



AGENDA

ORDINARY COUNCIL MEETING

14 DECEMBER 2023

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

The meeting is scheduled to commence at 5.30 pm.

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 past, present and emerging of the Wiradjuri Nation and extend that respect to other Aboriginal peoples from other nations who are present".

Page

CCL23/325 LEAVE OF ABSENCE (ID23/2816)

CCL23/326 CONFLICTS OF INTEREST (ID23/2817)

In accordance with their Oath/Affirmation under the Act, and Council's Code of Conduct, Councillors must disclose the nature of any pecuniary or non-pecuniary interest which may arise during the meeting, and manage such interests accordingly.

CCL23/327 PUBLIC FORUM (ID23/2818)

CCL23/328 CONFIRMATION OF MINUTES (ID23/2819)

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 23 November 2023.

8

INFORMATION ONLY MATTERS:

CCL23/329 MAYORAL APPOINTMENTS AND MEETINGS (ID23/2756)

The Council had before it the report dated 22 November 2023 from the Chief Executive Officer regarding Mayoral Appointments and Meetings.

23

- CCL23/330 BUILDING SUMMARY - NOVEMBER 2023 (ID23/2753)** 28
The Council had before it the report dated 30 November 2023 from the Director Development and Environment regarding Building Summary - November 2023.
- CCL23/331 SERVICE REVIEW PROGRAM - UPDATE (ID23/2865)** 41
The Council had before it the report dated 4 December 2023 from the Chief Executive Officer regarding Service Review Program - Update.
- CCL23/332 QUARTERLY REPORT ON COMPLAINT STATISTICS UNDER COUNCIL'S CODE OF CONDUCT (ID23/2464)** 49
The Council had before it the report dated 4 December 2023 from the Manager Corporate Governance regarding Quarterly Report on Complaint Statistics Under Council's Code of Conduct.
- CCL23/333 INVESTMENT UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - NOVEMBER 2023 (ID23/2861)** 53
The Council had before it the report dated 5 December 2023 from the Revenue Accountant regarding Investment Under Section 625 of the Local Government Act - November 2023.
- CCL23/334 MONTHLY REPORTING SNAPSHOT FOR COUNCILLORS - NOVEMBER 2023 (ID23/2739)** 61
The Council had before it the report dated 1 December 2023 from the Corporate Strategy Performance Coordinator regarding Monthly Reporting Snapshot for Councillors - November 2023.

MATTERS CONSIDERED BY COMMITTEES:

- CCL23/335 REPORT OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE - MEETING 12 DECEMBER 2023 (ID23/2873)** 75
The Council had before it the report of the Audit, Risk and Improvement Committee meeting held 12 December 2023.

NOTE: Minutes will be provided under separate cover after the meeting has been held.

NOTICES OF MOTION:

- CCL23/336 NOTICE OF MOTION TO ALTER - CCL23/287 - TREE PRESERVATION ORDER - OUTCOME OF COMMUNITY CONSULTATION (ID23/2872)** 76
Council had before it a Notice of Motion to Alter dated 5 December 2023 from Councillor J Black, Councillor R Ivey and Councillor J Gough.

REPORTS FROM STAFF:

- CCL23/337 DUBBO REGIONAL COUNCIL NOMINATION FOR THE WESTERN REGIONAL PLANNING PANEL (ID23/2381)** 79
The Council had before it the report dated 21 November 2023 from the Manager Building and Development Services regarding Dubbo Regional Council Nomination for the Western Regional Planning Panel.

- CCL23/338 DEVELOPMENT APPLICATION D23-498 ROAD CLOSURE CAMPANIA ROAD ADJACENT TO LOT 1 DP 943178, TERRAMUNGAMINE APPLICANT: PREMISE NSW OWNER: DUBBO REGIONAL COUNCIL/MR TJ AND MRS CM HARVEY (ID23/2780)** 84
The Council had before it the report dated 28 November 2023 from the Statutory Planning Services Team Leader regarding Development Application D23-498 Road Closure Campania Road adjacent to Lot 1 DP 943178, Terramungamine Applicant: Premise NSW Owner: Dubbo Regional Council/Mr TJ and Mrs CM Harvey.

- CCL23/339 PLANNING PROPOSAL R23-005 - ADMINISTRATIVE AMENDMENTS TO THE DUBBO REGIONAL LOCAL ENVIRONMENTAL PLAN 2022 - RESULTS OF THE PUBLIC EXHIBITION (ID23/2769)** 103
The Council had before it the report dated 23 November 2023 from the Graduate Growth Planner regarding Planning Proposal R23-005 - Administrative Amendments to the Dubbo Regional Local Environmental Plan 2022 - Results of the Public Exhibition.

- CCL23/340 2024 NSW TOUCH FOOTBALL JUNIOR STATE CUP DUBBO (ID23/2804)** 122
The Council had before it the report dated 29 November 2023 from the Senior Traffic Engineer regarding 2024 NSW Touch Football Junior State Cup Dubbo.

- CCL23/341 DUBBO COLLEGE SOUTH CAMPUS - PROPOSED 'NO STOPPING ZONE' FITZROY STREET DUBBO (ID23/2805)** 132
The Council had before it the report dated 29 November 2023 from the Senior Traffic Engineer regarding Dubbo College South Campus - Proposed 'No Stopping Zone' Fitzroy Street Dubbo.
- CCL23/342 DUBBO PUBLIC SCHOOL - PROPOSED RELOCATION OF TIME RESTRICTED 'NO PARKING' ZONE DARLING STREET DUBBO (ID23/2806)** 137
The Council had before it the report dated 29 November 2023 from the Senior Traffic Engineer regarding Dubbo Public School - Proposed Relocation of Time Restricted 'No Parking' Zone Darling Street Dubbo.
- CCL23/343 PUBLIC ART STRATEGY ADOPTION (ID23/2531)** 142
The Council had before it the report dated 23 October 2023 from the Cultural Development Coordinator regarding Public Art Strategy Adoption.
- CCL23/344 DUBBO REGIONAL SPORTS COUNCIL - PLAYING FIELD IMPROVEMENT FUND (ID23/2749)** 149
The Council had before it the report dated 17 November 2023 from the Recreation Coordinator regarding Dubbo Regional Sports Council - Playing Field Improvement Fund.
- CCL23/345 FUNDING STRATEGY FOR GRANT APPLICATION FOR THE WIRADJURI TOURISM CENTRE (ID23/2801)** 154
The Council had before it the report dated 28 November 2023 from the Director Organisational Performance regarding Funding Strategy for Grant Application for the Wiradjuri Tourism Centre.
- CCL23/346 REVIEW OF COUNCILS COMPLAINTS POLICY DOCUMENTS (ID23/2728)** 162
The Council had before it the report dated 15 November 2023 from the Manager Corporate Governance regarding Review of Councils Complaints Policy Documents.

CCL23/347 LOCAL GOVERNMENT REMUNERATION TRIBUNAL 2024 ANNUAL REVIEW (ID23/2864) 182

The Council had before it the report dated 4 December 2023 from the Manager Corporate Governance regarding Local Government Remuneration Tribunal 2024 Annual Review.

CCL23/348 2024 CHIEF EXECUTIVE OFFICER PERFORMANCE TARGETS (ID23/2863) 187

The Council had before it the report dated 4 December 2023 from the Manager People Culture and Safety regarding 2024 Chief Executive Officer Performance Targets.

CCL23/349 QUESTIONS ON NOTICE - COUNCILLOR JOSH BLACK (ID23/2867) 201

The Council had before it the report dated 4 December 2023 regarding Questions on Notice - Councillor Josh Black.

CCL23/350 COMMENTS AND MATTERS OF URGENCY (ID23/2918)

CONFIDENTIAL:

CCL23/351 VALUE TO NEGOTIATE WITH THE DUBBO RSL FOR THE OLD DUBBO BOWLING CLUB (ID23/2677)

The Council had before it the report dated 8 November 2023 from the Director Organisational Performance regarding Value to Negotiate with the Dubbo RSL for the Old Dubbo Bowling Club.

In accordance with the provisions of Section 9 (2A) of the Local Government Act 1993 the Chief Executive Officer is of the opinion that consideration of this item is likely to take place when the meeting is closed to the public for the following reason: commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council (Section 10A(2)(d)(ii)).

CCL23/352 DUBBO REGIONAL LIVESTOCK MARKETS - SHEEP AND GOAT ELECTRONIC IDENTIFICATION IMPLEMENTATION PROGRAM (ID23/2770)

The Council had before it the report dated 24 November 2023 from the Manager Commercial Strategy regarding Dubbo Regional Livestock Markets - Sheep and Goat Electronic Identification Implementation Program.

In accordance with the provisions of Section 9 (2A) of the Local Government Act 1993 the Chief Executive Officer is of the opinion that consideration of this item is likely to take place when the meeting is closed to the public for the following reason: information that would, if disclosed, prejudice the commercial position of the person who supplied it (Section 10A(2)(d)(i)).

CCL23/353 UPDATE TO PROPOSED SALE OF, AND CREATION OF EASEMENT OVER, LOT 131 ON DP1277458 (ID23/2862)

The Council had before it the report dated 1 December 2023 from the Manager Property and Land Development regarding Update to Proposed Sale of, and Creation of Easement Over, Lot 131 on DP1277458.

In accordance with the provisions of Section 9 (2A) of the Local Government Act 1993 the Chief Executive Officer is of the opinion that consideration of this item is likely to take place when the meeting is closed to the public for the following reason: 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)).

CCL23/354 DRAFT PLANNING AGREEMENT - FOREST GLEN SOLAR FARM (ID23/2721)

The Council had before it the report dated 29 November 2023 from the Development Contributions Planner regarding Draft Planning Agreement - Forest Glen Solar Farm.

In accordance with the provisions of Section 9 (2A) of the Local Government Act 1993 the Chief Executive Officer is of the opinion that consideration of this item is likely to take place when the meeting is closed to the public for the following reason: information that would, if disclosed, prejudice the commercial position of the person who supplied it (Section 10A(2)(d)(i)).

CCL23/355 ANNUAL PERFORMANCE REVIEW OF THE CHIEF EXECUTIVE OFFICER (ID23/2754)

The Council had before it the report dated 20 November 2023 from the Manager People Culture and Safety regarding Annual Performance Review of the Chief Executive Officer.

In accordance with the provisions of Section 9 (2A) of the Local Government Act 1993 the Chief Executive Officer is of the opinion that consideration of this item is likely to take place when the meeting is closed to the public for the following reason: personnel matters concerning particular individuals (other than Councillors) (Section 10A(2)(a)).



DUBBO REGIONAL
COUNCIL

Confirmation of Minutes

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 23 November 2023.

RECOMMENDATION

That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council meeting held on 23 November 2023 comprising pages 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22 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 - 23 November 2023



**REPORT
ORDINARY COUNCIL MEETING
23 NOVEMBER 2023**

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

ALSO IN ATTENDANCE:

The Chief Executive Officer, the Manager People Culture and Safety, the Director Organisational Performance, the Chief Financial Officer, the Manager Corporate Governance, the Governance Team Leader, the Administration Officer Governance, the Director Strategy, Partnerships and Engagement, the IT Infrastructure Specialist, the Communications Services Team Leader, the Manager Customer Experience and Engagement, the Customer Experience Team Leader, the Director Development and Environment, the Manager Growth Planning, the Manager Building Development Services, the Director Infrastructure and the Old Dubbo Gaol Operations Coordinator.

Councillor M Dickerson assumed the Chair of the meeting.

The proceedings of the meeting commenced at 5.31 pm at the Wellington Administration Building, Council Chamber, with a prayer for Divine Guidance to the Council in its deliberations and activities read by Councillor M Wright. The acknowledgement of country was delivered by Councillor L Burns.

CCL23/303 LEAVE OF ABSENCE (ID23/2710)

There were no requests for leave of absence.

Councillor P Wells attended by Audio – Visual Link

At this juncture the Mayor presented the following awards to Council staff

Dubbo Regional Council - Silver - Local Government Award for Tourism

Presented to the Old Dubbo Gaol Operations Coordinator

Old Dubbo Gaol Silver – Cultural Tourism

Old Dubbo Gaol Bronze – Tourist Attraction (under 100,000 visitors)

Presented to the Old Dubbo Gaol Operations Coordinator

ORDINARY COUNCIL MEETING - 23 NOVEMBER 2023
REPORT

National Local Government Customer Service Network – National Innovation of the Year Award Highly Commended

National Local Government Customer Service Network – National Customer Service Team of the Year Award – Highly Commended.

Presented to Manager Customer Experience and Engagement and Customer Experience Team Leader

CCL23/304 CONFLICTS OF INTEREST (ID23/2711)

The following conflicts of interest were declared:

- Councillor S Chowdhury – Non-pecuniary Less than Significant – CCL23/313 (CCC23/22)
- Councillor D Mahon – Non-pecuniary Less than Significant – CCL23/323

CCL23/305 PUBLIC FORUM (ID23/2712)

Council deferred this item to allow opportunity for a speaker to attend via teams link.

There were no attendances in public forum.

CCL23/306 CONFIRMATION OF MINUTES (ID23/2614)

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 26 October 2023.

Moved by Councillor J Black and seconded by Councillor M Wright

MOTION

That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council meeting held on 26 October 2023 comprising pages 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29 of the series be taken as read, confirmed as correct minutes and signed by the Mayor and the Chief Executive Officer.

CARRIED

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

Against: Nil.

ORDINARY COUNCIL MEETING - 23 NOVEMBER 2023
REPORT

INFORMATION ONLY MATTERS:

CCL23/307 MAYORAL APPOINTMENTS AND MEETINGS (ID23/2664)

The Council had before it the report dated 6 November 2023 from the Chief Executive Officer regarding Mayoral Appointments and Meetings.

Moved by Councillor R Ivey and seconded by Councillor J Gough

MOTION

That the information contained in the report be noted.

CARRIED

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

Against: Nil.

CCL23/308 MONTHLY REPORTING SNAPSHOT FOR COUNCILLORS - OCTOBER 2023 (ID23/2690)

The Council had before it the report dated 13 November 2023 from the Director Strategy, Partnerships and Engagement regarding Monthly Reporting Snapshot for Councillors - October 2023.

Moved by Councillor M Wright and seconded by Councillor S Chowdhury

MOTION

That the information contained within the report of the Director Strategy, Partnerships and Engagement dated 13 November 2023, be noted.

CARRIED

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

Against: Nil.

MATTERS CONSIDERED BY COMMITTEES:

CCL23/309 REPORT OF THE FINANCIAL PERFORMANCE COMMITTEE - MEETING 16 NOVEMBER 2023 (ID23/2738)

The Council had before it the report of the Financial Performance Committee meeting held 16 November 2023.

Moved by Councillor M Wright and seconded by Councillor V Etheridge

MOTION

That the report of the Financial Performance Committee meeting held on 16 November

**ORDINARY COUNCIL MEETING - 23 NOVEMBER 2023
REPORT**

2023, be adopted.

CARRIED

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

Against: Nil.

CCL23/310 REPORT OF THE PUBLIC SPACES TREE COMMITTEE - MEETING 1 NOVEMBER 2023 (ID23/2696)

The Council had before it the report of the Public Spaces Tree Committee meeting held 1 November 2023.

Moved by Councillor V Etheridge and seconded by Councillor J Black

MOTION

That the report of the Public Spaces Tree Committee meeting held on 1 November 2023, be adopted.

CARRIED

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

Against: Nil.

CCL23/311 REPORT OF THE DISABILITY ACCESS AND INCLUSION ADVISORY COMMITTEE - MEETING 30 OCTOBER 2023 (ID23/2729)

The Council had before it the report of the Disability Access and Inclusion Advisory Committee meeting held 30 October 2023.

Moved by Councillor P Wells and seconded by Councillor S Chowdhury

MOTION

That the report of the Disability Access and Inclusion Advisory Committee meeting held on 30 October 2023, be adopted.

CARRIED

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

Against: Nil.

ORDINARY COUNCIL MEETING - 23 NOVEMBER 2023
REPORT

CCL23/312 REPORT OF THE INFRASTRUCTURE, PLANNING AND ENVIRONMENT COMMITTEE - MEETING 9 NOVEMBER 2023 (ID23/2691)

The Council had before it the report of the Infrastructure, Planning and Environment Committee meeting held 9 November 2023.

Moved by Councillor M Wright and seconded by Councillor S Chowdhury

MOTION

That the report of the Infrastructure, Planning and Environment Committee meeting held on 9 November 2023, be adopted, save and except item IPEC23/53, which will be dealt with separately.

CARRIED

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

Against: Nil.

IPEC23/53 NEW DUBBO BRIDGE UPDATE (ID23/2378)

The Committee had before it the report dated 17 October 2023 from the Director Infrastructure regarding New Dubbo Bridge Update.

Moved by Councillor M Wright and seconded by Councillor J Gough

MOTION

1. That Council endorse the reclassification of Bourke Street from River Street to Erskine Street, from a State road to a Regional road, following the completion of the bridge and associated works; and the acceptable condition of the road prior to the formalisation of the reclassification.
2. That Council partner with Transport for NSW on the consultation process for the naming of the new bridge as detailed in the report.

Moved by Councillor P Wells and Seconded by Councillor L Burns

AMENDMENT

1. *That Council endorse the reclassification of Bourke Street from River Street to Erskine Street, from a State road to a Regional road, following the completion of the bridge and associated works; and the acceptable condition of the road prior to the formalisation of the reclassification.*
2. *That Council partner with Transport for NSW on the consultation process for the naming of the new bridge as detailed in the report.*
3. *That Council's preferred name for the new Dubbo Bridge shall be a First Nations name relevant to the location and/or function of the bridge such as a crossing place on a river.*
4. *That this resolution of Council be the focus of the community consultation undertaken*

ORDINARY COUNCIL MEETING - 23 NOVEMBER 2023
REPORT

by Transport for NSW.

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

For: Councillors, L Burns, , M Dickerson, , J Gough, R Ivey, P Wells and M Wright.

Against: D Mahon. J Black S Chowdhury V Etheridge

**CCL23/313 REPORT OF THE CULTURE AND COMMUNITY COMMITTEE - MEETING 9
NOVEMBER 2023 (ID23/2692)**

The Council had before it the report of the Culture and Community Committee meeting held 9 November 2023.

Moved by Councillor J Gough and seconded by Councillor J Black

MOTION

That the report of the Culture and Community Committee meeting held on 9 November 2023, be adopted.

CARRIED

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

Against: Nil.

CCC23/92 Councillor S Chowdhury declared a non-pecuniary, less than significant interest in the matter now before the Council and remained in the room during the Council's consideration of this matter. The reason for such interest is that Councillor S Chowdhury is a past member of the Oriscon Committee.

**CCL23/314 REPORT OF THE CORPORATE SERVICES COMMITTEE - MEETING 9 NOVEMBER
2023 (ID23/2693)**

The Council had before it the report of the Corporate Services Committee meeting held 9 November 2023.

Moved by Councillor S Chowdhury and seconded by Councillor L Burns

MOTION

That the report of the Corporate Services Committee meeting held on 9 November 2023, be adopted, save and except item CSC23/65 and item CSC23/68 which will be dealt with separately

CARRIED

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

Against: Nil.

ORDINARY COUNCIL MEETING - 23 NOVEMBER 2023
REPORT

CSC23/65 INDEPENDENT FINANCIAL SUSTAINABILITY REVIEW (ID23/2637)

The Council had before it the report dated 3 November 2023 from the Director Organisational Performance regarding Independent Financial Sustainability Review.

Moved by Councillor S Chowdhury and seconded by Councillor R Ivey

MOTION

That the Council determine that considerations of a Special Rate Variation application to Independent Pricing and Regulatory Tribunal NSW (IPART) be deferred until 2025/2026.

Moved by Councillor M Wright and Seconded by Councillor D Mahon

AMENDMENT

1. That the Council determine that considerations of a Special Rate Variation application to Independent Pricing and Regulatory Tribunal NSW (IPART) be deferred until 2025/2026.
2. That Council develop an Organisational Sustainability Review and Improvement Plan, as part of the development of the 2024/2025 Operational Plan and Budget process.

The amendment on being put to the meeting was carried.

CARRIED

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

Against: Nil.

FURTHER AMENDMENT

Moved by Councillor J Black and seconded by Councillor S Chowdhury

That the CEO provide a report to the March 2024 Ordinary Meeting of Council outlining the differences in staffing levels between Dubbo Regional Council currently, and the number of staff employed by the combined former Dubbo City Council and Wellington Shire Council on Day 1 of the council amalgamation.

The further amendment then became the motion.

CARRIED

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

CARRIED

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

Against: Nil.

ORDINARY COUNCIL MEETING - 23 NOVEMBER 2023
REPORT

CSC23/68 REPORT ON E-BIKE INVESTIGATION FOR DUBBO REGION (ID23/2502)

The Committee had before it the report dated 16 October 2023 from the Economic Development and Visitor Services Team Leader regarding Report on E-bike Investigation for Dubbo Region.

Moved by Councillor S Chowdhury and seconded by Councillor J Gough

MOTION

That Council does not progress with undertaking service delivery or a partnership in an E-bike service.

CARRIED

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

Against: J Black and D Mahon.

CCL23/315 REPORT OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE - MEETING 24 OCTOBER 2023 (ID23/2673)

The Council had before it the report of the Audit, Risk and Improvement Committee meeting held 24 October 2023.

Moved by Councillor R Ivey and seconded by Councillor M Wright

MOTION

That the report of the Audit, Risk and Improvement Committee meeting held on 24 October 2023, be adopted.

CARRIED

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

Against: Nil.

REPORTS FROM STAFF:

CCL23/316 DRAFT ANNUAL REPORT 2022/2023 (ID23/2376)

The Council had before it the report dated 29 September 2023 from the Corporate Strategy Performance Coordinator regarding Draft Annual Report 2022/2023.

Moved by Councillor J Black and seconded by Councillor M Wright

MOTION

1. That the Draft Annual Report 2022/2023, attached at Appendix 1, be endorsed.
2. That the finalised document be published on Council's website and that the Office of

ORDINARY COUNCIL MEETING - 23 NOVEMBER 2023
REPORT

Local Government be notified.

3. That a copy of the Annual Report 2022/2023 be printed and made available for reading at the Dubbo Civic Administration Building, Wellington Administration Building and Macquarie Regional Library (Dubbo and Wellington branches).

CARRIED

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

Against: Nil.

CCL23/317 SEPTEMBER 2023 QUARTERLY BUDGET REVIEW STATEMENT (ID23/2676)

The Council had before it the report dated 8 November 2023 from the Chief Financial Officer regarding September 2023 Quarterly Budget Review Statement.

Moved by Councillor J Gough and seconded by Councillor M Wright

MOTION

1. That the Quarterly Budget Review Statements as at 30 September 2023, as attached to the report of the Chief Executive Officer dated 16 November 2023, be adopted and such sums voted for such purpose.
2. That the Statement of the Responsible Accounting Officer that Council is in a satisfactory financial position having regard to the changes herewith to the original budget, be noted.

CARRIED

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

Against: Nil.

CCL23/318 PLANNING PROPOSAL - RECLASSIFICATION OF BOURKE HILL (1L NARROMINE ROAD, DUBBO) (ID23/2532)

The Council had before it the report dated 7 November 2023 from the Team Leader Growth Planning Projects regarding Planning Proposal - Reclassification of Bourke Hill (1L Narromine Road, Dubbo).

Moved by Councillor D Mahon and seconded by Councillor J Black

MOTION

1. That Council endorse the Planning Proposal (attached in Appendix 1) to amend the Dubbo Regional Local Environmental Plan 2022 by reclassifying part of Bourke Hill Bourke Hill, 1L Narromine Road (Lot 2 DP1183095) from Community Land to Operational Land under the provisions of the Local Government Act 1993.
2. That Council submit the Planning Proposal to the NSW Government Department of Planning and Environment for a Gateway Determination.
3. That Council be authorised as the Local Plan Making Authority under Section 3.36 of

ORDINARY COUNCIL MEETING - 23 NOVEMBER 2023
REPORT

the Environmental Planning and Assessment Act 1979, and not delegate this to the Chief Executive Officer under Section 377 of the Local Government Act 1993.

4. That Council conduct a public hearing not less than 21 days after the end of the public exhibition period in accordance with the Local Government Act 1993.
5. That following the completion of the public exhibition period, a further report be presented to Council for consideration, including the results of public exhibition.

CARRIED

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

Against: Nil.

**CCL23/319 PLANNING PROPOSAL R23-006 - NORTH-WEST URBAN RELEASE AREA
(ID23/2612)**

The Council had before it the report dated 8 November 2023 from the Senior Growth Planner regarding Planning Proposal R23-006 - North-West Urban Release Area.

Moved by Councillor M Wright and seconded by Councillor V Etheridge

MOTION

1. That Council endorse the Planning Proposal (attached in Appendix 1) to amend the Dubbo Regional Local Environmental Plan 2022 for land in the North-West Urban Release Area.
2. That Council submit the Planning Proposal to the NSW Department of Planning and Environment for a Gateway Determination.
3. That Council liaise with the NSW Department of Planning and Environment and undertake minor administrative amendments to the Planning Proposal if required to ensure a Gateway Determination is issued.
4. That Council request the Chief Executive Officer (or delegate) be authorised as the Local Plan Making Authority under Section 3.36 of the Environmental Planning and Assessment Act 1979.
5. That following the completion of the public exhibition period, a further report be presented to Council for consideration, including the results of public exhibition.

CARRIED

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

Against: Nil.

**CCL23/320 D23-232 - SECONDARY DWELLING - LOT 51 DP 522340, 16 SPENCE STREET
DUBBO
OWNER/APPLICANT: ROB STARCIC (ID23/2552)**

The Council had before it the report dated 3 November 2023 from the Planner regarding D23-232 - Secondary Dwelling - Lot 51 DP 522340, 16 Spence Street Dubbo

ORDINARY COUNCIL MEETING - 23 NOVEMBER 2023
REPORT

Owner/Applicant: Rob Starcic.

Moved by Councillor J Black and seconded by Councillor J Gough

MOTION

1. That Development Application D2023-232 – Secondary Dwelling, 16 Spence Street Dubbo be refused.
2. That Council grant delegation to the Chief Executive Officer to sign the determination (refusal).

CARRIED

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

Against: Nil.

CCL23/321 COMMENTS AND MATTERS OF URGENCY (ID23/2744)

There were no matters recorded under this clause.

CONFIDENTIAL

In accordance with Section 9(2A) Local Government Act 1993, in the opinion of the Chief Executive Officer, the following business is of a kind as referred to in Section 10A(2) of the Act, and should be dealt with in a Confidential Session of the Council meeting closed to the press and public.

The items listed come within the following provisions of the Act:

- *CCL23/322 – Battery Energy Storage Systems – Planning Agreements* (Section 10A(2)(c)) - information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.
- *CCL23/323 – Recruitment of Independent Members to ARIC* (Section 10A(2)(a)) - information that would, if disclosed, reveal *personnel matters concerning particular individuals (other than Councillors)*.
- *CCL23/324– People Culture and Safety Quarterly Metrics Report* (Section 10A(2)(a)) - information that would, if disclosed, reveal *personnel matters concerning particular individuals (other than Councillors)*.

There were no submissions as to whether the meeting should be closed for this item.

At this juncture it was moved by Councillor S Chowdhury and seconded by Councillor L Burns that the Council resolves into closed session, the time being 7.24 pm.

ORDINARY COUNCIL MEETING - 23 NOVEMBER 2023
REPORT

The open session resumed at 7.55 pm.

The Mayor read out the following resolutions made in the closed session in Council.

CCL23/322 BATTERY ENERGY STORAGE SYSTEMS - PLANNING AGREEMENTS (ID23/2674)

The Council had before it the report dated 8 November 2023 from the Manager Growth Planning regarding Battery Energy Storage Systems - Planning Agreements.

Moved by Councillor M Wright and seconded by Councillor L Burns

MOTION

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

Moved by Councillor R Ivey and seconded by Councillor M Wright

MOTION

1. That Council provide 'Draft Terms' to the State Government Department of Planning and Environment for the Planning Agreement Offers as included in the report.
2. That a report be provided to the December 2023 Council Meeting, which includes an amendment to the Renewable Energy Benefit Framework to incorporate Battery Energy Storage Systems.
3. That all documentation in relation to this matter remain confidential to Council.

CARRIED

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

Against: Nil.

CCL23/323 RECRUITMENT OF INDEPENDENT MEMBERS TO ARIC (ID23/2679)

The Council had before it the report dated 10 November 2023 from the Manager Corporate Governance regarding Recruitment of Independent Members to ARIC.

Moved by Councillor M Wright and seconded by Councillor L Burns

MOTION

ORDINARY COUNCIL MEETING - 23 NOVEMBER 2023
REPORT

The Council 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 personnel matters concerning particular individuals (other than Councillors) (Section 10A(2)(a)).

Moved by Councillor R Ivey and seconded by Councillor V Etheridge

MOTION

1. That Council note Councillor Chowdhury's apology to the interview panel.
2. That all participants be thanked for submitting their applications.
3. That the successful candidates for the next term of the Audit, Risk and Improvement Committee, will be:
Chairperson – Mr J Walkom;
Committee Member – Mr T Breen
Committee Member – Mr G Matthews.
4. That all documentation in relation to this matter remain confidential to Council.

CARRIED

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

Against: J Black.

Councillor D Mahon declared a non-pecuniary, less than significant interest in the matter now before the Council and remained in the room during the Council's consideration of this matter. The reason for such interest is that Councillor D Mahon is a friend of one of the applicants.

CCL23/324 PEOPLE CULTURE AND SAFETY QUARTERLY METRICS REPORT (ID23/2665)

The Council had before it the report dated 6 November 2023 from the Manager People Culture and Safety regarding People Culture and Safety Quarterly Metrics Report.

Moved by Councillor M Wright and seconded by Councillor L Burns

MOTION

The Council 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 personnel matters concerning particular individuals (other than Councillors) (Section 10A(2)(a)).

Moved by Councillor M Wright and seconded by Councillor V Etheridge

MOTION

ORDINARY COUNCIL MEETING - 23 NOVEMBER 2023
REPORT

1. That the information contained within the report of the Manager People Culture and Safety dated 6 November 2023, be noted.
2. That all documentation in relation to this matter remain confidential to Council.

CARRIED

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

Against: Nil.

The meeting closed at 7.57pm.

.....
CHAIRPERSON



DUBBO REGIONAL
COUNCIL

REPORT: Mayoral Appointments and Meetings

DIVISION: Chief Executive Officer
REPORT DATE: 22 November 2023
TRIM REFERENCE: ID23/2756

EXECUTIVE SUMMARY

Purpose	Provide review or update	
Issue	Details of Mayoral appointments and meetings for the period 6 November 2023 through to 26 November 2023.	
Reasoning	To ensure transparency of Mayoral appointments and meetings.	
Financial Implications	Budget Area	There are no financial implications arising from this report.
Policy Implications	Policy Title	There are no policy implications arising from this report.

STRATEGIC DIRECTION

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

Theme: 4 Leadership

CSP Objective: 4.1 Council provides transparent, fair and accountable leadership and governance

Delivery Program Strategy: 4.1.2 Council's decision-making processes are open, transparent and accountable

RECOMMENDATION

That the information contained in the report be noted.

MW
Chief Executive Officer

REPORT

Consultation

Details follow in the body of the report regarding all meetings and appointments of the Mayor for the given period. These meetings and appointments are representative of community, business, political and Council consultation.

Resourcing Implications

Nil

For the information of Councillors, the following details of mayoral appointments and attendances are provided:

Monday, 6 November 2023

- Attended radio interview with 2BS.
- Attended radio interview with 2WEB.

Tuesday, 7 November 2023

- Submitted Mayoral Memo to the Daily Liberal.
- Submitted Mayoral Memo to the Wellington and District Leader.
- *Deputy Mayor, Councillor Richard Ivey met with Korean Delegation in lieu of the Mayor.*

Wednesday, 8 November 2023

- Attended radio interview with Triple M.
- Attended phone interview with Tom Barber from the Daily Liberal.

Thursday, 9 November 2023

- Attended along with Councillors Jess Gough; Shibli Chowdhury and Matt Wright an introductory meeting with Jamie Anderson of Mastertek.

Friday, 10 November 2023

- Attended radio interview with 2DU.
- Attended radio interview with DC FM.
- Attended radio interview with Binjang.

Saturday, 11 November 2023

- *Councillor Pam Wells attended the Eumungerie/Cobocco Remembrance Day Service.*
- Attended along with Councillors Shibli Chowdhury; Vicki Etheridge; Josh Black; Matt Wright, Council's Chief Executive Officer, Murray Wood, Member for Dubbo, Dugald Saunders MP and the Hon. Stephen Lawrence, MLC the Dubbo Remembrance Day Service.
- Recorded 'Straight From the Mayor's Mouth'.

Sunday, 12 November 2023

- Attended along with Councillors Shibli Chowdhury; Jess Gough; Vicki Etheridge; Matt Wright and Council's Chief Executive Officer, Murray Wood a dinner with Alliance of Western Council members at the LGNSW Annual Conference.

Monday, 13 November 2023

- Attended radio interview with Zoo FM.
- Attended along with Councillors Shibli Chowdhury; Josh Black; Lewis Burns; Vicki Etheridge; Jess Gough; Richard Ivey; Matt Wright and Council's Chief Executive Officer, Murray Wood the 2023 Local Government NSW Annual Conference.

Tuesday, 14 November 2023

- Submitted Mayoral Memo to the Daily Liberal.
- Submitted Mayoral Memo to the Wellington and District Leader.
- Attended along with Councillors Shibli Chowdhury; Josh Black; Lewis Burns; Vicki Etheridge; Jess Gough; Richard Ivey; Matt Wright and Council's Chief Executive Officer, Murray Wood the 2023 Local Government NSW Annual Conference.

Wednesday, 15 November 2023

- Attended along with Council's Chief Executive Officer, Murray Wood a meeting with Superintendent Tim Chinn from Dubbo Police.
- Attended along with Councillor Richard Ivey and Council's Chief Executive Officer, interviews for Council's Audit, Risk and Improvement Committee.
- Attended along with Councillors Jess Gough; Richard Ivey; Josh Black; Shibli Chowdhury; Pam Wells and Matt Wright, Council's Chief Executive Officer, Murray Wood, Member for Dubbo, Dugald Saunders, MP and Inspector Russell McArthur the New Residents Welcome Evening.

Thursday, 16 November 2023

- Attended along with Councillors Richard Ivey, Matt Wright and Council's Chief Executive Officer Murray Wood the Financial Performance Committee Meeting.
- Attended an EnergyCo Interview.

- Attended and performed Poetry at Bracken House.
- Attended along with Councillors Richard Ivey; Jess Gough; Shibli Chowdhury and Matt Wright the Chief Executive Officer's 12 Month Performance Review.
- Attended along with Councillors Josh Black; Lewis Burns; Shibli Chowdhury; Vicki Etheridge; Jess Gough; Richard Ivey; Damien Mahon; Pam Wells and Matt Wright the setting of the Chief Executive Officer's KPIs and Priorities for 2024.

Friday, 17 November 2023

- Attended radio interview with 2DU.
- Attended a meeting with HMC Group Solutions.
- Attended along with Councillor Vicki Etheridge a Christmas Media Launch.

Saturday, 18 November 2023

- Recorded 'Straight From the Mayor's Mouth'.
- Attended along with Councillor Shibli Chowdhury and Member for Dubbo, Dugald Saunders, MP the 2023 Major Fundraising Event for Orana Support Services Inc.

Monday, 20 November 2023

- Attended radio interview with 2BS.
- Attended radio interview with 2WEB.
- Attended a meeting with Kim Macrae.
- Attended along with Councillor Lewis Burns the cheques presentations to recipients of the Community Services Fund Grant and Event Assistance Program.
- Attended an interview with Tom Barber from the Daily Liberal.

Tuesday, 21 November 2023

- Submitted Mayoral Memo to the Daily Liberal.
- Submitted Mayoral Memo to the Wellington and District Leader.
- Attended an interview with Triple M regarding Dubbo Day Awards.
- Attended along with Council's Chief Executive Officer, Murray Wood the Regional Capitals Australia Board meeting via videoconference.

Wednesday, 22 November 2023

- Attended radio interview with Triple M.
- Attended an interview with WIN.

Thursday, 23 November 2023

- Attended along with Councillors Josh Black; Lewis Burns; Shibli Chowdhury; Vicki Etheridge; Jess Gough; Richard Ivey; Damien Mahon; Pam Wells and Matt Wright,

Council's Chief Executive Officer, Murray Wood and Member for Parkes, the Hon. Mark Coulton, MP 2023 Dubbo Day Awards presentation.

- Attended Council Briefing.
- Attended Ordinary Council Meeting.

Friday, 24 November 2023

- Attended radio interview with 2DU.
- Attended radio interview with DC FM.
- Attended Country Mayors Meeting in Sydney.
- *Deputy Mayor, Councillor Richard Ivey attended the Wellington Correctional Centre Remembrance Day Ceremony in lieu of the Mayor.*

Saturday, 25 November 2023

- Attended along with Councillors Lewis Burns; Shibli Chowdhury; Jess Gough; Richard Ivey and Pam Wells, Council's Chief Executive Officer, Murray Wood and Member for Dubbo, Dugald Saunders, MP, a meet your Community Leaders Event at the Wellington Rotary Markets.
- Recorded 'Straight From the Mayor's Mouth'.
- Attended the Rotary Showcase as a guest speaker.

Sunday, 26 November 2023

- Attended along with Councillor Lewis Burns, Council's Chief Executive Officer, Murray Wood, Member for Dubbo, Dugald Saunders, MP and the Hon. Stephen Lawrence, MLC the DRTCC 2024 Season Launch.



REPORT: Building Summary - November 2023

DIVISION: Development and Environment
REPORT DATE: 30 November 2023
TRIM REFERENCE: ID23/2753

EXECUTIVE SUMMARY

Purpose	Provide review and update	
Issue	<ul style="list-style-type: none"> • Statistical overview of the number and type of development approvals for the Dubbo Regional Local Government Area (LGA) for the Financial Year 2023/2024. • The ‘total number of dwellings’ approved in November was 58, including 18 single dwellings and 40 ‘other’ dwellings. • The total value of development applications determined in November was approximately \$34.8M, compared with \$59.4M for the same period last year. • The volume of development applications approved for the financial year to date is 313, compared to 371 for the same period last year. • The value of development applications approved for the financial year to date compared to the same period last year is down approximately \$10.8M to \$180.6M. • The month of November included approval of: <ul style="list-style-type: none"> - D2023-420 Seniors Housing (7 units), 62 Arthur Street Wellington, valued at \$1.584M. - D2023-348 Hardware and Building Supplies and Light Industry (Astley’s), 12 Hercules Road Dubbo, valued at \$4.186M. - D2023-417 Multi dwelling housing, 43-45 Macleay Street Dubbo, valued at \$4.6M. - D2023-71 Restaurant (McDonalds), 17-21 Cobbora Road Dubbo, valued at \$4.314M. 	
Reasoning	<ul style="list-style-type: none"> • Provide data relating to approved Development Applications. • Provide specific statistics of the number of dwellings and other residential development approved. • Provide comparative data for corresponding period. 	
Financial Implications	Budget Area	There are no financial implications arising from this report.
Policy Implications	Policy Title	There are no policy implications arising from this report.

STRATEGIC DIRECTION

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

Theme: 1 Housing
CSP Objective: 1.1 Housing meets the current and future needs of our community
Delivery Program Strategy: 1.1.1 A variety of housing types and densities are located close to appropriate services and facilities

Theme: 3 Economy
CSP Objective: 3.3 A strategic framework is in place to maximise the realisation of economic development opportunities for the region
Delivery Program Strategy: 3.3.1 Land is suitably zoned, sized and located to facilitate a variety of development and employment generating activities

RECOMMENDATION

That the report of the Director Development and Environment, dated 30 November 2023, be noted.

Stephen Wallace
Director Development and Environment

SW
Director Development and Environment

REPORT

Consultation

DRC’s Statutory Planning and Building and Development Certification staff assess Development Applications in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979* and consult in accordance with Council’s adopted Community Participation Plan.

Resourcing Implications

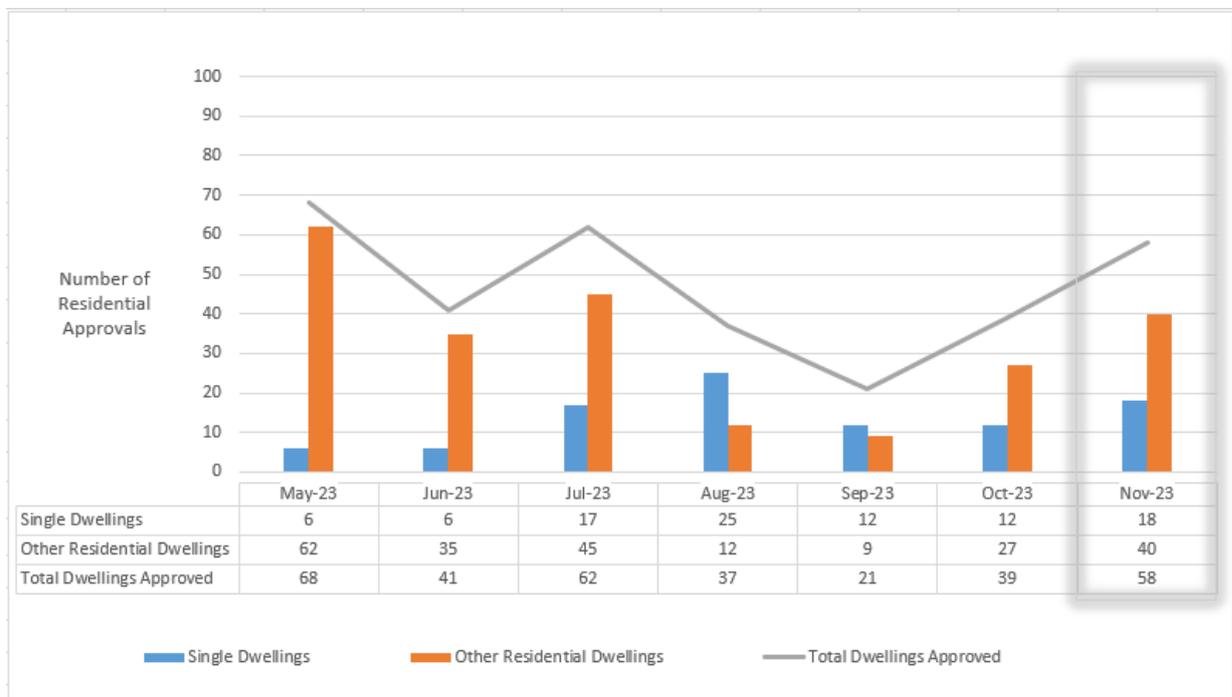
Council employ staff to receipt, lodge, assess, determine and monitor compliance of the determinations referred to in this report.

Building Summary

Provided, for information, are the latest statistics (as at the time of production of this report) for development and complying development approvals for Dubbo Regional Council.

