detour events. This is caused by an increase in general and heavy vehicle movements, and is exacerbated by pavement saturation associated with flooding, costs to maintain and repair the flood damage are borne by Council.

It is hoped that the elevation to regional status will attract additional funds for ongoing maintenance and to enable permanent repairs to be undertaken.

2. Regional Road Transfers

Of the seven regional roads owned by Dubbo Regional Council, two are wholly within the local government area, the remaining five are shared by Dubbo and various neighbouring councils.

A list of Dubbo Regional Roads is shown as Table 1 below:

Designation	Name	Description	Length (km)
MR233	Renshaw McGirr Way	Wellington to Parkes	39.92
MR 353	Saxa Road	Wellington to Golden Highway	51.68
MR572	Eumungerie Road	Narromine to Eumungerie	11.00
MR573	Burrendong Way	Orange to Wellington Via Stuart Town	58.11
RR7512	Muronbung and Gollan roads	Ballimore to Goolma	30.05
RR7519	Mendooran Road	Mendooran to Brocklehurst	50.63
RR7525	Thompson Street	Thompson Street Dubbo	1.13
Total Length			242.52

Table 1 - Regional roads owned and operated by Dubbo Regional Council

A breakdown of regional road ownership by LGA is shown in Table 2 below:

Name	Description	Total length (km)	Dubbo Regional Council length (km)	Other Council & length (km)	Other Council & length (km)
MR233 Renshaw McGirr Way	Wellington to Parkes	109	39.92	Cabonne 36.6	Parkes 32.5
MR 353 Saxa Road	Wellington to Golden Highway	51.68	51.68	Solely owned by DRC	
MR572 Eumungerie Road	Narromine to Eumungerie	53.8	11.00	Narromine 35.1	Gilgandra 7.7
MR573 Burrendong Way	Orange to Wellington Via Stuart Town	86.9	58.11	Cabonne 22.19	Orange City 6.6
RR7512 Muronbung and Gollan roads	Ballimore to Goolma	40.10	30.05	Mid-Western Regional 10.05	N/A
RR7519 Mendooran Road	Mendooran to Brocklehurst	64.8	50.63	Warrumbungle 14.17	N/A
RR7525 Thompson Street	Thompson Street Dubbo	1.13	1.13	Solely owned by DRC	

Table 2 – Regional roads ownership

Dubbo Regional Council owns and operates 242 km of regional roads. Funding for these can be provided by Council, however it is most commonly funded by the State Government through the Block Grant funding assistance program.

The Block Grant will provide Council with \$2,022m for the 2020/2021 period.

Block Grant funding is broken into three separate components:

1. The road;
2. The traffic facilities; and
3. The supplementary components.

The Block Grant funding is fixed to regional roads, however is at the discretion of Council to spend within each component area.

The road classification review allows for regional roads to be nominated for consideration to State Road status. This is a separate process to the regional road transfer process. The independent panel has advised that:

“Councils nominating a road for transfer should not request reclassification to State Road as the Regional Road is likely to retain its classification, with transfer of management and funding responsibilities only”.

The potential to attract additional funds by offering the regional roads for transfer has been considered. However, due to the lack of information regarding future maintenance and funding models, and the possibility that Council may be excluded from future involvement in these roads, an informed decision is difficult.

For these reasons the recommendation is not to consider any regional roads for transfer to State control.

There will be other outside influences that are out of the control of Council, as Dubbo shares common boundaries with five other local government areas, being Cabonne, Gilgandra, Mid-Western, Narromine and Warrumbungle. These councils have also been invited to submit their own nominations of roads for review and transfer.

With the exclusion of Gilgandra, all have indicated that they will nominate, or will consider nominating, regional roads that they share with Dubbo for reclassification or transfer to State Government control.

A summary of informal discussion held with adjoining councils:

Cabonne Council

Cabonne Council shares regional roads MR573 (Burrendong Way) and MR 233 (Renshaw McGirr Way). Cabonne has indicated that they will be offering their sections of both of these roads for transfer to the State.

Obley Road is a local road that is also shared between Dubbo and Cabonne. At the time of this report Cabonne had not committed to participating in a joint submission request for reclassification to regional status, however they did indicate they would not oppose Dubbo's nomination.

Gilgandra

Gilgandra Council shares regional road MR572 (Eumungerie Road) with both Dubbo and Narromine councils. Gilgandra has indicated that they will not be offering the Eumungerie Road for transfer to State control, however would not oppose nominations from other councils.

Mid-Western Regional Council

Mid-western shares regional road MR7512 (Muronbung/Gollan Road) with Dubbo. Mid-western have indicated that they will nominate the Gollan Road for reclassification to State road status, presumably to be managed under the RMCC.

Narromine Council

Narromine Council shares regional road MR572 (Eumungerie Road) with both Dubbo and Gilgandra. Narromine has indicated that they will be nominating to transfer the Eumungerie Road to State control.

Warrumbungle Council

Warrumbungle Council shares regional road RR7519 (Mendooran Road), with Dubbo, which is called Forrest Road in the Warrumbungle LGA. They have indicated that they will be nominating to transfer the Forrest Road to State control.

SUMMARY

If the reclassification of the Obley, Circle, and Fashions Mount roads and Wheelers Lane prove successful, the financial impact to Council by will be positive. Additional funding should be attracted for routine maintenance and future renewals works. Council funds that are currently allocated to these roads could be redirected to other road needs.

