



# ATTACHMENTS

## ORDINARY COUNCIL MEETING

### 24 FEBRUARY 2022

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

The meeting is scheduled to commence at 5.30 pm.

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#### INITIAL SECTION

**CCL22/25**      **Confirmation of Minutes**

**Attachment 1:** Minutes - Ordinary Council Meeting - 27/01/2022 ..... 2



## REPORT ORDINARY COUNCIL MEETING 27 JANUARY 2022

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

**ALSO IN ATTENDANCE:**

The Chief Executive Officer, the Executive Manager Governance and Internal Control, the Governance Team Leader, the Administration Officer Governance, the Communications Partner, the Director Organisational Performance, the Chief Financial Officer, the Director Culture and Economy (J Angus), the Manager Dubbo Regional Theatre and Convention Centre, the Director Infrastructure (C Godfrey), the Statutory Planning Services Team Leader, the Director Development and Environment and the Director Liveability.

Councillor M Dickerson assumed the Chair of the meeting.

The proceedings of the meeting commenced at 5.30 pm at the Dubbo Civic Administration Building, Council Chamber, with a prayer for Divine Guidance to the Council in its deliberations and activities read by Councillor V Etheridge. The Welcome to Country was delivered by Councillor L Burns.

**CCL22/1 LEAVE OF ABSENCE (ID22/29)**

No requests for leave of absence were received.

**CCL22/2 CONFLICTS OF INTEREST (ID22/30)**

The following declarations of interest were made:

- Councillor M Wright declared a non-pecuniary, less than significant interest in item CCL22/7. The reason for such interest is that Councillor M Wright is a resident of Regand Park, however does not adjoin or overlook the land being discussed; such conflict will in no way influence his decision making.
- Councillor J Black declared a pecuniary interest in item CCL22/18. The reason for such interest is that Councillor J Black owns a house at 17 Macleay Street, which is close to the subject property.

ORDINARY COUNCIL MEETING - 27 JANUARY 2022  
REPORT**CCL22/3 PUBLIC FORUM (ID22/31)**

The Council reports having heard from the following persons during Public Forum:

- Mr James Panaretos – CCL22/18 – Development Application – D21-552 – Boarding House – Lot 1 DP596251, 47 Macleay Street Dubbo (via audio-visual link).
- Dr Emma Webster - CCL22/18 – Development Application – D21-552 – Boarding House – Lot 1 DP596251, 47 Macleay Street Dubbo.
- Mr Peter Duggan - CCL22/7 – Regand Park Masterplan 2012 Update and Sustainability Expo
- Ms Margaret McDonald – CCL22/7 – Regand Park Masterplan 2012 Update

**CCL22/4 CONFIRMATION OF MINUTES (ID22/32)**

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held 15 November 2021 and the Extraordinary Council meeting held 23 December 2021.

Moved by Councillor V Etheridge and seconded by Councillor S Chowdhury

**MOTION**

**That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council meeting held on 15 November 2021 comprising pages 6, 7, 8, 9, 10 and 11 of the series; and the Extraordinary Council meeting held on 23 December 2021 comprising pages 12, 13, 14, 15 and 16 of the series be taken as read, confirmed as correct minutes and signed by the Mayor and the Chief Executive Officer.**

**CARRIED**

**INFORMATION ONLY MATTERS:****CCL22/5 INVESTMENT UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - NOVEMBER 2021 (ID22/27)**

The Council had before it the report dated 13 January 2022 from the Chief Financial Officer regarding Investment Under Section 625 of the Local Government Act - November 2021.

Moved by Councillor V Etheridge and seconded by Councillor D Mahon

**MOTION**

**That the information contained within the Investment under Section 625 of the Local Government Act report, dated 13 January 2022, be noted.**

**CARRIED**

ORDINARY COUNCIL MEETING - 27 JANUARY 2022  
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**CCL22/6 INVESTMENT UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - DECEMBER 2021 (ID22/28)**

The Council had before it the report dated 13 January 2022 from the Chief Financial Officer regarding Investment Under Section 625 of the Local Government Act - December 2021.

Moved by Councillor J Gough and seconded by Councillor L Burns

**MOTION**

**That the information contained within the Investment under Section 625 of the Local Government Act report, dated 13 January 2022, be noted.**

**CARRIED**

**NOTICES OF MOTION:**

**CCL22/7 REGAND PARK MASTER PLAN 2012 STATUS (ID22/52)**

Council had before it a Notice of Motion dated 18 January 2022 from Councillor J Black regarding the Regand Park Master Plan 2012 Status.