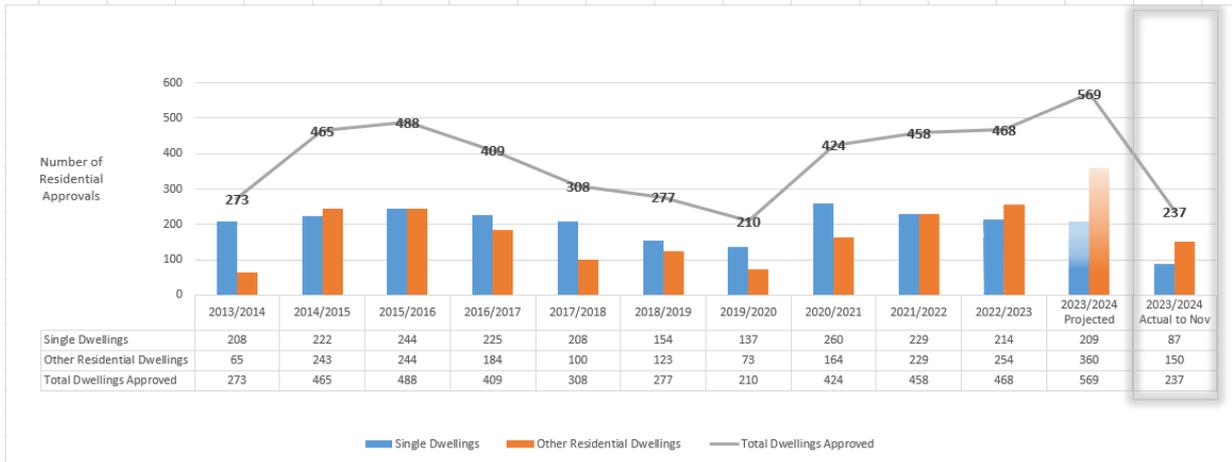
Residential Building Summary

Dwellings and other residential developments approved during November 2023, and for comparison purposes, the six month prior are shown in graph 1.



Graph 1: Residential Approvals Summary – May 2023 to November 2023

A summary of residential approvals for financial years from 2013-2014 are shown in graph 2. The graph also includes both an actual and a projected figure for the financial year to date.



Graph 2: Residential Approvals Summary – Comparative Financial Years

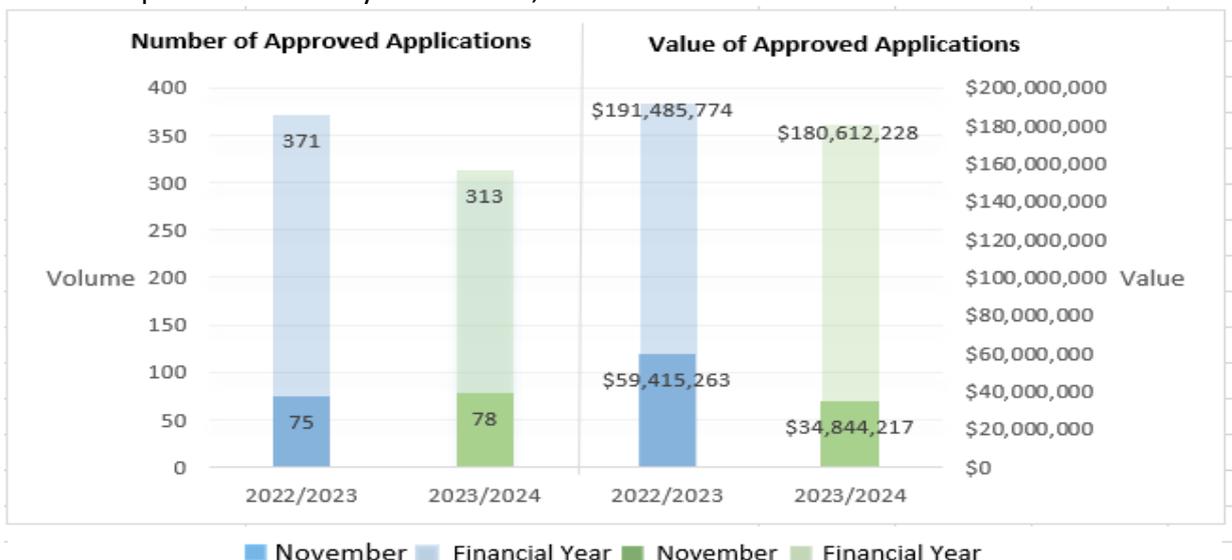
For consistency with land use definitions included in the Local Environmental Plan (LEP), residential development has been separated into ‘Single Dwellings’ (defined in the LEP as ‘dwelling house’) and ‘Other residential development’ (comprising ‘dual occupancies’, ‘secondary dwellings’, ‘multi dwelling housing’, ‘seniors housing’, ‘shop top housing’ and ‘residential flat buildings’).

These figures include development applications approved by private certifying authorities (in the form of Complying Development Certificates).

A numerical summary of residential approvals for the former Dubbo City Council area since 2013/2014 is included in **Appendix 1**. However, it should be noted that the figures from July 2017 onwards include the approvals within the former Wellington Local Government Area as a consequence of the commencement of the merged application system.

Approved Development Applications

The total number of approved Development Applications (including Complying Development Certificates) for November 2023, and a comparison with figures 12 months prior and the total for the respective financial years to date, are as follows:



A summary breakdown of the figures is included in **Appendices 2-5**.

Online Application Tracking

All development applications, construction certificates and complying development certificates are tracked online and can be accessed at any time. A link is available on Councillor iPads for assistance (<https://planning.dubbo.nsw.gov.au/Home/Disclaimer>).

What information is available:

- All development applications, construction certificates and complying development certificates submitted from 1 November 2015 will provide access to submitted plans and supporting documents as well as tracking details of the progress of the application.
- More limited information is provided for applications submitted from 1 January 2001 to 31 October 2015.
- Occupation certificates (where issued) are provided from 2010.

What information is not available:

- Application forms.
- Documentation associated with privately certified applications.
- Internal assessment reports.

The information included in this report is provided for notation.

APPENDICES:

- 1 [↓](#) Building Summary- November 2023
- 2 [↓](#) Approved Applications - 1 November 2023 to 30 November 2023
- 3 [↓](#) Approved Applications - 1 November 2022 to 30 November 2022
- 4 [↓](#) Approved Applications - 1 July 2023 to 30 November 2023
- 5 [↓](#) Approved Applications - 1 July 2022 to 30 November 2022

STATISTICAL INFORMATION ON SINGLE DWELLINGS AND OTHER RESIDENTIAL DEVELOPMENTS

	JUL	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	TOTAL
2013/2014													
Single Dwellings	23	17	25	20	14	15	19	10	18	14	19	14	208
Other Residential Developments	0	1	1	0	0	1	4	2	1	2	0	3	15
(No of units)	0	2	2	0	0	2	46	1	2	4	0	6	65
2014/2015													
Single Dwellings	19	34	19	21	13	16	14	12	20	19	15	20	222
Other Residential Developments	3	1	6	5	6	12	0	4	2	1	9	5	54
(No of units)	6	2	31	50	6	21	0	87	4	1	25	10	243
2015/2016													
Single Dwellings	27	20	26	19	21	26	19	14	16	17	17	22	244
Other Residential Developments	6	8	8	4	1	3	3	3	3	5	3	8	55
(No of units)	50	98	12	7	2	5	18	4	5	14	6	23	244
2016/2017													
Single Dwellings	24	13	17	18	12	21	16	18	18	14	18	36	225
Other Residential Developments	8	5	7	4	6	5	3	2	1	5	4	7	57
(No of units)	10	10	13	7	10	16	6	75	2	8	13	14	184
2017/2018													
Single Dwellings	26	21	13	12	16	19	4	22	16	21	22	16	208
Other Residential Developments	6	9	2	1	9	1	5	5	11	1	3	5	58
(No of units)	11	16	3	2	16	2	8	5	23	2	3	9	100
2018/2019													
Single Dwellings	15	26	13	7	17	8	19	5	8	11	19	6	154
Other Residential Developments	3	4	3	0	6	2	2	1	5	7	9	5	47
(No of units)	4	7	5	0	11	29	4	1	12	25	15	10	123
2019/2020													
Single Dwellings	16	11	8	18	27	14	4	5	10	8	8	8	137
Other Residential Developments	4	4	3	4	11	6	1	4	2	1	1	1	42
(No of units)	8	7	6	7	19	10	2	7	2	2	2	1	73

	JUL	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	TOTAL
2020/2021													
Single Dwellings	7	17	21	12	20	46	18	25	30	27	17	20	260
Other Residential Developments	5	2	5	6	3	15	2	6	5	5	7	9	70
(No of units)	7	4	11	10	4	35	5	10	8	9	47	14	164
2021/2022													
Single Dwellings	31	17	17	13	16	40	9	17	23	14	19	13	229
Other Residential Developments	9	7	3	4	5	8	9	9	7		3	4	68
(No of units)	84	63	5	6	13	12	12	16	9		4	5	229
2022/2023													
Single Dwellings	15	32	46	8	28	13	19	15	15	11	6	6	214
Other Residential Developments	4	3	3	4	9	4	7	13	2	6	5	4	64
(No of units)	7	3	5	6	84	8	14	19	3	8	62	35	254
2023/2024													
Single Dwellings	17	25	12	15	18								87
Other Residential Developments	5	7	5	5	15								37
(No of units)	45	12	9	44	40								150

Note 1. Single Dwellings = Single 'Dwelling House'

Note 2. Other Residential Developments = Dual occupancies, secondary dwellings, multi dwelling housing, seniors housing, shop top housing and residential flat buildings



Approved Development and Complying Development Applications by Dubbo Regional Council and Private Certifiers - Period 1/11/2023 - 30/11/2023

Development Type	Number Of Applications	Estimate \$	Developments	Estimate \$	Additions And Alterations	Estimate \$	New Dwellings	New Lots
Balconies, decks patios terraces or verandah	4	132,870	4	132,870	0	0	0	0
Civic Infrastructure	1	35,200	1	35,200	0	0	0	0
Demolition	2	0	2	0	0	0	0	0
Dual Occupancy	8	4,976,911	8	4,976,911	0	0	16	4
Dwelling House	21	11,753,521	21	11,753,521	0	0	18	0
Educational establishment	1	30,587	1	30,587	0	0	0	0
Food and drink premises	1	4,314,928	1	4,314,928	0	0	0	0
Garages carports and car parking spaces	4	81,500	4	81,500	0	0	0	0
Industrial Development	2	4,280,911	2	4,280,911	0	0	0	0
Multi-dwelling housing	1	4,600,000	1	4,600,000	0	0	13	0
Pools / decks / fencing	19	926,051	19	926,051	0	0	0	0
Retail Premises	1	161,260	1	161,260	0	0	0	0
Secondary Dwelling	5	775,297	5	775,297	0	0	5	0
Seniors housing	1	1,584,066	1	1,584,066	0	0	6	0
Shed	16	456,115	16	456,115	0	0	0	0
Subdivision - Strata	1	0	1	0	0	0	0	6
Subdivision - Torrens	5	0	5	0	0	0	0	10
Subdivision of land	3	735,000	3	735,000	0	0	0	20
Total Value		34,844,217						

Total Number of Applications for this period: 78

30/11/2023



Approved Development and Complying Development Applications by Dubbo Regional Council and Private Certifiers - Period 1/11/2022 - 30/11/2022

Development Type	Number Of Applications	Estimate \$	Developments	Estimate \$	Additions And Alterations	Estimate \$	New Dwellings	New Lots
Alterations and additions to commercial	4	13,257,131	0	0	4	13,257,131	0	2
Alterations and additions to residential	4	597,344	0	0	4	597,344	0	0
Balconies, decks patios terraces or verandah	3	71,827	3	71,827	0	0	0	0
Dual Occupancy	5	2,515,348	5	2,515,348	0	0	8	0
Dwelling House	29	12,896,600	29	12,896,600	0	0	28	0
Earthworks / change in levels	3	102,960	3	102,960	0	0	0	0
Food and drink premises	1	8,000	1	8,000	0	0	0	0
Garages carports and car parking spaces	3	68,996	3	68,996	0	0	0	0
Industrial Development	2	2,033,500	2	2,033,500	0	0	0	0
Multi-dwelling housing	1	19,582,000	1	19,582,000	0	0	73	0
Office Premises	1	7,150,000	1	7,150,000	0	0	0	0
Pools / decks / fencing	12	518,786	12	518,786	0	0	0	0
Secondary Dwelling	3	458,271	3	458,271	0	0	3	0
Shed	6	136,500	6	136,500	0	0	0	0
Stratum / community title subdivision	2	0	2	0	0	0	0	88
Subdivision of land	4	18,000	4	18,000	0	0	0	8
Total Value		59,415,263						

Total Number of Applications for this period: 75

30/11/2023



Approved Development and Complying Development Applications by Dubbo Regional Council and Private Certifiers - Period 1/7/2023 - 30/11/2023

Development Type	Number Of Applications	Estimate \$	Developments	Estimate \$	Additions And Alterations	Estimate \$	New Dwellings	New Lots
Alterations and additions to commercial	7	5,817,878	0	0	7	5,817,878	0	0
Alterations and additions to industrial	1	145,000	0	0	1	145,000	0	0
Alterations and additions to residential	15	1,924,729	0	0	15	1,924,729	0	0
Ancillary Structures	3	301,200	3	301,200	0	0	0	0
Balconies, decks patios terraces or verandah	14	399,858	14	399,858	0	0	0	0
Business Premises	4	1,805,694	4	1,805,694	0	0	0	0
Change of Use	5	52,000	5	52,000	0	0	0	0
Civic Infrastructure	1	35,200	1	35,200	0	0	0	0
Demolition	4	0	4	0	0	0	0	0
Dual Occupancy	18	12,124,717	18	12,124,717	0	0	37	10
Dwelling House	90	47,554,766	90	47,554,766	0	0	87	0
Earthworks / change in levels	1	440,000	1	440,000	0	0	0	0
Educational establishment	2	1,710,587	2	1,710,587	0	0	0	0
Food and drink premises	1	4,314,928	1	4,314,928	0	0	0	0
Garages carports and car parking spaces	15	302,466	15	302,466	0	0	0	0
Health services facilities	2	878,000	2	878,000	0	0	0	0
Industrial Development	9	14,700,195	9	14,700,195	0	0	0	0
Mixed use development	1	65,265,000	1	65,265,000	0	0	41	0
Multi-dwelling housing	2	5,475,000	2	5,475,000	0	0	39	0
Other	2	1,685,000	2	1,685,000	0	0	0	0
Pools / decks / fencing	57	2,639,693	57	2,639,693	0	0	0	0
Restaurant or cafe	1	60,000	1	60,000	0	0	0	0
Retail Premises	3	2,172,582	3	2,172,582	0	0	0	0
Retaining walls, protection of trees	1	0	1	0	0	0	0	0
Secondary Dwelling	14	2,570,397	14	2,570,397	0	0	14	0
Seniors housing	1	1,584,066	1	1,584,066	0	0	6	0
Shed	55	1,540,070	55	1,540,070	0	0	0	0
Signage	4	244,553	4	244,553	0	0	0	0
Stratum / community title subdivision	2	12,000	2	12,000	0	0	0	8
Subdivision - Strata	1	0	1	0	0	0	0	6
Subdivision - Torrens	7	0	7	0	0	0	0	12

30/11/2023

APPENDIX NO: 4 - APPROVED APPLICATIONS - 1 JULY 2023 TO 30 NOVEMBER 2023						ITEM NO: CCL23/330		
Subdivision of land	23	4,103,650	23	4,103,650	0	0	0	146
Take-away food and drink premises	1	9,999	1	9,999	0	0	0	0
Telecommunications and communication facility	3	743,000	3	743,000	0	0	0	0
Total Value		180,612,228						

Total Number of Applications for this period: 313

30/11/2023



Approved Development and Complying Development Applications by Dubbo Regional Council and Private Certifiers - Period 1/7/2022 - 30/11/2022

Development Type	Number Of Applications	Estimate \$	Developments	Estimate \$	Additions And Alterations	Estimate \$	New Dwellings	New Lots
Alterations and additions to commercial	11	15,898,160	0	0	11	15,898,160	0	2
Alterations and additions to industrial	1	300,000	0	0	1	300,000	0	0
Alterations and additions to residential	29	4,265,815	0	0	29	4,265,815	1	0
Balconies, decks patios terraces or verandah	20	607,266	20	607,266	0	0	0	0
Centre based childcare	3	6,727,991	3	6,727,991	0	0	0	0
Change of Use	2	5,000	2	5,000	0	0	0	0
Demolition	8	991,257	8	991,257	0	0	0	0
Dual Occupancy	11	5,863,358	11	5,863,358	0	0	19	0
Dwelling House	130	56,502,028	130	56,502,028	0	0	129	0
Earthworks / change in levels	8	274,560	8	274,560	0	0	0	0
Educational establishment	5	8,949,903	5	8,949,903	0	0	0	0
Farm buildings	1	140,000	1	140,000	0	0	0	0
Food and drink premises	2	40,500	2	40,500	0	0	0	0
Garages carports and car parking spaces	13	352,448	13	352,448	0	0	0	0
Health services facilities	2	812,203	2	812,203	0	0	0	2
Industrial Development	4	2,956,700	4	2,956,700	0	0	0	0
Mixed use development	1	390,000	1	390,000	0	0	0	0
Multi-dwelling housing	2	20,077,000	2	20,077,000	0	0	76	5
Office Premises	1	7,150,000	1	7,150,000	0	0	0	0
Other	4	10,984,024	4	10,984,024	0	0	0	0
Pools / decks / fencing	55	2,464,078	55	2,464,078	0	0	0	0
Recreational uses	1	27,632,657	1	27,632,657	0	0	0	0
Retail Premises	5	2,366,311	5	2,366,311	0	0	0	0
Retaining walls, protection of trees	3	12,320	3	12,320	0	0	0	0
Secondary Dwelling	9	1,448,961	9	1,448,961	0	0	9	0
Shed	52	1,935,485	52	1,935,485	0	0	0	0
Shop top housing	1	100,000	1	100,000	0	0	1	0
Signage	3	65,550	3	65,550	0	0	0	0
Stratum / community title subdivision	2	0	2	0	0	0	0	88
Subdivision of land	17	5,541,000	17	5,541,000	0	0	0	174

30/11/2023

APPENDIX NO: 5 - APPROVED APPLICATIONS - 1 JULY 2022 TO 30 NOVEMBER 2022						ITEM NO: CCL23/330		
Take-away food and drink premises	2	3,607,645	2	3,607,645	0	0	0	0
Telecommunications and communication facility	3	3,023,554	3	3,023,554	0	0	0	0
Total Value		191,485,774						

Total Number of Applications for this period: 371

30/11/2023



REPORT: Service Review Program - Update

DIVISION: Strategy, Partnerships and Engagement
REPORT DATE: 4 December 2023
TRIM REFERENCE: ID23/2865

EXECUTIVE SUMMARY

Purpose	Provide review or update	
Issue	<ul style="list-style-type: none"> The report provides high-level status updates on the progress of the service review program. The report provides an overview of recently completed service review of the Records Function. 	
Reasoning	<ul style="list-style-type: none"> Regular reporting on Council's Service Review Program is required under the Integrated Planning and Reporting Guidelines. 	
Financial Implications	Budget Area	Coordination of the service review program (staffing) is funded through the corporate strategy and performance operational budget. External expenses that are directly related to a specific review are funded by the related Function's operational budget.
	Funding Source	N/A
	Proposed Cost	N/A
	Ongoing Costs	N/A
Policy Implications	Policy Title	There are no policy implications arising from this report. Reporting on the service review program is undertaken in line with the adopted Dubbo Regional Council Service Review Framework.
	Impact on Policy	N/A

STRATEGIC DIRECTION

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

Theme: 4 Leadership
 CSP Objective: 4.1 Council provides transparent, fair and accountable leadership and governance
 Delivery Program Strategy: 4.1.2 Council's decision-making processes are open,

transparent and accountable

Theme: 4 Leadership
CSP Objective: 4.2 The resources of Council are sustainably managed
Delivery Program Strategy: 4.2.5 Service reviews are conducted to improve Council's performance

RECOMMENDATION

That the report of the Director Strategy, Partnerships and Engagement, dated 4 December 2023, be noted.

Natasha Comber
Chief Executive Officer

NC
Director Strategy,
Partnerships and
Engagement

BACKGROUND

Previous Resolutions of Council

12 October 2023 CSC23/58	<ol style="list-style-type: none"> 1. That the information regarding the current Service Review Program be noted. 2. That the Draft Service Review Framework and 2024 - 2025 Service Review Program (as attached as Appendices 1 and 2) be endorsed.
-----------------------------	--

In September 2021 the NSW Office of Local Government published new guidelines for Integrated Planning and Reporting (IP&R), which included a new requirement to publish a program of Service Reviews:

4.3 To encourage continuous improvement across the council's operations, the Delivery Program must identify areas of service that the council will review during its term, and how the council will engage with the community and other stakeholders to determine service level expectations and appropriate measures.

This focus on service reviews within the IP&R Guidelines follows through on the changes made to the NSW Local Government Act in 2016 which included a new statement that *the role of the governing body is ... to keep under review the performance of the council, including service delivery (s223(1)(g)).*

The responsibility for service reviews was also included into the responsibility of the Audit, Risk and Improvement Committee (s428A(2)(g)) which must monitor the service reviews undertaken by the Council.

A high-level timeline of the activities undertaken by Council to date regarding service reviews is provided below.

Date	Activity
24 February 2022	Notice of Motion – Service Review Program for Council's Businesses and Operations.
24 March 2022	<p>Report to Council – Proposed Service Review Program</p> <p>The report provided updates on six service reviews that commenced in 2021/2022.</p> <p>The report also provided a list of services to be reviewed with an indicative timeframe to commence, and a secondary list of proposed service reviews with indicative dates only.</p>
Monthly and Quarterly	Regular updates on the undertaking of service reviews and the progress of the service review program continue to be provided to the Executive Leadership Team (monthly), the former Audit and Risk Management Committee and Council (quarterly).

12 October 2023	<p>Report to Council – Service Reviews: Framework and Proposed Program 2024 - 2025</p> <p>For the purpose of forwarding planning, resourcing and budgeting considerations a new service review program to commence January 2024 was endorsed.</p> <p>The Service Review Framework was endorsed, this document was developed as staff had been seeking more formal direction and assistance when undertaking service reviews.</p>
-----------------	--

Completed Service Reviews 2022 - 2023

Service Review project	Implementation of recommendations
<p>Media and Communications</p> <p>Level 3 review</p>	<p>Implementation Plan - underway.</p> <p>42 recommendations (28 complete, 11 underway, three proposed not to be implemented due to organisation or service delivery change resulting in the action no longer being required).</p>
<p>Subdivision Planning Approvals Process</p> <p>Level 2 review</p>	<p>Implementation Plan in response to recommendations is being developed by relevant service areas.</p> <p>Service Review recommendations are already informing process redesign, examination of positions/resources and system training.</p>
<p>Aquatic Facilities</p> <p>Level 3 review</p>	<p>Implementation Plan – complete.</p> <p>Council endorsed a management contract arrangement in June 2023.</p> <p>Estimated saving of \$500,000 per annum.</p>
<p>Finance Partners Model Review</p> <p>Level 1 review</p>	<p>Implementation Plan – underway.</p> <p>Due to competing organisational priorities no further action since last report, remaining with 7 of the endorsed actions completed.</p>
<p>Library Services Regional and Local</p> <p>Level 3 review</p>	<p>Implementation Plan– underway.</p>
<p>Business continuity and resilience Water and Sewer Operations</p> <p>Level 2 review</p>	<p>Implementation Plan – complete.</p> <p>Staff survey culture and capability review undertaken.</p> <p>Structure review complete.</p> <p>IT infrastructure updated.</p>
<p>Robotic Process Automation Corporate and financial services – stage 1</p>	<p>Implementation Plan – complete.</p> <p>18 candidates for automation identified. Implementation of recommendations were cost prohibitive in regards to further engagement of external consultants. Implementation plan is</p>

Level 1 review	reflected in stage 2 component to build internal capacity to implement improvements on priority basis. Whilst robotic automation was explored the review resulted in an increase and ongoing focus on process automation across the organisation utilising existing system which is delivering operational efficiency and improved customer experience.
Cemetery services including maintenance and grave digging	Implementation Plan – complete. Review resulted in services continuing to be delivered internally.
Level 1 review	
Child care services	Implementation Plan – underway.
Level 1 review	Review of financial performance and fees and charges in context of service delivery and industry comparisons undertaken. Review informed changes to fees and charges above CPI to be applied from the 1 January 2024.
Community Committees	Review complete.
Level 1 review	Implementation of Council recommendation underway. Workshops are being undertaken with each committee. To improve effectiveness and enable better community engagement outcomes. Following member input guiding principles will be created to support each committee. Document will be provided to all members to support the operation of all committees for the remainder of the current Council term.
Information Services: Corporate Information Management	Review complete. Implementation plan – in design.
Level 1 review	Review was completed in November 2023, with the Executive Leadership Team endorsing the 10 recommendations as proposed. An implementation plan is being designed.
Wellington Caves Complex	Review complete. Implementation plan to be developed post Councillor workshop.
Level 3 review	Review has been presented to Executive Leadership Team. Director Culture, Community and Places will be facilitating a workshop with Councillors in early 2024. The full report and proposed implementation plan will be presented to next ARIC meeting and following Council committee meeting for consideration.

REPORT

In line with the adopted Service Review Framework, quarterly updates on the service review program are to be provided to the Audit, Risk and Improvement Committee quarterly and Council quarterly. A program update was provided to the December meeting of the Audit, Risk and Improvement Committee. Due to timing of the December meetings, the minutes from this meeting will not be available to Council until February 2024.

Service Reviews currently underway from the 2022 - 2023 Program

Service Review project title	Summary and status
<p>Dubbo Regional Livestock Markets</p> <p>Level 3 review</p>	<p>The legal due diligence component of service review in regard to relevant legislation is almost complete. DRC has been provided with the draft legal review documentation for review.</p> <p>Dubbo Stock and Station Agents (DSSA) as a key stakeholder of the DRLM Service review, have been provided with an update.</p> <p>Regular updates continue to be provided to the DRLM Committee in regard to progress, decision points and the next steps.</p>
<p>Major projects management - internal service delivery: Stage 1</p> <p>Level 2 review</p>	<p>Examine current internal project management service definition, design and structure.</p> <p>Intent for a holistic internal project management service, not limited to capital projects, supporting the whole organisation and support improved asset management practices.</p> <p>Initial analysis and options paper completed. Further consultation underway to inform service and structure design is underway.</p> <p>Stage 1 Review was expected to be complete by December 2023, but will be delayed until February 2024.</p>
<p>Robotic Process Automation Corporate and financial services – stage 2</p> <p>Level 2 review</p>	<p>Further examine investment and resourcing options to support customer centric system and process improvement. Business case identifying potential structural change presented to Executive Leadership Team and required staff consultation underway.</p> <p>Process mapping project commenced to establish process insight and ensure consistent design and management. Investment in software on hold pending further internal and supplier consultation.</p>

	A corporate system service review is proposed to inform potential system investment or redevelopment that will, if undertaken, deliver some further process automation outcomes.
--	--

Highlights of Service Reviews completed in the quarter.

The Information Services: Corporate Information Management (Records Function) service review was a Level 1 review. The review commenced in July 2023 and was completed in November 2023.

Key insights from the review included:

- Insight 1: There is little strategic direction for the records function, there is minimal line of sight as to the scope and scale of services that the Corporate Information branch provides to the organisation.
- Insight 2: Maintaining the status quo of the Corporate Information branch service structure will present several enterprise (operational) risks that will increase over time.
- Insight 3: (Follow on from Insight 1 and 2) Considering project work prioritisation and alternatives for services offered could result in wider impact benefits for the branch and the organisation.
- Insight 4: Improved definition of strategic and operational roles and responsibilities for Corporate Information will assist in any potential service redesign.

The recommendations following the review were:

1. Define corporate information governance at an organisational level
2. (dependent on 1) core service definition including organisational best fit
3. Service level agreement
4. Audit – physical files, storage
5. Education and training
6. Process review
7. Post-project review – disposal of property files
8. Post-project review – trial of bulk scanning
9. System review - core system (CM)
10. Audit – unstructured records (drives)

The Executive Leadership Team endorsed the 10 recommendations. A project group has been established to commence recommendation 1, which is the most significant body of work, will inform recommendations 2 and 3 and is anticipated to be the most beneficial recommendation for the organisation moving forward.

2024-2025 Service Review program

The below reviews have been resolved by Council in October 2023 to be undertaken in 2024-2025. As noted in that Service Review Update to Council, outcomes of the financial sustainability review will likely inform the identification of further service reviews, examining service delivery in line with priorities and available resources.

Furthermore, at its Ordinary meeting in November 2023 CSC23/65 Council resolved:

(2.) That Council develop an Organisational Sustainability Review and Improvement Plan, as part of the development of the 2024/2025 Operational Plan and Budget process.

The Plan may also identify new reviews or service reviews to be prioritised in the 2024 – 2025 Program.

- Corporate system review (Level 2 review)
- Visitor Information Services – Dubbo and Wellington (Level 2 review)
- Major projects management - internal service delivery: Stage 2 (Level 2 review)
- Major Infrastructure Delivery: Wheelers Lane Stage 1 and 2 (Level 1 review)
- Community, recreation and cultural services review: Stage 1 service definition (Level 1 review)
- Airport Operations (Level 1 review)
- Rural Road Maintenance Grading Program (Level 2 review)
- Grant attraction and management (Level 1 review)

Consultation

Consultation regarding the service review program is robust and ongoing. In addition to monthly updates to the Executive Leadership Team and quarterly reporting to the Audit Risk and Improvement Committee and Corporate Services Committee, service review project managers (staff) are supported by the Corporate Strategy and Performance Branch in reporting on their review progress and monitoring of implementation plans through a centralised database.

Resourcing Implications

- There are no additional costs associated with implementation of the Service Review Framework. The coordination of the Service Review Program is funded through the Strategic Strategy, Partnerships and Engagement operational budget.
- Costs associated with the undertaking of individual Service Reviews are expensed by the service area to which the review relates. Service review costs are largely related to the engagement of consultants however the majority of reviews are undertaken in house.



REPORT: Quarterly Report on Complaint Statistics Under Council's Code of Conduct

DIVISION: Organisational Performance
REPORT DATE: 4 December 2023
TRIM REFERENCE: ID23/2464

EXECUTIVE SUMMARY

Purpose	<ul style="list-style-type: none"> Fulfil legislated requirement/compliance Increase transparency 	
Issue	<ul style="list-style-type: none"> Quarterly report regarding the code of conduct reports received against Councillors. 	
Reasoning	<ul style="list-style-type: none"> In accordance with Part 11.1 of the Procedures for the Administration of the Model Code of Conduct as issued by the NSW Department of Premier and Cabinet, Council's Complaints Coordinator is required to report to council within 3 months of the end of September each year on complaint statistics under Council's Code of Conduct. The current elected body has requested quarterly reporting in addition to the statutory annual report. 	
Financial Implications	Budget Area	Corporate Governance
	Funding Source	Corporate Governance – Code of Conduct
	Actual Cost	\$0 for this quarter
	Ongoing Costs	Budgeted \$50,000 per annum
Policy Implications	Policy Title	Council's Code of Conduct
	Impact on Policy	There are no policy implications arising from this report.

STRATEGIC DIRECTION

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

Theme: 4 Leadership
 CSP Objective: 4.1 Council provides transparent, fair and accountable leadership and governance
 Delivery Program Strategy: 4.1.4 Statutory requirements are met and services are provided in a cost-effective and timely manner

RECOMMENDATION

That the information contained within the report of the Manager Corporate Governance, dated 4 December 2023, be noted.

Jane Bassingthwaite
Director Organisational Performance

AR
Manager Corporate
Governance

BACKGROUND

The current elected body have requested quarterly reports regarding Code of Conduct complaints received against Councillors or the Chief Executive Officer.

The total cost incurred for Code of Conduct complaints within the 2022/2023 reporting period (being 1 September 2022 to 31 August 2023) totalled \$16,170. It is noted that costs reported represent costs incurred.

As resolved at the Ordinary Council meeting held on 26 October 2023, following are the revised quarterly reporting periods which will align with annual reporting:

Reporting Period		Report to Council
Quarter 1	1 September to 30 November	December
Quarter 2	1 December to 28 February (or 29 February in a leap year)	March
Quarter 3	1 March to 31 May	June
Quarter 4	1 June to 31 August	September

REPORT

This report provides statistics on Code of Conduct complaints received for the first reporting quarter for the 2023/2024 period, being 1 September 2023 to 30 November 2023. Accordingly, please see **Appendix 1** which advises that no Code of Conduct complaints were received, or costs incurred, during Quarter 1.

This information is provided in line with Part 11.1 of Council's Procedures for the Administration of the Dubbo Regional Council Code of Conduct.

Consultation

- Reporting complaint statistics regularly allows for transparency both within Council and in the broader community.
- Council is also required to report its annual Code of Conduct statistics to the Office of Local Government each December (for the period 1 September to 31 August).
- The annual report to the Office of Local Government is due 31 December and is currently being completed; this will be reported to the next Ordinary Council Meeting.

Resourcing Implications

- Staff resources are used to manage the administration of complaints and liaise with external conduct reviewers.

APPENDICES:

- [1](#) 2023/2024 Quarterly Code of Conduct Reporting Statistics - 01/09/2023 to 30/11/2023

REPORTING STATISTICS ON CODE OF CONDUCT COMPLAINTS ABOUT COUNCILLORS AND THE CHIEF EXECUTIVE OFFICER
Reporting Period: September 2023 to August 2024

Prepared in accordance with Part 11.1 of Council's Procedures for the Administration of the Dubbo Regional Council Code of Conduct.

Reporting Period	Complaints Received	Referred to Conduct Reviewer	Finalised at Preliminary Assessment Stage	Investigated by Conduct Reviewer	Outcome of Investigations	Reviewed by Office of Local Government	Total Costs (including GST)
Q1 1 September 2023 to 30 November 2023	0	0	0	0	-	0	\$0
Q2 1 December 2023 to 28 February 2024							
Q3 1 March 2024 to 31 May 2024							
Q4 1 June 2024 to 31 August 2024							
TOTAL							\$0



REPORT: Investment Under Section 625 of the Local Government Act - November 2023

DIVISION: Organisational Performance
REPORT DATE: 5 December 2023
TRIM REFERENCE: ID23/2861

EXECUTIVE SUMMARY

Purpose	Provide review or update	Fulfil legislative requirement/compliance
Issue	<ul style="list-style-type: none"> Investment under Section 625 of the <i>Local Government Act 1993</i>. 	
Reasoning	<ul style="list-style-type: none"> Section 212 of the Local Government (General) Regulation 2021 Section 625 of the Local Government Act 1993 Council's Investment Policy and Strategy 	
Financial Implications	Budget Area	Organisational Performance
	Funding Source	Interest Earned on Investment
Policy Implications	Policy Title	Investment Policy 2023
	Impact on Policy	There are no policy implications arising from this report.

STRATEGIC DIRECTION

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

Theme: 4 Leadership
 CSP Objective: 4.2 The resources of Council are sustainably managed
 Delivery Program Strategy: 4.2.1 The system of raising revenue is equitable and revenue from grants and other income sources is maximised

RECOMMENDATION

That the information contained within the Investment under Section 625 of the Local Government Act Report, dated 5 December 2023, be noted.

Jane Bassingthwaighe
Director Organisational Performance

BM
Revenue Accountant

BACKGROUND

As required by Section 212 of the *Local Government (General) Regulation 2021*, set out below are the details of all monies that Council has invested under Section 625 of the *Local Government Act 1993* as at 30 November 2023.

In accordance with the *Investment Ministerial Order* dated 12 January 2011, Dubbo Regional Council (Council) may only invest money (on the basis that all investments must be denominated in Australian Dollars) in the following forms of investment:

- a. any public funds or securities issued by or guaranteed by the Commonwealth, any State of the Commonwealth or a Territory;
- b. any debentures or securities issued by a council (within the meaning of the *Local Government Act 1993* (NSW));
- c. interest bearing deposits with, or any debentures or bonds issued by, an authorised deposit taking institution (as defined in the *Banking Act 1959* (Cwth)), but excluding subordinated debt obligations;
- d. any bill of exchange which has a maturity date of not more the 200 days; and if purchased for value confers on the holder in due course a right of recourse against a bank which has been designated as an authorised deposit-taking institution by the Australian Prudential Regulation Authority;
- e. A deposit with the New South Wales Treasury Corporation on investment in an Hour-Glass investment facility of the New South Wales Treasury Corporation.

Investments, when placed, have been done so in accordance with the *Local Government Act, Local Government (General) Regulations 2021* and Council's Investment Policy and Strategy. Interest on investments for the month of November 2023 has been accounted for on an accrual basis. This report details investments and annualised returns for the month of November 2023.

Interest earned on investments has been included within Council's 2023/2024 Operational Plan, with total income generated from the Investment Portfolio forecast to be in excess of \$7,463,425.00.

REPORT

Portfolio Overview

The below table details Council’s current investment portfolio:

Issuer	Market Value	% Total Value
AMP Bank Ltd	3,098,268.48	1.04%
Australian Unity Bank (BPSS20)	4,097,019.16	1.38%
Auswide Bank Limited	13,650,085.00	4.59%
Bank of China Limited, Sydney Branch	3,007,950.00	1.01%
Bank of Queensland Ltd	53,612,688.77	18.02%
Commonwealth Bank of Australia Ltd	63,705,750.23	21.42%
Heritage and People's Choice Limited t/as People's Choice Credit Union	10,220,547.95	3.44%
Judo Bank	16,403,684.90	5.51%
Macquarie Bank	7,724,080.00	2.60%
Macquarie Credit Union Limited	2,076,520.54	0.70%
ME Bank - a division of Bank of Queensland Ltd	5,332,082.20	1.79%
MyState Bank Ltd	21,248,939.75	7.14%
National Australia Bank Ltd	63,049,404.68	21.19%
Northern Territory Treasury Corporation	13,052,440.00	4.39%
Rabobank Nederland Australia Branch	4,904,450.00	1.65%
Suncorp-Metway Ltd	4,810,650.00	1.62%
UBS Australia Ltd	4,444,380.00	1.49%
Westpac Banking Corporation Ltd	3,042,351.78	1.02%
Portfolio Total	297,481,293.44	100.00%

[^]Portfolio overview represents total market value. Investment face value is \$294,116,205.23

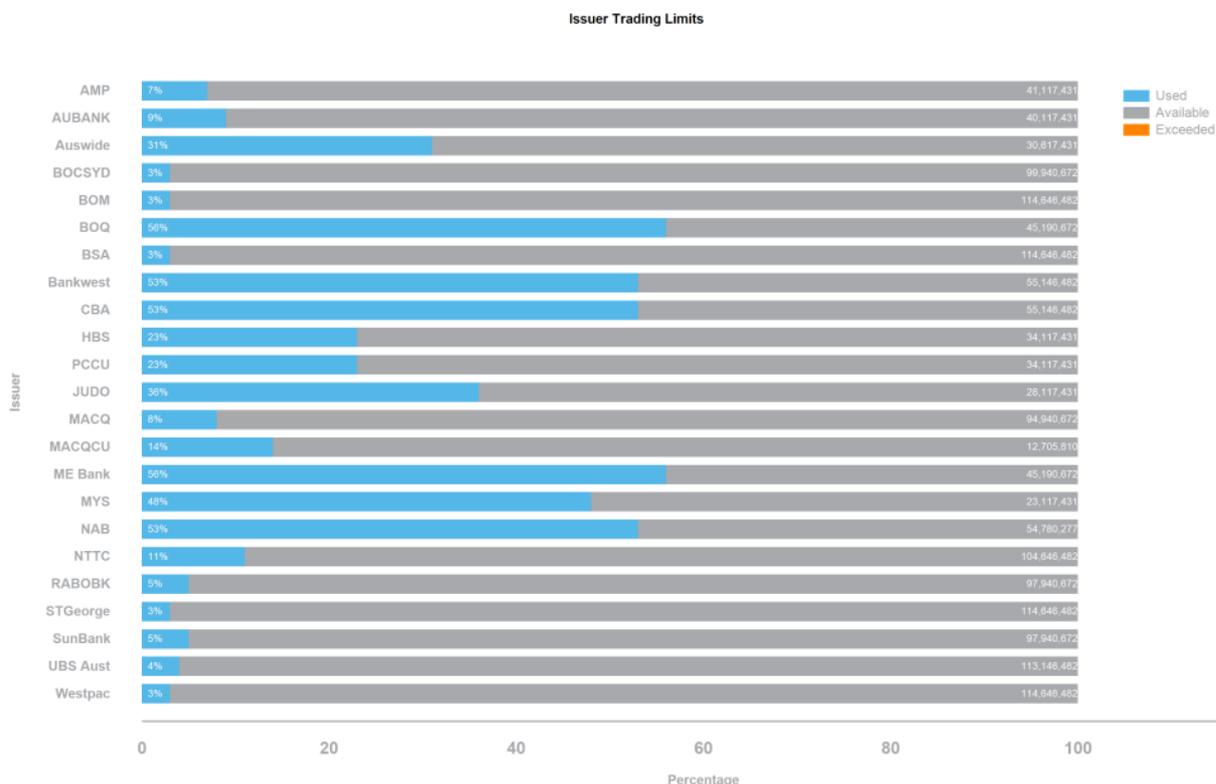
[^] NAB is inclusive of Councils cash account.



Investment Compliance

The following table shows that Council's investments are compliant with the revised Investment Policy that was adopted at the Ordinary Council meeting held 23 March 2023.

Issuer limits as at 30 November 2023



Interest Income

The below table details payments of interest paid to Council between 1 November 2023 to 30 November 2023.

