



AGENDA

ORDINARY COUNCIL MEETING

27 JULY 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 5.30pm.

PRAYER:

O God, Grant that by the knowledge of thy will, all we may resolve shall work together for good, we pray through Jesus Christ our Lord. Amen!

ACKNOWLEDGEMENT OF COUNTRY:

"I would like to acknowledge the Wiradjuri People who are the Traditional Custodians of the Land. I would also like to pay respect to the Elders both past and present of the Wiradjuri Nation and extend that respect to other Aboriginal peoples from other nations who are present".

Page

CCL20/104 CONFIRMATION OF MINUTES (ID20/660) 4
Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 22 June 2020 and Extraordinary Council meeting held on 6 July 2020.

CCL20/105 LEAVE OF ABSENCE (ID20/827)

CCL20/106 PUBLIC FORUM (ID20/828)

MAYORAL MINUTES:

CCL20/107 FEES AND CHARGES ASSOCIATED WITH OUTDOOR DINING COVID-19 RECOVERY (ID20/798)
This item will be tabled at the meeting.

CCL20/108 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW 2019/2020 (ID20/881)
This item will be tabled at the meeting.

MATTERS CONSIDERED BY COMMITTEES:

- CCL20/109 REPORT OF THE DEVELOPMENT AND ENVIRONMENT COMMITTEE - MEETING 13 JULY 2020 (ID20/829)** 37
The Council had before it the report of the Development and Environment Committee meeting held 13 July 2020.
- CCL20/110 REPORT OF THE INFRASTRUCTURE AND LIVEABILITY COMMITTEE - MEETING 13 JULY 2020 (ID20/830)** 42
The Council had before it the report of the Infrastructure and Liveability Committee meeting held 13 July 2020.
- CCL20/111 REPORT OF THE CULTURE, ECONOMY AND CORPORATE COMMITTEE - MEETING 13 JULY 2020 (ID20/831)** 49
The Council had before it the report of the Culture, Economy and Corporate Committee meeting held 13 July 2020.

REPORTS FROM STAFF:

- CCL20/112 WATER RESTRICTION LEVEL (ID20/826)** 53
The Council had before it the report dated 15 July 2020 from the Chief Executive Officer regarding Water Restriction Level.
- CCL20/113 DRAFT WELLINGTON TOWN CENTRE PLAN (ID20/554)** 56
The Council had before it the report dated 14 July 2020 from the Senior Growth Planner regarding Draft Wellington Town Centre Plan.
- CCL20/114 GROSS POLLUTANT TRAP CLEANING AND MAINTENANCE BY NOT-FOR-PROFIT ORGANISATIONS (ID20/733)** 128
The Council had before it the report dated 1 July 2020 from the Manager Infrastructure Strategy and Design regarding Gross Pollutant Trap Cleaning and Maintenance by Not-for-profit Organisations.
- CCL20/115 COUNCIL POLICY - AQUATIC LEISURE CENTRES USAGE POLICY (ID20/775)** 134
The Council had before it the report dated 9 July 2020 from the Aquatic Leisure Centres Manager regarding Council Policy - Aquatic Leisure Centres Usage Policy.

CCL20/116	REVIEW OF COMMUNITY SUPPORT BASED PROCUREMENT POLICY (ID20/289)	143
	The Council had before it the report dated 8 July 2020 from the Director Organisational Performance regarding Review of Community Support Based Procurement Policy.	
CCL20/117	PROPOSED DEDICATION OF PUBLIC ROAD AT THE DUBBO BASE HOSPITAL DEVELOPMENT (ID20/766)	163
	The Council had before it the report dated 9 July 2020 from the Property Specialist regarding Proposed Dedication of Public Road at the Dubbo Base Hospital Development.	
CCL20/118	AUDIT AND RISK MANAGEMENT COMMITTEE (ID20/630)	177
	The Council had before it the report dated 17 June 2020 from the Internal Auditor regarding Audit and Risk Management Committee.	
CCL20/119	COMMENTS AND MATTERS AND OF URGENCY (ID20/832)	
CCL20/120	COMMITTEE OF THE WHOLE (ID20/869)	



Confirmation of Minutes

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 22 June 2020 and the Extraordinary Council Meeting held on 6 July 2020.

RECOMMENDATION

That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council meeting held on 22 June 2020 comprising pages 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 and 32 and the Extraordinary Council Meeting held on 6 July 2020 comprising pages 33, 34, 35 and 36 of the series be taken as read, confirmed as correct minutes and signed by the Mayor and the Chief Executive Officer.

Appendices:

- 1 [↓](#) Minutes - Ordinary Council Meeting - 22 June 2020
- 2 [↓](#) Minutes - Committee of the Whole Council - 22 June 2020
- 3 [↓](#) Minutes - Extraordinary Council Meeting - 6 July 2020
- 4 [↓](#) Minutes - Committee of the Whole Council - 6 July 2020



REPORT

ORDINARY COUNCIL MEETING

22 JUNE 2020

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

ALSO IN ATTENDANCE:

The Chief Executive Officer, the Executive Manager Governance and Internal Control, the Acting Governance Team Leader, the Community Support Officer, the Director Organisational Performance, the Director Culture and Economy, the Director Infrastructure, the Director Development and Environment, the Manager Growth Planning and the Director Liveability (I McAlister).

Councillor B Shields assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 5.30pm, with a prayer for Divine Guidance to the Council in its deliberations and activities. The Acknowledgement of Country was also read by Councillor J Ryan.

CCL20/81 CONFIRMATION OF MINUTES (ID20/504)

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 25 May 2020.

Moved by Councillor J Diffey and seconded by Councillor D Gumley

MOTION

That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council meeting held on 25 May 2020 comprising pages 5, 6, 7, 8, 9, 10 and 11 of the series be taken as read, confirmed as correct minutes and signed by the Mayor and the Chief Executive Officer.

CARRIED

CCL20/82 LEAVE OF ABSENCE (ID20/634)

A request for leave of absence was received from Councillor A Jones who was absent from the meeting due to the personal reasons.

Moved by Councillor V Etheridge and seconded by Councillor D Grant

MOTION

That such request for leave of Absence be accepted and Councillor A Jones be granted leave of absence from this meeting.

CARRIED

CCL20/83 PUBLIC FORUM (ID20/635)

Due to the COVID-19 Pandemic, social distancing requirements and this meeting being held by video conferencing, there was no live/active public participation in the meeting. Accordingly, the following submissions were received and read out during Public Forum:

- Adam Wells - Real Estate Institute NSW – Orana Division – Regarding CCL20/93 2020/2021 Delivery Program and Operational Plan, Council Budget and Associated Documents.
- Anne Field - Dream Festival – Regarding CCL20/96 Dream Festival and Event Funding 2020/2021.
- Margaret McDonald and Patrick Emblen – Dubbo Environment Group – Regarding CCL20/90 Coal Seam Gas.
- Melissa Gray – Healthy Rivers Dubbo – Regarding CCL20/90 Coal Seam Gas.

MAYORAL MINUTES:**CCL20/84 REVIEW OF VILLAGE LANDFILL AND TRANSFER STATIONS (ID20/621)**

The Council had before it the Mayoral Minute regarding Review of Village Landfill and Transfer Stations.

Moved by Councillor B Shields

MOTION

1. **That the Chief Executive Officer prepare an appropriate management plan for the village landfill and transfer stations including alternative ways of accessing the sites and appropriate fee schedule to compliment the proposed new opening hours.**
2. **That consultation occurs with the village residents with a report to be presented to Council in October 2020, for consideration.**

CARRIED

MATTERS CONSIDERED BY COMMITTEES:**CCL20/85 REPORT OF THE DEVELOPMENT AND ENVIRONMENT COMMITTEE - MEETING
9 JUNE 2020 (ID20/608)**

The Council had before it the report of the Development and Environment Committee meeting held 9 June 2020.

Moved by Councillor G Mohr and seconded by Councillor V Etheridge

MOTION

That the report of the Development and Environment Committee meeting held on 9 June 2020, be noted.

CARRIED

**CCL20/86 REPORT OF THE INFRASTRUCTURE AND LIVEABILITY COMMITTEE - MEETING 9
JUNE 2020 (ID20/609)**

The Council had before it the report of the Infrastructure and Liveability Committee meeting held 9 June 2020.

Moved by Councillor G Mohr and seconded by Councillor D Grant

MOTION

That the report of the Infrastructure and Liveability Committee meeting held on 9 June 2020, be noted.

CARRIED

**CCL20/87 REPORT OF THE CULTURE, ECONOMY AND CORPORATE COMMITTEE -
MEETING 9 JUNE 2020 (ID20/610)**

The Council had before it the report of the Culture, Economy and Corporate Committee meeting held 9 June 2020.

Moved by Councillor D Gumley and seconded by Councillor S Lawrence

MOTION

That the report of the Culture, Economy and Corporate Committee meeting held on 9 June 2020, be noted.

CARRIED

CCL20/88 REPORT OF THE AUDIT AND RISK MANAGEMENT COMMITTEE - MEETING 12 JUNE 2020 (ID20/624)

The Council had before it the report of the Audit and Risk Management Committee meeting held 12 June 2020.

Moved by Councillor G Mohr and seconded by Councillor S Lawrence

MOTION

That the report of the Audit and Risk Management Committee meeting held on 12 June 2020 be adopted, with the following amendment in respect of AUD20/44:

- 1. That the information contained within the report of the Internal Auditor dated 15 May 2020, be noted.**
- 2. That copies of the Chief Financial Officer's monthly Financial Review be provided to members of the Audit and Risk Management Committee.**

CARRIED

CCL20/89 REPORT OF THE DISABILITY INCLUSION ADVISORY PANEL COMMITTEE - MEETING 15 JUNE 2020 (ID20/625)

The Council had before it the report of the Disability Inclusion Advisory Panel meeting held 15 June 2020.

Moved by Councillor J Diffey and seconded by Councillor J Ryan

MOTION

That the report of the Disability Inclusion Advisory Panel meeting held on 15 June 2020, be adopted.

CARRIED

NOTICES OF MOTION:**CCL20/90 COAL SEAM GAS (ID20/614)**

Council had before it a Notice of Motion dated 22 June 2020 from Councillor G Mohr regarding the Coal Seam Gas as follows:

- 1. That Dubbo Regional Council recommits to its opposition to Coal Seam Gas.*
- 2. That Council write to Member for Dubbo, Mr Dugald Saunders MP, requesting he represent the community's concerns about Coal Seam Gas to the State Parliament and Government.*

Moved by Councillor G Mohr and seconded by Councillor V Etheridge

MOTION

1. That Dubbo Regional Council recommits to its opposition to Coal Seam Gas.
2. That Council write to Member for Dubbo, Mr Dugald Saunders MP, requesting he represent the community's concerns about Coal Seam Gas to the State Parliament and Government.

CARRIED

Councillor J Diffey declared a non-pecuniary, less than significant interest in the matter now before the Council and left the room and was out of sight during the Council's consideration of this matter. The reason for such interest is that Councillor J Diffey is employed by NSW Parliament as a Senior Electorate Officer for the State Member for the Dubbo Electorate.

REPORTS FROM STAFF:

CCL20/91 REQUEST FOR LEAVE OF ABSENCE - COUNCILLOR A JONES (ID20/606)

The Council had before it the report dated 15 June 2020 from the Executive Manager Governance and Internal Control regarding Request for Leave of Absence - Councillor A Jones.

Moved by Councillor D Gumley and seconded by Councillor G Mohr

MOTION

That Councillor A Jones' application for Leave of Absence from Sunday 30 May 2020 to Friday 31 July 2020, where Councillor Jones will be absent due to personal reasons, be granted.

CARRIED

CCL20/92 THE MAKING OF THE RATES AND CHARGES FOR 2020/2021 (ID20/468)

The Council had before it the report dated 9 June 2020 from the Revenue Accountant regarding The Making of the Rates and Charges for 2020/2021.

Moved by Councillor S Lawrence and seconded by Councillor V Etheridge

MOTION

1. That WHEREAS the 2020/2021 Draft Operational Plan was adopted by the Council on 27 April 2020, and WHEREAS public notice of the 2020/2021 Draft Operational Plan was given as per Section 405 of the Local Government Act 1993 in the form of a proactive media plan supported by an advertising campaign and online communications and WHEREAS a period of twenty eight (28) days has lapsed since the commencement of advertising on 1 May 2020 and Council has taken into consideration submissions made concerning the Draft Operational Plan and Budget, IT IS HEREBY RESOLVED that Council make the following Rates and Annual Charges for the year 2020/2021, and that such Rates and Annual Charges be the amount specified

hereunder subject to the minimum and base amount per assessment specified in the Ordinary Rates table below:

Ordinary Rates (Section 494)	Ad Valorem (or Rate in \$) Amount	Minimum Amount	Base Amount
Residential			
Residential – Dubbo Urban Applies all residential properties within the defined "Urban" area (as defined in Schedule A hereunder)	0.7450	\$701.70	N/A
Residential – Firgrove Estate Applies to residential properties within the defined "Firgrove" development (as defined in Schedule A hereunder)	0.5533	\$685.90	N/A
Residential - Richmond Estate Applies to residential properties within the defined "Richmond Estate" development (as defined in Schedule A hereunder)	0.5533	\$685.90	N/A
Residential - Ordinary Applies to all residential properties within former Dubbo City Council outside the defined "Residential Urban Dubbo", "Village", "Firgrove" and "Richmond Estate" areas (as defined in Schedule A hereunder)	0.4874	\$533.35	N/A
Residential - Village Applies to all residential properties within the defined "Village" areas of Ballimore, Brocklehurst, Eumungerie and Wongarbon (as defined in Schedule A hereunder)	0.5933	\$553.05	N/A
Residential - Ordinary Wellington Applies to all residential properties in the former Wellington Council area outside the defined Wellington Urban area or Village of Geurie (as defined in Schedule A hereunder)	0.6372	N/A	\$337.00
Residential - Wellington Applies to all residential properties within the Defined Wellington Urban area (as defined in	1.1360	N/A	\$340.00

Schedule A hereunder)			
Residential - Geurie Applies to all residential properties within the Village of Geurie (as defined in Schedule A hereunder)	0.8019	N/A	\$227.00
Business			
Business - Ordinary Applies to all business properties within former Dubbo City Council area except those within the defined "CBD" "East Dubbo", "Cobra Street" and "Wellington Road" areas	1.0303	\$701.70	N/A
Business - Central Business District Applies to all business properties within the defined "CBD" area	2.5413	\$701.70	N/A
Business - East Dubbo area Applies to all business properties within the defined "East Dubbo" area	3.1171	\$701.70	N/A
Business – Cobra Street Applies to all business properties within the defined "Cobra Street" bulky goods precinct	3.1171	\$701.70	N/A
Business - Wellington Road Applies to all business properties within the defined "Wellington Road" area	3.1171	\$701.70	N/A
Business – Ordinary Wellington Applies to all business properties within the former Wellington Council outside town of Wellington	0.7907	N/A	\$365.00
Business – Wellington Applies to all business properties within the town of Wellington	2.2747	N/A	\$222.00
Farmland			

Farmland - Ordinary Applies to all land which has been declared "Farmland" within the former Dubbo City Council area	0.3944	\$373.00	N/A
Farmland – Wellington Applies to all land which has been declared "Farmland" within the former Wellington Council area	0.4358	N/A	\$204.00
Mining			
Mining – Ordinary Applies to all land which has been declared "Mining" within the former Dubbo City Council area	6.0	\$517.20	N/A
Mining - Wellington Applies to all land which has been declared "Mining" within the former Wellington Council area	22.1729	\$643.65	N/A

Schedule A

Ordinary Rates Land to which rate applies

a. Residential - Ordinary

All residential properties within the former Dubbo City Council area outside the defined "Residential Dubbo Urban", "Village", "Firgrove" and "Richmond Estate" areas.

b. Residential - Dubbo Urban

All residential properties declared "Residential Dubbo Urban" being in the area generally described as that part of the City of Dubbo which lies within an area bounded by Talbragar River, Old Gilgandra Road, Boothenba Road, Yarrandale Road, Cobbora Road, Bushland Drive, western boundary of Lots 221 and 222 DP 1239477, Buninyong Road, South Buninyong Road, Railway Lane, Wellington Road, the western boundary of Lot 51 DP 612578, the eastern and southern boundary of Lot 2508 DP 1093568, eastern and southern boundary of Lot 2492 DP 623366, Sheraton Road, western boundary of Lot 2 DP 880413, northern boundary of Lot 6 DP 582736 and Lot 31 DP 738069, Hennessy Drive inclusive of parcels south of Hennessy Drive described as Lots 7000, 7001 and 7002 DP 1139564, Old Dubbo Road, area on southern side of Macquarie Street zoned R2 to the Water Treatment Plant boundary, Macquarie River, southern boundary of Lot 16 DP 753233, Newell Highway, Blackbutt Road, Joira Road, Minore Road,

Western Railway Line, area zoned IN2 on the western side of railway line bounded by Lot 7 DP 223428 Lot 52 DP 1028071 Lot 2 DP 1183095, Narromine Road, Dubbo Aerodrome, Blizzardfield Road, Bunglegumbe Road, northern and eastern boundary Lot 7 DP 250606, eastern boundary Lot 6 DP 250606, northern boundary Lot 5 DP 250606, Macquarie River, southern boundary Lot 261 DP 575016, Brisbane Street North Dubbo and Newell Highway.

- c. **Residential - Firgrove**
All residential properties within the “Firgrove” development.
- d. **Residential - Richmond**
All residential properties within the “Richmond Estate” development.
- e. **Residential – Village**
All residential properties within the villages of Ballimore, Eumungerie and Wongarbon zoned RU5 (Village) under the Dubbo Local Environmental Plan 2011 and all residential properties declared Residential Village being in the area generally described as that part of Brocklehurst which lies within an area bounded by Wambianna Street, western boundary of Lots 147 and 148 DP 754328, northern boundary of Lot 1 DP 1001551 and the Newell Highway.
- f. **Residential - Ordinary Wellington**
All residential properties within the former Wellington Council area outside the defined Residential Wellington area or Village of Geurie.
- g. **Residential - Wellington**
All residential properties declared “Residential Wellington” being in the area generally described as that part of the town of Wellington which lies within an area bounded by Mitchell Highway, Goolma Road, western boundary of Lot 2 DP 806578, Macquarie River, McLeod Street, Warne Street, Marsh Street, Maughan Street, McLeod Street, southern boundary of Lots 3 and 4 Section 17 DP 711299, western boundary of Lot 147 DP 756920, Western boundary of Lot 337 DP 728783, Charles Street, Pierce Street, Samuel Street, the western boundary of lots 68 and 69 DP 756920, Pierce Street, northern boundary of Lot 7002 DP 1020770, Barton Street, Belle Street, Curtis Street, eastern boundary of Lot 3 and 4 DP 759073, Lot 1 Section 82 DP 759073, unformed end of Zouch Street, western boundary of Lots 7 and 10 DP 783257, Maxwell Street, Bell River, southern and eastern boundary of Lot 31 DP 1099008, southern, eastern and northern boundary of Lot 289 DP 756920, Gobolion Street, Bell River, Macquarie River, Lay Street, Tollemache Street, eastern boundary of Lot 10 DP 1122385, southern and eastern boundary of Part Lot 2 DP 334986, Mitchell Highway.
- h. **Residential - Geurie**
All residential properties declared “Residential Geurie” being in the area generally described as that the village of Geurie which lies within an area

bounded Geurie Street, Greenbank Street, Lot 154 DP 754313, Fitzroy Street, Comobella Road, western boundary of Lots 1 and 10, section 5 DP 758438, Lot 1 DP 123355, Lots 1 and 10 section 15 DP 758438, Mitchell Highway, western boundary of Lots 195 and 196 DP 184019, Morley Street, Whitely Street, Cass Street, Old Dubbo Road and Mitchell Highway.

- i. **Business - Ordinary**
All "business" properties within the former Dubbo City Council area except those within the defined "Central Business District", "East Dubbo", "Cobra Street" and "Wellington Road" areas.
- j. **Business - Central Business District**
All "business" properties within the area described as that part of the City of Dubbo which lies within the area bounded by Erskine Street, Darling Street, Cobra Street and the Macquarie River.
- k. **Business - East Dubbo Area**
All "business" properties within the area bounded by Wheelers Lane, Birch Avenue, Windsor Parade and the Mitchell Highway.
- l. **Business - Cobra Street Area**
All "business" properties zoned Business Development B5 fronting Cobra Street within the area bounded by the Molong Railway line to the west and the eastern boundaries of Lot 121 DP1074142 Lot 1 DP 1211826 and the southern boundaries of Lot 1 DP 1211826 and Lot 304 DP 754308.
- m. **Business - Wellington Road Area**
All "business" properties zoned Business Development B6 in the area fronting Wellington Road known as "Blue Ridge Estate" within the area bounded by Sheraton Road to the west, Wellington Road (Mitchell Highway) to the north, the eastern boundary of Lot 4 DP 1144575 and Capital Drive to the east and Blueridge Drive and the Northern Boundary of Lot 2506 DP 1082413 as the southern boundary. Those properties to the south of Blueridge Drive will be re-categorised as Business Ordinary.
- n. **Business – Ordinary Wellington**
All "business" properties within the former Wellington Council area outside the township of Wellington (as defined in the Residential Wellington sub-category).
- o. **Business - Wellington**
All "business" properties within the township of Wellington (as defined in the Residential Wellington sub-category).
- p. **Farmland - Ordinary**
All land which has been declared "farmland" within the former Dubbo City Council area.

- q. **Farmland - Wellington**
All land which has been declared "farmland" within the former Wellington Council area.
- r. **Mining - Ordinary**
All land declared "mining" within the former Dubbo City Council area.
- s. **Mining - Wellington**
All land which has been declared "mining" within the former Wellington Council area.

ANNUAL CHARGES STATEMENT (Section 405(2))

DOMESTIC WASTE MANAGEMENT SERVICE CHARGE (SECTION 496)

Domestic Waste Management Service Charge – 3 Bin Service

A Domestic Waste Management Service is to be available to all residential properties in the urban areas of Brocklehurst, Dubbo, Geurie, Wellington and Wongarbron which have been defined on a map marked for this purpose. The annual charge for 2020/2021 is \$399.10. This charge provides for a once weekly kerbside collection service of one weekly 240 litre food and garden waste bin service, a once weekly kerbside collection of 140 litre garbage bin and a fortnightly kerbside collection for one 240 litre bin of mixed recycling.

Under section 496(2) of the Local Government Act 1993 Council may make an annual charge for the provision of a domestic waste management service for a parcel of land that is exempt from rating if the service is available for that land and the owner of that land requests or agrees to the provision of the service to that land.

Council will grant a voluntary pension rebate of \$52.00 on the Domestic Waste Management Service Charge – 3 Bin Service in 2020/2021. To be eligible to receive the voluntary rebate the property owner must be eligible to receive a Pensioner Concession on their Ordinary Rates and Annual Charges under section 575 of the Local Government Act 1993. The voluntary Pension Rebate – Domestic Waste will be granted or abandoned on a quarterly basis as per the eligibility criteria for a Pension Concession granted under section 575.

Domestic Waste Management Service Charge – 2 Bin Service

A Domestic Waste Management Service is to be available to all residential properties located in the urban fringe and outer areas of Brocklehurst, Dubbo, Geurie, Wellington and Wongarbron, the villages of Ballimore, Bodangora, Dripstone, Elong Elong, Euchareena, Eumungerie, Mogriguy, Mumbil, Nanima, North Yeoval and Stuart Town, and the areas of Cadonia Estate, Firgrove Estate, Richmond Estate, Ponto Falls and Wellington Caves; which have been defined on a map marked for this purpose.

The Domestic Waste Management Service Charge – 2 Bin Service will apply to multiple

unit dwellings on single title lots such as retirement villages, gated communities and apartment blocks and to Strata title units with greater than 2 lots in the registered Strata Plan.

The annual charge for 2020/2021 is \$325.25. This charge provides for a once weekly kerbside collection service of one weekly kerbside collection of 240 litre Garbage bin and a fortnightly kerbside collection for one 240 litre bin of mixed recycling.

Multiple unit dwellings situated on a single title property will be levied a Domestic Waste Management Service Charge – 2 Bin Service for each unit for dwellings comprising up to and including eight (8) units. Multiple unit dwellings comprising more than eight (8) units will be levied (8) times the Domestic Waste Management Service Charge – 2 Bin Service (\$3,192.80) plus one (1) Domestic Waste Management Service Charge – 2 Bin Service for every two (2) unit dwellings in excess of eight (8) (rounded up to the next whole number in the case of an odd number of units).

Capacity Upgrade – 3 Bin Service

In exceptional circumstances, and as approved by the Manager Resource Recovery and Efficiency, approval may be granted for a weekly 240 litre Garbage Bin rather than the standard weekly 140 litre bin. The additional charge for this extra capacity will be \$83.00 in 2020/2021. This is an annual charge and will not be levied on a pro-rata basis.

Domestic Waste Management Charge – Vacant Land

A Domestic Waste Charge – vacant land for 2020/2021 of \$100.55 is applicable to all vacant parcels of land categorised as Residential for rating purposes within the defined three (3) bin or two (2) bin kerbside collection areas.

ANNUAL CHARGES (SECTION 501)

Non-Domestic Waste Collection Service Charge

A weekly kerbside garbage collection service is available to all non-residential properties in the designated kerbside collection area. The annual charge will only be applied to those properties for which the service is provided.

The annual charge for 2020/2021 is \$220.00. This charge provides for a once weekly kerbside collection service of one 240 litre garbage bin.

Non-Domestic Recycling Service Charge

Fortnightly Non-Domestic Recycling collections will be provided to all non-residential properties in the designated kerbside collection area that require the service. The annual charge provides for a fortnightly kerbside collection of the 240 litre bin of mixed recycling.

The annual charge for 2020/2021 is \$133.00 per bin.

Non-Domestic Green Waste Collection Service Charge

Food and Garden Waste collections will be available to all non-residential properties in the designated 3-bin kerbside collection area that require the service. The annual charge provides for a weekly kerbside garbage collection service of one 240 litre Food and Garden Waste bin.

The annual charge for 2020/2021 is \$130.00 per bin.

Waste Management Service (Rural) Charge

A waste management service (Rural) charge is applicable to all rural parcels of rateable land with households located thereon located outside the defined waste collection zones and covers the disposing of small domestic quantities (equivalent to wheelie bin capacity). The annual charge finances the operation of rural household waste transfer stations and the cost of disposing of small quantities of rural household waste at the Whylandra Waste Depot and Wellington Depot.

The annual charge for 2020/2021 is \$142.65 (including GST) and the charge is based on the revenue required to cover the “reasonable cost” of providing this service for 2020/2021.

Drainage Service Charge - Dubbo

An annual Drainage Service Charge will apply to all parcels of rateable land in the defined “Urban” area. The defined “Urban” area is the same area to which the Residential Dubbo Urban Ordinary Rate is applied. The amount of the Annual Charge for 2020/2021 will be \$98.76 and is an increase of 2.6% over the Annual Charge for 2019/2020.

Stormwater Management Service Charge – Wellington

An annual Stormwater Management Service Charge will apply to all parcels of land within the defined Wellington “Urban” area. The amount of the Annual Charge for 2020/2021 will be \$16.41 and is an increase of 2.6% over the Annual Charge for 2019/2020.

Water Supply Service Access Charge

The Pricing Policy for 2020/2021 will comprise:

1. An access charge (annual charge under Section 501).
2. A usage charge (charge for the actual use of the service under Section 502).

Council will be maintaining separate charging structures for the former Dubbo City Council and Wellington Council.

An annual Water Supply Service Access Charge will apply to all parcels of land where a water supply is available. The amount of the access charge applicable to each property will be in accordance with the size of the water service provided to that property. The access charge for each size of water service for 2020/2021 is as follows:

Former Dubbo City Council:

Meter Size	Annual Charge
20mm	\$279.41
25mm	\$435.88
30/32mm	\$715.27
40mm	\$1,117.61
50mm	\$1,746.27
65mm	\$2,950.49
80mm	\$4,470.45
100mm	\$6,985.08
150mm	\$15,724.78
200mm	\$27,941.00

A minimum charge, being the amount equivalent to a 20mm water service charge, will apply to each rateable parcel of land which has been created under a Strata Title subdivision, Community or Neighbourhood Plan.

A minimum charge, being the amount equivalent to a 20mm water service charge, will apply to each parcel of rateable land which does not have a water service connected but to which a water service is available in accordance with the provision of Section 552 (1) (b) of the Local Government Act 1993.

Former Wellington Council:

Tariff Description	Annual Availability Charge
Domestic	\$428.83
Commercial 20mm	\$519.43
Commercial 25mm	\$803.66
Commercial 31mm	\$1,241.14
Commercial 32mm	\$1,322.96
Commercial 38mm	\$1,874.75
Commercial 40mm	\$2,066.64
Commercial 50mm	\$3,225.63
Commercial 80mm	\$8,266.14
Commercial 100mm	\$12,918.52
Commercial 150mm	\$29,057.04
UnConnected Services	\$428.83
Connected Service No Meter	\$519.43
Dedicated Fire Service	\$519.43
Commercial (Non Profit) Commercial 50mm	\$803.66
Churches	

Connected Wellington and Village - Non Residential	\$415.52
Connected Wellington and Village - Domestic	\$343.06

A minimum charge, being the amount equivalent to a 20mm water service charge, will apply to each rateable parcel of land which has been created under a Strata Title subdivision, Community or Neighbourhood Plan.

A minimum charge, being the amount equivalent to a 20mm water service charge, will apply to each parcel of rateable land which does not have a water service connected but to which a water service is available in accordance with the provision of Section 552 (1) (b) of the Local Government Act 1993.

Sewerage Service Charge – Residential

Dubbo Residential Sewer Charge

An annual Sewerage Service Charge will apply to all residential properties within the former Dubbo City Council area.

The annual Sewerage Service charge to apply to all single dwellings, and each rateable parcel of land which has been created under a Strata Title subdivision, Community or Neighbourhood Plan and vacant land where a sewerage service is available will be \$795.62 for 2020/2021.

The annual sewerage service charge to apply to all residential multiple residence properties where individual separate occupancies are situated on a single parcel of land (includes non strata flats, units, villas and dwellings within retirement villages) will be the number of occupancies x the residential single dwelling annual charge x .5.

Wellington Residential Sewer Charge

An annual Sewerage Service Charge will apply to all residential properties within Wellington.

The annual sewerage service charge to apply to all single dwellings, and each rateable parcel of land which has been created under a Strata Title subdivision, Community or Neighbourhood Plan where a sewerage service is available, will be \$697.14 for 2020/2021.

Wellington Sewer Charge - Unoccupied

The annual sewerage service charge to apply to all vacant parcels of land within the township of Wellington where a sewerage service is available will be \$617.00 for 2020/2021.

Mumbil Sewer Charge

The annual sewerage service charge for 2020/2021 to apply to all Residential properties within Mumbil where a sewerage service is available will be \$653.22.

Mumbil Sewer Charge – Unoccupied

The annual sewerage service charge for 2020/2021 to apply to all each unoccupied rateable parcel of land within Mumbil where a sewerage service is available will be \$617.00.

Geurie Sewer Charge

The annual sewerage service charge for 2020/2021 to apply to all Residential properties within Geurie where a sewerage service is available will be \$697.14.

Geurie Sewer Charge – Unoccupied

The annual sewerage service charge for 2020/2021 to apply to each unoccupied rateable parcel of land within Geurie where a sewerage service is available will be \$617.00.

Religious Property Sewer Charge - Wellington

The annual sewerage service charge for 2020/2021 to apply to all religious properties where a sewerage service is available will be \$558.78.

Religious Property Sewer Charge – Village

The annual sewerage service charge for 2020/2021 to apply to all religious properties where a sewerage service is available will be \$558.78.

2. That WHEREAS the 2020/2021 Draft Operational Plan was adopted by the Council on 27 April 2020, and WHEREAS public notice of the 2020/2021 Draft Operational Plan was given as per Section 405 of the Local Government Act 1993 in the form of a proactive media plan supported by an advertising campaign and online communications and WHEREAS a period of twenty eight (28) days has lapsed since the commencement of advertising on 1 May 2020 and Council has taken into consideration submissions made concerning the Draft Operational Plan and Budget, IT IS HEREBY RESOLVED that Council make the following User Charges for the year 2020/2021.

USER PAY CHARGES (SECTION 502)

Water Supply Service Usage Charge

A charge will be raised for the use of the Water Supply Service on a consumption year basis recorded by the meter or meters servicing each property.

The Usage Charge applicable to properties in the former Dubbo City Council for

2020/2021 will apply as follows:

Residential Properties

All Consumption - per kilolitre \$2.12

Non Residential Properties

All Consumption - per kilolitre \$2.12

The Usage Charges applicable to properties in the former Wellington Council for 2020/2021 will apply as follows:

Tariff Description	Consumption Charge	Consumption Charge	Consumption Charge	Consumption Charge
From KL	0	301	501	10,001
To KL	300	500	10,000	-
Domestic	2.30	2.34	2.52	2.71
Commercial	1.59	1.71	2.08	2.61
Connected Service No Meter	20KL Per Quarter			
Dedicated Fire Service	1.59	1.71	2.08	2.61

Sewerage Service Charges - Non Residential

Sewerage Service Charge Non Residential - Dubbo

The use of the Sewerage Service by all non-residential properties within the former Dubbo City Council area will be charged on a quarterly basis in accordance with the following pricing structure for 2020/2021:

$$B = SDF \times (AC + C \times UC)$$

B = Quarterly Sewerage Charge - Non Residential

SDF = Sewerage Discharge Factor

$$AC = \frac{(AC_{20} \times D^2)}{400}$$

This equates to the following Access Charge (AC) for the various water connection sizes:

	Quarterly Amount	Annual Equivalent
20mm	\$105.40	\$421.60
25mm	\$164.69	\$658.76
32mm	\$269.83	\$1,079.31
40mm	\$421.60	\$1,686.42
50mm	\$658.76	\$2,635.02
65mm	\$1,113.30	\$4,453.19
80mm	\$1,686.42	\$6,745.66
100mm	\$2,635.02	\$10,540.10

150mm	\$5,928.81	\$23,715.22
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The Access Charge (AC) is applicable to each water service connected to a property in accordance with the size of the meter fitted to the service.

D	=	Water Supply Service Connection Size	
C	=	Annual Water Consumption	
UC	=	Usage Charge	\$2.28/Kl
		Minimum Quarterly Sewerage Charge - Non Residential	\$198.90

Sewerage Services Charge Non Residential - Wellington

The use of the Sewerage Service by all non-residential properties within the former Wellington Council area will be charged on a quarterly basis in accordance with the following pricing structure for 2020/2021:

B	=	SDF x (AC + C x UC)
B	=	Quarterly Sewerage Charge - Non Residential
SDF	=	Sewerage Discharge Factor
AC	=	$(AC_{20} \times \frac{D^2}{400})$

This equates to the following Access Charge (AC) for the various water connection sizes:

Meter Size	Quarterly Amount	Annual Equivalent
20mm	\$93.02	\$372.08
25mm	\$145.34	\$581.38
31mm	\$223.48	\$893.92
32mm	\$238.13	\$952.52
38mm	\$335.80	\$1,343.21
40mm	\$372.08	\$1,488.32
50mm	\$581.38	\$2,325.50
80mm	\$1,488.32	\$5,953.28
100mm	\$2,325.50	\$9,302.00
150mm	\$5,232.38	\$20,929.50
Unconnected Service	\$148.00	\$592.00
Connected Service No Meter	\$168.00	\$672.02
Commercial (Non-Profit) – 50mm	\$149.14	\$596.58
Churches		
Connected - Villages		\$478.90
Connected -		\$478.90

Wellington

The Access Charge (AC) is applicable to each water service connected to a property in accordance with the size of the meter fitted to the service.

D	=	Water Supply Service Connection Size	
C	=	Annual Water Consumption	
UC	=	Usage Charge	\$0.98/Kl
		Minimum Quarterly Sewerage Charge - Non Residential	\$174.28

3. That WHEREAS the 2020/2021 Draft Operational Plan was adopted by the Council on 27 April 2020, and WHEREAS Council has complied with the provisions of Section 610F of the Local Government Act, 1993 and given public notice (in accordance with Section 405) of its 2020/2021 draft Operational Plan and has considered submissions duly made to it concerning the draft Operational Plan and Budget, IT IS HEREBY RESOLVED that the fees, contributions and user charges detailed in the Statement of Revenue Policy Document of the 2020/2021 Draft Operational Plan and Budget be applied for the year 2020/2021.

CARRIED

CCL20/93 2020/2021 DELIVERY PROGRAM AND OPERATIONAL PLAN, COUNCIL BUDGET AND ASSOCIATED DOCUMENTS (ID20/447)

The Council had before it the report dated 10 June 2020 from the Manager Growth Planning regarding 2020/2021 Delivery Program and Operational Plan, Council Budget and Associated Documents.

Moved by Councillor G Mohr and seconded by Councillor D Gumley

MOTION

1. That the 2020/2021 Delivery Program and Operational Plan as amended and included in Appendix 2 of the report of the Manager Growth Planning dated 10 June 2020, be adopted by Council and commence operation on 1 July 2020.
2. That the Long-Term Financial Plan (attached as Appendix 3 to the report of the Manager Growth Planning dated 10 June 2020) be adopted by Council.
3. That the 2020/2021 Financial Year Fees and Charges (as amended and included in Appendix 4 of the report of the Manager Growth Planning dated 10 June 2020) be adopted by Council, with the following amendments being made with respect to Waste Management, Showground and Family Day Care:
 - (a) That the fees for the Wellington Waste Facility and Rural Waste Facilities (Non-Weighbridge) be amended as follows:

Category	Current Proposed 20/21 Fees	Amended Proposed 20/21 Fees
Sorted Recycling & Mixed Waste – up to 1 cubic metre / Utility or small axle trailer load sorted	\$20.00	\$14.00

Unsorted Mixed Waste – up to 1 cubic metre / Utility or small axle trailer load unsorted	\$28.00	\$18.00
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- (b) That the Power and Water Charges for the Showground be brought into line with Sporting Grounds use of lights and amended to be Net Metered Cost (NMC) + 100%.
- (c) That the 2020/2021 Financial Year Fees and Charges (as amended and included in Appendix 4 of the report of the Manager Growth Planning dated 10 June 2020) with respect to Family Day Care be adopted by Council, with Council to postpone a 2.5% increase to Fees and Charges until 1 October 2020.
4. That the 2020/2021 Budget and Capital Expenditure (as amended and included in Appendix 5 of the report of the Manager Growth Planning dated 10 June 2020) be adopted by Council.
5. That 2020/2021 Annual Statement of Revenue Policy (attached as Appendix 6 to the report of the Manager Growth Planning dated 10 June 2020) be adopted by Council.
6. That the 2020/2021 Macquarie Regional Library Budget (attached as Appendix 7 to the report of the Manager Growth Planning dated 10 June 2020) be adopted by Council.
7. That the 2020/2021 Fees and Charges be amended to correct minor clarifications and typographical errors.
8. That the 2020/2021 Delivery Program and Operational Plan be amended to correct minor clarifications and typographical errors.
9. That the 2020/2021 Fees and Charges in respect of the Dubbo Theatre be amended to include an hourly rate of up to 3 hours for hire of the Theatre Data Projector and Screen as follows:

Each per hour – Maximum 3 hours

Per day - Professional/Commercial	\$40
Community/Not-for-Profit	\$35
Schools/Registered Charity	\$28

10. That the 2020/2021 Fees and Charges be amended to include a pro-rata daily rate for usage of the Wellington Civic Centre for more than 8 hours and under 12 hours as follows:

WELLINGTON EISTEDDFOD SOCIETY INC

• Pro-rata daily usage over 8 hours and under 12 hours – per hour after minimum 8 hours	• \$75.25
• Event organisers to provide advice to Council by 12 pm day prior to have pro-rata fee applied.	

11. That the 2020/2021 Fees and Charges be amended to include a pro-rata daily rate for usage of the Dubbo Theatre for more than 8 hours and under 12 hours as follows:

CITY OF DUBBO EISTEDDFOD

• Pro-rata daily usage over 8 hours and under 12 hours – per hour after minimum 8 hours	• \$90.85
• Event organisers to provide advice to Council by 12pm day prior to have pro-rata fee applied.	

12. That the 2020/2021 Fees and Charges be amended to include the following provisions in respect of the Dubbo Regional City Airport as follows:
- “COVID-19 IMPACT SUBSIDY – PASSENGER FEES***
Upon application and approval in writing from the Chief Executive Officer (CEO), Council provides a passenger fee subsidy of up to 30% for Airline routes impacted by the COVID-19 pandemic.
This subsidy is not available to Airline Routes that are operating under government subsidy from the Australian or NSW Government. This subsidy is available for a three (3) month period only. This subsidy will be provided upon evidence of route viability <65% and all accounts must be up to date with no arrears.
COVID-19 IMPACT – SECURITY SCREENING FEES
Council will proportionately charge all RPT Airlines, based on share of total passengers every month, the full cost of the contracted service invoice. This cost recovery process will continue under the condition of RPT Airlines receiving full subsidy for security screening charges from the Australian Government under COVID-19 stimulus packages. A \$6.60 cost-per person charge will return once Government subsidies for security cease.”
13. That in accordance with the requirements of Section 566(3) of the Local Government Act, 1993 that the interest charged on overdue rates and charges be at the rate of 0% per annum for the period 1 July 2020 to 31 December 2020 and 7.0% per annum for the period 1 January 2021 to 30 June 2021.
14. That an advertisement be placed in local print media advising of Council’s adoption of the 2020/2021 Delivery Program and Operational Plan, Budget package and associated documents.
15. That those who made a submission be acknowledged and advised of Council’s determination in this matter.

CARRIED

CCL20/94 SOUTH BRIDGE UPDATE (ID20/583)

The Council had before it the report dated 10 June 2020 from the Senior Design Engineer regarding South Bridge Update.

Moved by Councillor S Lawrence and seconded by Councillor J Diffey

MOTION

1. That the information contained within the report of the Senior Design Engineer dated 10 June 2020, be noted.
2. That community consultation be conducted for this project in conjunction with assistance provided by Balmoral Group Australia.
3. That a further report be provided to Council at the conclusion of the community consultation period.

Moved by Councillor V Etheridge and seconded by Councillor D Grant

AMENDMENT

That this matter be deferred to the Infrastructure and Liveability Committee meeting scheduled for Monday 13 July 2020, for consideration.

The amendment on being put to the meeting was carried.

CARRIED

The amendment then became the motion and on being put to the meeting was carried.

CARRIED

CCL20/95 DRAFT DUBBO TRANSPORTATION STRATEGY REVIEW 2020 (ID19/1700)

The Council had before it the report dated 8 May 2020 from the Manager Growth Planning regarding Draft Dubbo Transportation Strategy Review 2020.

Moved by Councillor J Ryan and seconded by Councillor G Mohr

MOTION

- 1. That the information contained within the report of the Manager Growth Planning dated 8 May 2020, be noted.**
- 2. That the draft Review of the Dubbo City Transportation Strategy be placed on public display for a period of no less than 28 days.**
- 3. That all landowners likely to be impacted by the future Dubbo traffic network as contained in the draft Review of the Dubbo City Transportation Strategy to 2045 be provided with correspondence in respect of this draft Review.**
- 4. That following completion of the public consultation and exhibition period, a further report be provided to Council including the results of the public consultation and exhibition process.**

CARRIED

CCL20/96 DREAM FESTIVAL AND EVENT FUNDING 2020/2021 (ID20/582)

The Council had before it the report dated 10 June 2020 from the Manager Regional Events regarding DREAM Festival and Event Funding 2020/2021.

