



# AGENDA

## ECONOMIC DEVELOPMENT, BUSINESS AND CORPORATE COMMITTEE

### 13 AUGUST 2018

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 .

---

	Page
<b>EDBC18/40</b> <b>REPORT OF THE ECONOMIC DEVELOPMENT BUSINESS AND CORPORATE COMMITTEE - MEETING 9 JULY 2018 (ID18/1234)</b> The Committee had before it the report of the Economic Development, Business and Corporate Committee meeting held 9 July 2018.	2
<b>EDBC18/41</b> <b>LGNSW ANNUAL CONFERENCE PROPOSED MOTION REGARDING AMENDING REQUIREMENTS FOR ELECTORAL WARDS (ID18/1261)</b> The Committee had before it the report dated 31 July 2018 from the Executive Manager Governance and Internal Control regarding LGNSW Annual Conference Proposed Motion Regarding Amending Requirements for Electoral Wards.	7
<b>EDBC18/42</b> <b>ANNUAL RISK MANAGEMENT PROGRAM AND INSURANCE MATTERS (ID18/1235)</b> The Committee had before it the report dated 30 July 2018 from the Executive Manager Governance and Internal Control regarding Annual Risk Management Program and Insurance Matters.	11
<b>EDBC18/43</b> <b>PROPOSED AMENDMENT TO FEES AND CHARGES OF THE 2018/2019 REVENUE POLICY (ID18/1194)</b> The Committee had before it the report dated 30 July 2018 from the Director Planning and Environment regarding Proposed Amendment To Fees and Charges of the 2018/2019 Revenue Policy.	19



**DUBBO REGIONAL  
COUNCIL**

---

## **Report of the Economic Development Business and Corporate Committee - meeting 9 July 2018**

**AUTHOR: Administration Officer - Governance**  
**REPORT DATE: 27 July 2018**

---

The Committee had before it the report of the Economic Development, Business and Corporate Committee meeting held 9 July 2018.

### **RECOMMENDATION**

**That the report of the Economic Development, Business and Corporate Committee meeting held on 9 July 2018, be noted.**



**REPORT  
ECONOMIC DEVELOPMENT, BUSINESS AND  
CORPORATE COMMITTEE  
9 JULY 2018**

---

**PRESENT:** Councillors J Diffey, V Etheridge, A Jones, 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 Team Leader Governance, the Director Economic Development and Business, the Communications Coordinator, the Director Infrastructure and Operations, the Director Planning and Environment, the Manager Strategic Planning Services (L Griffiths) and the Director Community and Recreation.

Councillor G Mohr assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 5.53pm.

**EDBC18/35 REPORT OF THE ECONOMIC DEVELOPMENT, BUSINESS AND CORPORATE  
COMMITTEE - MEETING 12 JUNE 2018 (ID18/1036)**

The Committee had before it the report of the Economic Development, Business and Corporate Committee meeting held 12 June 2018.

Moved by Councillor J Ryan and seconded by Councillor B Shields

**MOTION**

**That the report of the Economic Development, Business and Corporate Committee meeting held on 12 June 2018, be noted.**

**CARRIED**

**EDBC18/36 LEASE TO NSW AMBULANCE - COMMUNICATIONS TOWER ON COUNCIL OWNED 43L BUNGLEGUMBIE ROAD (ID18/975)**

The Committee had before it the report dated 8 June 2018 from the Manager Property Assets regarding Lease to NSW Ambulance - communications tower on Council owned 43L Bunglegumbie Road.

Moved by Councillor B Shields and seconded by Councillor V Etheridge

**MOTION**

1. That Council (as the lessor) enter into a lease agreement with Health Administration Corporation on behalf of NSW Ambulance involving 4 x five year consecutive leases for the erection and operation of a communications tower on part Lot 801 DP 586082, 43L Bunglegumbie Road.
2. That the lease include an annual rent of \$1,000 exc. GST, increased annually in line with CPI (Sydney All Groups).
3. That each party be responsible for their own legal expenses.
4. That Council be responsible for preparation and registration of the plan of subdivision for lease purposes.
5. That the Chief Executive Officer be authorised to complete any documentation under his Power of Attorney.

**CARRIED**

**EDBC18/37 LOCAL GOVERNMENT NSW - 2018 ANNUAL CONFERENCE (ID18/1038)**

The Committee had before it the report dated 26 June 2018 from the Executive Manager Governance and Internal Control regarding Local Government NSW - 2018 Annual Conference.

Moved by Councillor B Shields and seconded by Councillor V Etheridge

**MOTION**

1. That it be noted that Council's Policy for the Payment of Expenses and Provision of Facilities for the Mayor and Councillors specifies that the Mayor and three Councillors be determined as voting delegates to attend the LGNSW Annual Conference.
2. That it be noted that the Mayor, as a board member of LG NSW is entitled to a vote at the conference in addition to the four votes allocated to Dubbo Regional Council.
3. That as the Mayor is provided a vote as a board member in addition to the four allocated votes to Dubbo Regional Council, Council determine four Councillor voting delegates, alternate voting Councillor and the Councillor observers to attend the Local Government NSW Conference to be held in Albury at the Entertainment Centre from 21 to 23 October 2018.