Security ISIN	Security	Issuer	Income Expense Code	Settlement Date	Face Value (Basis of Interest Calculation)	Consideration Notional
AU3FN0057337	BOC Aust 0.83 06 Nov 2023 FloatTCD	Bank of China (Australia) Limited	IEI324332	6 Nov 2023	4,500,000.00	55,564.89
AU3FN0060406	BOQ 0.63 06 May 2026 FRN	Bank of Queensland Ltd	IEI324333	6 Nov 2023	5,000,000.00	59,273.01
AU3FN0073037	Auswide 1.5 07 Nov 2025 FRN	Auswide Bank Limited	IEI324429	7 Nov 2023	3,500,000.00	50,195.83
AU3CB0233898	RABOBK 4.25 12 May 2026 Fixed	Rabobank Nederland Australia Branch	IEI325262	12 Nov 2023	5,000,000.00	106,250.00
	NAB 5.24 24 Nov 2023 122DAY TD	National Australia Bank Ltd	IEI307594	24 Nov 2023	10,000,000.00	175,145.21
AU3FN0058608	UBS Aust 0.5 26 Feb 2026 FRN	UBS Australia Ltd	IEI328672	27 Nov 2023	4,500,000.00	52,000.89
	NAB At Call In	National Australia Bank Ltd	IEI329293	30 Nov 2023		179,434.99
						677,864.82

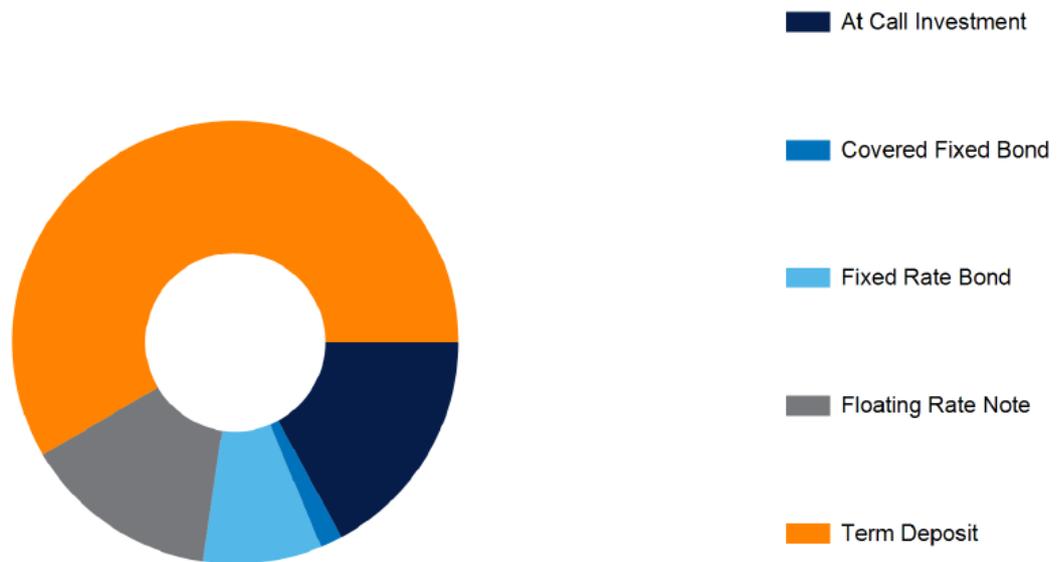
[^] Interest received consists of payments made to Council's allocated bank account and are exclusive of accruing interest.

Investment by Asset Class

The following table details Council’s investment holdings by investment type:

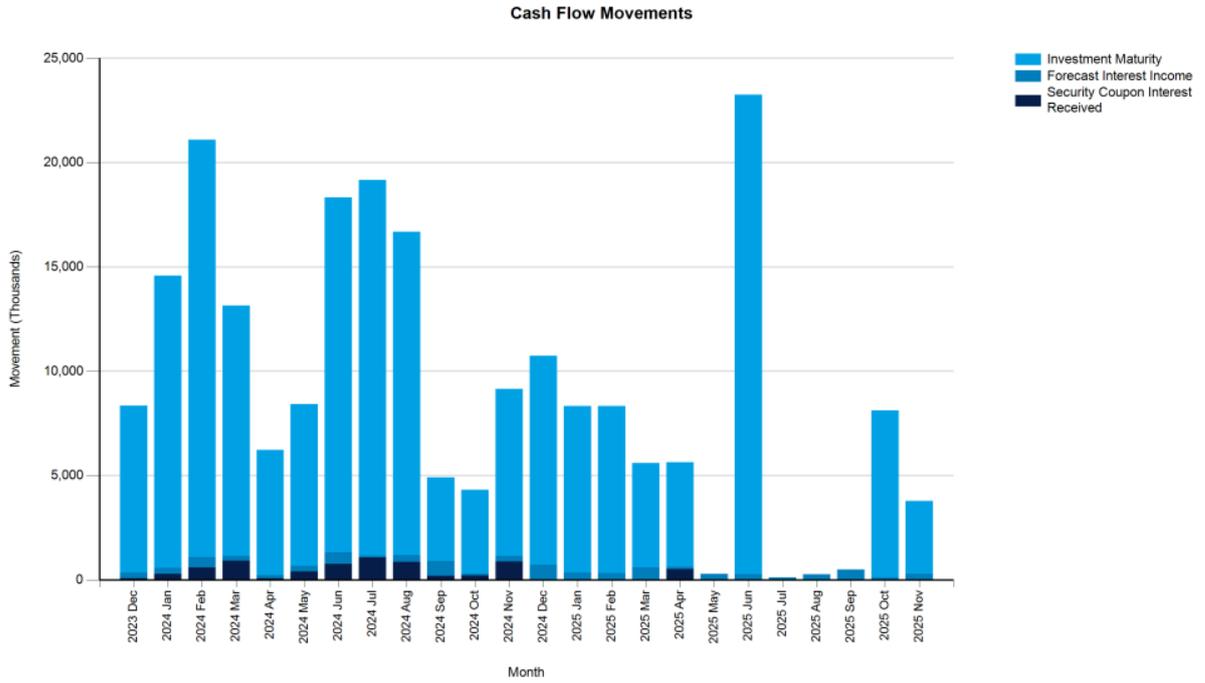
Security Type	Market Value	% Total Value
At Call Investment	50,866,205.23	17.10%
Covered Fixed Bond	4,810,650.00	1.62%
Fixed Rate Bond	25,680,970.00	8.63%
Floating Rate Note	42,172,365.00	14.18%
Term Deposit	173,951,103.21	58.47%
Portfolio Total	297,481,293.44	100.00%

Market Value by Security Type

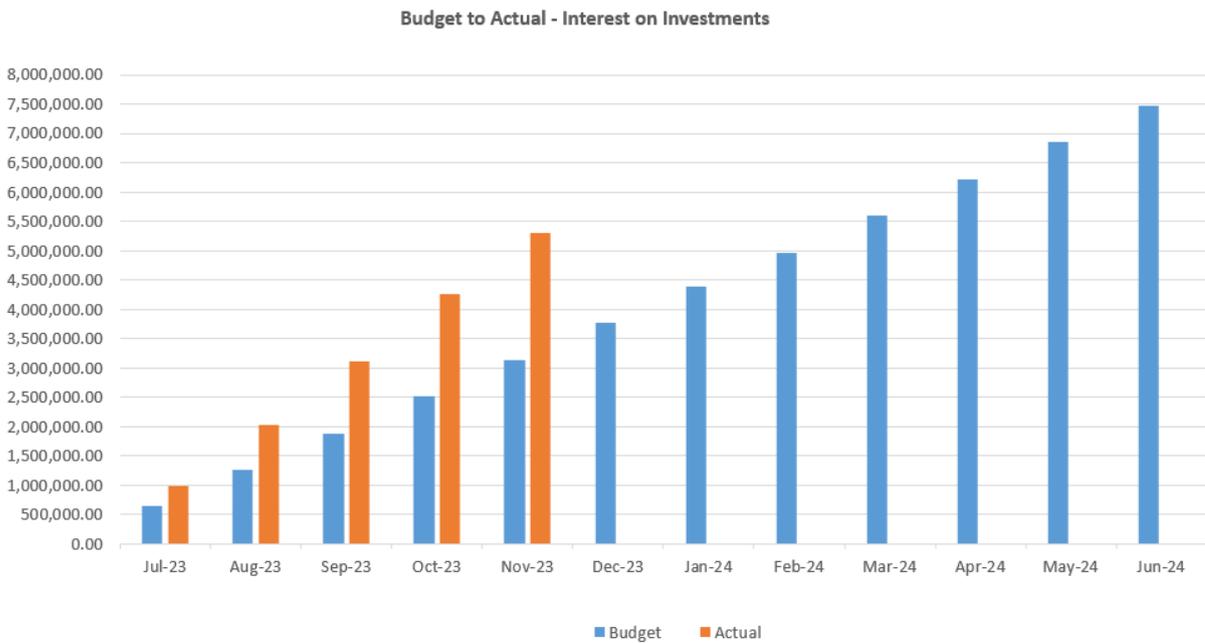


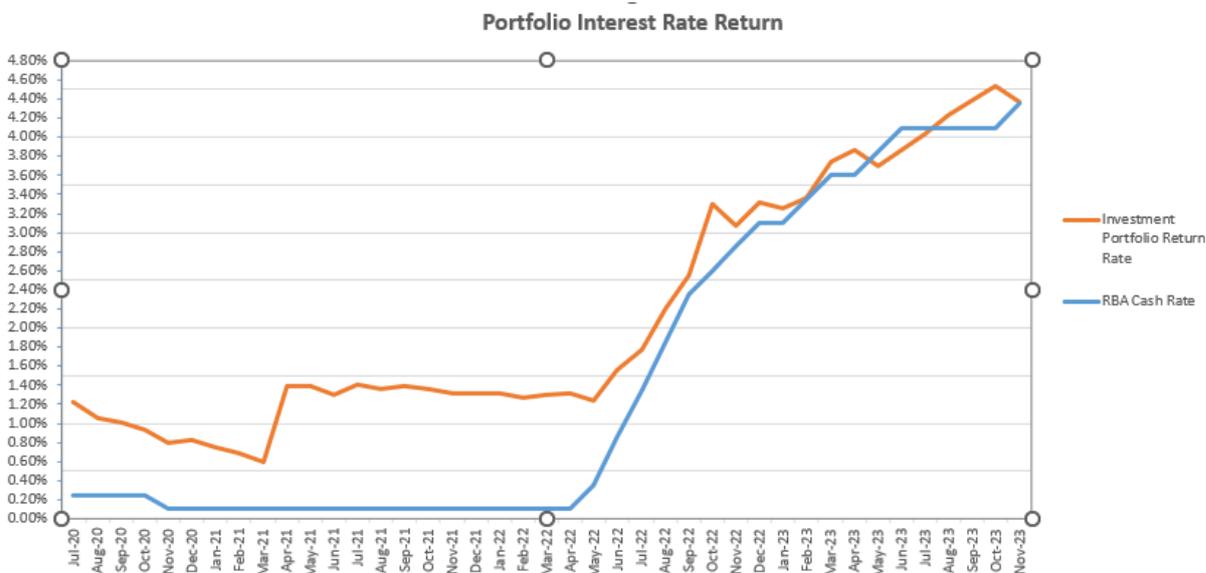
Future Maturity Cash flow

The below table details the expected cash flow of future investment maturity:



Budget to Actual – Total Accumulated Interest on Investments – Year to Date





The investment limit parameters prior to March 2021 were aligned to Tcorp’s investment guidelines, which are very restrictive and therefore reduced the opportunity to maximise investment returns for Council.

As at 30 November 2023, Council has investments totalling \$43,000,000 Face Value which were invested with fixed interest rates below the current Official Cash Rate of 4.35%. Of these investments \$12,000,000 will mature in the financial year ending 30 June 2024. These investments have interest rates ranging from 0.80% to 3.10%. Longer term investments beyond 30 June 2024 totalling \$31,000,000 were invested with interest rates ranging from 0.90% to 4.25%. These investments were placed with competitive interest rates at the time the investments were made.

Summary

Cash Account

Council outperformed the 11.00 am Official Cash Rate market benchmark for one month return of 4.35%, achieving a return of 4.75% for its At Call investments for the month of November 2023.

Investment Portfolio

Council outperformed the one-month Bloomberg AusBond Bank Bill Index of 0.36%, with an average return of 4.36% for its overall portfolio return.

Consultation

- Laminar Capital Pty Ltd provides advisory services to Council on any investment related decision.

Resourcing Implications

- The management of Council's investment portfolio is a primary activity of a staff member within Council's Financial Operations branch.



REPORT: Monthly Reporting Snapshot for Councillors - November 2023

DIVISION: Strategy, Partnerships and Engagement
REPORT DATE: 1 December 2023
TRIM REFERENCE: ID23/2739

EXECUTIVE SUMMARY

Purpose	Provide review or update	
Issue	<ul style="list-style-type: none"> Provide high level report snapshots for Councillors regarding Council's Financial Performance, Facility Performance and Customer Experience. 	
Reasoning	<ul style="list-style-type: none"> Councillors are provided high level data and reporting on a monthly basis for visibility and oversight on performance trends. 	
Financial Implications	Budget Area	Various
	Funding Source	Various
	Proposed Cost	N/A
	Ongoing Costs	N/A
Policy Implications	Policy Title	There are no policy implications arising from this report
	Impact on Policy	N/A

STRATEGIC DIRECTION

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

- Theme: 4 Leadership
- CSP Objective: 4.1 Council provides transparent, fair and accountable leadership and governance
- Delivery Program Strategy: 4.1.2 Council's decision-making processes are open, transparent and accountable
-
- Theme: 4 Leadership
- CSP Objective: 4.1 Council provides transparent, fair and accountable leadership and governance
- Delivery Program Strategy: 4.1.3 Council provides quality customer service

RECOMMENDATION

That the information contained within the report of the Corporate Strategy and Performance Coordinator, dated 1 December 2023, be noted.

Natasha Comber
Director Strategy, Partnerships and Engagement

ZJ
Corporate Strategy
Performance Coordinator

BACKGROUND

Previous Resolutions of Council

11 May 2023 CSC23/19	<ol style="list-style-type: none">1. That the report from the Chief Executive Officer dated 11 April 2023, be noted.2. That the report in the current format continue to be produced monthly until the end of the current Council term.3. That upon election of a new Council in September 2024, a review of the Monthly Report for Councillors be undertaken in consideration of the new Councillor's priorities.
24 August 2023 CCL23/212	<ol style="list-style-type: none">1. That the information contained within the report of the Chief Executive Officer dated 1 July 2023, be noted.2. That the proposed changes to the presentation of Major Capital Projects dashboard, as outlined in the report, be endorsed.

REPORT

This report is a standing monthly report for Councillors and provides high level data, statistics and commentary for Councillors from the Financial Performance and Services and Facility Performance and Customer Experience dashboards. It should be noted that select data is public facing, data that is not public facing is not provided within the monthly report and is provided to Councillors via other methods.

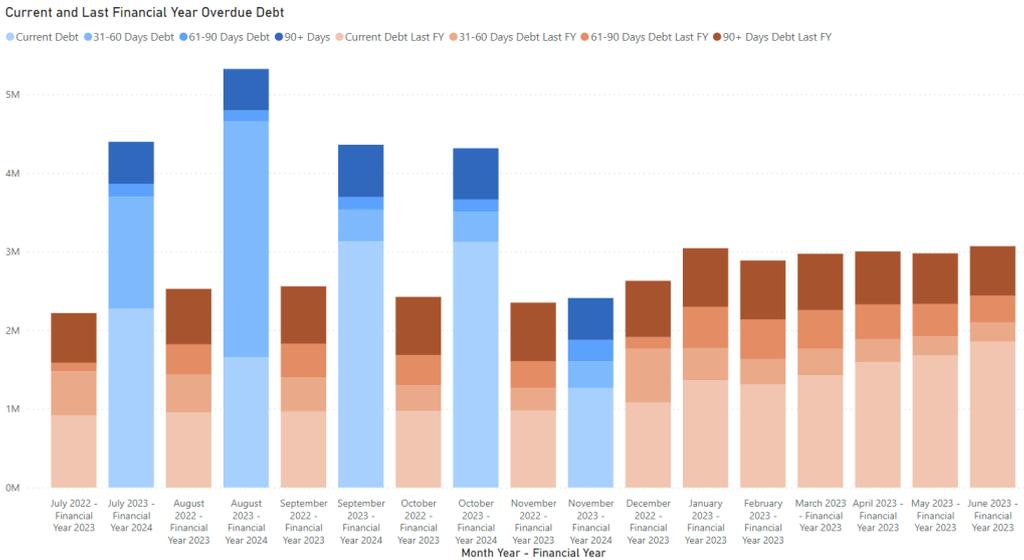
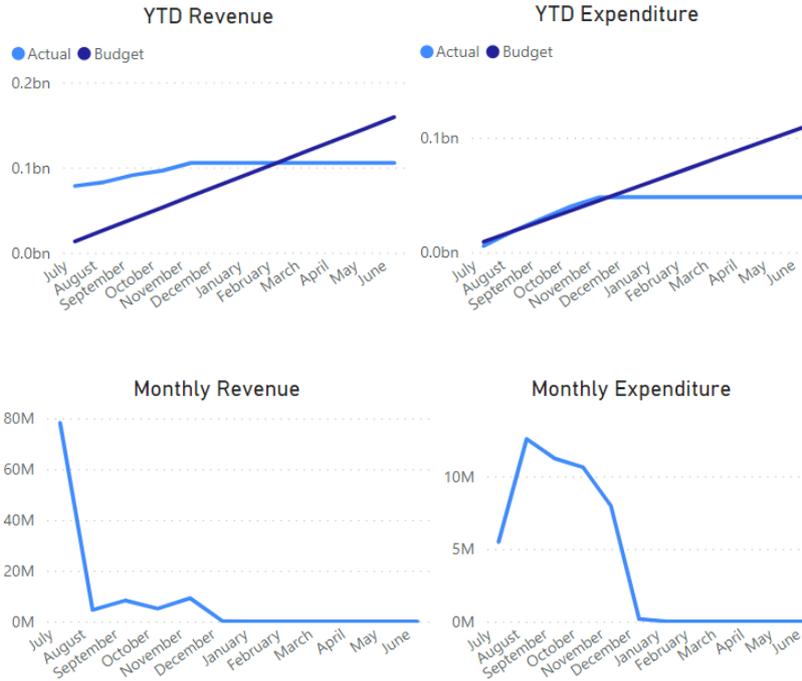
Data collected at the time of the reporting may not have been validated/audited and numbers are subject to change pending published annual reports.

Comments relating to the November 2023 data have been provided within **Appendix 1** under the relevant charts.

Major Projects: As at the end of November, Council's Your Say platform was showcasing 51 Community consultation or engagement projects, with 21 of these being active capital works projects.

APPENDICES:

[1](#) Dashboard Snapshots - November 2023

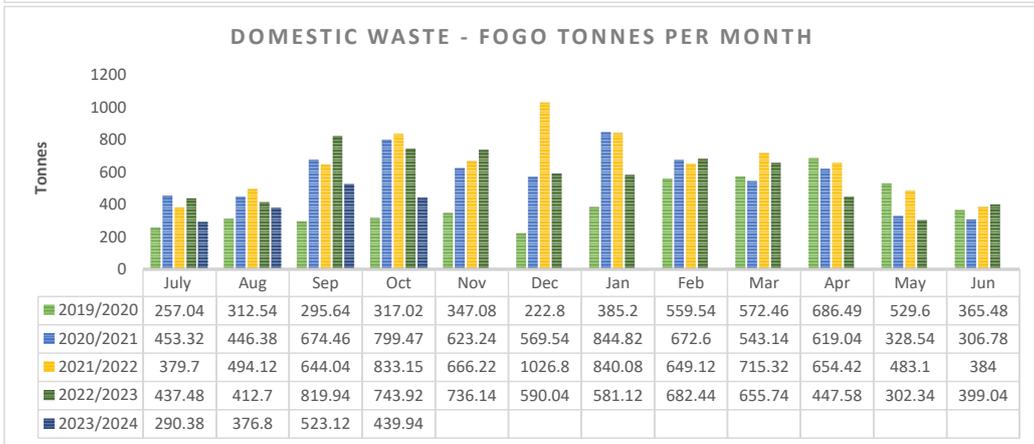
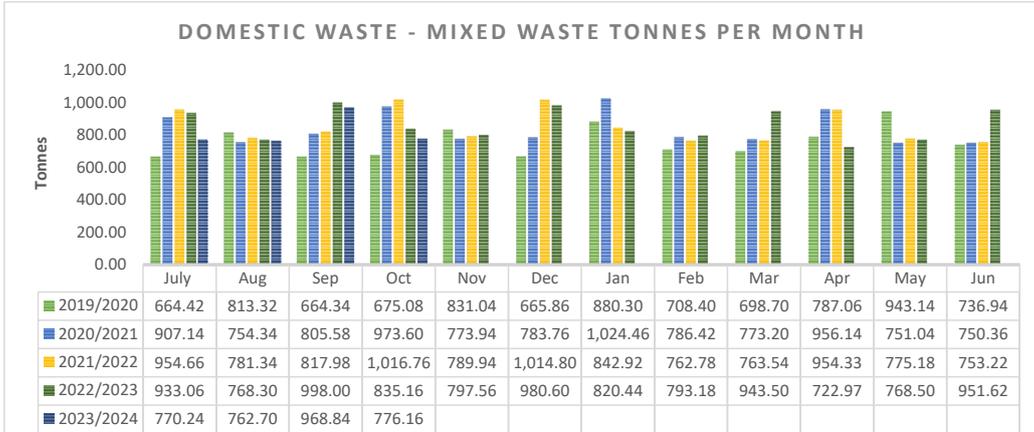




FACILITY AND SERVICE
PERFORMANCE DASHBOARD

REPORT PRINT DATE: 04/12/2023

SERVICES PERFORMANCE

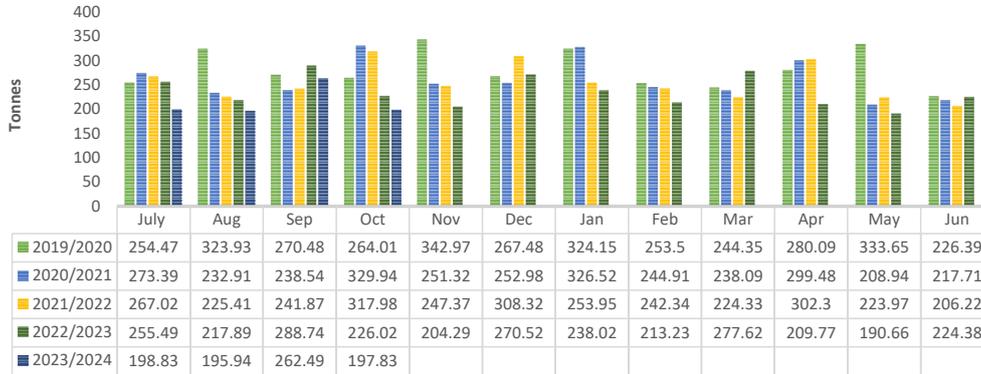




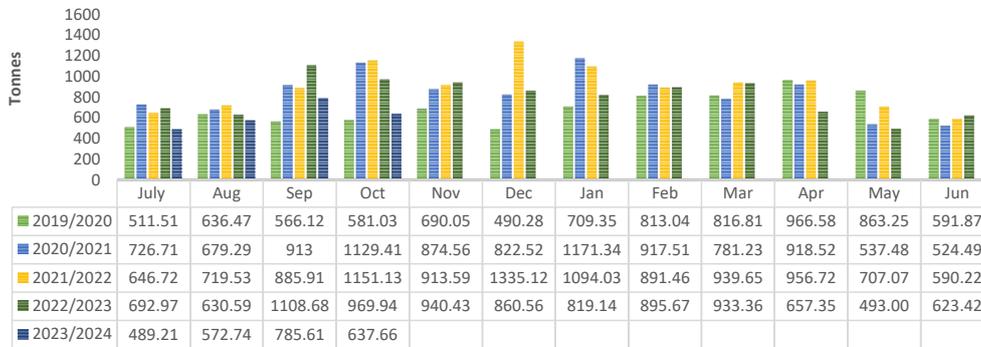
FACILITY AND SERVICE
PERFORMANCE DASHBOARD

REPORT PRINT DATE: 04/12/2023

DOMESTIC WASTE - RECYCLING TONNES PER MONTH

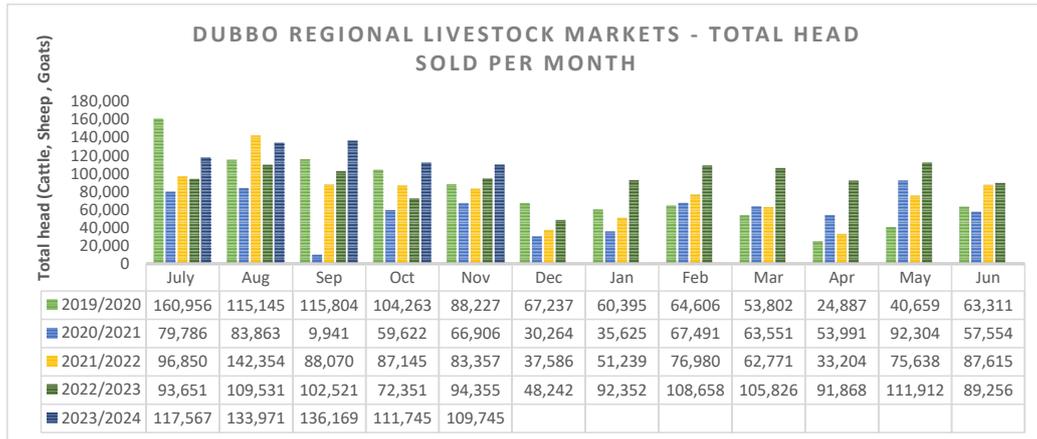
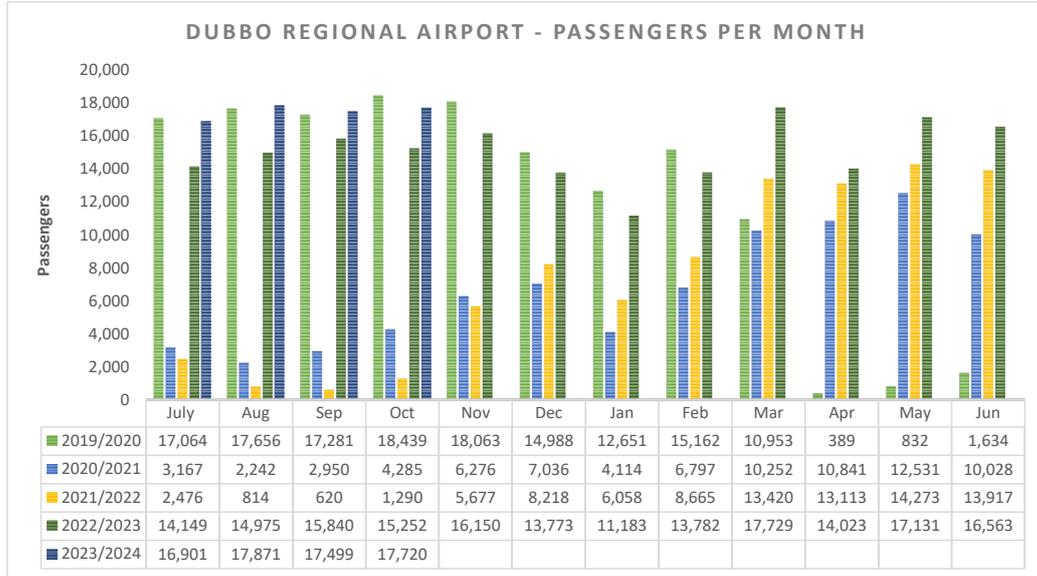


DOMESTIC WASTE - DIVERTED FROM LANDFILL
TONNES PER MONTH



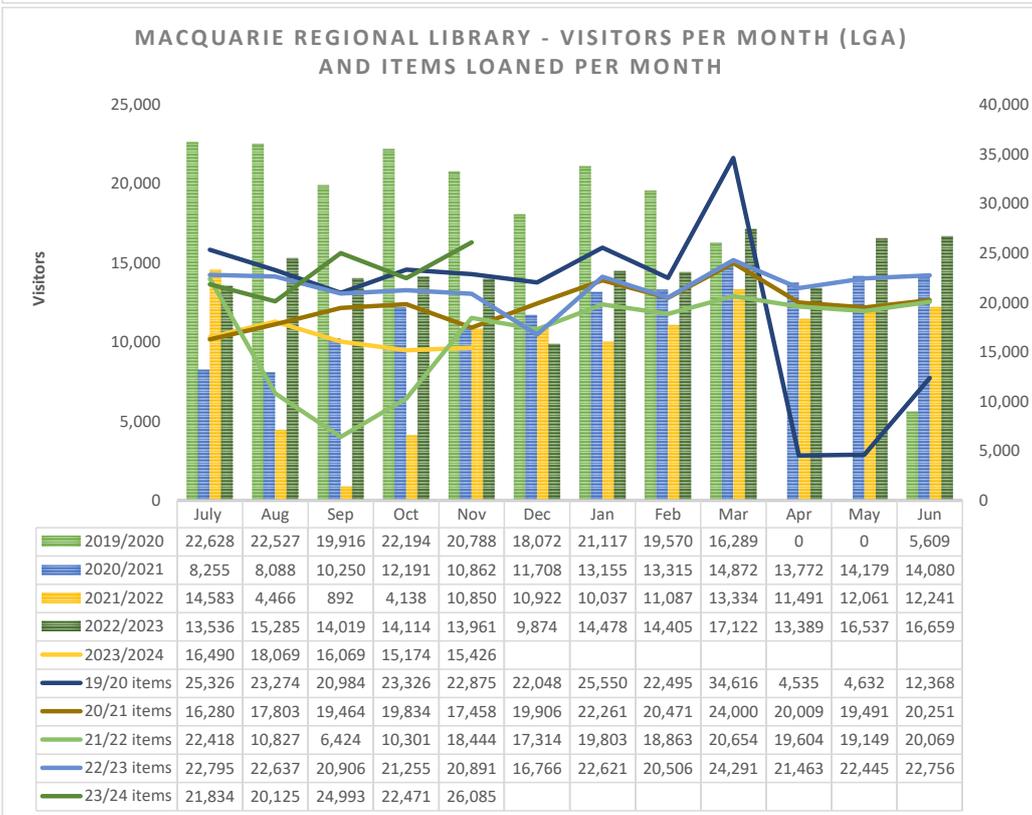
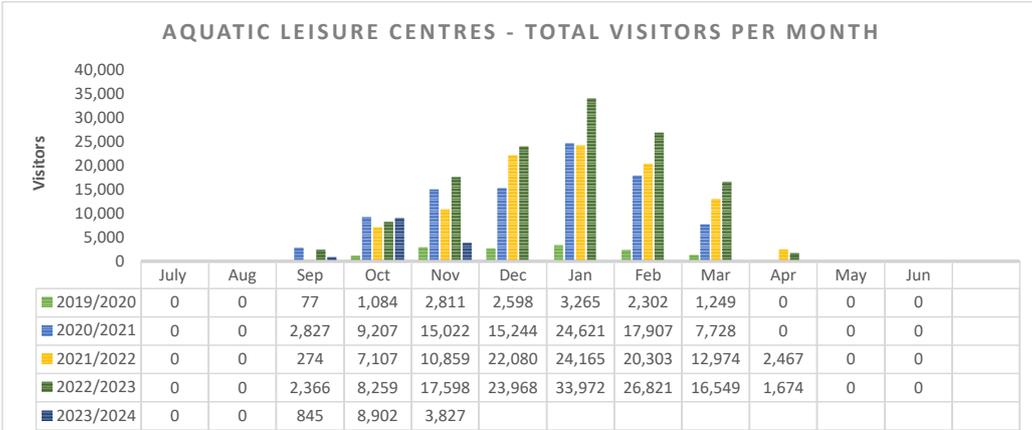


VISITORS & VOLUME – COMMERCIAL

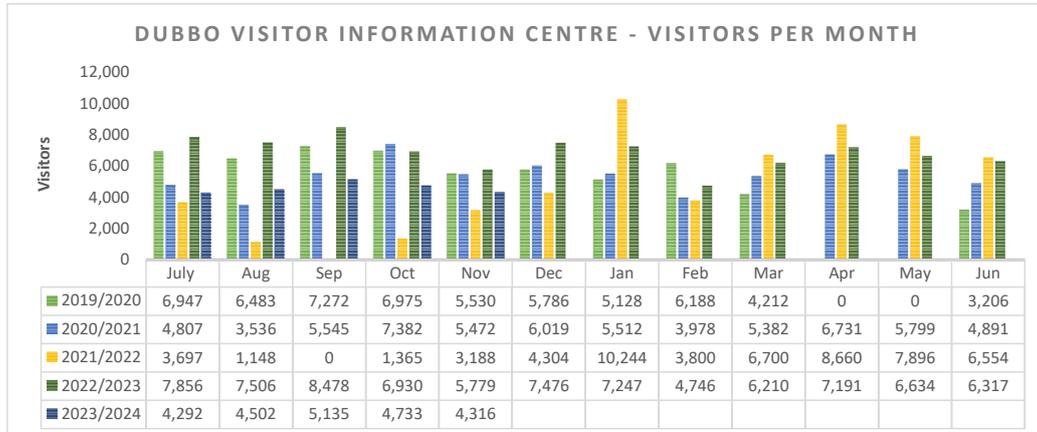


Comment: Relative to summer sales however lower than 2022.

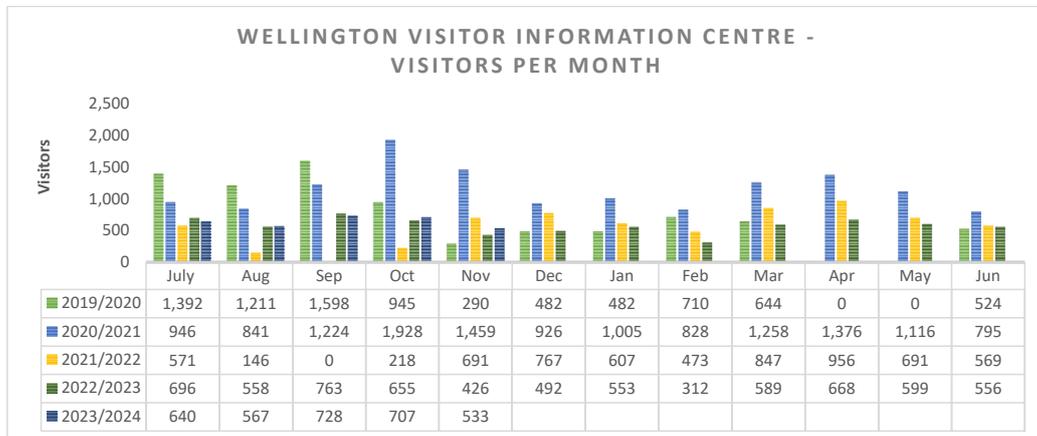
VISITORS & CUSTOMERS – COMMUNITY



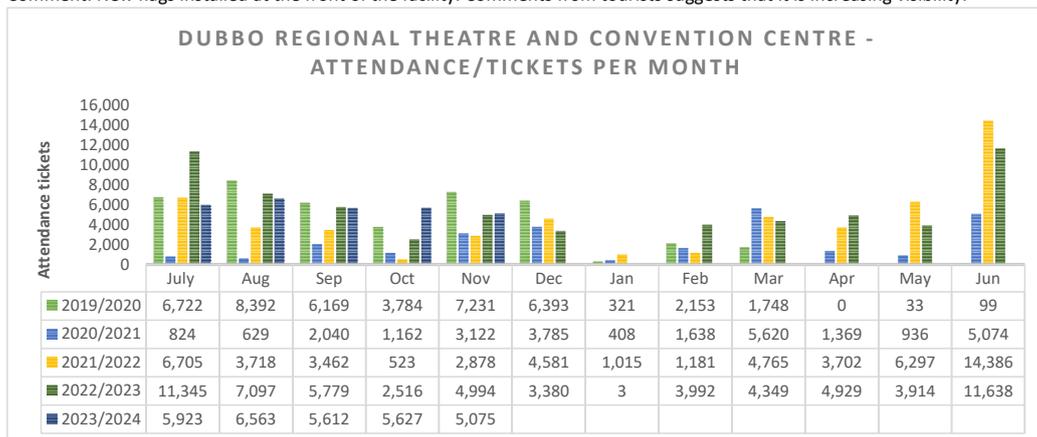
VISITORS & CUSTOMERS – TOURISM & CULTURAL



Comment: New resident night held on 15 November. Good foot traffic with Christmas campaigns (elf hunt, colouring in comp, Santa at the markets). Overall, both centres saw lower visitation than normal.



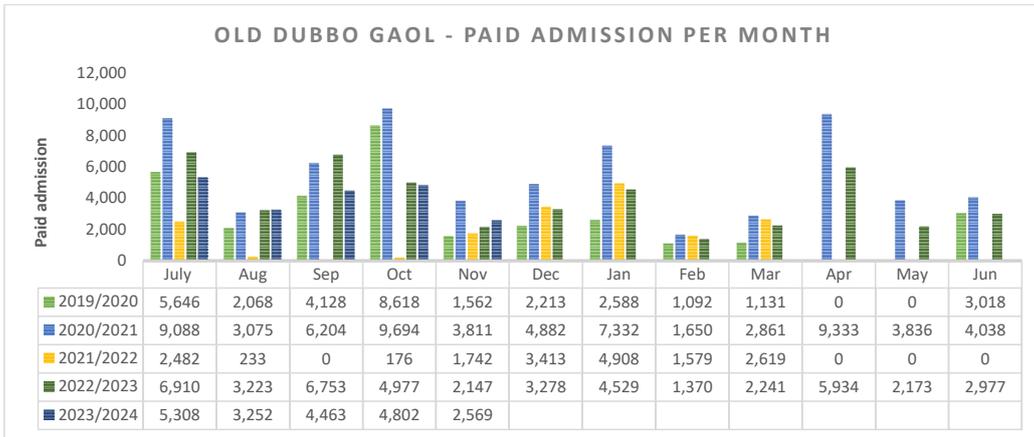
Comment: New flags installed at the front of the facility. Comments from tourists suggests that it is increasing visibility.



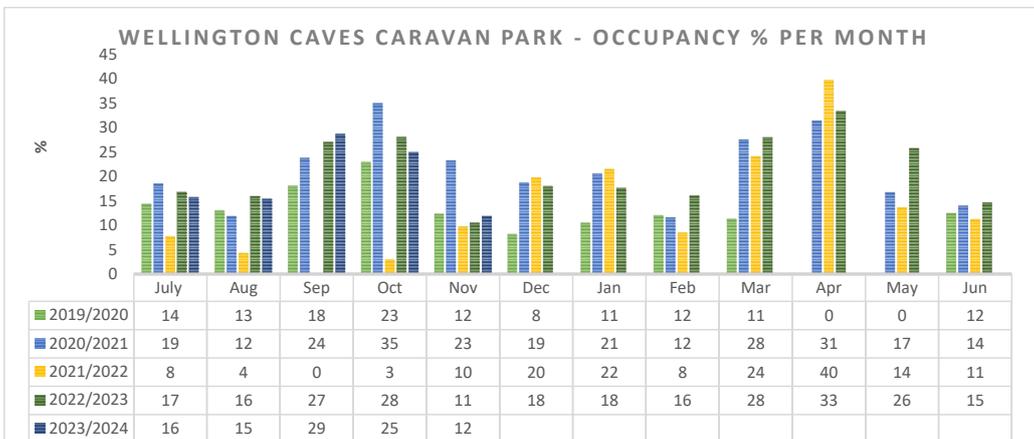
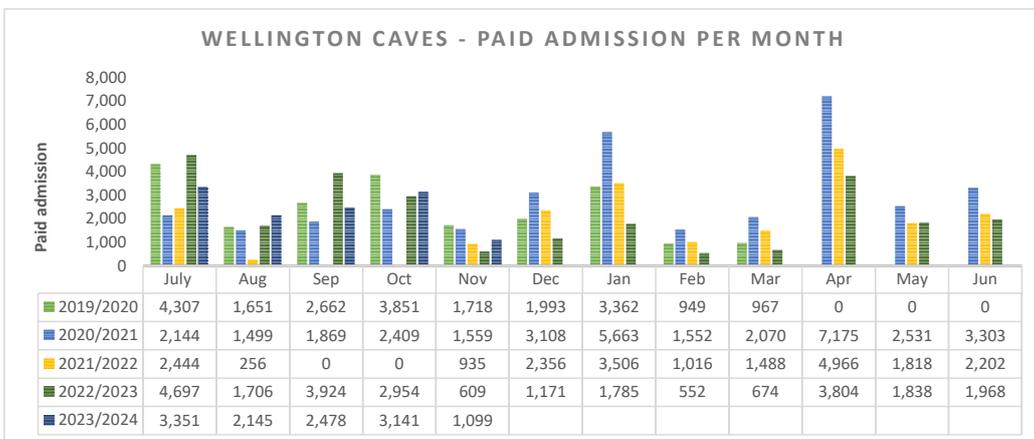


FACILITY AND SERVICE
PERFORMANCE DASHBOARD

REPORT PRINT DATE: 04/12/2023



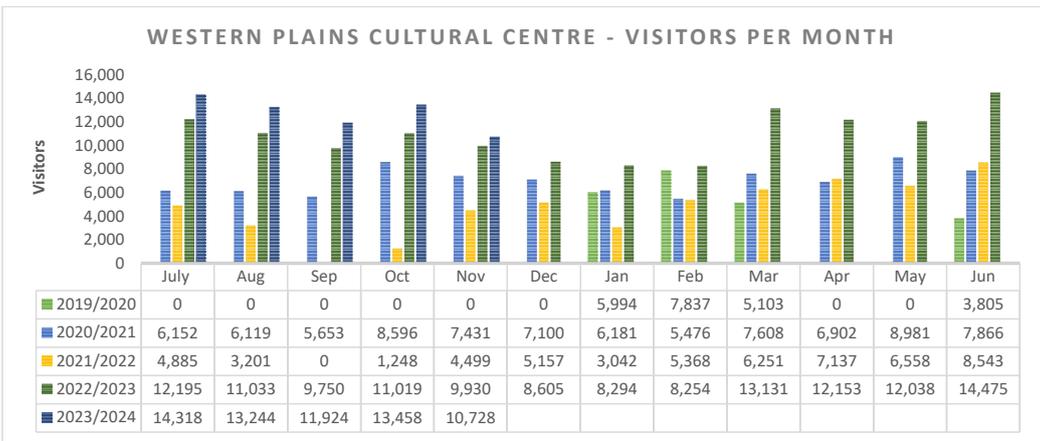
Comment: Admissions consistent with previous years, significant number of group bookings.