Moved by Councillor S Lawrence and seconded by Councillor V Etheridge

MOTION

- 1. That the information contained within the report of the Manager Regional Events dated 10 June 2020, be noted.**
- 2. That the Regional Events Branch establish a transition plan with the DREAM Volunteer Committee to support the delivery of a DREAM festival/large cultural event in 2021.**
- 3. That the forward budget allocations for the DREAM Festival of \$40,000 be reallocated to a cultural community event to be delivered by Dubbo Regional Council (\$30,000) and creation of a Community Events Fund (\$10,000).**

4. That Council's event funding program be revised to four funding channels, namely Emerging Events, Community Events, Destination Events and Partner Events.
5. That Council's event support framework include an Event Support Program where community events can apply for up to 50 hours support from the Regional Events Branch to support development, planning and marketing elements of their event.

CARRIED

CCL20/97 DRAFT DUBBO REGIONAL LOCAL STRATEGIC PLANNING STATEMENT - RESULTS OF PUBLIC EXHIBITION (ID20/548)

The Council had before it the report dated 5 June 2020 from the Senior Growth Planner regarding Draft Dubbo Regional Local Strategic Planning Statement - Results of Public Exhibition.

Moved by Councillor S Lawrence and seconded by Councillor J Diffey

MOTION

1. That the Local Strategic Planning Statement (attached as Appendix 1 to the report of the Senior Growth Planner dated 5 June 2020), in accordance with the provisions of the Environmental Planning and Assessment Act, 1979, be adopted.
2. That the submissions and responses attached to the report of the Senior Growth planner dated 5 June 2020, be noted.
3. That the proposed amendments and their role in the Local Strategic Planning Statement, be noted.
4. That, in respect of submission Numbers 13, 15 and 16, initial planning merit be identified and these submissions be considered in the review of the R5 Residential Large Lot zoned land and/or Stage 2 of the preparation of the comprehensive Local Environmental Plan.
5. That those persons who provided a submission be advised of Council's deliberations in respect of the item.
6. That a Workshop be held with Councillors in the new Financial Year to discuss the methodology, key steps, resources and other issues associated with completion of the review of R5 Large Lot Residential land as a component of the review of the Dubbo Rural Strategy and preparation of a Rural Strategy for land in the former Wellington Local Government Area.

CARRIED

In accordance with s375A(2) of the Local Government Act 1993, a division was duly called, the following votes on the motion were recorded:

FOR	AGAINST
Councillor Diffey	
Councillor Etheridge	
Councillor Grant	
Councillor Gumley	
Councillor Lawrence	
Councillor Mohr	
Councillor Parker	
Councillor Ryan	
Councillor Shields	
Total (9)	Total (0)

CCL20/98 INVESTMENTS UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - MAY 2020 (ID20/585)

The Council had before it the report dated 1 June 2020 from the Director Organisational Performance regarding Investments Under Section 625 of the Local Government Act - May 2020.

Moved by Councillor J Diffey and seconded by Councillor V Etheridge

MOTION

That the information contained within the report of the Director Organisational Performance dated 1 June 2020, be noted.

CARRIED

Councillor K Parker declared a pecuniary, significant interest in the matter now before the Council and left the room and was out of sight during the Council's consideration of this matter. The reason for such interest is that Councillor K Parker is an Employee of the Bank of Queensland, Dubbo, and Council has funds invested with the Bank of Queensland, Dubbo.

CCL20/99 COMMENTS AND MATTERS AND OF URGENCY (ID20/628)

There were no matters recorded under this Clause.

At this juncture, it was moved by Councillor D Gumley and seconded by Councillor G Mohr that the Council resolve into Committee of the Whole Council, the time being 6.45pm.

The meeting resumed at 6.47pm.

CCL20/100 COMMITTEE OF THE WHOLE (ID20/627)

The Executive Manager Governance and Internal Control read to the meeting of the Report of the Committee of the Whole meeting held on 22 June 2020.

Moved by Councillor G Mohr and seconded by Councillor D Grant

MOTION

That the report of the meeting of the Committee of the Whole held on 22 June 2020, be adopted.

CARRIED

The meeting closed at 6:50pm.

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CHAIRMAN



REPORT COMMITTEE OF THE WHOLE COUNCIL 22 JUNE 2020

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

ALSO IN ATTENDANCE:

The Chief Executive Officer, the Executive Manager Governance and Internal Control, the Acting Governance Team Leader, the Community Support Officer, the Director Organisational Performance, the Director Culture and Economy, the Director Infrastructure, the Director Development and Environment, the Manager Growth Planning and the Director Liveability (I McAlister).

Councillor B Shields assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 6:46pm.

CW20/9 MOFFATT ESTATE - SALE OF COUNCIL OWNED LAND ADJOINING LOT 27 DP 1131385, 5 MCGUINN CRESCENT (ID20/577)

The Committee had before it the report dated 9 June 2020 from the Manager Property Assets regarding Moffatt Estate - sale of Council owned land adjoining Lot 27 DP 1131385, 5 McGuinn Crescent.

Moved by Councillor D Grant and seconded by Councillor J Ryan

MOTION

That members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned information that would, if disclosed, prejudice the commercial position of the person who supplied it (Section 10A(2)(d)(i)).

Moved by Councillor D Grant and seconded by Councillor J Ryan

MOTION

- 1. That the boundary adjustment of Lot 27 DP 1131385 and Council's part Lot 22 DP 1223592 be undertaken to increase the area of Lot 27 by 5,250 m².**
- 2. That the 5,250 m² portion of Moffatt residue land be sold to the owner of Lot 27 for**

\$210,000 (excluding). GST (\$40/m²).

3. That Council be responsible for all costs associated with the design and registration of the boundary adjustment.
4. That the purchaser be responsible for all fencing costs associated with the boundary adjustment.
5. That all documentation in relation to this matter be executed under Power of Attorney.
6. That the documents and considerations in regard to this matter remain confidential to Council.

CARRIED

CW20/10 ACQUISITION AGREEMENT (CHAD) FOR ROAD OPENING, SUNNYSIDE ROAD, LOCALITY OF JONES CREEK (ID20/584)

The Committee had before it the report dated 10 June 2020 from the Property Development Officer regarding Acquisition Agreement (Chad) for Road Opening, Sunnyside Road, Locality of Jones Creek.

Moved by Councillor D Grant and seconded by Councillor V Etheridge

MOTION

That members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned information that would, if disclosed, prejudice the commercial position of the person who supplied it (Section 10A(2)(d)(i)).

CARRIED

Moved by Councillor D Grant and seconded by Councillor V Etheridge

MOTION

1. That Council rescind the 'Change of Vesting' Agreement made between NSW Department of Primary Industries – Crown Lands, Dubbo City Council, and Mr Geoffrey and Margaret Chad of 2012.
2. That Council rescind the Council Resolutions of CCL19/147 Report: Sunnyside Road Opening – Locality of Jones Creek.
3. That Council adopt the compensation agreement now made with Mr Craig and Caroline Chad (successors of Mr Geoffrey and Margaret Chad) as detailed within the report of the Property Development Officer dated 10 June 2020.
4. That Council pay \$13,636.36 plus GST to Mr Craig and Caroline Chad for Council's acquisition of proposed Lot 2 having an area of 3.15 hectares as shown in the unregistered Plan of Subdivision of lot 21 DP 588497 prepared by Doherty Smith and Associates.
5. That all documentation in relation to this land acquisition agreement be executed under Power of Attorney.
6. That the documents and considerations in regard to this matter remain confidential to Council.

CARRIED

CW20/11 LEAVE OF ABSENCE

A request for leave of absence was received from Councillor A Jones who was absent from the meeting due to the personal reasons.

Moved by Councillor V Etheridge and seconded by Councillor D Grant

MOTION

That such request for leave of Absence be accepted and Councillor A Jones be granted leave of absence from this meeting.

CARRIED

The meeting closed at 6:47pm.

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CHAIRMAN



REPORT EXTRAORDINARY COUNCIL MEETING 6 JULY 2020

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

ALSO IN ATTENDANCE:

The Chief Executive Officer, the Executive Manager Governance and Internal Control, the Acting Governance Team Leader and the Manager Corporate Image and Communications.

Councillor B Shields assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 5.11pm, with a prayer for Divine Guidance to the Council in its deliberations and activities. The Acknowledgement of Country was also read by Councillor Vicki Etheridge.

It was noted by the Chair that Councillor A Jones was in attendance at this meeting via audio only, under the current COVID-19 Provisions.

CCL20/101 LEAVE OF ABSENCE (ID20/736)

Requests for Leave of Absence were received from Councillors D Gumley and K Parker who were absent from the meeting due to the personal reasons.

Moved by Councillor V Etheridge and seconded by Councillor S Lawrence

MOTION

That such requests for Leave of Absence be accepted and Councillors D Gumley and K Parker be granted leave of absence from this meeting.

CARRIED

CCL20/102 PUBLIC FORUM (ID20/737)

There were no submissions received for Public Forum.

At this juncture, it was moved by Councillor J Ryan and seconded by Councillor D Grant that the Council resolve into Committee of the Whole Council, the time being 5.13pm.

The meeting resumed at 5.28pm.

CCL20/103 COMMITTEE OF THE WHOLE (ID20/738)

The Executive Manager Governance and Internal Control read to the meeting of the Report of the Committee of the Whole meeting held on 6 July 2020.

Moved by Councillor S Lawrence and seconded by Councillor J Ryan

MOTION

That the report of the meeting of the Committee of the Whole held on 6 July 2020, be adopted.

CARRIED

As one or more Councillors voted against the motion, in accordance with Clause 11.5 of Council’s Code of Meeting Practice, the following votes were recorded:

FOR	AGAINST
Councillor Diffey	Councillor Jones
Councillor Etheridge	
Councillor Grant	
Councillor Lawrence	
Councillor Mohr	
Councillor Ryan	
Councillor Shields	
Total (7)	Total (1)

The meeting closed at 5.32pm.

.....
CHAIRMAN



REPORT COMMITTEE OF THE WHOLE COUNCIL 6 JULY 2020

PRESENT: Councillors J Diffey, V Etheridge, D Grant, A Jones, S Lawrence, G Mohr, J Ryan and B Shields

ALSO IN ATTENDANCE:

The Chief Executive Officer and the Executive Manager Governance and Internal Control.

Councillor B Shields assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 5.13pm.

It was noted by the Chair that Councillor A Jones was in attendance at this meeting via audio only, under the current COVID-19 Provisions.

CW20/12 CODE OF CONDUCT MATTER (ID20/740)

The Committee had before it a report dated 6 July 2020 from the Executive Manager Governance and Internal Control regarding a Code of Conduct Matter.

Moved by Council J Ryan and seconded by Councillor S Lawrence

MOTION

The Committee recommends that members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned information that would, if disclosed, prejudice the commercial position of the person who supplied it (Section 10A(2)(d)(i)).

CARRIED

Moved by Councillor J Ryan and seconded by Councillor S Lawrence

MOTION

- 1. That the Final Investigation Report into multiple Code of Conduct complaints received by Council from 27 February 2020 onwards from members of the public regarding an email sent by Councillor Kevin Parker on 17 January 2020 from his Bank of Queensland email account to a number of persons, be noted.**
- 2. That it be noted that the maximum penalty that Council can impose is Censure.**
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-
- 3. That Councillor Parker be formally censured for breaches of the Code of Conduct at Clause 3.1 being:
 - “You must not conduct yourself in a manner that:
 - a) Is likely to bring the Council or other Council officials into disrepute; and
 - c) Is improper or unethical.”
- 4. That, in light of Council not having the power to remove a Councillor from Office, the matter be referred to the Office of Local Government for further disciplinary action.
- 5. That the documents and considerations with regard to this matter remain confidential to the Council.

CARRIED

As one or more Councillors voted against the motion, in accordance with Clause 11.5 of Council’s Code of Meeting Practice, the following votes were recorded:

FOR	AGAINST
Councillor Diffey	Councillor Jones
Councillor Etheridge	
Councillor Grant	
Councillor Lawrence	
Councillor Mohr	
Councillor Ryan	
Councillor Shields	
Total (7)	Total (1)

CW20/13 LEAVE OF ABSENCE

Requests for Leave of Absence were received from Councillors D Gumley and K Parker who were absent from the meeting due to the personal reasons.

Moved by Councillor V Etheridge and seconded by Councillor S Lawrence

MOTION

That such requests for Leave of Absence be accepted and Councillors D Gumley and K Parker be granted leave of absence from this meeting.

CARRIED

The meeting closed at 5.28pm.

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CHAIRMAN



**DUBBO REGIONAL
COUNCIL**

**Report of the Development and
Environment Committee - meeting 13
July 2020**

**AUTHOR: Executive Manager Governance and
Internal Control**

REPORT DATE: 16 July 2020

The Committee had before it the report of the Development and Environment Committee meeting held 13 July 2020.

RECOMMENDATION

That the report of the Development and Environment Committee meeting held on 13 July 2020, be noted.



**REPORT
DEVELOPMENT AND ENVIRONMENT
COMMITTEE
13 JULY 2020**

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

ALSO IN ATTENDANCE:

The Chief Executive Officer, the Executive Manager Governance and Internal Control, the Acting Governance Team Leader, the Manager Corporate Image and Communications, the Director Organisational Performance, the Director Culture and Economy (J Angus), the Director Infrastructure, the Director Development and Environment (D Quigley), the Manager Growth and Planning and the Director Liveability (I McAlister).

Councillor G Mohr assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 5.30pm.

**DEC20/19 REPORT OF THE DEVELOPMENT AND ENVIRONMENT COMMITTEE - MEETING
9 JUNE 2020 (ID20/644)**

The Committee had before it the report of the Development and Environment Committee meeting held 9 June 2020.

Moved by Councillor D Gumley and seconded by Councillor V Etheridge

MOTION

That the report of the Development and Environment Committee meeting held on 9 June 2020, be noted.

CARRIED

DEC20/20 BUILDING SUMMARY - JUNE 2020 (ID20/579)

The Committee had before it the report dated 30 June 2020 from the Director Development and Environment regarding Building Summary - June 2020.

Moved by Councillor S Lawrence and seconded by Councillor V Etheridge

MOTION

That the information contained within the report of the Director Development and Environment dated 30 June 2020, be noted.

CARRIED

DEC20/21 PLANNING PROPOSAL - (R18-3) - SOUTHLAKES ESTATE, DUBBO, PROPOSED ALTERATIONS TO LAND USE ZONINGS AND MINIMUM LOT SIZES (ID20/182)

The Committee had before it the report dated 26 June 2020 from the Manager Growth Planning regarding Planning Proposal - (R18-3) - Southlakes Estate, Dubbo, Proposed Alterations to Land Use Zonings and Minimum Lot Sizes.

Moved by Councillor B Shields and seconded by Councillor V Etheridge

MOTION

That this matter be deferred and considered at a Councillor Workshop.

CARRIED

In accordance with s375A(2) of the Local Government Act 1993, a division was duly called, the following votes on the motion were recorded:

FOR	AGAINST
Councillor Diffey	
Councillor Etheridge	
Councillor Grant	
Councillor Gumley	
Councillor Lawrence	
Councillor Mohr	
Councillor Parker	
Councillor Ryan	
Councillor Shields	
Total (9)	Total (0)

DEC20/22 PLANNING PROPOSAL - (R20-1) - SOUTHLAKES ESTATE, DUBBO (ID20/400)

The Committee had before it the report dated 29 June 2020 from the Manager Growth Planning regarding Planning Proposal - (R20-1) - Southlakes Estate, Dubbo.

Moved by Councillor J Ryan and seconded by Councillor V Etheridge

MOTION

- 1. That further consideration of the Planning Proposal be deferred to allow the Chief Executive Officer time to undertake consultation with the Proponent in respect of negotiating a suitable contribution towards the construction of a roundabout in Boundary Road, which will provide access to the development.**
- 2. That a further report including the results of this consultation, be provided to Council.**

CARRIED

In accordance with s375A(2) of the Local Government Act 1993, a division was duly called, the following votes on the motion were recorded:

FOR	AGAINST
Councillor Diffey	
Councillor Etheridge	
Councillor Grant	
Councillor Gumley	
Councillor Lawrence	
Councillor Mohr	
Councillor Parker	
Councillor Ryan	
Councillor Shields	
Total (9)	Total (0)

**DEC20/23 NAMING OF THOROUGHFARES ASSOCIATED WITH THE KINTYRE HEIGHTS
SUBDIVISION, 20R PEAK HILL ROAD, DUBBO (ID20/654)**

The Committee had before it the report dated 24 June 2020 from the LIS and E-Services Coordinator regarding Naming of Thoroughfares Associated with the Kintyre Heights Subdivision, 20R Peak Hill Road, Dubbo.

Moved by Councillor B Shields and seconded by Councillor S Lawrence

MOTION

1. That the proposed names listed below by the consultant be approved by Council:
 - Kildavie Circuit, Calliburn Street, Saddell Street, Glenbarr Parkway, Dippen Street, Carradale Court, Barfad Street, Ballochroy Parkway, Tarbert Street and Whitehouse Street.
2. That the proposed names be notified in the local newspaper and Government Authorities notified in accordance with Section 162 of the Roads Act 1993 and the Roads Regulation 2018.
3. That the consultant be advised accordingly once approval under the Roads Regulation 2018 has been given.

CARRIED

DEC20/24 LEAVE OF ABSENCE

A request for leave of absence was received from Councillor A Jones who was absent from the meeting due to personal reasons.

Moved by Councillor D Gumley and seconded by Councillor B Shields

MOTION

That such request for leave of absence be accepted and Councillor A Jones be granted leave of absence from this meeting.

CARRIED

The meeting closed at 5:34pm.

.....
CHAIRMAN



**DUBBO REGIONAL
COUNCIL**

Report of the Infrastructure and Liveability Committee - meeting 13 July 2020

**AUTHOR: Executive Manager Governance and
Internal Control**

REPORT DATE: 16 July 2020

The Committee had before it the report of the Infrastructure and Liveability Committee meeting held 13 July 2020.

RECOMMENDATION

That the report of the Infrastructure and Liveability Committee meeting held on 13 July 2020, be noted.



**REPORT
INFRASTRUCTURE AND LIVEABILITY
COMMITTEE
13 JULY 2020**

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

ALSO IN ATTENDANCE:

The Chief Executive Officer, the Executive Manager Governance and Internal Control, the Acting Governance Team Leader, the Manager Corporate Image and Communications, the Director Organisational Performance, the Director Culture and Economy (J Angus), the Director Infrastructure, the Director Development and Environment (D Quigley), the Manager Growth and Planning and the Director Liveability (I McAlister).

Councillor G Mohr assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 5:34pm.

**ILC20/24 REPORT OF THE INFRASTRUCTURE AND LIVEABILITY COMMITTEE - MEETING 9
JUNE 2020 (ID20/645)**

The Committee had before it the report of the Infrastructure and Liveability Committee meeting held 9 June 2020.

Moved by Councillor S Lawrence and seconded by Councillor D Gumley

MOTION

That the report of the Infrastructure and Liveability Committee meeting held on 9 June 2020, be noted.

CARRIED

**ILC20/25 REPORT OF THE STREET TREE ADVISORY PANEL - MEETING 22 JUNE 2020
(ID20/718)**

The Committee had before it the report of the Street Tree Advisory Panel meeting held 22 June 2020.

Moved by Councillor J Ryan and seconded by Councillor D Gumley

MOTION

That the report of the Street Tree Advisory Panel meeting held on 22 June 2020, be adopted.

CARRIED

**ILC20/26 DRAFT DROUGHT CONTINGENCY AND WATER EMERGENCY RESPONSE PLAN
(ID20/663)**

The Committee had before it the report dated 30 June 2020 from the Manager Water Supply and Sewerage regarding Draft Drought Contingency and Water Emergency Response Plan.

Moved by Councillor D Gumley and seconded by Councillor J Ryan

MOTION

That the amended Drought Contingency and Water Emergency Response Plan, be adopted.

CARRIED

ILC20/27 REMOVAL OF MAIL ZONE - VICTORIA STREET, DUBBO (ID20/758)

The Committee had before it the report dated 8 July 2020 from the Senior Traffic Engineer regarding Removal of Mail Zone - Victoria Street, Dubbo.

Moved by Councillor J Diffey and seconded by Councillor S Lawrence

MOTION

- 1. That the existing mail zone located on the southern side of Victoria Street, West Dubbo, be removed.**
- 2. That the Senior Traffic Engineer investigate a parallel parking sign East on Victoria Street, Dubbo, near the Service Station exit.**

CARRIED

ILC20/28 PROPOSED NEW BUS ZONES AND BUS ZONE TIME RESTRICTION CHANGES - DUBBO (ID20/757)

The Committee had before it the report dated 8 July 2020 from the Senior Traffic Engineer regarding Proposed New Bus Zones and Bus Zone Time Restriction Changes - Dubbo.

Moved by Councillor B Shields and seconded by Councillor S Lawrence

MOTION

1. That the installation of a new bus zone at the existing 'J pole' location in Wheelers Lane adjacent to Ingenia Gardens, and time restricted from 7.00 am to 9.30 pm Monday to Friday, and 7.00 am to 6.30 pm Saturday in accordance with Council's plans TM 7371 (attached as Appendix 1 to the report of the Senior Traffic Engineer dated 8 July 2020), be approved.
2. That a new bus zone time restrictions of 7.00 am to 9.30 pm Monday to Friday, and 7.00 am to 6.30 pm Saturday to the existing time restricted bus zones in the CBD and outlying neighbourhood locations, be approved.
3. That the Senior Traffic Engineer further investigate the new proposed bus zone in Baird Drive, opposite Delroy Park Shopping Centre, at the existing 'J Pole', in particular regarding signage and sight distance.
4. That the potential removal of the southern tree in the proposed new bus zone in Baird Drive be investigated by the Director Liveability.

CARRIED

ILC20/29 SOUTH BRIDGE UPDATE (ID20/754)

The Committee had before it the report dated 7 July 2020 from the Manager Infrastructure and Strategy Design regarding South Bridge Update.

Moved by Councillor D Gumley and seconded by Councillor V Etheridge

MOTION

1. That the information contained within the report of the Senior Design Engineer dated 10 June 2020, be noted.
2. That community consultation be conducted for this project in conjunction with assistance provided by Balmoral Group Australia.
3. That a further report be provided to Council at the conclusion of the community consultation period.

CARRIED

Moved by Councillor D Grant and seconded by Councillor S Lawrence

AMENDMENT

1. That the information contained within the report of the Senior Design Engineer dated 10 June 2020, be noted.

2. That community consultation be conducted for this project in conjunction with assistance provided by Balmoral Group Australia.
3. That the four options that were presented to a Councillor Workshop, and included in the report prepared by a consultant engineer, be put out to public exhibition.
4. That a further report be provided to Council at the conclusion of the community consultation period.

The amendment on being put to the meeting was lost.

LOST

As one or more Councillors voted against the motion, in accordance with Clause 11.5 of Council's Code of Meeting Practice, the following votes were recorded:

FOR	AGAINST
Councillor Etheridge	Councillor Diffey
Councillor Gumley	Councillor Grant
Councillor Mohr	Councillor Lawrence
Councillor Parker	
Councillor Ryan	
Councillor Shields	
Total (6)	Total (3)

ILC20/30 COMMUNITY SERVICES FUND 2020/2021 - COMMUNITY BENEFIT FUNDING IN ACCORDANCE WITH SECTION 356 LOCAL GOVERNMENT ACT 1993 (ID20/662)

The Committee had before it the report dated 25 June 2020 from the Acting Director Liveability regarding Community Services Fund 2020/2021 - Community Benefit Funding in Accordance with Section 356 Local Government Act 1993.

Moved by Councillor B Shields and seconded by Councillor V Etheridge

MOTION

1. That the information contained within the report from the Director Liveability dated 25 June 2020, be noted.
2. That Council allocate the following funds, totalling \$127,727.00, in accordance with Section 356 of The Local Government Act 1993:
 - a) Western Region Academy of Sport \$3,103
 - b) Lifeline Central West \$15,000
 - c) Central West Leadership Academy \$1,000
 - d) Maranatha House \$3,000
 - e) Buninyong Public School \$2,000
 - f) WINS Community Centre \$17,744.50
 - g) Walan Community Garden \$3,000
 - h) Songwriters and Original Musicians Association of Dubbo Inc \$1,214

- | | | |
|----|------------------------------------------------------------------------|-------------|
| i) | Ngurambang Child and Family Services | \$3,000 |
| j) | Dubbo and District Support Group for the Deaf and Hearing Impaired Inc | \$4,000 |
| k) | Wesley House Players | \$419 |
| l) | Outback Writers Centre | \$1,000 |
| m) | Stuart Town Advancement Association Inc (user pay system) | \$3,000 |
| n) | Stuart Town Advancement Association Inc (wicking bed system) | \$1,000 |
| o) | Macquarie Home Stay | \$15,000 |
| p) | LeaderLife Ltd | \$7,400 |
| q) | Delroy High P&C | \$657 |
| r) | Dubbo Neighbourhood Centre | \$17,744.50 |
| s) | Wellington Arts Centre | \$7,500 |
| t) | Dubbo Filmmakers | \$945 |
| u) | Dubbo Legacy – a Division of Orange Legacy | \$4,000 |
| v) | Tubba-Gah Maing Wiradjuri Aboriginal Corporation | \$6,000 |
3. That the amount of \$10,000 be allocated for the purpose of funding meeting room hire for the Dubbo Regional Walter T Grant Seniors Club using Council owned facilities.
4. That all applicants be advised of their respective funding application outcome and unsuccessful applicants be advised of Council's Grants Hub, as well as other funding opportunities.

CARRIED

Councillor D Grant declared a pecuniary, significant interest in the matter now before the Committee and left the room and was out of sight during the Committee's consideration of this matter. The reason for such interest is that Councillor D Grant has business dealings with some of the applicants and is Council's representative at meetings of the Dubbo Neighbourhood Centre.

ILC20/31 MACQUARIE REGIONAL LIBRARY - LIBRARY COMMITTEE REPORT - DISSOLUTION (ID20/716)

The Committee had before it the report dated 26 June 2020 from the Director Liveability regarding Macquarie Regional Library - Library Committee Report - Dissolution.

Moved by Councillor K Parker and seconded by Councillor S Lawrence

MOTION

1. That Council determine to dissolve the Macquarie Regional Library Committee in accordance with a resolution of Narromine Shire Council Ordinary Meeting of 11 December 2019 and Warrumbungle Shire Council Ordinary Meeting of 12 December 2019, and the *Library Act 1939 No 40*.
2. That the MRL Library Service Agreement be amended to remove *Section 5. "Library Committee pursuant to s. 11 of the Library Act 1939 No 40."*
3. That the Library Service Agreement be amended to provide for member Council staff to convene on a regular basis.

4. That an amended Macquarie Regional Library Service Agreement be signed and implemented by the appropriate Council officers.

CARRIED

ILC20/32 APPLICATION FOR AN INTEREST FREE DEFERRED CONTRIBUTION FOR DUBBO CITY JUNIOR RUGBY LEAGUE (ID20/704)

The Committee had before it the report dated 25 June 2020 from the Recreation Coordinator regarding Application for an Interest Free Deferred Contribution for Dubbo City Junior Rugby League.

Moved by Councillor J Diffey and seconded by Councillor D Grant

MOTION

1. That Council provides an interest free deferred contribution of \$60,000 (excluding GST) to Dubbo City Junior Rugby League to be repaid over a period of four (4) years at an amount of \$16,500 (inclusive of GST) per annum.
2. That all documentation in relation to this matter be executed under Power of Attorney.

CARRIED

ILC20/33 LEAVE OF ABSENCE

A request for leave of absence was received from Councillor A Jones who was absent from the meeting due to personal reasons.

Moved by Councillor J Diffey and seconded by Councillor S Lawrence

MOTION

That such request for leave of absence be accepted and Councillor A Jones be granted leave of absence from this meeting.

CARRIED

The meeting closed at 5:44pm.

.....
CHAIRMAN



**DUBBO REGIONAL
COUNCIL**

**Report of the Culture, Economy and
Corporate Committee - meeting 13 July
2020**

**AUTHOR: Executive Manager Governance and
Internal Control**

REPORT DATE: 16 July 2020

The Committee had before it the report of the Culture, Economy and Corporate Committee meeting held 13 July 2020.

RECOMMENDATION

That the report of the Culture, Economy and Corporate Committee meeting held on 13 July 2020, be noted.



**REPORT
CULTURE, ECONOMY AND CORPORATE
COMMITTEE
13 JULY 2020**

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

ALSO IN ATTENDANCE:

The Chief Executive Officer, the Executive Manager Governance and Internal Control, the Acting Governance Team Leader, the Manager Corporate Image and Communications, the Director Organisational Performance, the Director Culture and Economy (J Angus), the Director Infrastructure, the Director Development and Environment (D Quigley), the Manager Growth and Planning and the Director Liveability (I McAlister).

Councillor D Gumley assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 5:45pm.

CEC20/27 REPORT OF THE CULTURE, ECONOMY AND CORPORATE COMMITTEE - MEETING 9 JUNE 2020 (ID20/646)

The Committee had before it the report of the Culture, Economy and Corporate Committee meeting held 9 June 2020.

Moved by Councillor B Shields and seconded by Councillor G Mohr

MOTION

That the report of the Culture, Economy and Corporate Committee meeting held on 9 June 2020, be noted.

CARRIED

CEC20/28 DESTINATION DUBBO: INTERNATIONAL READY - QUARTERLY PROJECT UPDATE (ID20/709)

The Committee had before it the report dated 25 June 2020 from the Tourism Product Development Manager regarding Destination Dubbo: International Ready - Quarterly Project Update.

Moved by Councillor B Shields and seconded by Councillor J Diffey

MOTION

That the information contained within the report of the Tourism Product Development Manager dated 25 June 2020, be noted.

CARRIED

CEC20/29 SPARC DUBBO REGIONAL COUNCIL CULTURAL PLAN 2020-2025 (ID20/717)

The Committee had before it the report dated 26 June 2020 from the Cultural Development Coordinator regarding SPARC Dubbo Regional Council Cultural Plan 2020-2025.

Moved by Councillor J Diffey and seconded by Councillor S Lawrence

MOTION

- 1. That information contained within the report of the Cultural Development Coordinator dated 26 June 2020, be noted.**
- 2. That the draft Regional Cultural Plan (SPARC), be adopted.**

CARRIED

CEC20/30 DRTCC - COVID-19 RECOVERY OFFER (ID20/743)

The Committee had before it the report dated 2 July 2020 from the Manager Regional Events regarding DRTCC - COVID-19 Recovery Offer.

Moved by Councillor B Shields and seconded by Councillor G Mohr

MOTION

- 1. That the information contained within the report of the Manager Regional Events dated 2 July 2020, be noted.**
- 2. That the COVID-19 Recovery Offer be offered to users from 14 July to 31 December 2020.**
- 3. That the COVID-19 Recovery Offer consist of a 60% discount for Theatre Venue Hire (Monday to Sunday) for professional/commercial, performing arts businesses in the Local Government Area, community/Not-for-Profit and schools/registered charity, noting that this does not include public holidays and all other fees and charges remain the same.**
- 4. That the COVID-19 Recovery Offer consists of a 60% discount for Macquarie Auditorium and Oxley Room per day hire, (Monday to Sunday) for professional/commercial, performing arts businesses in the Local Government Area, community/Not-for-Profit and schools/registered charity, noting that this does not include public holidays and all other fees and charges remain the same.**
- 5. That Council cease the COVID-19 Recovery Offer should full capacity of Dubbo Regional Theatre and Convention Centre be allowed within four weeks of an event or show.**
- 6. That the Manager Regional Events provide a further report to Council for consideration in December 2020 if the offer is to be extended.**

CARRIED

CEC20/31 INVESTMENTS UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - JUNE 2020 (ID20/661)

The Committee had before it the report dated 1 July 2020 from the Director Organisational Performance regarding Investments Under Section 625 of the Local Government Act - June 2020.

Moved by Councillor G Mohr and seconded by Councillor J Diffey

MOTION

That the information contained within the report of the Director Organisational Performance dated 1 June 2020, be noted.

CARRIED

Councillor K Parker declared a pecuniary, significant interest in the matter now before the Committee and left the room and was out of sight during the Committee's consideration of this matter. The reason for such interest is that Councillor K Parker is an employee of the Bank of Queensland and Council has funds invested within the Institution.

CEC20/32 LEAVE OF ABSENCE

A request for leave of absence was received from Councillor A Jones who was absent from the meeting due to personal reasons.

Moved by Councillor V Etheridge and seconded by Councillor D Grant

MOTION

That such request for leave of absence be accepted and Councillor A Jones be granted leave of absence from this meeting.

CARRIED

The meeting closed at 5:48pm.

.....
CHAIRMAN



REPORT: Water Restriction Level

AUTHOR: Chief Executive Officer
REPORT DATE: 15 July 2020
TRIM REFERENCE: ID20/826

EXECUTIVE SUMMARY

Dubbo Regional Council, in response to the worst drought on record, implemented water restrictions on 1 June 2019. As drought conditions worsened, Council then implemented Level 3 water restrictions on 1 October 2019, followed by Level 4 on 1 November 2019.

Due to recent rainfall, this position has been reviewed and this report recommends that Council reduce water restrictions to Level 1, with restrictions to be reviewed again in October 2020.

FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

POLICY IMPLICATIONS

There are no policy implications arising from this report.

RECOMMENDATION

1. That the information contained within the report of the Chief Executive Officer dated 15 July 2020, be noted.
2. That Council reduce the water restrictions for the Dubbo Regional Local Government Area to Level 1, with restrictions to be reviewed in October 2020.
3. That an appropriate education and communication strategy be developed with regard to the change to Level 1 restrictions.

Michael McMahon
Chief Executive Officer

BACKGROUND

Dubbo Regional Council, in response to the worst drought on record, implemented water restrictions on 1 June 2019. As drought conditions worsened, Council then implemented Level 3 water restrictions on 1 October 2019, followed by Level 4 on 1 November 2019.

REPORT

During the time Dubbo Regional Council's water restrictions have been in place, Burrendong Dam continued to experience record low inflows with dam storage levels falling from 5.5% to 1.49% in February 2020.

Water NSW Macquarie-Cudgegong Valley Operations update from June 2020 has advised that the drought criticality for the valley has eased from Stage 4 (critical) to a Stage 3 (severe). This would therefore be in line with current water restriction trigger levels being reduced to Level 1. Council maintains a measured and cautious approach to its current water and drought management circumstances, noting conditions have certainly improved.

Since February's low, the Dam has experienced inflows as a result of recent rainfall over the past five months, and is currently sitting at 24.45% and continuing to slowly rise.

The Department of Planning, Industry Environment (DPIE) Water Allocation Statement for opening water allocations for 2020/2021 dated 1 July 2020 has provided a 100% allocation to town water supplies.

The NSW Government's May 2020 assessment on cease-to-flow date for Burrendong Dam, based on zero inflows, has been moved to October 2021 by Water NSW. Central to future drought mitigation for the Region, Council continues to develop capital projects, policies and best-practice to ensure there is no 'day zero' for the Dubbo Region.

Importantly, the Dubbo, Wellington and Geurie communities have responded to the call to conserve water and the need to continue urging the community to do so remains beyond the current drought.

It should be noted that the average current residential consumption is 160 l/p/d, which is well below the expected target for Level 1 restrictions of 380 l/p/d.

While we are reducing our level of restrictions to Level 1 it is important to remain aware of our obligations to be water wise and vigilant to changing conditions and to review this position again in October 2020.

SUMMARY

This report recommends that the community be placed on Level 1 restrictions, with this position be reviewed in October 2020, and that an appropriate education and communication strategy be developed with regard communicating the change to Level 1 restrictions to the community.



DUBBO REGIONAL
COUNCIL

REPORT: Draft Wellington Town Centre Plan

AUTHOR: Senior Growth Planner
REPORT DATE: 14 July 2020
TRIM REFERENCE: ID20/554

EXECUTIVE SUMMARY

Council, at its meeting held on 10 December 2018, considered a Notice of Motion from Councillor Greg Mohr regarding the preparation of a Masterplan for Wellington and resolved as follows:

“That the Chief Executive Officer be requested to develop a Masterplan for Wellington, following appropriate community consultation, incorporating town entrances, main routes through the town, shopfronts and streetscape of the Central Business District.”

Council has prepared the draft Wellington Town Centre Plan with key aims of addressing the growing number of vacancies and low levels of activation within the Town Centre. The draft Plan involved a three (3) stage community consultation program and inputs from specialists in the fields of community engagement, retail economics, traffic engineering, landscape architecture and heritage.

It is proposed that the draft Plan be placed on exhibition for a period of two (2) months and that interested community groups and stakeholders be identified and invited to make a submission in respect of the draft Wellington Town Centre Plan.

FINANCIAL IMPLICATIONS

There are several action items within the Plan that will require funding to be identified and planned for throughout Council’s future budget cycles. Or, alternatively, Council may pursue delivery of these actions through grant funding opportunities as they arise.

POLICY IMPLICATIONS

There are no policy implications arising from this report.

RECOMMENDATION

- 1. That Council place the draft Wellington Town Centre Plan (attached as Appendix 1 to the report of the Senior Growth Planner dated 14 July 2020) on public exhibition for a period of two (2) months.**
- 2. That public display of the draft Wellington Town Centre Plan is undertaken in accordance with the provisions of Council's Community Engagement Strategy, including placing the Wellington Town Centre Plan on public display in the Dubbo and Wellington Visitor Information Centres, Civic Administration Buildings and Macquarie Regional Library.**
- 3. That interested community stakeholder groups be identified and invited to make a submission in respect of the draft Plan.**
- 4. That Council investigate engaging an external consultant to assist in the community and stakeholder consultation activities for the draft Wellington Town Centre Plan.**
- 5. That following completion of the public exhibition period, a further report be provided to Council for consideration, including the results of public exhibition.**

Carmel O'Connor
Senior Growth Planner

BACKGROUND

The draft Wellington Town Centre Plan has been prepared in response to Council's resolution of 10 December 2018, as follows:

"That the Chief Executive Officer be requested to develop a Masterplan for Wellington, following appropriate community consultation, incorporating town entrances, main routes through the town, shopfronts and streetscape of the Central Business District."

Preparation of a draft Wellington Town Centre Plan is also a key action of Council's Community Strategic Plan 2040. The overall aim of the Plan is to address the demise of the Wellington Town Centre and to provide a framework to encourage investment and that supports the revitalisation of the centre in the short and long term.

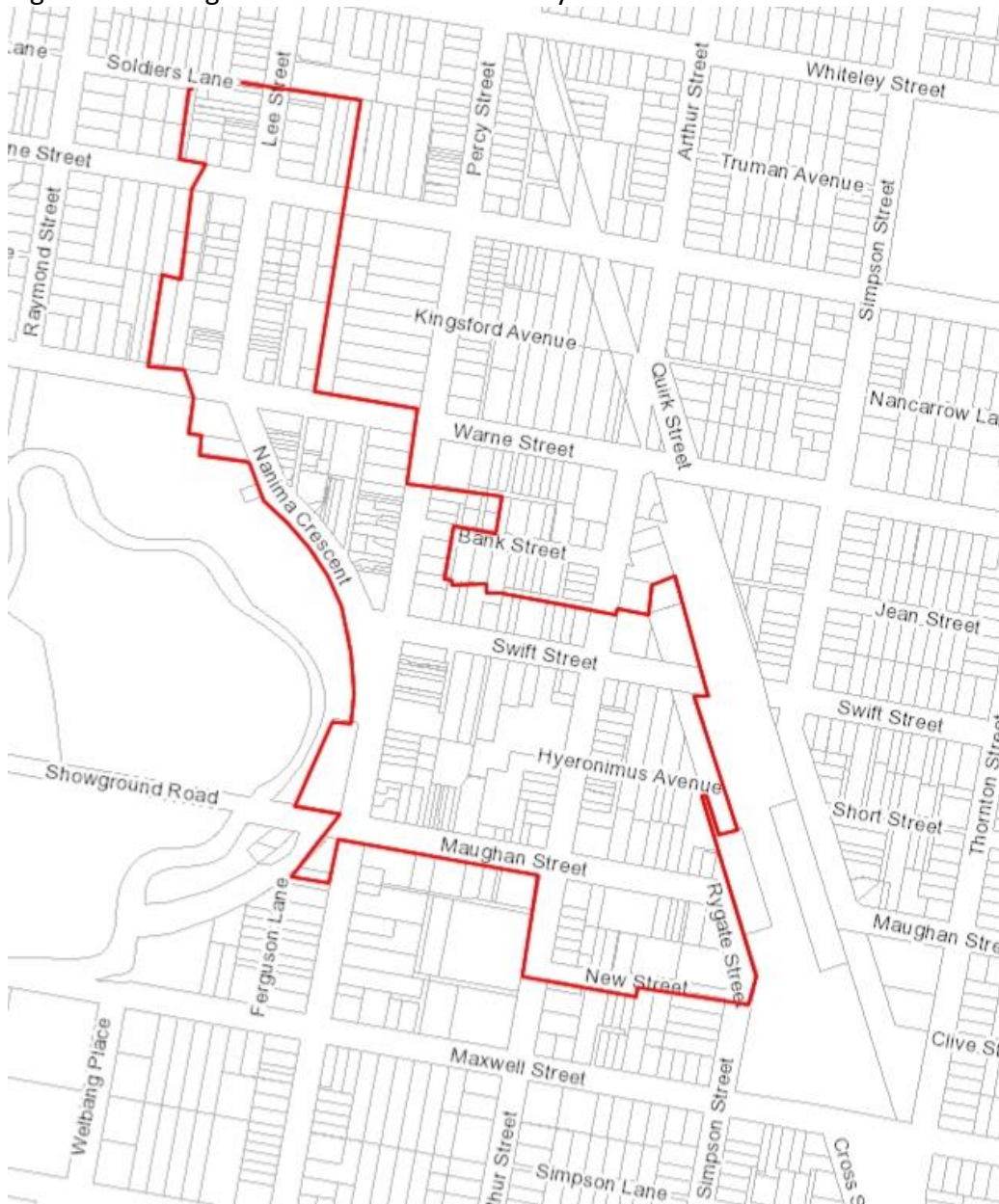
Over recent years, the Wellington Town Centre has experienced a significant decline in retail activity, which is currently reflected in a 27 per cent vacancy rate of shop fronts at ground floor level. This vacancy rate in turn contributes to a lack of activity in the centre and has flow on effects for the entire centre.

A Plan is required to identify the current opportunities in the Wellington Town Centre, the issues generating vacancies and preventing activation and the actions that could be adopted to counteract the situation.

REPORT

The draft Plan has been prepared using specialist input and is informed by community consultation processes already undertaken by Council, including face to face interviews (prior to the adoption of COVID-19 restrictions), selected group discussions, online feedback and written invitations to retailers.

Figure 1: Wellington Town Centre Plan Study Area



Source: Moir Landscape Architecture, 2020

The Study area for the Plan, shown in Figure 1 above, focuses on that part of the Centre zoned B2 Local Centre in the Wellington Local Environmental Plan 2012. The Plan identifies constraints and opportunities that can be used to activate the CBD and the actions that could be used to re-activate the centre.