**CARRIED**

At this stage, nominations were invited for four (4) Councillor delegates, alternative voting Councillor and Councillor observer to attend the Local Government NSW Conference to be held in Albury at the Entertainment Centre from 21 to 23 October 2018. The following nominations were received:

Councillor V Etheridge nominated as a delegate by Councillor A Jones and Councillor B Shields

Councillor S Lawrence nominated as a delegate by Councillor A Jones and Councillor B Shields

Councillor J Ryan nominated as a delegate by Councillor A Jones and Councillor B Shields

Councillor K Parker nominated as a delegate by Councillor A Jones and Councillor B Shields

Councillor G Mohr nominated as an alternative voting delegate by Councillor A Jones and Councillor B Shields

Councillors V Etheridge, S Lawrence, J Ryan, K Parker and G Mohr accepted their nominations.

It is noted that no nominations were received for the position of Councillor observer.

**MOTION**

**That Councillors V Etheridge, S Lawrence, J Ryan and K Parker be the nominated delegates and Councillor G Mohr be the alternative voting Councillor to attend the Local Government NSW Conference to be held in Albury at the Entertainment Centre from 21 to 23 October 2018 inclusive.**

**CARRIED**

At this juncture the meeting adjourned, the time being 5.57pm.

The meeting recommenced at 6.01pm.

**EDBC18/38 DUBBO CITY REGIONAL AIRPORT DEVELOPMENT (ID18/1028)**

The Committee had before it the report dated 25 June 2018 from the Director Economic Development and Business regarding Dubbo City Regional Airport Development.

Moved by Councillor A Jones and seconded by Councillor J Diffey

**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, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c)).**

**CARRIED**

Moved by Councillor B Shields and seconded by Councillor J Ryan

**MOTION**

1. That a 99 year lease be offered to the proposed leaseholder at an annual land rental fee of \$1.00 (exc. GST)
2. That a separate Lot be created for lease purposes with an area of approximately 1.15 ha.
3. That the proposed leaseholder be responsible for those lease preparation and subdivision costs, including Council's expenses up to \$5,000 exc. GST.
4. That any necessary documentation in relation to this matter be executed under the Power of Attorney.
5. That the documents and considerations in regard to this matter remain confidential to the Council.

**CARRIED**

**EDBC18/39 LEAVE OF ABSENCE**

Requests for leave of absence were received from Councillors D Grant and D Gumley who were absent from the meeting for personal reasons.

Moved by Councillor A Jones and seconded by Councillor J Diffey

**MOTION**

**That such requests for leave of absence be accepted and Councillors D Grant and D Gumley granted leave of absence from this meeting.**

**CARRIED**

The meeting closed at 6.02pm.

.....  
CHAIRMAN



## **REPORT: LGNSW Annual Conference Proposed Motion Regarding Amending Requirements for Electoral Wards**

**AUTHOR:** Executive Manager Governance and  
Internal Control  
**REPORT DATE:** 31 July 2018  
**TRIM REFERENCE:** ID18/1261

### **EXECUTIVE SUMMARY**

At the Ordinary meeting of Council held November 2017, Council resolved:

1. *That the report of the General Manager dated 31 October 2017 be noted.*
2. *That Council notes that the Local Government Act 1993 (NSW) currently requires that wards be of approximately equal population size and elect the same number of councillors.*
3. *That Council notes that this prevents the creation of a two ward system in the local government area, which might otherwise consist of separate Dubbo and Wellington wards, electing different numbers of councillors according to population size.*
4. *That Council make representations to the Minister of Local Government to consider the feasibility and appropriateness of an amendment to the Local Government Act 1993 (NSW) to allow a process for the creation of electoral wards with variations of population of more than 10% and electing different numbers of councillors, so long as the councillor/elector ratio is such as to maintain the principle of democratic representation across the local government area.*
5. *That Council submit a motion to the 2018 NSW Local Government Conference in support of the above with the wording of such motion being submitted to Council prior to lodgement.*

Following advice from LGNSW, the proposed motion for the 2018 LGNSW Annual Conference is included herewith for endorsement.

### **ORGANISATIONAL VALUES**

Customer Focused: The abolition or amending of wards would reduce the issue of confusion of Electors in a ward divided area.

Integrity: A Constitutional Referendum must be undertaken and approval granted by Electors prior to the implementation of abolishing or amending wards.

One Team: Not applicable.

**FINANCIAL IMPLICATIONS**

There are no financial implications arising from this report.

**POLICY IMPLICATIONS**

There are no policy implications arising from this report.

**RECOMMENDATION**

**That Council request that the following motion be lodged for inclusion on the LGNSW 2018 Annual Conference agenda:**

***That LGNSW make representations to the Minister of Local Government to consider the feasibility and appropriateness of an amendment to the Local Government Act 1993 (NSW) to allow a process for:***

- 1. the creation of electoral wards with variations in the number of electors of more than 10% in each ward in the area; and***
- 2. different numbers of councillors to be elected for each ward***

***provided that the councillor:elector ratio of each ward is such as to maintain the principle of democratic representation across the area.***

*Michael Ferguson*  
Executive Manager Governance and Internal Control



## **BACKGROUND**

At the Ordinary meeting of Council held November 2017, Council resolved:

1. *That the report of the General Manager dated 31 October 2017 be noted.*
2. *That Council notes that the Local Government Act 1993 (NSW) currently requires that wards be of approximately equal population size and elect the same number of councillors.*
3. *That Council notes that this prevents the creation of a two ward system in the local government area, which might otherwise consist of separate Dubbo and Wellington wards, electing different numbers of councillors according to population size.*
4. *That Council make representations to the Minister of Local Government to consider the feasibility and appropriateness of an amendment to the Local Government Act 1993 (NSW) to allow a process for the creation of electoral wards with variations of population of more than 10% and electing different numbers of councillors, so long as the councillor/elector ratio is such as to maintain the principle of democratic representation across the local government area.*
5. *That Council submit a motion to the 2018 NSW Local Government Conference in support of the above with the wording of such motion being submitted to Council prior to lodgement.*

## **REPORT**

The 2018 LGNSW Annual Conference will be held in Albury on 21 to 23 October 2018. This conference provides councils with an opportunity to lodge motions to be debated at the conference.