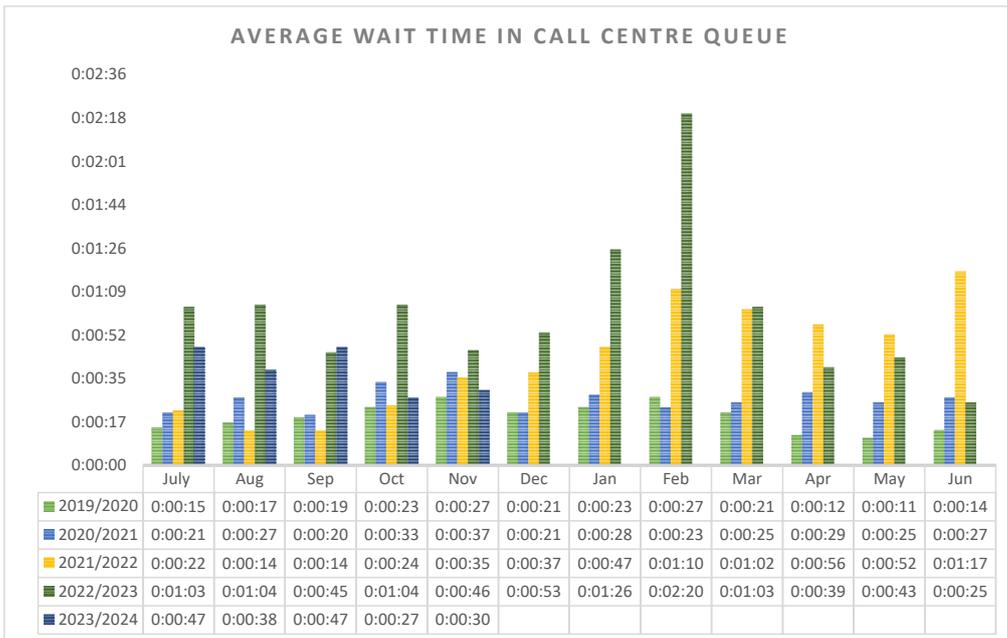
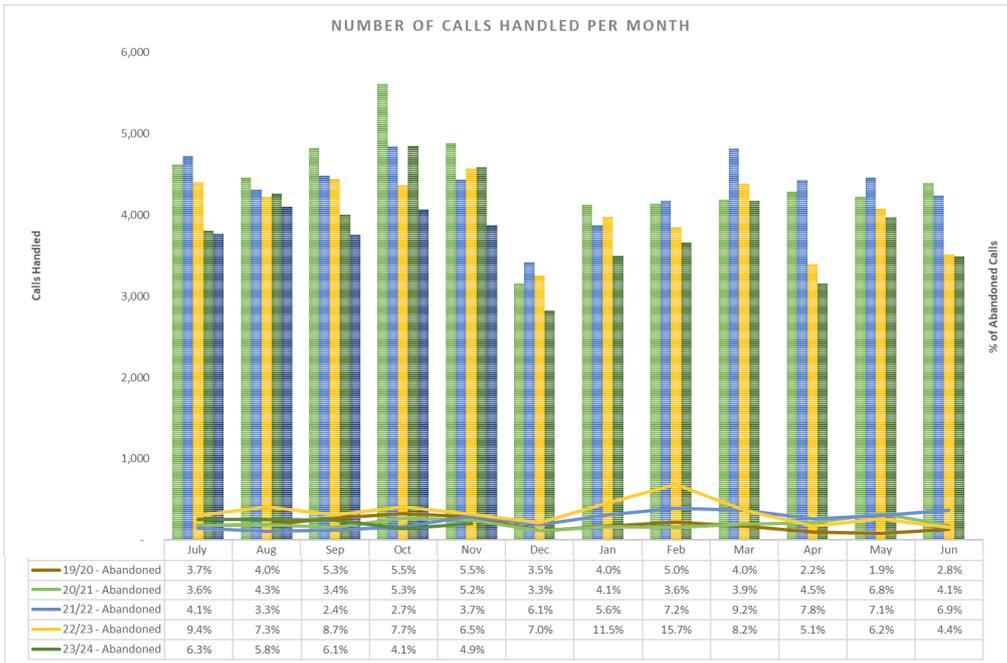


FACILITY AND SERVICE
PERFORMANCE DASHBOARD

REPORT PRINT DATE: 04/12/2023



Comment: Lower attendance than October however an increase in school tour groups from previous month.

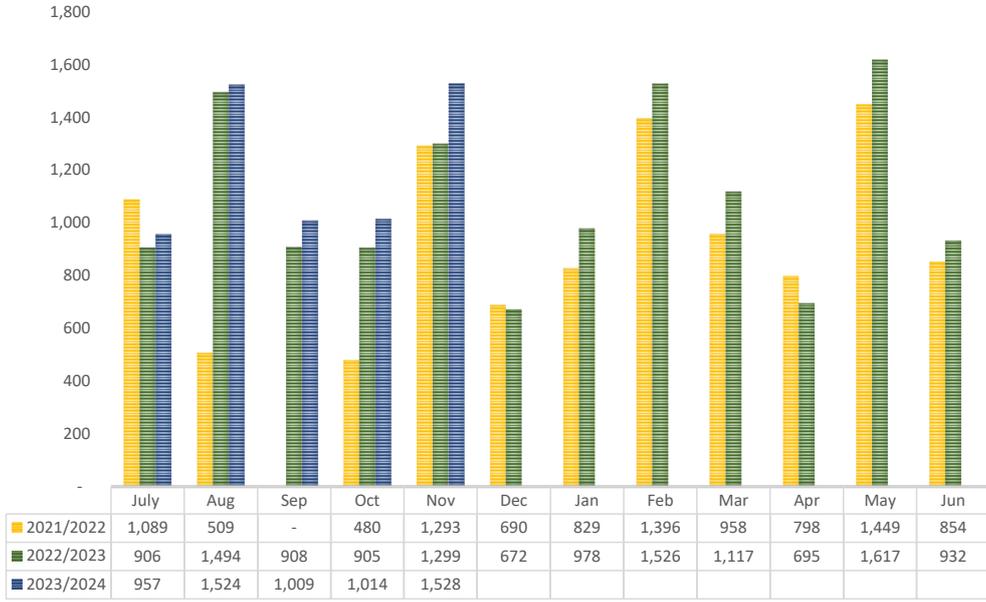




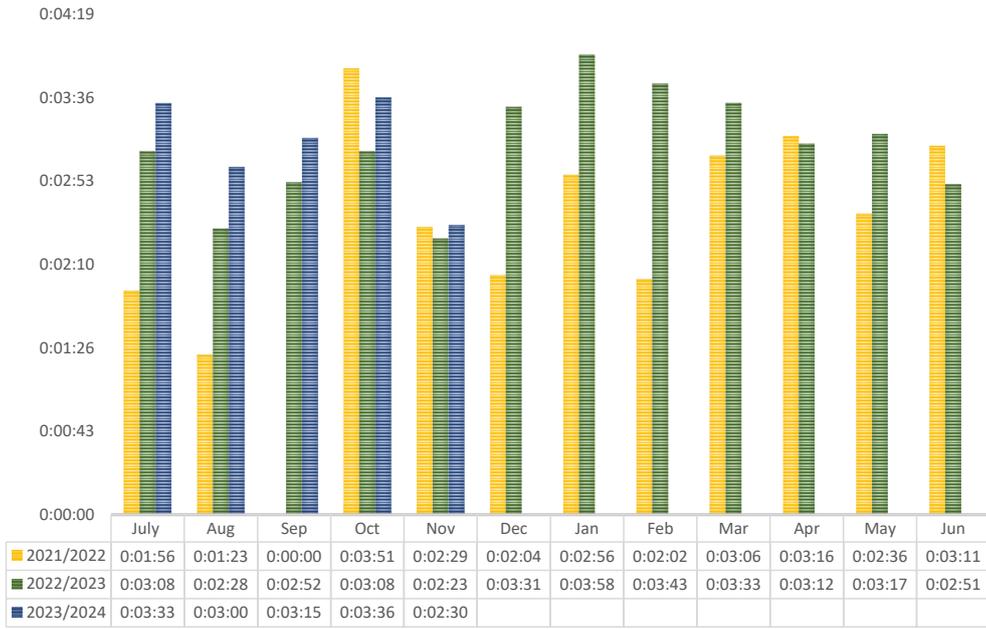
CUSTOMER EXPERIENCE
CHARTER DASHBOARD

REPORT PRINT DATE: 04/12/2023

NUMBER OF COUNTER TRANSACTIONS PER MONTH

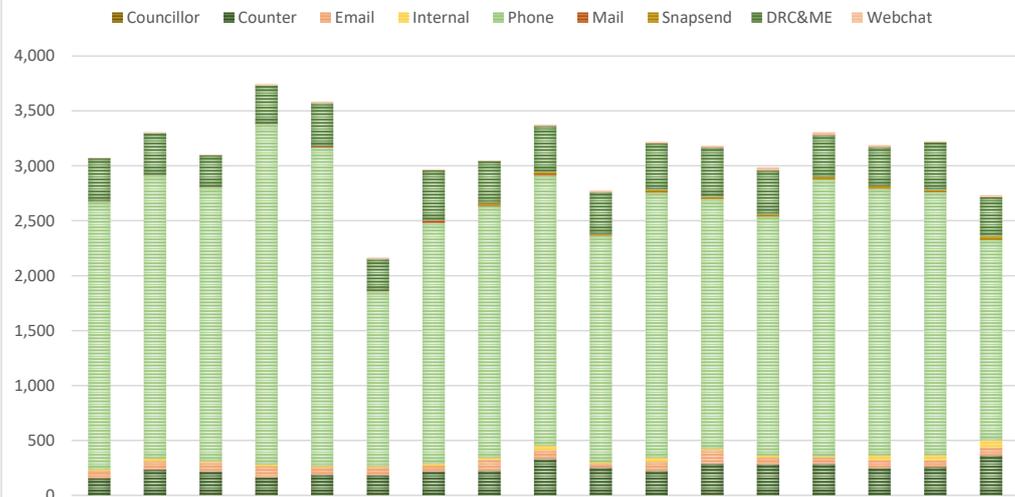


AVERAGE WAIT TIME IN COUNTER QUEUE





CUSTOMER SERVICE REQUEST TOTAL PER MONTH BY CATEGORY



	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23
Webchat	2	4	5	8	8	8	7	5	9	13	11	13	26	25	15	7	14
DRC&ME	391	384	292	354	394	295	457	381	417	380	422	449	400	379	354	436	359
Snapsend	0	0	0	0	0	0	0	18	24	8	25	18	15	22	23	17	28
Mail	1	1	3	4	9	2	20	7	8	2	2	0	0	2	1	0	0
Phone	2,433	2,577	2,485	3,091	2,900	1,590	2,191	2,292	2,459	2,067	2,411	2,272	2,177	2,518	2,427	2,394	1,825
Internal	16	25	14	16	11	9	23	21	42	17	38	14	22	13	45	48	70
Email	68	78	86	103	70	73	51	101	83	35	84	125	61	61	72	60	75
Counter	158	233	211	161	186	180	217	222	328	249	222	284	279	285	249	260	358
Councillor	0	1	4	4	2	5	1	1	1	2	1	4	3	0	0	0	2



**DUBBO REGIONAL
COUNCIL**

Report of the Audit, Risk and Improvement Committee - meeting 12 December 2023

AUTHOR: Governance Officer
REPORT DATE: 12 December 2023

The Council had before it the report of the Audit, Risk and Improvement Committee meeting held 12 December 2023.

RECOMMENDATION

That the report of the Audit, Risk and Improvement Committee meeting held on 12 December 2023, be adopted.

Minutes excluded to be provided under separate cover after meeting is held.



NOTICE OF MOTION: Notice of Motion to Alter - CCL23/287 - Tree Preservation Order - Outcome of Community Consultation

REPORT DATE: 5 December 2023
FILE: ID23/2872

Council had before it a Notice of Motion dated 5 December 2023 from Councillor J Black, Councillor R Ivey and Councillor J Gough regarding the Notice of Motion to Alter - CCL23/287 - Tree Preservation Order - Outcome of Community Consultation as follows:

That the following report, as resolved on 26 October 2023, being CCL23/287, be altered from:

1. *That Council prepare a report to come back to Council outlining a proposed framework for tree management guidelines for trees on private land to an intervention level of 8 metres or higher and also 10 metres or higher (with DBH measurements) threshold, including:*
 - *Administration design;*
 - *Compliance; and*
 - *Resourcing implications.*
2. *That Council develops an education program highlighting the importance of retaining trees, increasing canopy coverage and the benefits that they provide to our urban communities.*
3. *That Council undertake a statistically valid survey to understand community attitude towards a Tree Preservation Order and that it be funded from the Tree Management Budget.*

To remove Point 3, and now read:

1. *That Council prepare a report to come back to Council outlining a proposed framework for tree management guidelines for trees on private land to an intervention level of 8 metres or higher and also 10 metres or higher (with DBH measurements) threshold, including:*
 - *Administration design;*
 - *Compliance; and*
 - *Resourcing implications.*
2. *That Council develops an education program highlighting the importance of retaining trees, increasing canopy coverage and the benefits that they provide to our urban communities.*

RECOMMENDATION

That the following report, as resolved on 26 October 2023, being CCL23/287, be altered from:

1. That Council prepare a report to come back to Council outlining a proposed framework for tree management guidelines for trees on private land to an intervention level of 8 metres or higher and also 10 metres or higher (with DBH measurements) threshold, including:
 - Administration design;
 - Compliance; and
 - Resourcing implications.
2. That Council develops an education program highlighting the importance of retaining trees, increasing canopy coverage and the benefits that they provide to our urban communities.
3. That Council undertake a statistically valid survey to understand community attitude towards a Tree Preservation Order and that it be funded from the Tree Management Budget.

To remove Point 3, and now read:

1. That Council prepare a report to come back to Council outlining a proposed framework for tree management guidelines for trees on private land to an intervention level of 8 metres or higher and also 10 metres or higher (with DBH measurements) threshold, including:
 - Administration design;
 - Compliance; and
 - Resourcing implications.
2. That Council develops an education program highlighting the importance of retaining trees, increasing canopy coverage and the benefits that they provide to our urban communities.

JB
Councillor

APPENDICES:

1. [Notice of Motion to Alter - Councillor Josh Black - CCL23/287 - Tree Preservation Order - Outcome of Community Consultation](#)

C
C

3 December 2023

Mr Murray Wood
 Chief Executive Officer
 Dubbo Regional Council
 PO Box 81
 DUBBO NSW 2830

Dear Murray,

NOTICE OF MOTION TO ALTER - CCL23/287 - TREE PRESERVATION ORDER - OUTCOME OF COMMUNITY CONSULTATION (ID23/2384)

We, the undersigned, give notice that we intend to move the following Notice of Motion to Alter the resolution of Council CCL23/87 – Tree Preservation Order – Outcome of Community Consultation

“That the following report, as resolved on 26 October 2023 being CCL23/287 be altered from:

1. That Council prepare a report to come back to Council outlining a proposed framework for tree management guidelines for Trees on private land to an intervention level of 8 metres or higher and also 10 metres or higher (with DBH measurements) threshold, including:

- Administration design;*
- Compliance; and*
- Resourcing implications*

2. That Council develops an education program highlighting the importance of retaining trees, increasing canopy coverage and the benefits that they provide to our urban communities.

3. That Council undertake a statistically valid survey to understand community attitude towards a Tree Preservation Order and that it be funded from the Tree Management Budget.

To remove Point 3, and now read:

1. That Council prepare a report to come back to Council outlining a proposed framework for tree management guidelines for Trees on private land to an intervention level of 8 metres or higher and also 10 metres or higher (with DBH measurements) threshold, including:

- Administration design;*
- Compliance; and*
- Resourcing implications*

2. That Council develops an education program highlighting the importance of retaining trees, increasing canopy coverage and the benefits that they provide to our urban communities.”

Yours faithfully,


 Councillor Josh Black


 Councillor Richard Lacey


 Councillor Jess Gough



REPORT: Dubbo Regional Council Nomination for the Western Regional Planning Panel

DIVISION: Development and Environment
REPORT DATE: 21 November 2023
TRIM REFERENCE: ID23/2381

EXECUTIVE SUMMARY

Purpose	Seek endorsement	
Issue	<ul style="list-style-type: none"> Council has two representatives on the Western Regional Planning Panel. One of those representatives, the former Director Environmental Services at Gilgandra Shire Council, Lindsay Mathieson has indicated that he will resign from his position on the Panel ending December 2023. Dubbo Regional Council can therefore nominate a new representative on the Panel. The nominees available to Council are limited as the representative must have certain expertise and given the nature of the applications before the Panel, not have 'conflicts of interest'. 	
Reasoning	<ul style="list-style-type: none"> The nominated representative meets the required expertise and will have negligible 'conflicts of interest' with the applications before the Panel. 	
Financial Implications	Budget Area	There are no financial implications arising from this report.
Policy Implications	Policy Title	There are no policy implications arising from the report.
Consultation	Building and Development Services	<ul style="list-style-type: none"> Advertisements seeking expressions of interest for nominees to the Western Regional Planning Panel were placed in the Daily Liberal, Council Column on 1 November, 8 November and 15 November 2023. Discussion with Council's other representative on the Panel.

STRATEGIC DIRECTION

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

Theme: 4 Leadership

CSP Objective:	4.1 Council provides transparent, fair and accountable leadership and governance
Delivery Program Strategy:	4.1.2 Council's decision-making processes are open, transparent and accountable
Theme:	4 Leadership
CSP Objective:	4.1 Council provides transparent, fair and accountable leadership and governance
Delivery Program Strategy:	4.1.4 Statutory requirements are met and services are provided in a cost-effective and timely manner

RECOMMENDATION

That Council confirm Tim Nichols to represent Dubbo Regional Council on the Western Regional Planning Panel, for a period not to exceed three years.

Stephen Wallace
Director Development and Environment

DQ
Manager Building and
Development Services

BACKGROUND

The Western Regional Planning Panel (WRPP) (previously known as the Joint Regional Planning Panel) has operated for over a decade and Council has had representatives on the Panel during that time.

The functions of the WRPP are:

- To act as the consent authority for 'regionally significant development' applications; and
- To advise the Minister for Planning and Public Spaces on planning matters in respect of the WRPP's region or perform functions conferred on it by the Minister.

The WRPP makes decisions on regionally significant development which includes:

- General development with a capital investment value (CIV) of over \$30 million;
- Development with a CIV of over \$5 million which is:
 - Council-related (applicant, owner, developer, party to any agreement or arrangement);
 - Carried out by or on behalf of the Crown (State of NSW);
 - Private infrastructure and community facilities over \$5 million;
 - Eco-tourist facilities over \$5 million;
- Extractive industries, waste facilities and marinas that are 'designated development';
- Development with a CIV between \$10 million and \$30 million which are referred to the Regional Panel by the applicant after 120 days;
- Modifications to regional developments under Section 4.55(2) of the Environmental Planning and Assessment Act, 1979.

Council's current Panel members are:

- Josie Howard (Director Essential Worker Attraction Program – Department of Regional NSW), former Dubbo Regional Council, Manager Economic Development and Marketing; and
- Lindsay Mathieson former Director Environmental Services at Gilgandra Shire Council.

Council has previously had Councillors on the Regional Planning Panels. However, in some instances those representatives have 'conflicts of interest' regarding the projects, have had to declare an interest and take no further part in the Panel's determination, limiting Council's input into those decisions.

REPORT

This report requests that Council endorse a nominee for the Western Regional Planning Panel (WRPP).

The WRPP consists of five members with three of the members (including the Chair), appointed by the Minister (State members) and two members nominated by the relevant Council (Council members). In accordance with s2.13(4) of the Environmental Planning and Assessment Act, 1979, at least one of the Council nominees is to be a person who has expertise in at least one area of planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering or tourism.

Guides which detail the Planning Panel's Operational Procedures and the Code of Conduct can be accessed from the Publications tab at www.planningpanels.nsw.gov.au.

It should be noted that Council does not have to nominate anyone, the WRPP can operate with no Council representative/s.

Consultation

Advertisements seeking expressions of interest for nominees to the WRPP were placed in the Daily Liberal, Council Column on 1 November, 8 November and 15 November 2023. Council received no enquiries or applications to the placed advertisements.

Discussions were held with Council's other representative on the Panel.

Recommendation

It has been the intent of Council to have presence on the Panel and as such it is recommended that Council nominate Tim Nichols to the position.

Tim Nichols is the Economic Development and Visitors Services Team Leader at Dubbo Regional Council with over five years' experience in this role. He has worked in both the public and private sectors for over 20 years in various roles and industries. His previous roles have included management, sales, marketing and communications. He is responsible for maintaining many of Council's strategic partnerships and relationships, including industry bodies and many of the State and Federal Government partnering agencies.

Tim is responsible for the development and execution of Council's Economic Development Strategy and programs of Council such as the:

- Ignite Program;
- Investment enquiries facilitation and attraction;
- New Resident Attraction;
- Dubbo Skills Attraction Program and Assets; and
- Manages Council's input into the development of the Regional Economic Development Strategy.

Tim is also responsible for the Visitor Information Centres across Dubbo and Wellington.

Tim Nichols is agreeable to filling the vacancy and as such, is endorsed to the Council as a suitable nominee to represent Dubbo Regional Council on the WRPP.

Resourcing Implications

There are no ongoing financial implications arising from this report.

Timeframe

Key Date	Explanation
14 December 2023	Ordinary Council Meeting
21 December 2023	Nominee advised of Council's resolution
21 December 2023	WRPP advised of Council's decision in this matter.

Next Steps

If Council endorse the recommendation of this report, correspondence will be sent to the WRPP advising of Council's decision.

Tim Nichols will then assume his position on the WRPP and will undertake his duties as they arise.



REPORT: Development Application D23-498 Road Closure

Campania Road adjacent to Lot 1 DP 943178, Terramungamine

Applicant: Premise NSW

Owner: Dubbo Regional Council/Mr TJ and Mrs CM Harvey

DIVISION: Development and Environment
REPORT DATE: 28 November 2023
TRIM REFERENCE: ID23/2780

EXECUTIVE SUMMARY

Purpose	Provide planning approval
Issue	<ul style="list-style-type: none">• A Development Application has been received for the closure of part of Campania Road, being the part of the road between Lot 1 DP 943178 and Lot 30 DP 8671, Terramungamine.• The closure of part of Campania Road and disposal of land was previously considered by Council in July 2023 under CCL23/197.• NSW planning provisions do not permit the closure of a public road to be undertaken as 'exempt development'. Consequently, Development Consent through a Development Application must first be obtained to create an allotment that can ultimately be disposed/sold to an adjoining land owner.• The subject land is within the RU1 Primary Production Zone and has a minimum lot size of 800ha pursuant to Dubbo Regional Local Environmental Plan 2022.• The proposed allotment to be created through the road closure has an area of 6.872 hectares and as such does not meet the minimum lot size for subdivision.• The applicant has requested a Clause 4.6 variation under Dubbo Regional Local Environmental Plan 2022 to the minimum lot size to permit the subdivision.• As the variation to the minimum lot size contravenes a numerical standard by greater than 10%, Council cannot assume the Department of Planning and Environment Secretary's concurrence and the application cannot be

	determined by a delegate of Council.	
Reasoning	<ul style="list-style-type: none"> • A comprehensive planning assessment under Section 4.15(1) <i>Environmental Planning and Assessment Act 1979</i> has been undertaken including an assessment of Clause 4.6 Dubbo Regional Local Environmental Plan 2022. • This report will focus on the relevant matters relating to the Clause 4.6 request to vary a development standard. • The application has demonstrated consistency with Clause 4.6 Dubbo Regional Local Environmental Plan 2022. • Noting the allotment to be created will ultimately be consolidated with adjoining property and be utilised for agricultural purposes, the proposed development is not inconsistent with the objectives of the RU1 Primary Production zone. 	
Financial Implications	Budget Area	There are no budget implications arising from this report. As per CCL23/197, there will be a net income derived through the sale and disposal of this future allotment.
Policy Implications	Policy Title	<ul style="list-style-type: none"> • Dubbo Regional Local Environmental Plan 2022 • Dubbo Development Control Plan 2013
	Impact on Policy	With the exception of the minimum lot size provisions under the Dubbo Regional LEP 2022 (discussed within this report), the proposal is consistent with these policies.
Consultation	Neighbour notification	In accordance with Councils Community Participation Plan, the Development Application was placed on public exhibition for a period ending 28 November 2023, during which time adjoining property owners were notified in writing of the proposed development. Council received no submissions during the notification period. Consultation with proposed land purchasers and Essential Energy have also been previously undertaken (refer CCL23/197).

STRATEGIC DIRECTION

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

Theme: 2 Infrastructure

CSP Objective: 2.1 The road transportation network is safe, convenient and efficient

Delivery Program Strategy:	2.1.1 Traffic management facilities enhance the safety and efficiency of the road network
Theme:	2 Infrastructure
CSP Objective:	2.1 The road transportation network is safe, convenient and efficient
Delivery Program Strategy:	2.1.2 The road network meets the needs of the community in terms of traffic capacity, functionality and economic and social connectivity
Theme:	3 Economy
CSP Objective:	3.2 Employment opportunities are available in all sectors of our economy
Delivery Program Strategy:	3.2.3 The growth, development and diversification of the agricultural industry is supported

RECOMMENDATION

1. That Development Application D23-498 be approved, subject to the recommended conditions (attached in Appendix 2).
2. That Council seek concurrence from the Secretary of the Department of Planning and Environment.
3. That Council grant the Chief Executive Officer delegation to issue development consent upon receipt of the Secretary of the Department of Planning and Environment's concurrence.
4. That any documents relating to the Subdivision Certificate which cannot be executed by the Chief Executive Officer or his delegate, are executed under the Common Seal of Council.

Stephen Wallace
Director Development and Environment

SR
Statutory Planning
Services Team Leader

BACKGROUND

Council is in receipt of a Development Application for the road closure of part of Campania Road, Terramungamine. The proposal is to close the part of Campania Road between Lot 1 DP 943178, and Lot 30 DP 8671, being a surplus portion of Campania Road.

The road closure will result in the creation of an allotment having an area of 6.872 hectares. The allotment will be approximately 40.2 metres wide, being the width of the current public road reserve. For a plan of the proposed road closure and allotment creation see Figure 1 and Appendix 1.

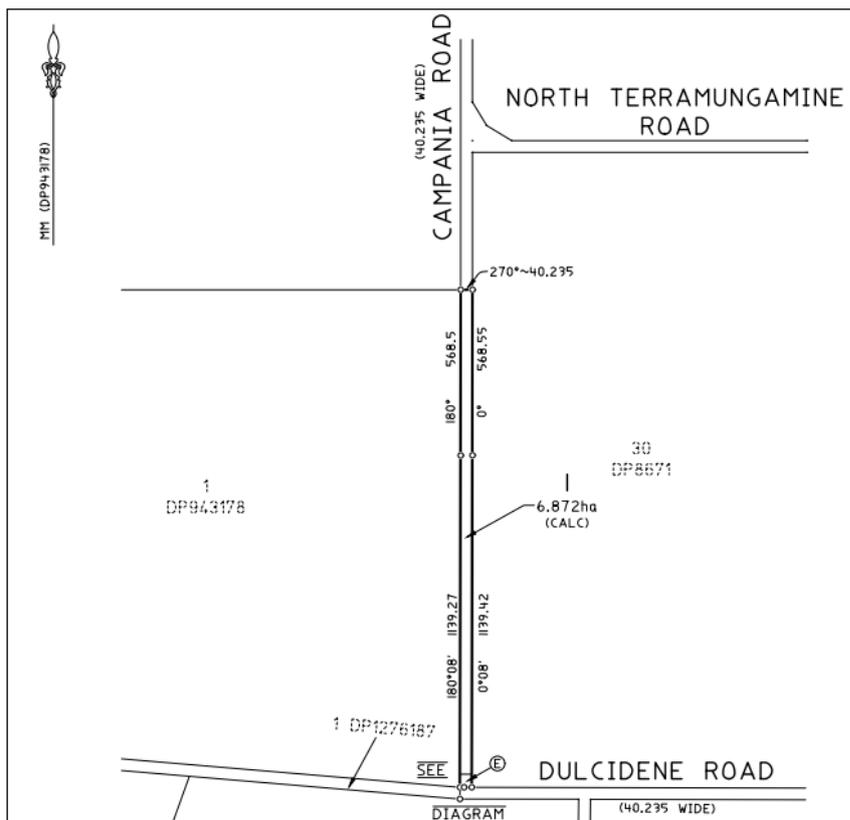


Figure 1: Plan of road closure and lot creation

As detailed in the Application, the purpose of the road closure is to create an allotment that will ultimately be sold to the owners of Lot 1 DP 943178 to the west and consolidated with that allotment.

Previous Resolutions of Council

<p>27 July 2023</p>	<ol style="list-style-type: none"> 1. That Council execute the closure of the subject part of Campania Road, Rawsonville, being Lot 1 of 6.8 hectares in the unregistered deposited plan as attached to this report. 2. That Council execute the road closure and disposal agreement for the subject land with Mr Thomas John Harvey and Mrs Catherine Michelle Harvey, under the Common Seal of Council.
---------------------	---

	<ol style="list-style-type: none">3. That Council execute the Plan of First Title Creation and Road Closing under the Roads Act 1993, and Easement for Overhead Power Lines, under the Common Seal of Council.4. That upon closure of the road noted in resolution no. 1, that such land be classified as operational land under the Local Government Act 1993.5. That Council delegate to the Chief Executive Officer the power to finalise and execute any documents necessary to complete the matter.6. That any documents relating to the matter and which cannot be executed by the Chief Executive Officer under delegation, are executed under the Common Seal of Council.
--	--

In order for the disposal of the road to be realised, development consent for the road closure and lot creation must first be undertaken.

SITE CHARACTERISTICS

Locality

Campania Road is an unmaintained Council road located between North Terramungamine Road and Dulcidene Road, in the Terramungamine District, north west of the Dubbo urban area. For a locality map of the site see Figure 2.

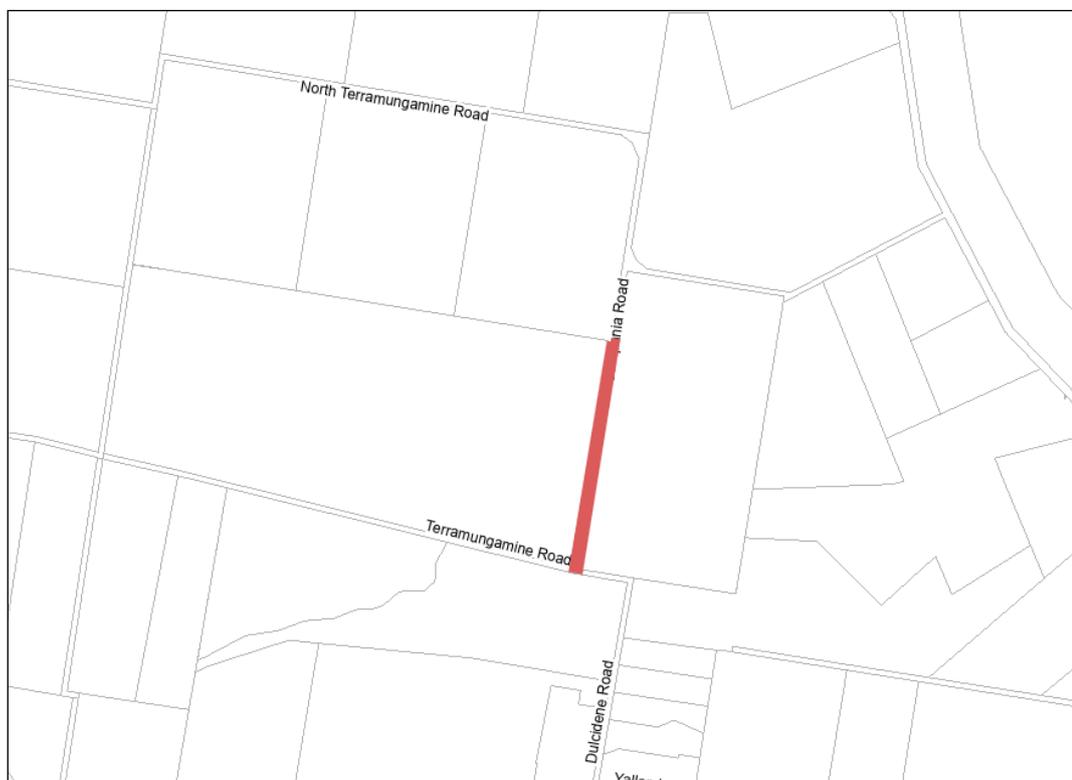


Figure 2: Campania Road and locality

Slope

The general slope of the area is slight north-west.

Vegetation

The site is predominantly clear of vegetation, with some scattered native vegetation remaining on the land, including in the vicinity of Medway Creek.

Access

Access to the site is obtained via Dulcidene Road (a gravel road), or North Terramungamine Road (a bitumen sealed road).

Drainage

Drainage conforms to the natural contours of the land.

Services

There are no reticulated Council utility services in the locality.

Adjoining uses

North: Primary production (extensive agriculture)
South: Primary production (extensive agriculture)
East: Primary production (extensive agriculture)
West: Primary production (extensive agriculture)

REPORT

Consultation

- In accordance with Council's Community Participation Plan the Development Application was placed on public exhibition for a period ending 28 November 2023, during which time adjoining property owners were notified in writing of the proposed development. Council received no submissions during the notification period.
- Consultation with proposed land purchasers and Essential Energy have also been previously undertaken (refer CCL23/197).
- Internally, Council's Infrastructure Division were consulted in relation to the relevant aspects of the development. No concerns were raised during the referral period.

Resourcing Implications

Nil

SITE HISTORY

As discussed, the subject land is currently an unmaintained Council Road reserve that adjoins land used for agricultural purposes. Lot 1 DP 943178 to the west, which this closed road will be ultimately consolidated with, contains a dwelling and a number of outbuildings.

PLANNING ASSESSMENT Section 4.15(1)

As required by the Environmental Planning & Assessment Act, 1979, Section 4.15(1), the following relevant matters are addressed below:

- environmental planning instruments (State Environmental Planning Policies (SEPPs) and Local Environmental Plans (LEPs);
- draft environmental planning instruments;
- development control plans;
- planning agreements;
- regulations;
- environmental (natural and built), social and economic impacts;
- suitability of the site;
- submissions; and
- public interest.

(a)(i) Environmental Planning instruments

SEPP (Exempt and Complying Development Codes) 2008

Clause 2.75 of the SEPP outlines development for the purposes of subdivision or boundary adjustments that can be undertaken as 'exempt development'. This includes the widening of a public road (subclause (a)). In this instance, a public road is not being widened. It is the closure of a public road to be used for a private purpose. Consequently, this subdivision is not permitted to be undertaken as 'exempt development' and therefore development consent must first be obtained.

SEPP (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

The land has a history of public road use. Based on this history, and an inspection of the land, there was no evidence of a history of potentially contaminating activities being undertaken on this 'land'. Therefore, Council is satisfied it is not creating an allotment that may be contaminated. No further investigations required.

SEPP (Transport and Infrastructure) 2021

Despite being a 'subdivision', it is noted the land will not contain a dwelling entitlement. Consequently, there is no requirement to have an independent electricity connection to this allotment, as typically would be a requirement with subdivision. Further, the ultimate purpose of this road closure/lot creation is to absorb the allotment with adjoining Lot 1 DP 943178 to the west, which already has an electricity connection. Therefore, a Notice of Arrangement letter or equivalent from the electricity authority (Essential energy), as is a usual requirement with subdivisions, will not be required in this instance.

Note: While a number of other SEPPs apply to the land, none are specifically applicable to this development.

Dubbo Regional Local Environmental Plan 2022

The following clauses of Dubbo Regional Local Environmental Plan (LEP) 2022 have been assessed as being relevant and matters for consideration in assessment of the Development Application.

Clause 1.2 Aims of Plan

The proposed development is not contrary to the relevant aims of the Plan.

Clause 1.4 Definitions

Subdivision of land is not a defined land use term within the Dubbo Regional LEP 2022. However, for the purposes of the Environmental Planning and Assessment Act, subdivision means:

"... the division of land into 2 or more parts that, after the division, would be obviously adapted for separate occupation, use or disposition."

Clause 1.9A Suspension of covenants, agreements and instruments

As the subject land is not currently an allotment of land, there are no easements burdening the 'land'.

Subdivision plans show an easement for overhead powerlines 45 metres wide on the southern side of the land. This correlates with existing 132kV overhead powerlines at this location. Plans and documentation to be submitted with the Subdivision Certificate will need to outline the parameters of this easement, benefitted/burdened parties etc.

Clause 2.2 Zoning of land to which Plan applies

The subject site is zoned RU1 Primary Production.

Clause 2.3 Zone objectives and Land Use Table

Post subdivision the use of the land will be for primary production purposes. Therefore, the proposed development complies with the relevant objectives of the RU1 zone, namely:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To minimise the fragmentation and alienation of resource lands.

While not contrary to, the remaining zone objectives are not relevant in this instance.

The permissibility of the subdivision is governed by Clauses 2.6, 4.1 and 4.6 of the LEP (see below).

Clause 2.6 Subdivision – consent requirements

It is proposed to subdivide the site which requires development consent (refer clauses 4.1 and 4.6 below).

Clause 4.1 Minimum subdivision lot size

According to the Minimum Lot Size Map, the minimum lot size for the area is 800ha. The subdivision proposes to create an allotment of 6.872ha, which is below the development standard. Therefore, consideration must be made under Clause 4.6 of the LEP (see below).

Clause 4.6 Exceptions to Development Standards

This clause allows consent to be granted for a development that contravenes a development standard within an Environmental Planning Instrument. In this instance the development standard is the 800ha minimum lot size (proposed Lot 1 being 6.872ha).

In accordance with clause 4.6(4) the Applicant has submitted a written request justifying the proposed variation. In this instance the variation is 99.141%. Noting the significance of the variation, concurrence from the Secretary of the NSW Department of Planning and Environment must be obtained before a determination can be made. Concurrence has been sought.

The Applicant must provide a written request to seek variation to the development standards, in consideration of the matters identified in Subclause 4.6(3). These matters are identified below:

- (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case*

Comment:

Proposed Lot 1 forms a partial road closure of Campania Road. The development proposes the creation of a new title through this road closure. Noting the circumstance, it is not possible to close the road and still meet the minimum lot size provisions. Although the subdivision will initially create an allotment below the minimum lot size, it will ultimately be consolidated with adjoining Lot 1 DP 943178 (542.4ha) that will form a significant agricultural holding and be used for agricultural purposes.

(b) that there are sufficient environmental planning grounds to justify contravening the development standard

Comment:

The relevant RU1 zone objectives are:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.

The applicant has outlined that the development remains consistent with the objectives of the land use zone (RU1 Primary Production). As noted, following the future consolidation of proposed Lot 1 with Lot 1 DP 943178 the land will be used for agricultural purposes, in accordance with the RU1 zone objectives.

The closure of this road and consolidation with adjoining property will also minimise land fragmentation and isolation of land. Vehicular access is also still maintained. No additional dwelling entitlements will be created, ensuring no additional opportunity for land use conflict.

Overall, it is considered that the written request has adequately addressed all matters outlined in Clause 4.6(3). The proposed development is considered to be in the public interest as the proposal remains consistent with the objectives of the RU1 Primary Production zone.

In accordance with Council Policy, the Notice of Determination must be signed by the Chief Executive Officer. Further, an online register is to be kept of any approvals using Clause 4.6.

Clause 5.10 Heritage Conservation

There are no listed heritage items on the land or in the vicinity of the land.

In terms of Aboriginal archaeology, there are no known sites in the immediate locality. Therefore, it is considered unlikely there would be any adverse effects on Aboriginal archaeology, noting the development proposes a road closure only with no works proposed.

No further investigations required. An appropriate condition will be included on the consent that should any artefacts be discovered, the appropriate authorities notified.

Clause 5.21 Flood planning

The land is not identified as being flood affected on any flood policy. It is noted however Medway Creek traverses the land. Land adjacent to a waterway may be impacted upon by local flooding. Noting the land will not contain a dwelling entitlement or other land use that may be adversely impacted by flooding, there are no special flood considerations for this subdivision.

Clause 7.1 Terrestrial Biodiversity

Part of the subject site is included on the Terrestrial Biodiversity Map as having biodiversity value, namely those parts of the land adjacent to Medway Creek. Noting no works are proposed, it is considered the development will have no adverse impact on the biodiversity value of the land.

Clause 7.2 Earthworks

No works are proposed. Therefore, no special requirements with regards to erosion and sediment control.

Clause 7.3 Natural resources – riparian land and waterways

Part of the land, namely the area around Medway Creek, is mapped as having riparian vegetation according to the Natural Resource – Water Map. Noting no works are proposed, it is considered the development will have no adverse impact on the riparian value of the land/waterway.

Clause 7.5 Groundwater vulnerability

The land is included on the Natural Resource – Groundwater Vulnerability Map. The proposed development is not likely to cause groundwater contamination, nor will it likely have an effect on any groundwater dependent ecosystems. It is also considered not likely to have a cumulative impact on groundwater.

(a)(ii) Draft Environmental Planning instruments

No draft environmental planning instruments apply to the land to which the Development Application relates.

(a)(iii) Development control plans

Dubbo Development Control Plan 2013

An assessment is made of the relevant chapters and sections of this DCP. Those chapters or sections not discussed here were considered not specifically applicable to this application or are discussed elsewhere in this report.

Chapter 2.4 Rural Development and Subdivision

Section 2.4.8 Design elements and matters for consideration

Element 1 Site Integration

Not applicable as the property is being created without dwelling entitlement. Therefore, there are no considerations with respect to building setbacks, siting of buildings, amenity etc.

Element 2 – Services

Noting the purpose of the subdivision is for ‘road closure’, the property will not be provided with any utility services.

Element 3 – Access

Access to the allotment will continue to be obtained via Dulcidene Road (southern side), and an unclosed portion of Campania Road (northern side) via North Terramungamine Road. Noting the purpose of the road closure is to create an allotment that will ultimately be consolidated with Lot 1 DP 943178, which itself has suitable vehicular access arrangements, no upgrades to access provisions are necessary.

Element 4 – Design for Access and Mobility

Not applicable.

Element 5 – Flooding

As identified previously, the land is not identified as being flood affected on any flood policy. It is noted that Medway Creek traverses the land. Land adjacent to a waterway may be impacted upon by local flooding. Noting the land will not contain a dwelling entitlement or other land use that may be adversely impacted by flooding, there are no special flood considerations for this subdivision.

Element 6 – Waste Management

Not applicable. As no works are required with this subdivision, no construction waste will be generated.

Upon registration, the land will ultimately be consolidated with adjoining Lot 1 DP 943178 and continue to be used for agricultural purposes. Therefore, no additional waste considerations.

(a)(iia) planning agreements

There are no planning agreements applicable to the subject land.

(a)(iv) the regulations

Environmental Planning and Assessment Regulation 2021

66A – Council-related development applications:

Council adopted a 'Conflict of Interest Policy' on the 27 April 2023 titled, *Council Related Development Application Conflict of Interest Policy*. In accordance with this Policy the applicant has submitted a document detailing how it would manage any possible conflicts that may arise during the assessment process. This document has been reviewed to which there are no objections. It is considered that clause 66A has therefore been satisfied.

No other matters prescribed by the Regulations impact determination of the subject development.

(b) environmental (natural and built), social and economic impacts

As stated above, there will be minimal removal of any vegetation and as such negligible impact on the natural or built environment. There are only beneficial social and economic impacts resulting from the proposed development.

(c) suitability of the site

Context, setting and public domain

- *Will the development have an adverse effect on the landscape/scenic quality, views/vistas, access to sunlight in the locality or on adjacent properties?*

The proposed development will not have any adverse effect on the landscape/scenic quality, views/vista, and access to sunlight on adjacent properties or in the locality.

- *Is the external appearance of the development appropriate having regard to character, location, siting, bulk, scale, shape, size, height, density, design and/or external appearance of development in the locality?*

Being a subdivision, the external appearance of the land will not be altered.

- *Is the size and shape of the land to which the Development Application relates suitable for the siting of any proposed building or works?*

It is considered the size and shape of the land is suitable for future primary production use, noting the allotment will ultimately be consolidated with Lot 1 DP 943178 to the west.

- *Will the development proposal have an adverse impact on the existing or likely future amenity of the locality?*

It is considered the proposed development will not have any detrimental impact on the existing or likely future amenity of the locality.

- *Will the development have an adverse effect on the public domain?*

It is considered the proposed development will not have any detrimental impact on the rural public domain.