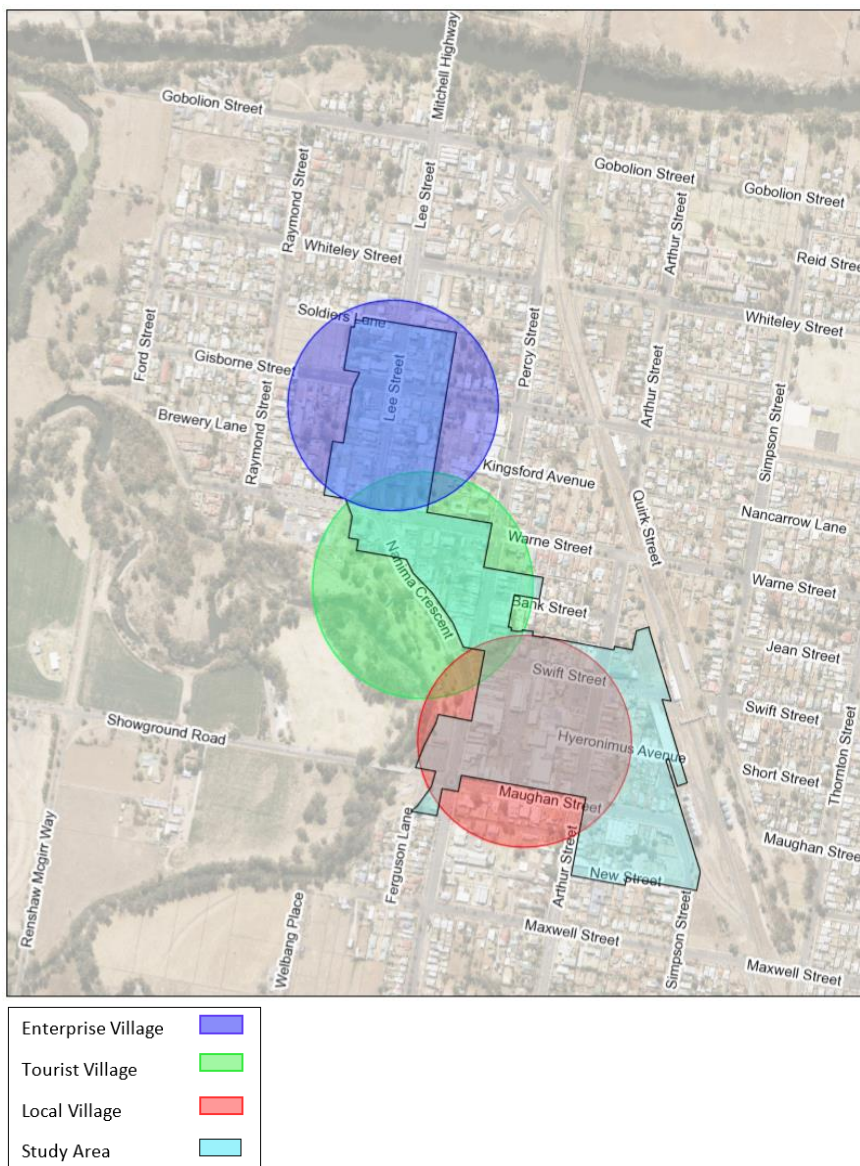
Given the size of the town centre and its linear nature, it has been considered in the context of three (3) general precincts as detailed below and as shown in Figure 2.

Precinct 1 – Local Village is at the southern-most extent of the town centre and broadly encompasses that area from New Street north to Swift Street and provides for the day to day needs of the centre including supermarkets, newsagency and bakery.

Precinct 2 – Tourism Village is the central portion of the Centre and includes Swift Street, Cameron Park, Nanima Crescent to Warne Street and generally provides the tourist focus for the centre including Cameron Park and the public art of Fong Lees Lane.

Precinct 3 – Enterprise Village includes that area generally from Warne Street north to Soldiers Lane and includes larger land uses that capitalise on the Highway frontage.

Figure 2: Three Villages Three Themes



Source: Dubbo Regional Council, 2020

A range of actions aimed at activating and re-vitalising each village as well as the entire centre are included in the draft Plan. These actions are varied in nature and generally include the following:

- Traffic calming measures and intersection treatments.
- Investigation of planning controls and land uses.
- Public domain and street beautification works.
- Tourism activities and opportunities.
- Town Entrance Statements including signage.
- The relationship with Cameron Park, Pioneer Park and the Town Centre.
- Heritage and the importance of heritage conservation to the future of the Town Centre.

A priority level of short, medium and long-term has been allocated to each action depending generally on resourcing and potential timeframes involved.

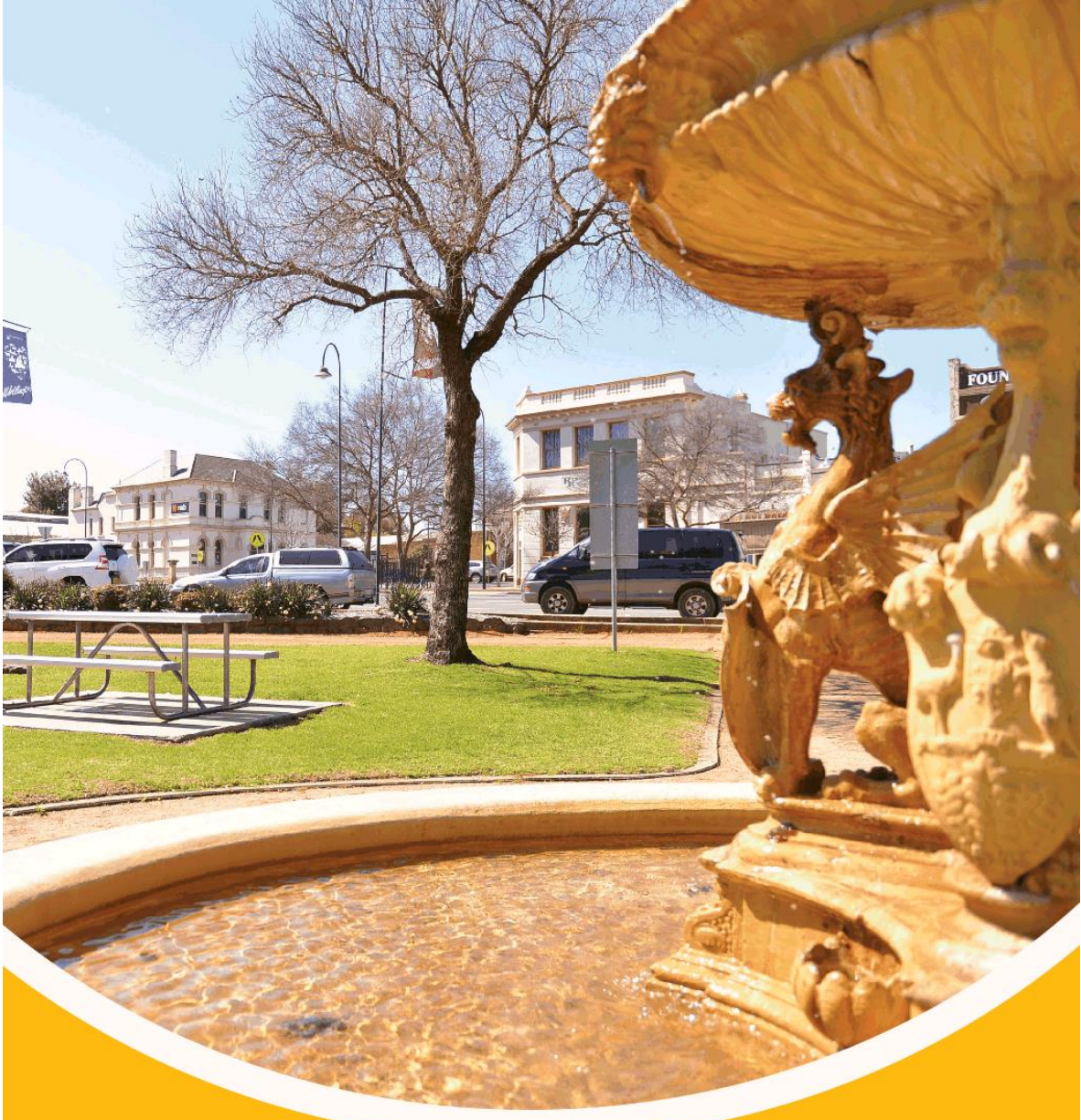
SUMMARY

Council has prepared the draft Wellington Town Centre Plan with key aims of addressing the growing number of vacancies and low levels of activation within the Centre. The draft Plan involved a three (3) stage community consultation program and inputs from specialists in the fields of community engagement, retail economics, traffic engineering, landscape architecture and heritage.

It is proposed that the draft Plan be placed on exhibition for an extended period of time and relevant community groups also be invited to comment.

Appendices:

- 1 [↓](#) Draft Wellington Town Centre Plan

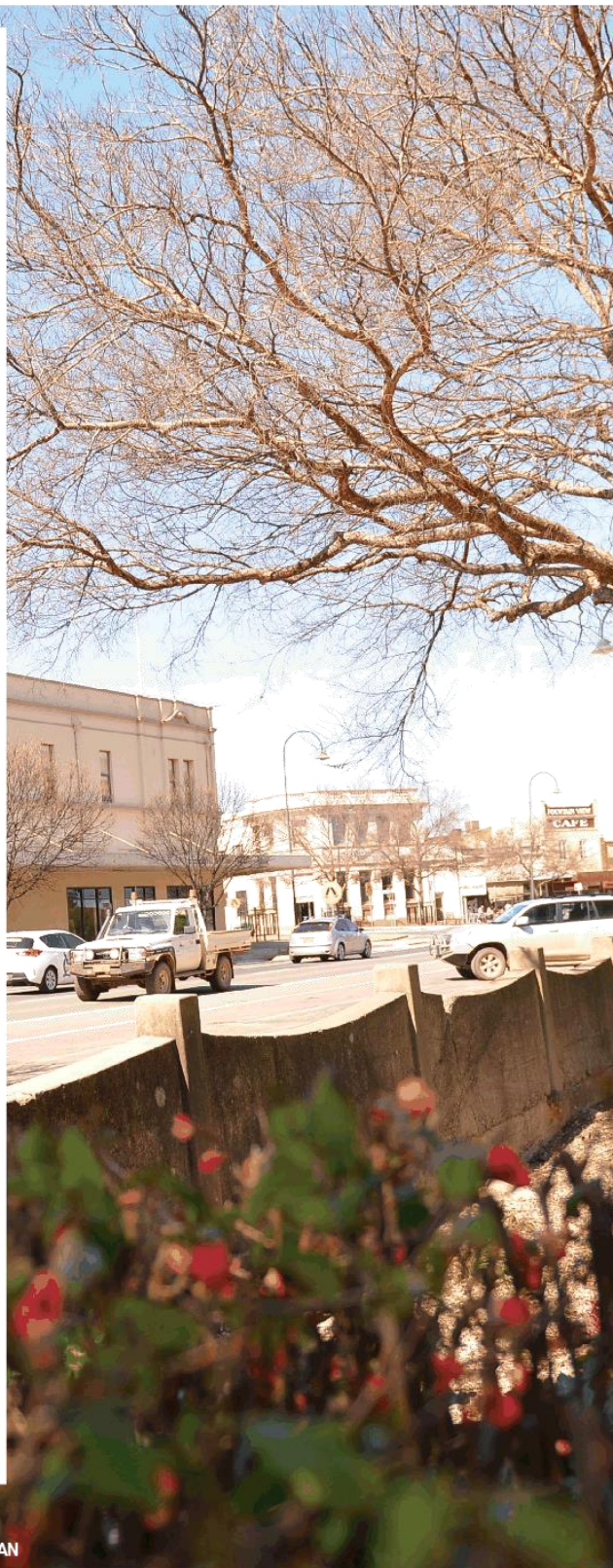


DRAFT
WELLINGTON
TOWN CENTRE PLAN



Contents

1.0 Introduction	3
1.1 Wellington Town Centre	4
1.2 Three villages - Three Themes	5
2.0 Project Background	12
2.1 History	12
2.2 Objectives	12
2.3 Purpose	12
2.4 Methodology	12
2.5 Background Documents	12
2.0 Project Background	14
2.6 Community Engagement	14
2.7 Key Findings	15
3.0 Background	18
3.1 Regional Context	18
3.2 Community Profile	19
3.3 Heritage	19
4.0 Policy Context	22
4.1 Local Planning Framework	22
5.0 Technical Analysis and Summary	23
5.1 Size of the Town Centre	23
5.2 Walkability	24
5.3 Concentration of Anchor Land uses and Orientation	24
5.4 Economic Viability	25
5.5 Land uses and Zoning	27
5.6 Landownership	29
5.7 Connectivity and Access	29
5.8 Traffic, Access and Parking	29
5.9 Streetscape and Public Domain	29
5.10 Contamination	29
6.0 Key Strengths and Opportunities	30
6.1 Town Entry Statements	30
6.2 CBD Entry Features	31
6.3 Cameron Park/Pioneer Park Insert Map of Current and Proposed	33
6.4 Traffic and Access	35
6.5 Heritage	37
6.6 Planning Framework	39
6.7 Tourism and Special Events	39
6.8 Public Art	40
6.9 Public Domain	41
6.10 Council Led Activation	42
7.0 Implementation	46
7.1 Centre Wide Actions	46
7.2 Local Village Actions	48
7.3 Tourism Village Actions	48
7.4 Enterprise Corridor Village Actions	49
8.0 Appendix One	52
Proposed Wellington Centre Revitalisation concept plans	



1.0 Introduction

The Wellington Town Centre is the heart of the local community. It is a shared place that provides for the day to day needs of the community including a place to gather and socialise. Ensuring the town is a successful centre will provide benefits for the local community as well as local business and the region. Benefits of a revitalised Town Centre are linked to a stronger

tourism presence, reduced leakage from the local economy, employment opportunities, civic pride and community life.

The Wellington Town Centre Plan provides a strategic framework to re-vitalise the Town Centre and establish a vision for its future. The key aim of the Plan is to create a safe, attractive and vibrant Town Centre for the future.

Town Centre approach from the north



Source: DRC 2020

View from Maughan Street/Mitchell Highway east toward silos



Source: DRC 2020

1.1 Wellington Town Centre

Wellington is located in the NSW Wellington Valley at the junction of the Macquarie and Bell Rivers and the foot of Mount Arthur. Wellington is the second-oldest town west of the Blue Mountains in NSW.

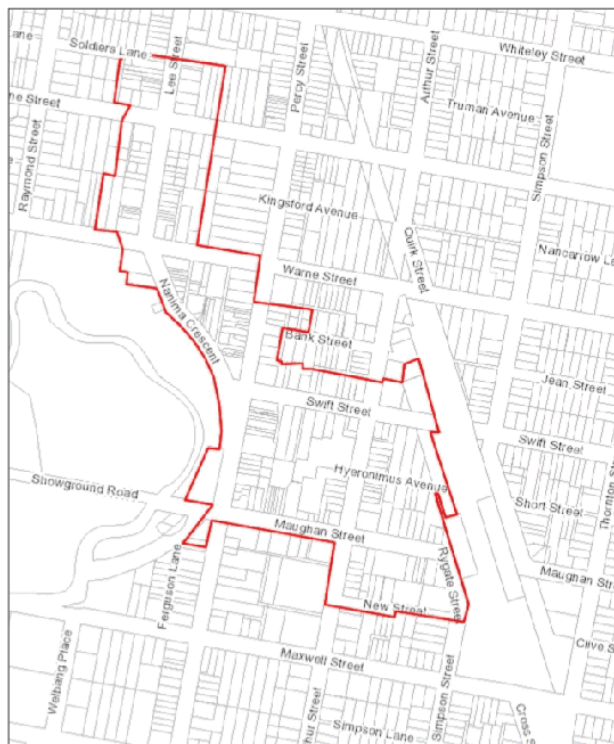
The Town Centre is characterised by wide main streets laid out in a grid pattern roughly bound in the east by the railway line and the Macquarie River in the west. The Town Centre contains a range of shops from small retail services to large full size modern supermarkets. One of the town's main attractions is the award winning Cameron Park that has been recognised as one of the most attractive public gardens in rural New South Wales.

The Study Area focuses on the retail, commercial, civic and residential land uses zoned B2 Local Centre

in the Wellington Local Environmental Plan 2012 and also a portion of Cameron Park. The study area as shown below stretches from New Street in the south of the centre to Soldiers Lane in the north. The eastern and western boundaries of the centre are generally defined by the Macquarie River and the railway line respectively.

The Centre primarily services local residents as well as visitors and workers using the centre. The Mitchell Highway, also known as Nanima Crescent adjacent Cameron Park forms the main spine of the centre. Warne Street, Swift Street and Maughan Street run east west connecting the Highway with retailers in the centre's east. Fong Lees Lane, the subject of several public art works and Union Bank Lane provide fine grain connections to Nanima Crescent.

Figure 1: Wellington Town Centre Study Area

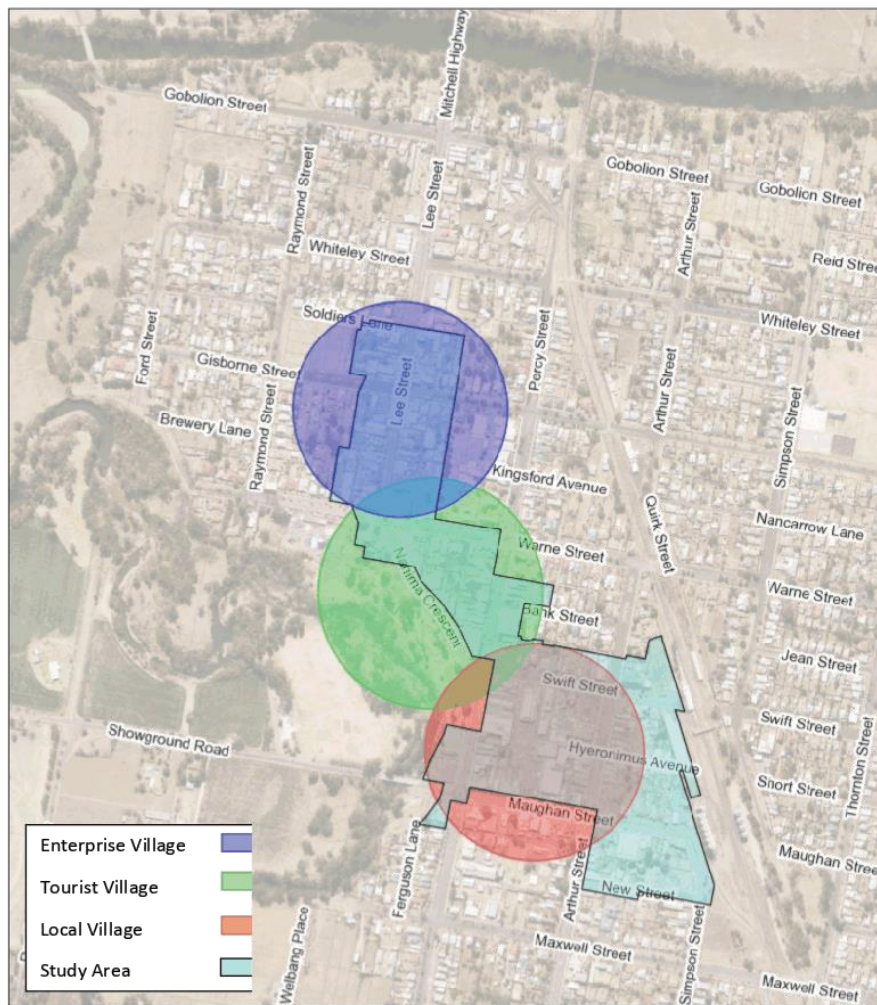


Source: DRC 2020

1.2 Three villages - Three Themes

The long linear nature of the centre means that whilst it has been analysed in its entirety, for the purposes of formulating revitalisation actions and strategies it has also considered in the context of three general villages or precincts.

Figure 2: Three villages of the Wellington Town Centre



Source: DRC 2020

Village 1 – Local Village

The Local Village is the southern extent of the Centre and generally covers that area from Maughan Street in the south to Swift Street in the north and encompasses a portion of Arthur Street.

The Local Village provides the southern entrance to the CBD and is characterised by local retail services that generally attract high levels of day-time pedestrian traffic. Coles and Woolworths Supermarkets act as anchors and a newsagency and bakery compliment the day to day local service offering.

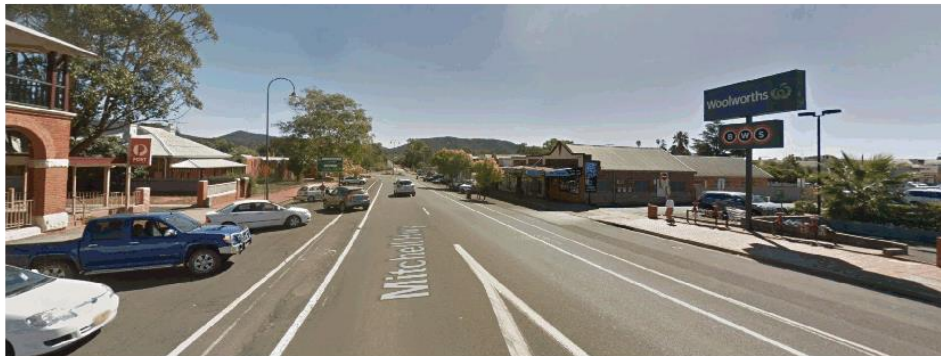
The Wellington Library, Post Office, Court House and the disused Wellington Gaol and Police Station are also located within this precinct, whilst Wellington Railway Station lies at its eastern periphery. Generally the built form in this precinct is characterised by a range of contributory buildings built to the front boundary line with some larger infill developments setback from the street.

Figure 3: Village 1 Local Village



Source: DRC 2020

Mitchell Highway (Maughan Street) supermarket exit



Wellington Court House



Percy Street, adjacent Cameron Park



Village 2 – Tourist Village

The Tourist Village can generally be described as the central area from Swift Street in the north to Warne Street in the south and encompassing part of Nanima Crescent, Fong Lees Lane, Union Bank Lane

and Percy Street, Cameron Park and the Wirradjuri Cultural Experience Centre being constructed at the time of preparing this report.

Figure 4: Tourist Village



Source: DRC 2020

Cameron Park is the centre and main attraction of the Tourist Village, adjoining western side of Nanima Crescent (the town's main street), Cameron Park includes a sunken garden, superb rose beds, a lily pond and a suspension bridge over the Bell River.

The tourist village provides opportunities for

activation and revitalisation through enhanced tourism opportunities including the planned Wiradjuri Experience Centre, Cameron Park upgrades and access improvement, the promotion of heritage values around Fong Lees Lane and walking and bicycle linkages across the Macquarie River.

Mitchell Highway adjacent Cameron Park

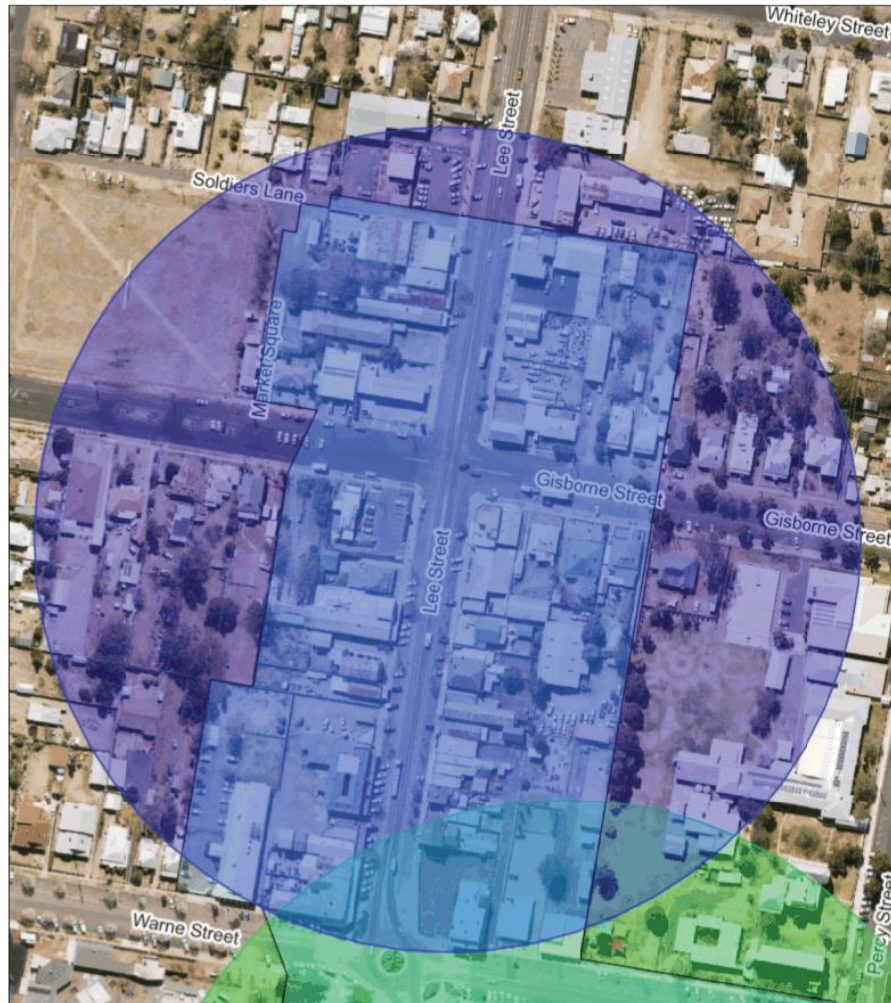


Village 3 – Enterprise Corridor Village

The Enterprise Corridor Village is at the northern extent of the centre and is identified generally as that area around Lee Street from Warne Street in the south, north to Soldiers Lane and includes the northern entry to the centre. Land uses in this area

tend to be situated on larger lots, taking advantage of prominent positions fronting the Mitchell Highway with a range of setbacks. Land uses include car dealerships, fast food outlets, restaurants, service stations and car servicing outlets.

Figure 5: Enterprise Corridor Village



Source: DRC 2020

Lee Street in the Enterprise Village



2.0 Project Background

2.1 History

The Wellington Town Centre Plan has been prepared in response to the Council resolution of 10 December 2018 and is also a key action of Council's Community Strategic Plan 2040. The overall aim of the Plan is to address the demise of the Wellington Town Centre and to provide a framework to support the revitalisation of the centre.

2.2 Objectives

The objectives of the Wellington Town Centre Plan are as follows:

- Define the boundaries of the Wellington Town Centre
- Identify the entries to the Wellington Town Centre
- Make the Town Centre a pedestrian friendly environment through improved amenity and streetscape
- Preserve the local scale and feel of the Centre
- Create comfortable, safe places for people to enjoy
- Increase tourism to the Centre
- Incorporate Cameron Park into the Town Centre
- Embrace and support Wellington's varied heritage
- Generate potential clustering of uses so as improve foot traffic
- Look for 'quick wins' to activate centre while longer term initiatives are developing

2.3 Purpose

The purpose of the Wellington Town Centre Plan is to identify the key challenges for the centre and to provide a strategic framework for its revitalisation including key actions and responsibilities.

2.4 Methodology

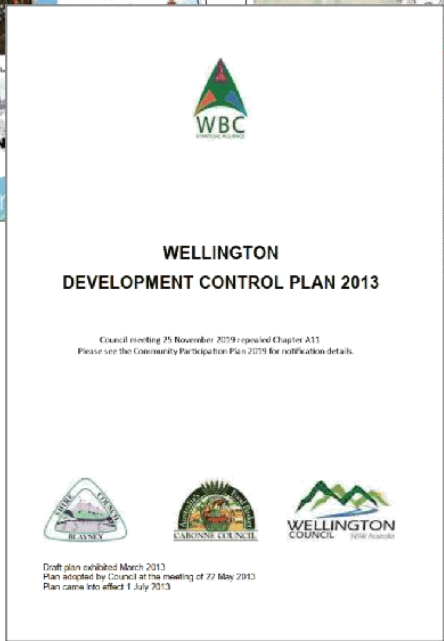
The preparation of the Wellington Town Centre Plan involved four stages:

- Stocktake of existing strategic documents regarding solutions to the issues facing the Wellington Town Centre
- Community consultation to understand the current perceptions, issues and desires of centre users
- A technical review of the issues and constraints impacting the Town Centre by staff and specialist consultants
- Formulation of a suite of actions for specific centre precincts and throughout the centre

2.5 Background Documents

A stocktake of current reports and studies was undertaken and used to inform the draft Plan where possible. Previous studies and reports include:

- Dubbo Regional Council Community Strategic Plan 2040
- Wellington 2025 Community Strategic Plan
- Wellington Development Control Plan 2013
- Wellington Rural Residential Development Strategy
- Wellington Main Street Beautification Plan Staging Review for Wellington Council, Moir Landscape Architecture 2015
- Swift Street Renewal Streetscape Analysis Package for Dubbo Regional Council, Moir Landscape Architecture 2018
- Wellington Heritage Inventory, NSW Department of Premier and Cabinet, 2001



2.0 Project Background

2.6 Community Engagement

To provide all stakeholders with an opportunity to actively participate throughout the planning process, Council prepared an engagement strategy designed to maximise input from the community and to integrate the unique perspectives of Town Centre retailers and customers.

The engagement activities were conducted in four phases: an invitation for online submissions, a community listening phase, a targeted focus group and letters to individual retailers.

To introduce the project and to ensure maximum awareness about the consultation process, a media release and advertisements were placed in the local paper. The advertisements were also published on Council's facebook page.

On-line feedback

- An online form for stakeholders to provide their stories about Wellington was placed on the council facebook page, questions related to how stakeholders use the centre and the issues they see and what the Wellington Town Centre means to them.

A community listening phase

- Undertaken by engagement specialist, Concepts of Change over seven days, this stage involved one on one discussions with 44 stakeholders aimed at providing an understanding of how stakeholders use the centre, their perception of the of it and how change could be initiated.

Questions included

- What's it like to live here?
- What's it like to work here?
- What's it been like to stop here (for people passing through)

Targeted Focus Group

- Specialist consultants, Concepts of Change also held discussions with eight selected stakeholders that represented a cross sections of the community using focussed questions aimed at providing an understanding of how stakeholders use the centre and the long and short term issues they see facing the centre.

Targeted Retail Feedback

- Council wrote to known retailers in Wellington asking them to provide feedback regarding the current problems with the centre, missing services and future plans.

2.7 Key Findings

Online Forum

Online consultation resulted in seven submissions from local residents and revealed the following key general thoughts about the future of the Town Centre and how it could be improved:

- The Town Centre needs some beautifications as shop fronts are displayed poorly and there are several vacant shops
- More events which are family friendly similar to Dubbo's Dream Festival.
- More community engagements would help activate the centre.
- The Town Centre needs shops which are occupied and maintained, currently there are a lot of vacant damaged shop fronts.
- Council and shop owners should work together in addressing vacancies.
- Example of Narooma on the South Coast contacting home based businesses and helping them move into the main street.
- Council should provide incentives for businesses to locate in the main street and should prevent business from opening in side streets.
- Council should be sourcing and using local services and products.
- Increase the number of roundabouts to slow down traffic in the Main Street.
- Sick trees should be replaced with disease and heat resistant species.
- It would be good if the streetscape was more reminiscent of the colonial and indigenous past.
- The signage in the main street is ugly. Would like to have stricter regulations in place for appropriate signage.
- Would like to see more clothes shops and a Kmart in Wellington to encourage Dubbo residents to spend money.
- Restaurants such as Italian, fish and chips, pizza, coffee, Vietnamese and Thai and places that serve alcohol but don't have gambling facilities would increase activity.

Retail consultation

Six submission were received by a range of business operators, owners and a manager in the Wellington Town Centre area. Key findings included:

- Generally the retailers that responded had been in the centre from 2.5 to 25 years and all of them saw themselves operating in the centre in the long term
- Vacancies and broken shop fronts detract from the centre
- Subsidised leases could attract retailers to the centre
- A buy local campaign could help
- More parking for cars, caravans and motor homes
- Relocation of Visitor Information Centre to Library building due to more accessible parking for buses and caravans
- A more concentrated Town Centre could improve trade
- Food and drink premises, general retailing, electronic, clothing and discount stores could improve activity in the centre
- Wellington's existing heritage could be used to activate the town
- Grant funding to improve disability access to buildings for increased Council approval for new businesses
- Timed parking on the Eastern side of Nanima Crescent and Percy Street
- The old Caltex site should be purchased by Council and turned into a green space with seating areas
- Negotiate lower price of lease/rentals of commercial buildings

Community Listening Phase

This phase revealed the following general feelings and concerns regarding the centre and the town as a whole. Key themes included:

- a strong community spirit
- concerns regarding vacant shops and the loss of some retailers
- a strong appreciation of Wellington's varied heritage
- there is the potential to use art within the centre
- the need for revitalisation and beautification to showcase Wellington to tourists as well as local residents

Focus Group

The focus group involved the targeted responses of eight stakeholders regarding the boundaries of the Town Centre and suggestions for its future.

Short Term Recommendations

- Mass painting of dilapidated and tired looking shop fronts.
- Suggestions regarding the number of people who could help including Wellington arts, church groups and work for the dole.
- Repurposing of the Caltex site, community garden or passive green space.
- Look into new business opportunities in the Centre.

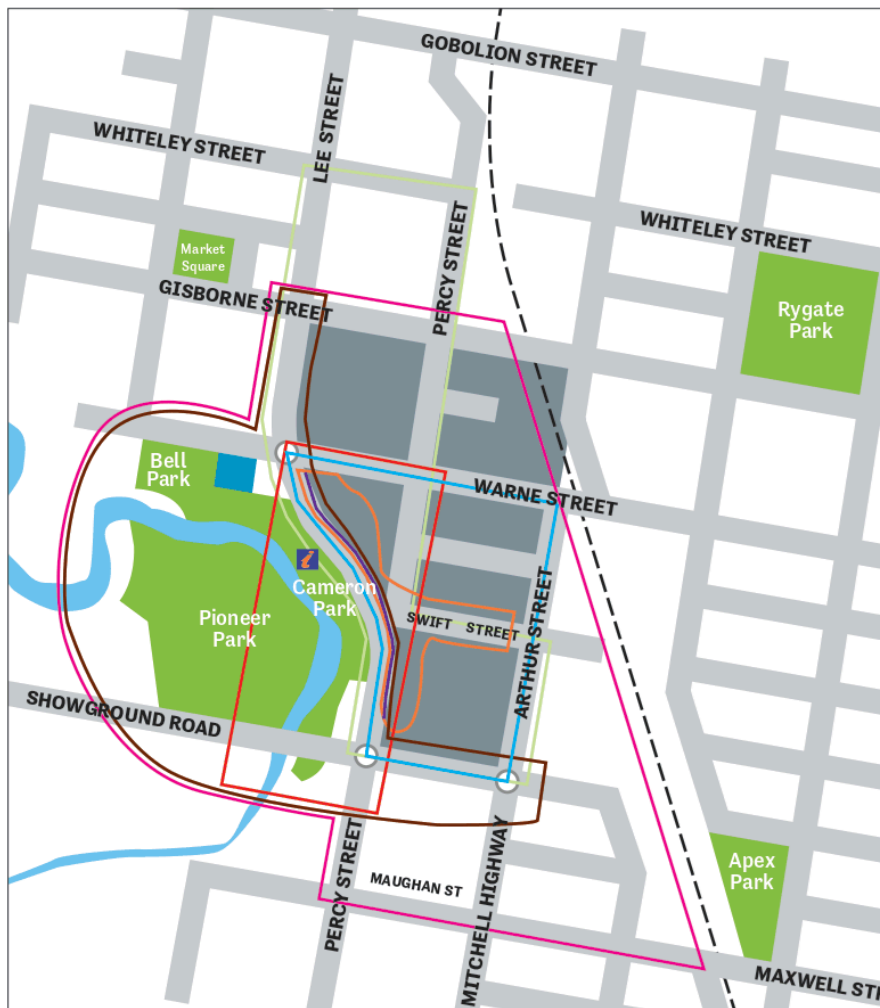
Medium Term Recommendations

- Drop in centre for young people in the Wellington Town Centre
- Co-working centre to encourage professionals to locate to Wellington
- Repairs cafes, fitted out with tools and materials to assist in repairing goods
- Enhancing the role of Cameron Park, the wall was raised as a perceived barrier to the parks use
- Encourage the town to be an artsy town

Long Term Recommendations

- Encouraging local community support by the employment of a community liaison officer

Figure 6: Different Town Centre boundaries identified by members of the community focus group



Source: DRC 2020

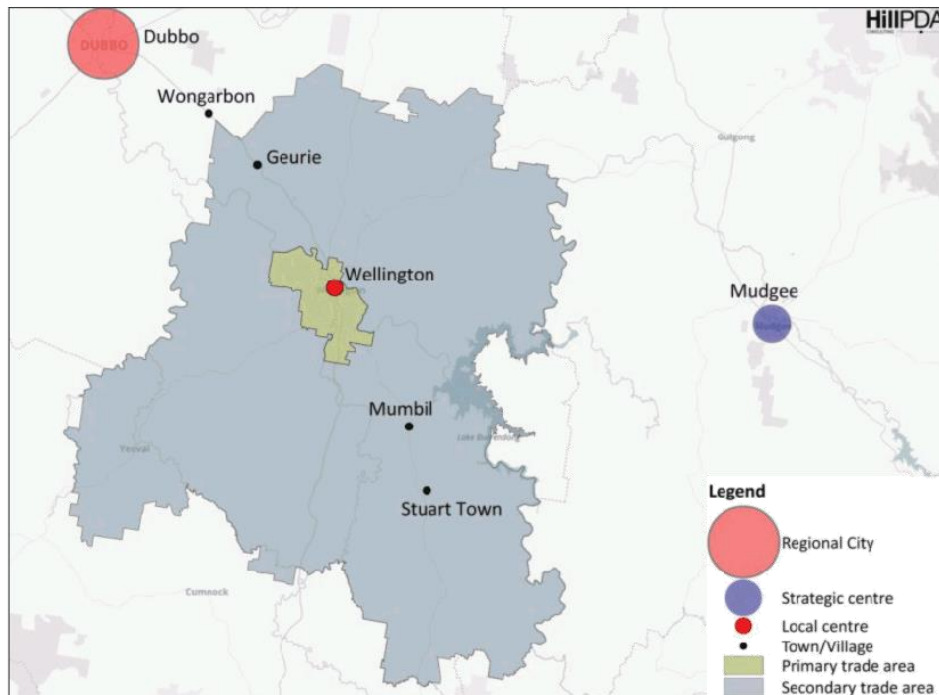
3.0 Background

3.1 Regional Context

The town of Wellington is located within a 45km drive of the Dubbo CBD, a 90km drive from Mudgee and 95km drive of Orange and is within the Dubbo Regional Local Government Area. In 2016, the former Wellington LGA had a population 8,655 people (Remplan, 2016).

A number of natural assets are also located within Wellington including the Wellington Caves, Mount Arthur and the Macquarie and Bell Rivers. Two correctional facilities are also located within the town. Wellington is also a focus for solar and wind energy development and its location in close proximity to the 332 kilovolt transmission line provides opportunities for network connection.

Figure 7: Regional Context



Source: HillPDA 2020

3.2 Community Profile

In 2016 there were 8,655 residents living in the former Wellington LGA (ABS 2016) with just under half of this number, 4,077, living in the town of Wellington. The number of residents in the former Wellington LGA is expected to reach 4,558 by 2041 (ABS 2016).

Of the Wellington SSC, 48.0% were male and 52.0% were female. Aboriginal and/or Torres Strait Islander people made up 27.8% of the population. The median age of people in Wellington (NSW) (State Suburbs) was 44 years. Children aged 0 - 14 years made up 19.2% of the population and people aged 65 years and over made up 24.1% of the population.

According to 2016 ABS journey to work data, Wellington generated around 1,255 jobs which is projected to increase to 1,385 jobs in 2041, representing an increase of 130 jobs over the period.

3.3 Heritage

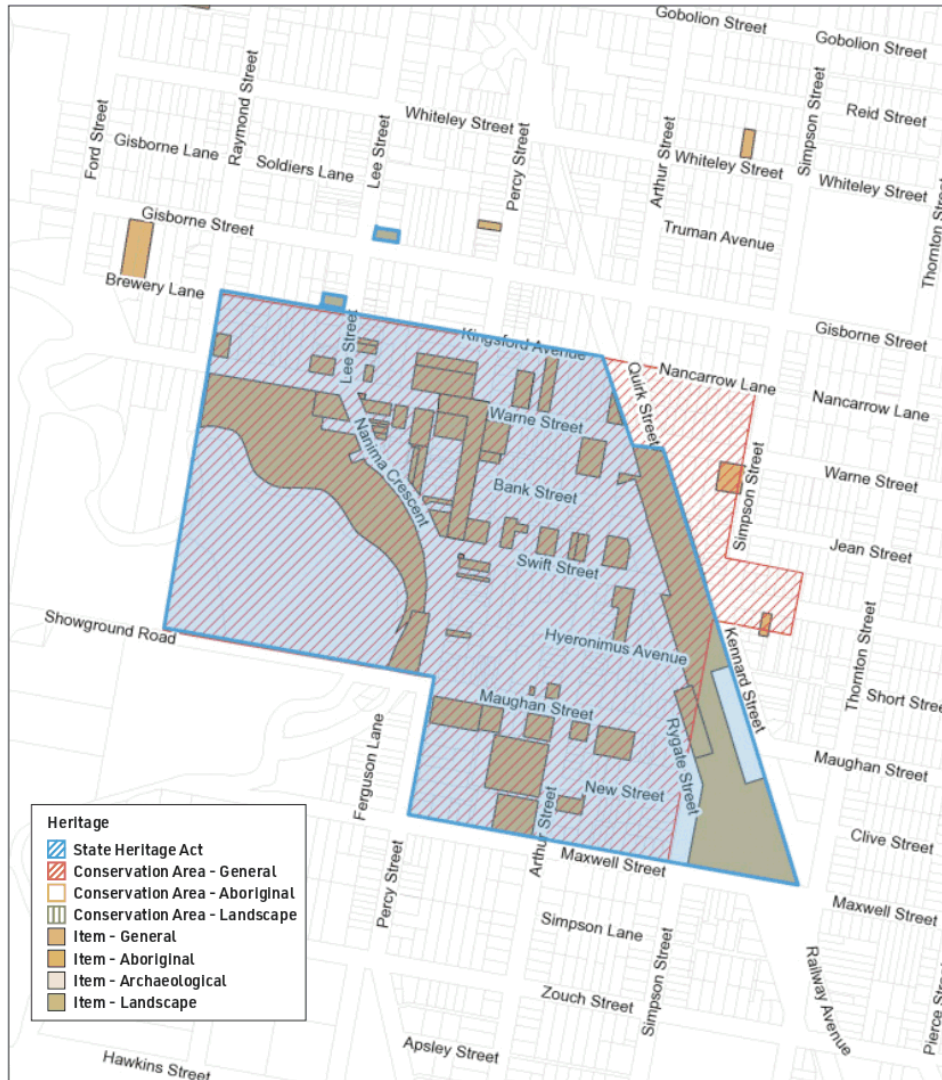
The Wellington area was originally occupied by the Wiradjuri people. Explorer John Oxley was the first European to find the area in 1817 and named it "Wellington Valley" after Arthur Wellesley, 1st Duke of Wellington. Wellington was originally established in February 1823 by Lieutenant Percy Simpson as a convict settlement.