The transfer of existing regional roads to State control is more problematic. The ability to make informed decisions is severely impaired by the unknown future maintenance and funding models, and the possibility that Council may be excluded from any involvement in these roads.

It is hoped that information regarding future management and funding models will be provided at the end of the independent panel review process, allowing for a review by Council at that time.



DUBBO REGIONAL
COUNCIL

REPORT: Proposed Road Closure - Campania Road Rawsonville

AUTHOR: Road Services Engineer
REPORT DATE: 7 August 2020
TRIM REFERENCE: ID20/1010

EXECUTIVE SUMMARY

Council has received a request from Mr Tom Harvey and Mrs Cathy Harvey of Lot 1 DP 943178 Campania Road, Rawsonville to purchase the section of Campania Road adjacent to their property as indicated on the map attached as **Appendix 1**. There is a formed gravel Council public road for approximately 505 metres north of Terramungamine Road, beyond that the road is unformed. The road does not currently form part of Council annual road maintenance program. Both the adjoining landowner on the western boundary of the road corridor and the adjoining landowner to the north have advised they have no objection to the request to close part of Campania Road as indicated in **Appendix 1**.

FINANCIAL IMPLICATIONS

All costs incurred by Council associated with the proposed road closure will be recovered through the road closure application fee of \$2,269.68, as specified in Council's Revenue Policy, that it be paid by the proponent. The road will vest in Council, upon closure, and once in Council title will be offered for sale at market value as determined by valuation, plus the recovery costs for the survey, development, legal expenses and other costs incurred in presenting the land for sale. Any net proceeds from the sale of land will become available to the Rural Roads Function.

POLICY IMPLICATIONS

There are no policy implications arising from this report.

RECOMMENDATION

- 1. That Council consent to the closure of this section of road as indicated in Appendix 1.**
- 2. That Council undertake the Roads Act Council Road Closure Process: Closing of Council Public Roads by Councils - Part 4 Division 3 Roads Act 1993.**
- 3. That upon closure, the road be offered for sale to the adjacent landowner at a price determined from an independent valuation plus recovery of costs incurred in the disposal of the land.**
- 4. That all documentation in relation to this matter be executed under power of attorney.**

Mano Manokaran
Road Services Engineer

BACKGROUND

A request has been received from Mr Tom Harvey and Mrs Cathy Harvey of Lot 1 DP 943178 Campania Road, Rawsonville to purchase the section of Campania Road adjacent to their property as indicated on the map attached as **Appendix 1**.

REPORT

Campania Road is a formed gravel Council public road for approximately 505 metres north of Terramungamine Road, beyond that the road is unformed. There is no formed crossing of Medway Creek 505 metres north of Terramungamine Road and as a result there is very limited through traffic along the road corridor and the closure of a section of road is expected to have minimal impact on any current or future connectivity in the area. No property accesses will be adversely impacted by the closure of the section of road. The section of formed road does not currently form part of Council annual road maintenance program.

The adjoining landowner of Lot 30 DP 8671, which has frontage to Campania Road on its western boundary, Mr Brian Robinson has advised that he has no objection to Mr Tom and Mrs Cathy Harvey's request to close part of Campania Road as indicated in **Appendix 1**.

The adjoining landowner of Lot 25 DP 8495, which has an established access on the northern section of Campania Road accessed via North Terramungamine Road, Mr JK Shanks has advised that he has no objection to Mr Tom and Mrs Cathy Harvey's request to close part of Campania Road as indicated in **Appendix 1**.