Environmental considerations

- *Is the development likely to adversely impact/harm the environment in terms of air quality, water resources and water cycle, acidity, salinity soils management or microclimatic conditions?*

It is considered that the development will not have an adverse impact on the local environment. There are no activities proposed which may cause adverse air, soil or water pollution. Appropriate conditions on the consent will ensure possible environmental impacts are minimised.

- *Is the development likely to cause noise pollution?*

No works will be required to be undertaken to facilitate this road closure/subdivision. Therefore, no special conditions will be imposed.

Access, transport and traffic

- *Has the surrounding road system in the locality the capacity to accommodate the traffic generated by the proposed development?*

It is considered the road closure/subdivision will not generate any additional traffic movements. Nonetheless, the surrounding road network is considered to have sufficient capacity to cater for traffic movements from the land.

(d) *submissions*

The Development Application was placed on notification for a period ending 28 November 2023, during which time adjoining property owners were notified in writing of the proposed development.

Council received no submissions during the notification period.

(e) *public interest*

There are no matters other than those discussed in the assessment of the Development Application above, that would be considered contrary to the public interest.

CONTRIBUTIONS Section 64 & Section 7.11

Contributions will be considered as below:

Sewer Headworks Contribution

The land is not included on the *Dubbo Sewerage System Development Servicing Plan Area* on the Plan, as the land is not serviced by Council sewerage infrastructure. Therefore, sewer headworks contributions are not applicable.

Water Headworks Contribution

The land is not included on the *Dubbo Water Supply System Development Servicing Plan Area* on the Plan, as the land is not serviced by Council water infrastructure. Therefore, water headworks contributions are not applicable.

Open Space Recreation Contribution

The land is located outside the urban area and adjacent large lot residential zoned land. Consequently, contributions are not applicable. In addition, the lot to be created will have no dwelling entitlement, with no subsequent increased use of Council open space as a consequence of this subdivision.

Stormwater Contribution

The land is located outside any catchment areas that are serviced by Council stormwater infrastructure. Therefore, stormwater contributions are not applicable.

Urban Roads Headworks Contribution

The land is located outside the urban area as defined in Figure 4.1 of the Plan. Consequently, contributions are not applicable. In addition, the lot to be created will not have dwelling entitlement, with no subsequent increased traffic generation as a consequence of this subdivision.

Options Considered

Council has the following options:

1. The application be approved subject to conditions outlined in **Appendix 2**.

This is the recommended option.

2. That the application be deferred for further consideration.

This option will delay the determination of the development application.

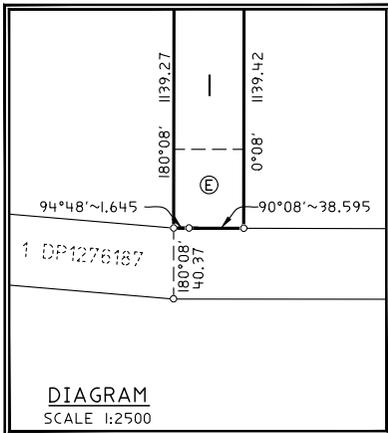
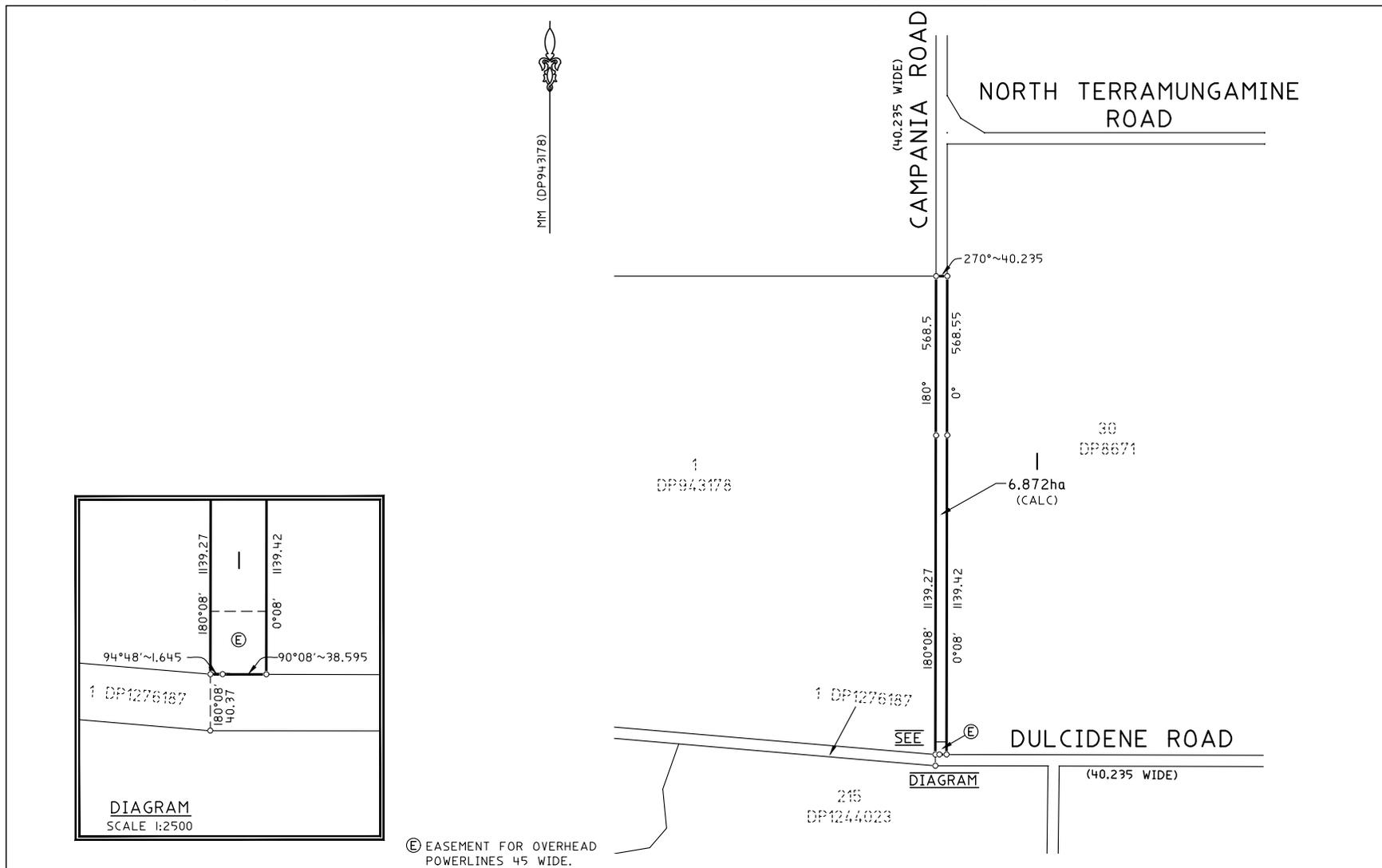
3. The application be refused for reasons to be identified.

This option may result in an appeal to the Land and Environment Court.

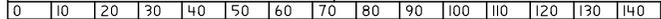
APPENDICES:

1  Plan

2  Conditions and Notations



Surveyor: MATTHEW G. THORNE Date of Survey: 11/04/2022 Surveyor's Ref: I21252.2.DP 2022M7100(415)COMP	PLAN OF FIRST TITLE CREATION AND ROAD CLOSING UNDER THE ROADS ACT, 1993 AND EASEMENT FOR OVERHEAD POWERLINES.	LGA: DUBBO REGIONAL Locality: TERRAMUNGAMINE Subdivision No: Lengths are in metres. Reduction Ratio 1:2500	Registered	DP
--	---	---	------------	----



GENERAL CONDITIONS

Condition	
(1)	<p>The development shall be undertaken generally in accordance with the Statement of Environmental Effects and stamped approved plans detailed as follows except where modified by any of the following conditions:</p> <p>Drawing Title: Plan of First Title Creation and Road Closing Surveyors Reference: 121252.2.DP Dated: 11/04/2022 {Reason: To ensure that the development is undertaken in accordance with that assessed}</p>
(2)	<p>In the event of any Aboriginal archaeological material being discovered during earthmoving / construction works, all work in that area shall cease immediately and the Heritage NSW notified of the discovery as soon as practicable. Work shall only recommence upon the authorisation of the Heritage NSW. {Reason: To protect Aboriginal heritage}</p>
(3)	<p>Should any contaminated, scheduled, hazardous or asbestos material be discovered before or during construction works, the applicant and contractor shall ensure that the appropriate regulatory authority (eg Office of Environment and Heritage (OEH), SafeWork NSW, Council, Fire and Rescue NSW) is notified, and that such material is contained, encapsulated, sealed, handled or otherwise disposed of to the requirements of such Authority.</p> <p>Note: Such materials cannot be disposed of to landfill unless the facility is specifically licensed by the EPA to receive that type of waste. {Reason: To ensure all hazardous waste is disposed of in an environmentally safe manner}</p>

**LAND SUBDIVISION
BEFORE ISSUE OF A SUBDIVISION CERTIFICATE**

Condition	
(1)	<p>Proposed Lot 1 is created without dwelling entitlement. Upon lodgement of the Subdivision Certificate with Council, the developer is required to create under Section 88B of the Conveyancing Act 1919 a covenant burdening Lot 1 prohibiting the erection of a dwelling in accordance with the provisions of the Dubbo Regional Local Environmental Plan 2022. {Reason: Compliance with the Dubbo Regional Local Environmental Plan 2022}</p>
(2)	<p>Appropriate easements for electricity supply purposes shall be provided in association with any electricity infrastructure within proposed Lot 1. Relevant documentation provided with the Subdivision Certificate shall identify the electricity supply authority (Essential Energy) as the benefitted party of such easements. {Reason: To ensure protection of public electricity infrastructure}</p>

NOTES

- (1) Following compliance with all the relevant conditions of this Development Consent, the applicant should apply to Council, with lodgement of the Subdivision Certificate application and payment of the prescribed fee.
- (2) It is understood the purpose of this road closure and subdivision is to create an allotment that will be sold to the owner of adjoining Lot 1 DP 943178, and ultimately be consolidated with that allotment to be used for primary production purposes.



REPORT: Planning Proposal R23-005 - Administrative Amendments to the Dubbo Regional Local Environmental Plan 2022 - Results of the Public Exhibition

DIVISION: Development and Environment
REPORT DATE: 23 November 2023
TRIM REFERENCE: ID23/2769

EXECUTIVE SUMMARY

Purpose	Seek endorsement	Fulfil legislated requirement
Issue	<ul style="list-style-type: none"> • Council at its meeting on 27 July 2023 endorsed a Planning Proposal which sought to make the following amendments to the Dubbo Regional Local Environmental Plan 2022: <ul style="list-style-type: none"> ○ Make Information and education facilities permitted with consent in the C3 Environmental Management zone. ○ Make Dual occupancies (detached) permitted with consent in the R5 Large Lot Residential zone. ○ Introduce a new clause for the minimum lot size for certain split zone lots. • Council received a Gateway Determination from the NSW Government Department of Planning and Environment on 12 September 2023, which allowed the Planning Proposal to proceed subject to conditions. • The Planning Proposal was placed on public exhibition from 4 October 2023 to 6 November 2023. Council received two submissions from State Agencies and no public submissions. • Subject to endorsement of the Planning Proposal, Council will continue to liaise with the Department of Planning and Environment to amend the Dubbo Regional Local Environmental Plan 2022. 	
Reasoning	<ul style="list-style-type: none"> • The Environmental Planning Assessment Act 1979 • The Local Environmental Planning Guidelines 	
Financial Implications	Budget Area	Growth Planning
	Funding Source	Growth Planning Branch Budget
	Proposed Cost	The proposed cost will be accounted for in the Growth Planning Budget as the amendments are operational in nature.
	Ongoing Costs	N/A
Policy Implications	Policy Title	Dubbo Regional Local Environmental Plan 2022
	Impact on Policy	Additional development types would be permitted with consent, and a new clause

	would be added.
--	-----------------

STRATEGIC DIRECTION

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

Theme:	1 Housing
CSP Objective:	1.1 Housing meets the current and future needs of our community
Delivery Program Strategy:	1.1.5 Development opportunities are communicated to the community
Theme:	6 Environmental Sustainability
CSP Objective:	6.3 Land use management sustains and improves the built and natural environment
Delivery Program Strategy:	6.3.3 Endangered ecological communities, threatened species, habitats and environmental assets are protected

RECOMMENDATION

1. That Council adopt the Planning Proposal to amend the Dubbo Regional Local Environmental Plan 2022 as attached as Appendix 1.
2. That Council note the submissions received during the public exhibition period as attached as Appendix 2.
3. That Council prepare drafting instructions and liaise with the NSW Government Department of Planning and Environment to arrange finalisation of the proposed amendment to the Dubbo Regional Local Environmental Plan 2022 and request gazettal of the Plan.
4. That the Chief Executive Officer (or delegate) be authorised to execute any required documentation to finalise the amendment to the Dubbo Regional Local Environmental Plan 2022.

Stephen Wallace
Director Development and Environment

LN
Graduate Growth Planner

BACKGROUND

Previous Resolutions of Council

27 July 2023 Ordinary Council Meeting CCL23/192	In part 2. That Council endorse the planning proposal to amend the Dubbo Regional Local Environmental Plan 2022. 3. That Council submit the planning proposal to the NSW Department of Planning and Environment for a Gateway Determination. 6. That following the completion of the public exhibition period, a further report be presented to Council for consideration, including the results of public exhibition.
--	---

What is a Planning Proposal

A Planning Proposal is a document that explains the intended effect of, and justification for, a proposed amendment to the Dubbo Regional Local Environmental Plan (LEP) 2022. A Planning Proposal must be endorsed by Council and the NSW Government Department of Planning and Environment (DPE) in order to take effect. This process must be undertaken in accordance with Division 3.4 of the Environmental Planning and Assessment Act 1979.

The six key stages for amending an LEP are:

- Stage 1 – Pre-lodgement;
- Stage 2 – Lodgement and assessment;
- Stage 3 – Gateway determination;
- Stage 4 – Post Gateway;
- Stage 5 – Public exhibition and assessment (current stage); and
- Stage 6 – Finalisation.

Gateway Determination – NSW Government Department of Planning and Environment

The NSW Government Department of Planning and Environment issued a Gateway Determination on 12 September 2023. The Gateway Determination allowed the Planning Proposal to proceed to public exhibition and consultation.

REPORT

Details of the Planning Proposal

The objective of the Planning Proposal (as attached as **Appendix 1**) is to address a number of administrative matters that have arisen during the operation of the Dubbo Regional Local Environmental Plan (LEP) 2022.

The proposed amendments to the Dubbo Regional LEP 2022 are as follows:

- Make Information and education facilities permitted with consent in the C3 Environmental Management zone;
- Make Dual occupancies (detached) permitted with consent in R5 Large lot Residential zone;
- Introduce a new clause for minimum lot sizes for lots with split zoning, where the original lot contains:
 - (a) land in Zone RU5 Village, Zone C4 Environmental Living or a residential employment, special purpose or recreation zone, and
 - (b) land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone C1 National Parks and Nature Reserves, Zone C2 Environmental Conservation or Zone C3 Environmental Management.

Public Exhibition

The Planning Proposal and supporting documentation were placed on public exhibition from 4 October 2023 to 6 November 2023. Council received two State Agency submissions and no public submissions during the public exhibition period (as attached as **Appendix 2**).

The Planning Proposal was notified in the following ways:

Notification	Date
Council website	4 October 2023 – 6 November 2023
Council's Customer Experience Centres	4 October 2023 – 6 November 2023
Macquarie Regional Library	4 October 2023 – 6 November 2023
Daily Liberal Council Column	4, 11, 18 and 25 October 2023, and 1 November 2023
NSW Government Planning Portal	4 October 2023 – 6 November 2023
Notification to State Agencies	4 October 2023

The Gateway Determination did not require Council to consult with State Agencies. However, Council took the opportunity to seek any relevant views from the following State Agencies:

- Water NSW;
- Department of Primary Industries – Agriculture;
- Department of Planning and Environment – Biodiversity, Conservation and Science; and
- NSW Rural Fire Service.

Council received correspondence from Water NSW and the Department of Primary Industries – Agriculture raising no objections to the Planning Proposal. Council did not receive any submissions from the Department of Planning and Environment – Biodiversity, Conservation and Science and the NSW Rural Fire Service.

As Council consulted with these Agencies as a courtesy and was not required by the Gateway Determination to undertake this consultation, it is considered that the Planning Proposal can proceed.

Legal Drafting of the Local Environmental Plan

In accordance with the conditions of the Gateway Determination, Council is authorised as the local plan-making authority. Subject to endorsement of the Planning Proposal, Council will submit documentation to the NSW Parliamentary Counsel's Office to draft the LEP and seek an Opinion that the draft plan can be made.

Following receipt of the Opinion, the LEP amendment will be gazetted and notified on the NSW legislation website.

Resourcing Implications

There are no resourcing implications arising from this report as it forms part of the work program of the Growth Planning branch.

Next Steps

Key Date	Explanation
December 2024	Submit the Planning Proposal to the Department of Planning and Environment for finalisation
February 2024	Gazettal of the LEP amendment

APPENDICES:

- [1](#) Planning Proposal
- [2](#) Submissions



Planning Proposal

Administrative Amendments to the Dubbo Regional Local Environmental Plan 2022

Acknowledgement:

Dubbo Regional Council wish to acknowledge the Wiradjuri People who are the Traditional Custodians of the Land. Council pay respect to the Elders past, present and emerging of the Wiradjuri Nation and extend that respect to other First Nations peoples who are present.

CONTENTS

About this Planning Proposal	3
Part 1 Objectives and Intended Outcomes	3
Part 2 Explanation of Provisions	3
Amendments to Land Use Tables	3
Amendments to Part 4 – Principal development standards	4
Part 3 Justification of Strategic and Site-Specific Merit	6
Section A – Need for the Planning Proposal.....	6
Section B – Relationship to the Strategic Planning Framework	7
Section C – Environmental, Social and Economic Impacts	10
Section D – Infrastructure	10
Section E – State and Commonwealth Interests	10
Part 4 Maps.....	10
Part 5 Community Consultation	11
Part 6 Project Timeline	11



ABOUT THIS PLANNING PROPOSAL

The Dubbo Regional Local Environmental Plan (LEP) 2022 regulates planning decisions in the Dubbo Regional Local Government Area through land and development controls such as zoning, minimum lot sizes, development standards and land use permissibility. To ensure it continues to deliver intended outcomes and meets the requirements of our community, Council is seeking to make administrative amendments.

This planning proposal aims to amend and address administrative matters in the Dubbo Regional LEP 2022, and allow new development types to be permitted with consent in certain zones. It has been prepared in accordance with the NSW Government Department of Planning and Environment – Local Environmental Plan Making Guideline, and identifies:

- Objectives and intended outcomes;
- Explanation of the provisions;
- Justification of strategic and site-specific merit;
- Justification of the proposed changes to the Dubbo Regional LEP 2022; and
- Project timeline.

A planning proposal must be endorsed by Council and the NSW Government Department of Planning and Environment in order to take effect. This process must be undertaken in accordance with Division 3.4 of the Environmental Planning and Assessment Act 1979.

PART 1 OBJECTIVES AND INTENDED OUTCOMES

The objective of this planning proposal is to amend the Dubbo Regional LEP 2022 to:

- Make Information and education facilities permitted with consent in the C3 Environmental Management zone;
- Make Dual occupancies (detached) permitted with consent in the R5 Large Lot Residential zone; and
- Introduce a new clause in Part 4 to provide clarity in relation to subdividing land in certain split zones.

This planning proposal aims to provide additional development opportunities for the community, and provide clarity for the subdivision of land in certain split zones.

PART 2 EXPLANATION OF PROVISIONS

The planning proposal aims to make the following changes to the Dubbo Regional LEP 2022, and will be applicable throughout the entire Dubbo Regional Local Government Area:

Amendments to Land Use Tables

Amend the C3 Environmental Management zone to make Information and education facilities permitted with consent.

The Dubbo Regional LEP 2022 currently prohibits Information and education facilities on land zoned C3 Environmental management, but they were permitted with consent under the former Wellington Local Environment Plan 2012.

Permitted Information and education facilities will enhance the objectives of the C3 Environmental management zone and allow visitors to learn about special ecological, environmental, cultural or aesthetic

values of a site. It may also facilitate Indigenous Elders being able to teach emerging Elders about their culture whilst remaining on ancestral lands.

Amend the R5 Large Lot Residential zone to make Dual occupancies (detached) permitted with consent

The Dubbo Regional LEP 2022 currently permits with consent a dual occupancy (attached), but prohibits a dual occupancy (detached), on land zoned R5 Large lot residential. Permitting a dual occupancy (detached) will be consistent with the zone objectives as it will provide housing in rural setting, allow for greater housing diversity and choice, not increase impacts on environmentally sensitive areas, and not increase the demand for public services or facilities.

Amendments to Part 4 – Principal development standards

Introduce a new clause for minimum lot size for certain split zones

The Dubbo Regional LEP 2022 does not contain objectives or controls that provide for the subdivision of land that contains more than one land use zone. Introducing a minimum lot size clause for certain split zones aims to clarify subdivision controls and ensure subdivision occurs in a manner that promotes sustainable land use and development. The objectives of this clause are to provide for the subdivision of lots that cannot be subdivided under clause 4.1 or 4.1AA, and to ensure that the subdivision occurs in a manner that promotes suitable land use and development.

This clause will be applicable to land which contains:

1. Land in Zone RU5 Village, C4 Environmental Living or a residential, employment, special purpose or recreation zone; and
2. Land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone C1 National Parks and Nature Reserves or Zone C2 Environmental Conservation.

The resulting lots will contain

1. Land in Zone RU5 Village, C4 Environmental Living or a residential, employment, special purpose or recreation zone that has an area not less than the minimum lot size shown on the Lot Size Map in relation to that land
2. All of the land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone C1 National Parks and Nature Reserves or Zone C2 Environmental Conservation, regardless of the minimum lot size.

Council currently utilises section 4.6 Exceptions to development standards of the Dubbo Regional LEP 2022 to deal with subdivision in split zones. Adding a clause that outlines how lots with split zones can be subdivided will allow developers to effectively identify development opportunities in these areas and expedite the development application process.

The intent of the clause is to ensure the resulting lots comprise of only one land use zone and minimum lot size area. The exact wording of the clause has not been determined, but it would be similar to the Bathurst Regional Local Environmental Plan 2014 and the Orange Local Environmental Plan 2011. The wording of these clause are:

Bathurst Regional LEP 2014

- (1) The objective of this clause are as follows—

- (a) to provide for the subdivision of lots that are within more than one zone but cannot be subdivided under clause 4.1, 4.1AA or 4.1A,
 - (b) to ensure that the subdivision occurs in a manner that promotes suitable land use and development.
- (2) This clause applies to each lot (an *original lot*) that contains –
- (a) land in Zone RU5 Village, Zone C4 Environmental Living or a residential employment, special purpose or recreation zone, and
 - (b) land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone C1 National Parks and Nature Reserves, Zone C2 Environmental Conservation or Zone C3 Environmental Management
- (3) Despite clauses 4.1 and 4.1AA, development consent may be granted to subdivide an original lot to create other lots (the *resulting lots*) if –
- (a) one of the following results will contain—
 - (i) land in Zone RU5 Village, Zone C4 Environmental Living or a residential employment, special purpose or recreation zone that has an area that is not less than the minimum size shown on the Lot Size Map in relation to that land, and
 - (ii) all of the land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone C1 National Parks and Nature Reserves, Zone C2 Environmental Conservation or Zone C3 Environmental Management that was in the original lot, and
 - (b) all other resulting lots will contain land that has an area that is not less than the minimum size shown on the Lot Size Map in relation to that land.

Orange LEP 2011

- (1) The objectives of this clause are—
- (a) to provide for the subdivision of lots that are within more than 1 zone but cannot be subdivided under clause 4.1, and
 - (b) to ensure that subdivision occurs in a manner that promotes suitable land use and development.
- (2) This clause applies to each lot (an original lot) that comprises land in more than 1 zone.
- (3) Despite clause 4.1, development consent may be granted to subdivide an original lot to create other lots (the resulting lots) if—
- (a) one of the resulting lots comprises all of the land in the original lot that is not in a relevant zone, and
 - (b) each other resulting lot comprises only land in 1 relevant zone.
- (4) The resulting lot specified in subclause (3)(a) may be smaller than the minimum lot size for the land as shown on the Lot Size Map.

- (5) A resulting lot specified in subclause (3)(b) must not be—
- (a) subject to more than 1 minimum lot size as shown on the Lot Size Map, or
 - (b) smaller than the minimum lot size for the land as shown on the Lot Size Map.
- (6) Development consent must not be granted for the erection of a dwelling house on the resulting lot specified in subclause (3)(a).
- (7) In this clause—
- relevant zone means Zone RU5 Village, Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R5 Large Lot Residential.

PART 3 JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

The planning proposal has been assessed against the following Council strategies, policies and guidelines, the NSW Department of Planning and Environment's Local Environmental Plan Making Guidelines, State Environmental Planning Policies, and Ministerial Directions.

- Central West and Orana Regional Plan 2040
- Dubbo Regional Council – Towards 2040 Community Strategic Plan
- Dubbo Regional Council – Local Strategic Planning Statement
- Dubbo Urban Areas Development Strategy
- Dubbo Rural Areas Development Strategy
- Ministerial Directions
- State Environmental Planning Policies

The assessment indicates the proposal has strategic merit and should be submitted to the NSW Department of Planning and Environment for a Gateway Determination.

Section A – Need for the Planning Proposal

Question	Considerations
Is the planning proposal a result of an endorsed LSPS, strategic study or report?	The planning proposal is the result of a report adopted by Dubbo Regional Council on 8 December 2022 that required a planning proposal be prepared for an operational review of the Dubbo Regional LEP 2022.
Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	A planning proposal is the best way to achieve these goals as they involve modifying development controls in the Dubbo Regional LEP 2022. The addition of the split zones clause will remove the need for some developments to be assessed under Clause 4.6 Exceptions to development standards.

Section B – Relationship to the Strategic Planning Framework

Question	Considerations
<p>Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?</p>	<p><u>Central West and Orana Regional Plan 2041</u></p> <p>The planning proposal is consistent with the Central-West and Orana Regional Plan 2041's (CWORP 2041) objectives. The relevant objectives are:</p> <ul style="list-style-type: none"> • Objective 5: Identify, protect and connect important environmental assets • Objective 6: Support connected and healthy communities • Objective 9: Ensure site selection and design embraces and respects the region's landscape character and cultural heritage • Objective 13: Provide well located housing options to meet demand • Objective 15: Manage rural residential development • Objective 19: Protect agricultural production values and promote agricultural innovation, sustainability and value-add opportunities <p><u>Information and education facilities</u></p> <p>Permitting with consent Information and education facilities on land zoned C3 Environmental Management would enhance Objectives 5, 6 and 9 by allowing visitors to gain a greater appreciation of the land and what they can do to protect it for the future.</p> <p>These facilities could also enable Indigenous Elders to teach emerging Elders about their culture whilst remaining on ancestral lands, and share that culture with the broader community.</p> <p><u>Dual occupancy (detached)</u></p> <p>Making Dual occupancy (detached) permissible in R5 Large Lot Residential zones would enhance Objectives 13 and 15. This change would not impact the character of the zone as Dual occupancy (attached) are currently permitted with consent. Furthermore, it would provide more housing options for people who want to enjoy the rural residential lifestyle.</p> <p><u>Minimum lot size for certain split zones</u></p> <p>This clause would enhance Objectives 5, 13, 15 and 19.</p>
<p>Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?</p>	<p><u>Dubbo Local Strategic Planning Statement</u></p> <p>The planning proposal is consistent with the Planning Priorities of the Dubbo Local Strategic Planning Statement (LSPS). The relevant Planning Priorities are:</p> <ul style="list-style-type: none"> • Priority 5: Protect and enhance our agricultural industries and agribusiness • Priority 10: Improve the affordability of housing

Question	Considerations
	<ul style="list-style-type: none"> • Priority 13: Manage R5 zoned land • Priority 15: Protect areas of high environmental value and significance • Priority 16: Recognise, protect and celebrate our heritage • Priority 17: Acknowledge and embrace Aboriginal culture • Priority 20: Protect and enhance rural lands
	<p><u>Information and education facilities</u></p> <p>Permitting with consent Information and education facilities on land zoned C3 Environmental Management would enhance Planning Priorities 15, 16 and 17.</p> <p><u>Dual occupancy (detached)</u></p> <p>Permitting with consent Dual occupancies (detached) would enhance Planning Priority 13.</p> <p><u>Minimum lot size for certain split zones</u></p> <p>This clause would enhance Planning Priorities 5, 15 and 20.</p>
Is the planning proposal consistent with other local government strategies?	<p><u>Urban Areas Strategy</u></p> <p>The planning proposal is consistent with the overall objectives and intent of the Dubbo Residential Areas Development Strategy. It is also considered that the Planning Proposal is consistent with the other applicable components of the Dubbo Urban Areas Development Strategy.</p> <p><u>Rural Areas Strategy</u></p> <p>The Planning Proposal is considered to be broadly consistent with the Dubbo Rural Areas Development Strategy.</p>
Is the planning proposal consistent with any other applicable State and regional studies or strategies?	<p><u>Other State or Regional Strategies</u></p> <p>There are no other relevant State or regional studies or strategies.</p>
Is the planning proposal consistent with applicable SEPPs?	<p><u>State Environmental Planning Policies</u></p> <p>The Planning Proposal is considered to be consistent with the following SEPPs:</p> <ul style="list-style-type: none"> • Biodiversity and Conservation 2021 • Housing 2021 • Primary Production 2021
Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?	<p><u>Ministerial Directions</u></p> <p>The planning proposal is generally consistent with the following Ministerial Directions:</p> <ul style="list-style-type: none"> • 1.1 – Implementation of Regional Plans • 1.3 – Approval and Referral Requirements • 1.4 – Site Specific Provisions

Question	Considerations
	<ul style="list-style-type: none"> • 3.1 – Conservation Zones • 3.6 – Strategic Conservation Planning • 4.1 – Flooding • 4.3 – Planning for Bushfire Protection • 4.4 – Remediation of Contaminated Land • 6.1 – Residential Zones • 9.1 – Rural Zones • 9.2 – Rural Lands <p><u>Information and education facilities</u></p> <p>Ministerial Direction 3.1</p> <p>The planning proposal is consistent with this direction as it will facilitate the protection and conservation of environmentally sensitive areas. The proposal will not reduce conservation standards in C3 zones as potential developments will be assessed against the objectives of the zone, and as such will need to be consistent with the goals of environmental management. The development of Information and education facilities will increase public understanding of the ecological value of the area which will make them more likely to value the conservation of the environment.</p> <p>Ministerial Direction 9.2</p> <p>The planning proposal is consistent with this direction it will protect the environmental values of the zone, including maintaining biodiversity, the protection of native vegetation, cultural heritage and the importance of water resources. This proposal also promotes opportunities for investment in productive, diversified, innovative and sustainable rural economic activities.</p> <p><u>Dual occupancy (detached)</u></p> <p>6.1 Residential Zones</p> <p>The planning proposal is consistent with this direction as it will broaden the choice of building types and locations available in the housing market, make more efficient use of existing infrastructure and services, and reduce the consumption of land for housing on the urban fringe.</p> <p><u>Minimum lot size for certain split zones</u></p> <p>There are no additional relevant Ministerial Directions relating to this amendment. Ministerial Direction 9.2 Rural Lands is not applicable as this proposed amendment will not alter the minimum lot size for any form of development, nor will it change the boundary of any existing rural or conservation zones.</p>

Section C – Environmental, Social and Economic Impacts

Question	Considerations
Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?	The planning proposal will have minimal environmental impact. Permitting Information and education facilities in the C3 Environmental management zone will have a positive environmental impact. These facilities will help the public recognise and understand the environmental significance of the protected area which will aid in the preservation of the area for future generations.
Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?	The planning proposal will have no other negative environmental effects.
Has the planning proposal adequately addressed any social and economic effects?	This planning proposal will have positive economic and social impacts.

Section D – Infrastructure

Question	Considerations
Is there adequate public infrastructure for the planning proposal?	The planning proposal will not create additional demand for public infrastructure as it is not site-specific, and it will enhance the relevant zone objectives. Access to public infrastructure will still be assessed at the development application stage.

Section E – State and Commonwealth Interests

Question	Considerations
What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?	State and Commonwealth public authorities will be consulted in accordance with the Gateway determination and will be given at least 30 days to comment on the proposal.

PART 4 MAPS

The planning proposal would not make any changes to map.



PART 5 COMMUNITY CONSULTATION

The planning proposal and supporting documentation were placed on public exhibition from 4 October to 6 November 2023. Council received two State Agency submissions and no public submissions during the public exhibition period. They were notified in the following ways:

Notification	Date
Council website	4 October – 6 November 2023
Council's Customer Experience Centres	4 October – 6 November 2023
Macquarie Regional Library	4 October – 6 November 2023
Daily Liberal Council Column	4, 11, 18 and 25 October, and 1 November 2023
NSW Government Planning Portal	4 October – 6 November 2023
Notification to State Agencies	4 October 2023

The Gateway Determination did not require Council to consult with State Agencies, but a summary of their submissions are provided below

5.1 Summary of Submissions:

(a) WaterNSW

WaterNSW provided correspondence via the Planning Portal on 17 October 2023. They raise no objections to the Planning Proposal.

(b) Department of Primary Industries - Agriculture

DPI provided correspondence via the Planning Portal on 19 October 2023. They raise no objections to the Planning Proposal

(c) Outstanding State Agency Submissions

Council notified the Department of Planning and Environment – Biodiversity, Conservation and Science, and the Rural Fire Service via the Planning Portal on 4 October 2023, but did not receive a submission during the public exhibition period.

It is considered that Council is able to proceed without receiving their correspondence, and that the planning proposal can proceed to finalisation. As the Gateway Determination did not require consultation with State Agencies, there are no outstanding or unresolved submissions.

PART 6 PROJECT TIMELINE

The below estimated timeline provides a mechanism to monitor and resource the various steps required to progress the planning proposal:

Key date	Explanation
27 July 2023	Consideration by Council
9 August 2023	Submit the planning proposal to the Department of Planning and Environment for Gateway Determination
12 September 2023	Gateway determination issued
4 October – 6 November 2023	Public exhibition period
November 2023	Consideration of submissions
14 December 2024	Consideration by Council
December 2024	Submit the planning proposal to the Department of Planning and Environment for finalisation
February 2024	Gazettal of the LEP amendment



16 October 2023

Chief Executive Officer
Dubbo Regional Council
PO Box 81
DUBBO NSW 2830

Contact: *Stuart Little*
Telephone: 0436 948 347
Our ref: D2023/101126

Dear Sir/Madam,

Administrative Amendments to Dubbo Regional Local Environmental Plan 2022

Thank you for your referral and notification of the public exhibition of the Planning Proposal concerning Administrative Amendments to the Dubbo Regional Local Environmental Plan 2022 (LEP). We understand the amendments seek to:

- make information and education facilities permitted with consent in land zoned C3 Environmental Management
- make Dual Occupancy (detached) permitted with consent in land zoned R5 large lot residential, and
- introduce a new clause regulating the minimum lot size (MLS) for lots with split zoning.

WaterNSW has its principal regional office based in Dubbo along with a storage depot. We also own and manage Burrendong Dam, the associated reservoir and significant areas of surrounding land. Land use zones that apply to the Dam and surrounding WaterNSW land include C3 Environmental Management, W1 Natural Waterways and RE2 Private recreation. No changes to the zoning of WaterNSW land are proposed.

As such, WaterNSW has no objection to the proposed amendments. Enabling information and education facilities to be permitted with consent in C3 zones will increase opportunities for visitor education in these areas. This also reflects the provisions that previously applied to the under the former Wellington LEP 2012.

If you have any questions regarding this letter, please contact Stuart Little at stuart.little@waternsw.com.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "AK", with a long horizontal stroke extending to the right.

ALISON KNIHA
Catchment Protection Planning Manager

WaterNSW ABN 21 147 934 787
169 Macquarie Street Parramatta NSW 2150
PO Box 398, Parramatta NSW 2124
T 1300 662 077 E Customer.Helpdesk@waternsw.com.au

waternsw.com.au

Department of Primary Industries - Agriculture
Department of Regional NSW



OUT23/17289

Mr Murray Wood
Chief Executive Officer
Dubbo Regional Council
PO Box 81
DUBBO NSW 2830

liam.nugent@dubbo.nsw.gov.au

Attention: Mr Liam Nugent

Administrative Amendments to the Dubbo Regional LEP 2022 - PP-2023-1651

Dear Mr Wood

Thank you for your referral via the Planning Portal of 4 October 2023 and the opportunity to provide comment on the Administrative Amendments to the Dubbo Regional LEP 2022 Planning Proposal.

The NSW Department of Primary Industries (DPI) Agriculture collaborates and partners with our stakeholders to protect and enhance the productive and sustainable use and resilience of agricultural resources and the environment.

DPI Agriculture has reviewed the documents provided and note the proposed administrative amendments to the Dubbo Regional LEP 2022, and the third amendment in particular which seeks to clarify subdivision controls by introducing a new clause for minimum lot size for certain split zones. We understand the intent of the clause is to ensure the resulting lots comprise only one land use zone and minimum lot size area.

I note that Council has provided similar clauses to other local environmental plans as a guide and understand the exact wording would be legally drafted by the Parliamentary Counsel.

DPI Agriculture would support the intent of a new clause relating to the minimum lot size of certain split zones which would ensure resulting lots will contain land that has an area not less than the current minimum size shown on the lot size map wherever agriculture is permitted within a land use zone. Agriculture faces evolving pressures from urban encroachment, and it is important to prioritise efforts to minimise the fragmentation of rural land and reduce the risk of land use conflict, particularly between residential land uses and other rural land uses.

Should you require clarification on any of the information contained in this response, please do not hesitate to contact me by email at landuse.ag@dpi.nsw.gov.au.

Sincerely

A handwritten signature in blue ink, appearing to read "Nita Scott".

Nita Scott
Agricultural Land Use Planning Officer
Soil & Water
Central West Orana Region

19 October 2023

105 Prince Street | Locked Bag 21
Orange NSW 2800

E: landuse.ag@dpi.nsw.gov.au
dpi.nsw.gov.au



REPORT: 2024 NSW Touch Football Junior State Cup Dubbo

DIVISION: Infrastructure
REPORT DATE: 29 November 2023
TRIM REFERENCE: ID23/2804

EXECUTIVE SUMMARY

Purpose	Seek endorsement Seek direction or decision	Fulfil legislated requirement/compliance
Issue	<ul style="list-style-type: none"> This report details the traffic management requirements for the temporary road closure of the southern section of Bligh, South and lower Tamworth Streets to facilitate the 2024 NSW Touch Football Junior State Cup to be held along the Macquarie River Sporting Precinct from 23 to 25 February 2024. Due to the success of the 2023 event, Council has been successful in securing the annual event for the next three years. 	
Reasoning	<ul style="list-style-type: none"> The Dubbo region has a proven record of hosting large scale events of National and State significance and has a passionate touch football community supported by the Dubbo Touch Association boasting more than 1,700 members. The Association has a proven history of arranging and delivering events and have pledged resources and financial support for the 2024 NSW Touch Junior State Cup. The sporting precinct has an abundance of quality playing fields and associated facilities to be able to facilitate the expected number of teams and supporters expected to be in the order of 10,000 participants. Roads Act 1993 and Roads (General) Regulation 2018. 	
Financial Implications	Budget Area	Community Culture and Places
	Funding Source	Recreation and Open Spaces
	Proposed Cost	In-kind contribution of \$45,000 for traffic management
	Ongoing Costs	N/A
Policy Implications	Policy Title	There are no policy implications arising from this report.
	Impact on Policy	N/A

STRATEGIC DIRECTION

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

Theme: 2 Infrastructure
CSP Objective: 2.1 The road transportation network is safe, convenient and efficient
Delivery Program Strategy: 2.1.1 Traffic management facilities enhance the safety and efficiency of the road network

Theme: 2 Infrastructure
CSP Objective: 2.1 The road transportation network is safe, convenient and efficient
Delivery Program Strategy: 2.1.2 The road network meets the needs of the community in terms of traffic capacity, functionality and economic and social connectivity

Theme: 2 Infrastructure
CSP Objective: 2.1 The road transportation network is safe, convenient and efficient
Delivery Program Strategy: 2.1.5 Council works collaboratively with the government and stakeholders on transport-related issues

RECOMMENDATION TO THE LOCAL TRAFFIC COMMITTEE

That Council approval be granted for the implementation of the following temporary road closures to facilitate the 2024 NSW Touch Football Junior State Cup to be held along the Macquarie River Sporting Precinct from 7.00 pm Thursday, 22 February to 7.00 pm Sunday, 25 February 2024, in accordance with Council's Traffic Guidance Scheme TM 7545 as attached as Appendix 1 to the report:

- a) Bligh Street from Bultje Street to Macquarie Street;
- b) South Street from Bligh Street to Tamworth Street;
- c) Tamworth Street from Macquarie Street west to its conclusion;
- d) Tamworth Street between Macquarie Street and Brisbane Street; and
- e) Sandy Beach Road and Ian Drake Drive (authorised access only).

LOCAL TRAFFIC COMMITTEE CONSIDERATION

This matter was considered by the Local Traffic Committee at its meeting held on Monday, 4 December 2023. The Committee had unanimous support in the adoption of the recommendation.

RECOMMENDATION

That Council approval be granted for the implementation of the following temporary road closures to facilitate the 2024 NSW Touch Football Junior State Cup to be held along the Macquarie River Sporting Precinct from 7.00 pm Thursday, 22 February to 7.00 pm Sunday, 25 February 2024, in accordance with Council's Traffic Guidance Scheme TM 7545 as attached as Appendix 1 to the report:

- a) Bligh Street from Bultje Street to Macquarie Street;**
- b) South Street from Bligh Street to Tamworth Street;**
- c) Tamworth Street from Macquarie Street west to its conclusion;**
- d) Tamworth Street between Macquarie Street and Brisbane Street; and**
- e) Sandy Beach Road and Ian Drake Drive (authorised access only).**

Luke Ryan
Director Infrastructure

DV
Senior Traffic Engineer

BACKGROUND

The NSW Touch Football Junior State Cup has been traditionally run in regional centres across the State. In 2022 Dubbo Regional Council submitted an application to host the 2023 Junior State Cup in Dubbo and was subsequently awarded the event. The event was an overwhelming success. As a consequence, and with further support from the Dubbo Touch Association, Council undertook to extend the City's hosting rights from one year to four years and was subsequently awarded to host the next three events.

Council has the capacity and proven ability to successfully host large-scale events such as the Junior State Cup. The Dubbo region's strength as a venue for sporting events is its central location and being accessible from all corners of the State.

The region has a passionate football community strongly supported by the Dubbo Touch Association with some 1,700 members and a proven history of arranging and delivering events. The association has also pledged resources and financial support for the event.