The town of Wellington was not proclaimed until 1846, making it the second township to be established west of the Blue Mountains in NSW. This area is now the subject of a Heritage Conservation Area identified in the Wellington LEP 2012 and a large proportion is listed on the State Heritage Register as shown in Figure 8.

Wellington has a rich history associated with the gold rush of 1875 which led to the construction of many historic buildings present in the Town Centre today. The Wellington Town Centre Plan Heritage Study undertaken by specialised heritage consultant Graham Hall identified the following heritage attributes and characteristics within the town:

- A high proportion of older buildings, 70% of which are listed or graded as contributory
- Many buildings have lost awnings or first floor verandahs which extended over the street
- A higher than usual proportion of shops retain original shop fronts

Figure 8: Wellington Heritage Conservation Area



Source: HillPDA 2020

The Wellington Town Centre retains examples of its historic development across a broad range of themes, including Aboriginal heritage, European heritage, Chinese culture and other social heritage

such as maritime heritage, natural heritage and themes such as agriculture, transport, health government, law and order.

Figure 9: Fong Lee and Co Store, Wellington NSW



Source: Australian Broadcasting Corporation, 2020

4.0 Policy Context

4.1 Local Planning Framework Wellington LEP 2012

Wellington is located within the Dubbo Regional Council LGA and is subject to the provisions of the Wellington LEP 2012. In accordance with the Wellington LEP, the Wellington Town Centre is primarily zoned B2 Local Centre which permits a range of retail, commercial and residential developments and has the following zone objectives:

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.

The Wellington LEP 2012 identifies a large proportion of the Wellington Town Centre as a Heritage Conservation Area as well as the presence of several key heritage items.

Wellington Development Control Plan 2013

The Town Centre is also subject to the provisions of the Wellington Development Control Plan 2013. These provisions are generally flexible in relation to design, landscaping, waste management and car parking. Specific provisions exist for development of and within the vicinity of heritage items and within the Heritage Conservation Area.

5.0 Technical Analysis and Summary

The suggested actions for revitalisation of the Wellington Town Centre are based on community feedback, technical studies and an analysis of the physical constraints and issues that impact the Centre including analysis of walkability, economic viability, vacancy levels, land use, built form, way finding and access, heritage and traffic, planning controls and the public domain.

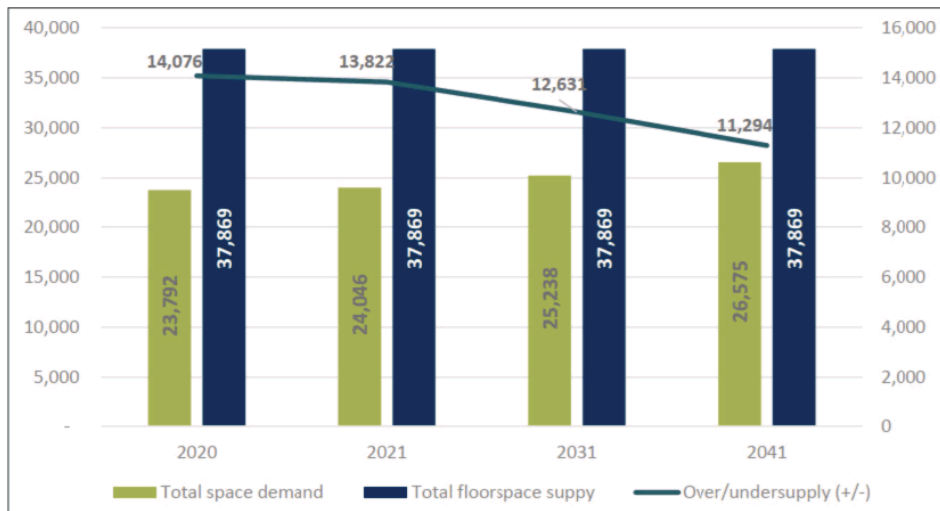
The following technical studies informed the analysis of the town centre:

- Wellington Town Centre Economic Analysis and floor space audit, HillPDA, 2020-03-22
- Wellington Town Centre Heritage Study, Graham Hall, 2020-03-22
- Wellington Town Centre Public Domain Strategy, Moir Landscape Architecture, 2020
- Traffic Issues Summary, Chris Stapleton, 2020

5.1 Size of the Town Centre

The spread out nature of the Town Centre, a lack of clear focus for business activity and limited or inconsistent amenity reduces pedestrian activity and works to limit the potential for an active main street. The highly dispersed nature of the retail offering (with the exception of Coles and Woolworths Supermarkets) also makes it difficult to define the actual Town Centre and overtime has prevented the potential clustering of complimentary services.

Figure 10: Size



Source: HillPDA 2020

5.2 Walkability

The Wellington Town Centre is around 1,100m in length (B2 Local Centre Zone), this length is around 40% over the 800m benchmark for walkability (HillPDA, 2020) which reduces the opportunity to capture the retail trade of customers walking from one end to another.

Council may investigate the potential retraction of the B2 Local Centre Zone with the aim of increasing walkability and permeability purchasing properties to capitalise on existing pedestrian activity.

5.3 Concentration of Anchor Land uses and Orientation

Coles and Woolworths Supermarkets are located in close proximity in the southern part of the centre. This concentration of uses draws trade from the northern part of the centre and reduces potential activation of the remainder of the centre.

The orientation of Coles Supermarket, facing the carpark rather than addressing Nanima Crescent creates a long blank façade fronting a highly visible main street, reducing activation in this part of the centre and opposite Cameron Park.

Council may investigate planning control incentives that could make other sites on the other side of town attractive for large anchor retailers and should investigate the potential purchase of key sites in prominent locations to activate the Town Centre or build on existing pedestrian activation.

5.4 Economic Viability

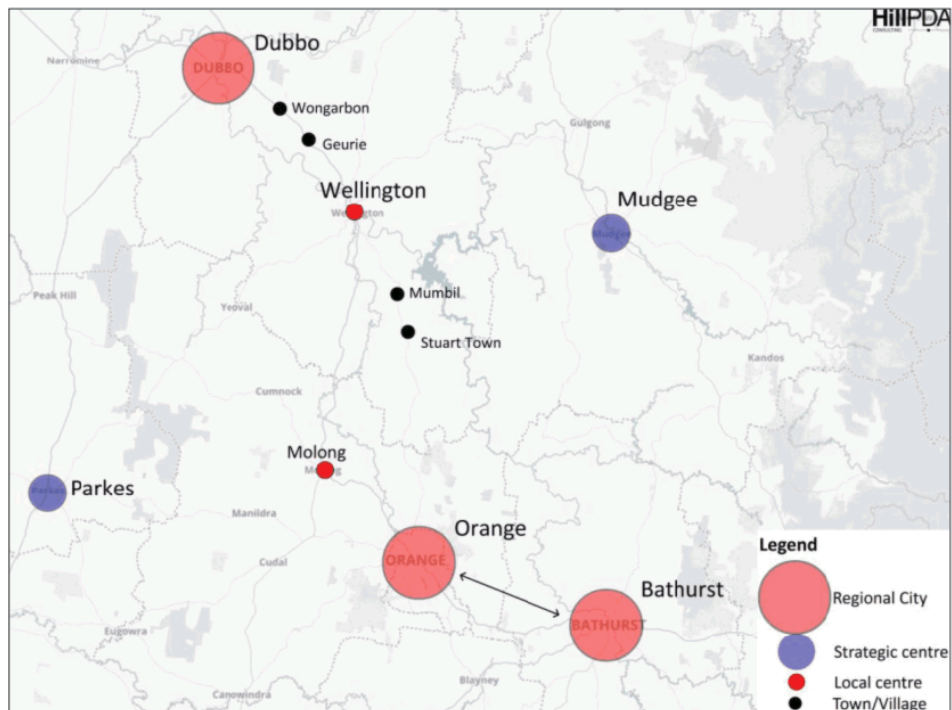
Proximity to Other Centres

Wellington's location relative to the regional cities of Dubbo and Orange and the strategic centre of Mudgee limits its potential retail catchment and increases competition resulting in leakage from the local economy and reducing the amount of commercial/retail space supportable.

Vacancies and Commercial and Retail Demand

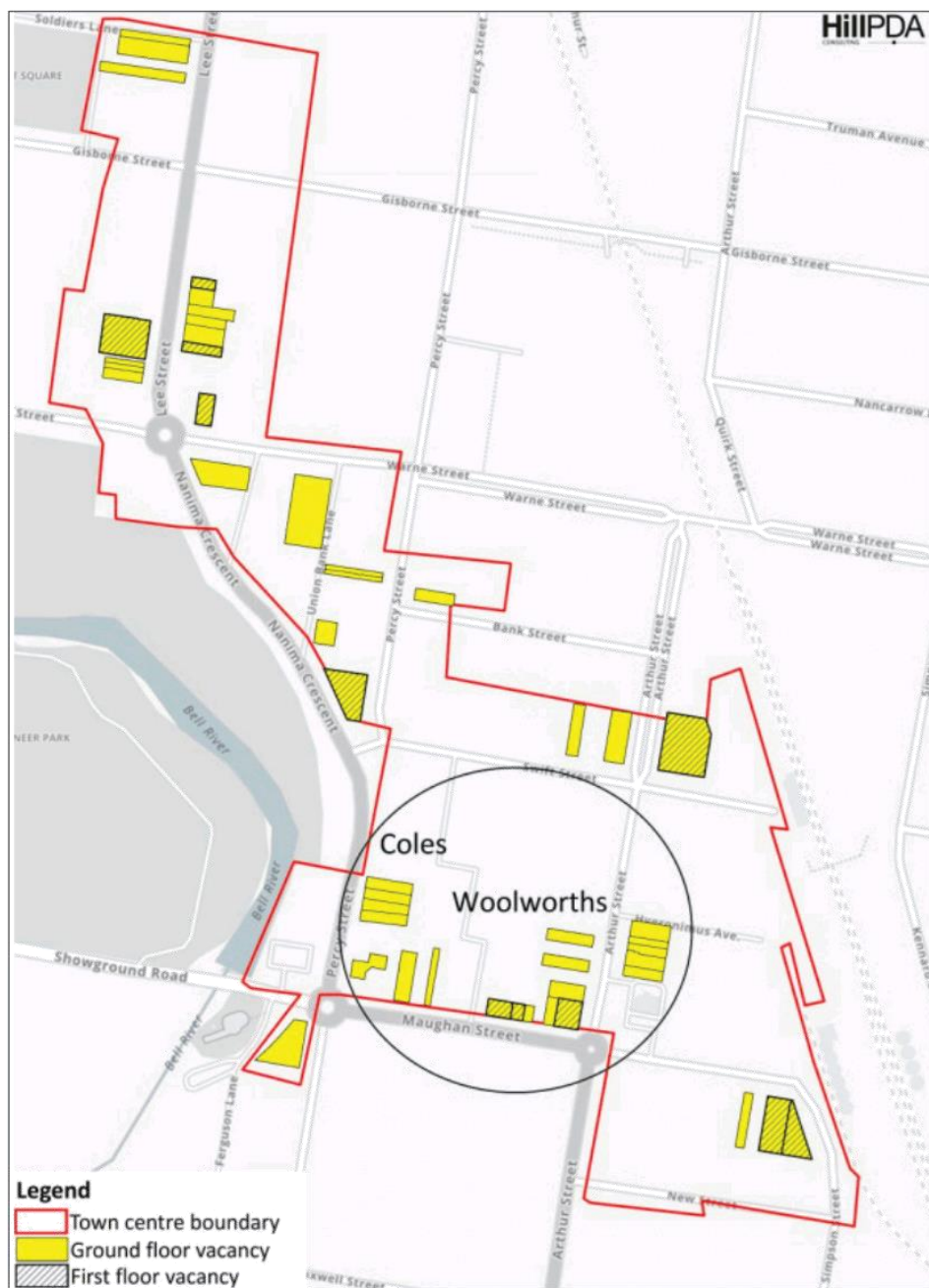
A landuse audit undertaken by HillPDA in January 2020 revealed that 27% of the premises within the Wellington Town Centre are vacant (including the adjoining B6 Local Enterprise Zone). It is thought that this is likely to be the direct result of an estimated oversupply of 14,075m² of commercial and retail floor space in the centre.

Figure 11: Surrounding Retail Environment



Source: HillPDA 2020

Figure 12: Vacancies in Wellington CBD



Source: HillPDA 2020

Unoccupied premises discourage pedestrian traffic and if vacant over the long term, can result in unmaintained premises and associated safety concerns as is evident several parts of the Centre. Of concern, one third of all vacancies in the centre are concentrated around the Coles and Woolworths Supermarkets where pedestrian traffic is concentrated.

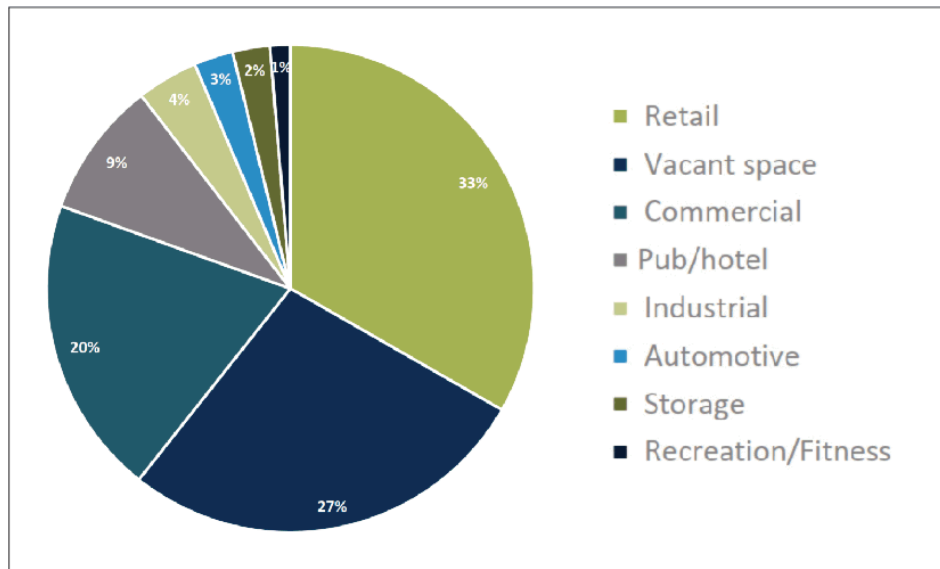
Unless the Town Centre can be revitalised and meet the expectations of the community, there is a risk of discretionary spending elsewhere, reducing the Town Centre to basic service provision, rather than allowing a vibrant mix of essential services, businesses and social recreation and community functions to develop.

5.5 Land uses and Zoning

A range of land uses are situated in the Wellington Town Centre, including residential, commercial, retail, community and education, Residential uses account for 20% of total floor space, followed by retail use at 20% and commercial use at 12% (HillPDA Landuse Audit, 2020). Of note only 6% of the centre uses were café or restaurants further reducing potential foot traffic.

The composition of floor space in the Wellington Town Centre is illustrated in Figure 13 below.

Figure 13: Floor Space Composition in Wellington:



Source: HillPDA 2020



28 DUBBO REGION WELLINGTON TOWN CENTRE PLAN

5.6 Landownership

- The centre's highly fragmented landownership pattern reduces the potential for large transformative redevelopments thereby representing a potential barrier to redevelopment.

5.7 Connectivity and Access

- The masonry wall around Cameron Park adjoining Nanima Crescent limits physical and visual access to the Park.
- The railway is a barrier to access from the residential development adjoining the eastern side of the centre.
- The railway bridge at Swift Street is in a poor state and is difficult to access discouraging connection of residential areas on the eastern side of the centre with commercial uses.

5.8 Traffic, Access and Parking

- The Mitchell Highway runs north-south through the eastern side of the town, limiting connection of the eastern side of the centre with Cameron Park and creates a major barrier to safe pedestrian access especially for children and the elderly and discourages outdoor dining and other footpath activities on Nanima Crescent.
- Redevelopment potential along the Mitchell Highway is also limited by its function as a major traffic route.
- Access to Coles and Woolworths Supermarkets is difficult to navigate as a result of poor signage and the orientation of Woolworths with the rear facing Nanima Crescent. There is no entrance to the supermarket carpark via Maughan Street.
- The carparks of Coles and Woolworths supermarkets are poorly maintained and do not offer shade.
- Caravan parking is limited and may prevent tourists from stopping.

5.9 Streetscape and Public Domain

- A large number of vacant sites in highly prominent locations create voids in the streetscape and exacerbate an existing low level of pedestrian activity and safety concerns.
- Existing tree cover is present throughout Wellington, however tree planting is inconsistent and poorly maintained.
- Lack of street furniture in key locations
- Unsealed street verges
- Poor road marking condition
- Limited tree cover for shelter
- Large expanses of hard surface contribute to an urban heat island effect
- Lack of a cohesive town entry strategy for the town or the CBD, limiting any sense of arrival or understanding of the identity of the town.

5.10 Contamination

- Several sites within the Town centre are identified as being the subject of contamination, thereby necessitating costly remediation prior to redevelopment.

6.0 Key Strengths and Opportunities

There are a number of existing strengths present in the Wellington Town Centre, these strengths provide opportunities to revitalise the Town Centre and are detailed below:

6.1 Town Entry Statements

Town entry statements could be provided using a coordinated tree planting approach. It is suggested that trees be planted to identify the entry to Wellington at the sound attenuation mound in the north adjacent to the Mitchell Highway and also in the south at the current town entry sign.

Opportunity/Action

- Town entry statements in the form of tree planting at the noise attenuation mound adjacent the Mitchell Highway in the north and Cypress Avenue in the south (subject to RMS approval). It is suggested that *Acer × freemanii* "Armstrong" be planted as they have an upright growing nature required in circumstances where there is limited space, these would also be subject to RMS approval.

Figure 14: Red Maple (*Acer × freemanii*)



Source: Digger Nursery Association, 2020

A secondary avenue is planned to be planted on the western approach of the CBD, along Showground Road. The tree species chosen for this avenue is *Acacia pendula*, or Silver Wattle and has been selected

for its drought hardiness, attractive silver-grey foliage and consideration of aerial conductors in the immediate vicinity. This species is also endemic to the area.

Figure 15: *Acacia pendula*, or Silver Wattle



Source: Alchetron, The Free Social Media

A Wellington Street Tree Master Plan is in the early stages of development, with the town's trees audited in late 2019. The Wellington Street Tree Master Plan will cover all streets within Wellington, and provide strategic direction on the plantings (species), priorities and methodologies that will be

employed moving forward. The goal of this Master Plan is to improve the aesthetics of the streetscapes of Wellington, improve planting consistency to help reduce recurrent maintenance costs, improve the canopy cover of the township and to help buffer Wellington from warming climatic trends.

Figure 16: Locations of proposed town entry statements



Source: DRC 2020

6.2 CBD Entry Features

There are currently no CBD entry statements to identify the entrance to the CBD. Entry statements could be provided as part of a cohesive public domain strategy for the Town.

Opportunity/Action

- Designing CBD entry statements as part of a cohesive public domain strategy for the

town, entry features could be provided on the roundabout at Gisborne and Lee Streets and also the roundabout at the Mitchell Highway/ Arthur Street and Arthur Street (Refer to Appendix One for the Wellington Town Centre Public domain works including location of CBD feature statements).

Figure 17: Location of Town entry feature - northern entrance



Source: Moir Landscape Architecture, 2020

1. Entry feature

Proposed sculptural entry feature to roundabout. Opportunity to signify entry and guide visitors into the town centre.

2. Pedestrian walkway

Extend walkway for future commercial use and provide opportunity for street seating.

3. Streets trees

Revitalise the street planting. Provide shaded street-side parking and create pleasant and inviting pedestrian footpath.

4. Median planting

Proposed street trees and under storey planting in the median strip. Improve the view of street.

5. Street carpark

Formalise parking opportunities and provide convenience for adjacent retail.

Figure 18: Location of Town entry feature - southern entrance



Source: Moir Landscape Architecture, 2020

- 1. Entry feature**
Proposed sculptural entry feature to roundabout. Opportunity to signify entry and guide visitors into the town centre.
- 2. Pedestrian walkway**
Extend walkway for future commercial use and provide opportunity for street seating.
- 3. Streets trees**
Revitalise the street planting. Provide shaded street-side parking and create pleasant and inviting pedestrian footpath.
- 4. Median planting**
Proposed street trees and understorey planting in the median strip. Improve the view of street.
- 5. Street carpark**
Formalise parking opportunities and provide convenience for adjacent retail.

6.3 Cameron Park/Pioneer Park

Cameron Park is a key attribute and landmark for the Town Centre. The Park is located in a highly visible location and provides an opportunity to activate the Centre's eastern core. Pioneer Park adjoins Cameron Park on its western side and is the site for a variety of local sports.

In line with the adopted Cameron Park Master Plan Council has already completed a number of major works within the Cameron Park Precinct. These improvements have been focussed on improving the recreational opportunities for the community and improving connectivity both within the Cameron Park Precinct, and to other attractions including the Wellington Showground and Mount Arthur Nature Reserve. Some of the improvements that have already been carried out, or are actively being planned are shown below in figure 19:

1. Redevelopment of the Visitor Information Centre and installation of a regional quality playground (1.). This project has involved

the installation of a playground valued at \$500,000, removal of old outdated amenities and subsequent replacement of new disabled compliant facilities (\$245,000) and the refurbishment of the Visitor's Information Centre (\$600,000) to the new Wiradjuri Community Centre.

2. Cameron Park / Pioneer Park Pedestrian Bridge (2.). Council is actively seeking funding to replace the existing pedestrian bridge over the Bell River.
3. Wellington Library Outdoor Reading Area (3.). Work will be commencing shortly to develop an outdoor reading area within the park.

Figure 19: Projects in Cameron Park/Pioneer Park within the Study Area



Source: DRC 2018

Opportunity/Action

- Increasing physical and visual access to the park and its connection with the eastern side of Nanima Crescent could be achieved through the partial removal of the masonry fence along Nanima Crescent. Whilst the Park is a Heritage

Item in the Wellington LEP 2012 and the State Heritage Register, investigations by a qualified heritage consultant could be undertaken explore avenues to determine if partial removal of the wall is feasible.

Cameron Park Masonry Fence



6.4 Traffic and Access

The Mitchell Highway is a State Highway linking north-western NSW with Dubbo, Bathurst and eventually Sydney. The Highway also forms part of the National Highway A32 corridor, which stretches from Sydney to Adelaide via Dubbo and Broken Hill and has the potential to bring significant numbers of tourists to town.

The existence of two supermarkets in the vicinity of one another provides an opportunity capitalise on existing activity and enhance vehicle legibility.

Opportunity/Action

- Installation of signage to encourage light vehicles to enter the Town Centre, rather than continuing on the Highway.
- Replace roundabout at Maughan and Percy Streets with a more pedestrian friendly arrangement (subject to RMS approval).
- Replace roundabout at Maughan and Arthur Streets with a more pedestrian friendly arrangement that will also serve to channel traffic into the Town Centre and help to define entry to the Town centre (subject to RMS approval).
- Increase access and egress from the shopping centre carpark by providing a right hand entry and exit onto Maughan Street.

Exit from supermarkets onto Maughan Street



Figure 20: Maughan Street, intersection with Percy and Arthur Streets.



Source: Moir Landscape Architecture, 2020

Figure 21: Concept: Maughan and Percy Street – pedestrianised intersection



Source: Moir Landscape Architecture/ Stapelton, 2020

Figure 22: Concept: Maughan and Arthur Streets – pedestrianised intersection



Source: Moir Landscape Architecture/ Stapelton, 2020

6.5 Heritage

As previously mentioned, Wellington Town Centre has a high proportion of older buildings as well as shopfronts that make an important positive contribution to its local character and provide landmarks that assist with orientation within the town. Preservation, restoration and or repurposing of existing heritage buildings can help them play a prominent role in the local character of the town in addition to attracting tourists.

Re-use of a heritage item

There are a number of interrelated requirements regarding the re-use of a heritage item. Whilst a change of use may be permitted for some heritage items, unless the 'new part' of the building is minor, a change of use will necessitate physical building changes and compliance with the Building Code of Australia, the Environmental Planning and Assessment Regulations and the Disability Discrimination Act.

Council could prepare a policy around the minimisation of requirements for retrospective compliance with the Building Code of Australia under the Planning and Environment legislation or in some cases could investigate raising the footpath to overcome disabled access issues.

Former Wellington Gaol and Police Station

The former Wellington Gaol and Police Station on Maughan Street present a long blank façade. Re-purposing could provide a mechanism to re-activate this side of Maughan Street. Council has secured a \$250,000 grant from the NSW government for the re-purposing of the site and is currently working with the community to identify a suitable future use of the space.

Figure 23: Maughan Street, intersection with Percy and Arthur Streets.



Source: Moir Landscape Architecture, 2020

Kimbell's Kitchen heritage item



Source: DRC 2020

Wellington Post Office



Source: DRC 2020

Opportunity/Action

- Council to investigate policy around the minimising retrospective compliance with the BCA.
- Council to provide a clear, plain english, advice for shop owners regarding adaptive re-use of heritage items.
- Council to investigate feasibility of a verandah re-construction program.
- Council to investigate local heritage fund for heritage items in Wellington.
- Council to continue investigate options for reuse of former gaol and police station.
- Council to prepare tourism brochure regarding heritage of Wellington.
- Preparation of a heritage study for Wellington Town Centre including potential re-classification of contributory items to heritage items.

6.6 Planning Framework

The centre is primarily zoned B2 Local Centre in the Wellington LEP 2012 and whilst the subject zoning is not an impediment to redevelopment, a wide range of uses are permissible under the current zoning, and this could be reviewed to better reflect the objective of Town Centre activation and vibrancy.

Opportunity/Action

- Review of current land use zoning with a view to reflect the vibrancy and activation desired in the centre including potential retraction of the B2 Zone.
- Investigate potential planning incentives to encourage development in the centre.

6.7 Tourism and Special Events

Wellington is home to Mount Arthur, the Wellington Caves and the Chinese Gardens tourist attractions which draw significant numbers of tourists from outside the local area. Opportunities exist to capitalise on existing tourist numbers by providing increased connectivity with the existing shops.

Wellington also currently holds several special events including the Wellington Rotary Markets, Vintage Fair and Swap Meet, Wellington Arts and Sculpture Festival and the Wellington Boot Racing Carnival. The Fong Lees Lane Festival is a fantastic example of a local laneway festival that sees the laneway transformed into an outdoor eating venue with busker and night lanterns.

Fong Lees Lane and Union Bank Lane offer potential micro scale connections to the eastern side of the centre, these connections could be utilised to house permanent and temporary public art installations and could be transformed through night time illumination and offer suitable dining temporary destinations.

Opportunity/Action

- Organising evening cinemas, arts and crafts event or music or wine festival which could be held near existing retail premises and possibly the space adjoining Wellington Library and to capitalise on the activity generated by existing events to increase activity in the remainder of the Town Centre.
- Temporary festivals utilising Fong Lees Lane and Union Bank Lane as well as the surrounding area including Cameron Park. Discuss Fong Lees Lane Festival with 'Wellington Arts'.
- Investigate funding available for laneway beautification/upgrade.

Fong Lees Lane Festival



Source: www.wellingtontimes.com.au

6.8 Public Art

Fong Lees Lane contains several examples of existing public art related to the Chinese heritage of the town is part of the Town's existing art trail and the Fong Lees Lane Festival.

Fong Lees Lane Public Art



Source: DRC 2020

Art works in prominent locations, can generate interest and contribute to civic pride as well as funnel foot traffic to key locations. Fong Lees Lane is highly visible from Nanima Crescent, however is in need of maintenance and repair and could be the subject of further promotion to encourage pedestrian activity in this location.

Opportunity/Action

- Creation of a Wellington Art Trail through the Town Centre celebrating Wellington's rich Chinese, Aboriginal and European heritage and reinforcing key pedestrian links. Council could invite submissions from interested parties, the trail could be focussed around Fong Lees Lane.
- A concept design to be developed for the repair and beautification of Fong Lees Lane with community input.

6.9 Public Domain

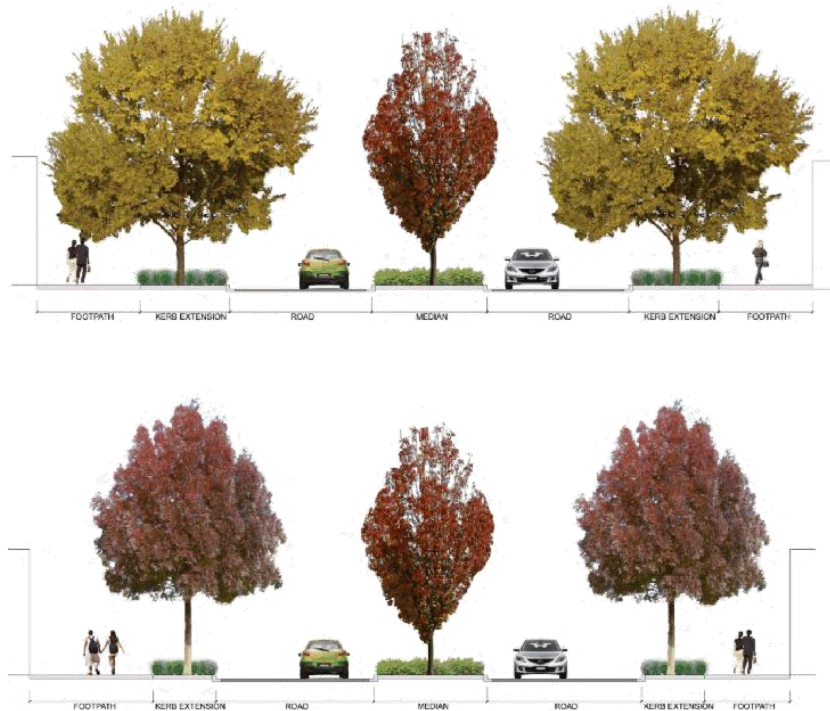
The Wellington CBD public domain requires a cohesive public domain strategy, including new and repaired pavements, seating, lighting, signage and public spaces.

Opportunity/Action

- Preparation of a detailed public domain strategy to celebrate Wellington's rich heritage, through framing important views, increasing passive surveillance, making spaces more comfortable as well as to supporting the culture and enterprise in the town.

Refer to Appendix One for the full set of draft Wellington Town Centre Revitalisation Plans Concept.

Figure 24: Arthur Street Cross Sections



Source: Mair Landscape Architecture, 2020

6.10 Council Led Activation

Given the existing pedestrian activity associated with the existing supermarkets and exposure associated with properties fronting the Mitchell Highway, Council could purchase properties to capitalise on this existing activity and exposure to increase activation and provide entry landmarks.

Opportunity/Action

- Investigate the purchase five properties at 24 - 32 Maughan to create a community hub including community centre and garden fronting Maughan Street. Development of this space would capitalise on existing pedestrian activity associated with Coles and Woolworths Supermarkets and could provide an incentive for people to spend time in the centre.

- Investigate the purchase former Caltex service station site at the corner of Lee and Warne Streets for development as a community garden and cafe. This site is identified as being potentially contaminated and would be costly to develop.

24-32 Maughan Street, Wellington



Source: DRC 2020

Figure 25: 24-32 Maughan Street



Source: DRC, Geocortex base

Thirroul Community Centre, Wollongong LGA, NSW



Source: Wollongong Council website, 2020

Crows Nest Community Centre at night



Source: North Sydney Council website

Former Caltex Service Station at Lee and Warne Streets



Source: DRC 2020

Figure 26: Former Caltex Site



7.0 Implementation

This section identifies a range of actions required to address the issues identified in the Wellington Town Centre. Some actions are precinct specific whilst others apply to the entire Study Area.

The following tables identify a priority level and corresponding time frame for each action to be achieved over a two, four and six year period depending on the resourcing and associated timeframes.

Implementing the Wellington Town Centre Plan will require involvement from a range of divisions within Council, the community and consultation with State Government. Each action will need to be adequately scoped and a project plan prepared where necessary.

The Plan will be reviewed initially in 2 years and every 4 years after in line with Council's Community Strategic Plan to monitor progress and update where necessary.

7.1 Centre Wide Actions

NO	ACTION	PRIORITY
1	Roundabout reconfiguration Consult with RMS regarding plans to reconfigure roundabouts on Mitchell Highway and Percy and Arthur Streets and to channel light traffic into the Town Centre.	Long
2	Town entrance statements Investigate the provision of town entry statements including significant tree planting and branded signage at key entrances to the town. Subject to RMS approval.	Short
3	Public domain works Utilise Moir LA revised proposed public domain concept plans to prepare detailed public designs.	Medium
4	Awnings and corner elements Investigate a program to restore awnings and verandahs throughout the centre, initially focussed on key locations.	Medium
5	Heritage Investigate development of a program to relax the retrospective BCA requirements for the re-use of heritage items.	Short
6	Heritage Council to provide clear, plain english advice for shop owners regarding adaptive re-use of heritage items, accessible on Council's website.	Short
7	Heritage Council to investigate and promote funding sources for heritage items in Wellington.	Short
8	Heritage Council to continue investigate options for reuse of former gaol and police station.	Medium
9	Heritage Council to prepare tourism brochure regarding heritage of Wellington tying in with actions regarding public art and heritage walks.	Short

NO	ACTION	PRIORITY
10	Heritage Preparation of a heritage study for Wellington Town Centre including the significance of heritage items	Medium
11	Façade/awning and shopfront reinstatement/ improvement program Investigate potential funding program for eligible applicants Program could be initiated in stages and specific less active streets.	Medium
12	Heritage walks Develop a heritage walks focussed on significant people and landmarks with input from community consultation.	Medium
13	Art Trail Develop a local art trail celebrating the town's varied heritage, including Fong Lees Lane, potentially incorporate into heritage walks action. Utilise community input.	Short
14	Markets and Festivals Encourage markets and festivals near retail development/ possibly adjacent to the library. Investigate existing festivals occurring in the Town and consult with relevant stakeholders to ensure events are coordinated and benefits for the town are maximised.	Short
15	CCTV Investigate the installation of CCTV in locations in key parts of the centre and Cameron Park.	Medium
16	Statutory Controls Investigate land use zoning and development controls for the entire centre. With a view to encouraging large retailers to the northern part of town and encouraging small business. Council may investigate the potential retraction of the B2 Local Centre Zone with the aim of increasing walkability and permeability.	Short
17	Promotion of popup Stores Council to investigate development of pop up stores through potential rent subsidies to reduce long-term vacancies.	Short
18	Initiate a business improvement program Council could establish a program where business applies for grants to improve retail developments.	Medium
19	Shared space/small business start-up hub Council could provide or facilitate the provision of a shared space for workers to work from, thereby activating the local area.	Medium
20	Contaminated sites Investigate the location of identified contaminated sites and methods for funding remediation of potentially contaminated prominent vacant sites.	Medium

7.2 Local Village Actions

NO	ACTION	PRIORITY
1	Supermarket Vehicle Access Provide right in and right out turns for the supermarket carpark and Maughan Street.	Long
2	Supermarket carpark access Repair supermarket car parks, add shelter through landscaping, investigate CCTV options, formalise car parking.	Medium
3	CBD entrance statements Themed CBD entry at Mitchell Highway and Arthur Streets. Prepare strategy themes.	Short
4	Mitchell Highway, Percy and Arthur Streets intersections Discuss plans to reconfigure roundabouts on Mitchell Highway and Percy and Arthur Streets with the RMS. Prepare concept designs for discussion purposes, detailed designs, scoping will be required.	Medium
5	Community Centre + Community Gardens Investigate the purchase 24-32 Maughan Street to create a community hub including community centre and garden.	Long
6	Repurposing of the former Gaol and Police Station If feasible develop initial concepts for construction of a community centre Council to identify a suitable future use for the former Wellington Gaol and Police Station following community consultation.	Medium

7.3 Tourism Village Actions

NO	ACTION	PRIORITY
1	Mitchell Highway – low speed environment Investigate narrowing the visual/physical width of Nanima Crescent and increasing the visibility/relocation/number of pedestrian crossings and refuges (subject to consultation with the RMS).	Long
2	Mitchell Highway – pedestrian crossing Increase pedestrian access across the Mitchell Highway (Nanima Crescent) subject to RMS consultation.	Long
3	Cameron Park Continued upgrades Cameron Park including pedestrian bridge to Pioneer Park (funding being investigated), playground, Wirradjuri Experience Centre. Investigate feasibility of partial removal of the wall around Pioneer Park to allow physical and visual connections from Nanima Crescent to the park and Macquarie River. This action will require a specific heritage study to confirm the heritage value of the wall.	Medium
4	Fong Lees Lane Prepare suggestions concepts for the repair and beautification of Fong Lees Lane for community consultation.	Medium

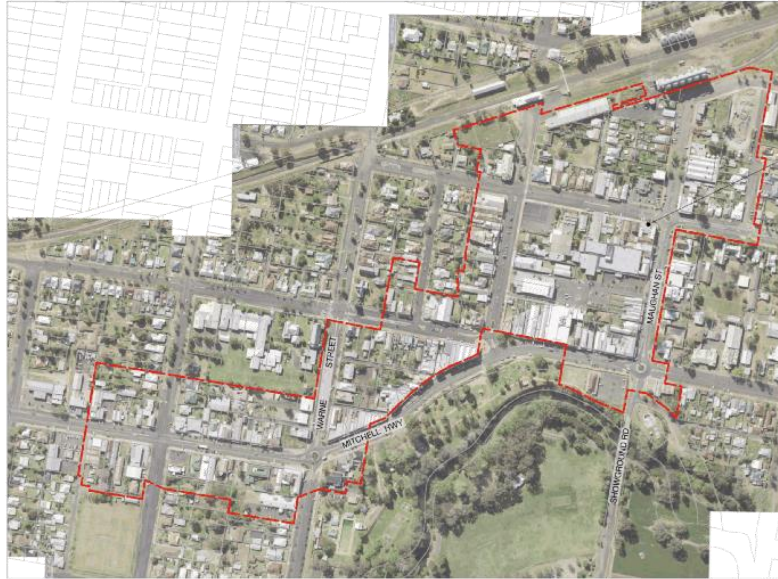
7.4 Enterprise Corridor Village Actions

NO	ACTION	PRIORITY
1	Community Gardens Investigate feasibility of purchasing former Caltex service station site at the corner of Lee and Warne Street. As a former service station site, the site may be contaminated, appropriate investigations will need to be undertaken.	Long
2	CBD entry statement Themed CBD entry at roundabout of Lee Street and Gisborne Street. Design themes will need to be prepared and adopted.	Short

WELLINGTON TOWN CENTRE REVITALISATION PLANS

8.0 Appendix One

Sheet No.	Drawing Title	Revision	Date
LP00	COVER SHEET	B	13/05/20
LP01	STREETScape MASTER PLAN	B	13/05/20
LP02	LANDSCAPE DETAIL PLAN 1	B	13/05/20
LP03	LANDSCAPE DETAIL PLAN 2	B	13/05/20
LP04	LANDSCAPE DETAIL PLAN 3	B	13/05/20
LP05	LANDSCAPE DETAIL PLAN 4	B	13/05/20
LP06	LANDSCAPE DETAIL PLAN 5	B	13/05/20
LP07	STREET SECTIONS 1	B	13/05/20
LP08	STREET SECTIONS 2	B	13/05/20
LP09	STREET SECTIONS 3	B	13/05/20
LP10	STREET SECTIONS 4	B	13/05/20



LOCALITY PLAN Source: Shemap, 2020
Scale: NTS

SITE LOCATION

Wellington Town Centre
Wellington NSW
Dubbo Regional Council

COVER SHEET
Draw No: LP00
Scale: NTS
Rev: B
Project No: 1867



Mo Air - 185 Mac Street | PO Box 111
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Phone 02 4860 3500 or 02 4860 3505
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Wellington Town Centre
Wellington NSW
Dubbo Regional Council

STREETSCAPE MASTER PLAN
Dwg No: LP01 Rev: A Project No: 1867
Scale: 1:1500 @ A1



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admin@moir.com.au
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LEGEND

- Site boundary (Red dashed line)
- Lot boundary (Black dashed line)
- Existing trees to be removed (Green circle with red border)
- Existing trees to be retained (Green circle with green border)
- Proposed street tree (Palm or Argemone) (Green circle with palm/argemone icon)
- Proposed street tree (Pistia chinensis) (Green circle with pistia icon)
- Proposed street tree (Pawpaw profusa) (Green circle with pawpaw icon)
- Proposed street tree (Silky paperbush) (Green circle with paperbush icon)
- Proposed street tree (Pineau carolinensis) (Green circle with pineau icon)
- Proposed street tree (Alder / Weinmayer / Autumn Stars) (Green circle with alder icon)
- Proposed street tree (Argemone) (Green circle with argemone icon)
- Proposed street tree (Cassipouira macrocarpa) (Green circle with cassipouira icon)
- Proposed street tree (Auliviva australis) (Green circle with auliviva icon)
- Proposed hedges (Green wavy line)
- Proposed grass planting (Green textured area)
- Proposed paving - concrete (Grey textured area)
- Heritage flow stone pavement (Grey textured area)
- Existing street light (Black vertical line)
- Retaining fence (Black horizontal line)

- DESIGN CONCEPTS**
- ENTRY FEATURE**
Provide entry feature to roadblock. Opportunity to signify entry and guide visitors into the town centre.
 - PEDESTRIAN WALKWAY**
Extend walkway for future commercial use and provide opportunity for street seating, seating and landscaping.
 - STREET TREES**
Provide shaded street-side parking and create pleasant and inviting pedestrian environment.
 - MEDIUM PLANTING**
Proposed street trees and under storey planting in the median strip. Improve the view of street.
 - STREET CARPARK**
Provide parking opportunities and provide convenience for adjacent retail.



REFER TO LPO4

REFER TO LPO6

Scale: 1:5000 @ A1

LANDSCAPE DETAIL PLAN 3

Draw No: LPO4 Rev: B Project No: 1867

Scale: 1:5000 @ A1

Wellington Town Centre
Wellington NSW
Dubbo Regional Council



KEY PLAN
Scale 1:5000 @ A1

- LEGEND**
- Site boundary
 - Lot boundary
 - Existing trees to be removed
 - Existing trees to be retained
 - Proposed street tree (Palmour Arganthe 'Argentea')
 - Proposed street tree (Pist. californica 'Edgell')
 - Proposed street tree (Pawson ginkgo)
 - Proposed street tree (Silver birch)
 - Proposed street tree (Pineau corymbosa)
 - Proposed street tree (Acacia 'Aurum' / Golden Rain)
 - Proposed street tree (Cassipoupa emarginata)
 - Proposed street tree (Austrobaileya)
 - Proposed hedges
 - Proposed mass planting
 - Proposed paving - concrete
 - Heritage flagstone paving
 - Existing street light
 - Existing fence

- DESIGN CONCEPTS**
- 1. ENTRY FEATURE**
 Entry features and signage to be added to roadblocks. Opportunity to signify entry and guide visitors into the town centre.
 - 2. PEDESTRIAN WALKWAY**
 Entry walkway for future commercial site and provide opportunity for street seating.
 - 3. STREET TREES**
 Provide shaded street-side parking and create pleasant and inviting pedestrian experience.
 - 4. MEDIAN PLANTING**
 Propose street trees and under-storey planting in the median strip. Improve the view of street.
 - 5. STREET CANNOPY**
 Provide shade opportunities and provide convenience for adjacent retail.