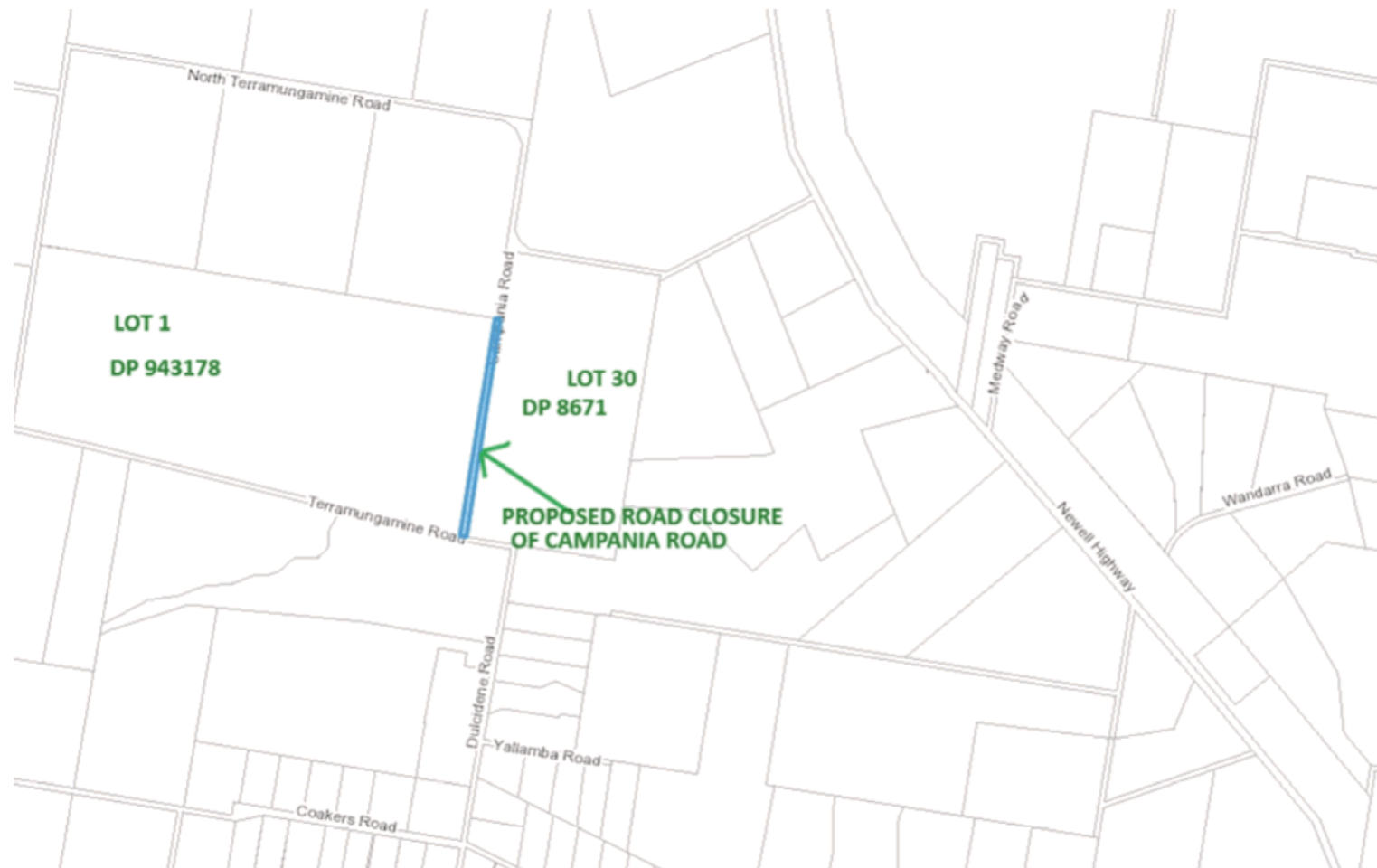
The road will upon closure vest in Council where it will then be entitled to be disposed of to the adjoining landowner.

SUMMARY

It is recommended that Council support the request by the landowner adjacent to the section of Campania Road for Council to sell this section of road for the purpose of consolidation with the landowner's holding.

Appendices:

[1](#) Proposed Road Closure - Campania Road Rawsonville



APPENDIX-1



REPORT: Section of Walkway at Meadowbank Drive and Springfield Way Dubbo - Ownership Change

AUTHOR: Road Services Engineer
REPORT DATE: 15 September 2020
TRIM REFERENCE: ID20/1182

EXECUTIVE SUMMARY

Council resolved at the Ordinary Council meeting held April 2020 to close the walkway connecting Meadowbank Drive and Springfield Way in Dubbo due to anti-social activity and possible criminal activity in West Dubbo. The Road Status Report and NSW Land Registry Services have confirmed that the area edged 'red' on the attached site plan (**Appendix 1**) was not vested to Council and dedicated as public road.

The laneway was never formally dedicated to Council and the walkway remains in the ownership of Hughes Development Company Pty Ltd, however the company has now been deregistered. Council has two options to acquire the land so that the road may be closed and the land sold to adjacent land owners:

Option 1

Enter into negotiations with the Australian Securities and Investments Commission (ASIC) to acquire the laneway by agreement and enter into a contract.

Option 2

Compulsory acquisition of the land under the Land Acquisition (Just Terms Compensation) Act with the application made to ASIC.

FINANCIAL IMPLICATIONS

There will be a nett cost of \$12,000 (excluding GST) to Council arising from this consent, with such cost including legal fees, engaging the services of a surveyor to prepare the Plan of Subdivision, together with any fees that might be payable to ASIC and the cost then of registering the Plan at NSW Land Registry Services.

POLICY IMPLICATIONS

There are no policy implications arising from this report.

RECOMMENDATION

- 1. That Council initiate negotiations with the Australian Securities and Investments Commission (ASIC) to acquire the laneway by agreement.**
- 2. That Council enter into a contract with ASCIS to acquire the property if agreement can be reached.**
- 3. That Council approve compulsory acquisition of the land noted within the report pursuant to sections 177 and 178 of the Roads Act 1993 (NSW) and undertake all necessary actions accordingly, if agreement cannot be reached between Council and ASIC.**
- 4. That all relevant documentation be executed under Power of Attorney.**

Mano Manokaran
Road Services Engineer

BACKGROUND

Council resolved at the Ordinary Council meeting held April 2020 to close the walkway connecting Meadowbank Drive and Springfield Way in Dubbo, due to anti-social activity and possible criminal activity in West Dubbo. The Road Status Report and NSW Land Registry Services have confirmed that the area edged 'red' on the attached site plan (**Appendix 1**) was not vested to Council and dedicated as public road.

The laneway was never formally dedicated to Council and the walkway remains in the ownership of Hughes Development Company Pty Ltd, however the company has now been deregistered.

REPORT

As the owner of the land, Hughes Development Company Pty Ltd has been deregistered Council has two options to acquire the land so that the road may be closed and the land sold to adjacent land owners:

Option 1

Enter into negotiations with the Australian Securities and Investments Commission (ASIC) to acquire the laneway by agreement and enter into a contract.