As part of the process to prepare a motion for consideration, a draft motion is provided to LGNSW for review to ensure that the content is legal and clear. Based on Council's resolution of November 2017, the following motion was forwarded to LGNSW for their review and comment:

*That LGNSW make representations to the Minister of Local Government to consider the feasibility and appropriateness of an amendment to the Local Government Act 1993 (NSW) to allow a process for the creation of electoral wards with variations of population of more than 10% and electing different numbers of councillors, so long as the councillor/elector ratio is such as to maintain the principle of democratic representation across the local government area.*

Advice from LGNSW was that the wording and format of the proposed motion should be as follows:

*That LGNSW make representations to the Minister of Local Government to consider the feasibility and appropriateness of an amendment to the Local Government Act 1993 (NSW) to allow a process for:*

1. *the creation of electoral wards with variations in the number of electors of more than 10% in each ward in the area; and*
2. *different numbers of councillors to be elected for each ward*

*provided that the councillor:elector ratio of each ward is such as to maintain the principle of democratic representation across the area.*

It was also noted by LGNSW that “democratic representation” is not a term which is defined in any legislation and there is no reference to such a “principle” in the *Local Government Act 1993*. This may need to be defined if it is not widely understood. It was also suggested that Council should explain how amendments to these mandatory requirements of the Act would or could maintain democratic representation. It would be proposed that supporting information to the motion would be provided explaining how in examples such as Dubbo Regional Council, the same outcome would be achieved by dividing the Local Government Area into 2 wards with 8 Councillors in one ward and 2 in the other. This distribution of wards would still have the same proportion of electors in each ward and therefore maintains democratic representation. In effect this would merge all 4 wards of the former Dubbo City Council area and allow those electors to vote from a pool of 8 Councillors reducing the confusion introduced through the ward system in the former Dubbo City Council area. It would be expected that this could also benefit other merged councils in a similar situation.

It should also be noted that all submitted motions are reviewed by an LGNSW Board sub-committee for final decision on whether they will be included in the conference business paper based on the motion criteria.



DUBBO REGIONAL  
COUNCIL

## **REPORT: Annual Risk Management Program and Insurance Matters**

**AUTHOR:** Executive Manager Governance and  
Internal Control  
**REPORT DATE:** 30 July 2018  
**TRIM REFERENCE:** ID18/1235

---

### **EXECUTIVE SUMMARY**

Council's Annual Risk Management Program has been reviewed for the 2018/2019 financial year. Insurances acquired will provide a comprehensive level of cover in relation to Council's various activities.

### **ORGANISATIONAL VALUES**

Customer Focused: Council's comprehensive insurance portfolio provides assurance for Council's customers that Council has adequate insurances in place. Council also has a comprehensive risk program to minimise Council's exposure to risk and liability.

Integrity: Section 382 of the Local Government Act 1993 requires Council to obtain insurance with respect to public liability and professional liability. In addition to this statutory requirement, Council also acquires various other forms of insurance coverage to minimise its risk.

One Team: Council's insurance coverage is designed to provide adequate coverage for the entire organisation taking into consideration the requirements of each individual work team.

### **FINANCIAL IMPLICATIONS**

The cost of premiums associated with the insurance renewals for 2018/2019 amount to \$1,912,138 excluding Workers Compensation. This compares to \$1,905,907, in 2017/2018 with the increase in premiums being 0.32% which is only a minor increase. Workers Compensation premiums are dependent upon a combination of Council's previous claims history and actual claims submitted during each financial year. Current advice from Council's Workers' Compensation insurer StateCover Mutual is the final Workers Compensation premium for 2017/2018 will be \$1,000,823 and for 2018/2019 the premium is estimated initially at \$1,397,962.

Estimates have been provided within the 2018/2019 Operational Plan to meet these costs and all costs included within this report are exclusive of GST.

### **POLICY IMPLICATIONS**

There are no policy implications arising from this report.

**RECOMMENDATION**

**That the Risk Management Program review and the classes of insurance acquired for 2018/2019 be noted.**

*Michael Ferguson*

Executive Manager Governance and Internal Control

## **BACKGROUND**

An annual review has been undertaken of Council's Risk Management Program in terms of identifying exposure to risk and the extent to which risks can be insured. All responsible officers have undertaken a review of their area's exposure to insurable risk, and the extent to which this risk is covered, or unable to be covered by insurance.

## **REPORT**

### **INSURANCE COVERAGE**

In regard to risks covered by insurance, the Insurance Renewal schedule for 2018/2019 includes details regarding the following classes of insurances (a description of each insurance policy type attached as **Appendix 1**):

- Property
- Property (Artworks)
- Motor Vehicle
- Crime (including Fidelity Guarantee and Cyber Liability)
- Regular Hirers Liability
- Marine Hull
- Personal Accident
- Public Liability and Professional Indemnity
- Councillors and Officers Liability (including Companion Liability)
- Swimming Pool Liability
- Airport Owners and Operators Liability
- Workers Compensation
- Boiler Explosion
- Carriers Liability
- Contract Works
- Environmental Impairment Liability (specific sites only)

Previous industry insurance history and experience indicates that the above classes of insurance and the extent of cover acquired are considered appropriate and provide an extremely wide and effective level of cover. Several classes of insurance have had the level of insurance protection increased following a review of limits of coverages.