LANDSCAPE CONCEPT PLAN
Scale 1:5000 @ A1

LANDSCAPE CONCEPT PLAN
Scale 1:5000 @ A1



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LANDSCAPE DETAIL PLAN 5
 Draw No: LP06 Rev: B Project No: 1867
 Scale: 1:500@A1

Wellington Town Centre
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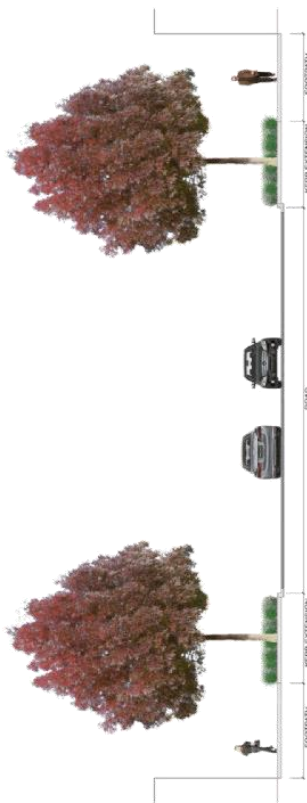
LEE STREET (MITCHELL HWY) CROSS SECTION
Scale 1:75 @ A1



WARNE STREET CROSS SECTION
Scale 1:75 @ A1



PERCY STREET CROSS SECTION
Scale 1:75 @ A1



GISBORNE STREET CROSS SECTION
Scale 1:75 @ A1

Wellington Town Centre
Wellington NSW
Dubbo Regional Council

STREET SECTIONS 2
Draw No: LPO8 Plan: B
Scale: AS SHOWN

1867

Project No.

North



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ARTHUR STREET CROSS SECTION
Scale 1:75 @A1



BANK STREET CROSS SECTION
Scale 1:75 @A1

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STREET SECTIONS 3

Draw No: L/P09 Rev: B Project No: 1867
Scale: NTS



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North



MAUGHAN STREET CROSS SECTION
Scale 1:75 @A1



NEW STREET CROSS SECTION
Scale 1:75 @A1

Wellington Town Centre
Wellington NSW
Dubbo Regional Council

STREET SECTIONS 4

Draw No: LP10 Rev: B
Scale: NTS
Project No: 1867

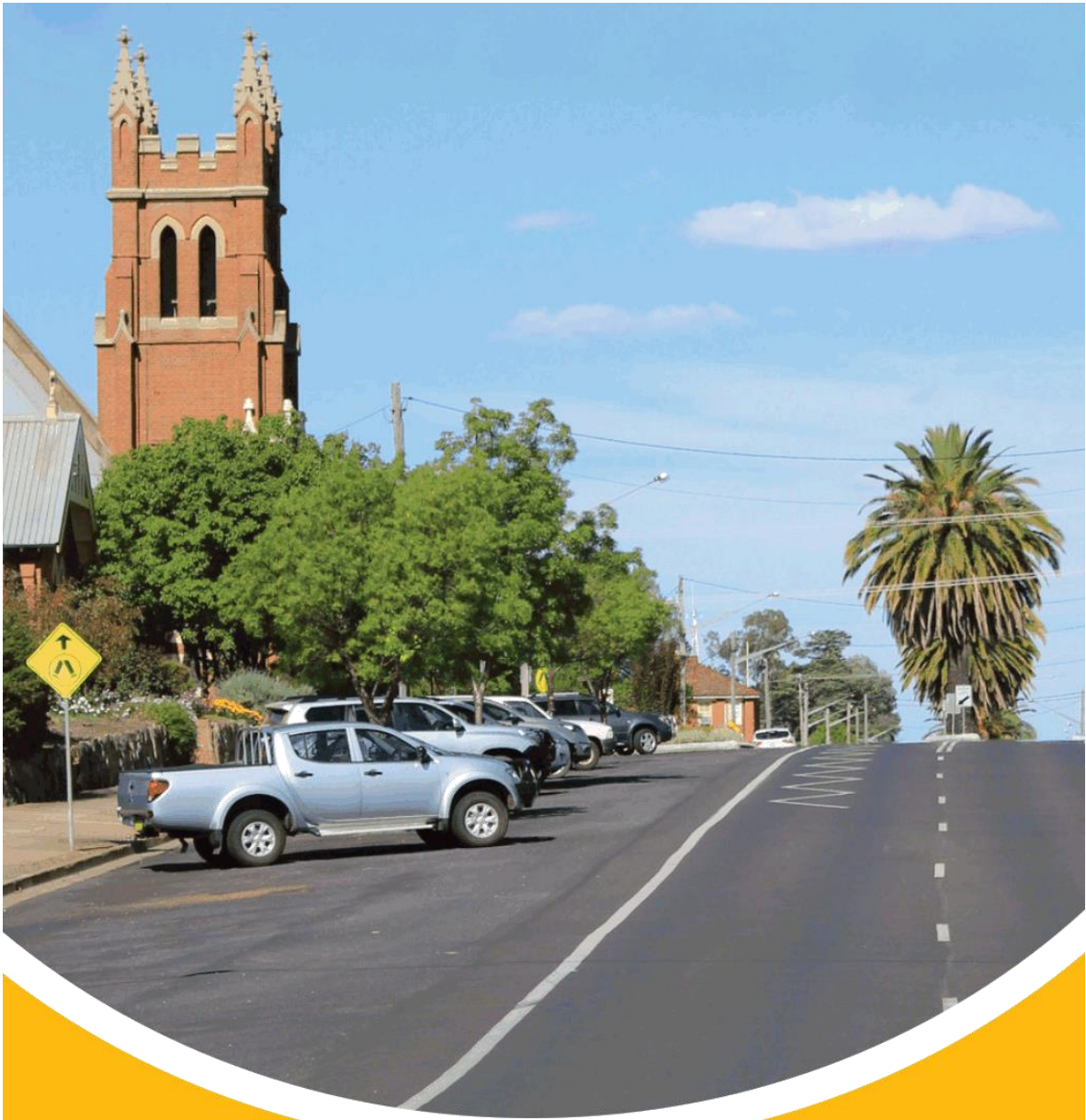


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NOT:







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Cnr Nanima Crescent and Warne Street, Wellington



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DUBBO
REGIONAL
COUNCIL



REPORT: Gross Pollutant Trap Cleaning and Maintenance by Not-for-profit Organisations

AUTHOR: Manager Infrastructure Strategy and Design
REPORT DATE: 1 July 2020
TRIM REFERENCE: ID20/733

EXECUTIVE SUMMARY

Council, at its meeting held 23 March 2020, considered a Notice of Motion from Councillor John Ryan regarding the maintenance of Gross Pollution Traps, as follows:

“That the Chief Executive Officer be requested to report back to Council on the possible ways to engage local not for profit community organisations to service Dubbo Regional Council Gross Pollution Traps.”

Council currently owns and maintains a suite of 64 gross pollutant traps (GPTs). Forty six GPTs are located in Dubbo, while a further 18 are located in Wellington.

The tender for *Cleaning of Gross Pollutant Traps and CCTV and Jetting of Stormwater Assets* (T18-001), advertised by Council, was awarded to contractors who have demonstrated they are capable of safely and effectively cleaning complex GPT structures in an array of difficult and challenging environments.

Due to the risks inherently involved with the cleaning and maintenance of GPTs, it is imperative that Council only employ those contractors who possess the relevant training and experience to perform such a task. It is not recommended that Council engage the services of any not-for-profit, or volunteer, organisation for the cleaning or maintenance of GPTs. There can be no guarantee of the level of knowledge, safe work methodologies, or suitability of machinery required to perform such cleaning and maintenance tasks. As such, Council is unable to meet its obligation to provide a ‘primary duty of care’ in accordance with Section 19 of the Work Health and Safety Act 2011 (NSW).

In additional, Council’s Infrastructure Strategy and Design Branch have identified two existing ‘Ski Jump’ style GPTs, located within the CBD area of Dubbo, that are undersized for the catchments that they project. One GPT is located immediately to the west of the intersection of Talbragar and Bligh streets, while the other is located in Riverbank Park, immediately to the north of the Main Western Railway Bridge. Council proposes to relocate the devices elsewhere within the stormwater network and replace both with much larger capacity, underground structures, providing the Macquarie River with a higher level of protection.

FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

POLICY IMPLICATIONS

There are no policy implications arising from this report.

RECOMMENDATION

- 1. That the information contained within the report of the Manager Infrastructure Strategy and Design, be noted.**
- 2. That the cleaning and maintenance of gross pollutant traps, owned and maintained by Council, continue to be maintained by Council.**
- 3. That the cleaning of gross pollutant traps owned and maintained by Council be undertaken only by tenderers identified within the *Cleaning of Gross Pollutant Traps and CCTV and Jetting of Stormwater Assets (T18-001)*, advertised by Council or by suitably qualified Council Infrastructure Delivery or Water Supply and Sewerage staff.**

Chris Godfrey

Manager Infrastructure Strategy and Design

BACKGROUND

Gross pollutant traps (GPT) form an essential part in the quality of stormwater entering natural waterways in the Dubbo Regional Council Local Government Area (LGA). Council currently owns and maintains a suite of 64 GPTs. Forty six GPTs are located in Dubbo while a further 18 are located in Wellington. The number of GPTs installed will continue to grow as Council identifies areas where the discharge quality of stormwater leaving existing pipe systems requires improvement, or where new development is proposed.

This report has been prepared to discuss the risks and issues associated with Dubbo Regional Council engaging not-for-profit, or volunteer organisations, to perform cleaning and maintenance of its suite of GPTs within the Dubbo LGA.

REPORT

GPTs form an essential part in the quality of stormwater entering natural waterways in the Dubbo Regional Council LGA. Council currently owns and maintains a suite of 64 GPTs. Forty six GPTs are located in Dubbo while a further 18 are located in Wellington. The number of GPTs installed will continue to grow as Council identifies areas where the discharge quality of stormwater leaving existing pipe systems requires improvement, or where new development is proposed.

A GPT's primary function is to filter gross pollutants conveyed in stormwater. These pollutants include leaf litter, bottles, cans, cigarette butts and general trash greater than 5 millimetres. They also remove sediment of various sizes, total suspended solids, total phosphorous and total nitrogen.

GPT structures are complex, involving high risk factors including a potential for water inflow, confined spaces, working at height and/or depth and access issues. In addition, there are numerous biological hazards associated with the maintenance of GPTs. These hazards include the presence of syringes, fermented materials, faecal material and unidentified chemicals and gases. The presence of wildlife within GPTs is also common, including snakes, rodents, and spiders.

On 13 February 2018, tenders closed for the *Cleaning of Gross Pollutant Traps and CCTV and Jetting of Stormwater Assets (T18-001)*, advertised by Dubbo Regional Council. Council then resolved that the following tenderers be added to a panel:

- JR Richards and Sons
- Antem Pty Ltd
- Toxfree Pty Ltd
- Ecosol Pty Ltd

All contracts signed commenced early in July 2018. The tender was a Schedule of Rates tender, and was set up as a panel contract. The contract will run for a period of three years, with an option to extend for a further one year. No maximum, or minimum, amount of work has been guaranteed to the tenderers by Council. Tenderers were selected based on their operational capability, previous experience, management systems, and financial capacity to perform the work involved.

In accordance with the Work Health and Safety Act 2011 (NSW), Section 5, Council is considered to be a “person conducting a business or undertaking”. Section 7 of the Act considers not-for-profit organisations, or volunteers, to be “workers”. Council staff, contractors and sub-contractors to Council are also considered “workers” by the Act.

In accordance with Section 17 of the Work Health and Safety Act 2011 (NSW), Council, as a “person conducting a business or undertaking”, has a duty to ensure the health and safety of a person:

- a) *to eliminate risks to health and safety, so far as reasonably practicable; and*
- b) *if it is not reasonably practicable to eliminate risks to health and safety, to minimise those risks as far as reasonably practicable.*

In accordance with the Work Health and Safety Act 2011 (NSW), Section 18, “reasonably practicable”, in relation to a duty to ensure health and safety, means that which is, or was at a particular time, reasonably able to be done in relation to ensuring health and safety, taking into account and weighing up all relevant matters including:

- a) *the likelihood of the hazard or the risk concerned occurring; and*
- b) *the degree of harm that might result from the hazard or the risk; and*
- c) *what the person concerned knows, or ought reasonably to know, about:*
 - i. *the hazard or the risk; and*
 - ii. *ways of eliminating or minimising the risk; and*
- d) *the availability and suitability of ways to eliminate or minimise the risk; and*
- e) *after assessing the extent of the risk and the available ways of eliminating or minimising the risk, the cost associated with available ways of eliminating or minimising the risk, including whether the cost is grossly disproportionate to the risk.*

Concerning “primary duty of care” and in accordance with Section 19 of the Work Health and Safety Act 2011 (NSW):

1. *A person conducting a business or undertaking must ensure, so far as is reasonably practicable, the health and safety of:*
 - a. *workers engaged, or caused to be engaged by the person; and*
 - b. *workers whose activities in carrying out work are influenced or directed by the person;**while the workers are at work in the business or undertaking.*

2. *A person conducting a business or undertaking must ensure, so far as is reasonably practicable, that the health and safety of other persons is not put at risk from work carried out as part of the conduct of the business or undertaking.*
3. *Without limiting subsections (1) and (2), a person conducting a business or undertaking must ensure, so far as is reasonably practicable:*
 - a. *the provision and maintenance of a work environment without risks to health and safety; and*
 - b. *the provision and maintenance of safe plant and structures; and*
 - c. *the provision and maintenance of safe systems of work; and*
 - d. *the safe use, handling and storage of plant, structures and substances; and*
 - e. *the provision of adequate facilities for the welfare at work of workers in carrying out work for the business or undertaking, including ensuring access to those facilities; and*
 - f. *the provision of any information, training, instruction or supervision that is necessary to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of the business or undertaking; and*
 - g. *that the health of workers and the conditions at the workplace are monitored for the purpose of preventing illness or injury of workers arising from the conduct of the business or undertaking.*

In order for Council to employ not-for-profit or volunteer organisations, Council, who is responsible for “primary duty of care”, must be able to ensure, so far as is reasonably practical, the safety of all “workers” that it engages.

Council’s suite of 64 GPTs each pose unique challenges to those “workers” employed to clean and maintain them. Some GPTs are located within busy roadways, requiring the implementation of approved traffic control measures in order to safely provide access. Some GPTs, located within road corridors containing State highways, require a Road Occupancy Licence provided by Transport for New South Wales in order to perform cleaning and maintenance. Many GPTs are located within close proximity to sensitive waterways, and require that cleaning and maintenance be undertaken in such a way so as not to allow pollutants trapped within the GPT to flow downstream and escape into the environment.

All GPTs require the usage of specialised machinery in order to perform cleaning and maintenance tasks. Such machinery includes:

- Cranes for lifting heavy concrete lids, filter baskets and skip bins.
- Truck mounted industrial vacuums capable of extracting large volumes of liquid waste from depths as great as 11 metres. Many such vacuums are also capable of de-watering and filtering the liquid waste, which is then used for pressure washing, or other purposes. Such de-watering also decreases the number of trips to the waste disposal facility.

- High-pressure water blasters for cleaning down filter screens and other surfaces within the GPT structure.
- Skid-steer loaders equipped with large buckets for handling high volumes of waste.
- Specific safety systems and breathing equipment to allow suitably trained maintenance staff to access internal areas of GPTS, allowing them to work at both heights and depths in confined spaces.

Additionally, the volumes of waste material removed from GPTs can be very high. In Dubbo alone, approximately 350 tonnes of waste are removed annually, with this value increasing to 450 tonnes in wetter years. Suitably sized plant and equipment is required to handle and manipulate such volumes safely and efficiently.

The tender for the *Cleaning of Gross Pollutant Traps and CCTV and Jetting of Stormwater Assets* (T18-001), advertised by Council, was awarded to contractors who have demonstrated they are capable of safely and effectively cleaning complex GPT structures in an array of difficult and challenging environments.

SUMMARY

Due to the risks inherently involved with the cleaning and maintenance of GPTs, it is imperative that Council only employ those contractors who possess the relevant training and experience to perform such a task. It is not recommended that Council engage the services of any not-for-profit or volunteer organisation for the cleaning or maintenance of GPTs. There can be no guarantee of the level knowledge, safe work methodologies, or suitability of machinery required to perform such cleaning and maintenance tasks. As such, Council is unable to meet its obligation to provide a “primary duty of care” in accordance with Section 19 of the Work Health and Safety Act 2011 (NSW).



DUBBO REGIONAL
COUNCIL

REPORT: Council Policy - Aquatic Leisure Centres Usage Policy

AUTHOR: Aquatic Leisure Centres Manager
REPORT DATE: 9 July 2020
TRIM REFERENCE: ID20/775

EXECUTIVE SUMMARY

With Dubbo Regional Council moving to internal management of the Aquatic Leisure Centres from the 2019/2020 season, an Aquatic Leisure Centres Usage Policy was developed outlining a level of hierarchy for access to the Aquatic Leisure Centres pool space for all users. The Policy assisted management and staff in determining facility allocations (including lane allocations) for all requested bookings, whilst protecting community access, and assists with protecting the integrity of Council run programs such as Learn to Swim from private competition.

The initial Aquatic Leisure Centres Usage Policy was adopted at Council's Ordinary Meeting held on 9 September 2019 and subsequently implemented by Aquatic Leisure Centre management and staff across the 2019/2020 season.

Following the conclusion of the 2019/2020 season, a review of the Aquatic Leisure Centres Usage Policy was initiated. To date, Aquatic Leisure Centre management and staff reviewed the Policy and based on feedback, a draft amended Policy was developed.

It is recommended that the Aquatic Leisure Centre Manager undertake consultation with the key Aquatic Leisure Centre user groups in regard to the revised Policy. Following consultation, a report including the finalised Aquatic Leisure Centres Usage Policy will be prepared for the August 2020 Ordinary Council meeting for adoptions and thus subsequent implementation for the 2020/2021 season.

FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

POLICY IMPLICATIONS

The Aquatic Leisure Centres Usage Policy complies with the Dubbo Regional Council Strategic Plan Liveability theme 5.5, *"The community has the opportunity to participate in a diverse range of lifestyle, sporting and passive recreational pursuits"*.

RECOMMENDATION

- 1. That the report by the Aquatic Leisure Centres Manager dated 9 July 2020, be noted.**
- 2. That the Aquatic Leisure Centres Manager undertake community consultation with Aquatic Leisure Centres User Groups with regard to the amended 'Aquatic Leisure Centres Usage Policy'.**
- 3. That a report be prepared by the Aquatic Leisure Centres Manager for the August 2020 Ordinary Council meeting, including the finalised 'Aquatic Leisure Centres Usage Policy' for adoption.**

Beth Shea

Aquatic Leisure Centres Manager

BACKGROUND

As of the 2019/2020 season, Dubbo Regional Council transitioned to internal management of the Aquatic Leisure Centres. Given a Usage Policy didn't previously exist, the management and staff of the Aquatic Leisure Centres required a policy to outline a level of hierarchy for access to the Aquatic Leisure Centres pool space for all users.

Therefore an Aquatic Leisure Centres Usage Policy was developed by the Aquatic Centre Manager to assist management and staff in determining facility allocations (including lane allocations) for all requested bookings, whilst protecting community access and assisting with protecting the integrity of Council run programs, such as Learn to Swim from private competition.

The initial Aquatic Leisure Centres Usage Policy was adopted at Council's Ordinary Meeting held on 9 September 2019 with a recommendation requiring a full review of the policy be undertaken at the end of the 2019/2020 season, with a further recommendation or report presented for Council.

REPORT

During the 2019/2020 season the Aquatic Leisure Centre management and staff allocated pool space at each Aquatic Leisure Centre in accordance with the Aquatic Leisure Centres Usage Policy.

Following the conclusion of the 2019/2020 season the Aquatic Leisure Centre Manager initiated an annual review of the Aquatic Leisure Centres Usage Policy. Meetings were held with the Wellington/ Geurie Aquatic Centre Coordinator and the Swim and Water Activities Officer to seek feedback on the 2019/2020 season in regard to the allocation of pool space in accordance with the Policy. Noted feedback from the 2019/2020 season included:

- Community lanes availability during carnivals.
- Parameters to determine preferential allocations between the two swimming clubs.
- A review of the variation in categories and thus hierarchy priority between swimming clubs and other sport groups such as water polo and triathlon.
- Council position on allowing private coaches and learn to swim providers' access and under what circumstances.
- Identification of a bottom level cut off standard for clubs to ensure clubs are not providing swimming opportunities to potential learn to swim clients.

As a result of the feedback provided, amendments were made with Appendix 1 providing the revised Dubbo Regional Council Aquatic Leisure Centres - Usage Policy.

Given the short lead in time to the 2019/2020 season, Aquatic Leisure Centre user groups were not provided an opportunity to provide feedback on the initial Aquatic Leisure Centres Usage Policy. In order to continue to maintain positive working relationships with particularly the key user groups, the Aquatic Leisure Centre Manager will undertake community consultation via a meeting to table the Aquatic Leisure Centre Usage Policy and consider any further feedback and comments before finalising the policy for adoption by Council in preparation for the 2020/2021 season. The User Groups being consulted will include Category 2 Users who represent users requesting 'season long' bookings, which can overlap 'peak usage' times, including Dubbo City Swimtech, Orana Aquatic Swimming Club, Dubbo Waterpolo Club and Dubbo Triathlon Club. A meeting will be conducted in Wellington with Wellington Amateur Swimming Club and Wellington Diggers Swimming Club.

SUMMARY

In conclusion, it is recommended that the Aquatic Leisure Centre Manager undertake consultation with the key Aquatic Leisure Centre user groups in regard to the amended Policy. Following the completion of the consultation the Aquatic Leisure Centre Manager prepare a report including the finalised Aquatic Leisure Centres Usage Policy for the August 2020 Ordinary Council meeting for adoption prior to the start of the 2020/2021 season.

Appendices:

- [1](#) Council Policy - Aquatic Leisure Centres - Usage Policy



COUNCIL POLICY

Aquatic Leisure Centres – Usage Policy

Date 22 August 2019
Council Resolution Date 9 September 2019
Clause Number

Responsible Position Aquatic Leisure Centre Manager
Branch Recreation and Open Space
Division Liveability
Version 2
TRIM Reference Number
Review Period Annually
Review Date July 2021
Consultation

Document Revision History	
Description	Date
Version 1	22 August 2019
Version 2	9 July 2020
Notes	

POLICY

PURPOSE

The objective of this policy is to determine a set level of hierarchy of access to the Dubbo Regional Council Aquatic Leisure Centres for all users, and to protect the integrity of the 'aquatic industry business' that is being conducted by Dubbo Regional Council at their Aquatic Leisure Centres.

BACKGROUND AND RELATED LEGISLATION

The Aquatic Leisure Centres were developed primarily as community recreational facilities as such facilities must be available for community recreational use during most operational hours.

When considering requests for lane hire for regular structured activities, consideration must be given to ensure space is available for the community recreation during peak times (morning and evening) and during extreme hot weather events.

However whilst community consideration remain foremost when considering lane hire requests, business considerations, (including large events which have the capacity to bring significant economic benefit to the region) may see community access being limited for a specific period of time (for example during a swimming carnival event), with appropriate notification.

Access to all patrons can be restricted due to safety concerns with no notification, against industry peak body, legislative or Work Health and Safety consideration.

SCOPE

This policy is applicable to all users of the Dubbo Aquatic Leisure Centre, Wellington Aquatic Leisure Centre and Geurie Swimming Pool.

POLICY

Pool space will be available for community use during all facility operating hours, except when an approved event is occurring in which instance access for community may be altered for a specific period of time. In general, a minimum of 3 lanes in the 50m pools will be available for community use (which may include Learn to Swim classes) at all times during operational hours, and specifically during peak times. Other facilities will be available during operating hours in accordance with operational requirement, patron demand or as previously advertised (ie waterslide access)

Lane allocations will be based on the Category Hierarchy outlined below.

Special events deemed to provide significant regional economic benefits may be approved upon individual application, and in this instance the community will be given no less than 7 days' notice of reduced access, which may include no general public access when safety is compromised.

Aquatic Centre User Categories

All users of Dubbo Regional Council Aquatic Leisure Centres will be grouped into the following categories:

- Category 1 - Community Use Including Dubbo Regional Council Learn-To-Swim Classes
- Category 2 – Council approved and Swimming NSW affiliated Swim Clubs and State Sporting Organisation Clubs with an aquatic component, currently these include
 - Dubbo Aquatic Leisure Centre (Dubbo City Swimtech Swimming Club; Orana Aquatic Swimming Club.)
 - Wellington Aquatic Leisure Centre - Wellington Amateur Swimming Club,
 - Dubbo Water Polo Club
 - Dubbo Triathlon Club
- Category 3 - Other Community/Sporting Groups, schools and special needs groups requiring a regular, recurring booking, or a one off booking for a carnival or special event (ie school rewards day).
- Category 4 – Private bookings for a ‘one off’ special event.

General Principles or Guidelines for Facility Use Allocation

- All groups seeking to utilise an Aquatic Leisure Centre will be required to sign a written agreement and operate in accordance with Council’s Aquatic Leisure Centre User Agreement.
- The overall lane allocations provided in this policy will be reviewed annually to ensure they reflect the ongoing demand and utilisation at the Aquatic Leisure Centres, in accordance with strategic direction.
- Where available lane hire cannot accommodate the requests of the two swimming clubs and where competition for morning or afternoon lane hire allocation exists between the two swimming clubs, preference of allocations will be based on
 - Mutual agreement after appropriate negotiation, or
 - The number of registered Swimming NSW member and applied as a ratio to lane hire allocations available.
- Council staff may reduce lane allocations to any Category 2, 3 or 4 group in favour of community users at the discretion of the Aquatic Leisure Centres Manager or designated staff member in charge of the individual facility at the time. Such a decision is to be made on the basis of meeting the needs of the greatest number of users of the Centre, and prevailing circumstances could include, but not be limited to:
 - Days of extreme hot weather where there is extensive use of facilities by the general community in the afternoons and additional public lanes should be provided for the community rather than for organised swimming activities.
 - Days where the number of swimmers in attendance with an organised group is low and there is a large demand for community swimming, and a reallocation of lanes will result in a safer allocation of lanes amongst all swimmers
- Such changes to lane hire allocations will be discussed with the user groups involved, and as much notice provided of these changes as possible.

- Community Sporting clubs including water polo and triathlon require specific access to conduct competitions. In such instances special access conditions may be negotiated to facilitate these competitions. For example Water Polo requires approximately 60% of the 50m pool, across all lanes, however public access can still be maintained for free swimming at this time by using the shallow end of the pool at this time. Triathlon events include considerations related to running and cycle legs and access to Victoria Park, in this instance special consideration may be given to conducting an event outside regular hours to reduce risks for participants and for other patrons.
- Groups of swimmers who give the appearance of 'regular' and planned attendance (even if as a social group) will be encouraged to seek lane access as a Category 3 group to ensure they can secure dedicated lane space without impacting upon, or competing with, general Aquatic Centre users for lane access.
- For major events such as swimming carnivals Aquatic Leisure Centre management have the authority to restrict community access for a period of time (ie during the event) based on a risk assessment. At such times a minimum of 7 days' notice will be given to inform the community of reduced access conditions.
- To maintain the business integrity of Council run programs (including Learn to Swim), private coaching will only be considered and approved when
 - Participants are ranked above Dubbo Regional Council Learn to Swim program level;
 - Dubbo Regional Council cannot provide a program service due to lack of appropriate coaching qualifications (ie Disability Learn to Swim, Adult Learn to Swim) or lack of available staff. This consideration will be given on a case by case basis upon application.
 - The 'club level' swimmers benchmark is set as 'individuals engaged in club based activities must be able to swim a minimum 50m freestyle with a consistent, continuous and fluent technique and unaided'. Special consideration may be given to a swimmer who would be significantly disadvantaged by this rule due to family constraints (ie travelling with siblings to club training) would not be able to access a Learn to Swim program. This consideration must be applied for in writing and will be considered on a case by case basis.
- Any other request submitted in writing (and not covered in this policy) to be considered by the Aquatic Leisure Centres Manager and a recommendation provided to the Manager Recreation and Open Spaces for final approval.

Hierarchy of Access

The priority order for access to pool space is:

Category 1

1. Community members – recreational or lap swimming, leisure, non-structured exercise (minimum of 3 lanes available at peak times or 4 lanes available at non peak times)
2. Dubbo Regional Council run programs including
 - a. Learn to Swim
 - b. Transition (or mini squad) programs
 - c. Aqua Aerobics

- d. Any other program as developed by facility staff and approved by Dubbo Regional Council

Category 2

1. Sporting Clubs with an Aquatic component approved by Council and registered with a State Sporting Organisation.

Category 3

1. Community user groups requiring access to water space to run programs that provide a significant community contribution for inclusive access for disadvantaged groups. This group includes schools requiring access for carnivals, learn to swim, sport or PE;
2. Events sanctioned by Swimming NSW or other State bodies (Waterpolo etc.) for the purpose of conducting a Country, Regional or State Event

Category 4

1. Registered swim club - swimming out of other aquatic facilities in the region without a 50m pool, or with limited access to a 50m pool due to, for example to reconstruction/repairs. Limited access available for the purpose of athlete competition development or refinement of specific skill sets.
2. 'One off' bookings for an individual or specific purpose group. This could include a Private Coach bringing a group to the facility. Recommended 'access' – no more than 4 lanes and no more than 4 times per year and subject to availability, never in peak times.

RESPONSIBILITIES

Responsibility for enacting this Policy will lie with the Aquatic Leisure Centres Manager.



DUBBO REGIONAL
COUNCIL

REPORT: Review of Community Support Based Procurement Policy

AUTHOR: Director Organisational Performance
REPORT DATE: 8 July 2020
TRIM REFERENCE: ID20/289

EXECUTIVE SUMMARY

At its Extraordinary meeting held 28 January 2020 Council adopted a Mayoral Minute requesting that a review of Council's Community Support Based Procurement Policy be undertaken and a report be submitted to the July 2020 meeting of Council.

Accordingly, a review has been undertaken of Council's existing Community Support Based Procurement Policy with a focus on improving support for our local businesses and boosting the local economy. In undertaking this review, a rigorous process has been undertaken, initially sourcing internal data on the uptake of the existing policy, identifying stakeholders to consult with and formulating the most effective consultation process. In conjunction with the Economic Development and Marketing team, surveys were designed to gain an understanding of the local business community and staff views on the existing Policy and importantly to seek suggestions on how Council can strengthen its commitment to local procurement. A review of peer councils and phone surveys were also undertaken.

In summary, the review determined that the existing Community Support Based Procurement Policy required a complicated application process, is not attractive in relation to the advantage offered to local suppliers and overall had minimal impact in influencing local procurement.

Based on the feedback received, this review has been undertaken based on the following key messages:

1. Any new Policy must be simple to understand and apply for both suppliers and staff.
2. Communication between suppliers and Council needs to improve.
3. Suppliers would like training and education from Council in relation to quotation and tender preparation processes.
4. Suppliers would like assistance in preparing quotations and tenders if required.
5. Policy provisions must deliver a meaningful impact and advantage to qualified local suppliers.
6. Transparency in Council procurement needs to improve.
7. Any new Policy should support small business and increase supply from Indigenous business.
8. Council still needs to achieve value for money in procurement.

In defining what is 'local', the results of the community consultation ultimately show that all local purchasing will directly and indirectly assist the local economy. The definition of local, in terms of being able to access the provisions of this new draft Local Purchasing Policy, is as follows:

A business that has a physical presence and operates from a permanently staffed address within the boundaries of the Dubbo Regional Council Local Government Area (LGA) for a minimum period of three (3) months before submitting the quotation or tender. Council reserves the right however to exclude a pop up shop or basic shop front from qualifying as a local supplier.

Based on the consultation process undertaken and the key messages identified as listed above, a new draft Local Purchasing Policy has been prepared together with a supporting Local Purchasing Action Plan, attached as **Appendix 1**, and are now presented for consideration.

The key provisions within the new draft Local Purchasing Policy are as follows:

- Preference provided for qualified local suppliers when Council is seeking quotes and tenders for goods and services.
- Various price advantages to be applied for comparative purposes for qualified local suppliers ranging from 5% to 10%.
- For publically advertised quotes and tenders above \$150,000 in value an additional 5 criteria based assessment points to be added to qualified local supplier bids, subject to the use of 50% in total of qualified local subcontractors.

In addition a further temporary COVID-19 pandemic measure will be in place up until the 31 December 2020 whereby each of the price advantages provided under this Policy for qualified local suppliers will be increased by a further 5% across the board.

Legal advice was also sought to ensure this Policy does not contravene any laws around anti-competition, anti-discrimination or fair trading. Prevention Partners NSW advised that where a council adopts a Local Purchasing Policy with a set weighted advantage to Local Suppliers that has the ability to change the outcome of a tender and all tenderers are made aware of the policy, the stated advantage does not contravene any relevant laws. This is provided that it is applied within the policy provisions.

FINANCIAL IMPLICATIONS

Whilst the exact financial impacts of this report are difficult to determine, there will be an additional cost to Council by utilising qualified local suppliers under the provisions of this Policy based on the price advantages to be offered. Part of the analytics to be captured, should this draft Policy be adopted, will include the impact of any cost advantage provided to qualified local suppliers which will be used to inform the 12 monthly review of this Policy scheduled for July 2021.

POLICY IMPLICATIONS

If adopted, the draft Local Purchasing Policy 2020 will become a Policy of Council and the existing Community Support Based Policy 2018 will be rescinded.

RECOMMENDATION

- 1. That the draft Local Purchasing Policy and Local Purchasing Action Plan 2020 as attached to the report of the Director Organisational Performance dated 8 July 2020, be adopted and become effective 1 September 2020.**
- 2. That the temporary COVID-19 Special Provisions as detailed within the Local Purchasing Policy be provided to qualified local suppliers until 31 December 2020.**
- 3. That the Local Purchasing Policy be reviewed in 12 months and a report submitted to the July 2021 meeting of Council.**
- 4. That a progress report on the outcomes achieved under the Local Purchasing Policy and Local Purchasing Action Plan be submitted to the December 2020 meeting of Council.**
- 5. That a report detailing both local and non-local supplier procurement spends be submitted to both the December 2020 and June 2021 meetings of Council.**
- 6. That the Community Support Based Procurement Policy 2018 be rescinded.**

Craig Giffin

Director Organisational Performance

BACKGROUND

Council, at its Extraordinary meeting held on 28 January 2020, considered a Mayoral Minute and resolved as follows:

1. *“That the CEO be requested to review the Community Based Procurement Policy with a view to strengthening Councils commitment to buy local.*
2. *That the review include a community consultation process.*
3. *That such a report be presented to the Council in July 2020.”*

Council’s existing Community Support Based Procurement Policy provides the following advantage for local suppliers:

- *Where the supply of goods, materials or services for Dubbo Regional Council is above \$5,000 and below \$1,000,000, 2% will be nominally deducted from the quotation or tender pricing for the purpose of price comparison for eligible suppliers.*
- *An eligible tenderer will detail their business presence within the LGA, the businesses contribution to the local community and confirm that the business employs at least 50% local staff.*
- *No advantage is given when the resultant comparative price of the tender exceeds \$1,000,000.*

The aim of the policy review was to elicit good economic outcomes through the support of local business particularly given the recent impacts of the devastating drought and the COVID-19 pandemic.

The objectives of the review were to:

- Seek opinion on the existing Policy;
- Define “local” for the purpose of policy development, eligibility criteria and the administration for suppliers and staff;
- Assess community perception and expectations around Council procurement;
- Determine content for a revised Local Purchasing Policy;
- Ensure legislative compliance in the development of the draft new Policy; and
- Benchmark Council’s Local Procurement Policy against other similarly sized regional Councils.

A rigorous process has been undertaken to review Council’s existing Community Support Based Procurement Policy. Initially sourcing internal data on the uptake of the existing policy, identifying stakeholders with whom to consult and formulating the most effective consultation process. Council’s procurement team, in conjunction with the Economic Development and Marketing team, designed and developed surveys to help gain an understanding of the local business community and staff views on the existing policy and to importantly seek suggestions on how Council can strengthen its position in relation to local procurement. A review of other peer Councils was also undertaken and phone surveys were completed with all stakeholder groups.

REPORT

Canvassing or Lobbying of Councillors and Staff

The Local Purchasing Policy includes specific reference to the canvassing or lobbying of Councillors or staff for the purpose of attempting to influence the impartial performance of the public duty of Councillors and Council staff in procurement matters which may result in disqualification from the procurement process. This disqualification extends to the supply of all goods and services to Council for a period of 1 year. Councillors and staff must report any instances of canvassing or lobbying to the Chief Executive Officer.

Further the canvassing or lobbying of Councillors or staff accompanied by the offer of a bribe or other inducement constitutes corrupt conduct and will be reported to the Independent Commission Against Corruption (ICAC) for appropriate action to be taken.

Consultation Process

Consultation with stakeholders took place in February 2020 through to April 2020, feedback received on the current Policy overall was not positive. The application process for Local supplier status under the current policy was found to be a barrier to participation, with staff deeming the assessment of the suppliers supporting documentation and eligibility determination difficult.

There were three discrete stakeholder groups consulted utilising surveys, online research and direct contact by telephone. The three stakeholder groups were:

- Local Businesses
- Council Staff
- Peer Councils

There were 3,150 surveys sent to existing local suppliers and business and disappointingly only 63 responses were received. Whilst a 2% survey response is not considered to be statistically accurate there were however trends and consistent themes in the feedback from the responses that were received. The survey respondents were also asked if they would be willing to be contacted directly to further discuss access to Council procurement.

Consultation with the 63 local suppliers determined that the current Policy is not attractive due to the complexity of eligibility, and with the benefit to a local supplier representing a low value of return (currently 2% price advantage). The current Policy has had minimal impact in influencing their submission of a tender. Other respondents were unaware of the existing Policy.

Overall, the input received favoured focus on supporting local businesses and boosting the local economy, best value however was also important given the expenditure of public money with some price advantage to business with a physical presence in the Local Government Area seen to be beneficial.

When asked for further input there was a definite demand for education programs provided and paid for by Council. These programs would need to entail how to submit a winning quote or tender, and professional unbiased assistance on structuring their business so they are ready to win Council work.

Feedback also highlighted transparency of the distribution of work offers, requests for quote and improved communication around Council procurement.

A survey of council staff was also undertaken to determine staff views on the existing Policy and to gain input and support of how to best assist local businesses to do business with Council.

Staff supported the notion that a local business be defined as one that operates from permanently staffed premises within the boundaries of Council's Local Government Area. Staff also supported the concept of offering a price advantage to local suppliers.

The survey of staff also revealed that it's hard to see if the current Policy is advantageous to either party and it seemed to not have clear social or economic outcome to their knowledge. Generally the feedback was that the application of any revised Policy needs to be uncomplicated to identify eligibility, to apply a weighting for evaluation and it should be measured for effectiveness and financial implication. A suggestion was made to hold industry evenings or trade Expo's to support a new Policy.

Seventeen peer Councils Local Purchasing policies were also researched online with the selected councils having a similar demographic to Dubbo Regional Council. Peer Councils were found to have a local preference policy available on their website and included local preference components in their procurement policy. Most used an orthodox price advantage criteria for local businesses ranging from 2% to 10%, either flat rate or tiered, some were automatically applied others needed a specific application.

Of the 17 interviewed Councils, just one has conducted analysis of their Local Procurement Policies impact on the outcome of quotations tenders. Generally, the interviewed Councils stated that they purchase their lower value goods and services from local suppliers.

Key Messages Obtained from the Consultation Process

Based on the engagement and consultation undertaken the following key messages were identified as requiring consideration in order to improve Council's existing Community Support Based Procurement Policy:

1. Must be simple to understand and apply for both suppliers and staff.
2. Communication between suppliers and Council needs to improve.
3. Suppliers would like training and education from Council in relation to quotation and tender preparation processes.
4. Suppliers would like assistance in preparing quotation and tenders if required.

5. Policy provisions must deliver a meaningful impact and advantage to qualified local suppliers.
6. Transparency of Council Procurement.
7. Support of small business.
8. Achieving Best Value.

Specifically feedback found there is a perception that the same businesses are being offered to quote on work repeatedly, others are never offered or when they are they are not successful, with no feedback on why they were not successful. Likewise that Council emphasis on price rather than support for local business is restrictive. Council's transparency and probity were also questioned. Overall, requests from the community were specifically for support; provision of training and workshops, improved communication and accessibility to council work.

Findings

Based on the engagement and consultation undertaken the following key findings were identified as requiring action in order to implement a policy that provides good economic outcomes for the LGA they are:

1. That support and assistance of local business is important.
2. That the perception exists that transparency and probity of Council's procurement activities is questionable.
3. That a desire to have all work offers publicly advertised to allow all suppliers to quote exists.
4. That a communication strategy and reporting on the outcomes of local purchasing should be prioritised.
5. That of the surveyed Councils, just one Council (other than Dubbo) had reviewed the uptake or effectiveness of their Local Purchasing Policy, none report on application or outcome and one did not have a Local Purchasing Policy.

Based on the above key messages and findings, six specific key considerations have been used to inform and assist in the formulation of the new draft Local Purchasing Policy and draft Local Purchasing Action Plan, as depicted by the below diagram:



Preference to Local Suppliers and COVID-19 impacts are addressed in the draft Local Purchasing Policy. Accountability and transparency, education and training, awareness of and access to council work and social procurement are mainly addressed in the Local Purchasing Action Plan.

POLICY PROVISIONS

This Policy will be referenced in all advertised requests for quote and tender.

For the purpose of this Policy **a qualified local supplier is defined as:**

A business that has a physical presence and operates from a permanently staffed address within the boundaries of the Dubbo Regional Council Local Government Area (LGA) for a minimum period of three (3) months before submitting the quotation or tender. Council reserves the right however to exclude a pop up shop or basic shop front from qualifying as a local supplier.

The onus of proof will be on the local supplier to provide supporting evidence to establish their local supplier qualification under the terms of this Policy.

The Local Purchasing Policy provisions are as follows:

Expenditure up \$10,000 – Local Suppliers Only Invited

Where the supply of services, goods and materials is up to \$10,000 in value, local suppliers only will be sought.

In the event quotes are sought through VendorPanel or an Indigenous sourcing panel, all registered local suppliers in the LGA for the applicable purchasing category will be invited. If no local suppliers are available for the goods or services required quotes are then to be sought from outside of the LGA.

Corporate trade and preferred supplier panels for qualified local suppliers are to be introduced and utilised for regularly sourced goods and services.

Quotes sought up to \$150,000 - 10% price advantage to qualified Local Suppliers

Quotes up to \$150,000 will be invited from the entire list of suppliers on Vendor Panel and an Indigenous sourcing panel for the applicable purchasing category with at least two local supplier quotes to be sought. Qualified local suppliers for comparative purposes will have 10% nominally deducted from their quoted price.

Publicly Advertised Quotes or Tenders over \$150,000 – 5 points added to the total selection criteria score (subject to at least 50% of the total number of sub-contractors being utilised being qualified local suppliers) and a 5% reduction in the price evaluation criteria component of a qualified local supplier bid up to a maximum amount of \$50,000.