Option 2

Compulsory acquisition of the land under the Land Acquisition (Just Terms Compensation) Act with the application made to ASIC.

SUMMARY

It is recommended that Council support the transfer of the section of walkway to Council as a public road.

Appendices:

[1](#) Site Plan - Meadow Bank Drive and Springfield Way Walkway



APPENDIX-1



REPORT: Macquarie Club Dubbo - Application to increase gaming machine threshold

AUTHOR: Manager Community Services
REPORT DATE: 22 September 2020
TRIM REFERENCE: ID20/1212

EXECUTIVE SUMMARY

Dubbo Regional Council has received a gaming machine threshold application from The Macquarie Club Dubbo, to increase their Gaming Machine Threshold (GMT) from thirteen (13) machines, to twenty-one (21) machines. This application is considered to be a low range increase, up to 20. Council, along with other interested parties can make a submission related to this application, until 15 October 2020.

Dubbo has 11 hotels and six (6) clubs with a total of 439 gaming machines. Should this application be approved the number for the city will be increased to 447.

A Class 1, Statistical Area (SA) 2, band 2 Local Impact Assessment (LIA), has also been lodged by the Club.

FINANCIAL IMPLICATIONS

There are no financial implications that will affect the 2020/2021 budget.

POLICY IMPLICATIONS

This Report is consistent with the 2040 Dubbo Region Community Strategic Plan, Liveability:- Strategic Outcome 5.3 The lifestyle and social needs of the community are supported. Strategy 5.3.1 The social services requirements of our community are met

RECOMMENDATION

- 1. That the information contained within the report of the Manager Community Services dated 22 September 2020 be noted.**
- 2. That Council make a submission to object to the Independent Liquor and Gaming Authority in relation to the application to increase the Gaming Machine Threshold from 13 to 21 by The Macquarie Club Dubbo.**
OR
- 3. That Council make a submission to not object to the Independent Liquor and Gaming Authority in relation to the application to increase the Gaming Machine Threshold from 13 to 21 by The Macquarie Club Dubbo.**

John Watts

Manager Community Services

BACKGROUND

Under the Gaming Machines Act, certain applications made to the Independent Liquor and Gaming Authority (ILGA) to increase the Gaming Machine Threshold (GMT) of a club need to be accompanied by a Local Impact Assessment (LIA). The GMT establishes the maximum number of gaming machines that can be kept in a club. ILGA must be satisfied that the LIA meets specified criteria, prior to approval.

The Macquarie Club Dubbo has made an application to increase their GMT and have provided a Class 1, Statistical Area 2, band 2 Local Impact Assessment.

REPORT

Dubbo Regional Council has received a gaming machine threshold application from The Macquarie Club Dubbo to increase their Gaming Machine Threshold (GMT) from thirteen (13) machines, to twenty-one (21) machines. This application is considered to be a low range increase, up to 20. Council, along with other interested parties can make a submission on this application up until 15 October 2020.

A Class 1, Statistical Area (SA) 2, band 2 Local Impact Assessment (LIA), has also been lodged by the Club. Statistical Areas have been identified by the Australian Bureau of Statistics (ABS) to identify data collection points, with SA 2 being the smallest collection point.

The purpose of an SA 2 is to represent a community that interacts together socially and economically. The applicant is required to demonstrate that the proposed increase in the GMT will have an overall positive impact on the local community.

Dubbo has 11 hotels and six (6) clubs with a total of 439 gaming machines. Should this application be approved the number will be increased to 447.

The Macquarie Club Dubbo has been established since 1958, with 1,232 members and 20 employees. Outdoor sporting facilities at the Club consist of two bowling greens and two tennis courts. Trading hours are Monday 10:00am – 7:00pm, Tuesday - Wednesday 10:00am – 9:00pm, Thursday 10:00am – 10:00pm, Friday 10:00am – 12:00am; Saturday and Sunday 10:00am – 10:00pm. The Club is not authorised to open past 12:00am.

Socio Economic Indexes for Areas (SEIFA) is a suite of indexes that have been created by the Australian Bureau of Statistics (ABS) from social and economic Census information. Each index ranks geographic areas across Australia, in terms of their relative socio-economic advantage and disadvantage. The SEIFA is a general socio-economic index that summarises a range of information about the economic and social conditions of people and households within an area.

In 2016 the SEIFA for Dubbo was 962, with the state of NSW score being 977. The minimum score being 188 (most disadvantaged); and the maximum score 1186 (least disadvantaged). The rating for Dubbo indicates a score that is close to being the least disadvantaged.

A NSW Gambling Survey undertaken in 2019 showed that NSW has the second highest per capita gambling losses in Australia and the highest per capita gaming machine losses in Australia. In NSW, 1% of adults are problem gamblers, and a further 2.8% are moderate-risk gamblers.

It has been acknowledged that most gamblers do so for relaxation and social purposes. However, based on the figures above, accompanied with anecdotal community advice and from gambling support services, the impacts for those who have problems with gambling are widespread, with repercussions across work and family.

Should the application be approved in full, the applicant will make the required contributions to the Responsible Gambling Fund over the next five (5) years. This contribution amount will be calculated in accordance with the formula provided by the Independent Liquor and Gaming Authority's 'Class 1 Local Impact Assessment process guidelines'. This is currently at a rate of 15 percent of the club's current annual average gaming profit, per machine, multiplied by the proposed GMT increase (8) each year, for the next 5 years.