In regard to the Public Liability Insurance, Council is a member of the Statewide Liability Mutual Scheme. Statewide Liability Mutual is an organisation set up to provide public liability insurance cover to Local Government through a "pooling" arrangement. Statewide is able to negotiate renewal terms for the "pool" through various London Underwriters. Premium increases have been kept below rate pegging wherever possible. Council's contribution for 2018/2019 is \$488,204 which is an increase from \$415,146 in 2017/2018 which is the result of accepting a lower deductible following a review of Council's claim history and accepting the most appropriate deductible option. This premium is considered to be reasonable given

the extent of cover being \$600million. The level of contribution reflects the value of risk management practices which are in place in regard to inspection, maintenance and operation of assets that minimise the risk of incidents occurring in regard to the community's use of Council's assets.

Council is also a member of the Statewide Property Mutual Scheme. This scheme provides Council with industrial special risk type cover for all its property. The majority of councils in NSW are members of the scheme and the scheme self-insures the first \$10million of all losses. Whilst the scheme is insulated from the market to a degree by virtue of the fact that itself insures the first \$10million of losses, the purchase of insurance protection for losses above this self-insured value will be subject to some variation depending upon general market conditions. Council's premium for 2018/2019 is \$688,341 which represents a 20.6% decrease over the premium paid in 2017/2018 (\$867,236). This increase is due to Council accepting a lower deductible which was based on a review of previous claims history and should provide savings overall for the coming year if a similar claims pattern were to be achieved. It should be noted that Council also receives rebates from the Statewide Property Mutual Scheme through its profit sharing arrangements that rewards councils based on claims experience. The rebate received for 2017/2018 amounted to \$36,808 which is a significant decrease from \$119,149 in 2016/2017 due to major losses experienced within the mutual due to flood and storm damage experienced by other members of the mutual. It should also be noted that Council has advised Statewide Mutual it will tender for insurance providers in preparation for the 2019/2020 renewals.

Workers Compensation insurance has been placed with StateCover Mutual Limited since 30 June 2001. This scheme has been developed through an initiative of Local Government New South Wales and is a specialised Workers Compensation insurer for Local Government only. It is anticipated that through membership of the scheme, councils who participate in continuous improvement programs will receive reduced premiums below State Insurance Regulatory Authority (SIRA) rates. Further reductions will flow from injury prevention strategies and effective management of injuries which do occur. Workers Compensation premiums will be dependent upon a combination of Council's previous claims history and actual claims submitted during each financial year.

Current advice from Council's Workers' Compensation insurer StateCover Mutual is that the final Workers Compensation premium for 2017/2018 will be \$1,000,823 and for 2018/2019 is estimated initially at \$1,397,962. Council's insurer, StateCover Mutual, have advised the Workers Compensation premium for 2017/2018 was higher due to a high number of premium impacting claims. Market premium rates were higher during this period as well.

The premium calculations for the most recent three periods show the following trends:

- 2016/2017 to 2017/2018 – Decrease in premium by \$141, 569
- 2017/2018 to 2018/2019 – Increased (estimate) in premium by \$397, 139.

The estimated premium for 2017/2018 of \$1,397,962 is subject to change based on wage variations, claims and amendments to relevant legislation and subsequent claims performance of Council.

## **RISK MANAGEMENT**

Council has implemented an Enterprise Risk Management system which has resulted in the development of a register of risks identified through Council's various functions. These risks have been evaluated at an Enterprise risk level to enable Council to identify its highest priority risks.

Following the 2016 merger, Council has undertaken a review of the adopted Risk Management policies of both former councils and adopted a revised policy in September 2017. Council is also in the process of revising its risk registers which are expected to be completed during November 2018.

The former Dubbo City Council also had in place the "Defined Asset Management Program" (DAMP). This programme defines the management standards for all assets under the management and control of the former Dubbo City Council that, in practice, provides a protection against possible loss through the development of specific maintenance service levels for assets controlled by Council. Council is currently reviewing its position with respect to the DAMP and future suitability across the Local Government Area.

## **SUMMARY**

The review of the Risk Management Program has been undertaken. The Risk Management Program currently in place and the renewals of the various classes of insurance as identified are considered to adequately address the identified risks.

Appendices:

**1** [↓](#) Title Insurance Cover Definitions 2018-2019

**CLASSES OF INSURANCE 2018/2019**

1. **Property** - occurrences resulting in loss or damage to all property belonging to Council or for which Council is responsible or has assumed responsibility to protect prior to the occurrence of any damage.
2. **Property (Artwork)** – occurrences resulting in loss or damage to artworks belonging to Council or for which Council is responsible or has assumed responsibility to protect prior to the occurrence of any damage.
3. **Motor Vehicle** – loss or damage to all motor vehicles owned, on loan, leased, hired, rented or used by Council.
4. **Crime** – this class of insurance includes Fidelity Guarantee and Cyber Liability into the one policy. Crime now covers fraudulent embezzlement or fraudulent misappropriation of money and/or negotiable instruments or goods belonging to Council or for which Council is legally liable. With regard to cyber liability it is also designed to address liability and first party coverage's, including privacy breach costs and business interruption, which can help mitigate negative publicity and customer dissatisfaction. Third party coverage includes coverage for regulatory proceedings defence costs, civil fines and penalties coverage and internet media liability coverage.
5. **Regular Hirers Liability** – Regular Hirers (other than Incorporated Bodies, Sporting Clubs or Associations of any kind) of facilities owned by Council.
6. **Marine Hull** – loss or damage to vessels owned or are the responsibility of Council.
7. **Personal Accident** – bodily injury which is caused by violent, accidental external and visible means which shall solely and independently of any other cause result in the Insured Person's death or disablement. This policy now includes Journey cover.