Moved by Councillor J Black and seconded by Councillor S Chowdhury

**MOTION**

1. **That the Chief Executive Officer provide a staff report outlining the history and current status of formal plans in place for the development of the Regand Park area as public open space and advising on opportunities for the reinstatement of the Regand Park Master Plan, including the proposals for private sporting field development.**
2. **That that the CEO provide a report updating council on the progress of master planning for Macquarie River corridor.**
3. **That council notes the importance of public awareness and consultation in relation to proposed uses of public land.**

**CARRIED**

*Councillor M Wright 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 M Wright is a resident of Regand Park, however does not adjoin or overlook the land being discussed and such conflict will in no way influence his decision making.*

**CCL22/8 ALLIANCES WITH OTHER COUNCILS (ID22/49)**

Council had before it a Notice of Motion dated 19 January 2022 from Councillor L Burns regarding the Alliances with Other Councils.

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Moved by Councillor L Burns and seconded by Councillor J Gough

**MOTION**

**That the CEO provide a report to Council on the potential collaboration with regional or other council's, including any opportunities to enter formal relationships.**

**CARRIED**

**CCL22/9 DEVELOPMENT OF A MULTICULTURAL PARK AT THE ELIZABETH PARK (ID22/45)**

Council had before it a Notice of Motion dated 18 January 2022 from Councillor S Chowdhury regarding the Development of a Multicultural Park at the Elizabeth Park.

Moved by Councillor S Chowdhury and seconded by Councillor V Etheridge

**MOTION**

1. **That the CEO provide a report to Council identifying the feasibility of incorporating a multicultural park element into the Dubbo Elizabeth Park, or an alternative site, to recognise and celebrate the multicultural diversity of the Dubbo region.**
2. **That as part of the report the Elizabeth Park Master Plan 2011 be considered for review and updating to reflect the works completed and what is proposed**
3. **That the mother language monument promotes the preservation and protection of all languages.**

**CARRIED**

**CCL22/10 BEAUTIFICATION OF NEIGHBOURHOOD SHOPPING PRECINCTS (ID22/42)**

Council had before it a Notice of Motion dated 18 January 2022 from Councillor V Etheridge regarding the Beautification of Neighbourhood Shopping Precincts.

Moved by Councillor V Etheridge and seconded by Councillor S Chowdhury

**MOTION**

1. **That the Chief Executive Officer be requested to provide a report to the February 2022 Ordinary Council meeting regarding the progress of the Beautification of Boundary Road Neighbourhood Shopping Area.**
2. **That the Chief Executive Officer provide a report to the relevant Council 2022/2023 budget development workshop detailing plans and associated costs, to beautify the neighbourhood shopping strip clusters including, Tamworth Street, Victoria Street and Myall Street.**

**CARRIED**

ORDINARY COUNCIL MEETING - 27 JANUARY 2022  
REPORT**CCL22/11 INCREASED POLICING FOR WELLINGTON (ID22/43)**

Council had before it a Notice of Motion dated 17 January 2022 from Councillor J Gough regarding the Increased Policing for Wellington.

Moved by Councillor J Gough and seconded by Councillor J Black

**MOTION**

1. That the CEO provide a report to Council on the potential opportunities to lobby the NSW State Government to increase the policing presence at Wellington to provide improved outcomes for the Wellington community, that may include 24 hour police presence.
2. That the report addresses the current policing arrangements for Wellington and identifying the concerns raised by the Wellington community of the existing arrangements and supported by relevant policing statistical evidence, including response time and criminal activity.
3. That Council lobby the state government for greater allocation of policing resources to the wellington community to address community concerns.

**CARRIED**

**CCL22/12 REVIEW OF COMMITTEE STRUCTURE (ID22/41)**

Council had before it a Notice of Motion dated 17 January 2022 from Councillor R Ivey regarding the Review of Committee Structure.

Moved by Councillor R Ivey and seconded by Councillor P Wells

**MOTION**

1. That the CEO arrange a workshop with Councillors to review the potential establishment of community based consultative committees for the remaining term of this council. Such potential committees to include the establishment of a Wellington and district based consultative body.
2. That once the workshop is held, a report be presented to the next available council meeting proposing the adoption of agreed terms of reference for, and the subsequent implementation of these committees for this term of Council.