REPORT

The NSW Touch Football Junior State Cup event will be held along the Macquarie River Sporting Precinct, encompassing the Lady Cutler Ovals bounded by Bligh, South, Tamworth and Macquarie streets. There is an anticipated 10,000 participants who will access the sporting precinct over the three days. It is proposed to secure the precinct from the general public for the duration of the event in order to remove unwarranted through traffic along the venues road network and enhance the expected high volume of pedestrian activity.

A Traffic Guidance Scheme TM7545 (**Appendix 1**) has been prepared to facilitate the expected influx of traffic to the venue and maximise the pedestrian safety within the playing fields and overall precinct.

There are numerous impacts identified to the locality as a consequence of the event including:

- Event and local traffic mix
- Pedestrian safety within the precinct
- CBD traffic and access congestion
- Event parking
- Resident access
- Commercial bus route.

In order to address the identified impacts, consideration was firstly given to removing all vehicular access, with the exception of authorised event vehicles, from the playing fields precinct. Bligh Street, South Street and Sandy Beach Road effectively severs the playing fields where there will be consistent pedestrian road crossing activity between fields, amenities and supporting services. Lower Tamworth Street, west of Macquarie Street, borders the southern

boundary of the playing fields and will be used for access to an event car parking area on the southern side of Tamworth Street.

Consideration was therefore given to removing all traffic from within the playing fields and pedestrian active areas of the event precinct with the closing of Bligh Street south of Bultje Street to Macquarie Street, South Street, Sandy Beach Road and lower Tamworth Street (event parking access only). Authorised vehicles will access from the Bultje Street road closure, where windscreen identification cards will be checked in the closed section of Bligh Street south of Bultje Street prior to precinct access via Ian Drake Drive. There will be no public vehicle access to the event precinct, pedestrians will be permitted into the river corridor. Subject to the expected need for additional event parking, Ollie Robbins Oval will be the secondary car parking area.

To reduce the congestion and interaction of the event and local traffic, Macquarie Street between Tamworth and Cobra streets (Mitchell Highway), will be designated as 'Local Resident Access Only' to reduce unwarranted traffic in Macquarie Street. Access will be retained to all residents in Macquarie Street and surrounding streets. Cross traffic movements into Macquarie Street will be restricted at Tamworth Street. The western side of Macquarie Street, between Bligh and Cobra streets, will be barricaded to restrict parking in this location. The Mitchell Street intersection will remain open. Two temporary 'No Parking' zones will be established on the western side of Macquarie Street north and south of the closed Bligh Street intersection to enable set down and pickup activities to the event precinct. The Dubbo Buslines' new bus service now traverses along Macquarie and Brisbane streets to the CBD and no longer uses Macquarie Street between Brisbane and Cobra streets. There will be no need to detour the bus service as occurred during the 2023 event.

It is recognised that there will be expected traffic congestion in the CBD with the Bligh Street closure and in the local streets south of Cobra Street, with event traffic seeking on-street parking close to the venue. The dispersion of local traffic will be encouraged with the placement of variable message signs strategically located prior to and on event days in the CBD and South Dubbo advising the event, expected congestion and alternate routes to and from the CBD via Darling and Brisbane streets. Event parking traffic will be advised by the NSW Touch Football in the event package of the preferred route from south Macquarie Street to the lower Tamworth Street off- street car park.

The NSW Touch Football Junior State Cup is a major event for Dubbo that will have some impact on the local road network in the vicinity of the Macquarie River Sporting Precinct, CBD and Macquarie, Brisbane and Darling streets local residential area. There will be expected traffic congestion being so close to the CBD during the teams am and pm block arrival and departure periods. However, am and pm block playing periods are designed to have teams play a series of games over a period, rather than a single game then leave the fields and return several times throughout the day. Being close to the CBD may also reduce the number of vehicle trips.

Traffic management has been considered to lessen the traffic impact with the development of a Traffic Guidance Scheme (Traffic Guidance Scheme TM7545 (**Appendix 1**)) to provide specific direction to visitors and local traffic on using designated roads for movement through

and around the precinct, CBD and south Dubbo. The temporary road closures will be in place from 7.00 pm Thursday, 22 February to 7.00 pm Sunday, 25 February 2024.

Consultation

- The Local Traffic Committee including representatives from NSW Police, the Local State Member of Parliament, TfNSW and Council will review and discuss the traffic management proposal for the event.
- Council's Events and Communication Team will be preparing information for ongoing dissemination to all residents that may be affected by the event in advance of and prior to the event.

Resourcing Implications

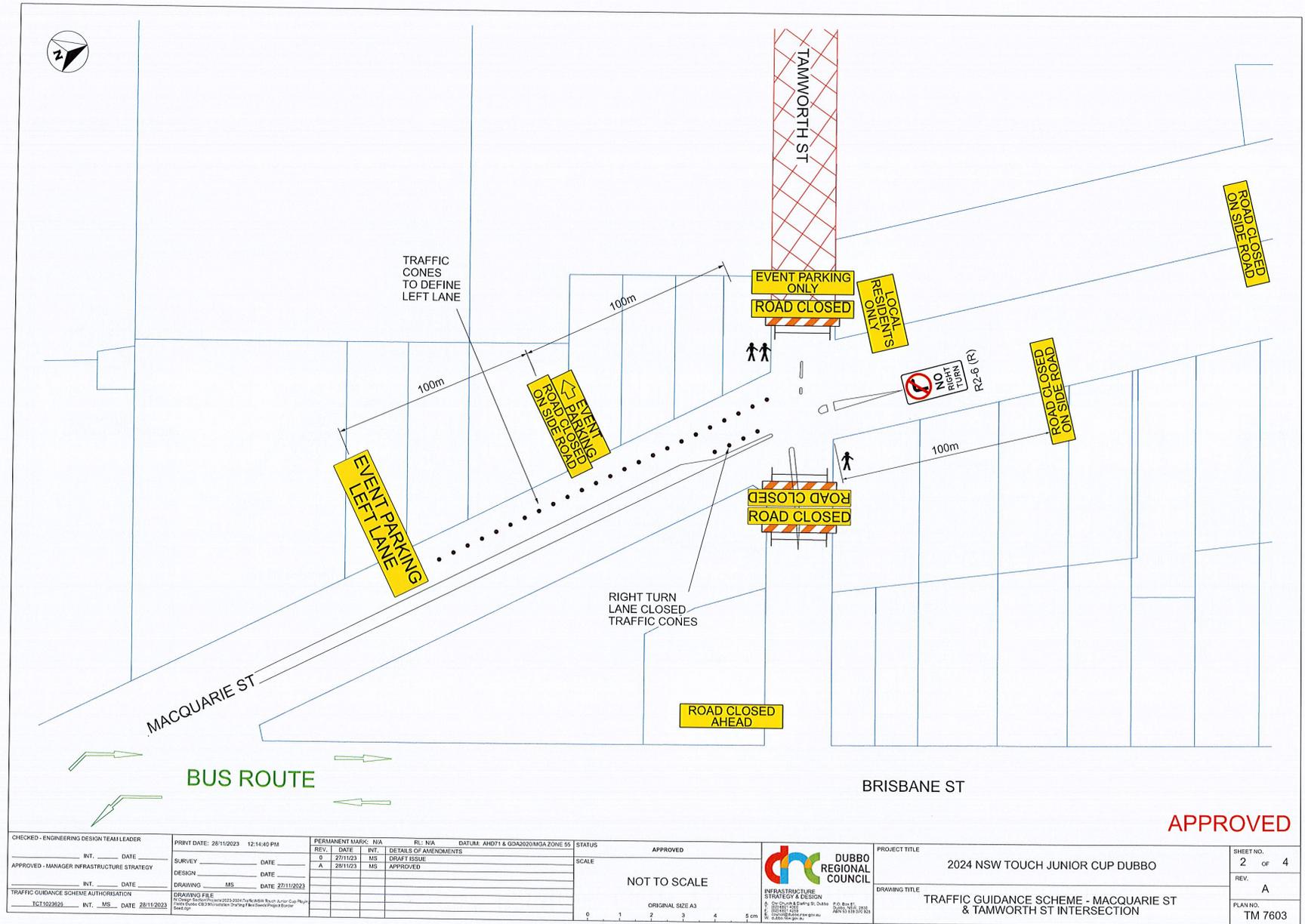
- As Council is hosting the event, resources will be engaged across several divisions and functions of Council to facilitate the playing fields, associated assistance and services, communication and traffic management.

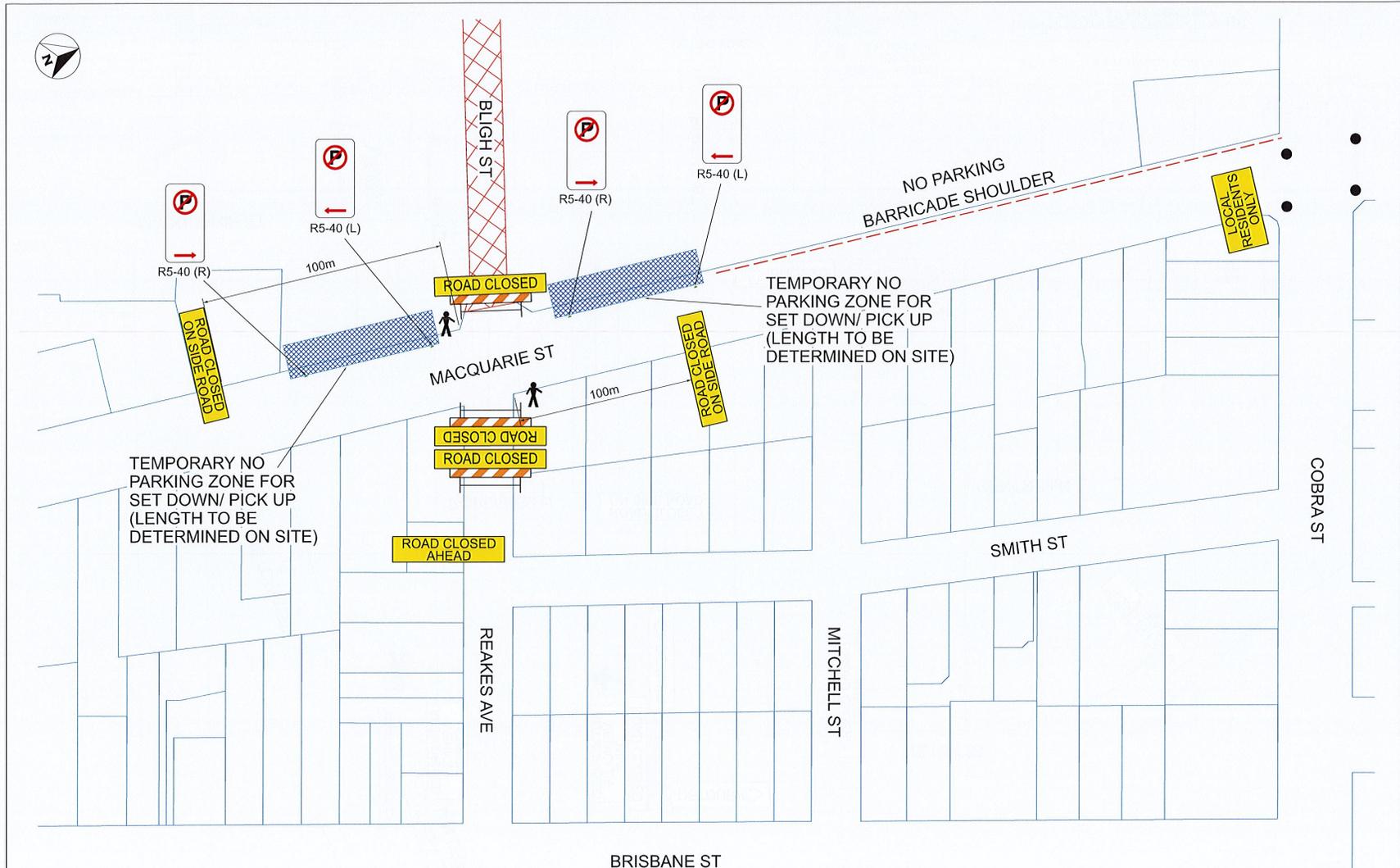
Total Financial Implications	Current year (\$)	Current year + 1 (\$)	Current year + 2 (\$)	Current year + 3 (\$)	Current year + 4 (\$)	Ongoing (\$)
a. Operating revenue	0	0	0	0	0	0
b. Operating expenses	45,000	0	0	0	0	0
c. Operating budget impact (a – b)	45,000	0	0	0	0	0
d. Capital Expenditure	0	0	0	0	0	0
e. Total net impact (c – d)	45,000	0	0	0	0	0

Table 1. Ongoing Financial Implications

APPENDICES:

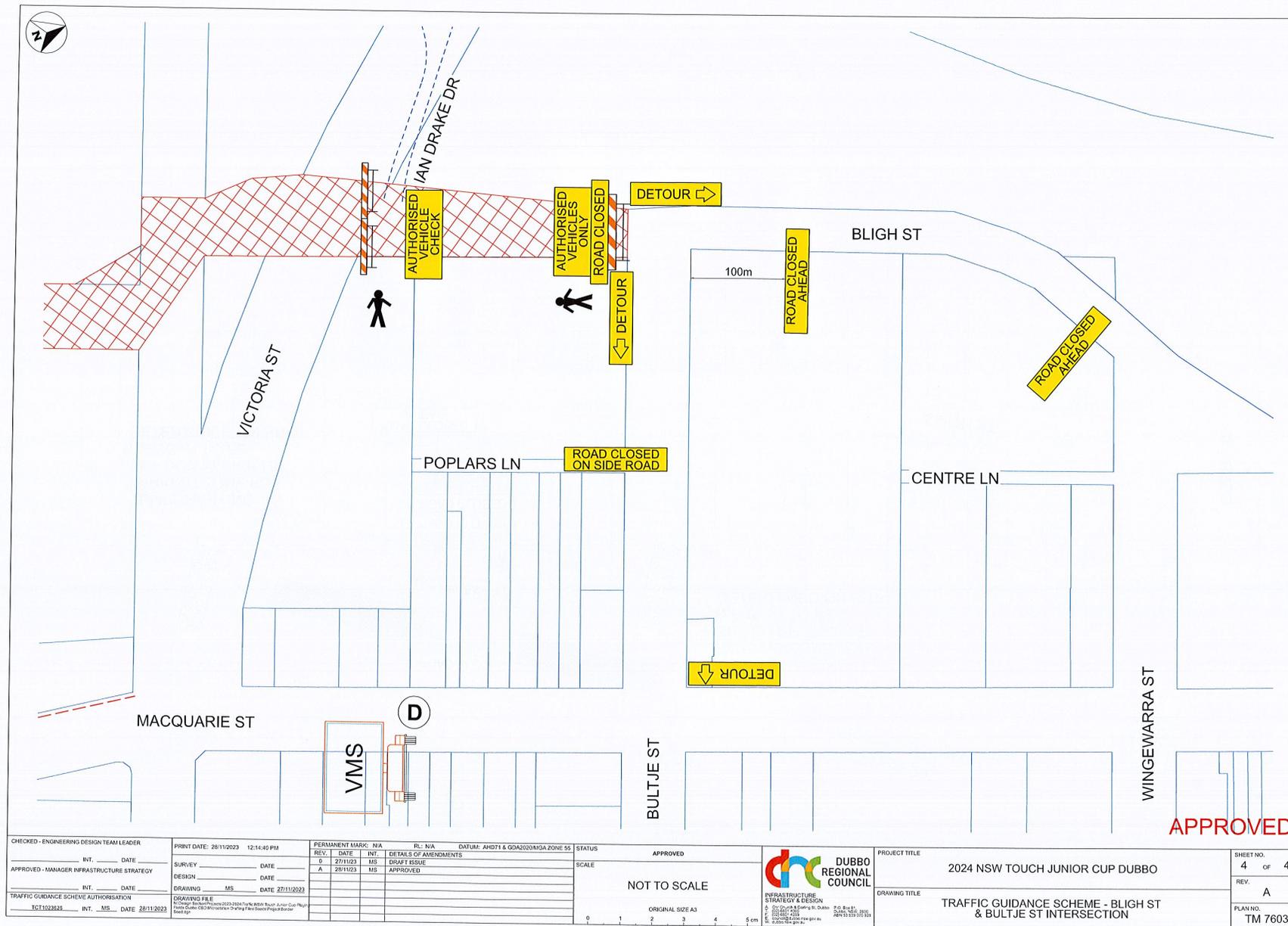
- [1](#) 2024 NSW Touch Junior Cup - Traffic Guidance Scheme





APPROVED

CHECKED - ENGINEERING DESIGN TEAM LEADER INT. DATE _____ APPROVED - MANAGER INFRASTRUCTURE STRATEGY DESIGN DATE _____ INT. DATE _____ DRAWING MS DATE 27/11/2023 TRAFFIC GUIDANCE SCHEME AUTHORITY TCI102828 INT. MS DATE 28/11/2023	PRINT DATE: 28/11/2023 12:14:40 PM SURVEY DATE _____ DESIGN DATE _____ DRAWING MS DATE 27/11/2023 DRAWING FILE P:\Change_Schedule\Projects\2023\2024\Touch\NSW\2024\Touch\Local Cup\Traffic Guidance Scheme\2023\2024\Touch\NSW\2024\Touch\Local Cup\Traffic Guidance Scheme\2023\2024\Touch\NSW\2024\Touch\Local Cup\Traffic Guidance Scheme.dwg	PERMANENT MARK: N/A REV. DATE INT. DETAILS OF AMENDMENTS 0 27/11/23 MS DRAFT ISSUE A 28/11/23 MS APPROVED	RL: N/A DATUM: AHD71 & GDA2020/MGA ZONE 55 STATUS: APPROVED SCALE: NOT TO SCALE ORIGINAL SIZE A3 0 1 2 3 4 5 cm	 DUBBO REGIONAL COUNCIL INFRASTRUCTURE STRATEGY & DESIGN 5-50 Campbell St, Dubbo NSW 2880 P: 02 8825 1200 F: 02 8825 1201 E: info@dubboregionalcouncil.nsw.gov.au W: www.dubboregionalcouncil.nsw.gov.au	PROJECT TITLE: 2024 NSW TOUCH JUNIOR CUP DUBBO DRAWING TITLE: TRAFFIC GUIDANCE SCHEME - MACQUARIE ST FROM BLIGH ST TO COBRA ST	SHEET NO. 3 of 4 REV. A PLAN NO. TM 7603
---	--	--	--	---	---	--



APPROVED

CHECKED - ENGINEERING DESIGN TEAM LEADER INT. DATE _____ APPROVED - MANAGER INFRASTRUCTURE STRATEGY INT. DATE _____ TRAFFIC GUIDANCE SCHEME AUTHORITY INT. DATE _____	PRINT DATE: 28/11/2023 12:14:40 PM SURVEY DATE _____ DESIGN DATE _____ DRAWING MS DATE 27/11/2023 DRAWING FILE C:\Users\mcc\Documents\2023-2024\NSW Touch Junior Cup\Plan\Bligh St & Bultje St\Traffic Guidance Scheme\Traffic Guidance Scheme.dwg	PERMANENT MARK: N/A RL: N/A DATUM: AHD71 & GDA2020MGA ZONE 55 STATUS: APPROVED SCALE: NOT TO SCALE ORIGINAL SIZE A3 0 1 2 3 4 5 cm	PROJECT TITLE 2024 NSW TOUCH JUNIOR CUP DUBBO DRAWING TITLE TRAFFIC GUIDANCE SCHEME - BLIGH ST & BULTJE ST INTERSECTION	SHEET NO. 4 OF 4 REV. A PLAN NO. TM 7603
--	---	--	--	---



REPORT: Dubbo College South Campus - Proposed 'No Stopping Zone' Fitzroy Street Dubbo

DIVISION: Infrastructure
REPORT DATE: 29 November 2023
TRIM REFERENCE: ID23/2805

EXECUTIVE SUMMARY

Purpose	Seek endorsement. Seek direction or decision	Fulfil legislated requirement/Compliance
Issue	<ul style="list-style-type: none"> This report deals with a review of the road safety environment in Fitzroy Street adjacent to the Dubbo College South Campus as a consequence of local resident's concerns raised with Council at the school children pedestrian and on street set down and pick up parking behaviour. The specific concerns relate to the irrational road crossing activity by students to access private vehicles, moving between parked vehicles onto the roadway and private vehicles blocking and parking within residential driveways. 	
Reasoning	<ul style="list-style-type: none"> There is an identified need to address the road safety conflicts and has been supported by teachers who supervise the Fitzroy Street access to the College. The parking congestion significantly impacts on sight lines to the student road crossing activity and promotes poor driver behaviour. These issues were identified at the Boundary Road College access where 'No Stopping' zones were installed to create an open carriageway for clear sightlines to the pedestrian environment. It is considered that the same 'No Stopping' restrictions could be applied in Fitzroy Street to reduce the multiple pedestrians, vehicle and traffic conflict. Roads Act 1993 and Roads (General) Regulation 2018. 	
Financial Implications	Budget Area	Infrastructure Strategy and Design
	Funding Source	Traffic Management Function – Traffic Improvements Signs and Markings
	Proposed Cost	\$1,600
	Ongoing Costs	N/A
Policy Implications	Policy Title	There are no policy implications arising from this report.
	Impact on Policy	N/A

STRATEGIC DIRECTION

The Towards 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes six principal themes and a number of objectives and strategies. This report is aligned to:

Theme: 2 Infrastructure
CSP Objective: 2.1 The road transportation network is safe, convenient and efficient
Delivery Program Strategy: 2.1.1 Traffic management facilities enhance the safety and efficiency of the road network

Theme: 2 Infrastructure
CSP Objective: 2.1 The road transportation network is safe, convenient and efficient
Delivery Program Strategy: 2.1.2 The road network meets the needs of the community in terms of traffic capacity, functionality and economic and social connectivity

RECOMMENDATION TO THE LOCAL TRAFFIC COMMITTEE

It is recommended that 'No Stopping' zones time restricted from 8.30 am to 9.00 am and 3.00 pm to 3.30 pm on school days be implemented on both sides of Fitzroy Street, encompassing the Dubbo College South Campus access and extending north and south of the access as detailed on Council's Plan No TM 7602 as attached as Appendix 1 to the report.

LOCAL TRAFFIC COMMITTEE CONSIDERATION

This matter was considered by the Local Traffic Committee at its meeting held on Monday, 4 December 2023. The Committee had unanimous support in the adoption of the recommendation.

RECOMMENDATION

It is recommended that 'No Stopping' zones time restricted from 8.30 am to 9.00 am and 3.00 pm to 3.30 pm on school days be implemented on both sides of Fitzroy Street, encompassing the Dubbo College South Campus access and extending north and south of the access as detailed on Council's Plan No TM 7602 as attached as Appendix 1 to the report.

Luke Ryan
Director Infrastructure

DV
Senior Traffic Engineer

REPORT

Local residents' concerns have been raised with the ongoing pedestrian, parking and traffic conflict during peak school times that occurs in the vicinity of the Dubbo College South Campus access in Fitzroy Street. The issues have escalated in recent times because the Fitzroy Street College access has been designated as the primary access for students with the Boundary Road access being used for administration, public access and students with specific needs. The volume of student pedestrians, private vehicle and traffic movements has dramatically increased resulting in a host of road safety issues associated with road crossing behaviour, irrational and illegal parking activity and impact on the local resident's driveway access.

Of particular concern is the pm recess where there is an exodus en masse of students from the school driveway to the Fitzroy Street road environment. There are a significant number of student movements across the road in this vicinity to access awaiting vehicles. The remaining students continue north along the footpath to Boundary Road to use the existing marked pedestrian crossings, or east to the school bus zone. Students move between parked cars and moving vehicles to access the roadway and are observed making irrational and risky movements. Residents continually experience motorists parking across and even within their driveways whilst waiting for student pick up effectively blocking access. Discussions with the College teachers on duty at the Fitzroy Street access reiterated the road safety concerns that are experienced and welcomed a considered action to address the issues.

In 2008, Council had considered similar road safety issues associated with the Boundary Road College access. At that time a report was prepared for consideration by the Local Traffic Committee and Council who adopted the recommendation to install 'No Stopping' zones time restricted for the peak school period between 8.30 am to 9.00 am and 3.00 pm to 3.30 pm on school days, on both sides of Boundary Road, encompassing the identified problem area. The removal of parked vehicles during these periods provided a clear carriageway where there were unrestricted sight lines for motorists and students to avoid conflict. Since that time there has been no safety concerns raised with the road environment. Residents were supportive of the minor time restricted imposition.

Consideration has therefore given to implementing the same parking restrictions in Fitzroy Street, adjacent to the College access, as was introduced to the College access in Boundary Road incorporating 'No Stopping' zones time restricted to 8.30 am to 9.00 am and 3.00 pm to 3.30 pm on school days, on both sides of Fitzroy Street, encompassing the Dubbo College South Campus access and extending north and south of the access as detailed on Council's Plan No TM7602 (**Appendix 1**).

Consultation

- During the investigation stage and subsequent determination to consider introducing 'No Stopping' restrictions in Fitzroy Street, consultation was undertaken from 25 to 27 October 2023 with seven residents immediately affected by the proposed restrictions. Six residents supported the restrictions with one resident raising a verbal objection due to the number of vehicles that reside at the residence requiring on street

parking. It was indicated that the restricted parking period is modest in terms of the school zone time and only applies to the peak half hour periods, with minimal impact on access to the on-street parking environment. The resident was advised to provide those comments in writing to Council. To date no response has been received. During a site inspection onsite consultation was undertaken with two teachers on duty at the Fitzroy Street school access who reiterated the concerns with parking, traffic and student safety and were supportive of proposed restrictions to address the road safety conflicts.

- Further consultation will be undertaken with the Local Traffic Committee members, including representatives from NSW Police, the Local Member of Parliament, Transport for NSW (TfNSW) and Council officers.

Resourcing Implications

- Council's Infrastructure Delivery Team will provide the resources to undertake the modifications to the parking signage in Fitzroy Street.
- There is no ongoing maintenance required for the works.

Total Financial Implications	Current year (\$)	Current year + 1 (\$)	Current year + 2 (\$)	Current year + 3 (\$)	Current year + 4 (\$)	Ongoing (\$)
a. Operating revenue	0	0	0	0	0	0
b. Operating expenses	0	0	0	0	0	0
c. Operating budget impact (a – b)	0	0	0	0	0	0
d. Capital Expenditure	\$1,600	0	0	0	0	0
e. Total net impact (c – d)	0	0	0	0	0	0
Does the proposal require ongoing funding?	No					
What is the source of this funding?	N/A					

Table 1. Ongoing Financial Implications

APPENDICES:

- [1](#) Dubbo South College Campus - No Stopping Zone Plan

NO STOPPING ZONE AT DUBBO SOUTH COLLEGE - FITZROY STREET DUBBO



- NOTES:
1. THE PROPOSED SIGN LOCATIONS SHOWN IN THESE PLANS ARE APPROXIMATIONS BASED OFF ARIAL IMAGERY. EXACT LOCATIONS SHOULD BE DETERMINED THROUGH PROPER MEANS OF INVESTIGATION, INCLUDING AN ON-SITE INSPECTION.
 2. PRIOR TO ANY EXCAVATION COMMENCING, THE EXACT LOCATION AND DEPTH OF ALL UNDERGROUND SERVICES WITHIN THE WORK ZONE (INCLUDING WATER, SEWER, GAS, TELECOMMUNICATIONS ETC) MUST BE DETERMINED ON-SITE BY A PROFESSIONAL LOCATOR.
 3. TRAFFIC AND PEDESTRIAN CONTROL MEASURES ARE TO BE IMPLEMENTED WHEN WORKING IN FOOTPATHS AND ROADWAYS IN ACCORDANCE WITH AS 1742.3-2019. AND TRAFFIC CONTROL AT WORK SITES (2022 EDITION.)

CHECKED - SENIOR DESIGN ENGINEER SURVEY INT. _JB_ DATE 22/11/2023 APPROVED - MANAGER INFRASTRUCTURE STRATEGY DRAWING INT. _MJ_ DATE 22/11/2023		PRINT DATE: 22/11/2023 10:53:01 AM PERMANENT MARK: N/A REV: DATE INT. DETAILS OF AMENDMENTS A 21/11/2023 LG APPROVED B 22/11/2023 LG REVISED SCALE AND LAYOUT		DATUM: AH171 & GDA2020 MGA ZONE 55 STATUS: APPROVED SCALE: NOT TO SCALE ORIGINAL SIZE A3 0 1 2 3 4 5 cm		DUBBO REGIONAL COUNCIL INFRASTRUCTURE STRATEGY & DESIGN 1. City Street & Safety St. Dubbo 2. 100 Street St. 3. 100 Street St. 4. 100 Street St. 5. 100 Street St.		PROJECT TITLE: NO STOPPING ZONE AT DUBBO SOUTH COLLEGE FITZROY STREET DUBBO DRAWING TITLE: PLAN VIEW AND DETAIL		SHEET NO. 1 OF 1 REV. B PLAN NO. TM 7602	
---	--	---	--	---	--	---	--	--	--	--	--



REPORT: Dubbo Public School - Proposed Relocation of Time Restricted 'No Parking' Zone Darling Street Dubbo

DIVISION: Infrastructure
REPORT DATE: 29 November 2023
TRIM REFERENCE: ID23/2806

EXECUTIVE SUMMARY

Purpose	Seek endorsement Addressing Council resolution	Fulfil legislated requirement/Compliance
Issue	<ul style="list-style-type: none"> Road safety concerns have been raised within the Wingewarra and Darling streets road environment and at the intersection as a consequence of the increased traffic and parking congestion and driver behaviour associated with the Dubbo Public School. The existing school set down and pick up 'No Parking' zone is located in Darling Street immediately north of the Wingewarra Street. Significant queuing occurs at peak school times into the intersection, blocking through traffic and bus movements that encroaches into the next traffic signal change, effectively grid locking the intersection at times. 	
Reasoning	<ul style="list-style-type: none"> In order to reduce the traffic and parking conflict and road safety issues at the intersection consideration has been given to relocate the set down and pick up activity further north in Darling Street away from the intersection providing an extended length of carriageway for queuing. Roads Act 1993 and Roads (General) Regulation 2018. 	
Financial Implications	Budget Area	Infrastructure Strategy and Design
	Funding Source	Traffic Management Function – Traffic Improvements Signs and Markings
	Proposed Cost	\$2,500
	Ongoing Costs	N/A
Policy Implications	Policy Title	There are no policy implications arising from this report.
	Impact on Policy	N/A

STRATEGIC DIRECTION

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

Theme: 2 Infrastructure
CSP Objective: 2.1 The road transportation network is safe, convenient and efficient
Delivery Program Strategy: 2.1.1 Traffic management facilities enhance the safety and efficiency of the road network

Theme: 2 Infrastructure
CSP Objective: 2.1 The road transportation network is safe, convenient and efficient
Delivery Program Strategy: 2.1.2 The road network meets the needs of the community in terms of traffic capacity, functionality and economic and social connectivity

Theme: 2 Infrastructure
CSP Objective: 2.1 The road transportation network is safe, convenient and efficient
Delivery Program Strategy: 2.1.5 Council works collaboratively with the government and stakeholders on transport-related issues

RECOMMENDATION TO THE LOCAL TRAFFIC COMMITTEE

That the existing time restricted school 'No Parking' zone in Darling Street adjacent to the Dubbo Public School be relocated north of the school access gate into the existing '2 Hour Parking' zone and that a '2 Hour Parking' zone be reinstated to the vacated school 'No Parking' zone location as detailed in Council's Plan TM 7604 as attached as Appendix 1 to the report.

LOCAL TRAFFIC COMMITTEE CONSIDERATION

This matter was considered by the Local Traffic Committee at its meeting held on Monday, 4 December 2023. The Committee had unanimous support in the adoption of the recommendation.

RECOMMENDATION

That the existing time restricted school 'No Parking' zone in Darling Street adjacent to the Dubbo Public School be relocated north of the school access gate into the existing '2 Hour Parking' zone and that a '2 Hour Parking' zone be reinstated to the vacated school 'No Parking' zone location as detailed in Council's Plan TM 7604 as attached as Appendix 1 to the report.

Luke Ryan
Director Infrastructure

DV
Senior Traffic Engineer

REPORT

Council has received representations from the Dubbo Public School Principal and Parents and Citizens Committee raising concerns to the road safety environment that has been occurring for some time with the traffic and parking congestion in Darling Street adjacent the school during peak am and pm school times, and the incidence of vehicle queues into the Wingewarra and Darling streets intersection. It has been suggested that a relocation of the existing school time restricted 'No Parking' zone further north of Wingewarra Street would alleviate the road safety impacts.

Further concerns have also recently been raised with Council from the Manager of Ogden Coaches and the NSW Police Local Highway Patrol. At the Wingewarra Street school bus zone, buses can be held up because they miss two or more traffic signal cycles due to the intersection grid lock and volume of vehicles queuing in front of the buses to turn left into Darling Street. The Highway Patrol have encountered this driver behaviour and have issued penalty notices for the driving offences for queuing and blocking the intersection.

The road environment adjacent the Dubbo Public School has a history of traffic and parking congestion that has escalated in recent times as a consequence of the City's growth and parking demand. It has been indicated that there have been some minor accidents that Council is unaware of. A mid-block refuge in Darling Street is located adjacent the main access gate, however observations reveal additional random road crossing activity outside of the refuge. Some time ago, Carrington Lane on the western side of the school was a secondary location for set down and pick up activities however it is now all undertaken in Darling Street. The on-street parking restrictions adjacent the school comprise of a school time restricted angle 'No Parking' zone and disabled parking space immediately north of Wingewarra Street up to the main school access gate and two-hour time restricted angle parking and additional disabled parking space north to Church Street. The eastern side of Darling Street is unrestricted angle parking.

The existing school 'No Parking' zone, located immediately north of Wingewarra Street, facilitates the set down and pick up activities to the school, which over time has contributed to the congestion and traffic conflict at the Wingewarra Street traffic signals/intersection and impacting the road safety environment. Consideration has been given to move the school 'No Parking' zone approximately 70 m to the north, thereby allowing an extended queuing capability away from the signalised intersection. The relocated zone will occupy an existing two-hour time restricted zone. The vacated 'No Parking' zone will revert to a two-hour time restricted zone. As is presently experienced, there are vehicles occupying the existing two-hour parking zone at school time. It is anticipated that the new two-hour zone north of Wingewarra Street will be generally occupied reducing the ad hoc opportunity for the set down and pick up activity. Noting that a comprehensive awareness to the school community is required of the new school 'No Parking' zone relocation and the improved benefits to the road safety environment.

It is therefore recommended that the existing time restricted school 'No Parking' zone in Darling Street, adjacent to the Dubbo Public School, be relocated north of the school access

gate into the existing '2 Hour Parking' zone and that a two-hour parking zone be reinstated to the vacated school 'No Parking' location as detailed in Council's Plan TM 7604

Consultation

- Consultation has been undertaken with the Principal and the President of the Dubbo Public School Parents and Citizens Committee, NSW Police Local Highway Patrol and the Manager of Ogden Coaches on the current status of the traffic and parking road safety issues in Darling and Wingewarra streets.
- Further consultation will be undertaken with the Local Traffic Committee members, including representatives from NSW Police, the Local Member of Parliament, Transport for NSW (TfNSW) and Council officers.

Resourcing Implications

- Council's Infrastructure Delivery Staff will provide the resources to undertake the modifications to the parking signage in Darling Street.
- There is no ongoing maintenance required for the works.

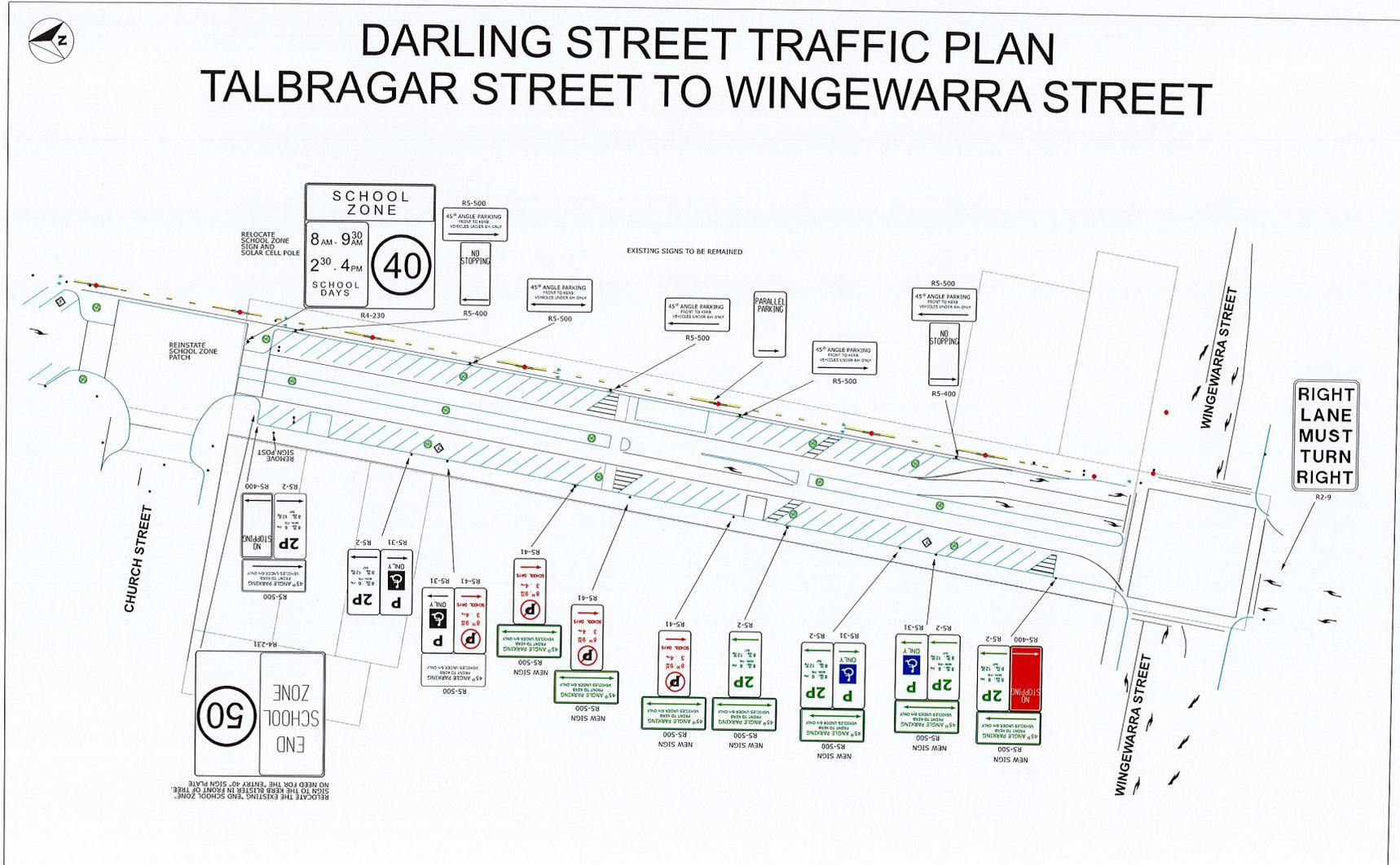
Total Financial Implications	Current year (\$)	Current year + 1 (\$)	Current year + 2 (\$)	Current year + 3 (\$)	Current year + 4 (\$)	Ongoing (\$)
a. Operating revenue	0	0	0	0	0	0
b. Operating expenses	0	0	0	0	0	0
c. Operating budget impact (a – b)	0	0	0	0	0	0
d. Capital Expenditure	2,500	0	0	0	0	0
e. Total net impact (c – d)	2,500	0	0	0	0	0
Does the proposal require ongoing funding?	No					
What is the source of this funding?	N/A					

Table 1. Ongoing Financial Implications

APPENDICES:

- [Dubbo Public School - Darling Street Traffic Plan](#)

DARLING STREET TRAFFIC PLAN TALBRAGAR STREET TO WINGEWARRA STREET



DRAFT

CHECKED - ENGINEERING DESIGN TEAM LEADER INT. DATE APPROVED - MANAGER INFRASTRUCTURE STRATEGY INT. DATE	PRINT DATE: 28/11/2023 11:31:34 AM	PERMANENT MARK: N/A REV. DATE INT. DETAILS OF AMENDMENTS	RL: N/A DATUM: AHD71 & GDA2020 MGA ZONE 55	STATUS: DRAFT ISSUE	DUBBO REGIONAL COUNCIL INFRASTRUCTURE STRATEGY & DESIGN 100 South & Bonython St, Dubbo, N.S.W. 2880 P.O. Box 50, Dubbo, N.S.W. 2880 Tel: 02 9470 1000 Fax: 02 9470 1001 www.dubbo.nsw.gov.au	PROJECT TITLE: DARLING STREET TRAFFIC PLAN TALBRAGAR STREET TO WINGEWARRA STREET	SHEET NO. 1 OF 1 REV. 0 PLAN NO. TM 7604
	DRAWING FILE: R:\Projects\2023\230000\230000-01-Darling Street Traffic Plan\Drawings\TrafficPlan\TrafficPlan.dwg Drawing Name: Traffic Plan	SURVEY DATE DESIGN DATE DRAWING SM DATE 27/11/2023	SCALE: H 1:500, V 1:200, ORIGINAL SIZE A3, 0 5 cm	DRAWING TITLE: DUBBO PUBLIC SCHOOL NO PARKING ZONE RELOCATION			



REPORT: Public Art Strategy Adoption

DIVISION: Community, Culture and Places
REPORT DATE: 23 October 2023
TRIM REFERENCE: ID23/2531

EXECUTIVE SUMMARY

Purpose	Seek endorsement	
Issue	<ul style="list-style-type: none"> Proposed Public Art Strategy draft document be adopted following public exhibition. 	
Reasoning	<ul style="list-style-type: none"> SPARC Cultural Plan YourSay Dubbo Regional Council Public Exhibition 	
Financial Implications	Budget Area	Culture and Economy/Regional Experiences/Cultural Development
	Funding Source	Regional Experiences – Cultural Development Operational Fund
	Proposed Cost	Budgets to support the development of Public Art projects will be considered as part as forward budget planning
	Ongoing Costs	Budgets to support the development of Public Art projects will be considered as part as forward budget planning
Policy Implications	Policy Title	SPARC Dubbo Region Cultural Plan
	Impact on Policy	<p>This strategy addresses a number of outcomes within the Dubbo Region Cultural Plan:</p> <p>SPARC 5.3.1 Investigate options for funding to create and maintain appropriate public artworks, for example, explore opportunities for public art developer contributions to facilitate the financing of public art.</p> <p>SPARC 5.3.2 Development of a Public Arts Strategy in consultation with the community, cultural and arts organisations, Council and Council staff.</p> <p>SPARC 5.3.3 Ensuring place making and public art projects are delivered in partnership with the community, driven by public imagination and supported by professional creatives and local collaborators</p> <p>SPARC 5.3.4</p>

		Promote the location and significance of local public art to the community.
Consultation	Community	SPARC Dubbo Region Cultural Plan Consultation SPARC Committee of Council YourSay

STRATEGIC DIRECTION

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

Theme:	5 Liveability
CSP Objective:	5.6 The diversity of our heritage, cultural services and facilities are maintained and promoted.
Delivery Program Strategy:	5.6.1 Our community participates in and celebrates the high quality of cultural services and facilities available.