Insured persons include – the Mayor, Chairperson, Elected Members, Commissioners and their accompanying partners/spouses, whilst engaged on any activity directly or indirectly connected with or on behalf of the Insured Authority.

Employees and their accompanying partners/spouses whilst engaged on any activity directly or indirectly connected with or on behalf of the Insured Authority, but excluding claims where the Employee is entitled to benefits under any workers' compensation legislation.

Voluntary workers whilst engaged in any activity directly or indirectly connected with or on behalf of the Insured Authority.

Members of any Committees or Trusts established by Local Government Authorities under any State Local Government Acts.



Persons engaged under any Labour Market Programmes, Training Programmes or other Government Job Creation Projects where Local Government Authorities are required by Government Departments to provide Death and Capital Benefits and Non Medical Expenses to such persons.

8. **Public Liability and Professional Indemnity** – all sums for which Council shall become legally liable to pay by way of compensation (excluding punitive and exemplary damages) in respect of:

*Public Liability* – Personal Injury; Damage to Property

*Professional Indemnity* – a claim or claims made against Council arising out of any negligent act, error or omission committed or alleged to have been committed by Council in the conduct of Council's business.

9. **Councillors and Officers Liability** – liability (including legal costs) arising from management related negligence or breach of statute by a Councillor or Officer of the Council. This policy now included Companion Liability.

10. **Swimming Pool Liability** –

**Public Liability – Legal Liability to Third Parties for:**

- a) Death, illness or personal/bodily injury
- b) Loss or damage to property

As a result of an occurrence happening in connection with the operation of the leased facility by the Lessee

**Products Liability – Legal Liability to Third Parties for:**

- a) Death, illness or personal/bodily injury
- b) Loss or damage to property

As a result of an occurrence and caused by the nature, condition and quality of any of the products sold or supplied by the Lessee in connection with the use of the leased facility.

11. **Airport Owners and Operators Liability** – liability for bodily injury, personal injury, sickness or disease, including death, and for loss of or damage to property of others caused by accident, in respect of the ownership and/or operation and/or management by Local Councils and/or Management Companies responsible to local Councils for operating various airports, airstrips and landing areas located throughout NSW.

12. **Workers Compensation** – The insurer will indemnify the Employer against all of the following:

- (a) Compensation that the Employer becomes liable to pay under the Act to or in respect of any person who is a worker of the Employer (including any person to whom the Employer is liable under section 20 of the 1987 Act).

- (b) Any other amount that the Employer becomes liable to pay independently of the Act (but not including a liability for compensation in the nature of workers compensation arising under the Act or other law of another State, a Territory or the Commonwealth or a liability arising under the law of another country) for any injury to any such person (not including liability in respect of an injury, suffered by a person other than such a worker, arising out of any rescue or attempted rescue).
  - (c) Costs and expenses incurred with the written consent of the Insurer in connection with the defence of any legal proceeding in which any such liability is alleged.
13. **Boiler Explosion** – this coverage provides for material damage and third party legal liability as a result of explosion of boilers or pipe systems associated with the 1912 Fowler Steam Traction Engine located at the Wellington branch.
14. **Carriers Liability** – this coverage provides for loss or damage to goods in your Council’s care while they’re in transit in Australia.
15. **Contract Works** – this coverage provides extended coverage for contract works being performed by Council or a contractor on works exceeding \$1 million.
16. **Environmental Impairment** – this coverage will generally provide cover for bodily injury, property damage and clean-up costs from claims made by third parties. It specifically provides cover under effluent reuse legal liability, third party claims from off-site clean up, third party claims for off-site bodily injury and property damage and first party recall, consultants and rehabilitation expenses.



## **REPORT: Proposed Amendment To Fees and Charges of the 2018/2019 Revenue Policy**

**AUTHOR:** Director Planning and Environment  
**REPORT DATE:** 30 July 2018  
**TRIM REFERENCE:** ID18/1194

### **EXECUTIVE SUMMARY**

Under the delegations specified in Section 377 of the Local Government Act 1993, Council cannot delegate to the Chief Executive Officer, any other person or Committee, the power to make a charge or negotiate a fee.

In this respect it is proposed to amend certain Fees and Charges of the 2018/2019 Revenue Policy as detailed within this report, to ensure compliance.

Additionally, the opportunity has been taken to make minor adjustments to areas of the Revenue Policy as detailed within this report.

It is recommended that the draft amendments to the 2018/2019 Revenue Policy be placed on public exhibition for a period of not less than 28 days before being resubmitted to Council for its consideration.

### **ORGANISATIONAL VALUES**

Customer Focused: The changes as proposed will provide greater certainty of legislative compliance to the Organisation and therefore the customer.

Integrity: The proposed amendments will ensure compliance with Section 377 of the Local Government Act, 1993.

One Team: The amendments proposed have considered input from all Divisions of Council.

### **FINANCIAL IMPLICATIONS**

Financial implications are limited to the minor adjustments being proposed and will not materially affect the budget.

### **POLICY IMPLICATIONS**

The policy implications of this report are limited to the changes as proposed herein.