Appendices:

- 1 [↓](#) Gaming Machine Threshold Macquarie Club
- 2 [↓](#) Class 1 Local Impact Assessment Macquarie Club Dubbo

GML000

Gaming machine threshold increase where LIA required



Liquor & Gaming NSW

Before you complete this form

What this form is for

If you are a club or hotel and

- ▲ you wish to apply for a gaming machine threshold increase, and
- ▲ a local impact assessment (LIA) is required.

You need to lodge this application form and attach either a Class 1 or Class 2 LIA.

What you need to know

Under section 36 of the *Gaming and Liquor Administration Act 2007* and section 307A of the *Crimes Act 1900* it is an offence to provide false or misleading information in this application.

A Class 1 LIA is required for venues seeking a threshold increase of:

- ▲ up to 40 in a Band 1 Local Statistical Area (LSA)
- ▲ up to 20 in a Band 2 Local Statistical Area (LSA)

A Class 2 LIA is required for venues seeking a threshold increase of:

- ▲ more than 40 in a Band 1 Local Statistical Area (LSA)
- ▲ more than 20 in a Band 2 Local Statistical Area (LSA)

Note

You **do not** need to submit an LIA if the GMT increase application is made at the same time as the entitlement transfer or lease and the club requesting the GMT increase is:

- ▲ situated in a Band 1 Statistical Area Level 2 (SA2) and the GMT increase (if approved), when added to the total of all other GMT increases approved over the previous 12 months, is 20 or less.
- ▲ located in the same SA2 as the venue from which the GME/s are transferred.
- ▲ located in the same Local Government Area (LGA) from which the GME/s are transferred, and the SA2 Band where the transferring venue is located is the same or higher than the SA2 Band where the venue requesting the GMT increase is located.
- ▲ located in adjoining SA2s (whether or not in the same LGA) as the venue from which the GME/s are transferred, and the SA2 Band of the transferring venue is the same or higher than the SA2 Band of the venue requesting the GMT increase.

You may need to complete a different application form. Look for gaming licence forms and applications at liquorandgaming.nsw.gov.au

Cost

- ▲ The fee for this application is available in the [gaming machine licence and application fee schedule](#).
- ▲ Fees paid for by credit card will include a 0.4% surcharge. No GST applies.

How to lodge this form

✉ gaming.applications@liquorandgaming.nsw.gov.au
Include 'GML000 Gaming machine threshold increase where LIA required' in the subject line.

✉ Liquor & Gaming NSW
Att: Business Licensing
GPO Box 7060
Sydney NSW 2001

Please provide all pages of this application and your payment. There's no need to attach this introduction page.

Need more information?

🌐 liquorandgaming.nsw.gov.au

✉ [Contact us online](#)

☎ 1300 024 720

Your privacy

We will handle your personal information in accordance with the *Privacy and Personal Information Protection Act 1998*. It is being collected by Liquor & Gaming NSW and will be used for the purpose of processing your application and may be disclosed to other Government agencies for this purpose. All LIAs (both pending and determined) can be viewed on the LIA public register available online at liquorandgaming.nsw.gov.au. You have the right to request access to and correct details of, your personal information held by us. You can access further information on privacy at liquorandgaming.nsw.gov.au.

continue overleaf

Before you complete this form *continued*

Pre-lodgement checklist

Please ensure you have filled out the relevant sections and attached the required documents. If information is missing, processing this application will be delayed and the application may be withdrawn.

- I have answered all questions in Parts 1 to 4.
- I have ensured that the declaration in Part 5 has been read and signed.
- I have completed my credit card details or enclosed payment.
- I have attached all documents required (see below).

Attachments

- A Class 1 or Class 2 LIA as required

How this request will be processed

When this request has been processed, all parties named on this form will receive a copy of the updated licence documents by email.

Explanation of terms

Term	Definition
Applicant	The person or organisation qualified to make this application. The applicant may nominate a legal or other representative to be their contact person regarding this application.
Gaming machine	A gaming machine, also known as a poker machine or a 'pokie', is an electronic device designed for gambling.
Gaming machine entitlement / poker machine permits	A venue must hold a gaming machine entitlement (GME) or poker machine permit (PMP) (hotels only) for each gaming machine operated.
Gaming machine threshold	The gaming machine threshold (GMT) is a number which limits how many gaming machine entitlements (GMEs), and for hotels, poker machine permits (PMPs) – that a club or hotel licence can hold. A venue must have a GME or PMP for each gaming machine operated. A hotel's GMT cannot exceed 30.
Local impact assessment	A local impact assessment (LIA) may be required when a hotel or registered club applies to increase its gaming machine threshold to operate more gaming machines, or where a hotel or club changes location.
LIA public register	Details of determined and pending local impact assessments are available on the LIA public register on the L&GNSW website. The register contains a list of LIAs that clubs and hotels have lodged, together with an application to increase the GMT.

GML000
Gaming machine threshold increase where LIA required
 NSW GOVERNMENT
 Liquor & Gaming NSW

OFFICE USE ONLY GML000

By Email Mail

Date lodged DD / MM / YYYY

Amount paid \$

Receipt no.

Application no.