Where Council seeks to publicly advertise a quotation or tender there will be a two tier advantage provided to qualified local suppliers who submit a quotation or tender in response. For the purpose of price comparison for qualified local suppliers, 5% will be nominally deducted from the quoted price up to a maximum amount of \$50,000. In addition 5 points will be nominally added to the selection criteria total scoring based on the maximum score being 100, provided at least 50% of any sub-contractors used are qualified Local Suppliers.

All publically advertised quotes and tenders will be placed on VendorPanel and an Indigenous sourcing panel.

In the event that the net bid by a local supplier and a non-local supplier are equal after calculating any applicable local supplier advantages under the terms of this Policy and both suppliers otherwise meet the requirements of the procurement request, taking into account both price and non-price considerations as determined under this Policy, preference will be given to the qualified local supplier.

In the event that a joint tender submission is received that involves a qualified Local Supplier it will be the lead tender business only that may access the provisions of this Policy.

Temporary COVID-19 Pandemic measures

A measure to further support local suppliers and the local economy when an Economic Recovery Strategy is implemented is to provide a temporary additional advantage for local suppliers through the Local Purchasing Policy.

In alignment with and to support Council's Economic Recovery Taskforce to assist local suppliers as a result of the COVID-19 pandemic the price advantage for comparative purposes under each of the provisions of this Policy are temporarily increased by an additional 5% across the board when:

- Quotations and tenders are called up until the 31 December 2020
- The supplier meets the local supplier definition

SOCIAL PROCUREMENT

Disability Providers

Council will undertake social procurement by procuring goods and services from local disability providers. Under Section 55 of the Local Government Act 1993, council can directly engage disability service providers without the need to go to quotation or tender. To ensure probity and transparency, where there is more than one disability service provider, quotation procedures will apply. While these initiatives support good social procurement outcomes, there remains a responsibility to achieve best value in procurement.

Indigenous Business and Recognised Social Enterprises

Unlike disability service providers the Local Government Act 1993 does not have provision to directly engage Indigenous business or recognised social enterprises.

However, notwithstanding Section 55 of the Local Government Act's not providing for a similar direct engagement of Indigenous businesses, to ensure Council can support local Indigenous businesses through this Local Purchasing Policy, Council will apply for membership with an Indigenous sourcing panel. An Indigenous sourcing panel will provide Council direct access to a specialised procurement sourcing panel of Indigenous Businesses. Under these arrangements provision of work offers to Certified and Registered local Indigenous business by broadcast can be made.

Council's Local Purchasing Action Plan developed to support this Policy includes a number of specific Indigenous local business actions to both further support and develop specific initiatives to assist local Indigenous businesses. Council is currently developing both an Indigenous Employment Strategy and a Council wide Reconciliation Action Plan (RAP) which will also provide further procurement specific opportunity for local Indigenous businesses. The development of Council's Reconciliation Action Plan will also provide further specific support for Aboriginal procurement initiatives.

Local social enterprises will be engaged to supply goods and services where possible with the Local Purchasing Action providing specific initiatives to support local social enterprises.

ACCOUNTABILITY AND TRANSPARENCY IN PROCUREMENT

Accountability and transparency will be enhanced through the use of Councils e-procurement platform VendorPanel and an Indigenous supplier panel. The electronic platforms are completely free to suppliers who self-register and maintain a profile. The platforms allow a high degree of transparency, probity and reporting allowing goals and targets with local suppliers as a proportion of all sourcing to be measured.

To further improve transparency preferred supplier panels for qualified local suppliers are to be introduced and utilised for regularly sourced goods and services.

REPORTING

As the need for reporting on Council procurement was identified as part of the consultation process, when all work offers are broadcast to registered suppliers of a purchasing category the outcomes of the Local Purchasing Policy are then measurable through source analytics provided by the purchasing platforms.

Council will compile and publish a list of regularly sourced categories of goods and services so local businesses can make an assessment if they should consider supplying or moving toward a particular category of supply. The list which is to be prepared twice annually in December and June each year will be published as Councils procurement summary detailing spends with local suppliers and non-local suppliers.

LOCAL SUPPLIER ENGAGEMENT AND COMMUNICATION STRATEGY

Council will actively support all eligible local business to do business with council. The Local Procurement Policy and Action Plan includes initiatives to build trust and accountability in Council procurement. These include keeping the market informed about supply opportunities, managing supplier relationships during the procurement process and managing complaints and debriefs to maintain a positive view of council that encourages supplier participation. The intention of the plan is to undertake a range of activities to inform council's suppliers of opportunities to supply, together with local supplier education and workshops to improve procurement capability.

A media launch of the new Local Purchasing Policy will be undertaken once the Policy is adopted. The launch of the Policy will highlight the implementation of VendorPanel and membership of an Indigenous purchasing panel. The communications strategy will be used to engage local businesses in order to both implement and ensure value from the introduction of the new Local Purchasing Policy.

The Local Procurement Action Plan also provides for on-going communication and engagement.

EDUCATION AND TRAINING

One of the key learnings from the consultation process utilised to inform the development of both the Local Purchasing Policy and the Local Purchasing Action Plan was the need for local supplier education and training. The feedback from local business was that they needed training on how to work with Council to prepare quotation and tender documents in order to be able to win Council work.

There are a number of actions detailed within the Local Purchasing Action Plan, which is attached to this report as part of **Appendix 1**, in order to commence and facilitate the required education and training requested by local suppliers.

WHERE NON- LOCAL SUPPLIERS ARE UTILISED

Council in its diverse operations will need to purchase goods and services from outside the LGA simply because local suppliers cannot supply the goods or services or are not competitive from a best value perspective. In recognition of this Council will compile a list of regularly sourced categories of goods and services so local businesses can make an assessment if they should consider supplying or moving toward a particular category of supply. The list will be published every six months in December and June each year and be known and published as Council's annual procurements detailing spends with Local and Non-Local and submitted with a covering report to Council.

Appendices:

[1](#) Draft - Council Policy - Local Purchasing Policy



Local Purchasing Policy

DRAFT

Date July 2020
Council Resolution Date 27 July 2020
Clause Number CCL

Responsible Position Director Organisational Performance
Branch Procurement
Division Organisational Performance
Version 1.0
TRIM Reference Number ED20/52618
Review Period 1 years
Review Date July 2021
Consultation Yes

Document Revision History	
Description	Date
Version 1	27 July 2020
Notes	
Community Support Based Procurement Policy rescinded	

POLICY

PURPOSE

This Policy aims to strengthen council's commitment to buying local and in turn support the local economy. Council will actively procure suitable services, goods and materials locally where possible whilst ensuring the achievement of best value, financial and legislative responsibilities.

BACKGROUND AND RELATED LEGISLATION

This Policy has been developed as a result of reviewing Councils existing Community Support Based Procurement Policy, 2018. Extensive stakeholder consultation including surveys and direct feedback from local businesses, council's staff and similarly sized regional councils has been undertaken to determine how Council can appropriately support local business whether it be by a cost comparative advantage or by other measures.

This Policy replaces the previous Community Support Based Procurement Policy 2018.

This Policy should be read in conjunction with the Tendering Guidelines for NSW Local Government and in consideration of Councils legislative obligation under clause 178 of the Local Government (General) regulation 2005 to "accept the tender that, having regard to all the circumstances, appears to it to be the most advantageous".

Council has received legal advice which states that where a council adopts a Local Purchasing Policy with a set weighted advantage to local suppliers that has the ability to change the outcome of a procurement and all suppliers are made aware of the policy, the stated advantage does not contravene any relevant laws, related to anti-discrimination, anti-competition and fair trading. This is provided it is applied within the policy provisions.

DEFINITIONS

To assist in interpretation, the following definitions apply:

Term	Definition
Best Value	Overall value for money including quality and expertise
Council	Dubbo Regional Council
GIPA	Government Information Public Access Act
Indigenous sourcing panel	A specialised procurement sourcing panel that allows Council direct provision of work offers to Certified and Registered Indigenous business.
Local Supplier	A business that has a physical presence and operates from a permanently staffed address within the boundaries of the Dubbo Regional Council Local Government Area (LGA) for a minimum period of three (3) months before submitting the quotation or tender. Council reserves the right however to exclude a pop up shop or basic shop front from qualifying as a local supplier.
LGA	Dubbo Regional Council Local Government Area
Total value	Includes GST

References related to this policy:

Local Government Act 1993

Local Government General Regulations (2005)

Australian Competition and Consumer Commission

DUBBO REGIONAL COUNCIL

Page 2

Competition and Consumer Act 2010
Australian Consumer Law 2011
Government Information (Public Access) Act 2009
Office of Local Government Tendering Guidelines
Councils purchasing and procurement management policy

CANVASSING OF COUNCILLORS OR STAFF

The canvassing or lobbying of Councillors or staff for the purpose of attempting to influence the impartial performance of the public duty of Councillors and Council staff in procurement matters may result in disqualification from the procurement process. This disqualification extends to the supply of all goods and services to council for a period of 1 year. Councillors and staff must report any instances of canvassing or lobbying to the Chief Executive Officer.

Further the canvassing or lobbying of councillors or staff accompanied by the offer of a bribe or other inducement constitutes corrupt conduct and will be reported to the Independent Commission Against Corruption (ICAC) for appropriate action to be taken.

SCOPE

Council has a responsibility through its expenditure of public funds to achieve best value in procurement recognising the broad benefits to the Local Government Area (LGA) that flow from purchasing locally. Council will seek to maximise opportunities for local suppliers to compete for Council's business while also promoting opportunity for smaller business, social enterprises, disability groups and Indigenous businesses.

This Policy where possible aims to use Council's procurement undertakings to encourage and support local suppliers and economic activity within the LGA while achieving Council's best value objectives to maximise the overall community benefit from the expenditure of public funds.

The objective of this Policy is to create a framework that ensures Council gives due consideration in all procurements to the benefits of supporting local business by sourcing locally where possible. Consultation undertaken as part of the formulation of this Policy found increased communication and visibility of upcoming work, having a simple Policy that is easy to apply and meaningful in terms of the benefits provided to local suppliers, provision of training and education of local suppliers by Council, transparency while ensuring achievement of best value and support for small business as being important. Council is committed to supporting the local economy and enhancing the capability of local business and industry, by working with local suppliers to improve their capacity to meet Council's requirements and compete effectively in the tender or quotation process to win Council work.

To further this commitment a Local Purchasing Action Plan, which is attached to this Policy as **Appendix 1**, has also been developed to support this Policy which includes a number of specific and time defined actions to be undertaken.

POLICY PROVISIONS

This Policy will be referenced in all advertised requests for quote and tender.

For the purpose of this Policy **a qualified local supplier is defined as:-**

A business that has a physical presence and operates from a permanently staffed address within the boundaries of the Dubbo Regional Council Local Government Area (LGA) for a minimum period of three (3) months before submitting the quotation or tender. Council reserves the right however to exclude a pop up shop or basic shop front from qualifying as a local supplier.

The onus of proof will be on the local supplier to provide supporting evidence to establish their local supplier qualification under the terms of this Policy.

The Local Purchasing Policy provisions are as follows:-

Expenditure up \$10,000 – Local suppliers only invited

Where the supply of services, goods and materials is up to \$10,000 in value, local suppliers only will be sought.

In the event quotes are sought through VendorPanel or an Indigenous sourcing panel, all registered local suppliers in the LGA for the applicable purchasing category will be invited. If no local suppliers are available for the goods or services required quotes are then to be sought from outside of the LGA.

Corporate trade and preferred supplier panels for qualified local suppliers are to be introduced and utilised for regularly sourced goods and services.

Quotes sought up to \$150,000 - 10% price advantage to qualified Local Suppliers

Quotes up to \$150,000 will be invited from the entire list of suppliers on Vendor Panel and an Indigenous sourcing panel for the applicable purchasing category with at least two local supplier quotes to be sought. Qualified local suppliers for comparative purposes will have 10% nominally deducted from their quoted price.

Publicly Advertised Quotes or Tenders over \$150,000 – 5 points added to the total selection criteria score (subject to at least 50% of the total number of sub-contractors being utilised being qualified local suppliers) and a 5% reduction in the price evaluation criteria component of a qualified local supplier bid up to a maximum amount of \$50,000.

Where Council seeks to publicly advertise a quotation or tender there will be a two tier advantage provided to qualified local suppliers who submit a quotation or tender in response. For the purpose of price comparison for qualified local suppliers, 5% will be nominally deducted from the quoted price up to a maximum amount of \$50,000. In addition 5 points will be nominally added to the selection criteria total scoring based on the maximum score being 100, provided at least 50% of any sub-contractors used are qualified Local Suppliers.

All publically advertised quotes and tenders will be also placed on VendorPanel and an Indigenous sourcing panel.

In the event that the net bid by a local supplier and a non-local supplier are equal after calculating any applicable local supplier advantages under the terms of this Policy and both suppliers otherwise meet the requirements of the procurement request, taking into account both price and non-price considerations as determined under this Policy, preference will be given to the qualified local supplier.

In the event that a joint tender submission is received that involves a qualified Local Supplier it will be the lead tender business only that may access the provisions of this Policy.

Temporary COVID-19 Pandemic measures

A measure to further support local suppliers and the local economy when an Economic Recovery Strategy is implemented is to provide a temporary additional advantage for local suppliers through the Local Purchasing Policy.

In alignment with and to support Council's Economic Recovery Taskforce to assist local suppliers as a result of the COVID-19 pandemic the price advantage for comparative purposes under each of the provisions of this Policy are temporarily increased by an additional 5% across the board when:-

- quotations and tenders are called up until the 31 December 2020
- The supplier meets the local supplier definition

E-Procurement – Vendor Panel and an Indigenous sourcing panel

The sourcing of Council procurements from local suppliers will be undertaken through the world class e-procurement solution VendorPanel © which has been partially implemented throughout Council and the local business community for management of all requests for quotation or tender. The electronic platform is completely free to suppliers who self-register and maintain a profile. VendorPanel has links to Local Government Procurement tendered panel contracts.

In addition all request for quotes and tenders will also be broadcast on an Indigenous sourcing panel.

These platforms allow a high degree of transparency, probity and importantly reporting of outcomes of the Local Purchasing Policy by capturing source analytics and utilising geo-targeting of suppliers.

SOCIAL PROCUREMENT AND LOCAL PURCHASING**Disability Providers**

Council will undertake social procurement by procuring goods and services from local disability providers. Under Section 55 of the Local Government Act 1993, council can directly engage disability service providers without the need to go to quotation or tender. To ensure probity and transparency, where there is more than one disability service provider, quotation procedures will apply. While these initiatives support good social procurement outcomes, there remains a responsibility to achieve best value in procurement.

Indigenous Business and Recognised Social Enterprises

Unlike disability service providers the Local Government Act 1993 does not have provision to directly engage Indigenous business or recognised social enterprises.

To ensure Council can support local Indigenous businesses through this Local Purchasing Policy, Council will apply for membership with an Indigenous sourcing panel. The Indigenous sourcing panel is a specialised procurement sourcing panel that allows Council to direct work offers to Certified and Registered Indigenous businesses.

Council's Local Purchasing Action Plan developed to support this Policy includes a number of specific Indigenous local business actions to both further support and develop specific initiatives to assist local Indigenous businesses.

The development of Councils Reconciliation Action Plan will also provide further specific support for Aboriginal procurement initiatives.

Local social enterprises will be engaged to supply goods and services where possible with the Local Purchasing Action providing initiatives to support local social enterprises.

GOVERNMENT CONTRACTS

Council is able to utilise Government contracts under the Local Government Act 1993. Prescribed entities Local Government Procurement Partnership Panel (LGP) and Procurement Australia tendered panel contracts provide this option. Using the LGP as a procurement option, serves a purpose in achieving best value by reducing administration costs for both council and suppliers. In keeping with the intent of this Policy, Council will purchase from suppliers under Government contract within the same terms of this Policy.

WHERE NON- LOCAL SUPPLIERS ARE UTILISED

Council in its diverse operations will need to purchase goods and services from outside the LGA simply because local suppliers cannot supply the goods or services or are not competitive from a best value perspective. In recognition of this Council will compile a list of regularly sourced categories of goods and services so local businesses can make an assessment if they should consider supplying or moving toward a particular category of supply. The list will be published every six months in December and June each year, include detail of spends with Local and Non-Local suppliers and be submitted with a covering report to Council.

ACTION PLAN

There is a lot of work to be undertaken to provide the necessary support for this Policy. To facilitate this a Local Purchasing Action Plan has been developed which is attached to this Policy as an **Annexure** and is based on the following themes:-

- Accountability and Transparency
- Awareness of and Access to Council work for Local Business
- Education and Training
- Social Procurement

RESPONSIBILITIES

The Director Organisational Performance and all staff with purchasing authority are responsible for enacting and enforcing this policy.

APPENDICES

Local Purchasing Action Plan

Local Purchasing Action Plan 2020-2021

Theme	Task		Responsibility	Completion date	Progress Update
Accountability and Transparency	A report is published biannually in December and June detailing the previous six months purchases showing local v's non-local spend. This will allow local suppliers to identify further opportunities to provide goods/services to Council in the future.	Ⓜ	Elizabeth Bell	December 2020 and July 2021	
	Include additional data through the monthly Councilor Informal Report to measure success of the Local Purchasing Policy including: Monthly and yearly dollar value spend with local suppliers as opposed to non-local suppliers, number of contracts awarded to local suppliers as opposed to non-local suppliers and the actual cost of applying the provisions of the Local Procurement Policy.	Ⓜ	Elizabeth Bell	Monthly commencing October 2020	
	All relevant policies are reviewed and revised regularly to reflect the intent of the Local Purchasing Policy to foster transparency and reporting	Ⓜ	Elizabeth Bell	September 2020	
	Implement and support corporate trade and preferred supplier panels to formalise the engagement of regularly sourced goods and services to improve accountability and transparency.	Ⓜ	Elizabeth Bell/David Matthews/Abbey Rouse and key Managers	February 2021	
	Develop clear guidelines for council staff and suppliers on the management of complaints and debriefs regarding Council procurement	Ⓜ	Elizabeth Bell	December 2020	
Awareness of and Access to Council work for Local Businesses	Publish an annual Project Plan of significant upcoming Procurements to allow local suppliers to be business ready to tender	Ⓜ	Elizabeth Bell	December 2020	
	Develop internal supplier management strategies to ensure ongoing monitoring of awarded work and provision of timely and relevant feedback to unsuccessful suppliers	Ⓜ	Elizabeth Bell	December 2020	
	Develop a communications plan to support the introduction and ongoing outcomes of the Local Purchasing Policy	Ⓜ	Andrew Parsons/Elizabeth Bell	August 2020	
	Launch Council's Local Purchasing Policy Initiatives and Panel sourcing solutions.	Ⓜ	Andrew Parsons/Elizabeth Bell	August 2020	
	Develop a series of supplier briefings and forums to inform suppliers of this Policy and upcoming projects.	Ⓜ	Elizabeth Bell/Josie Howard	December 2020	
	Update the Doing Business with Council component of Councils Website to include the provisions of the Local Purchasing Policy.	Ⓜ	Elizabeth Bell	August 2020	
Education and Training	Undertake in-house training of staff with delegated authority to purchase goods and services on the new Local Purchasing Policy	Ⓜ	Elizabeth Bell	September 2020	
	Undertake in-house training on use of supplier panels in relation to the transparency and reporting outcomes of the Local Procurement Policy.	Ⓜ	Elizabeth Bell	September 2020	
	Provide training to suppliers on the use, registration and Pre Qualification for Councils supplier panels.	Ⓜ	Elizabeth Bell/Josie Howard	October 2020 and on-going	
	Develop a series of training and education forums that can be used to assist local businesses in preparing competitive quotes/tenders and to better understand the Local Purchasing Policy and the legislative processes required for Local Government Procurement	Ⓜ	Elizabeth Bell/Josie Howard	Commence October 2020	
	The internal purchasing and procurement policy for staff is amended to require, as part of the advice to qualified local suppliers if they were unsuccessful in their quotation or tender, that if they would like to discuss the reason why they were unsuccessful that they can contact the appropriate council staff member to receive feedback.	Ⓜ	Elizabeth Bell	September 2020	
	Hold two workshops per annum specifically targeted at disability, social enterprises and indigenous businesses on how to quote and tender for Council work.	Ⓜ	Elizabeth Bell/Josie Howard	February 2021 and June 2021	
	Work with the Indigenous sourcing panel to develop a specific education and training program for local indigenous businesses.	Ⓜ	Elizabeth Bell/Josie Howard	October 2020	
Social Procurement	Become a member and engage with an Indigenous sourcing panel to assist Council with the development of a framework specifically designed to foster local indigenous procurement by Council.	Ⓜ	Elizabeth Bell	October 2020	
	Investigate the opportunity to develop a specific Aboriginal Procurement Policy as part of Councils development of a Reconciliation Action Plan (RAP).	Ⓜ	Skye Price/Elizabeth Bell	As required for RAP	
	Work with an Indigenous sourcing panel to provide culturally sensitive training for staff and provide assistance to local indigenous businesses to quote and tender for Council work.	Ⓜ	Aboriginal Liaison Officer and Elizabeth Bell	February 2021	
	Investigate the opportunity to develop Aboriginal employment criteria within Tender submissions as part of Councils development of a Reconciliation Action Plan (RAP).	Ⓜ	Skye Price/Elizabeth Bell	As required for RAP	
	Develop and communicate to Council staff a list of local disability providers, social enterprises and indigenous businesses that can be used to procure goods and services.	Ⓜ	Elizabeth Bell	December 2020	
	Investigate setting a target spend with Indigenous Businesses as part of Councils development of a Reconciliation Action Plan (RAP).	Ⓜ	Skye Price/Elizabeth Bell	AS required within RAP	
	Ensure a proactive and ongoing positive engagement between Council and disability, social enterprises and indigenous businesses through the review and development of a local supplier engagement framework to further support and enhance the adopted Local Purchasing Policy.	Ⓜ	Elizabeth Bell	post March 2021	

KEY LEGEND	
▶	ON TRACK
	TASK DELAYED
Ⓜ	NOT COMMENCED
✘	COMPLETION NOT EXPECTED
✓	COMPLETED
✓	COMPLETED AHEAD OF TIMEFRAME



REPORT: Proposed Dedication of Public Road at the Dubbo Base Hospital Development

AUTHOR: Property Specialist
REPORT DATE: 9 July 2020
TRIM REFERENCE: ID20/766

EXECUTIVE SUMMARY

Dubbo Base Hospital is located at 170 Myall Street, Dubbo (Lot 101 DP 1233482) and is owned by the Health Administration Corporation (HAC).

Dubbo Base Hospital is currently undergoing a major development project, funded by the State and Federal Governments. The project has affirmed Dubbo Base Hospital as the major rural referral centre and acute care hospital for speciality services in the Region.

As part of the development, the existing entrance driveway is to be redesigned and dedicated as public road, thereby becoming the future responsibility of Council as the Road Authority.

A public road may not be opened by a person other than the Crown unless the opening is approved by the local council, or in the case of land outside a local government area, by the Minister. An approval may be granted subject to conditions, and cannot be given unless all affected parties consent to the dedication.

Western Survey Pty Ltd on behalf of HAC have prepared a draft Plan of Subdivision which, if approved, would create Lot 11 to then be dedicated as public road. This dedication would help ensure that constructed roads at Myall Street and the entrance/exit to the Hospital are all within the appropriate road reserve.

This report recommends that Council agree to consent to the dedication of Lot 11 as public road.

FINANCIAL IMPLICATIONS

The redesigned road will become dedicated land as public road upon registration of the subdivision plan. All costs are to be met by the project proponent, HAC.

POLICY IMPLICATIONS

There are no policy implications arising from this report.

RECOMMENDATION

- 1. That Lot 11 DP 1233482 be dedicated as public road.**
- 2. That any necessary documentation in relation to this matter be executed under Power of Attorney.**

Vanessa Schmalz
Property Specialist

BACKGROUND

Upgrades to the Dubbo Base Hospital have taken place in four stages. Stages 1 and 2 were undertaken as part of a \$91.3 million State and Federal Government Funding Grant. In 2016, an additional \$150 million intended to deliver stages 3 and 4, was announced by Health Minister, Jillian Skinner MP and Member for Dubbo, Troy Grant MP.

With Stage 4 construction currently underway, a number of facilities have or will become available including:

- An emergency department and short stay unit.
- A medical imaging department.
- A critical care floor comprising of a coronary care/stroke unit, intensive care unit and cardiac catheter laboratory.
- An ambulatory care unit.
- A main entry and drop off zone.

With upgrades to the main entry and drop off zone including the creation of additional parking spaces, the main hospital entrance/exit off Cobbora Road and Myall Street will change.

REPORT

Council has been provided with a plan of subdivision (attached as **Appendix 1**) outlining proposed Lot 11 which is intended to be dedicated as public road. By dedicating this portion, it will realign the road reserve making it consistent with the constructed road to be developed as part of the Stage 4. Below is an outline of the approximate area to be dedicated.




This report seeks Council's concurrence to the acceptance of this land as proposed by HAC.

SUMMARY

The dedication of this portion of HAC property as a result of the redesign of the Myall Street and Cobbora Road round-a-bout intersection, will ensure that traffic travelling on Myall Street who are not seeking to enter the hospital site, will remain on a public road, rather than encroaching onto hospital grounds.

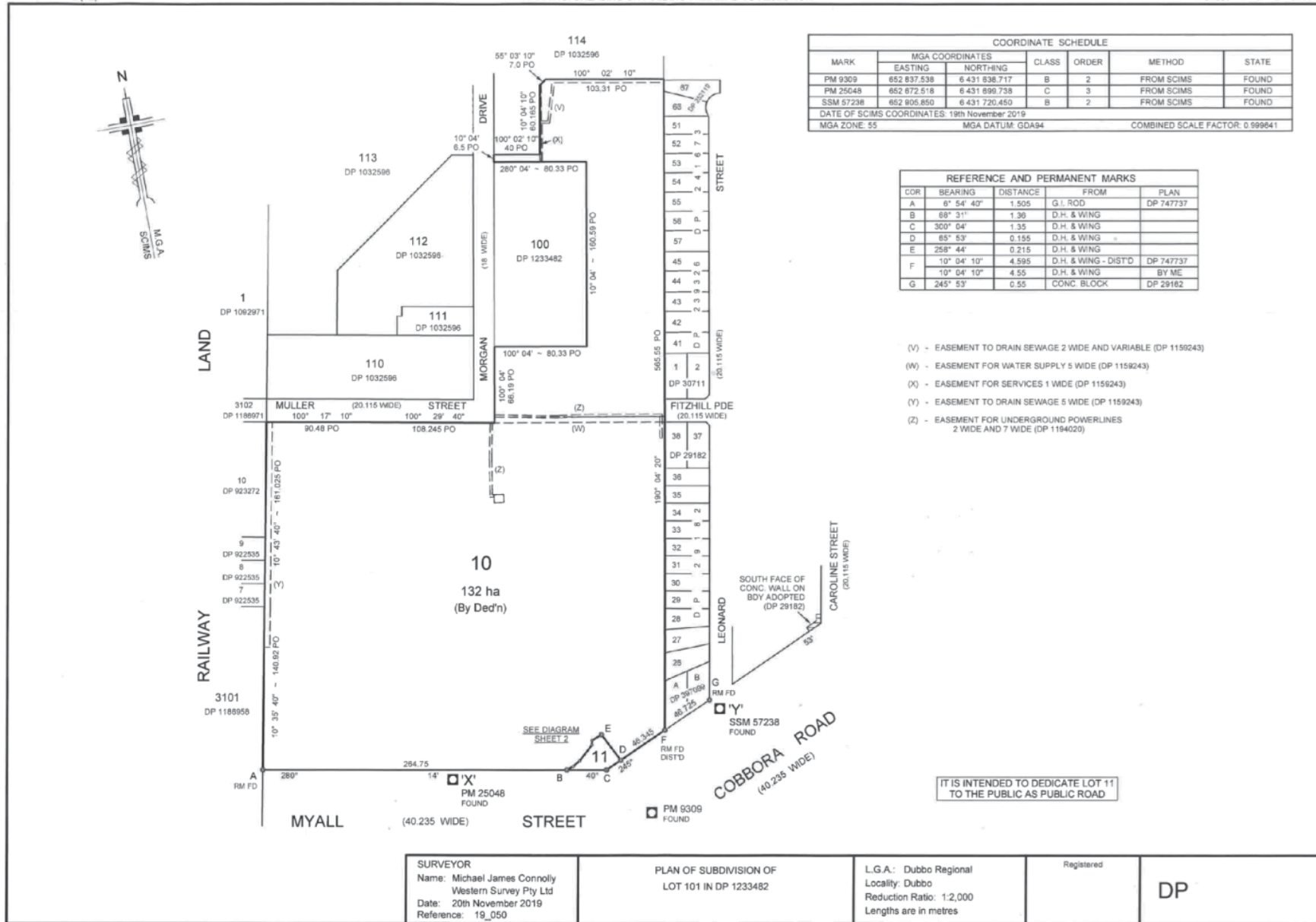
Appendices:

[1](#)  Plan of Subdivision of Lot 101 in DP 1233482

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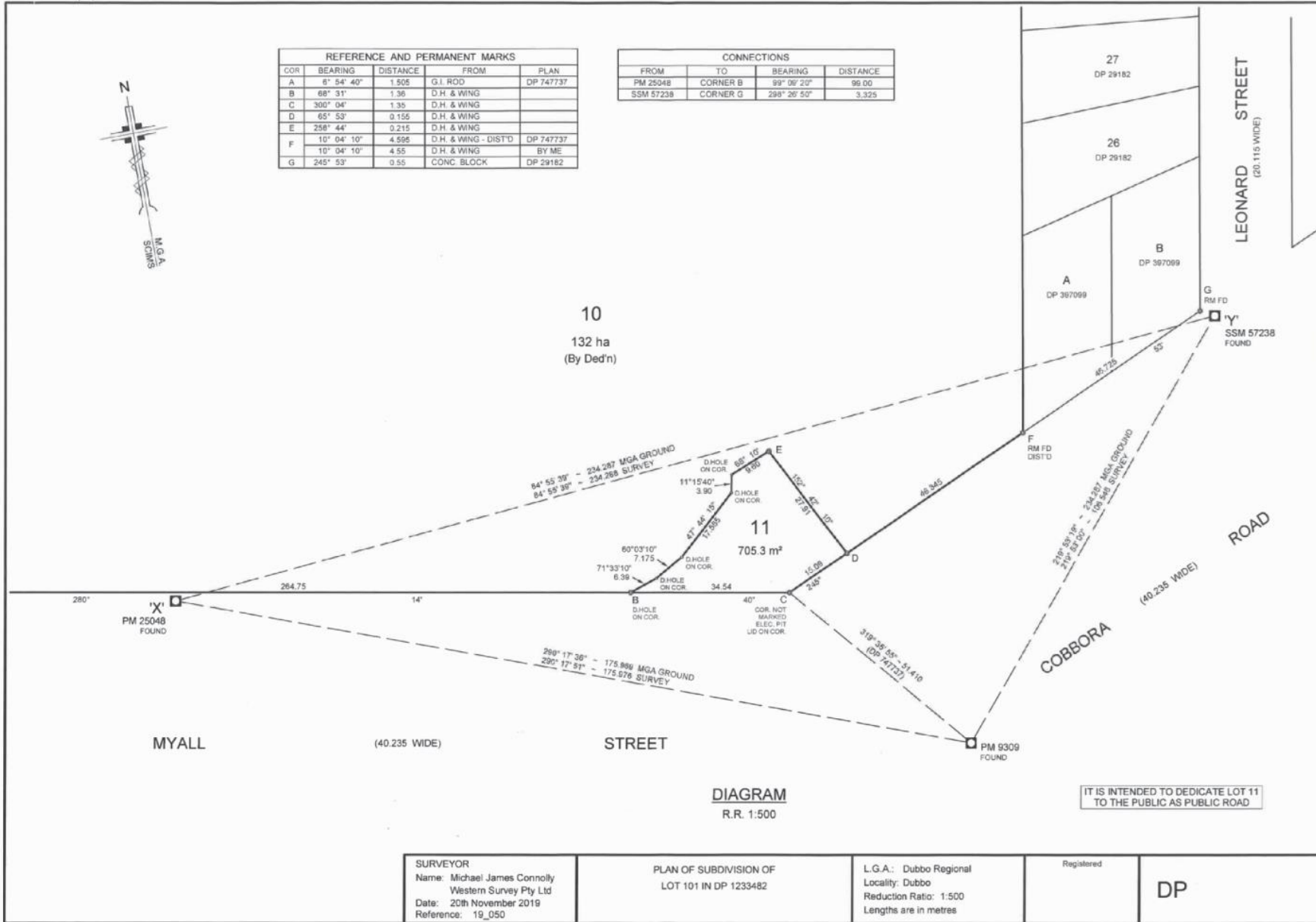
Sheet 1 of 2 Sheets



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Sheet 2 of 2 Sheets



SURVEYOR
Name: Michael James Connolly
Western Survey Pty Ltd
Date: 20th November 2019
Reference: 19_050

PLAN OF SUBDIVISION OF
LOT 101 IN DP 1233482

L.G.A.: Dubbo Regional
Locality: Dubbo
Reduction Ratio: 1:500
Lengths are in metres