**RECOMMENDATION**

- 1. That the attached draft amendments to the 2018/2019 Revenue Policy be adopted by Council for the purposes of public exhibition for a period of not less than 28 days.**
- 2. That following public exhibition a further report be presented to Council for its consideration.**

*Stephen Wallace*  
Director Planning and Environment

**BACKGROUND**

Section 377 of the Local Government Act 1993 provides as follows:

*377 General power of the council to delegate*

*(1) A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council under this or any other Act, other than the following:*

- (a) the appointment of a general manager,*
- (b) the making of a rate,*
- (c) a determination under section 549 as to the levying of a rate,*
- (d) the making of a charge,*
- (e) the fixing of a fee,*
- (f) the borrowing of money,*
- (g) the voting of money for expenditure on its works, services or operations,*
- (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),*
- (i) the acceptance of tenders to provide services currently provided by members of staff of the council,*
- (j) the adoption of an operational plan under section 405,*
- (k) the adoption of a financial statement included in an annual financial report,*
- (l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,*
- (m) the fixing of an amount or rate for the carrying out by the council of work on private land,*
- (n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,*
- (o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979,*
- (p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,*
- (q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons,*
- (r) a decision under section 234 to grant leave of absence to the holder of a civic office,*
- (s) the making of an application, or the giving of a notice, to the Governor or Minister,*
- (t) this power of delegation,*
- (u) any function under this or any other Act that is expressly required to be exercised by resolution of the council.*

*(1A) Despite subsection (1), a council may delegate its functions relating to the granting of financial assistance if:*

- (a) the financial assistance is part of a specified program, and*

- (b) the program is included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and  
(c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and  
(d) the program applies uniformly to all persons within the council's area or to a significant proportion of all the persons within the council's area.

(2) A council may, by resolution, sub-delegate to the general manager or any other person or body (not including another employee of the council) any function delegated to the council by the Departmental Chief Executive except as provided by the instrument of delegation to the council.

(3) A council may delegate functions to a joint organisation only with the approval, by resolution, of the board of the joint organisation.

## REPORT

Under Section 377 of the Local Government Act, Council cannot delegate to the Chief Executive Officer, any other person or Committee the power to make a charge or fix a fee.

Noting this it is proposed to amend the following Fees and Charges as contained within the 2018/2019 Revenue Policy. Additionally, the opportunity has been taken to make minor adjustments to areas of the Revenue Policy as detailed within this report.

PLANNING AND ENVIRONMENT	<b>BUILDING AND DEVELOPMENT SERVICES</b>		
	Construction Certificate Application Express Assessment Service Fee		
		Current Charge 2018/2019	Proposed Charge 2018/2019
	ALL OTHER CLASSES OF BUILDING		
Over \$1,000,000 Express Assessments within seven (7) Days	By Negotiation By Negotiation	Actual Cost plus 30% Actual Cost plus 30%	
BUILDING WORK INSPECTION FEE	Note: Fee applied or as negotiated	Delete	
COMMUNITY AND RECREATION	<b>RECREATION SERVICES</b>		
	Wellington Senior Citizens - Hall		
		Current Charge 2018/2019	Proposed Charge 2018/2019
	USE OF FACILITIES – Senior Citizens Centre Exclusive Use of Any Area for Set Up – Per Day	50% Applicable Fee	Full day Rate plus 50%

REGIONAL THEATRE AND CONVENTION CENTRES												
	Current Charge 2018/2019	Proposed Charge 2018/2019										
TICKET BOOKING FEES - Any ticketed event must be sold through the DRTCC Box Office	A ticket booking fee of \$5.50 per ticket and \$1.00 per complimentary ticket applies.	<p>A ticket booking fee of \$5.50 per ticket and \$1.00 per complimentary ticket applies for Professional/Commercial and Performing Arts Businesses.</p> <p>A scaled ticket booking fee for community, not-for-profit, schools and charities:</p> <table border="1"> <thead> <tr> <th>Ticket Price</th> <th>Booking Fee</th> </tr> </thead> <tbody> <tr> <td>\$0-\$30</td> <td>\$2.50</td> </tr> <tr> <td>\$31-\$40</td> <td>\$3.00</td> </tr> <tr> <td>\$41-\$50</td> <td>\$3.50</td> </tr> <tr> <td>\$51+</td> <td>\$4.00</td> </tr> </tbody> </table> <p>and \$1.00 per complimentary ticket</p>	Ticket Price	Booking Fee	\$0-\$30	\$2.50	\$31-\$40	\$3.00	\$41-\$50	\$3.50	\$51+	\$4.00
Ticket Price	Booking Fee											
\$0-\$30	\$2.50											
\$31-\$40	\$3.00											
\$41-\$50	\$3.50											
\$51+	\$4.00											
CHIEF EXECUTIVE OFFICER'S DELEGATION	Chief Executive Officer delegated the authority to negotiate all fees relating to the Regional Theatre & Convention Centres Function.	Delete										
Trading Stock												
	Current Charge 2018/2019	Proposed Charge 2018/2019										
Drinks, Confectionary and Bar Sales	Cost plus Margin	Fees as adopted by Council (attached as Appendix 1)										