Finalised by

Date finalised DD / MM / YYYY

Notification issued DD / MM / YYYY

Part 1 About the premises

Liquor licence
 LIQ C 3 0 0 2 3 7 1 4 1

Premises name
 Macquarie Club (Dubbo) Ltd

Premises address
 313 Macquarie Street

Suburb/town/city
 DUBBO

State Postcode
 NSW 2830

Local Government Area (LGA)
 Dubbo

SA2
 Dubbo South

SA2 Band (select one)
 1 2 3

Daytime phone
 0 2 6 8 8 2 1 0 1 9

Email
 manager@macquarieclub.com.au

What is the total internal floor space of the new premises in square metres?
 450

Is the premises part of a retail shopping centre or proposed retail shopping centre as defined in section 4 of the *Gaming Machines Act 2001*?
 No
 Yes

If Yes, what is the name and address of the current or proposed shopping centre?

Is the application for a new premises?
 Yes
 No

Are the premises within 200 metres of a school, place of public worship or hospital?
 No
 Yes

If Yes, please provide a map showing the location of the relevant premises and the location of any school, place of public worship or hospital within 200 metres of the premises.

Part 2 Gaming machine threshold (GMT)

GMT for current premises? 13

Proposed GMT threshold for the premises? 21

continue overleaf

GW3806_100320

Part 3 Local impact assessment (LIA) information

Type of LIA being lodged.

For information on what type of LIA is required, see the information sheet on the new LIA process at liquorandgaming.nsw.gov.au.

What type of Local Impact Assessment (LIA) is being lodged? (tick one only)

- Class 1
- Class 2

Lodge the applicable LIA submission with this form. See the information sheets at liquorandgaming.nsw.gov.au for guidelines on what the LIA submission needs to contain.

Part 4 Notification of application result

Do you wish to be notified of the result of this application by email?

- No
- Yes

If Yes, print the email address:

cookglenn@gmail.com

Part 5 Applicant declaration

- ▲ I declare that I am 18 years or older and I am authorised to lodge this application.
- ▲ I declare that the contents of this application including attachments are true, correct and complete and that I have made all reasonable inquiries to obtain the information required to complete the application.
- ▲ I undertake to immediately notify Liquor & Gaming NSW of any change to the information in this application, if the information changes before the application is determined.
- ▲ I acknowledge that under section 36 of the *Gaming and Liquor Administration Act 2007* and section 307A of the *Crimes Act 1900* it is an offence to provide false or misleading information in this application.
- ▲ I acknowledge that failure to provide all required information may result in refusal of the application.
- ▲ I understand that specific details I have supplied in this application may be 'personal information' under the *Privacy and Personal Information Protection Act 1998*. Personal information is any information or opinion that identifies an individual, or enables someone to identify an individual.
- ▲ I acknowledge that Liquor & Gaming NSW is collecting information to enable processing of the application. I also understand that they will use the information for its intended purpose only, store the information securely, and allow me to access and update the information. When processing this application, they may need to disclose personal information to other Government agencies.

Name of club secretary/hotel licensee

Eloise Melany Downey

Signature of club secretary/hotel licensee



Date

15/09/2020

continue overleaf

GW3806_100320

If the application is lodged by a legal or other representative, tell us:

Name of representative
Glenn Cook

Representative's business name
Glen Cook P/L

Email
cookglenn@gmail.com

Contact phone daytime
0 4 1 4 2 3 9 1 0 1

Address for correspondence
PO Box 5038

Suburb/town/city
EMPIRE BAY

State Postcode
N S W 2 2 5 7

Part 6 Payment for this application

The fee for this application is available in the [gaming machine licence and application fee schedule](#). Fill in the fee below.

Please pay by:
 Credit card Cheque Money order

Payment amount \$
1,650.00

Credit card payments
A surcharge of 0.4% will be added to credit card payments.

Card type MasterCard Visa

Card number
4 8 3 7 8 8 0 0 0 0 1 2 8 5 6 7

Name on card
Eloise Downey

Expiry date
03/2022

Cardholder signature


Date
15/09/2020

Cheque and money order payments

- ▲ Make payable to 'Liquor & Gaming NSW'.
- ▲ For cheques, please cross and mark 'Not negotiable'.

Cheque drawer name

GML000_00000210

CLASS 1 – LOCAL IMPACT ASSESSMENT

Prepared under the Gaming Machines Act 2001

and

the Gaming Machines Regulation 2002

To accompany an application for an increase

Of eight (8) in the gaming machine threshold

Of

The Macquarie Club Dubbo

Prepared for

The Macquarie Club Dubbo

14 September 2019

TABLE OF CONTENTS

EXECUTIVE SUMMARY

1. Introduction

- 1.1 Under the Gaming Machines Act (the Act), certain applications made to the Independent Liquor and Gaming Authority (the Authority) to increase the gaming machine threshold (GMT) of a club need to be accompanied by a Local Impact Assessment (LIA). [The GMT establishes the maximum number of gaming machines that can be kept in a club]. The Authority must be satisfied that the LIA meets specified criteria before it can approve it and that approval is necessary prerequisite to the Authority approving the application for the GMT increase.
- 1.2 Section 26 of the Act specifies that, for the Authority to approve an LIA, it must be satisfied that;
 - a. The LIA complies with the requirements of the relevant provisions of the Act and the Gaming Machines Regulation (the Regulation);
 - b. The LIA demonstrates the gambling activities in the relevant venue will be conducted in a responsible manner; and
 - c. In the case of a Class 1 LIA (LIA1) related to an established club, that:-
 - i. The proposed increase in the GMT will provide a positive contribution towards the local community; and
 - ii. The LIA has adequately addressed community concerns arising out of the consultation process required under the Regulation.
- 1.3 Macquarie Club Dubbo (the club), is applying – under Section 34 of the Act to the Authority for approval of a GMT increase of eight (8), ie from 13 to 21.
- 1.4 The club is in the city of Dubbo (SA2 Dubbo - South) which is classified by the Authority, pursuant to Section 33 of the Act as a Band 2 LGA. Because the increase in GMT sought is in the

low range of increases as defined in clause 34 of the Regulation, an LIA1 is required to accompany the Club's application.