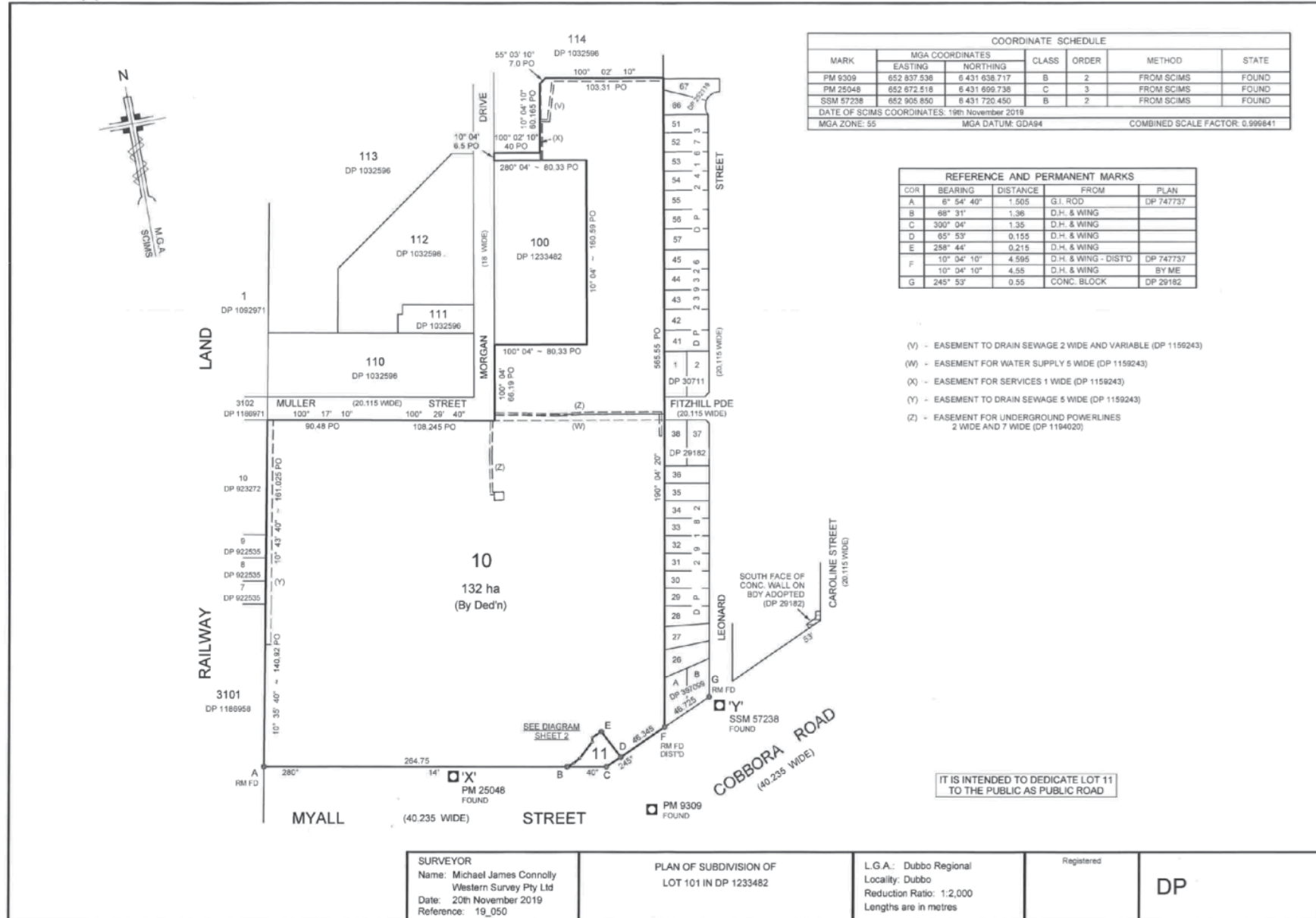
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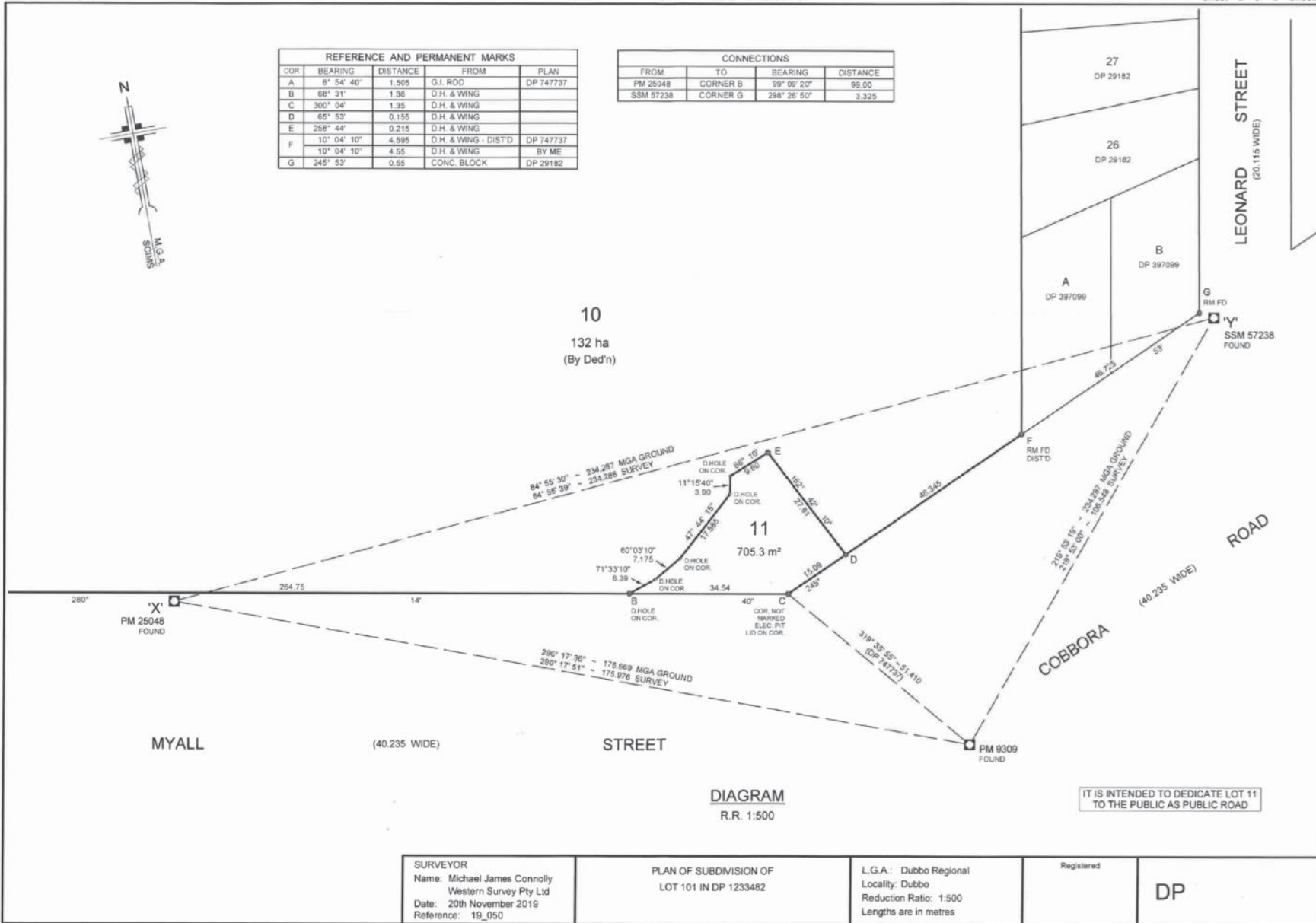
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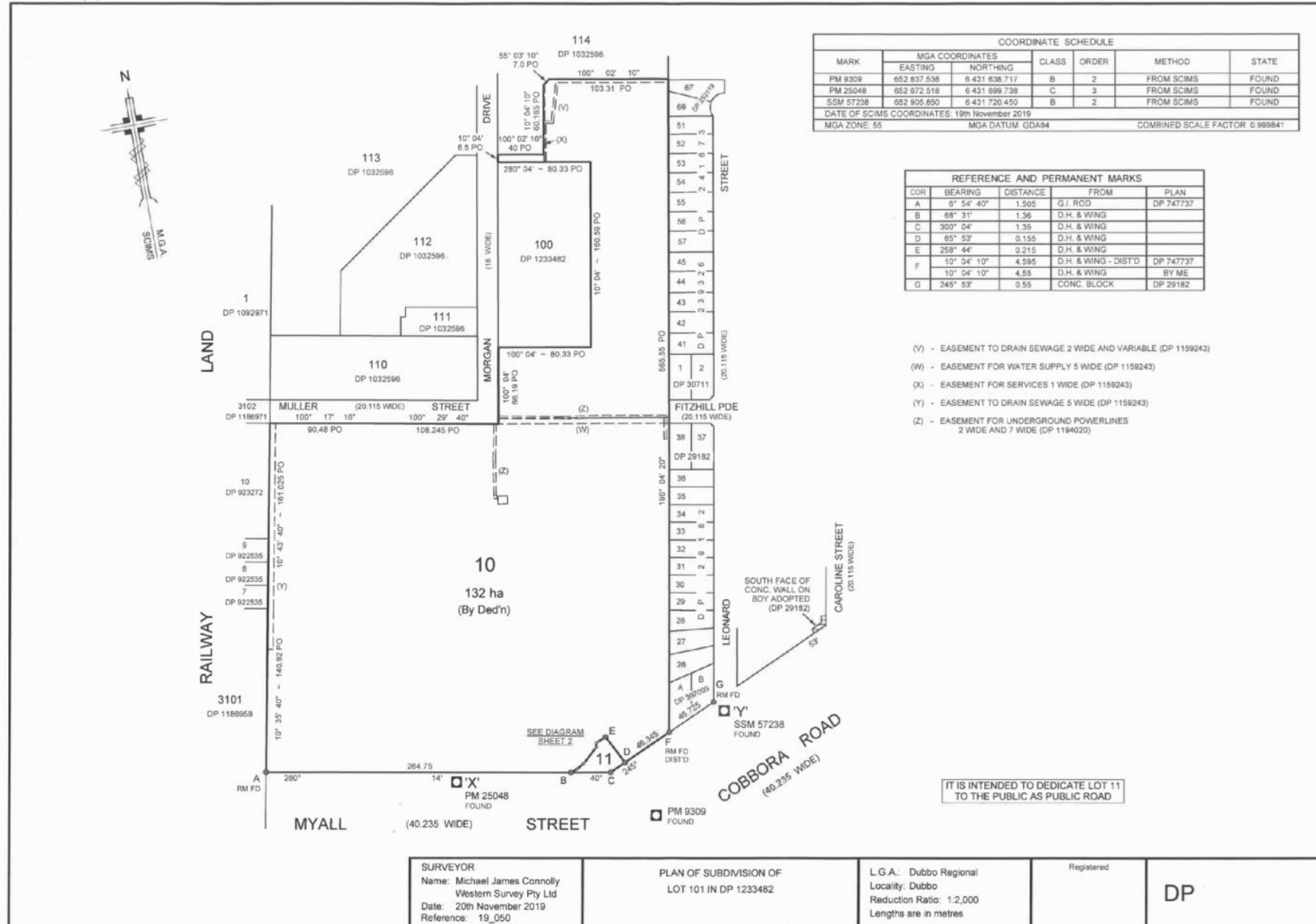
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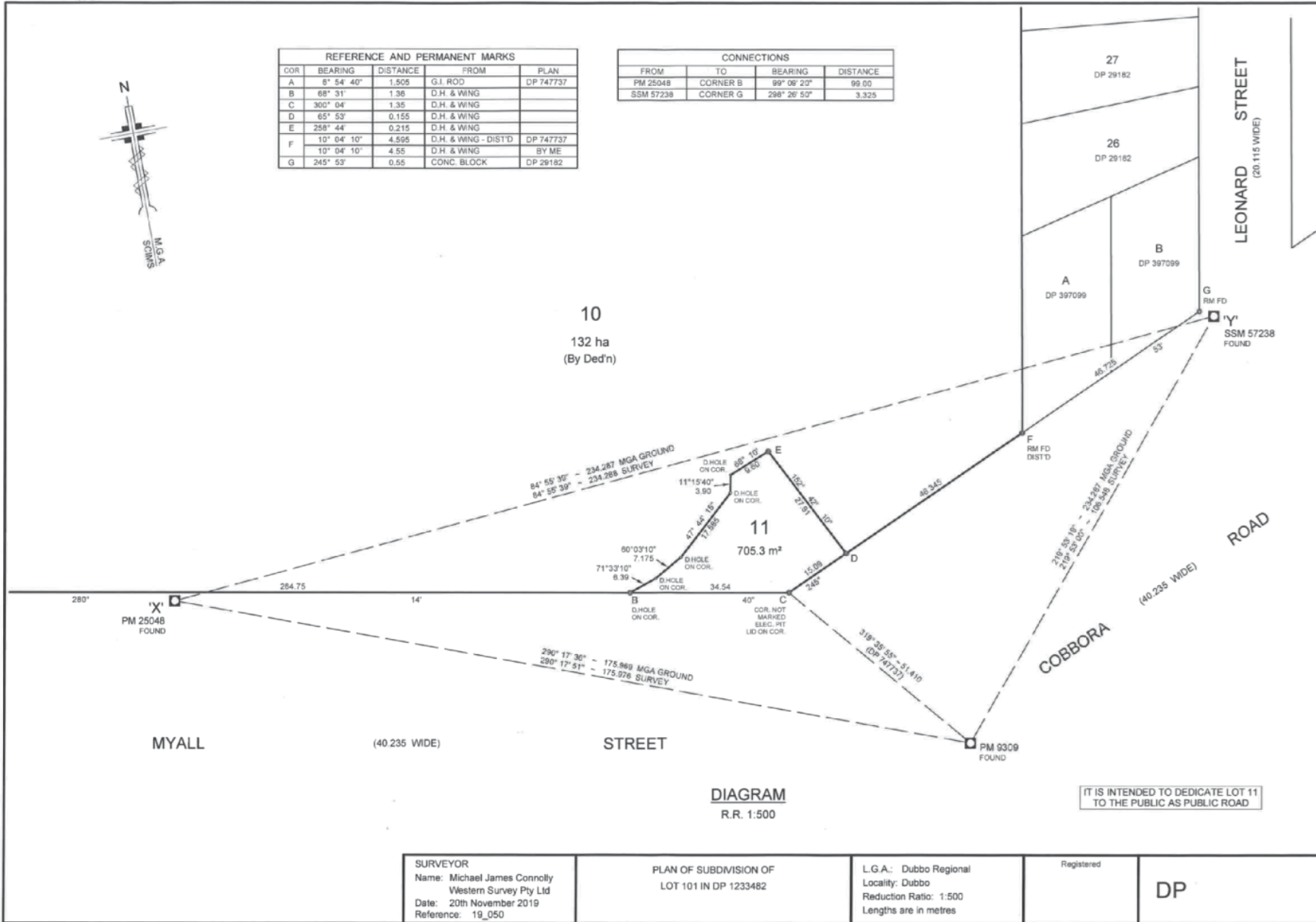
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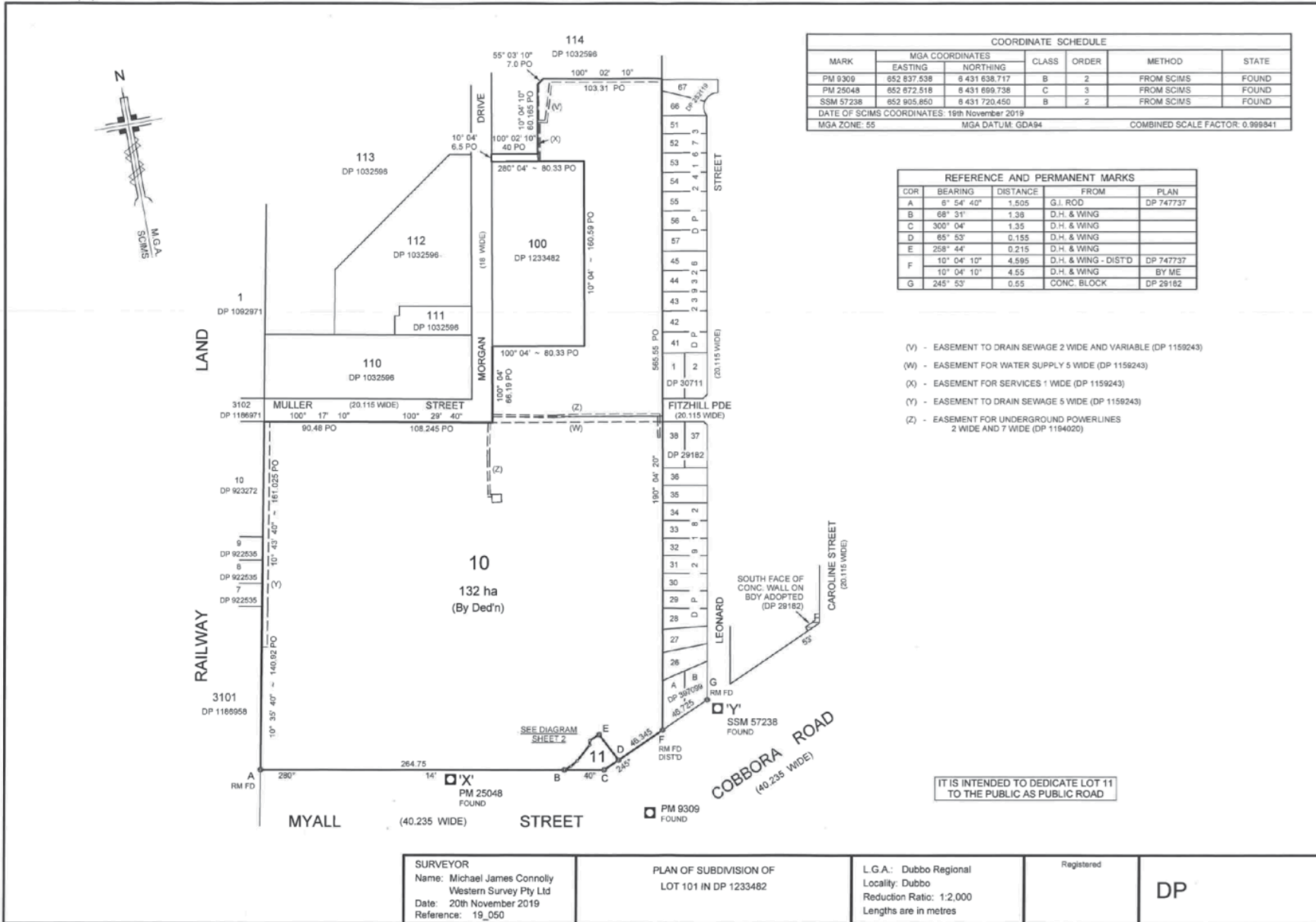
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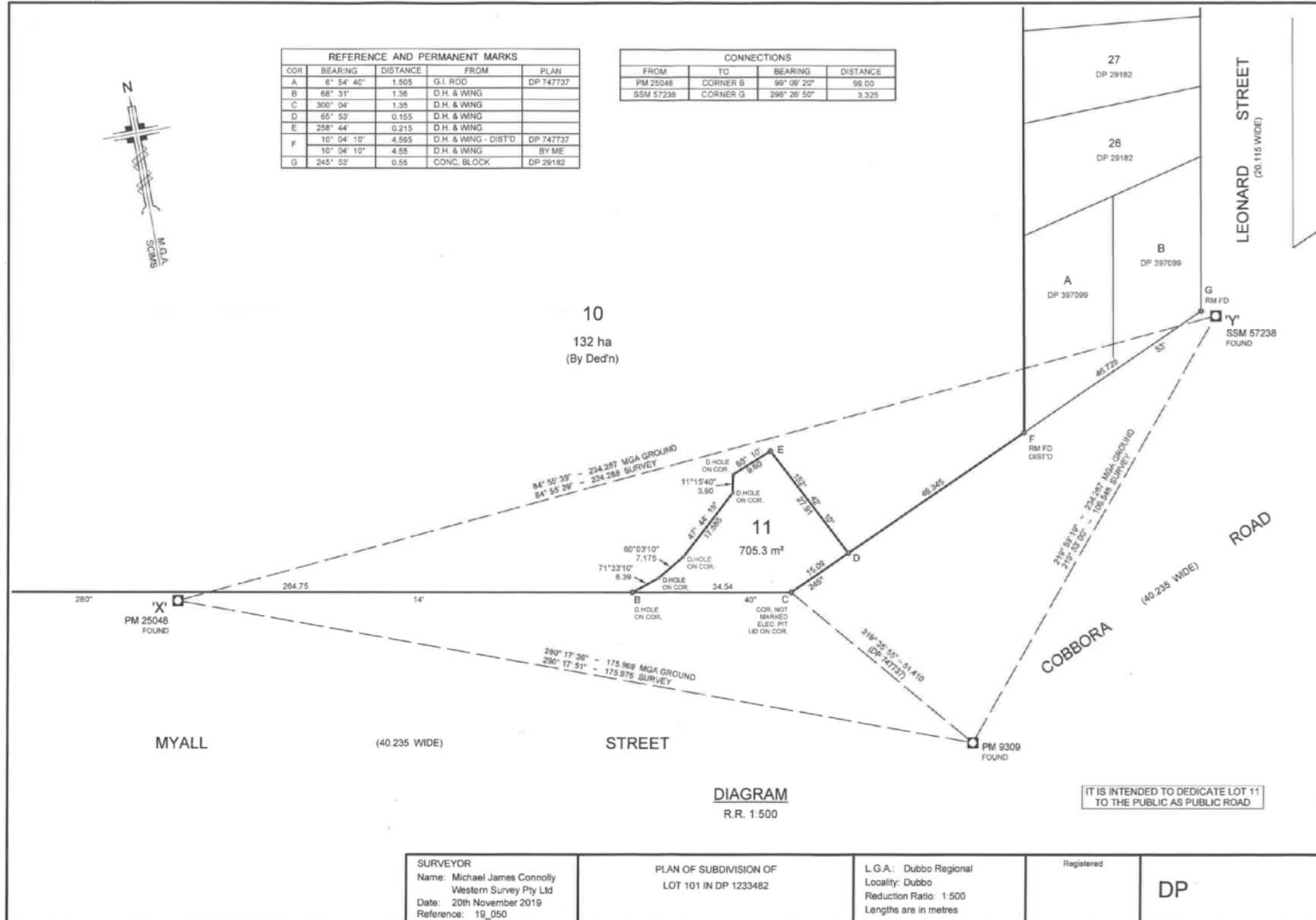
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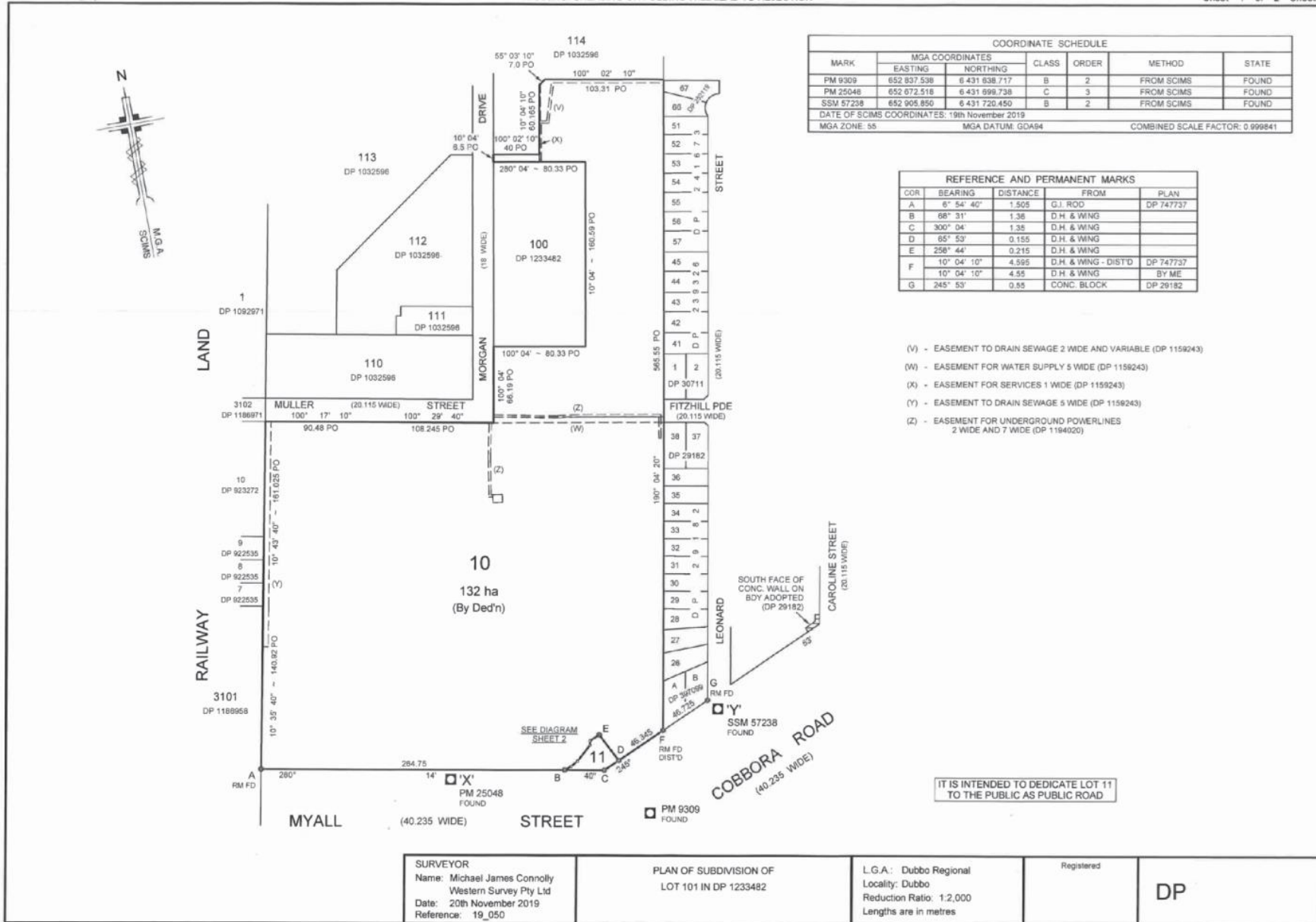


<p>SURVEYOR Name: Michael James Connolly Western Survey Pty Ltd Date: 20th November 2019 Reference: 19_050</p>	<p>PLAN OF SUBDIVISION OF LOT 101 IN DP 1233482</p>	<p>L.G.A.: Dubbo Regional Locality: Dubbo Reduction Ratio: 1:500 Lengths are in metres</p>	<p>Registered</p>	<p>DP</p>
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PLAN FORM 2 (A2)

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Sheet 1 of 2 Sheets



COORDINATE SCHEDULE						
MARK	MGA COORDINATES		CLASS	ORDER	METHOD	STATE
	EASTING	NORTHING				
PM 9309	652 937 538	6 431 838 717	B	2	FROM SCIMS	FOUND
PM 25048	652 072 518	6 431 898 738	C	3	FROM SCIMS	FOUND
SSM 57238	652 905 850	6 431 720 450	B	2	FROM SCIMS	FOUND
DATE OF SCIMS COORDINATES: 19th November 2019						
MGA ZONE: 55		MGA DATUM: GDA94		COMBINED SCALE FACTOR: 0.999841		

REFERENCE AND PERMANENT MARKS					
COR	BEARING	DISTANCE	FROM	PLAN	
A	6° 54' 40"	1.505	G.I. ROO	DP 747737	
B	58° 31'	1.38	D.H. & WING		
C	300° 04'	1.38	D.H. & WING		
D	85° 53'	0.155	D.H. & WING		
E	258° 44'	0.215	D.H. & WING		
F	10° 04' 10"	4.595	D.H. & WING - DIST'D	DP 747737	
	10° 04' 10"	4.55	D.H. & WING	BY ME	
G	245° 53'	0.95	CONC. BLOCK	DP 29182	

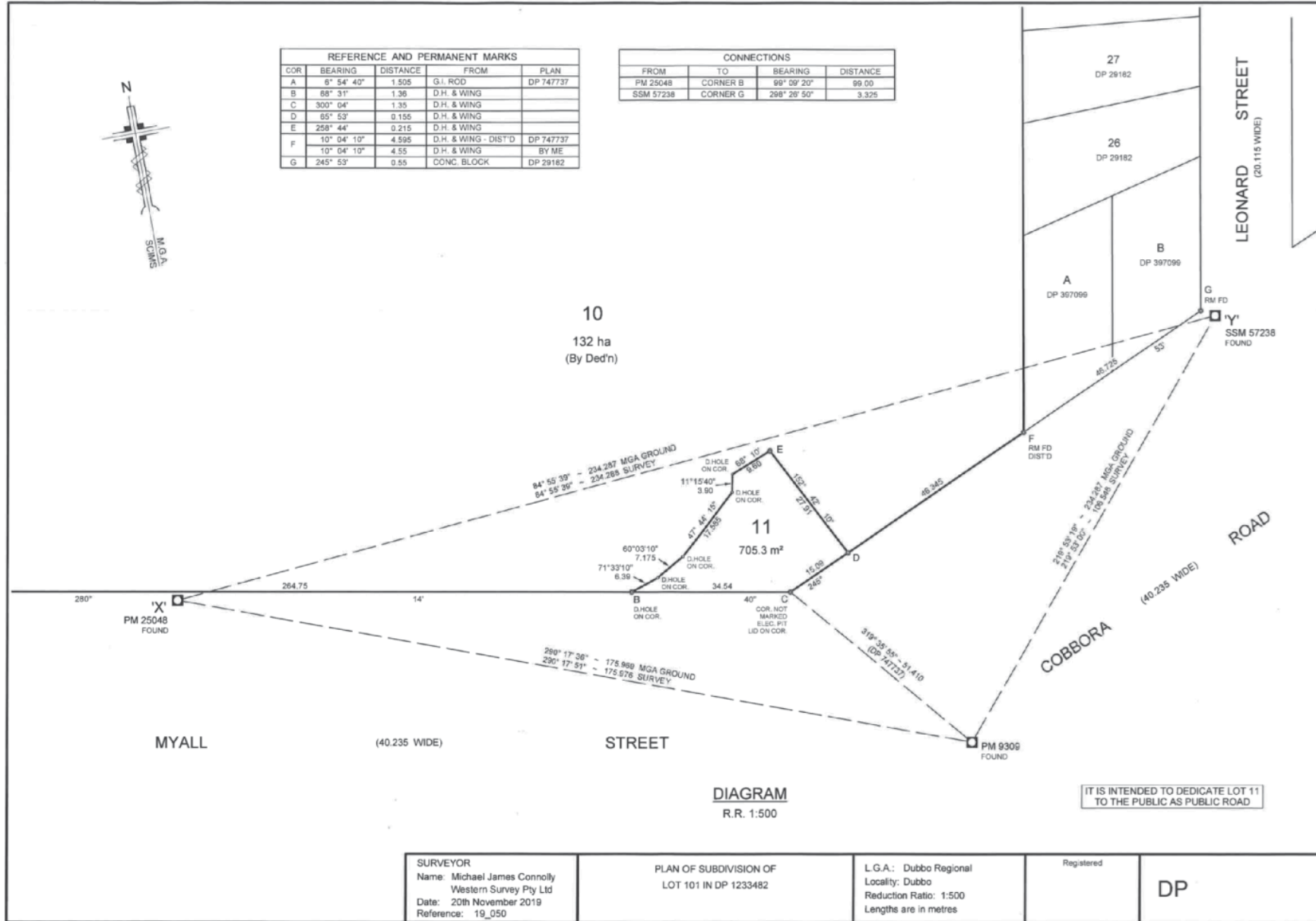
- (V) - EASEMENT TO DRAIN SEWAGE 2 WIDE AND VARIABLE (DP 1159243)
- (W) - EASEMENT FOR WATER SUPPLY 5 WIDE (DP 1158243)
- (X) - EASEMENT FOR SERVICES 1 WIDE (DP 1159243)
- (Y) - EASEMENT TO DRAIN SEWAGE 5 WIDE (DP 1159243)
- (Z) - EASEMENT FOR UNDERGROUND POWERLINES 2 WIDE AND 7 WIDE (DP 1184620)

SURVEYOR Name: Michael James Connolly Western Survey Pty Ltd Date: 20th November 2019 Reference: 19_050	PLAN OF SUBDIVISION OF LOT 101 IN DP 1233482	L.G.A.: Dubbo Regional Locality: Dubbo Reduction Ratio: 1:2,000 Lengths are in metres	Registered DP
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Sheet 2 of 2 Sheets



SURVEYOR
Name: Michael James Connolly
Western Survey Pty Ltd
Date: 20th November 2019
Reference: 19_050

PLAN OF SUBDIVISION OF
LOT 101 IN DP 1233482

L.G.A.: Dubbo Regional
Locality: Dubbo
Reduction Ratio: 1:500
Lengths are in metres

Registered

DP



DUBBO REGIONAL
COUNCIL

REPORT: Audit and Risk Management Committee

AUTHOR: Executive Manager Governance and Internal Control
REPORT DATE: 17 June 2020
TRIM REFERENCE: ID20/630

EXECUTIVE SUMMARY

The Audit and Risk Management Committee consists of one Councillor and two independent members. The term of the Councillor corresponds to the Local Government elections. The term of the two independent members is currently two years, which expires in November 2020.

The Office of Local Government (OLG) published guidelines in 2010 giving recommendations on how the Audit and Risk Management Committee should operate. Council must consider the OLG recommendations but they are not mandatory.

The OLG is planning to replace these guidelines with new compulsory rules, and had indicated the rules would be published before Council needed to make a decision on membership. However, the OLG has not yet published the new rules due to delays associated with COVID-19, and hence Council will need to make some decisions based on the existing framework. It is now appropriate for Council to seek expressions of interest for membership of the Audit and Risk Management Committee.

This report also revisits the fees payable to ARMC members as deferred from the January 2020 meeting. A copy of this report is attached (**Appendix 3**).

The report also recommends some minor administrative changes to the Audit and Risk Management Committee charter. It seems appropriate to wait for the new rules before making major changes.

FINANCIAL IMPLICATIONS

There will be a very small increase in fees recommended for the three committee members of the ARMC. This will be covered in the existing budget.

POLICY IMPLICATIONS

Minor changes are proposed for the Audit and Risk Management Committee Charter.

RECOMMENDATION

- 1. That expressions of interest be sought for the two independent positions of the Audit and Risk Management Committee.**
- 2. That the fees payable to the independent Audit and Risk Management Committee members be increased as detailed in the report as attached as Appendix 3.**
- 3. That the Audit and Risk Management Committee Charter, as attached as Appendix 1 be adopted.**

Abbey Rouse

Executive Manager Governance and Internal Control

BACKGROUND

The current guidelines for Internal Audit and Audit Committees as issued by the Office of Local Government (September 2010) advises in the foreword (page 5):

Internal audit is an essential component of a good governance framework for all councils. At both a management and councillor level, councils must strive to ensure there is a risk management culture. These guidelines propose oversight of council systems and processes through an audit committee. The combination of an effective audit committee and internal audit function provide a formal means by which councillors can obtain assurance that risk management is working effectively

The current guidelines are issued under s23A of the Local Government Act. As such, Council is required to consider the recommendations of the Office of Local Government before making any decision on audit matters, however they are not mandatory. This report references the relevant OLG recommendation where the report deals with a matter covered in the guidelines.

In October 2013 the NSW Local Government Review Panel recommended that the voluntary guidelines be replaced with mandatory rules. Following on from this the Local Government Amendment (Governance and Planning) Act 2016 requires a new section be inserted in the Local Government Act to be effective from six months after the next election. The section mandates a committee which it calls the Audit Risk and Improvement Committee (ARIC), nine items to be monitored by the ARIC, and authorises the making of regulations to prescribe what the committee will review. The OLG issued a discussion paper proposing possible changes in September 2019. Formal requirements have not yet been issued. These matters were considered in the Annual Report of the Audit and Risk Management Committee, as provided to Council at its Culture Economy and Corporate Committee of 20 May 2020. A copy of this report is attached (**Appendix 2**).

REPORT

Recruitment/Expressions of Interest

The current term of the two independent members expires in November 2020. It was expected that by this time Council would know the new rules that would apply to Audit Committees. However, as no rules are in place as yet, Council will need to make a decision on proceeding given the approaching end of term. In doing so, keeping in mind:

- If the new rules come into force at around the same time we are attempting to recruit it may be difficult to plan timeframes.
(New rules could be announced at any time but it is unlikely they will become mandatory before September 2021.)
- If the Office of Local Government limits who is eligible for membership of the Audit and Risk Management Committee (which they have indicated they intend to do) and

simultaneously the process leads to many Councils trying to recruit at the same time, it may be very difficult to get suitable candidates.

- Appointing a new committee now for two years means the Audit and Risk Management Committee will be well established by the September 2021 election and will cover 12 months either side of the election.
- It also means that the process will remain synchronised with the Local Government election cycle when it returns to normal.

Dubbo Regional Council previously operated under a shared service for Internal Audit. The shared services was one fulltime resource shared between three Councils, effectively DRC having one third of the FTE and then each Council operating its own Audit Committee function. In early 2019 Council appointed its own FTE Internal Auditor position within the Governance and Internal Control team at Council. This position plays a supporting role to the ARMC and is taking a stronger direction with Council's internal audit program.

As such it is recommended that Council go to market now and call for expressions of interest in preparation for the end of the current term being 1 November 2020. Council intends to include the skills that are likely to be needed when the new requirements are announced.

The changes to the timing for Local Government elections, Council's structure and its focus on Internal Audit creates a suitable platform for changes to the Audit Charter, a new two year term and membership, and increases to fees to meet the market.

Remuneration for ARMC members

The fees payable to ARMC members were set in March 2018. The issue was also presented in a report to the Council meeting of 28 January 2020. In January Council decided to defer adjusting the remuneration of members at that time due to the expectation that the Office of Local Government was about to issue directions on the issue. However, as these directions have not been forthcoming at present, and the ARMC is going to expressions of interest for a new term, it is now suitable to assess the remuneration for members.

The work of the Audit and Risk Management Committee includes keeping up to date on audit and risk management issues, periodic emails on related issues, attendance at meetings, reading of business papers and providing advice to Council as required. Members are expected to cover their own costs in regard to travel, technology and ancillary costs. Normal practice is either to pay an annual amount or a fee per meeting to the independent members of the ARMC. (The Councillor member already receives fees for being a Councillor and cannot be paid an additional amount for also being a member of the ARMC.) The fee to the independent member is intended to cover all related costs.

The Office of Local Government views the fees currently paid by Local Government as too low. It would appear they believe better quality candidates would be attracted by higher rates and that this is desirable. Council has made a submission to the Office of Local Government in response to their discussion paper "A new internal audit and risk management framework for local councils in NSW" seeking reasons behind a number of their suggestions, including that one.

The January 2020 report identifies that Dubbo Regional Council currently pays fees marginally below the average of 35 Councils it was able to obtain data for. As the timing of directions from OLG is now unclear, fees have not been reviewed for some time, and we are about to move into a recruitment phase, it is recommended that the fees for independent members be set as \$1,000 (plus GST) per meeting for the independent member and \$1,250 (plus GST) per meeting for the chairperson. This brings Dubbo Regional Council in line with the average fees paid by other NSW Councils.

Audit and Risk Management Committee Charter

Whilst, Council would ideally wait until the Office of Local Government releases new rules (and possibly a new model charter), it is appropriate to review the current Charter to keep it up to date with Council positions and other policies, and to ensure the most effective ARMC between now and when such rules are released by the OLG.

The following table summarises the majority of the proposed changes, and a full copy of the draft Policy is attached to this report (**Appendix 1**).

Proposed change	Is this change in accord with OLG recommendations?
Updating of position names	Not applicable
Rewording to make intent clearer	Not applicable
Remuneration of members	Not applicable
Removal of chair's casting vote As there are only three members a consensus is required and as an advisory committee a casting vote is not required. In such circumstances where a consensus can not be reached, the matter should be deferred until two members can agree or the matter referred to a Council meeting.	The guidelines do not deal with this issue.
Revised section on compliance (8.3.6) The current version tries to be very specific but ends up being confusing. The revised version adopts the OLG recommended wording which is more principle based and hence able to cover all situations.	Yes

Procedural reporting of Audit and Risk Management Committee meetings to Council:

Council has long had standard procedures for receiving reports from committees such as the Culture, Economy and Corporate Committee; the Development and Environment Committee; and the Infrastructure and Liveability Committee. The same procedures are applied to the

Audit and Risk Management Committee. While there is sense in having a procedure for “Committees”, the ARMC is quite different to other committees. These differences include:

- Most committees are created to make decisions, the ARMC exists primarily to give advice
- The ARMC has only one Councillor on it
- The level of Control that Council (at ordinary meeting) has over the ARMC is different to other Committees. While the difference is currently slight, the rules associated with the ARMC are about to be changed by the State Government and Councils control is likely to be reduced. Until the full implications of this are understood, it would be prudent to structure a greater level of scrutiny than is needed for other committees where roles are well established and understood.

It is proposed that a new process for reporting ARMC meeting to Council be adopted. The new process would be based on the current “Reports from staff” format, being for notation, rather than on the “Reports from Committees” format.

The charter requires that Council continue to be informed of the ARMC deliberations.

SUMMARY

Council Internal Auditor and the ARMC have provided a higher level of governance to Council and the changes outlined in this report will continue to provide those controls going forward.

Appendices:

- 1 [↓](#) Audit and Risk Management Committee Charter - Draft
- 2 [↓](#) Audit and Risk Management Committee Annual Report for 2019
- 3 [↓](#) Report on Remuneration to 28 Jan 2020 meeting



AUDIT AND RISK MANAGEMENT COMMITTEE CHARTER

June 2020

Records Reference: ED20/97065

Contents

AUDIT AND RISK MANAGEMENT COMMITTEE CHARTER.....1

1 *ARMC Purpose* 3

2 *Authority* 3

3 *Composition*..... 4

4 *Tenure* 4

5 *Remuneration* 5

6 *Meetings & Quorum*..... 6

7 *Confidentiality*..... 6

8 *Responsibilities* 7

Audit and Risk Management Committee (ARMC) Charter

1 *ARMC Purpose*

The Audit and Risk Management Committee (ARMC) is an advisory Committee assisting the Council to fulfil its governance and oversight responsibilities. The primary duties and responsibilities of the ARMC are to assist the Council to discharge its responsibilities relating to:

- 1.1. Financial reporting process
- 1.2. Business ethics, policies and practices
- 1.3. Management and internal controls
- 1.4. Monitoring the integrity of the Council's financial reporting practices and finance and accounting compliance
- 1.5. Reviewing internal controls, key corporate risks and all audit related matters
- 1.6. Encouraging continuous improvement of Council's systems and practices
- 1.7. Adoption of the Internal Audit Plan
- 1.8. The Council's process for monitoring compliance (as detailed at 8.3.6).

2 *Authority*

- 2.1. The ARMC is delegated authority by Council to carry out its duties and responsibilities as defined in this charter. The ARMC has delegated authority to approve investigations into any matters within its scope of responsibility. It is empowered to:
 - 2.1.(a) Resolve any disagreements between management and the auditor regarding financial reporting (subject to confidentiality considerations).
 - 2.1.(b) Pre-approve all auditing and non-audit services.
 - 2.1.(c) After due consultation with the Chief Executive Officer, retain independent counsel, accountants, or others to advise the Committee or assist in the conduct of an investigation.
 - 2.1.(d) Meet with Council management, external auditors, or outside counsel, as necessary.

This authority relates purely to the collection of information, consideration of the information and the provision of that information to Council along with the conclusions the committee has made. In regard to the operations audited, the ARMC provides advice and has no delegation to issue directions.

- 2.2. Council acknowledges that professional independence and objectivity are key attributes of an efficient and effective ARMC. The Council and Chief Executive Officer are therefore committed to uphold and guarantee the professional independence and objectivity of the ARMC.
- 2.3. The Committee will also review any other matters as prescribed by the Regulations from time to time.

3 Composition

- 3.1. All appointments to the ARMC shall be made by Council.
- 3.2. The ARMC will consist of:
 - 3.2.(a) Core Members (voting)
 - One Councillor (or an alternate Councillor to be determined by Council)
 - Two independent external members (not members of Council and one to be Chairperson)
 - 3.2.(b) Attendee (non-voting)
 - Mayor
 - Chief Executive Officer
 - Internal Auditor
 - Director Organisational Performance
 - 3.2.(c) Invitees (non-voting)
 - Representatives of the external auditor (as required)
 - Chief Financial Officer
 - Executive Manager Governance and Internal Control
 - Other officers of Council as requested by the ARMC, Mayor and/or by the Chief Executive Officer
- 3.3. In order to maintain independence and in compliance with Office of Local Government guidelines, one of the independent members shall be the chairperson. The Council will determine which independent member shall be the chairperson. If the Council does not appoint a chairperson, the ARMC shall elect one of the independent members as its chairperson.
- 3.4. The selection of independent members should be undertaken in a transparent and unbiased manner. This could include calling for expressions of interest from interested persons.

4 Tenure

- 4.1. The term of office for an ARMC member shall end on the earlier of:
 - (a) the day on which the member resigns from the ARMC
 - (b) in the case of a Councillor, the day on which the Councillor ceases to be a Councillor for the Dubbo Regional Council.
 - (c) two years in respect of the independent external members or such other term as determined by Council.
 - (d) the day on which the member's appointment is legally terminated by Council.
 - (e) the day on which the member is incapacitated by law from holding such office.
- 4.2. Members are encouraged reapply for membership at the end of each appointed term and to plan for an orderly rotation of members so that experienced members will always be serving. The ARMC may make recommendations to Council on membership.
- 4.3. In any event, the appointment of each member of the ARMC will be reviewed at the end of the first year and confirmed for the remaining period subject to satisfactory performance as determined by Council. A member may be eligible for re-appointment to the Committee for a continuous period not exceeding eight (8) years.
- 4.4. In considering new independent members for the ARMC, selection shall be influenced by:

- (a) Industry standards for similar committees, particularly relating to the appointment of independents to ARMC's.
 - (b) Any guidelines issued by the NSW Government concerning Local Government ARMC's.
 - (c) The attributes and experience of candidates who respond to Expressions of Interest advertisements for Independent Members.
 - (d) At least one voting member shall have accounting or related financial management expertise and experience, with understanding of accounting and auditing standards in a public sector environment.
 - (e) The members, taken collectively shall have a broad range of skills and experience relevant to Local Government.
- 4.5. The independent members and community representative on the ARMC should be remunerated for attending committee meetings. The remuneration shall be as adopted by Council.
- 4.6. Committee members will receive relevant information and briefings to assist them to meet their Committee responsibilities. A member of the Committee may, with the approval of the Chief Executive Officer, attend appropriate seminars or training in respect to issues related to the function and responsibilities of the Committee.

5 Remuneration

- 5.1. The remuneration for core voting members (excluding Councillors) shall be reviewed by the Chief Executive Officer prior to the commencement of the members two year term of office.
- 5.2. The remuneration of core voting members (excluding Councillors) may be reviewed at any time by Council.
- 5.3. Core voting members should provide a tax invoice to Council within fourteen (14) days of the respective meeting.

6 Meetings & Quorum

- 6.1. The Committee will meet at least four times a year, with authority to convene additional meetings, as circumstances require.
- 6.2. A quorum shall not exist unless a majority of voting members are present.
- 6.3. Members of the ARMC are generally expected to attend each meeting, in person or via tele or video-conference, with the approval of the Committee Chairperson.
- 6.4. The ARMC will invite members of management, auditors or others to attend meetings and provide pertinent information, as necessary.
- 6.5. The Committee may hold private meetings with auditors (see below) and executive sessions.
- 6.6. A meeting agenda will be provided in advance to members, along with appropriate briefing materials.
- 6.7. The Chairperson shall determine the agenda for the ARMC in conjunction with Council staff.
- 6.8. Minutes will be prepared and distributed to the ARMC members and shall be provided to the next Ordinary meeting of the Council for information.
- 6.9. Meetings are to be rescheduled if there is not a quorum. The Council's Internal Auditor (or if unavailable, another Council officer) will minute proceedings of all meetings.
- 6.10. The chairperson shall endeavour to conduct meetings on a "consensus basis" but formal voting on recommendations shall be required. Each member shall have one vote and a majority of those present shall be required to pass a recommendation. If the vote is tied the motion is taken to be lost. The meetings should operate as far as is practical in accordance with the Council's Code of Meeting Practice.
- 6.11. All Committee members shall make an annual declaration of interests. The declaration shall be in the format determined by the Chief Executive Officer and based on the standard Local Government Pecuniary Interests Return.
- 6.12. Committee members shall declare any conflicts of interests at the start of each meeting or during the meeting before discussion of the relevant agenda item or topic. Details of any conflicts of interests are to be appropriately minuted.

7 Confidentiality

- 7.1 The ARMC will ensure that Committee members comply with all relevant laws and Council's policies regarding confidentiality, privacy and reporting. Committee members shall treat all information received as part of the Committee as confidential and only disclose the content to third parties with the consent of other members of the Committee.

8 Responsibilities

- 8.1 The ARMC has no executive powers, except those expressly provided by Council.
- 8.2 In carrying out its responsibilities, the Committee must at all times recognise that primary responsibility for management of Council rests with the Council and Chief Executive Officer (referred to as the "General Manager" in the Local Government Act 1993). The Council and Chief Executive Officer shall ensure that reasonable resources are allocated to providing the ARMC with the information it needs to discharge its responsibilities.
- 8.3 The responsibilities of the ARMC may be revised or expanded by Council from time to time. The Committee will carry out the following responsibilities:

8.3.1 Financial Statements

- Review significant accounting and reporting issues, including complex or unusual transactions and highly judgmental areas, and recent professional and regulatory pronouncements, and understand their impact on the financial statements. The ARMC can add value for Councillors and the process by reviewing the audit objectives, timeline and process, settlement of identified issues and the independence of the External Auditor. This would be done in consultation with the External Auditor, Internal Auditor and management.
- Based on the Audit Objectives, review with management and the External Auditors the results of the audit, timeline and process, settlement of identified issues and the independence of the External Auditor. Review the process of the audit, identify unresolved issues.
- Review the audited annual financial statements and consider whether they are complete, consistent with information known to Committee members, and reflect appropriate accounting principles. Without having conducted its own assessment the ARMC will need to rely on the work Internal Auditor, External Auditor and management representations. Therefore any recommendation to the Council would be based on the external auditor's management letter and made under a disclaimer that identifies things such as the audit process, access to records, auditor appears to be suitably qualified, had sufficient time to complete, items identified have been resolved to their satisfaction.
- As part of the External Auditor's presentation and management representations, review with management and the external Auditors all matters required to be communicated to the Committee under generally accepted auditing Standards.
- Understand how management develops interim financial information, and the nature and extent of internal and external auditor involvement.

8.3.2 Risk Management

- Review whether management has in place a current and comprehensive risk management framework, and associated procedures for effective identification and management of business and financial risks, including fraud.
- Review whether a sound and effective approach has been followed in developing strategic risk management plans for major projects or undertakings.
- Review the impact of the risk management framework on its control environment and insurance arrangements.
- Review whether a sound and effective approach has been followed in establishing business continuity planning arrangements, including whether plans have been tested periodically.

8.3.3 Internal Control

- Consider the adequacy and effectiveness of the Council's internal control system, incorporating the:
 - reliability and integrity of financial and operational information systems, including information technology security and control

- effectiveness and efficiency of operations
- safeguarding of assets
- compliance with contracts, laws and regulations
- governance framework
- Understand the scope of internal auditors' review of internal control over financial reporting, and obtain reports on significant findings and recommendations, together with management's responses.

8.3.4 Internal Audit

- Review and recommend approval of the Internal Audit Activity Charter, activities, and staffing, and organizational structure of the internal audit function; and any subsequent changes.
- Have final authority to review and approve the annual audit plan and all major changes to the plan.
- Ensure there are no unjustified restrictions or limitations to the activities of internal audit.
- Review the effectiveness of the internal audit function and objectives, including compliance with The Institute of Internal Auditors' *International Standards for the Professional Practice of Internal Auditing*.

8.3.5 External Audit

- Establish that an appropriate process is in place to give assurance that the Council complies with the Local Government Act requirements for financial reporting and auditing.
- Review the external auditors' proposed audit scope and approach, including coordination of audit effort with internal audit.
- In accordance with the provisions of section 422-427 of the Local Government Act 1993, support the Chief Executive Officer in reviewing the performance of the external auditors.
- Review management's responses to the recommendations in the external auditor's management letter.
- On a regular basis, meet separately with the external auditors to discuss any matters that the Committee or auditors believe should be discussed privately.

8.3.6 Compliance

- Review the effectiveness of the system for monitoring compliance with relevant laws, regulations and associated government policies
- Determine whether management has appropriately considered legal and compliance risks as part of risk assessment and management arrangements.
-
- Review the findings of any examinations by regulatory agencies, and any auditor observations.
- Review the process for communicating the code of conduct to Council personnel.
- Liaise with the Chief Executive Officer to obtain regular updates from management and Council legal counsel regarding compliance matters.
- Review other sections of the annual report and related regulatory filings before release and consider the accuracy and completeness of the information.

8.3.7 Reporting Responsibilities

- Regularly report to the Council about Committee activities, issues, and related recommendations.
- Provide an open avenue of communication between internal audit, the external auditors, and the Council.
- Report annually to the Council, describing the Committee's composition, responsibilities and how they were discharged, and any other information required by law, including non-audit services.
- Review any other reports the Council issues that relate to Committee responsibilities.