<b>WELLINGTON CIVIC CENTRE</b>		
Setup		
	Current Charge 2018/2019	Proposed Charge 2018/2019
USE OF FACILITIES – CIVIC CENTRE Exclusive Use of Any Part of the Building for Setting Up Prior to Event	50% Applicable Rate	50% of Hire Rate of that part of the building
<b>WESTERN PLAINS CULTURAL CENTRE</b>		
	Current Charge 2018/2019	Proposed Charge 2018/2019
ADMISSION FEES - Workshops Custom Work Shops	By Negotiation	Cost plus 130%
CASUAL VENUE HIRE - Grounds Workshop Courtyard	By Negotiation	\$20.00 per hour (min three (3) hours)
<b>RECREATION PLANNING AND PROGRAMS</b>		
Sporting Clubs Storage Charge		
	Current Charge 2018/2019	Proposed Charge 2018/2019
COUNCIL BUILDINGS - PERMANENT STORAGE Annual – per square metre	\$15.00	\$2.00
<b>Aquatic Leisure Centres</b>		
	Current Charge 2018/2019	Proposed Charge 2018/2019
CHIEF EXECUTIVE OFFICER'S DELEGATION	Chief Executive Officer delegated the authority to negotiate all fees relating to the Aquatic Leisure Centre Function.	Delete



<b>ECONOMIC DEVELOPMENT AND BUSINESS</b>	<b>DUBBO REGIONAL AIRPORT</b>		
		Current Charge 2018/2019	Proposed Charge 2018/2019
	PARTNERSHIP PROGRAM	No charge applicable	
	Welcome Hall		\$6,600.00
	Welcome Wall and Doors		\$6,600.00
	Welcome Wall		\$6,600.00
	Hallway opposite Hire Car		\$4,400.00
	Arrivals Baggage Collection Area		\$8,800.00
	Departures Check In		\$6,600.00
	Departures Lounge		\$6,600.00
	Charging Station		\$6,600.00
	Bench seating		\$5,500.00
	Café		\$3,300.00
	Digital wall		\$2,200.00
<b>SHOWGROUND</b>			
	Current Charge 2018/2019	Proposed Charge 2018/2019	
PAVILION/COMPLEX HIRE COMMUNITY (NOT FOR PROFIT)	Staffing arrangements negotiated with Council	Delete	
Woolpack function centre hire fees			
	Price of alcohol fluctuates according to market	Packaged Alcohol - Cost plus Margin as adopted by Council	
PAVILION/COMPLEX HIRE (COMMERCIAL EVENT)	Staffing arrangements negotiated with Council	Delete	
Woolpack function centre hire fees			
	Price of alcohol fluctuates according to market	Packaged Alcohol - Cost plus Margin as adopted by Council	
WELLINGTON SHOWGROUND - CASUAL USE OF GROUND		Exclusive use of part of ground up to half hectare - \$171.00	
Exclusive use of part of ground	By negotiation		
WELLINGTON SHOWGROUND - CASUAL USE OF COUNCIL BUILDINGS			
Any building and part of ground	By negotiation	Delete	

13 AUGUST 2018

	CEO delegated the authority to negotiate all fees relating to the showground function	CEO delegated the authority to negotiate all fees relating to the showground function	Delete
	WELLINGTON SHOWGROUND - Grandstand	No charge applicable	\$250.00
<b>WELLINGTON CAVES</b>			
		Current Charge 2018/2019	Proposed Charge 2018/2019
	The Chief Executive Officer is delegated authority to negotiate all fees relating to the Wellington Caves Complex Function	The Chief Executive Officer is delegated authority to negotiate all fees relating to the Wellington Caves Complex Function	Delete
	KIOSK Souvenirs and kiosk sales	No charge applicable	Cost plus Margin as adopted by Council
<b>OLD DUBBO GAOL</b>			
		Current Charge 2018/2019	Proposed Charge 2018/2019
	TRADING STOCK Souvenirs Sales, Drinks, confectionery and bar sales	Cost plus Margin	Cost plus Margin as adopted by Council
<b>ECONOMIC DEVELOPMENT AND MONITORING</b>			
		Current Charge 2018/2019	Proposed Charge 2018/2019
	TRADING STOCK Souvenirs Sales, Drinks, confectionery and bar sales	Cost plus Margin	Cost plus Margin as adopted by Council
	CENTRAL RESERVATION SERVICE Registrations	Price negotiated upon application	Delete
	Ticketing	Price negotiated upon application	\$75 admin fee and 10% commission per ticket sold

	OTHER CHARGES Industry Buy-in	Price negotiated upon application	Delete
	IGNITE CBD PROMOTIONS PROGRAM (DUBBO AND WELLINGTON)	No charge applicable	
	Dubbo CBD Banners - Including design, print and production - 8 Flags (max 1 design) for a three (3) month period		\$1,600.00
	Dubbo CBD Banners - Excluding design, print and production - 8 Flags (max 1 design) for a 3 month period		\$880.00
	Dubbo CBD Banners - Including design, print and production - 27 Flags (max 3 designs) for a 3 month period		\$5,400.00
	Dubbo CBD Banners - Excluding design, print and production - 27 Flags (max 3 designs) for a 3 month period		\$2,970.00
	Wellington CBD Banners - Including design, print and production - 33 Flags for a 3 month period		\$3,960.00
	Wellington CBD Banners - Excluding design, print and production - 33 Flags for a 3 month period		\$1,815.00
	Wellington bridge banner - Including design, production and installation - Max period one month		\$1,750.00
	Wellington bridge banner – installation only		\$900.00
	Dubbo Rotunda sign - Including design, print and production of 1 poster		\$330.00
	Use of Dubbo Rotunda sign (1 poster) – poster supplied by event organiser		Nil