2. The Club's Location and Surroundings

- 2.1 The club is located on 313 Macquarie Street, South Dubbo approximately 3km from the Dubbo CBD (See attached map Annexure A).
- 2.2 The area surrounding the club comprises scattered retail development and mostly older style single storey residential dwellings (low to medium density). With the recent rapid growth of Dubbo significant residential estates have sprung up on the South Eastern extremities of South Dubbo not far from the Club.

3. The Club

- 3.1 The land on which the club stands has been occupied by the club since its inception in 1958.
- 3.2 The Club has 1,232 members consisting 148 bowls members and 1084 social members. Of these members only 56 (4.5%) reside outside the Dubbo postcode (2830).
- 3.3 Outdoor sporting facilities at the Club consist of two bowling greens and two tennis courts.
- 3.4 The club's car park has 50 internal parking spaces (6 disabled). In addition there are 22 external dedicated street spaces. Access to the club's car park is via an entrance Macquarie Street. The clubhouse is a single storey building with a total floor space of 450sqm. The gaming room is approximately 30sqm (to be increased to 50 sqm).
- 3.5 The club has a large lounge bar, TAB, KENO area, a gaming room and other facilities associated with a sporting club. The Club also has a Darts and Pool area.
- 3.6 Dining at the Club consists of a Chinese style restaurant. There is also an outside BBQ area.
- 3.7 Trading hours are Monday 10.00am – 7.00pm, Tuesday – Wednesday 10.00am – 9.00pm, Thursday 10.00am – 10.00pm, Friday 10.00am – 12.00am, Saturday and Sunday 10.00am – 10.00pm.
- 3.8 The Club is NOT authorised to trade past midnight.
- 3.9 The club provides light entertainment (Karaoke) each Friday between 8.30pm and 11.00pm.
- 3.10 Functions such as weddings, wakes and birthday parties are also catered for at the Club.
- 3.11 Over the past two years the Club has enjoyed strong membership growth from 754 to 1,232 (63%). The Board of the Club have developed a strategic plan to attract new members/patrons from all demographics. The Club has a vibrant sporting culture the tennis courts are in use seven days a week. The male and female bowlers enjoy regular competition both local and inter club. Darts and Pool are also both played on a regular basis both local and inter club.
- 3.12 The Chinese restaurant attracts locals as well as tourists who frequent Dubbo to enjoy the many local tourist attractions such as Taronga Western Zoo and the Royal Flying Doctor Service. Many of these tourists stay in the local hotels and motels.
- 3.13 The club has 20 employees.

4. The Club's Gaming

- 4.1 The club's gaming room is regular in shape of approximately 30 square metres (will be extended to 50 m²). Annexure B contains a plan of the gaming room showing the locations of the machines

currently in operation and the proposed locations of the eight additional machines when the GMT is increased (marked with X).

- 4.2 The club's GMT is 13. The club currently keeps 13 gaming machines.
- 4.3 The clubs gaming machines are located in the Gaming Room with the following characteristics :-
- The gaming room is physically separated from the general bar area by walls and doors;
 - Patrons are not compelled to pass through the gaming room in order to enter or leave the club or in order to gain access to another part of it;
 - Entry to the gaming room is free of charge;
 - The gaming machines cannot be seen or heard from any place outside the club that is used by the public or to which the public has access.
 - All gaming machines are suitably spaced in order to facilitate access; the gaming room is supervised at all times by electronic means and/or the physical presence of the licensee or an employee; and
 - The gaming room cannot be accessed directly from a public street.
- 4.4 The 20.5% increase in Dubbo's population between 2011 and 2016 and the increase in tourism in the local area have resulted in an increase in club patronage. Consequently, at times the current number of gaming machines is insufficient to meet player demand. This results in the club failing to meet the reasonable expectations of those of its members and visitors who wish to play, and that in turn affects its business. The GMT increase sought would assist the club in meeting player demands and should improve its profitability, thereby enabling it to finance further improvements to its premises and/or its operations and also to contribute more to the local community.

5. Competitive Facilities

- 5.1 In the City of Dubbo there are eleven (11) hotels and six (6) registered clubs with gaming machines.
- 5.2 The total number of gaming machines in the eleven clubs is approximately 200. The total number of gaming machines in the six registered clubs is approximately 420.