**CARRIED**

**CCL22/13 WATER SMART MESSAGING (ID22/50)**

Council had before it a Notice of Motion dated 19 January 2022 from Councillor D Mahon regarding the Water Smart Messaging.

Moved by Councillor D Mahon and seconded by Councillor V Etheridge

ORDINARY COUNCIL MEETING - 27 JANUARY 2022  
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1. That the CEO provide arrange for the Water Restriction signage at the approaches to Dubbo and Wellington be removed.
2. That a communications strategy be developed that addresses the need to effectively promote “water smart” information to the community.

**CARRIED****CCL22/14 PLAYGROUND STRATEGY FOR DUBBO (ID22/44)**

Council had before it a Notice of Motion dated 18 January 2022 from Councillor P Wells regarding the Playground Strategy for Dubbo.

Moved by Councillor P Wells and seconded by Councillor S Chowdhury

**MOTION**

1. That the CEO provide a report to Council identifying the current playground strategy for Dubbo Regional Council.
2. That as inclusions in the report the current number, type (e.g. playgrounds and fitness equipment) distribution, age and level (Regional, District or Local) of these facilities be identified as well as any future playgrounds that are proposed.
3. That any funding strategies or initiatives that can be implemented to ensure a more equitable and accessible spread of playgrounds across the local government area be addressed in the body of the report.

**CARRIED****CCL22/15 HOUSING (ID22/51)**

Council had before it a Notice of Motion dated 17 January 2022 from Councillor M Wright regarding the Housing.

Moved by Councillor M Wright and seconded by Councillor S Chowdhury

**MOTION**

1. That Council acknowledges the significance of the continued supply of affordable residential housing to our Region and the issues facing the timely supply of housing.
2. That the CEO be requested to provide a report to the April 2022 ordinary meeting of council advising councillors on:
  - a. The actions and activities of the NSW State Government Housing Supply Taskforce.
  - b. The actions Council is currently undertaking to address the supply of housing in Dubbo.

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- c. The general state of the housing market in the Dubbo Local Government Area including an overview of activity of particular housing types and particularly shortages of certain housing types.
  - d. The business strategy for the development and release of land at the Keswick Estate.
  - e. Any Council led initiatives that could address any shortages of particular housing types.
3. That staff coordinate a meeting with Councillors and stakeholders such as REINSW and the Builders Group.

CARRIED

REPORTS FROM STAFF:

**CCL22/16 SEPTEMBER 2021 QUARTERLY BUDGET REVIEW STATEMENTS (ID22/34)**

The Council had before it the report dated 14 January 2022 from the Chief Executive Officer regarding September 2021 Quarterly Budget Review Statements.

Moved by Councillor R Ivey and seconded by Councillor D Mahon

**MOTION**

- 1. That the Quarterly Budget Review Statements as at 30 September 2021, as attached to the report of the Chief Executive Officer dated 14 January 2022, 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

**CCL22/17 COUNCIL DELEGATES FOR THE LOCAL GOVERNMENT NSW SPECIAL CONFERENCE (ID22/26)**

The Council had before it the report dated 12 January 2022 from the Executive Manager Governance and Internal Control regarding Council Delegates for the Local Government NSW Special Conference.

Moved by Councillor M Wright and seconded by Councillor V Etheridge

**MOTION**

- 1. That councillors M Dickerson, L Burns, J Gough and V Etheridge act as voting delegates at the upcoming Local Government NSW Special Conference 2022.
- 2. That all available councillors attend the Local Government NSW Special Conference, with funds to be used from already budgeted members' expenses to pay for

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registration, travel and subsistence.

3. That Council's nominated voting delegates put forward the motion resolved by Council on 28 October 2021, as outlined in the report.

**CARRIED**

**CCL22/18 DEVELOPMENT APPLICATION - D21-552 - BOARDING HOUSE - LOT 1 DP596251, 47 MACLEAY STREET DUBBO (ID22/7)**

The Council had before it the report dated 7 January 2022 from the Senior Planner regarding Development Application - D21-552 - Boarding House - Lot 1 DP596251, 47 Macleay Street Dubbo.

Moved by Councillor S Chowdhury and seconded by Councillor V Etheridge

**MOTION**

That Development Application D21-552 Part 1 for a Boarding House at Lot 1 DP 596251, 47 Macleay Street, Dubbo be approved subject to the conditional consent (Appendix 2).