RECOMMENDATION

- 1. That the Dubbo Regional Council Public Art Strategy be adopted.**
- 2. That Council consider future funding for key projects in forward budget development processes.**

Craig Arms
Director Community, Culture and Places

JM
Cultural Development
Coordinator

BACKGROUND

In 2015, Dubbo City Council developed a Public Art Strategy for the region. It was unable to be enacted due to the organisational changes required with the amalgamation of Dubbo City Council and Wellington Shire Council, and the associated reprioritisation of service delivery.

In developing the new Cultural Plan - SPARC (Shaping Plans to Advance Regional Culture) in late 2019, the community was vocal in its desire for a revived program of Public Arts works and to ensure this was undertaken to align creative, economic, liveability and visitor attraction opportunities across the region. Community wanted to see the integration of Public Art across the LGA and viewed it as fundamental to our urban development. In response to community input, the below action was included in the 2020/2025 Cultural Plan.

Action 5.3.2 of SPARC the Dubbo Regional Council Cultural Plan requires Council to ensure the *“Development of a Public Arts Strategy in consultation with the community, cultural and arts organisations, Council and Council Staff”*.

Previous Resolutions of Council

13 July 2020 CEC20/29	In part 2. <i>That the draft Regional Cultural Plan (SPARC), be adopted.</i>
--------------------------	---

REPORT

To develop the Public Art Strategy, Council engaged public art and urban planning consultants ArtScape to undertake the planning, consultation, design and development of the Public Art Strategy. In consultation with community, Council, stakeholders and business, ArtScape have reviewed existing and past programs and public art works, review current Council strategic directives and policies to develop a new, regional public art strategy for presentation to Council.

The Strategy that has been developed proposes a comprehensive process and curatorial foundation to the development of Public Art Programs funded by Dubbo Regional Council and offers a clear regional vision that can support private public art programs to align with strategy, creating a holistic regional vision of public art.

The Public Art Strategy has been developed with a strong connection to the NSW Government Public Art Toolkit developed by Create NSW. The Toolkit aims to help NSW Government agencies apply best practice principles to planning, commissioning, implementing and maintaining public art. It has formed the basis of the Dubbo Regional Council Public Art Strategy.

With the completion of this draft of the Strategy and a period of 28 days Public Exhibition this final draft of the Strategy is recommended to Council for adoption.

Consultation

To develop a Public Art Strategy two rounds of stakeholder and community, consultation took place and then a period of formal public exhibition.

Stage one consultation took place with key stakeholders and organisations. One-on-one and small group interviews were held between ArtScape and each stakeholder. Stakeholders for Stage One include:

- Dubbo Regional Council Councillors;
- Dubbo Regional Council staff;
- Major arts groups and Organisations (Orana Arts, Creative Assembly);
- Major tourism stakeholders (Destination Country and Outback (DNCO), Taronga Western Plains Zoo, Rural Flying Doctors Service);
- Major urban planning and development stakeholders, including RDA Orana and Dubbo Chamber of Commerce; and
- Major industry and development stakeholders.

28 Parties have spoken to ArtScape across 14 Consultation Sessions

Stage Two consultation included broader community consultation with a number of publicly accessible workshops (on site in Dubbo and Wellington and online) to encourage the general public to provide feedback on the direction of public art across the community.

Stage Two Open Public Consultation was undertaken in October 2022 with the following sessions held:

Two sessions were held on Tuesday, 18 October 2022:

- 2.00 pm at Club Dubbo, 82 Whylandra Street (Newell Highway)
- 5.00 pm at Club Dubbo, 82 Whylandra Street (Newell Highway)

Three sessions were held on Wednesday, 19 October 2022:

- 10.00 am at Wellington Aquatic Leisure Centre, Warne Street
- 2.00 pm at Wellington Aquatic Leisure Centre, Warne Street
- 5.00 pm at Western Plains Cultural Centre, 76 Wingewarra Street, Dubbo

Two sessions were held on Thursday, 20 October 2022:

- 9.00 am at Western Plains Cultural Centre, 76 Wingewarra Street, Dubbo
- 5.00 pm at Wellington Arts Western Gallery Building, Wellington

The draft Public Art Strategy was also supplied to the SPARC Committee in August 2023 for feedback in the preparation of this report.

Two individuals provided submissions through the SPARC Committee.

Submission		Response
Party One	"I've had quick read through. I think it has struck the right balance. I'll be interested to hear what the rest of the committee thinks. It's an interesting experience viewing this from afar, having seen the state of the arts in another part of the world over the past few weeks."	Noted
Party Two	"Public Art & Activations: In all 6 actions - Provide studio spaces for artists- spaces to create commissioned and experimental artwork including residencies for visiting and local artists. P66-72"	Within current budget allocations, it is not feasible to provide dedicated Studio Space for artists to create commissioned and experimental artwork including residencies for visiting and local artists. Such allocations can be reviewed in future project developments or infrastructure planning by Council.
	"Tables on P73 and P78, column RHSide "Possible Collaborations"- collaborating with who? Sector suggestions should be in these columns."	Possible collaborations will be project to project specific and as such defining them in the strategy could be limiting.
	"An 8-10 page version with references to the larger document would be beneficial. A private sector artwork commissioner and even some artists would be resistant to the length of 87 pages. The document is a comprehensive outline of aspects of the public art process; however, parts are repetitive, some parts are overly descriptive."	A reduced size reference copy can be produced.

Following approval from Council, the Draft Strategy was placed on Public exhibition via the DRC YourSay portal from 2 October 2023 to 6 November 2023 for a period of formal public exhibition and consultation.

No submissions were received through this process.

Resourcing Implications

- The Public Art Strategy will be managed by the Cultural Development Co-Ordinator and the Cultural Development Team within the Regional Experiences Branch of the Community, Culture and Places Division.
- There is no dedicated funding allocated to Public Art Projects in current operational budgets. Ongoing operational funding to support the development of Public Art projects will be considered as part as forward budget planning and included project to project.
- Budget preparation will also need to consider individual public art collections items maintenance, refurbishment and deaccession costs as part of Council’s long term financial plan.
- A funding plan will be developed in 2024 to provide advice on funding options that can be explored including, grants, sponsorships, partnerships with private entities and possible internal funding allocations as part of annual budget review process.

Total Financial Implications	Current year (\$)	Current year + 1 (\$)	Current year + 2 (\$)	Current year + 3 (\$)	Current year + 4 (\$)	Ongoing (\$)
a. Operating revenue	0	0	0	0	0	0
b. Operating expenses	0	0	0	0	0	0
c. Operating budget impact (a – b)	0	0	0	0	0	0
d. Capital Expenditure	0	0	0	0	0	0
e. Total net impact (c – d)	0	0	0	0	0	0

Does the proposal require ongoing funding?	Budgets to support the development of Public Art projects will be considered as part as forward budget planning
What is the source of this funding?	No operational funding allocated. Projects will be included as developed in forward budget planning

Table 1. Ongoing Financial Implications

Planned Communications

Once adopted the Dubbo Regional Council Public Art Strategy will be placed on the Dubbo Regional Council website to make it available to the community.

Next Steps

It is anticipated that, come mid-2024, the following projects will be set in motion.

- Audit of all current Public Art works in the LGA
 - Including location, images, basic condition report and basic maintenance assessment.
- Development of the process to create the PAAP (Public Art Advisory Panel)
 - Including timelines, application process, terms of reference
- Assessment and Identification of priority locations for the installation of new works.
 - Identification of locations owned by Dubbo Regional Council where Public Art Works Can be prioritised.
- Report to be provided to Council by July 2024 on funding options for future projects, including options around grant and philanthropic programs, co-contribution programs and forward budget planning.



REPORT: Dubbo Regional Sports Council - Playing Field Improvement Fund

DIVISION: Community, Culture and Places
REPORT DATE: 17 November 2023
TRIM REFERENCE: ID23/2749

EXECUTIVE SUMMARY

Purpose	For Information	
Issue	<ul style="list-style-type: none"> Provide Council with the recommendation of funding based on applications received under the 2023/2024 Dubbo Regional Sports Council Playing Field Improvement Fund. 	
Reasoning	<ul style="list-style-type: none"> Endorsement by Council 	
Financial Implications	Budget Area	Sport and Recreation
	Funding Source	Adopted Sport and Recreation Operational budget
	Proposed Cost	\$10,482.06
	Ongoing Costs	Annual Allocation by Council
Policy Implications	Policy Title	Financial Assistance Policy
	Impact on Policy	Alignment
Consultation	Sport and Recreation	Targeted communications of the opportunity to apply for funding.

STRATEGIC DIRECTION

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

- Theme: 5 Liveability
- CSP Objective: 5.5 Our community has access to a diverse range of recreational opportunities
- Delivery Program Strategy: 5.5.2 Unique recreation and open space facilities are available
- Theme: 5 Liveability
- CSP Objective: 5.5 Our community has access to a diverse range of recreational opportunities
- Delivery Program Strategy: 5.5.3 Our sporting facilities cater for a wide range of events and opportunities

RECOMMENDATION

That each applicant be advised of the outcome of their application in accordance with the Financial Assistance Policy.

Craig Arms
Director Community, Culture and Places

TW
Recreation Coordinator

BACKGROUND

The Dubbo Regional Sports Council Playing Field Improvement Fund is a stream of annual assistance outlined in Council's Financial Assistance Policy. The Playing Field Improvement Fund supported local sporting clubs/associations in undertaking continued improvement projects at Council Sporting Facilities. For over a decade, 25% of the sporting organisation fees collected by Council were contributed to the Playing Field Improvement Fund, which was held in a restricted assets account.

At the Ordinary Council meeting held 25 May 2020, the March quarterly budget review advised a COVID-19 reserve was being established with the restricted assets from across Council to a total of \$9.4 million. At this point the Sporting Budget Restricted Assets associated with clubhouse and sporting facilities licence/lease agreements, sports lighting, storage fees and the Playing Field Improvement Fund (\$61,404.97) were redirected to the COVID-19 reserve.

In October 2021, the Dubbo Regional Sports Council provided a letter to Dubbo Regional Council requesting consideration be given to reinstating the Playing Field Improvement Fund in preparation for the development of the new 2022/2023 budget. As a result, in the Dubbo Regional Council 2022/2023 budget, \$20,000 taken from the sporting organisation fees was allocated to the fund. Sporting clubs/associations could apply to the Dubbo Regional Sports Council for a 50% or maximum \$20,000 co-contribution towards a sporting facilities project which thereafter would become the asset of Dubbo Regional Council. Moving forward the funds would only be available per financial year and would no longer be placed in a restricted asset where they would accrue available funds.

Since 2017, the Dubbo Regional Sports Council Playing Field Improvement Fund has assisted in funding sporting facility projects to a total of \$387,000. The Playing Field Improvement Fund has contributed \$113,000, while Sporting Clubs/Associations have contributed \$137,000 and the remaining balance has been funded through successful grant applications.

REPORT

The Dubbo Regional Sports Council Playing Field Improvement Fund was open for applications for up to \$20,000 from 4 October 2023 to 31 October 2023. To be eligible for funding the sporting club/association must be not-for-profit, and a member of the Dubbo Regional Sports Council.

Assessment

An assessment panel comprised of the Dubbo Regional Sports Council Executive Committee were provided the applications to review. Each application was assessed in line with the Program's terms, conditions, and guidelines.

2023/2024 Playing Field Improvement Fund [Budget available \$20,000] (all amounts are exGST)				
Organisation	Project	Total Project Cost	Funding Request	Recommendation
Dubbo City Junior Rugby League Association	Repair of the portable grandstands at Apex Oval Outer Fields	\$17,746.70	\$5,915.56	\$5,915.56
Wellington Cowboys Rugby League Football Club	Kennard Park PA System Upgrade	\$5,733	\$2,866.50	\$2,866.50
Wellington Cowboys Rugby League Football Club	Kennard Park Canteen Commercial Fridge	\$3,400	\$1,700	\$1,700

As Council's Round 1 allocation to support sporting infrastructure projects under the Playing Field Improvement Fund (\$20,000) was not exhausted, Round 2 will now proceed.

Consultation

- The opportunity to apply for funding was communicated directly to all members of the Dubbo Regional Sports Council members via email and at the September General meeting.

Resourcing Implications

- Total funding of \$20,000 is available under Council's 2023/2024 Sport and Recreation Operational budget to support applications.
- Council received 3 applications totalling \$10,482.06 excluding GST.

Total Financial Implications	Current year (\$)	Current year + 1 (\$)	Current year + 2 (\$)	Current year + 3 (\$)	Current year + 4 (\$)	Ongoing (\$)
a. Operating revenue	0	0	0	0	0	0
b. Operating expenses	\$10,482	0	0	0	0	0
c. Operating budget impact (a – b)	\$20,000	0	0	0	0	0
d. Capital Expenditure	0	0	0	0	0	0
e. Total net impact (c – d)	\$9,518	0	0	0	0	0
Does the proposal require ongoing funding?	Yes, in line with Council's Financial Assistance Policy					

What is the source of this funding?	Sport and Recreation Adopted Operating Budget
-------------------------------------	---

Table 1. Ongoing Financial Implications

Planned Communications

- Each applicant will be contacted via email and advised of the outcome of their application.
- The Sporting Asset Coordinator will liaise with each applicant to provide support with the management of each project.

Timeframe

Key Date	Explanation
22 December 2023	Applicants advised of the outcome of their application
1 December 2023	Dubbo Regional Sports Council – Playing Field Improvement Fund – Round 2 opens
31 December 2023	Dubbo Regional Sports Council – Playing Field Improvement Fund – Round 2 closes
22 February 2024	Dubbo Regional Sports Council Executive Assessment of Round 2 Applications and Report to Council
29 February 2024	Applicants of Round 2 advised of the outcome of their application
30 June 2024	All funding is expended, and projects completed.



REPORT: Funding Strategy for Grant Application for the Wiradjuri Tourism Centre

DIVISION: Organisational Performance
REPORT DATE: 28 November 2023
TRIM REFERENCE: ID23/2801

EXECUTIVE SUMMARY

Purpose	Addressing Council resolution Adopt funding strategy	
Issue	Council has been successful in the Expressions of Interest in the Growing Regions Program Round 1 for two of the four projects submitted.	
Reasoning	<ul style="list-style-type: none"> It was resolved at the Ordinary Council meeting in July 2023, that if the Wiradjuri Tourism Centre was successful that a report was required to Council to endorse the Funding Strategy. The Wiradjuri Tourism Centre was one of the two projects that were successful, therefore, requires an addition \$2.2M for the project as per the EOI application. 	
Financial Implications	Budget Area	Wiradjuri Tourism Centre
	Funding Source	No Funding source identified
	Proposed Cost	\$2.2M
	Ongoing Costs	Ongoing internal loan repayments
Policy Implications	Policy Title	There are no policy implications arising from this report.
	Impact on Policy	N/A

STRATEGIC DIRECTION

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

Theme: 5 Liveability

CSP Objective: 5.2 Our First Nations communities and cultures are celebrated and enhanced

Delivery Program Strategy: 5.2.2 The culture of our First Nations communities is recognised and celebrated

RECOMMENDATION

That if the application for the Wiradjuri Tourism Centre to the Growing Regions Program is successful, Council's contribution of \$2.2M be funded by an internal loan.

Natasha Comber
Chief Executive Officer

JB
Director Organisational
Performance

BACKGROUND

Summary of the Growing Regions Program Round 1, the program will deliver grants up to a maximum of \$15,000,000 over 3 years to deliver community infrastructure projects.

It will deliver community and economic benefits by investing in community-focused infrastructure which revitalises regions and enhances amenity and liveability throughout regional Australia.

The objectives of the program are:

- constructing or upgrading community infrastructure that fills an identified gap or need for community infrastructure
- contributing to achieving a wide range of community socio-economic outcomes
- is strategically aligned with regional priorities.

The intended outcomes of the program are:

- delivery of community-focused infrastructure which contributes to local and regional priorities
- provision of infrastructure which benefits the community by improving equity and supports diverse social inclusion
- to contribute to the achievement of broader Government priorities such as net zero emissions, gender equity, and/or First Nations priorities
- growing local economies and enhancing amenity and liveability in the regions.

Projects must be completed by 31 December 2025.

Projects must:

- be aimed at constructing new community infrastructure or expanding or upgrading existing infrastructure for wider community benefit
- be located outside of the Greater Capital City Statistical Areas (GCCSA) as defined by the Australian Bureau of Statistics (see the mapping tool on the Department of Infrastructure, Transport, Regional Development, Communications and the Arts website)
- not have commenced construction
- not have received Commonwealth funding to undertake the same grant activities
- have a minimum eligible expenditure of at least \$555,556 (group 1-up to 90% eligible project costs), \$714,286 (group 2) or \$1,000,000 (group 3 - up to 50% eligible project cost) depending on co-funding requirements as outlined in section 3.1. of the Grant Opportunity Guidelines.

Growing Regions Program webpage link: <https://business.gov.au/grants-and-programs/growing-regions-program-round-1>

Previous Resolutions of Council

<p>13 July 2023 CSC23/41</p>	<ol style="list-style-type: none"> 1. <i>That Council consider the information provided in the report.</i> 2. <i>That Council advise the Chief Executive Officer of its preferred project preferences that are to undergo further investigation to determine eligibility and suitability in meeting the guidelines of the Growing Regions Program – Round 1.</i> 3. <i>That a further report be brought to Council at its meeting to be held 27 July 2023 detailing suitable projects and seeking Council’s endorsement to submit expressions of interest.</i> 4. <i>That all documentation in relation to this matter remain confidential to Council.</i> 5. <i>That the Mayor write to relevant Commonwealth and State Government Ministers to seek extra funding for the Wiradjuri Cultural Tourism Centre.</i>
<p>27 July 2023 CCL23/201</p>	<ol style="list-style-type: none"> 1. <i>That the following funding strategy be undertaken as the preferred option to enable Council to complete the Destination Dubbo Projects:</i> <ol style="list-style-type: none"> a. <i>That Council make a formal submission to Infrastructure NSW that all remaining Infrastructure NSW funds are allocated to complete the Macquarie River Events Precinct and the Heritage Plaza projects.</i> b. <i>That Council prepares an Expression of Interest application for the Growing Regions Program to fund up to 50% of the Wiradjuri Tourism Centre, utilising the Create NSW funds as part of Council’s match funding contribution</i> c. <i>That the EOI as expressed in point (b) requires Council to contribute \$2.2 million resourced via an internal loan and that the detailed funding strategy will be developed and provided to Council prior to the full application.</i> 2. <i>That it be noted that this funding strategy would see all three Destination Dubbo projects being completed.</i> 3. <i>That it be noted that should the EOI be unsuccessful an alternate funding strategy for the completion of the Wiradjuri Tourism Centre will be brought to council for further consideration.</i> 4. <i>That Council, recognising the need for this to be a community led experience, continue to engage community and government agencies to establish formal partnerships with Aboriginal owned organisation/s for the future ongoing operations of the Wiradjuri Tourism Centre.</i>
<p>27 July 2023 CCL23/202</p>	<ol style="list-style-type: none"> 1. <i>That the Chief Executive Officer submit the four Expressions of Interest, to the Growing Regions Program Round 1 being:</i> <ol style="list-style-type: none"> a. <i>Wiradjuri Tourism Centre;</i> b. <i>Animal Shelter Rebuild;</i> c. <i>Macquarie River Sandy Beach Erosion Control works;</i> d. <i>Shared pathway, Wellington (Pioneer Park to Brennans Way).</i> 2. <i>That the Expression of Interest for the Wiradjuri Tourism Centre is submitted by council’s determination by item CCL23/201.</i> 3. <i>That Councillors be advised and updated as to the status of submissions as the information becomes available.</i>

REPORT

Following resolutions of Council (CCL23/201 and CCL23/202) staff progressed and submitted Expressions of Interest for the following four projects:

1. Wiradjuri Tourism Centre
Council prepares an Expression of Interest application for the Growing Regions Program to fund up to 50% of the Wiradjuri Tourism Centre, utilising the Create NSW funds as part of Council’s match funding contribution.
2. Animal Shelter Rebuild
3. Macquarie River Sandy Beach Erosion Control works.
4. Shared pathway, Wellington (Pioneer Park to Brennans Way)
Applied for under group 3 - up to 50% eligible project cost, overall cost for the works.

Below is an update as to the status of the submissions for the EOIs to the Growing Regions Program Round 1.

Growing Regions – Expression of Interest	Application number	Status
Macquarie River Sandy Beach Erosion Control works	GRIEOI001022	EOI Application Successful 24/11/2023
Wiradjuri Tourism Centre	GRIEOI001072	EOI Application Successful 24/11/2023
Animal Shelter Rebuild	GRIEOI001062	Application unsuccessful 24/11/2023
Shared pathway, Wellington (Pioneer Park to Brennans Way)	GRIEOI001069	Ineligible 25/10/2023

The application phase will open from Monday, 27 November 2023 and close Monday 15 January 2024, for the two successful projects.

With the EOI for Wiradjuri Tourism Centre being successful, this report responds to the Council resolution from the Ordinary Meeting on 27 July 2023, CCL23/201 point 1(c) *“That the EOI as expressed in point (b) requires Council to contribute \$2.2 million resourced via an internal loan and that the detailed funding strategy will be developed and provided to Council prior to the full application.”*

Potential funding options include:

1. Reallocation of funds from an existing capital works project from the 2023/2024 or 2024/2025 financial year

- Pro: This option would have a neutral impact on the current budget.
- Pro: This option would have no impact on unrestricted cash reserves.
- Con: Depending on project identified, possible increase in asset backlog issues.
- Con: Delay of projects that have been supported by the community in the Delivery Programs and 2023/2024 Budget and future three year budgets.

This is not a recommended funding option. Council's future four year Capital Program has limited new capital projects that could be delayed or removed from the budget. Majority of projects are required asset renewals, with any new construction being roads or currently linked with external funded.

2. Use of asset renewal backlog reserve funding

- Pro: No impact on the future budgets for the Wiradjuri Tourism Centre (no ongoing loan repayment requirement for an external loan or internal loan).
- Con: The Wiradjuri Tourism Centre is not a backlog project (new development) and therefore reduces the ability of DRC to deliver on backlog projects.
- Con: Reduces cash reserves set aside for the asset renewal backlog.

This is not a recommended funding option. As per the recent independent financial sustainability review by AEC, it was identified that Council has an Asset Renewal Backlog that requires additional funding above the current reserves available. Therefore, the funds should be maintained/allocated for the purpose for which they have been restricted (asset renewal).

3. External loan Borrowing

TCorp is able to lend to councils indicatively for 10-year fixed rate amortising funds with semi-annual repayments at 5.27% and 20-year fixed rate amortising funds with semi-annual repayments at 5.78%.

- Pro: No reduction in current cash reserves.
- Pro: Increased visibility on the true cost of service, as the repayments to the internal borrowings will be reflected in future operation budgets of the Wiradjuri Tourism Centre.
- Con: Current borrowing interest rate are higher than current investment rates (4.10%), therefore will increase cost to Council.

A TCorp loan for the two repayment period options of 10 years or 20 years are as follows:

	Repayment per year	Interest Expense
Option 1: 10 Year Loan Repayment Period	\$284,631	\$655,762
Option 2: 20 Year Loan Repayment Period	\$186,181	\$1,533,074

This is not a recommended funding option as the internal investment cost is currently less than the external borrowing rate.

4. Internal Loan Borrowing – **recommended option.**

An internal loan, at a rate of 4.10% in interest forgone, there are two repayment period options of 10 years or 20 years are as follows:

	Repayment per year	Reduction in investment income
Option 1: 10 Year Loan Repayment Period	\$269,228	\$501,732
Option 2: 20 Year Loan Repayment Period	\$161,562	\$1,040,690

- Pro: The interest income forgone of \$501,732 is less than the interest expense of Externally borrowing (as per option 3).
- Pro: Increased visibility on the true cost of service, as the repayments to the internal borrowings will be reflected in future operation budgets of the Wiradjuri Tourism Centre.
- Con: Reduction in cash reserves.
- Con: There are other identified, significant capital investments required over the next 2 years. Not all projects will be able to be funded via internal borrowings, therefore the risk of requiring alternative funding strategies for future projects, will need to be assessed.

An internal loan over 10 years is the recommended funding option for the additional council contribution of \$2.2M required for the Wiradjuri Tourism Centre.

Resourcing Implications

The adopted 2023/2024 budget and forward forecasts include a \$400,000 operating budget for the Wiradjuri Tourism Centre per year. This is only a forecast and it should be noted that the Destination Dubbo funding report presented to the Ordinary Council meeting on 27 July 2023 CCL23/201 point 4 resolved the below in regard to future ongoing operations, and as an outcome this process will further inform future resourcing implications.

“That Council, recognising the need for this to be a community led experience, continue to engage community and government agencies to establish formal partnerships with Aboriginal owned organisation/s for the future ongoing operations of the Wiradjuri Tourism Centre.”

An internal loan repayment would require an additional budget of \$269,228 per year based on a 10 year repayment period. The additional budget would require funding in the 2024/2025 Budget process.

Total Financial Implications	Project (\$)	Ongoing (\$)
a. Capital revenue	0	0
Create NSW Grant	4,999,958	0
Growing Regions Program	7,190,505	0
b. Operating expenses	0	400,000
c. Operating budget impact (a – b)	12,190,463	-400,000
d. Capital Expenditure		0
Construction	14,381,010	
Loan Repayments		269,228
e. Total net impact (c – d)	-2,190,547	-669,228

Table 1. Ongoing Financial Implications

Timeframe

Key Date	Explanation
27 November 2023	The application phase open
21 December 2023	Draft Grant Application completed
08/01/2024 – 12/01/2024	Grant Application internal review
15 January 2024	Grant Application close date



REPORT: Review of Councils Complaints Policy Documents

DIVISION: Organisational Performance
REPORT DATE: 15 November 2023
TRIM REFERENCE: ID23/2728

EXECUTIVE SUMMARY

Purpose	Adopt a policy	Provide review or update
Issue	<ul style="list-style-type: none"> Council currently has a Complaints Management Policy, an Unreasonable Complainant Conduct Policy, and an Internal Ombudsman Policy. All of these policies are overdue for review and can be streamlined into one policy regarding complaints management. 	
Reasoning	<ul style="list-style-type: none"> The Internal Ombudsman role has been removed from Council's structure. Several other councils use the one policy format to encompass complaints management, i.e. including unreasonable complainant conduct in the Complaints Management Policy. Streamlining these three policies will ensure a more straightforward process for staff and complainants. 	
Financial Implications	Budget Area	Corporate Governance
	Funding Source	Governance
	Proposed Cost	N/A
	Ongoing Costs	N/A
Policy Implications	Policy Title	Existing Policies: Complaints Management Policy Unreasonable Complainant Conduct Policy Internal Ombudsman Policy
	Impact on Policy	Propose a single new Complaints Policy

STRATEGIC DIRECTION

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

Theme: 4 Leadership
CSP Objective: 4.1 Council provides transparent, fair and accountable leadership and governance
Delivery Program Strategy: 4.1.2 Council's decision-making processes are open,

transparent and accountable

Theme:	4 Leadership
CSP Objective:	4.1 Council provides transparent, fair and accountable leadership and governance
Delivery Program Strategy:	4.1.3 Council provides quality customer service

RECOMMENDATION

- 1. That the Internal Ombudsman Policy be rescinded.**
- 2. That the Unreasonable Complainant Conduct Policy be rescinded.**
- 3. That the updated Complaints Management Policy be adopted.**

Jane Bassingthwaite
Director Organisational Performance

AR
Manager Corporate
Governance

BACKGROUND

The current suite of policies surrounding the complaints management process at Council were adopted in 2018:

- Unreasonable Complainant Conduct Policy was last adopted in February 2018
- Complaints Management Policy was last adopted in July 2018
- The current Internal Ombudsman Policy was initially adopted in July 2018

While the suite of policies were adopted based on guidelines and a Model Policy at the time, they are now considered out of date and due for review.

REPORT

When complaints are received at Council, the current suite of policies guide the way the complaints are managed and escalated through management.

In the event that a complainant displays unreasonable behaviour, the current policy provides direction to manage such behaviour and set thresholds for intervention by senior management of the Chief Executive Officer.

The Internal Ombudsman role was removed from Council's structure approximately 12 months ago, however, Council has maintained the complaints avenue under the Internal Ombudsman Policy since that time, being an email address for enquiries and complaints which goes to the Governance team.

Staff have spent significant time reviewing the suite of complaints documents and are confident that the single proposed Complaints Management Policy, attached at **Appendix 1** will provide a streamlined and complete guide for both staff and complainants.

This means that two of the policies will need to be rescinded:

- The Internal Ombudsman Policy must be rescinded as the role has been removed from Council's structure, however, the complaints information and escalation detail has been included in the reviewed Complaints Management Policy; and
- The Unreasonable Complainant Policy must be rescinded, however, the information and thresholds for intervention have been included in the reviewed Complaints Management Policy.

Consultation

- The Governance team has worked with the Customer Experience team to ensure the required information has been captured in the new policy and that the policy can be applied practically.
- During the review, staff considered a number of complaints management policies and frameworks currently used by other NSW Councils.

- The essential information, escalation, and intervention thresholds from all three policies have been included in the one proposed Complaints Management Policy for adoption.
- An internal procedure is being finalised to ensure consistency of processes and set specific templates and thresholds.

Resourcing Implications

- The duties and obligations for staff across Council managing complaints will remain the same.
- There are no financial implications in relation to this matter.

Options Considered

Staff considered keeping two policies, being the Complaints Management Policy and the Unreasonable Complainant Conduct Policy:

- However transferring the key information from the Unreasonable Complainant Policy to the single proposed Complaints Management Policy worked well and no key information was lost;
- A single point of reference for all parties was considered the most beneficial option in terms of reference points and consistency;
- It is hoped a single policy will ensure easier/better review; and
- Streamlining policies will ensure ease of location on Council's website.

Planned Communications

- Ensure the new policy is placed on Council's website, Councilpedia, and saved in TRIM.
- Update the Senior Leadership Team on the new policy and provide refresher presentation.

APPENDICES:

- [1](#) Draft Council Policy - Complaints Management



COUNCIL POLICY

COMPLAINTS MANAGEMENT POLICY

Date	November 2023
Council Resolution Date	
Clause Number	
Responsible Position	Council's Complaints Coordinator
Branch	Corporate Governance
Division	Organisational Performance
Version	2.0
TRIM Reference Number	
Review Period	3 Years
Review Date	November 2026

Document Revision History	
Description	Date
This policy has been rewritten to give Council officials, Council staff and members of the public clear direction on what constitutes a complaint and how a complaint will be managed at Council.	October 2023
Notes	
This Policy replaces the previous Complaints Management Policy (2018) and the Unreasonable Complainants Policy (2018).	

PURPOSE

This policy outlines Council's approach for responding to complaints in a timely, consistent and structured manner. Council values customer feedback and complaints are an effective learning resource for Council.

This policy aims to deal effectively with and manage complaints from the community by:

- Demonstrating and promoting Council's commitment to customer satisfaction
- Acknowledging receipt of complaints in a timely fashion
- Ensuring that complainants are responded to in a courteous, fair, respectful and timely manner, without bias or fear of retribution
- Ensuring that all members of the community have access to information on how complaints will be dealt with by Council
- Educating staff in relation to complaint handling procedures and practices
- Monitoring feedback to improve existing services and facilities
- Identifying areas that need improvement or would benefit from enhancement
- Assisting in the planning and allocation of resources
- Affording complainants with a process of review, should they remain dissatisfied

RELATED LEGISLATION

Complaint handling is a key component of sound corporate governance and is fundamental to ensuring an appropriate level of accountability in the exercise of Council functions.

The following legislation and Council publications are related to this policy:

- *Local Government Act 1993*
- *Privacy and Personal Information Protection Act 1998*
- *Independent Commission Against Corruption Act 1988*
- *Ombudsman Act 1974*
- *Public Interest Disclosures Act 1994*
- *Government Information (Public Access) Act 2009*
- *Children and Young Persons (Care and Protection) Act 1998*
- *Child Protection (Working with Children) Act 2012.*
- Dubbo Regional Council's *Public Interest Disclosures Act 1994* – Internal Reporting Policy
- Dubbo Regional Council's Code of Conduct
- Dubbo Regional Council's Unreasonable Complainant Conduct (UCC) Policy
- Dubbo Regional Council's Privacy Management Plan

BACKGROUND

A comprehensive complaints management system is an essential part of providing a quality service in local government. It is a mechanism that allows Council to measure community satisfaction and provides a useful source of information and feedback for improving Council's services.

This policy is based on the customer satisfaction formula suggested by the NSW Ombudsman's Effective Complaint Handling Guidelines (2004) and the Australian Standard ISO 10002:2004, MOD, Customer Satisfaction – Guidelines for complaints handling in organisations.

Doing the job right the first time + **Effective customer contact / complaint handling** = **Increased customer satisfaction / support**

It is further informed by a best practice publication prepared jointly by the NSW Ombudsman and the Department of Local Government, entitled, 'Complaints Management in Councils – Practice Note No. 9, July 2009).

SCOPE

This policy applies to Councillors and Officers of Dubbo Regional Council who deal with customers, members of the public, other agencies, service providers, community organisations or other members of staff.

DEFINITIONS

To assist in interpretation, the following definitions apply:

Term	Definition
Complaint	A complaint is an expression of dissatisfaction with Council's policies, procedures, charges, employees, agents or quality of service, affecting an individual or group of customers. These complaints are considered general complaints, and are dealt with and resolved inside Council.
Service Request	Initial requests for information, action or routine operational service matters. For example, missed bins, road repairs, requests for mowing or tree planting.
Child Protection Complaint	This is a complaint about a child (16 years and under) and/or young person (17 or 18 years old) being at risk of harm. Complaints of this nature are referred to the Manager Community Services under the Child Safe Standards.
Competitive Neutrality Complaint	This is a complaint that Council has not met its obligations under the National Competition Policy and has not abided by the spirit of competitive neutrality in the conduct of Council business.
Complaint Management System	All Policies, procedures, practices, staff, hardware and software used in the management of complaints.
Complaint under the Code of Conduct	A complaint that shows or tends to show conduct on the part of a council official in connection with their role as a council official or the exercise of their functions as a council official, that would constitute a breach of the standards of conduct prescribed under the council's code of conduct if proven.

Dispute	An unresolved complaint escalated either within or outside of the organisation.
Feedback	Opinions, comments and expressions of interest or concern, made directly or indirectly, to or about Council, where a response is not required.
Policy	A statement of Council's position on a matter designed to guide current and future decisions of the organisation. It contains instruction that sets out how Council should fulfil its vision, mission and goals.
Procedure	A statement or instruction that sets out how our policies will be implemented and by whom.
Public Interest Disclosure (PID)	A report of wrong doing within council, made by Councillors or staff in New South Wales that meets the requirements of the Public Interest Disclosures Act 1994.
Privacy Complaint	This is a complaint made under the Privacy and Personal Information Protection Act, 1998. It covers complaints concerning breaches of the Act by Council.

WHAT IS NOT A COMPLAINT

At times, customers have contacted Council and have referred to their request as a "complaint" because they were unhappy about the situation and wants something done. However, Council determines a 'complaint' as a request for action. This terminology does not reduce the importance of the issue, nor does it change the actions Council will take. However, it does help Council differentiate between a complaint and a request or feedback so that the issue can be registered appropriately in Council's customer request tracking system (CRM).

In general, most 'true' complaints, as Council defines them, are about staff behaviour, quality of service, Council policy, or the outcome of a decision.

For the purpose of this policy, the following are **not** considered to be complaints:

- An initial request for works
- A complaint about an event, service or business, for which Council is not responsible
- A request for information or explanation of policies, procedures and decisions of Council
- A request for information regarding Council's assets or services
- An expression concerning the general direction or the performance of Council or its elected representatives
- Reports concerning neighbours, neighbour disputes, noise, dogs, unauthorised building work or similar issues that fall within the regulatory aspect of Council's service.
- An expression of disagreement with Council's policy, procedures or a lawfully made decision
- The lodging of an appeal or objection in accordance with a standard procedure or policy, for example a complaint about an approved development or draft policy or plan – unless this is recorded as a complaint against Council's decision making process.
- Reports of damaged or faulty infrastructure

Complaints that will not be investigated

Dubbo Regional Council may determine that a complaint will not be investigated where that complaint:

- is considered frivolous, vexatious or not made in good faith or concerns a trivial matter
- is a second request for service received within the service level timeframe
- involves a matter where an adequate remedy or right of appeal exists, whether or not the complainant uses the remedy or right of appeal
- where a matter is subject to existing mediation process
- private neighbourhood disputes
- relates to a decision of Council
- relates to a matter awaiting determination by the Council
- relates to matters already under investigation by the Minister for Local Government, the ICAC, the NSW Ombudsman's office, a Minister of the Crown or Government Department or the NSW Police Force
- relates to a matter before a court or tribunal
- relates to the appointment or dismissal of any employee or an industrial or disciplinary issue
- relates to the actions or conduct of private individuals, not contracted by Council
- involves a matter where the complainant declines or refuses to provide further information deemed necessary for action to be taken
- involves threats made against Council
- relates to a decision, recommendation, act or omission which is more than one year old

Should Council decide not to investigate a complaint, the complainant will be advised of the reason for the decision, and the decision will be registered on Council's records management system.

ROLES AND RESPONSIBILITIES

The Chief Executive Officer has a leadership role in demonstrating commitment to the effective resolution of complaints, and for promoting a culture that is receptive to the receipt of complaints, to improve Council service delivery wherever possible.

Council's Complaints Officer is the Governance Team Leader

- The Governance Team Leader will review complaints and refer them in accordance with the Complaints Flow Chart, using the TIER 1-4 system outlined in this policy.
- The Governance Team Leader will ensure complaints in relation to Council or Council staff are impartially and objectively managed and investigated;
- The Governance Team Leader will progressively examine the way Council operates and making recommendations to improve accountability, transparency and fairness.

- The Governance Team Leader will provide education, training and support to staff and management on ethical decision making,

Council's Complaints Coordinator is the Manager Corporate Governance

- The Manager Corporate Governance will review any complaints that meet the Special Circumstances outlined in this policy.
- The Manager Corporate Governance is the Disclosures Coordinator and deals with public interest disclosures in accordance with the Public Interest Disclosures Act 1994
- The Manager Corporate Governance is the Complaints Coordinator in accordance with Council's Code of Conduct Procedures
- The Manager Corporate Governance is the Privacy Officer and deals with reports alleging a breach of privacy
- The Manager Corporate Governance will periodically assess the administrative processes of the Council or Council staff. The Council's Complaint Coordinator is responsible for the development and documentation of processes associated with complaints management.

Directors

- Directors are responsible for ensuring that staff, managers and supervisors within their respective division, are aware of the requirements of this policy, and attend to any complaints expediently.

Managers and Supervisors

- Managers and Supervisors are responsible for investigating complaints that relate to their main business area, determining outcomes and recommending appropriate remedy. They are also responsible for educating their employees with regard to this policy and ensuring that complaints are responded to in a timely, courteous, fair and impartial manner.

Employees

- Employees are required to respond to complaints and requests from customers in a courteous, fair and timely manner.

LODGING A COMPLAINT

Before lodging a complaint with Council, it is useful to ask yourself the following questions:

- What has Council or Council staff done wrong in this situation?
- Has Council or Council staff breached a law or policy which they have a duty to uphold?
- Has a process been applied unfairly or discriminatively?
- Has a Council officer done something that is against the law or could be a breach of Council's Code of Conduct?
- What is the outcome I am seeking?
- Is this a service request NOT a complaint?

When lodging a complaint, complainants should include their details such as name, address and contact number, together with a concise and factual description of the complaint and the outcome sought.

How to lodge a complaint

- In Person by attending Council's Customer Experience Centre:
 - Dubbo Office: Corner of Church and Darling Streets, Dubbo Regional Council
 - Wellington Office: Corner of Nanima Crescent and Warne Street, Wellington
 The Customer Service Centre is open 9am – 5pm Monday to Friday.
- By Telephone
 - Direct to Council's Customer Experience Centre on (02) 6801 4000.
- In Writing
 - Email: council@dubbo.nsw.gov.au
 - Post: PO Box 81, Dubbo, NSW 2830
 - Online submission via council's web page
- To a Councillor
 - If complaints are made to Councillors of Dubbo Regional Council, it will be the responsibility of the Councillor to ensure the matter is formally relayed to the Chief Executive Officer as soon as practicable after having received the complaint.

If complainants require assistance to lodge a complaint due to disability, emotional distress or are literacy challenged, they can be referred to Dubbo Neighbourhood Centre located at 1, 80 Gipps St, Dubbo (PH: 02 6882 2100).

Possible Outcomes

Following investigation into a complaint, possible outcomes include:

- an apology where Council has made a mistake or where a Council Officer's comments or behaviour have offended
- provision of the desired service
- a refund of overcharged or incorrectly charged monies
- provision of more information about Council's policies and/or the decision making process including regular progress updates
- a commitment to investigate and/or review Council procedures or practices where a complaint is justified
- recommendation to refer the complaint to an external body where Council cannot resolve the matter to the satisfaction of the complainant
- any other remedy deemed appropriate by the Chief Executive Officer

SERVICE STANDARDS

Dubbo Regional Council aims to address and finalise all complaints within the following specified timeframes:

- Record the complaint in Council's electronic document management system, HP Content Manager, on the same day the complaint is made.
- Acknowledge the complaint within 5 working days by phone or email.
- Commence investigations within 5 working days.
- Finalise the response to the complainant within 10 working days of receiving the complaint. If this is not possible, the complainant will be informed of this within 10 working days and an explanation provided as to why.
- A finalised response will be sent to the complainant within 20 working days in writing. If this is not possible, the complainant will be provided with an update in writing within 20 working days and will be given an expected timeframe for finalisation of the matter.
- All actions undertaken will be recorded in Council's records management system.

RESPONDING TO SPECIAL CIRCUMSTANCES

This policy does not apply in circumstances where there is legislation covering the making of a complaint. For example:

Complaints Concerning Councillors - Complaints concerning Councillors of Dubbo Regional Council will be managed in accordance with Council's Code of Conduct and should be referred in the first instance to the Chief Executive Officer.

Complaints Concerning the Chief Executive Officer - Complaints concerning the Chief Executive Officer will be managed in accordance with Council's Code of Conduct and should be referred in the first instance to the Mayor.

Complaints Concerning Public Interest Disclosures - Complaints concerning allegations of corrupt conduct, maladministration, serious and substantial waste of public money, contravention of the Government Information (Public Access) Act 2009 or Local Government pecuniary interest contravention shall be referred immediately and directly to the Council's Disclosure's Coordinator, (Manager Corporate Governance) and/or the Chief Executive Officer.

Complaints that must be reported to ICAC - Under Section 11 of the ICAC Act, the Chief Executive Officer has a statutory duty to report any matter that he or she suspects on reasonable grounds concerns corrupt conduct.

The reporting of such matters to ICAC will not delay or substitute reporting to NSW Police or any other authority, or impact upon any assessment by the Council's Complaint Coordinator.