6. The Local Community

- 6.1 For the purposes of this application, the area being adopted as the local community lives in the City of Dubbo.
- 6.2 At the 2016 census the population of the local community was 38,943. An increase of 6,616 (20.5%) on the 2011 census total of 32,327.
- i. The percentages of children aged 0-4 was 7.3% (NSW 6.2%).
 - ii. The percentages of people aged over 75 years was 7.3% (NSW 7.2%).
 - iii. The percentages of Aboriginal and/or Torres Strait Islander persons was 14.6% (NSW 2.9%)
 - iv. The percentages of people born overseas was 15.5% (NSW 24.5%).
 - v. The percentages of people who speak only English was 87.6% (NSW 68.5%).
 - vi. The percentages of people who also speak another language was 12.4% (NSW 31.5%).

- vii. The percentages of people with University degrees was 13.7% (NSW 22.7%).
- viii. The percentages of people with Certificate III trade qualifications or above was 16.3% (NSW 13.3%).
- ix. The percentage of low income households (ie less than \$650 per week) was 17.8% (NSW 9.5%).
- x. The percentage of lone person households was 25.8% NSW 23.8%).
- xi. The percentage of one parent families with dependent children was 11.9% (NSW 8.0%).
- xii. The percentage of rented accommodation was 32.6% (NSW 31.8%).
- xiii. In 2016 the SEIFA score for relative advantaged and disadvantaged was 967 (compared to the state of NSW score of 977). The minimum score being 188 and the maximum score 1186.

7. Harm Minimisation and Responsible Gaming

7.1 Under Clause 37c of the Regulation, details of the harm minimisation and responsible gambling measures that are in place at the club must be provided.

7.2 The Club conducts gaming in the club in compliance with the provisions of the Act and Regulations as well as the policies and guidelines adopted by Clubs NSW. It has a standard arrangement with the Clubs NSW ClubSAFE Gambling Counselling Program if counselling is required.

7.3 Thus, gaming in the club is conducted in accord with the provisions of the Act and Regulation in that:-

- The applicant and all staff involved in gaming duties hold Responsible Conduct of Gambling Certificates. Copies of these certificates are kept on the premises and are available for inspection by relevant authorities.
- The club operates a self exclusion scheme which complies with the provisions of the legislation through Clubs NSW ClubSAFE.
- The club has an arrangement with that organization in relation to the provision of problem gambling counselling and patrons are advised of the *gambling HELP* service.
- Relevant staff members have training in self exclusion and on referral to counselling services.
- All required signage and notices are displayed in conspicuous positions and are maintained.
- Gambling counselling service contact cards are freely available and are on display in the gaming room.
- Player information brochures in accordance with Regulations 19, 20 and 21 of the Gaming Machines Regulation 2019 are readily available in the Club upon request.
- A clock is clearly visible from any gaming machine in the gaming room.
- No ATM is located in the gaming room.
- The club does not provide credit.
- There is a \$2,000 limit on cash payment on winnings, any remaining balance is paid by crossed cheque.
- No cheques are cashed at the club.
- The club does not offer promotional prizes that are indecent or offensive.
- No gambling inducements are offered.
- There is no external advertising of the club's gaming machines.
- The club's gaming machines cannot be seen from outside the club.

7.4 These practices will be maintained.

7.5 The club observes self-exclusions from relevant patrons at the club and those from other premises.

8. Community Benefit.

8.1 If the application is approved in full the applicant will make the required contributions to the Responsible Gambling Fund over the next five (5) years. This contribution amount will be calculated in accordance with the formula shown in the Independent Liquor & Gaming Authority's 'Class 1 Local Impact Assessment process guidelines'. That being at the rate of 15 percent of the club's current annual average gaming profit machine per machine multiplied by the proposed GMT increase (8) each year for the next 5 years.

9. Conclusion.

9.1 The information in this Class 1 LIA complies with the Authority's Guidelines. In particular it:-

- Addresses the responsible gambling and harm minimisation measures to be undertaken by the club.
- Identifies the local community.
- Provides information to show that a positive contribution will be made to that local community if this LIA is approved and the club's GMT threshold is increased by eight (8).

10. Consultation.

10.1 In accordance with Clause 39 of the regulation, within 2 working days of the application being lodged with the NSW Liquor and Gaming Authority copies of the application and this LIA will be provided to Dubbo Regional Council and to Dubbo Police. Notification of the application will be provided to the Western NSW Local Health District. The organizations in the Dubbo LGA funded by the Responsible Gambling Fund (Lifeline) for the purpose of providing gambling-relates counselling or treatment services will be notified of the application.

Dubbo Regional Council has advised that the Council maintains no list of organisations in the area that provide services relating to welfare, emergency relief, financial assistance, Aboriginal health and legal assistance, or gambling addiction counselling or treatment.

In addition an advertisement will be placed in a local newspaper in the prescribed format and a notice will be placed on display in a conspicuous location outside the club.

10.2 All notifications and the advertisement will outline and explain the nature of the application, that this LIA accompanies it, that the application and this LIA may be inspected on the NSW Liquor and Gaming website and that any person may make a submission to NSW Liquor and Gaming in relation to the application within 60 days of the date specified on the advertisement or in the notice.

10.3 If NSW Liquor and Gaming forwards any submissions it may receive to the applicant endeavours will be made to resolve any relevant concerns that may be raised.

See attached documents.

- Map of local area showing location of the Macquarie Club Dubbo (Annexure A).
- Plans of the Macquarie Club Dubbo premises showing location of existing gaming machines and the location of the additional eight (8) gaming machines (Marked X) should this application be approved (Annexure B).
- An aerial photograph of the Macquarie Club Dubbo showing outdoor facilities (Annexure C).