Moved by Councillor P Wells and seconded by Councillor L Burns

**AMENDMENT**

**That the matter be deferred to the February 2022 Ordinary Council meeting.**

**The amendment on being put to the meeting was carried.**

**CARRIED**

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

FOR	AGAINST
Councillor Burns	Councillor Dickerson
Councillor Chowdhury	Councillor Etheridge
Councillor Gough	Councillor Ivey
Councillor Wells	
Councillor Mahon	
Councillor Wright	
<b>Total (6)</b>	<b>Total (3)</b>

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

**CARRIED**

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

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FOR	AGAINST
Councillor Burns	Councillor Dickerson
Councillor Chowdhury	Councillor Etheridge
Councillor Gough	Councillor Ivey
Councillor Wells	
Councillor Mahon	
Councillor Wright	
<b>Total (6)</b>	<b>Total (3)</b>

*Councillor J Black declared a pecuniary interest in the matter now before the Council and left the room and was out of sight during the Council's consideration of this matter. The reason for such interest is that Councillor J Black owns a house at 17 Macleay Street, which is close to the subject property.*

**CCL22/19 SPECIAL DRTCC TICKET BOOKING FEE (ID21/2255)**

The Council had before it the report dated 16 December 2021 from the Manager Dubbo Regional Theatre and Convention Centre regarding Special DRTCC Ticket Booking Fee.

Moved by Councillor M Wright and seconded by Councillor J Black

**MOTION**

**That a special DRTCC ticket booking fee of \$1.00 be adopted and included in the Fees and Charges Policy for the City of Dubbo Eisteddfod session tickets priced at \$10.00 or less.**

**CARRIED**

**CCL22/20 COMMENTS AND MATTERS OF URGENCY (ID22/33)**

There were no matters recorded under this clause.

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:

- CCL22/21 – Construction of Footpath Boundary Road Stage 2  
*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.*

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

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At this junction it was moved by Councillor D Mahon and seconded by Councillor M Wright that the Council resolves into Closed Session, the time being 6.59 pm.

The Open Session resumed at 7.06 pm.

The executive manager governance and internal control read out the following resolutions made in the closed session of council.

**CCL22/21 CONSTRUCTION OF FOOTPATH BOUNDARY ROAD STAGE 2 PROJECT  
(ID21/2251)**

Moved by Councillor D Mahon and seconded by Councillor M Wright

**MOTION**

1. That in accordance with Clause 178 (1)(b) of the Local Government (General) Regulation 2021, Council decline to accept any tenders received for T21-034 Construction of Footpath Boundary Road Stage 2 Project.
2. That Council not invite fresh tenders for the construction of footpath in in relation to the Boundary Road Stage 2 Project.
3. That the proposed contract be carried out in-house by the Infrastructure Delivery Team.
4. That all documentation in relation to this matter remain confidential to Council

**CARRIED**

The meeting closed at 7.08 pm.

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CHAIRPERSON

**NOTICES OF MOTION**

**CCL22/31 Management Options of Council's Aquatic Leisure Centres**

**Attachment 1:** Signed Notice of Motion - Management Options of Council's Aquatic Leisure Centres - Clr S Chowdhury - 10/02/2022.....13

*Councillor Shibli Chowdhury*

PO Box 81  
DUBBO NSW 2830

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10 February 2022

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

Dear Murray

**NOTICE OF MOTION – MANAGEMENT OPTIONS OF COUNCIL’S AQUATIC LEISURE CENTRES**

I would like to place the following notice of motion on the agenda for the 24 February 2022 Ordinary meeting of Council.

1. *That the Chief Executive Officer provide to the June 2022 Council meeting a report addressing ongoing management options of Council’s Aquatic Leisure Centres.*
2. *That the report examine a range of factors including but not limited to:*
  - *The advantages and disadvantages of in-house management and external (contract) management;*
  - *Financial analysis of each option (including projected one off and ongoing finance implications);*
  - *Analysis of historical (5 years) financial and attendance performance;*
  - *Analysis of any available benchmarking.*

Yours faithfully



*Shibli Chowdhury*  
Councillor

**CCL22/32 Renaming Dubbo City Regional Airport**

**Attachment 1:** Signed Notice of Motion - Renaming Dubbo City  
Regional Airport - Clr R Ivey ..... 15

***Councillor Richard Ivey***

PO Box 81  
DUBBO NSW 2830

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16 February 2022

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

Dear Murray

**NOTICE OF MOTION – REANAMING DUBBO CITY REGIONAL AIRPORT**

I would like to place the following notice of motion on the agenda for the 24 February 2022 Ordinary meeting of Council.