Complaints Concerning Pecuniary Interests - All complaints relating to pecuniary interest matters will be forwarded to the Chief Executive Officer for referral to the Office of Local Government under the Code of Conduct provisions. In consultation with the Council's Complaint Coordinator, any pecuniary interest matter involving a staff member may be subject to investigation as a potential breach of the Code of Conduct.

Complaints Concerning Competitive Neutrality - Dubbo Regional Council supports the principles of competitive neutrality by ensuring that Council business operates without any net competitive advantages over other businesses as a result of its public ownership.

Council will receive and consider any complaint alleging that Council has not abided by the spirit of competitive neutrality in the conduct of a business activity.

Any complaint of this nature received by Council will be managed in accordance with this policy and associated procedures.

Complaints between staff members - In the case of complaints made by one Council Officer about another Council Officer, Council's Complaint Officer will work with People, Culture and Safety to ensure investigations are carried out in accordance with due process and any applicable staff grievance processes.

Council Officers may not be informed of allegations against them, if such allegations have been found to be unsubstantiated, or if the Council's Complaint Coordinator has determined not to investigate the matter for one of the reasons stated below, or if the complaint is frivolous, vexatious or not made in good faith.

ANONYMOUS COMPLAINTS

Dubbo Regional Council encourages complainants to provide full contact information when lodging complaints.

In the event of an anonymous complaint, Council will determine whether the complaint will be investigated dependent upon the seriousness of the complaint, and provided there is sufficient information in the complaint to enable an investigation to be conducted.

An anonymous complainant cannot be provided with reasons for any decision made about their complaint.

CONFIDENTIALITY

Dubbo Regional Council will do its best not to disclose the identity of a complainant, should the complainant request their details remain confidential.

That said, in some circumstances, it may not be possible for Council to safeguard the confidentiality of the complainant due to the circumstances of the complaint, and/or having regard to the principles of natural justice and procedural fairness. Should such a situation arise the complainant will be consulted prior to the disclosure of any identifying information and measures put in place to prevent the complainant experiencing any form of victimisation or retribution resulting from the complaint.

Dubbo Regional Council manages personal and private information collected by Council in accordance with Council's Privacy Management Plan, and *The Privacy and Personal Information Protection Act 1998 (PPIP Act)*.

SAFEGUARDS AGAINST VICTIMISATION AND RETRIBUTION

Allegations of victimisation and retribution as a result of lodging a complaint will be investigated by Council's Complaints Officer and/or Complaints Coordinator.

If a complainant experiences such behaviour they should inform the Complaints Coordinator or the Chief Executive Officer in writing.

UNREASONABLE COMPLAINANT CONDUCT

Dubbo Regional Council accepts that the process of making a complaint to an organisation can sometimes be difficult and distressing. It is acknowledged that this may result in difficulties in communicating concerns and distressed behaviour.

In a small percentage of cases, despite the best efforts of Council, it may be challenging to manage complainants whose conduct is unreasonable, and whose actions or motivations are unacceptable.

Council will treat all complaints with the utmost seriousness and will take reasonable steps to manage these situations, while fulfilling the obligation to provide its employees with a safe workplace and to ensure appropriate use of public resources.

Dubbo Regional Council reserves the right to put in place administrative controls to assist in the management of unreasonable, persistent and difficult complainants who exhibit unreasonable complainant conduct.

Unreasonable complainant conduct ('UCC') is any behaviour by a current or former complainant which, because of its nature or frequency raises substantial health, safety, resource or equity issues for Council, our staff, other service users and complainants or the complainant himself/herself.

UCC can be divided into five categories of conduct:

- a) Unreasonable persistence - is continued, incessant and unrelenting conduct by a complainant that has a disproportionate and unreasonable impact on Council, staff, services, time and/or resources. Some examples of unreasonably persistent behaviour include:
 - An unwillingness or inability to accept reasonable and logical explanations including final decisions that have been comprehensively considered and dealt with.
 - Persistently demanding a review simply because it is available and without arguing or presenting a case for one.
 - Pursuing and exhausting all available review options when it is not warranted and refusing to accept further action cannot or will not be taken on their complaints.
 - Reframing a complaint in an effort to get it taken up again.
 - Bombarding our staff/organisation with phone calls, visits, letters, and emails (including cc'd correspondence) after repeatedly being asked not to do so.
 - Contacting different people within Council and/or externally to get a different outcome or more sympathetic response to their complaint – internal and external forum shopping.
- b) Unreasonable demands - are any demands (express or implied) that are made by a complainant that have a disproportionate and unreasonable impact on Council, staff, services, time and/or resources. Some examples of unreasonable demands include:
 - Issuing instructions and making demands about how we have/should handle their complaint, the priority it was/should be given, or the outcome that was/should be achieved.
 - Insisting on talking to a senior manager or the [Mayor / Chief Executive Officer / Director] personally when it is not appropriate or warranted.
 - Emotional blackmail and manipulation with the intention to guilt trip, intimidate, harass, shame, seduce or portray themselves as being victimised – when this is not the case.

- Insisting on outcomes that are not possible or appropriate in the circumstances – e.g. for someone to be sacked or prosecuted, an apology and/or compensation when no reasonable basis for expecting this.
 - Demanding services that are of a nature or scale that we cannot provide when this has been explained to them repeatedly.
- c) Unreasonable lack of cooperation - is an unwillingness and/or inability by a complainant to cooperate with Council, staff, or complaints system and processes that results in a disproportionate and unreasonable use of our services, time and/or resources. Some examples of unreasonable lack of cooperation include:
- Sending a constant stream of comprehensive and/or disorganised information without clearly defining any issues of complaint or explaining how they relate to the core issues being complained about – only where the complainant is clearly capable of doing this.
 - Providing little or no detail with a complaint or presenting information in ‘dribs and drabs’.
 - Refusing to follow or accept our instructions, suggestions, or advice without a clear or justifiable reason for doing so.
 - Arguing frequently and/or with extreme intensity that a particular solution is the correct one in the face of valid contrary arguments and explanations.
 - Displaying unhelpful behaviour – such as withholding information, acting dishonestly, misquoting others, and so forth.
- d) Unreasonable arguments - include any arguments that are not based in reason or logic, that are incomprehensible, false or inflammatory, trivial or delirious and that disproportionately and unreasonably impact upon Council, staff, services, time, and/or resources. Arguments are unreasonable when they:
- fail to follow a logical sequence
 - are not supported by any evidence and/or are based on conspiracy theories
 - lead a complainant to reject all other valid and contrary arguments
 - are trivial when compared to the amount of time, resources and attention that the complainant demands
 - are false, inflammatory or defamatory.
- e) Unreasonable behaviours - is conduct that is unreasonable in all circumstances – regardless of how stressed, angry or frustrated that a complainant is – because it unreasonably compromises the health, safety and security of our staff, other service users or the complainant himself/herself. Some examples of unreasonable behaviours include:
- Acts of aggression, verbal abuse, derogatory, racist, or grossly defamatory remarks
 - Harassment, intimidation or physical violence.
 - Rude, confronting and threatening correspondence.
 - Threats of harm to self or third parties, threats with a weapon or threats to damage property including bomb threats.
 - Stalking (in person or online).
 - Emotional manipulation. All staff should note that Dubbo Regional Council has a zero tolerance policy towards any harm, abuse or threats directed towards them. Any conduct of this kind will be dealt with under this policy and in accordance with Council’s duty of care and occupational health and safety responsibilities.

Imposing Restrictions

The Chief Executive Officer, in consultation with relevant staff, has the responsibility and authority to change or restrict a complainant's access to Council's services in the circumstances identified in this policy by imposing service changes/restrictions. Their aim, when taking such actions, will not be to punish the complainant, but rather to manage the impacts of their conduct.

When applying this policy the Chief Executive Officer will also aim to keep at least one open line of communication with a complainant. However, in extreme situations all forms of contact may need to be restricted for some time to ensure the health and safety and security of Council staff and/or third parties.

Changing or restricting a complainant's access to Council's services

UCC incidents will generally be managed by limiting or adapting the ways that Council staff interact with and/or deliver services to complainants by restricting:

- a) Who they have contact with – e.g. limiting a complainant to a sole contact person/staff member in Council.
- b) What they can raise with us – e.g. restricting the subject matter of communications that we will consider and respond to.
- c) When they can have contact – e.g. limiting a complainant's contact with Council to a particular time, day, or length of time, or curbing the frequency of their contact with us.
- d) Where they can make contact – e.g. limiting the locations where we will conduct face-to-face interviews to secured facilities or areas of the office.
- e) How they can make contact – e.g. limiting or modifying the forms of contact that the complainant can have with us. This can include modifying or limiting face-to-face interviews, telephone and written communications, prohibiting access to our premises, contact through a representative only, taking no further action or terminating our services altogether

Completely terminating a complainant's access to Council services

In rare cases, and as a last resort when all other strategies have been considered and/or attempted, the Chief Executive Officer may decide that it is necessary for Council to completely restrict a complainant's contact/access to our services. A decision to have no further contact with a complainant will only be made if it appears that the complainant is unlikely to modify their conduct and/or their conduct poses a significant risk for Council staff or other parties because it involves one or more of the following types of conduct:

- Acts of aggression, verbal and/or physical abuse, threats of harm, harassment, intimidation, stalking, assault.
- Damage to property while on our premises.
- Threats with a weapon or common office items that can be used to harm another person or themselves.
- Physically preventing a staff member from moving around freely either within their office or during an off-site visit – e.g. entrapping them in their home.
- Conduct that is otherwise unlawful.

Complainants will be advised in writing

Warning letter - Unless a complainant's conduct poses a substantial risk to the health and safety of staff or other third parties, the Chief Executive Officer will provide them with a written warning about their conduct in the first instance. The warning letter will:

- Specify the date, time and location of the UCC incident.
- Explain why the complainant's conduct/ UCC incident is problematic.
- List the types of access changes and/or restrictions that may be imposed if the behaviour continues. (Note: not every possible restriction should be listed only those that are most relevant).
- Provide clear and full reasons for the warning being given
- Include an attachment of the organisation's ground rules and / or briefly state the standard of behaviour that is expected of the complainant.
- Provide the name and contact details of the staff member who they can contact about the letter.
- Be signed by the Chief Executive Officer (or his/her nominated delegate).

Notification letter - If a complainant's conduct continues after they have been given a written warning or in extreme cases of overt aggression, violence, assault or other unlawful/unacceptable conduct the Chief Executive Officer has the discretion to send a notification letter immediately restricting the complainant's access to our services (without prior written warning). This notification letter will:

- Specify the date, time and location of the UCC incident(s).
- Explain why the complainant's conduct/UCC incident(s) is problematic.
- Identify the change and/or restriction that will be imposed and what it means for the complainant.
- Provide clear and full reasons for this restriction.
- Specify the duration of the change or restriction imposed, which will not exceed 12 months.
- Indicate a time period for review.
- Provide the name and contact details of the senior officer who they can contact about the letter and/or request a review of the decision.
- Be signed by the Chief Executive Officer (or his/her nominated delegate)

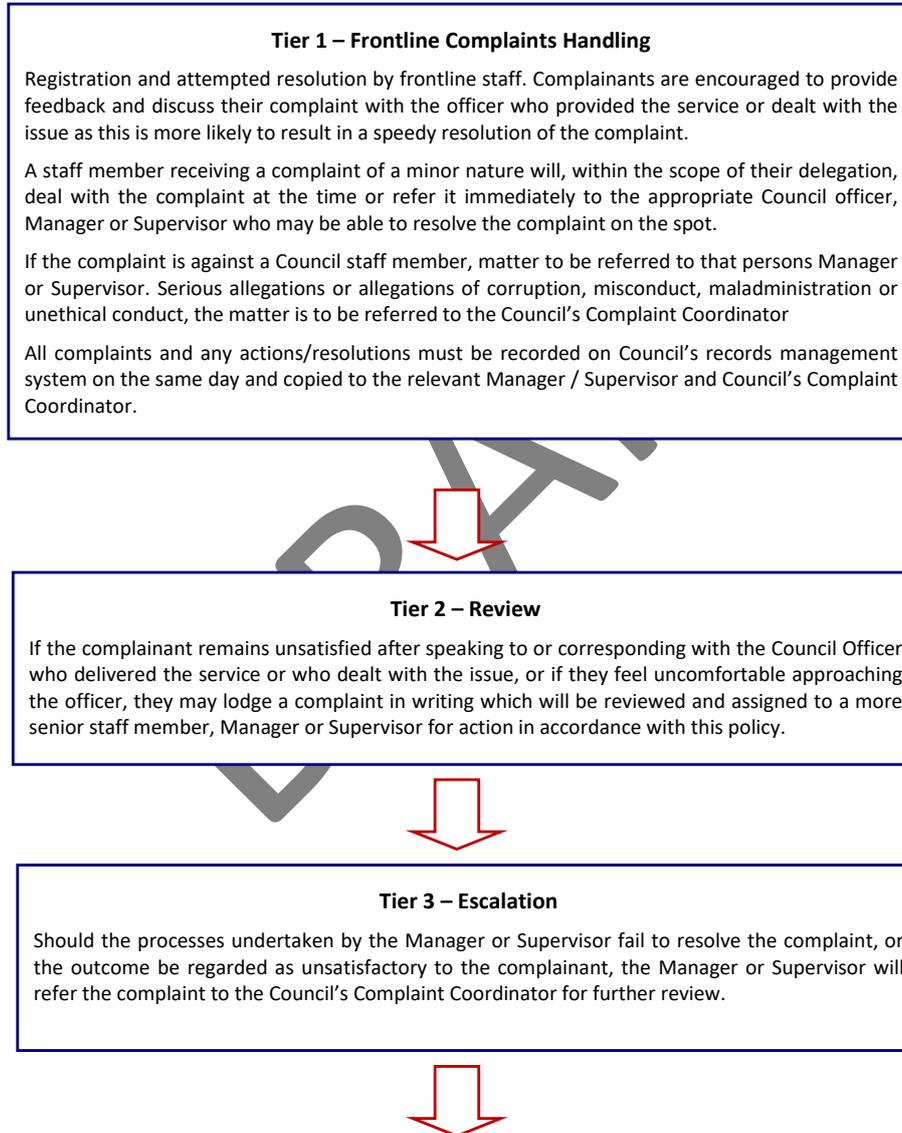
Restrictions will be imposed for a term of 6 to 12 months depending on the nature and severity of each instance or case. Restrictions will be reviewed at the end of the imposed term. Complainants can appeal for restriction to be removed prior to the end of the imposed period, however the Chief Executive Officers has the final say on any changes to restrictions.

Right of Appeal - Complainants are entitled to one appeal of a decision to change/restrict their access to our services. This review will be undertaken by a senior staff member who was not involved in the original decision to change or restrict the complainant's access. This staff member will consider the complainant's arguments along with all relevant records regarding the complainant's past conduct. They will advise the complainant of the outcome of their appeal by

letter which will be countersigned by the Chief Executive Officer. The staff member will then refer any materials/records relating to the appeal to the Chief Executive Officer to be kept in the appropriate file

If the complainant remains unsatisfied with the process or outcome, they are encouraged to contact an external agency listed in this policy.

COMPLAINTS FLOWCHART



Tier 4 – External Review

In circumstances where these internal processes are unable to resolve a complaint or satisfy the complainant, the complainant has the option of referring their concerns to an external agency, depending on which jurisdiction might be appropriate. Such agencies include the NSW Ombudsman's Office, the Independent Commission Against Corruption, the Office of Local Government or the Office of the Information Commissioner.

EXCEPTIONS

Complaints will automatically be referred to the appropriate officer on the next tier, if:

- The complaint is about the staff member's own conduct
- A request to do so is made by the complainant
- The problem is clearly outside the staff member's delegation or area of expertise
- A staff member is alleged to have committed a criminal offence, acted corruptly, or engaged in other serious or controversial conduct (these complaints are to be referred to the Council's Complaint Coordinator)

When a complaint has been referred on, the complainant will be told the name of the person to whom it has been referred and advised that they can expect contact from this person within five working days.

EXTERNAL AGENCIES

Agency	Nature of Complaint
NSW Ombudsman Level 24, 580 George Street, SYDNEY NSW 2000 Phone: 02 9286 1000 or 1800 451 524 Email: info@ombo.nsw.gov.au	Matters concerning maladministration
NSW Office of Local Government (OLG) Locked Bag 3015, NOWRA NSW 2541 Phone: 02 4428 4100 Email: olg@olg.nsw.gov.au	Matters concerning serious Council misconduct or pecuniary interest matters
NSW Independent Commission Against Corruption (ICAC) Level 7, 255 Elizabeth Street, SYDNEY NSW 2000 Phone: 02 9318 5999 or 1800 463 909 Fax: 02 9264 5364	Matters concerning corrupt conduct, which is defined as dishonest or partial exercise of any official functions by a public official. The Chief Executive Officer is required to report suspected cases of corrupt conduct to the ICAC.

Agency	Nature of Complaint
Email: icac@icac.nsw.gov.au	
Anti-Discrimination Board Level 7/10 Valentine Avenue, PARRAMATTA NSW 2150 Phone: 02 9268 5555 or 1800 670 812 Fax: 02 9268 5500 Email: complaintsadb@justice.nsw.gov.au	Matters in relation to discrimination, disability and harassment
Australian Competition and Consumer Commission (ACCC) Level 27, 135 King Street, SYDNEY NSW 2000 Phone: 02 9230 9133 Fax: 02 9223 1092	Competitive neutrality complaints
Information and Privacy Commission (IPC) Level 15, McKell Building, 2-24 Rawson Place, HAYMARKET NSW 2000 Phone: 1800 472 679 Email: ipcinfo@ipc.nsw.gov.au	Breaches of the <i>Government Information (Public Access) Act 2009</i> (GIPA Act) Breaches of the <i>Privacy and Personal Information Protection Act 1998</i>



REPORT: Local Government Remuneration Tribunal 2024 Annual Review

DIVISION: Organisational Performance
REPORT DATE: 4 December 2023
TRIM REFERENCE: ID23/2864

EXECUTIVE SUMMARY

Purpose	<ul style="list-style-type: none"> Seek endorsement 	
Issue	<ul style="list-style-type: none"> Seeking endorsement of a draft submission to the Local Government Tribunal for its review of the 2024 annual determination. 	
Reasoning	<ul style="list-style-type: none"> Council received a letter from the Local Government Remuneration Tribunal inviting submissions with regard to the 2024 annual determination. It is expected that submissions are endorsed by council. 	
Financial Implications	Budget Area	Corporate Governance
	Funding Source	Members' Expenses
	Proposed Cost	There are no proposed costs arising from this report.
	Ongoing Costs	There are no ongoing costs arising from this report.
Policy Implications	Policy Title	Dubbo Regional Council Code of Conduct
	Impact on Policy	There are no policy implications arising from this report.

STRATEGIC DIRECTION

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

Theme: 4 Leadership

CSP Objective: 4.1 Council provides transparent, fair and accountable leadership and governance

Delivery Program Strategy: 4.1.2 Council's decision-making processes are open, transparent and accountable

RECOMMENDATION

That the draft submission to the Local Government Remuneration Tribunal for its review of the 2024 annual determination, as included in this report, be endorsed and submitted by the Mayor on behalf of Council.

Murray Wood
Chief Executive Officer

AR
Manager Corporate
Governance

BACKGROUND

In accordance with section 248 of the Local Government Act 1993, Council is required to pay each Councillor an annual fee. It further states that Council may fix the annual fee, and if it does, the annual fee must be in accordance with the appropriate determination of the Local Government Remuneration Tribunal.

It should also be noted that the annual fee must be the same for each Councillor, acknowledging that the Mayor also receives a Mayoral Fee in addition to the Councillor Fee and that if Council does not fix the annual fee, the minimum fee determined by the Remuneration Tribunal must be paid.

REPORT

Adopting the fees payable to Councillors is a legislative requirement. The Local Government Act 1993 requires the Local Government Remuneration Tribunal to report to the Minister for Local Government by 1 May each year on its determination of categories of councils and the maximum and minimum amounts of fees to be paid to mayors and councillors. The Tribunal conducts a review each year, including consultation.

On 3 October 2023, Council received a letter from the Local Government Remuneration Tribunal with regard to its 2024 annual determination (letter attached as **Appendix 1**).

Accordingly, following consultation with the Mayor and Councillors, the following draft submission is provided for endorsement, to be submitted by the Mayor on behalf of the Council:

"I refer to advice from the Local Government Remuneration Tribunal regarding the commencement of its review for the 2024 annual determination and an invitation for submissions from Council as part of the review.

Accordingly, Dubbo Regional Council would like to formally request, through this submission process, that Councillors not be responsible for authorising their own remuneration. The current process presents a clear conflict of interest and is not representative of good governance. It should be an independent decision maker.

Thank you for taking this submission into consideration as part of the review."

Consultation

- Feedback was sought from Councillors for input into this submission.

Resourcing Implications

- There are no resourcing implications arising from this report. The submission was drafted as part of normal staff duties.

APPENDICES:

- [1](#) Letter from the Local Government Remuneration Tribunal



Local Government Remuneration Tribunal

Ref: A7503044

To Mayors/General Managers

via email to Councils

Dear Mayors/General Managers,

I write to advise that the Local Government Remuneration Tribunal has commenced its review for the 2024 annual determination.

As outlined in section 241 of the Local Government Act 1993 (LG Act), the Tribunal is required to make an annual determination, on the fees payable to Councillors and Mayors. The determination is to take effect from 1 July 2024.

The minimum and maximum fee levels for each category will be assessed by the Tribunal as part of the 2024 review process.

Submissions

The Tribunal invites submissions from individual councils as part of this review. **It is expected that submissions are endorsed by their respective council.**

Any submission that Council may wish to make should be received no later than 21 December 2023 and should be emailed to remunerationtribunals@psc.nsw.gov.au attention Joanne Nava.

2023 Annual Determination

In 2023 the Tribunal undertook a review of the categories and the allocation of councils into each of these categories as required under the LG Act. The Tribunal is only required to determine categories at least once every three years and will next consider the model, the criteria applicable to each category and the allocation of councils in detail in the 2026 review.

A copy of the Tribunal's 2023 Annual Determination can be found [here](#).

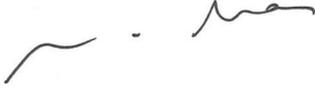
Please note that any material provided to the Tribunal may be made available under the Government Information (Public Access) Act 2009.

As part of the annual review the Tribunal will seek to meet with Local Government NSW, as it does each year, to receive a sector wide view for local government in NSW.

Level 4, 255 George Street, Sydney NSW 2000 ■ GPO Box 3988, Sydney NSW 2001
Tel: (02) 9272 6006 ■ www.remtribunals.nsw.gov.au

If you require any further information, please email or joanne.nava@psc.nsw.gov.au telephone on
02 8226 0250.

Yours sincerely



Viv May PSM
Local Government Remuneration Tribunal
3 October 2023



REPORT: 2024 Chief Executive Officer Performance Targets

DIVISION: Organisational Performance
REPORT DATE: 4 December 2023
TRIM REFERENCE: ID23/2863

EXECUTIVE SUMMARY

Purpose	<ul style="list-style-type: none"> Seek endorsement Fulfil legislated requirement/Compliance 	
Issue	<ul style="list-style-type: none"> Setting the Chief Executive Officer's performance targets for 2024. 	
Reasoning	<ul style="list-style-type: none"> This is a requirement under the Local Government Act. 	
Financial Implications	Budget Area	People Culture and Safety
	Funding Source	Strategic Management
	Proposed Cost	N/A
	Ongoing Costs	N/A
Policy Implications	Policy Title	There are no policy implications arising from this report.
	Impact on Policy	N/A

STRATEGIC DIRECTION

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

- Theme: 4 Leadership
- CSP Objective: 4.1 Council provides transparent, fair and accountable leadership and governance
- Delivery Program Strategy: 4.1.4 Statutory requirements are met and services are provided in a cost-effective and timely manner
-
- Theme: 4 Leadership
- CSP Objective: 4.1 Council provides transparent, fair and accountable leadership and governance
- Delivery Program Strategy: 4.1.2 Council's decision-making processes are open, transparent and accountable

RECOMMENDATION

That the Mayor be authorised to execute the Chief Executive Officer's Performance Agreement.

Karen Robertson
Manager People Culture and Safety

KR
Manager People Culture
and Safety

REPORT

The Local Government Act 1993 (the Act) requires NSW councils to appoint a General Manager, or Chief Executive Officer (CEO), and the Local Government (General) Regulation 2021 (the Regulation) provides a guide for councillors to refer to when considering the recruitment, appointment, re-appointment and oversight of the CEO. With both the Act and the Regulation at the fore, the Office of Local Government has released, under section 23A of the Act, the *Guidelines for the Appointment and Oversight of General Managers* (the Guidelines). Included in the Guidelines is a checklist to be referred to when considering conducting performance reviews of CEOs.

In accordance with the Guidelines, the CEO's performance must be reviewed at least annually against the agreed performance criteria for the position. To facilitate this process, the CEO Performance Framework was created and facilitated by an external provider. For Council's CEO, Mr Murray Wood, these performance criteria are set out in the drafted CEO Performance Agreement (attached as Appendix 1).

The draft agreement has been prepared in consultation with all Councillors at a workshop held on 16 November 2023, facilitated by Mr Jamie Anderson of Mastertek, an external provider of people and culture solutions with a specialisation in Local Government. Mastertek currently facilitates Council's Job Evaluation System, provides Remuneration data and support and previously facilitated Council's employee survey.

As a key component of successful performance management, this agreement includes clearly defined and measurable performance indicators against which Mr Wood's performance can be measured.

Once executed, this performance agreement will be reviewed mid-year in May 2024 and the annual review will be held in November 2024, with such reviews to be conducted by a panel consisting of the Mayor, Deputy Mayor and Standing Committee Chairs. This will ensure that Councillors and Mr Wood are across the performance expectations and successful delivery against them at two points throughout the year, not including informal feedback and interactions. The panel will then make recommendations to a confidential meeting of Council as it is a staff matter.

APPENDICES:

[1](#) Draft 2024 CEO Performance Agreement



Dubbo Regional Council
**CEO Performance
Review
Framework**



**DUBBO REGIONAL
COUNCIL**

OCTOBER 2023

Introduction

Dubbo Regional Council is committed to fostering a performance driven organisation that emphasises continuous improvement and cultivating culture founded on our core values. The CEO Performance Framework is a structured, holistic approach that has been developed to evaluate the complex aspects of the CEO's contribution to, and impact on, Dubbo Regional Council. This framework measures the alignment with core values, qualitative facets of leadership, performance against role responsibilities and drives personal commitment to outcomes. The CEO Performance Plan contained within offers an objective, balanced and comprehensive perspective on performance.

The CEO Performance Framework is a cyclical process each year with 3 key phases, starting with objective setting, continues to mid-year review and concluding with year-end review, made effective by frequent informal reviews and feedback throughout the cycle. This annual cycle starts from 1 December each year and concludes on 30 November the following year. The cycle may commence later than intended in the event of a new CEO being appointed. Objectives will be determined to allow for alignment to the annual cycle.



Performance Framework Benefits

1. Enhanced Accountability
2. Clear Expectations
3. Stakeholder Confidence
4. Continuous Improvement
5. Strategic Alignment

Objective

The objective of the CEO Performance Framework is to provide a clear, systematic and transparent methodology for evaluating the performance of the CEO. By providing clarity around expectations and performance, the collaborative relationship between the Mayor, Councilors and CEO is further enhanced ensuring a coordinated approach to the pursuit and delivery of Council objectives. Through this framework the Mayor and Councilors aim to uphold the highest standards of governance, ensuring that leadership at DRC remains responsive, effective and aligned with the needs of the community.

Participation

The individuals involved in the review process include the CEO, the Mayor, Deputy Mayor and the Councilors who serve as Chairs of the Standing Committees. All Councilors will be given an opportunity to engage in the objective setting process. An external independent entity will facilitate the entire process, with internal assistance provided by the Manager of People Culture and Safety.

Performance Framework Elements

Section 1 – Core Responsibilities

Section 2 – Personal Commitments

Section 3 – Values and Leadership Capabilities

Section 4 – Performance Summary

CEO Performance Framework

The CEO Performance Plan is divided into four distinct sections for ease of use. The sections are:

- The **Core Responsibilities** section details the primary duties and essential functions the CEO is expected to perform. This section provides a roadmap for what must be achieved to ensure the success of DRC from Stakeholder and Community Engagement to Operational Excellence, Sustainability and Safety Management.
- The **Personal Commitments** reflect the CEO's unique strengths, initiatives and objectives. This section allows for personalisation, highlighting the proactive contributions and individual accountability to Councils objectives.
- The **Values and Leadership Capabilities** describe the foundation principles and essential leadership qualities expected of the CEO position. This section assesses the CEO's embodiment of Councils values and their demonstration of the desired leadership behaviours.
- The **Performance Summary** provides the overall assessment of the CEO's achievements and areas of improvement throughout the evaluation period. It includes feedback and discussion from the previous sections offering a holistic view of the CEO's performance.

Performance Rating Scale

The CEO Performance Framework is based on a quantitative rating scale with a maximum score of 5 to provide clear guidance on the overall assessment of the CEO's performance. The options for rating are:

1. **Unsatisfactory** – The CEO did not meet the minimum standards for performance missing most or all the established objectives. This rating indicates there are critical gaps in performance, leadership or strategy execution and requires specific information for corrective action.
2. **Needs Improvement** – The CEO met some of the established objectives. This rating indicates there are inconsistencies in the quality, leadership or strategic execution and requires additional support or focus.
3. **Meets Expectations** – The CEO met the established objectives and performance was aligned with expectations. This rating indicates the CEO has fulfilled their responsibilities effectively.
4. **Exceeds Expectations** – The CEO went beyond for most of the established objectives demonstrating high quality performance. This rating indicates excellent leadership and strong results.
5. **Outstanding** – The CEO consistently excelled in all areas of the established objectives. This rating indicates exceptional leadership and significant positive results achieved for Council.

The value of this CEO Performance Framework stems from its capacity to offer clarity, direction and accountability facilitating transparent and constructive conversations throughout the performance cycle.

The following CEO Performance Plan template has been designed with the principles of this framework.

APPENDIX 1 | CEO Performance Plan – Confidential

This Performance Plan is created between **Murray Wood, CEO**, and the elected Council for the performance period of 2023/24. Any sections of this document that do not contain a written review commentary will be considered as having been achieved.

Section 1 | Core Responsibilities

Core Responsibilities	Example Performance Measure(s)	Comments	Score
<p>Strategic Leadership – provide vision, direction and leadership in the development and execution of Council’s strategic and operational plans.</p>	<ul style="list-style-type: none"> - Deliver a holistic and collaborative, ‘one team’ approach across DRC, ensuring the delivery of high quality and community focused services. - Foster an inclusive work environment that focuses on positive, respectful, and effective working relationships. - Guide the Executive Leadership Team to develop and deliver the Corporate Strategy and DRC Blueprint (to be adopted and implemented by Sept 2024) - Champion and lead implementation of the Reconciliation Action Plan. 	<p>Mid-Year:</p> <hr/> <p>Year End:</p>	
<p>Community Engagement – Ensure alignment between the community, elected members and employees so that strategic and operational areas reflect community priorities.</p>	<ul style="list-style-type: none"> - Develop positive relationships with community stakeholders to ensure a thorough understanding of community needs and aspirations. - Promote a positive image of DRC and its functions and ensure appropriate media coverage for key activities and initiatives. - Lead the development of a new and expanded Community Needs Survey; consultation processes complete by February 2024 with implementation in May 2024. - Review the effectiveness of the Community Committees structure along with community engagement tools such as the ‘your say’ platform. 	<p>Mid-Year:</p> <hr/> <p>Year End:</p>	

Core Responsibilities	Example Performance Measure(s)	Comments	Score
<p>Stakeholder Engagement - Establish strong relationships, networks and alliances with local, state and federal governments and other key stakeholders to deliver strategic benefits for the council and our community.</p> <p>Act as the primary spokesperson and representative for Council.</p>	<ul style="list-style-type: none"> - Build and maintain strategic networks across government and non-government sectors and other industry organisations, collaborating towards constructive outcomes. Stakeholders include Alliance of Western Councils, Orana Water Utilities Alliance, Regional Cities alliance, Energy Co and other renewables proponents. - Ensure the delivery of CWO Renewable Energy Zone solutions including addressing accommodation concerns and environmental services impacts. - Community Safety Plan and associated action plan developed to authentically reflect community desires; community consultation by April 2024, with final adoption to be achieved by June 2024 and any relevant targets achieved as described in the plan. - Champion the development of a key worker accommodation solution for the LGA. 	<p>Mid-Year:</p> <hr/> <p>Year End:</p>	
<p>Organisation Culture - Promote and foster a positive, inclusive and values focused culture within Council, emphasising continuous improvement, collaboration and community focus.</p>	<ul style="list-style-type: none"> - Implement a comprehensive Leadership Development Program designed to foster a 'leadership at all levels' culture across the organisation. - Further develop and articulate the Employer Branding and DRC Culture Strategies, aligned with the organisational vision and values, and establish key programs that will deliver the aspirations set out in the strategy. - Complete a review of the findings of the recent employee survey and establish an action plan to address any areas of concern or opportunity as part of a new Workforce Management Strategy, effectively debriefing stakeholders and confirming intended actions. 	<p>Mid-Year:</p> <hr/> <p>Year End:</p>	
<p>Sustainability - Ensure organisational sustainability through the efficient and effective management of people, performance, assets,</p>	<ul style="list-style-type: none"> - Ensure delivery of positive financial outcomes through sound and effective budgeting, financial and business management, and reporting. - Provide clear messaging on any financial challenges and the measures that have been put in place to address them, including continued improvements to the budget preparation and adoption processes. 	<p>Mid-Year:</p> <hr/>	

Core Responsibilities	Example Performance Measure(s)	Comments	Score
finances, environment and social outcomes.	<ul style="list-style-type: none"> - Implementation of the adopted Service Review Program including improved measurement and reporting to Council detailing delivery of SRP outcomes, including addressing the services relating to Wellington Caves, the Dubbo Regional Livestock Markets and the Caravan Park. - Develop and have adopted by Council a modified Planning Agreement Framework for Renewable Energy projects that; sets a standardised structure and focus for all Planning Agreements, creates an efficient and effective community consultation mechanism and incorporates guidance on Battery Energy Storage Systems. 	Year End:	
Operational Excellence - Ensure the development and successful delivery of the Community Strategic Plan, Delivery Plan and the annual Operating Plan, in collaboration with the Community, Council and Executive Leadership team and employees.	<ul style="list-style-type: none"> - Promote high level performance and accountability across DRC through effective performance management approaches and evidenced through successful execution of the strategic and operational plans. - Ensure effective and timely implementation of Council decisions and ensure timely progress reporting to Council meetings via Action Plan updates. - Lead the development and delivery of strategic plans/programs aligned to the IP&R framework, including the Community Strategic Plan (to be developed and adopted by June 2024). - Ensure a new Workforce Management Strategy is developed and endorsed by Council (including reference to building capacity requirements in Wellington). 	Mid-Year: Year End:	
Innovation and Technology - Champion the adoption of new technologies and innovative solutions to address challenges and improve service delivery, always with the community in mind.	<ul style="list-style-type: none"> - Encourage innovation to improve productivity and maximise operating efficiencies through the use of technology, contemporary leadership, and change management practices. - Implementation of a New General Ledger Structure that improves management reporting and controls by Nov 2024 - Implementation of the Smart Council Strategy in accordance with the associated plan. 	Mid-Year: Year End:	
Safety and Risk Management - Ensure the provision of a safe, consultative workplace and the identification, evaluation	<ul style="list-style-type: none"> - Proactively seek out and collate comprehensive information to help ensure Councilor decision making is well-informed and based on the best information and understanding possible in each circumstance. 	Mid-Year:	

Core Responsibilities	Example Performance Measure(s)	Comments	Score
of risks to ensure effective mitigation of impacts to Council’s operations, employees and the community.	<ul style="list-style-type: none"> - Ensure any potentially significant industrial issues and/or litigation affecting the Council are identified proactively and reported in a timely manner. - Implement and maintain an effective Risk Management Plan and ensure controls are working effectively. - Oversee the implementation of the WHS System (by June 2024) and ensure achievement of the associated WHS Action Plan 	Year End:	
<p>Governance and Compliance - Ensure all statutory obligations of the organisation are met in an appropriate and timely manner, including ensuring Council provides input to and is aware of legislative and regulatory reforms and updates.</p>	<ul style="list-style-type: none"> - Drive the scoping and implementation of the Policy Module of the Pulse system to provide an automated notification process in relation to legislative change that may affect Council policies and practices. - Ensure a continued focus on the quality, timeliness and accuracy of reports and business papers provided to Councilors. - Explore and facilitate access to opportunities for ongoing Councilor professional development throughout the performance period. - Establish and implement an effective approach to the provision of educational briefings for potential Council representatives to enable them to consider candidacy in the future. 	<p>Mid-Year:</p> <hr/> <p>Year End:</p>	

Section 2 | Personal Commitments

Objective	Personal Commitment	Comments	Score
Financial Sustainability	<ul style="list-style-type: none"> - Targets as detailed in the Independent Financial Sustainability Review are identified (detailed) during the 2024/25 budget process. - In collaboration with elected body deliver a community education and engagement program in relation to the financial sustainability challenge by 30 June 2024. - Building understanding of newly elected Council on the financial challenge, milestone decision points and key areas of consideration (September to November 2024). 	<p>Mid-Year:</p> <hr/> <p>Year End:</p>	
Safety Culture	<ul style="list-style-type: none"> - Design and endorsement of DRC’s Behavioural Safety program by May 2024. Implementation commenced by July 2024. - Visible and demonstrable support for WHS initiatives through implementation of Safety Share, Leadership Safety Walks and delivery of safety messages throughout the performance year. - Quantified improvement and sustainable shift in safety across the organisation measured through the 2024 WHS KPI’s and Performance Indicators. 	<p>Mid-Year:</p> <hr/> <p>Year End:</p>	
Economic Development	<ul style="list-style-type: none"> - Leverage the opportunities the green energy economy can bring regarding new industries and also the catalyst for solutions for more “standard” challenges such as housing, potable water and road assets. Future of work and industries in DRC. - Circular industrial opportunities are targeted maximizing the strengths of the LGA in terms of capacity to manage large volumes, appropriately zoned industrial land and hydrogen production. 	<p>Mid-Year:</p> <hr/> <p>Year End:</p>	

Section 3 | Values and Leadership Capabilities

Dubbo Regional Council Values	Comments
Progressive – Be curious, courageous and committed	Mid-Year: <hr/> Year End:
Sustainable – Balanced approach to growth and opportunity	Mid-Year: <hr/> Year End:
One Team – Working together	Mid-Year: <hr/> Year End:
Integrity – Accountable for our actions	Mid-Year: <hr/> Year End:

Section 3 | Values and Leadership Capabilities (cont)

Leadership Capabilities	Comments
Trust – I inspire trust through my words and actions	Mid-Year: <hr/> Year End:
Conflict – I transform the environment so everyone benefits	Mid-Year: <hr/> Year End:
Commitment – I motivate people to guarantee the outcome	Mid-Year: <hr/> Year End:
Accountability – I drive and inspire accountability and success	Mid-Year: <hr/> Year End:
Results – I drive a culture of performance	Mid-Year: <hr/> Year End:
EQ – I anticipate and facilitate emotions to inspire others	Mid-Year: <hr/> Year End:

Section 4 | Performance Summary

Performance Summary – Overall Rating Scale

Unsatisfactory	Needs Improvement	Meets Expectations	Exceeds Expectations	Outstanding
The CEO did not meet the minimum standards for performance missing most or all the established objectives. This rating indicates there are critical gaps in performance, leadership or strategy execution and requires specific information for corrective action.	The CEO met some of the established objectives. This rating indicates there are inconsistencies in the quality, leadership or strategic execution and requires additional support or focus.	The CEO met the established objectives and performance was aligned with expectations. This rating indicates the CEO has fulfilled their responsibilities effectively.	The CEO went beyond for most of the established objectives demonstrating high quality performance. This rating indicates excellent leadership and strong results.	The CEO consistently excelled in all areas of the established objectives. This rating indicates exceptional leadership and significant positive results achieved for Council.

Participant	Comments	Signature
-------------	----------	-----------



DUBBO REGIONAL
COUNCIL

REPORT: Questions on Notice - Councillor Josh Black

DIVISION: Elected Members
REPORT DATE: 4 December 2023
TRIM REFERENCE: ID23/2867

QUESTION ON NOTICE

As per section 3 clause 3.13 of Council's Code of Meeting practice a Councillor may, by way of a notice submitted under clause 3.9, ask a question for response by the Chief Executive Officer about the performance or operations of the council.

Clause 3.15 permits the Chief Executive Officer or their nominee, to respond by way of a report included in the business papers for the relevant meeting of the council.

This allows the question and response to be public. Councillors are not able to further debate these responses it is only for notation.

Council has received the following Questions on Notice from Councillor J Black. The questions are submitted below for the information of Councillors.

Councillor J Black:

1. *Regarding the design of the 3D printed toilet block at Lions Park, West Dubbo:*
 - *Was consideration given to a design that incorporated separate, individual cubicles with doors that open directly to the outside, rather than to the solid, fully enclosed building with a single, common access for each of the separate male and female areas?*
 - *Was it established if it was possible to 3D print an amenities block with separate, individual cubicles with doors that open directly to the outside?*
 2. *Regarding the likely layout of the soon to be replaced amenities block in Victoria Park:*
 - *Is the preferred design:*
 - a) *Separate, individual cubicles with doors that open directly to the outside;*
- OR
- b) *A solid, fully enclosed building with a single, common access for each of the separate male and female areas?*

Responses:

1. Regarding the design of the 3D printed toilet block at Lions Park, West Dubbo:
 - *Was consideration given to a design that incorporated separate, individual cubicles with doors that open directly to the outside, rather than to the solid, fully enclosed building with a single, common access for each of the separate male and female areas?*
 - The original Expression of Interest indicated that the contractor was to

- supply a design and layout that is flexible.
 - The Select Tender scope of works required that the structure have a minimum of 5 female; 2 male cubicle and 2 stand urinals with privacy screen and 1 disabled / ambulant unisex. There was no specific requirement for the individual cubicles to be outward facing.
 - *Was it established if it was possible to 3D print amenities block with separate, individual cubicles with doors that open directly to the outside?*
 - Yes, it was established that it was possible to have a design where individual cubicles with doors open directly to the outside. However, the design for this would have exceeded the project budget.
2. *Regarding the likely layout of the soon to be replaced amenities block in Victoria Park:*
- *Is the preferred design:*
 - a) *Separate, individual cubicles with doors that open directly to the outside;*
OR
 - b) *A solid, fully enclosed building with a single, common access for each of the separate male and female areas?*
 - Staff are currently developing a community engagement program for this project. The program will be undertaken early 2024 and will create opportunity for community to provide feedback and input on designs in alignment with budget and cost/benefit analysis of options. Staff are also working with the Water and Sewer branch with regard to costings for different locations within the park to ensure functionality and realise efficient access to water and sewer.

RECOMMENDATION

That the information provided in the report be noted.

JB
Councillor