	(max period one month)		
	Promotion on Dubbo Rotunda Rhino - Including design, print and production of 1 sheet of stickers (max period one month)		\$1,050.00
	Dubbo Light Activation – Events requesting specific colour of lights in Macquarie street locations aligned to their promotion (max period 1 month)		\$95.00
	Event themed window stickers - design, print and production of window sticker (50 sheets x 30)		\$1,500.00
	<b>GREAT BUSINESS PROGRAM</b> Industry Buy in - per registration	No charge applicable	\$302.50
	<b>VIC PARTNERSHIP PROGRAM</b> Level 1 - Full partnership	No charge applicable	\$450.00
	Level 2 - Option 1 - Brochure display in applicable VIC location ( Dubbo or Wellington)		\$100.00
	Level 2 - Option 2 – Brochure display in Dubbo and Wellington Visitor Information Centres (Attraction businesses only)		\$450.00
	Additional Listing on destination website		\$100.00
	Not for profit organisations (NFP status required)		Nil

Appendices:

[1](#) DRTCC Stock - End Financial Year Stocktake 30/06/2018



DRTCC STOCK

ITEM	\$ Selling Price inc GST 10%
Tooheys New Stubbies	\$7.00
Tooheys Old Stubbies	\$7.00
Tooheys Extra Dry Stubbies	\$7.00
XXXX Gold Stubbies	\$6.50
Hahn Light Stubbies	\$5.00
Corona Stubbies	\$7.00
Great Northern Stubbies	\$7.00
Hahn SuperDry Stubbies	\$7.00
Somersby Pear Cider	\$7.00
Somersby Apple Cider	\$7.00
Golden Knot Apple and Pear Non-Alcoholic Cider	\$7.00
Golden Knot Apple and Cherry Non-Alcoholic Cider	\$7.00
WATER 600ML	\$4.00
Pop-Top Apple Blackcurrent	\$3.00
Lift Cans	\$4.00
Sprite Cans	\$4.00
Coca Cola Cans	\$4.00
Coke No Sugar Cans	\$4.00
Coca Cola Diet Cans	\$4.00
Schepkes Mineral Water 315ml	\$4.00
Schepkes Lemon Lime & Mineral Water 300ml	\$4.00
Schweppes LEMON LIME BITTER BOTTLES 300ml	\$4.00
Schweppes Soda Water Bottles 315ml	\$4.00
Schweppes Ginger Ale Bottles 315ml	\$4.00
Wild One Raspberry Bliss	\$4.00
Wild One Passionfruit Delight	\$4.00
Wild One Organic Ginger Beer	\$4.00
Wild One Lemon Breeze	\$4.00
Wild One Blood Orange	\$4.00
Wild One Lemon Lime Bitters	\$4.00
Wild One Amazon Lime	\$4.00
Wild One Apple Juice	\$4.00
Wild One Orange Juice	\$4.00
Wild One Pineapple Juice	\$4.00
Scwheppes Lime Cordial 750ml	\$4.00
Scwheppes Raspberry Cordial 750ml	\$4.00
Smimoff Ice Red	\$10.00
Johnnie Walker and Cola	\$10.00
Bundaberg Rum and Cola	\$10.00
Jim Beam and Cola	\$10.00

Chain of Fire Merlot 750ml	\$6.00
Chain of Fire Shiraz Cabernet 750ml	\$6.00
Chain of Fire Chardonnay 750ml	\$6.00
Chain of Fire Sauvignon Blanc Semillon 750ml	\$6.00
Wild Oats Cabernet Merlot 750ml	\$25.00
Wild Oats Cabernet Merlot 187ml	\$8.00
Wild Oats Shiraz 750ml	\$25.00
Wild Oats Shiraz 187ml	\$8.00
Wild Oats Chardonnay 750ml	\$25.00
Wild Oats Chardonnay 187ml	\$8.00
Wild Oats Sauvignon Blanc 750ml	\$25.00
Wild Oats Sauvignon Blanc 187ml	\$8.00
Robert Oatley Signature Series Sauvignon Blanc 750ml	\$28.00
Robert Oatley Signature Series Cabernet Sauvignon 750ml	\$28.00
Beachhut Pink Moscato	\$25.00
Barefoot Moscato	\$25.00
Craigmoor Brut Sparkling 750ml	\$25.00
Craigmoor Rose Sparkling 750ml	\$25.00
Craigmoor Brut Sparkling Piccolo	\$8.00
Craigmoor Rose Sparkling Chardonnay Pinot Piccolo	\$8.00
Paddle Pop Chocolate Thick Shake	\$2.50
Cornetto Classic Chocolate 125ml	\$3.50
Cornetto Classic Vanilla 125ml	\$3.50
Weis Mango Bar	\$3.00
Gaytime Golden	\$3.50
Magnum Classic	\$4.00
Magnum Chocolate Toffee	\$4.00
Magnum Almond	\$4.00
Magnum Ego Double Hazelnut	\$4.00
Magnum Ego Double Caramel	\$4.00
Magnum Peppermint	\$4.00
Magnum Honeycomb Crunch	\$4.00
Magnum White Chocolate	\$4.00
Mainland Tasty Cheese & Crackers x 20	\$3.00
Red Rock Sea Salt Chips 45gm	\$4.00
Red Rock Honey Soy Chicken Chips 45gm	\$4.00
Cadbury Freddo Frogs 15g	\$0.50
Cadbury Milk Chocolate Chocolate Bar	\$3.00
Cadbury Hazelnut Chocolate Bar	\$3.00
Cadbury Fruit & Nut Chocolate Bar	\$3.00
MIXED LOLLY BAG 210g	\$3.00
MALTESERS 100gm	\$4.00
M&M's Milk Chocolate 49gr	\$3.00