8.3.8 Other Responsibilities

- Perform other activities related to this Charter as requested by the Council.
- Institute and oversee special investigations as needed.
- Review and assess the adequacy of the ARMC Charter annually, requesting Council approval for proposed changes, and ensure appropriate disclosure as may be required by law or regulation.
- Confirm annually that all responsibilities outlined in this Charter have been carried out.
- Evaluate the Committee's and individual members' performance on a regular basis.

8.3.9 Individual Responsibilities of Chairperson

- Performing the responsibilities of chairperson for each meeting of the Audit and Risk Management Committee
- Development and presentation of an annual report by 30 June each year
- Participate in the annual review of the Internal Auditor, as requested by the Chief Executive Officer
- Undertake all other responsibilities of regular members of the Audit and Risk Management Committee as specified in 8.3.10 of this charter.

8.3.10 Individual Responsibilities of Members

Members of the ARMC are expected to:

- Understand the relevant legislative and regulatory requirements appropriate to Dubbo Regional Council.
- Contribute the time needed to study and understand the papers provided.
- Apply good analytical skills, objectivity and good judgment.
- Express opinions frankly, ask questions that go to the fundamental core of issues, and pursue independent lines of enquiry.
- Declare any conflicts of interest before participating in deliberations on the issue where the conflict of interest exists.
- Attend an induction meeting at which they receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.

All members are accountable to ensure that they abide by the Dubbo Regional Council Code of Conduct at all times.

Review

- 9.1 The Audit and Risk Management Committee Charter shall be reviewed as required with any proposed changes being sent to Council for consideration. Pursuant to s23A of the Local Government Act, the Council shall be advised whether any proposed change is in accord with the recommendations of the Office of Local Government or not.
- 9.2 At the end of each term of independent members the Chief Executive Officer shall arrange a review the Charter advise the Council of any recommended changes.
- 9.3 At a frequency determined by the Audit and Risk Management Committee, and at least once every two years, the ARMC, in consultation with the Chief Executive Officer, will review this Audit and Risk Management Committee Charter.

Version Control		Date of change
Version 1	ED17/89877	Prepared August 2017
Version 2		Updated February 2018
Version 3	ED18/36710	Adopted 19 March 2018 (Clause EDBC18/17)
Version 4	ED20/97065	(Draft) June 2020 Proposed changes

1. Introduction

Utilising an audit committee is a common strategy in both public sector and private sector organisations for providing assurance to the governing body that it is getting accurate information about how the organisation is operating. These committees have various names and frequently include responsibilities in addition to pure audit. At Dubbo Regional Council the committee is named the Audit and Risk Management Committee. At many Councils it is named the Audit, Risk and Improvement Committee.

In October 2008, the Department of Local Government issued guidelines for Internal Audit. The covering circular (08-64) includes the following statement:

The combination of an effective audit committee and internal audit function provide a formal means by which councillors can obtain assurance that risk management and internal controls are working effectively

In April 2009 the Bathurst Orange Dubbo (BOD) Alliance formed an Internal Audit service on a shared basis. This shared services model allowed for lessons learned and knowledge gained across the three councils to inform approaches to risk at each council. It also meant that Council effectively had a third of a person as its audit resource. In 2016 the former Dubbo City Council and Wellington Council were merged and the new entity eventually named Dubbo Regional Council. The requirements of the new Council increased the demand on the internal audit function and Council took the decision to employ its own full time Internal Auditor.

2. What does the Audit and Risk Management Committee do?

The responsibilities and duties of the Audit and Risk Management Committee are as determined by Council. The Council must however consider the recommendations of the Office of Local Government (OLG) as detailed in its "Internal Audit Guidelines" (September 2010) when determining the responsibilities and duties of the Committee.

The Audit and Risk Management Committee is an independent advisory Committee assisting the Council to fulfil its governance and oversight responsibilities. The primary duties and responsibilities of the ARMC are to assist the Council to discharge its responsibilities relating to:

- Financial reporting process
- Business ethics, policies and practices
- Management and internal controls
- Monitoring the integrity of the Council's financial reporting practices and finance and accounting compliance
- Reviewing internal controls, key corporate risks and all audit related matters
- Encouraging continuous improvement of Council's systems and practices
- Adoption of the Internal Audit Plan
- The Council's process for monitoring compliance with policies, laws and regulations and the Council code of conduct.

In 2016 amendments to the Local Government Act were made with the obvious intention of making audit committees compulsory and allowing the State Government to prescribe the duties in detail rather than just making suggestions to Council. The changes will not take effect until after the next Local Government elections. In September 2019 the Office of Local Government released a discussion paper titled "A new internal audit and risk management framework for local councils in NSW" which identified what was proposed in moderate detail. That paper is discussed at item 5 below.

3. Membership and meetings

The Council makes all appointments to the ARMC. In making those appointments consideration must be given to the recommendations of the OLG contained in the "Internal Audit Guidelines". The OLG recommends the majority of voting members of the Committee should be independent of Council (not Councillors or staff and not having major business arrangement with Council), and at least one member should have financial qualifications and experience.

During 2019 there were no changes to membership. The non-Councillor voting members' current term expires in November 2020 and the term of the Councillor member expires at the next election.

The ARMC consists of voting and non-voting members. The tables below shows the list of members and schedule of meetings held during the period and the number of meetings attended. Non-voting members of the Committee included the Chief Executive Officer, Director Organisational Performance, and the Internal Auditor. Other staff members such as the Executive Manager Governance and Internal Control and the Chief Financial Officer were invited to attend meetings by the Chief Executive Officer. Representatives of the NSW Audit Office also attend meetings on invitation from the Committee.

3.1. Management Meetings

During the period under review, the Chair met with the Chief Executive Officer to discuss the operations of the ARMC Committee.

3.2. ARMC Meeting Attendance

The table below titled shows the attendance of voting members and other attendees at each scheduled meeting by Council for the period.

Meetings were held on 11 March 2019, 14 June 2019 and on 2 September 2019 and 18 November 2019. All meetings were chaired by Mr J Walkom.

Meeting Attendance	No. of meetings
Clr A Jones	4
J Walkom (Chair)	4
R Gillard	4
Others	
Mayor Shields	1
Chief Executive Officer	1
Internal Auditor	3
Executive Manager Governance and Internal Control	3
Director Organisational Performance	4
Chief Financial Officer	4
Statutory Reporting Accountant	4
Audit Office Representatives (M Monaco, A Green, J Lam, R Antolin) – generally 2 people from the Audit Office attend ARMC meetings via teleconference	3
Luka group representative	1

3.3. Matters considered by ARMC

The ARMC considered the following reports (excluding procedural items):

- AUD19/31 Discussion Paper on Risk and Audit released by Office of Local Government (ID19/1361)
- AUD19/30 Three Year Audit Program (ID19/1293)
- AUD19/29a Audit and Risk Management Committee Confidential Action Items (ID19/1345)
- AUD19/29 Audit and Risk Management Committee Action List (ID19/1344)
- AUD19/28 Annual Report of the Audit and Risk Management Committee for the year ended December 2018 (ID19/1407)
- AUD19/27 Presentation of Council's 2018/2019 Financial Statements (ID19/1410)
- AUD19/23 Audit Interim Management Letter - 2019 (ID19/1148)
- AUD19/22 Fraud and Corruption Prevention Policy (ID19/1142)
- AUD19/21 Development of three year audit program (ID19/1092)
- AUD19/20 Audit and Risk Management Committee Action List as at August 2019 (ID19/1065)
- AUD19/19 Internal Audit Report on RMS Drives (ID19/949)
- AUD19/18 Referral of the 2018/2019 Financial Statements to Audit (ID19/1147)
- AUD19/14 Development of three year audit program (ID19/707)
- AUD19/13 Audit and Risk Management Committee Action List as at May 2019 (ID19/604)
- AUD19/9 Recruitment of Internal Auditor Position (ID19/231)
- AUD19/8 Tender for Brokerage Services and Provision of Insurances (ID19/230)
- AUD19/7 Corporate Purchase Card Policy (ID19/229)
- AUD19/6 Updated Enterprise Risk Registers - Extreme and High Risks (ID19/228)
- AUD19/5 Audit Office of NSW Report on Local Government 2018 (ID19/227)

3.4. Members' self-assessment

Members of the Audit and Risk Management Committee completed a survey of the committee's activity and performance. The same survey also examined the members' satisfaction with Internal Audit. The survey provided positive feedback and agreement that the ARMC was operating very effectively in the bulk of issues examined. Two areas for potential improvement were identified and will be further considered in 2020.

Issues that received very positive feedback included confidence that Internal Audit was focused on the key risks of Council, satisfaction with the management of audit plans, and the quality of ARMC deliberations.

Areas for further attention are:

- ensuring a clear definition and shared understanding of the role of the ARMC, and
- the communication of expected timeframes.

4. ARMC Charter

The ARMC Charter was adopted by the Council at the Council meeting held on 22 June 2009. Normal practice is for the Charter to be reviewed annually and where necessary changes recommended to Council. It was expected that the Office of Local Government would release draft revised guidelines in the first half of 2019 and it seemed prudent to wait for that document before reviewing the charter. What was eventually issued was not a draft set of specific proposed requirements but rather a discussion paper. The paper is discussed below.

5. Changes to the legislative environment

On 10 September 2019 the Office of Local Government published a discussion paper titled "A new internal audit and risk management framework for local councils in NSW". The paper proposes the most significant changes in governance arrangements that have been seen in Local Government for some years. The Audit and Risk Management Committee received a report on this issue which can be found at pages 174 to 268 of the Business Paper of the Ordinary Council meeting of 25 November 2019. The Audit and Risk Management Committee recommended that Council formulate a submission to the Office of Local Government based on the advice in that paper and on advice provided by the Audit and Risk Management Committee. Due to its significance, the primary report to Council (excluding attachments) is appended to this ARMC annual report.

It is understood that the Office of Local Government received over 150 submissions on its discussion paper and that during the first half of 2020 the Office of Local Government will be considering what adjustments might be needed.

6. Internal audit

6.1 Internal Audit appointment

Mr Shephard Shambira CPA was appointed to the position of Internal Auditor for the BOD Alliance in April 2009. This arrangement continued until Dubbo Regional Council appointed its own Internal Auditor (Peter Browne BEc PMIIA CPA) in March 2019.

6.2 Internal Audit Performance

Clause 7.3 of the Internal Audit Activity Charter requires the Committee to review the effectiveness of the Internal Audit function and objectives, including compliance with The Institute of Internal Auditors' *International Standards for the Professional Practice of Internal Auditing*.

Best practice is for an external review of the Internal Audit Unit at least once every five years. During 2018 O'Conner Marsden and Associates were engaged to audit the auditor.

There was no external review of Internal Audit during 2019. Satisfaction of the Audit and Risk Management Committee members with Internal Audit performance was high as measured in the annual survey.

6.3 Internal Audit Assignments

2019 saw a focus on structures, policy and planning. The Council employed a full time Internal Auditor for the first time and the Office of Local Government foreshadowed that fundamental change may be on its way.

The reporting formats in Internal Audit were redesigned to be self-contained and easier to work with. In the past many reports had been written to meet the immediate needs at the time. Some prior reports needed to be reconstructed into a new format in order to facilitate ongoing progress reporting.

Revised designs recognised that to be efficient on an ongoing basis requires formats that:

- summarise key points so that required actions can be cut and pasted into future reports without losing context
- keep initial conclusions and recommendations in a limited number of columns so that progress can be added without making the format too cluttered
- have numbering systems that do not become confusing when merged into larger documents or when additional detail is added
- have a way to record both progress and changing circumstances without losing logical flow – although the normal pattern is that audit recommendations are implemented, the reporting structure must be able to deal with changing targets and differentiate between a new alternative strategy, a decision that the original plan is actually not affordable or not workable, a decision by management to do more than was recommended, a task that was overlooked and any other change that might occur
- focus on what is yet to be achieved rather than on what has been achieved
- ensure that details of where we are up to remain clear while still reporting on where we have been

An analysis of the risk registers revealed that they were not currently sufficiently mature to form the primary basis for an audit program. This led to a specific risk assessment to inform the audit program. Improvements to the risk registers are also planned for 2020. A three year audit program was developed and is attached to this report.

The discussion paper on audit issued by the Office of Local Government was extensively reviewed. Other policy matters addressed by Internal Audit included development of a Fraud and Corruption Prevention Policy.

6.4 Risk related Audit Plan

The ARMC is responsible to approve the Internal Audit Plan and amendments. The ARMC approved the scope of work covered by the internal audit function during the period. The internal audit plan was aligned with the enterprise wide risk management corporate risk register though, as noted above substantial work occurred augmenting the existing assessment to obtain an optimal audit plan.

6.5 Limitations on Internal Auditor

The committee is not aware of any restrictions placed on the work of the internal auditor.

6.6 Management Responses

The committee's review of all audit reports including unplanned or special reports shows that management responses to audit findings and recommendations are reasonable. The majority of issues arising have been resolved to the satisfaction of the ARMC.

7. External Audit

On 12 May 2016 various legal changes occurred including the formation of Dubbo Regional Council. While the former Councils had responsibility for appointing their external auditors, under the new framework the Auditor General of NSW is Council's auditor. Dubbo Regional Council is one of a small number of Councils where the Auditor General has chosen to use its own staff rather than contract out the audit.

- The ARMC reviewed the audit plan and has maintained contact with the Audit staff.
- The ARMC reviewed information provided by the NSW Audit Office related to weaknesses observed in other organisations and considered if Dubbo Regional Council was at risk of having similar weaknesses.
- The Committee has no concerns with the External Auditor's audit report on Council Financial Statements for the 2018/19 financial year. The Committee discussed the audit work with the Council External Audit Director from the Audit Office NSW and will continue to work with the Audit Office when matters are raised.

8. Risk Management

The ARMC has reviewed Council's risk management strategy, and continues to monitor progress on the implementation of an enterprise wide risk management (ERM) plan.

9. Conclusion

The ARMC has overseen an internal audit and external audit program for the year under review in which the scope and approach to work undertaken has been appropriate and consistent with the current understanding of Council's enterprise wide risk framework.

The ARMC confirms that based on the information provided to the ARMC from management, internal audit and external audit, it is satisfied with the progress of Council's arrangements for governance, risk management, internal control and regulatory compliance.

The areas of responsibility of the ARMC set out in clause 7 of the Audit and Risk Management Committee Charter are managed in conjunction with the internal audit and external audit plans executed during the year.

J Walkom
Chairman



DUBBO REGIONAL
COUNCIL

REPORT: Discussion Paper on Risk and Audit released by Office of Local Government

AUTHOR: Internal Auditor
REPORT DATE: 19 September 2019
TRIM REFERENCE: ID19/1361

EXECUTIVE SUMMARY

The Office of Local Government released its discussion paper “A New Risk Management and Internal Audit Framework for Local Councils in NSW” on 10 September 2019 and is inviting feedback until 31 December 2019.

It is proposed that a submission be made supporting the general concepts being put forward but suggesting the fine detail could be improved upon with regard to:

- Clarifying how the system works on those odd occasions when the parties do not agree, and clarify who is ultimately responsible. A few responsibilities seem to be with the wrong party.
- While the need for the Audit Committee to be majority independent is recognised, the expectation that every Council can achieve 100% independent membership and simultaneously obtain all the skill sets required is unrealistic.
- The cost of the proposed mechanisms is unnecessarily high.
- An Audit Committee should be free to examine the highest risk issues facing Council and to determine for itself what is high risk. Distinction needs to be made between what the committee can look at, what it should look at, and what it must look at. The paper is not completely clear as to what is in which category but appears to be putting too much in the “must” category.
- The path by which the existing Audit and Risk Management Committee is transformed into or replaced by a new Audit Risk and Improvement Committee does not appear to have been thought through. Longer timeframes may be required.
- The timeframes appear to be based on the amount of time a well resourced city Council would require. The needs of rural areas and the impact of many Councils competing with each other for the same experts does not appear to be adequately considered. Longer timeframes will be required.
- The concepts as proposed could be used by the Office of Local Government to systematically interfere with the routine management of Councils. The State Government should provide assurances and safeguards so that this potential unintended consequence does not occur.

The input of the Audit and Risk Management Committee would assist Council in determining the details of the Discussion Paper.

FINANCIAL IMPLICATIONS

There are no financial implications arising from the actions proposed in this report. The financial implications of having to comply with new State Government requirements have not been estimated at this time.

POLICY IMPLICATIONS

There are no policy implications arising from this report.

RECOMMENDATION

That Council formulate a submission to the Office of Local Government based on the advice in this paper and on advice provided by the Audit and Risk Management Committee.

Peter Browne

Internal Auditor

BACKGROUND

The appendix to the Discussion Paper provides the State Government's view of the history of the regulation of Audit Committees. The introduction provides information on what other jurisdictions are doing in this area. The paper notes that Office of Local Government has been attempting to raise the standard in the areas of Risk and Audit for many years, that there is a wide assembly of experts saying improvement is needed, state government departments have made significant progress in managing their Audit and Risk functions, and that the average outcome of Councils across the state has not yet risen to the required standard.

The predecessors to Dubbo Regional Council had arrangements that in hindsight were not adequately resourced. Since the amalgamation significant work has occurred in this area and our new processes still require a little time to be fully incorporated into routine processes. At the conceptual level this paper mostly proposes to make compulsory the things we have already done. However without seeing the fine detail it is difficult to say how it will work out in practice.

REPORT

The decision that Councils shall have an Audit Risk and Improvement Committee was placed in legislation in 2016 but that legislation does not come into force until six months after the next Local Government elections (March 2021). The paper advises what the State Government is intending in regard to Audit Committees. At 92 pages (plus references in appendices) there is reasonable detail but it is still a discussion paper. Some slight differences in the detail could make major differences on the final impact on Councils. Given the timeframes, it does not seem plausible that any further consultation could occur.

The paper deals with 3 issues –

- An Audit Committee (which it calls an Audit Risk and Improvement Committee and which Dubbo Regional Council currently calls an Audit and Risk Management Committee - these terms and their acronyms AC, ARIC and ARMC are mostly interchangeable but in this report ARIC refers to the specific proposal being advanced by the State Government)
- The Internal Audit function within Council
- The Risk Management function within Council

The Office of Local Government is seeking feedback on the following questions:

1. Will the proposed internal audit framework achieve the outcomes sought?
2. What challenges do you see for your council when implementing the proposed framework?
3. Does the proposed framework include all important elements of an effective internal audit and risk framework?
4. Is there anything you don't like about the proposed framework?
Can you suggest any improvements to the proposed framework?

PROPOSED REQUIREMENTS

The new sections of the Local Government Act provide:

428A Audit, Risk and Improvement Committee

- (1) A council must appoint an Audit, Risk and Improvement Committee.
- (2) The Committee must keep under review the following aspects of the council's operations:
 - (a) compliance,
 - (b) risk management,
 - (c) fraud control,
 - (d) financial management,
 - (e) governance,
 - (f) implementation of the strategic plan, delivery program and strategies,
 - (g) service reviews,
 - (h) collection of performance measurement data by the council,
 - (i) any other matters prescribed by the regulations.
- (3) The Committee is also to provide information to the council for the purpose of improving the council's performance of its functions.

428B Joint internal audit arrangements

A council may enter into an arrangement with another council, or a body prescribed by the regulations for the purposes of this section, to jointly appoint an Audit, Risk and Improvement Committee to exercise functions for more than one council or body.

The Discussion Paper proposes to prescribe how and by when these requirements are met.

The initial setup phase envisages the following timeframe:

- Establish Audit Risk and Improvement Committee by March 2021
- Develop a Risk Management Framework and employ key risk management staff by December 2022
- Audit and Risk functions fully operational by 2024

Following that initial phase the Audit Risk and Improvement Committee is to routinely cover all of its responsibilities by 2026. This report looks at whether there are any errors or gaps in the Office of Local Government's prescription of how this new system is to operate.

UNDERLING CONCEPTS AND PHILOSOPHICAL DIFFERENCES

To appreciate the strengths and weaknesses of what the Office of Local Government is proposing it may be beneficial to consider the management theory underlying the proposals and where that theory tends to have problems when it faces the real world. The Local Government Act prescribes the management practices for Councils. The Office of Local Government is trying to modernise those practices without actually changing the prescription within the Act. It has done a superb job of blending two different approaches but the outcome remains a compromise. To achieve this blending they are treating the collection of ideas in the paper as if they are multiple independent proposals rather than a web of inter-supporting structures.

The fundamental thing being prescribed is a move from the underlying governance philosophy that underpins the Local Government Act, to the philosophy that underpins current best practice thinking on governance. The thinking behind Local Government Act starts with dividing activity into: deciding what to do and then implementing that decision. The question then turns to who does that activity and how. In regard to who, it essentially comes up with one of three answers: either the General Manager controls that matter or the elected Council controls it or the State Government controls it.

Today management theory will have more stages than simply plan and do. In particular, checking that the “do” actually worked is separated out on the basis that if you consider doing and checking to be the same activity, it creates conflicts of interest. Better Practice thinking on governance at present can be characterised as a lines of defence approach. On page 8 of the discussion paper the OLG has a drawing of a rugby field with three internal lines of defence symbolically positioned on the field and State Government agencies standing on the try-line as a fourth line of defence. When following this mode of thinking, nobody routinely controls the overall defence. Instead each line is independently controlled so that a problem in one line of defence should be contained and prevented from spreading to the other lines. Thinking has moved from a focus on efficiency and technical legal prescription to instead focus on collaboration and risk management.

The Local Government Act makes Risk Management and Internal Audit components of implementing policy and therefore within the jurisdiction of the General Manager. Modern Management theory would place it primarily with the board, and create an Audit Committee to assist the board. This Discussion Paper proposes to set up that committee to assist the elected Council while not actually making Audit and Risk a matter for the elected Council.

In addition to the Discussion Paper trying to reconcile different visions of the organisational structure, it also:

- Has a different view of timeframes to the better practice documents it is using. The Discussion Paper has an annual reporting cycle in mind. It interprets “keep under review” as dealing at least annually with each item listed (a) to (j) in s428A (2) as shown above. It also expects annual reporting on those actions. The better practice documents that the Office of Local Government paper is based on repeatedly use multi-year cycles.
- At times fails to appreciate that forming an independent view or providing independent assurance means checking that relevant in-house experts have not overlooked anything. Where the Audit Risk and Improvement Committee is tasked with providing independent advice it is inappropriate to deal with that task by getting the person who normally deals with the issue to write a report on it.

1. Will the proposed internal audit framework achieve the outcomes sought?

The Office of Local Government asks this question without specifying what the desired outcomes are. Presumably this means that they are seeking feedback on what the outcomes should be as well as whether those outcomes are achieved.

-
- 1.1. If the objective is to provide a modern management structure that complies with the recommendations of the Institute of Internal Auditors and the principles of Risk Management standard AS ISO31000, then the opinion of Council's officers is that it makes substantial progress. However the paper simply assumes that the points where best practice documents take a different approach to that of the Local Government Act, then the issue is not significant and the Act has a better approach. If the objective is to provide guidance on what to do when the various approaches conflict, then that is not fully dealt with.
 - 1.2. If the objective is to achieve the outcomes recommended by the Independent Commission Against Corruption then it is worth noting that the ICAC has on multiple occasions recommended reducing power of particular offices (i.e. removing things) and the Office of Local Government has responded by creating new responsibilities and processes (i.e. adding things).
 - 1.3. If the objective is to promote better local governance then there are aspects of the proposal which go beyond ensuring prudent processes and start prescribing the Office of Local Government's view. Proper regard must be given to the fact that the governing body of a Local Government Council is neither a professional bureaucrat (like a State Government Departmental Secretary) nor a private board. It is rather a democratically elected level of government and straight copying from other types of arrangement is not always appropriate. To get the system exactly right would require reasoning each provision out from first principles. It appears that Council will have a large say in who is appointed to the ARIC but this is not completely clear. It appears that the Council will have very little say in what the ARIC does or how it does it.

The preregistration system would mean that all members of the ARIC are required to have the skills that the State Government considers necessary. There is no capacity for Councils to determine that some other skill or knowledge is more important. The proposal requiring all members would come from the preregistration list is unnecessary to achieve the stated objective of having majority of members being independent and deprives the Council the capacity to determine its own specific needs. Likewise the ban on any member having recent involvement in Local Government will add to the difficulty in recruiting the desired skill base while the benefit of extending the criteria this far is speculative.

- 1.4. It is not clear whether the objective is to provide assistance to Councils in creating the most effective way for everyone to work together or whether the objective is to create regulations so that the process continues to function correctly if relationships start to break down or perhaps the objective is just to get every Council functioning the same way. Council's officers are of the view that there is value in ensuring the ARIC has authority to set its own agenda but more cost than benefit in having the Office of Local Government mandate the agenda.

The usual big picture for an audit function is that you get highly skilled people to look at what is happening and consider if anything has been overlooked by line management. Detailed prescription is rather like asking for a detailed report on what all the unknown problems are.

It is sensible to ensure someone is checking to see nothing has been missed but there is a limit to how far the process can be prescribed.

A document which is a set of recommendations needs a lot less precision than one which contains fixed rules. Fixed rules need to contemplate every potential set of facts while recommendations only need to deal with the usual set of circumstances. When the recipients are free to not accept the advice, they are free to find appropriate solutions for unusual circumstances. When the Local Government Review Panel recommended the government "Revise the current [Internal Audit] guidelines under the Act and make them mandatory" (October 2013), they likely expected the revision would include consideration of the full range of issues and how different principles interact.

- 1.5. The proposal is that the State Government will decide who is qualified or not qualified to be an ARIC member. It is recommended that Council seek assurances that the Government will ensure a sufficient number of individuals are authorised under the system so that not only are there enough for 129 Councils' needs, there are also enough to allow Councils real choice between candidates.
- 1.6. In describing who does what, there may be an attempt here to control what can be delegated and what should not be delegated. If that is part of the objective then it will not succeed because the Act does not permit the Office of Local Government to prescribe such matters.

This report recommends that feedback be provided to the affect that we expect substantial improvement but there is insufficient precision in the Discussion Paper to evaluate whether all objectives will be met. Council also seeks assurances that the Government will ensure a sufficient number of individuals are authorised under the system so that not only are there enough for 129 Councils' needs, there are also enough to allow Councils real choice between candidates.

2. What challenges do you see for your council when implementing the proposed framework?

The proposal timeframes are somewhat metropolitan-centric and also assume there are no existing arrangements that need unwinding. It is assumed that where a small council finds the requirements difficult, they will overcome the size issues by teaming up with a neighbouring Council and get the task done in the same timeframe. There is no consideration of whether the supply of skills needed will meet the massive increase in demand that this policy will trigger. The issue of whether the proposed preregistration scheme is a good idea or not is also discussed under 1.3 and 4.2. Here under issue 2 the timing requirements are discussed amongst the other transition issues.

- 2.1. Council officers have made enquiries to the Office of Local Government concerning how the preregistration system for Audit Committee members would work. It appears most of the work on this issue is planned to occur after feedback on the proposal has occurred. We are unable to determine whether this is likely to be an issue but the possibility of compounding delays is a risk. If Councils were to give existing unqualified

Audit Committee members the opportunity to seek accreditation, this could delay recruitment of replacement members if that accreditation is not achieved.

- 2.2. Negotiating shared arrangements could compound the timing issues associated with the expansion of the preregistration system. That might be further compounded by issues associated with the initial steps being planned to correspond with Local Government Elections. The problem could be significant for small rural councils. In the later stages any Council that wants to hire in more skilled staff or move from part-time to full time staff may again find the timeframes difficult. These issues are unlikely to occur at Dubbo Regional Council but are included in this report in order to provide a more complete picture of the proposal and its likely impact across the industry.

A possible timeframe for a small rural council might be:

July 2020 – Requirements of system finalised

July 2020 – Members of existing Audit Committee seek registration

September 2020 – Council elections

October 2020 – Induction of newly elected Councillors

October 2020 – Council decides whether it wants joint arrangements or not

October 2020 – Members of existing Audit Committee advised if registration successful

December 2020 – Arrangements for joint committee finalised

Jan 2021 – recruitment commences

March 2021 – multiple positions successfully recruited

This would be quite a challenge.

- 2.3. The annual reporting provisions imply that action is required on each of the areas of responsibility (s428A (2)) each year. The problem is that some of the things an Audit Risk and Improvement Committee will be responsible for are reviewed on four years cycles and some are in the nature of “respond when needed”.

Some activity of the Audit Risk and Improvement Committee might be something like a flood evacuation service. The function needs to monitor if action is required and be ready to go when needed. However if someone creates an expectation that an evacuation is needed every year and starts criticising a failure to perform an evacuation, it will inevitably lead to lots of work being done with no real benefit being produced.

One of the assigned tasks assigned to the ARIC in its compliance activity is advising whether “the council is complying with all necessary legislation, regulations, policies and Procedures”. It would be normal audit practice to look at an issue like this in depth once every four or so years, and then monitor for any significant change in circumstances between scheduled reviews. It would be normal in the in-between years, to assume the compliance situation remains substantially the same as it was last year unless there is a change in circumstances. The paper seems to imply the ARIC must report on “compliance” every year and not specifically on this component every year but interpretation is not completely clear. Without seeing the fine detail of the final requirements it is difficult to assess if a problem will develop.

It would be beneficial if the final guidelines clarified that “keeping under review” can include the ARIC satisfying itself that someone is watching the issue and can include the operation of thresholds for action that lead to an automatic conclusion that no action was required in the current year

It is recommended that feedback be provided to the affect that the timeframes do not adequately contemplate the large variety of circumstances of different Councils. In particular the time needed to form shared arrangements and unwind existing structures has not been adequately assessed. The reporting timeframes also need to contemplate that in some years no action will be needed within a particular area of responsibility.

3. Does the proposed framework include all important elements of an effective internal audit and risk framework?

3.1. Council Officers have not detected any important element being overlooked in regard to Internal Audit. Council’s officers are of the view that the path chosen by Office of Local Government to get to the destination is the one that is the easiest to legislate and within the constraints of that strategic decision, its officers have done a good job. Never the less the minimum disruption path is one that is complex to navigate, and without the fine detail we cannot assess if everything will work.

3.2. In regard to Risk Management, the proposal seems sensible but lacks detail to a greater extent than the audit provisions. Council’s officers were concerned that the term “Enterprise Risk Management” was being used in a way that suggested a single homogenous methodology that addressed every category of risk. Our view is that good risk management is more like a fleet of different sized ships performing different but coordinated functions, than it is like a train with identical carriages. With the diverse range of Council services no “one size fits all” solution is likely to succeed. The differences in scale between Councils and between different functions within a Council are significant and demand different approaches. If the final outcome is at a similar level to the draft, then the document will not be a problem as such, but may well lead to Councils requesting further advice.

It is recommended that feedback be provided that the document appears to cover the important elements but the level of detail is not sufficient to determine if all Council needs have been addressed.

4. Is there anything you don’t like about the proposed framework?

4.1. Parts of attestation statement should be signed off by Audit Committee or by Council, not by the General Manager. How the Internal Audit budget is determined is perhaps a good example. The ARIC is to advise the Council whether resourcing is adequate (page 46). The Council should then consider this as part of its budget considerations and decide what to allocate (pages 24 & 60). The General Manager is then to issue a certificate at the end of the year on whether the resourcing was adequate. In context the General Manager is required to report on whether the Council got it right or not. Finally the ARIC is to consider if the General Manager has got that report right or not.

4.2. Fees to ARIC are proposed to be fixed. The chair is to be paid \$16,213 p.a. and other members \$1,621 per meeting. (Some smaller Councils pay less and very large Councils have higher prescribed fees.) Sydney Councils would not pay travel costs on top of this but the proposed requirements for other Councils is not clear. At present many Councils are able to obtain expert advice and membership of their Audit Committees at substantially lower costs by individuals who see the service as a civic duty to their local community. The discussion paper does not indicate why these costs should be locked in at commercial rates. It does not indicate why Councils should not be free to determine the remuneration of their own committees.

The size of these payments also seems disproportionate to payments to Councillors. A Councillor would attend 20 to 40 meetings a year. Under the proposal, the Chair of the Audit Risk and Improvement Committee would likely attend 4 meetings a years and is paid an amount each year of similar size to the amount Councillors are paid each year. Seeing the ARIC gives advice and the Council makes decisions, the relative payments are difficult to understand.

The current guidelines recommend the majority of members of the Audit Committee should be independent of management. The assumed benefits of extending the requirement for independence to all members, are unlikely to be realised. Once the risk of bias is removed, creating extra assurance is only beneficial if there are risks of the primary controls failing. The paper appears to simply assume more is better without considering that prioritising this issue inherently means other valuable attributes are deprioritised. Someone who has high technical skill but does not meet the formal definition of "independent" may be excluded when a far better result could be obtained by simply allowing the committee to manage any potential bias at its discretion.

4.3. Page 41 of the paper suggests that the Audit Committee will determine who attends Audit Committee meetings. The list of people that the Audit Committee may require to attend includes Councillors. It also implies that if events clash then the Mayor and the General Manager are required to take direction from the Audit Committee on priorities. This consequence is probably not intended but it is what the document currently says and the nature of having a discussion paper is you cannot be sure what the eventual fine detail will be. This compulsion would be excessive and unnecessary. It is excessive because it gives the ARIC powers which could create an unreasonable burden on Councillors and it places the ARIC in a higher position than Council. It is unnecessary because the Audit Committee will have the right to address a Council meeting which should be sufficient for any problem which could arise.

5. Can you suggest any improvements to the proposed framework?

The following matters

- 5.1. The fundamental nature of the Audit Risk and Improvement Committee should be clearly spelt out. Key to this nature is that it is an advisory committee. The legal framework should require all provisions related to authority of the ARIC are to be interpreted as expressions of the ARICs right to information, right to be heard and right to protect its access to information. Any provision requiring the ARIC's concurrence should be clearly stated as a requirement to consult not a requirement to gain the ARIC's consent.
- 5.2. An Audit Committee should be free to examine the highest risk issues facing Council and to determine for itself what is high risk. Distinction needs to be made between what the committee can look at, what it should look at, and what it must look at. The paper is not completely clear as to what is in which category but on face value it appears to be putting too much in the "must" category. Questions put to the Office of Local Government tend to indicate this is most likely a style issue with the writer of the paper than an intent to micromanage. Never the less it is recommended that we advise the Office of Local Government that this document should clearly enunciate that it prescribes the authority of the ARIC, not the workload.
- 5.3. The status of the Audit Committee should be separately dealt with in the Act, the Code of Meeting Practice and the Code of Conduct. These documents categorised all individuals as either Councillors, Staff, Contractors or people outside of Council. None of those categories are appropriate for Audit Committee members. In the absence of specific provisions members of the ARIC are contractors and therefore theoretically under the control of the General Manager. The point is perhaps best made by an example. The rules of Local Government could define Councillors as being staff members and then give exemptions from the staff member rules where appropriate and add on specific Councillor rules. The problem is that Councillors are not staff members and while you might be able to make such a system work you cannot make it easily understood and you always have a high risk of missing something and thereby creating unintended consequences.
- 5.4. The Office of Local Government should make up its mind as to whether an ARIC is controlled by the elected Council, the General Managers or the State Government. If it is essentially controlled by the State Government then the Office of Local Government should consider if Audit Risk and Improvement Committees would be better structured in a process similar to Local Planning Panels (formerly known as Independent Hearing and Assessment Panels) rather than create yet another variation on structures. If the ARIC is effectively a State Government controlled activity it should have a legal structure that avoids confusion about who is running it.

The proposed Audit Risk and Improvement Committee is not like any other Council Committee and it is confusing to treat it like a committee that the Council controls. The development of the Internal Audit four year Strategic Plan is a good example. The prescribed process sees the elected Council giving advice to the Internal Auditor who will then consider that advice before making recommendations to the Audit Risk and Improvement Committee who make the final decision. You will not see anything like that sort of process in any other Council Committee.

NEXT STEPS

It is proposed that advice be provided to Council on the discussion paper. Following that, Council would formulate a submission to the Office of Local Government. Members of the Audit and Risk Management Committee are encouraged to advise the Chief Executive Officer of any matters of concern.

Appendices:

- 1 Snapshot guide - A new risk management and internal audit framework for local councils in NSW
- 2 Discussion Paper
- 3 Original recommendation to review guidelines
- 4 2016 Government response advising of intent to review guidelines

Topic	Primary Director / Executive Manager	Primary Manager	Timeframe
Creditors / Accounts Payable	Organisational Performance	Chief Financial Officer	2019/2020 Q2
Fraud and Corruption risks	EM Governance and Internal Control	EM Governance and Internal Control	2019/2020 Q3
Social Media		Corporate Image and Communications	2019/2020 Q3
Water availability (including Disaster recovery and Business Continuity)	Infrastructure	Water Supply and Sewerage	2019/2020 Q4
Legislative compliance	EM Governance and Internal Control	EM Governance and Internal Control	2020/2021 Q1
Payroll	EM People Culture and Safety	EM People Culture and Safety	2020/2021 Q1
Accounts Receivable	Organisational Performance	Chief Financial Officer	2020/2021 Q2
IT Governance	Organisational Performance	Chief Information Officer	2020/2021 Q2
Contractor Management	EM People Culture and Safety	EM People Culture and Safety	2020/2021 Q3
Credit Cards	Organisational Performance	Chief Financial Officer	2020/2021 Q3
Cyber Security	Organisational Performance	Chief Information Officer	2020/2021 Q4

APPENDIX - COUNCIL BUSINESS PAPER 18/11/2019

**Item CCL19/213
AUD19/30**

Workplace Health and Safety	EM People Culture and Safety	EM People Culture and Safety	2021/2022 Q1
Ordering / Procurement - general	Organisational Performance	Procurement	2021/2022 Q1
Risk Management framework	EM People Culture and Safety	EM People Culture and Safety	2021/2022 Q2
Treasury	Organisational Performance	Chief Financial Officer	2021/2022 Q2
Airport	Culture and Economy	Airport Operations Coordinator	2021/2022 Q3
Developer Contributions	Development and Environment	Growth Planning	2021/2022 Q3
Heavy Vehicle Chain of Responsibility	EM People Culture and Safety	Safety and Risk Management Team Leader	2021/2022 Q4
Project Management framework	Infrastructure	Building Infrastructure Leadership Team	2022/2023 Q1
Private Works	Infrastructure	Infrastructure Delivery	2022/2023 Q1
Rates and Charges	Organisational Performance	Chief Financial Officer	2022/2023 Q2

EXTRAORDINARY COUNCIL MEETING
28 JANUARY 2020

CCL20/12



REPORT: Review of remuneration for independent members of the Audit and Risk Management Committee

AUTHOR: Internal Auditor

REPORT DATE: 17 January 2020

TRIM REFERENCE: ID20/15

EXECUTIVE SUMMARY

The Audit and Risk Management Committee consists of one Councillor member and two independent members appointed by Council. The Audit and Risk Management Committee Charter provides that the independent members of the committee are remunerated and the remuneration of the independent members should be reviewed annually.

The State Government is currently reviewing all aspects of Audit Committees under the Section 23A Guidelines and is expected to include either, recommended or prescribed remuneration rates for independent members when it finalises the regulations and guidelines.

The rates currently paid by Dubbo Regional Council appear to be comparable with rates paid by other similar Councils. It is recommended that Council does not adjust its rates at this time, and reconsider the matter after the State Government makes its final position clear.

FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

POLICY IMPLICATIONS

There are no policy implications arising from this report.

RECOMMENDATION

1. That the information in the report of the Internal Auditor of 17 January 2020 be noted.
2. A further report be prepared on the remuneration of the Audit and Risk Management Committee following the State Government review.

Peter Browne
Internal Auditor

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BACKGROUND

Audit Committees are given a variety of names in Local Government. They are considered a normal part of governance structures and it is standard practice to include experts in audit, risk and governance in the membership. Dubbo Regional Council has had an Audit and Risk Management Committee since its inception. Wellington Council and the former Dubbo City Council both had Audit Committees prior to amalgamation.

The current Audit and Risk Management Committee Charter was resolved by the Economic Development, Business and Corporate Committee on 13 March 2018. The Charter provides that the independent members should be remunerated and that the remuneration should be reviewed annually. Where a change is considered appropriate, the matter is referred to Council for consideration (clause 4.5).

The State Government intends to make Audit Committees compulsory for all Councils. Details of the proposed requirements are included in the Business Paper of the Ordinary meeting of 25 November 2019 (at page 186).

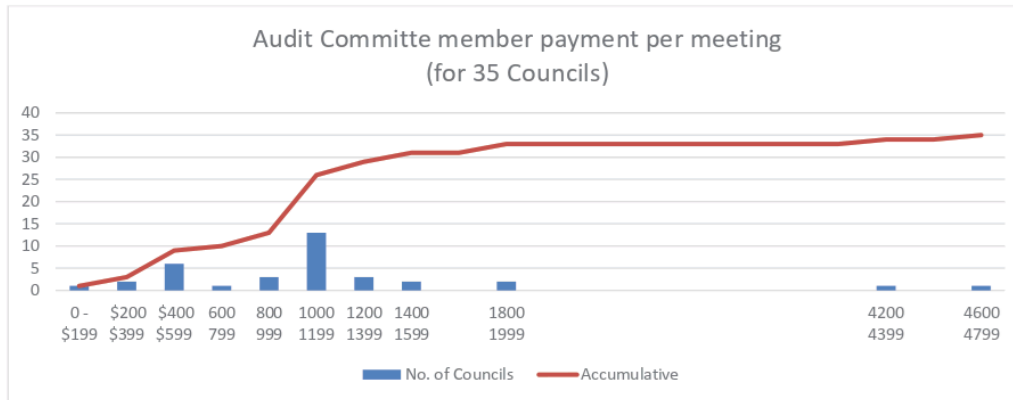
REPORT

Enquires were made to various NSW Councils in order to obtain an indication of how Dubbo Regional Council rates compare. This was an informal collection of data and it does not include all Councils.

The table below compares what different Councils pay an ordinary independent (non-councillor) member per meeting. It should be noted that the two highest paying Councils are City of Sydney and Central Coast Councils; data from these councils is not indicative for Dubbo Regional Council given the difference in location and population. The majority of Council's contacted pay the chairperson a fixed annual fee and pay other non-councillor members a fee per meeting; some pay travel costs as a separate component. Where payment is made for travel or it is an annual payment, this has been adjusted to what an equivalent fixed fee per meeting would be.

Although the data is presented as a per meeting figure, it includes all travel, research, consultation and any other activity that might be relevant to performing the duties of an Audit Committee member. Of the 35 Councils that we have data for, 13 Councils pay between \$1,000 and \$1,199 per meeting. The average (mean) payment is \$1,133 and the median payment is \$1,025. Payment to the chairperson tends to be 20% to 30% above the payment to other independent members.

Dubbo Regional Council currently pays its Independent Member \$900 per meeting (plus GST) and its Independent Chairperson \$1,100 per meeting. This is marginally below the calculated average but sufficiently close that the difference could be due to not having a full set of statistics.



In its recent discussion paper on Audit and Risk Management, the Office of Local Government indicates it believes an appropriate remuneration for a member of an audit committee for a Council of our size is \$1,600 per meeting. However, as can be seen from the above graph, most Councils do not currently share that view. The Office of Local Government discussion paper also envisages a greater role for Audit, Risk and Improvement Committees (as it calls them) than currently applies at Dubbo Regional Council.

It is likely that the role of the Audit and Risk Management Committee will be increased at some time between July 2020 and March 2021 following the State Government review. It is suggested that reviewing the payments to independent members would be more appropriately at that time.