- 1. That the official name of the Council's airport be changed from "Dubbo City Regional Airport" to "Dubbo Regional Airport".*
- 2. That it be noted that it is estimated by staff to cost approximately \$50,000 to change external and internal signage as well as uniforms and other branded assets.*
- 3. That the cost of the name change be funded at the March quarterly budget review from the Airport function.*

Yours faithfully



*Richard Ivey*  
Councillor

**CCL22/33 Wellington CBD On-Street Parking Management Status**

**Attachment 1:** Signed Notice of Motion - Wellington CBD On-Street  
Parking Management Status - Clr R Ivey .....17

***Councillor Richard Ivey***

PO Box 81  
DUBBO NSW 2830

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15 February 2022

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

Dear Murray

**NOTICE OF MOTION – WELLINGTON CBD ON-STREET PARKING MANAGEMENT STATUS**

I would like to place the following notice of motion on the agenda for the 24 February 2022 Ordinary meeting of Council.

- 1. That the Chief Executive Officer provide a staff report outlining the history and status of a previously unfinished staff investigation and consultation with businesses regarding the on-street parking environment in the Wellington CBD.*
- 2. That the staff report advises on the opportunities to progress the investigation following more recent and ongoing business concerns with long term parking adjacent to business premises.*
- 3. That the staff report to be presented back to Council in time for the April 2022 Ordinary Meeting of Council.*

Yours faithfully



*Richard Ivey*  
Councillor

**CCL22/34 Service Review Program for Council's Businesses and Operations**

**Attachment 1:** Notice of Motion - Service Review Program for Council Businesses and Operations - Clr D Mahon ..... 19

**Councillor Damien Mahon**  
PO Box 81  
DUBBO NSW 2830

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15 February 2022

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

Dear Murray

**NOTICE OF MOTION – SERVICE REVIEW PROGRAM FOR COUNCIL BUSINESSES AND OPERATIONS**

I would like to place the following notice of motion on the agenda for the 24 February 2022 Ordinary meeting of Council.

1. *That the Chief Executive Officer provide a report to the March 2022 Council meeting that provides the priority list of Council functions and business units that shall be the subject of a service review program over a 24 month period.*
2. *That the service review program be provided to the Audit and Risk Management Committee for review and subsequent endorsement.*

Yours faithfully



*Damien Mahon*  
Councillor

**CCL22/35 Dubbo Regional Livestock Markets**

**Attachment 1:** Notice of Motion - Dubbo Regional Livestock Markets  
- Clr J Gough.....21

*Councillor Jess Gough*  
PO Box 81  
DUBBO NSW 2830

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15 February 2022

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

Dear Murray

**NOTICE OF MOTION – DUBBO REGIONAL LIVESTOCK MARKETS**

I would like to place the following notice of motion on the agenda for the 24 February 2022 Ordinary meeting of Council.

1. *That the Chief Executive Officer provide to the April 2022 Council meeting a confidential report regarding the business structure as it relates to licenses, leases, agreements and arrangements of the Dubbo Regional Livestock Markets.*
2. *That the report include, but not be limited to:*
  - *Summary of the business structure, financial performance and economic contribution;*
  - *The current structure of licenses, leases and related operating agreements;*
  - *Independent legal advice regarding regulatory and legal compliance of the current business structure and related agreements/arrangements;*
  - *Independent legal advice regarding potential opportunity to strengthen regulatory and legal compliance of related agreements/arrangements, and address any identified corporate risks to Council.*

Yours faithfully



*Jess Gough*  
Councillor

**CCL22/36      2022 Federal Election Funding Opportunities for Candidates**

**Attachment 1:** Signed Notice of Motion - 2022 Federal Election  
Funding Opportunities for Candidates - Clr J Black.....23

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**Councillor Joshua Black**  
PO Box 81  
DUBBO NSW 2830

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17 February 2022

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

Dear Mr Wood,

**NOTICE OF MOTION – 2022 FEDERAL ELECTION FUNDING OPPORTUNITIES FOR CANDIDATES**

I would like to place the following notice of motion on the agenda for the 24 February 2022 Ordinary Meeting of Council.

*That the Chief Executive Officer prepare a draft report by 3 March 2022 (to be finalised at a councillor workshop on 3 March 2022) for distribution to all candidates for the seats of Parkes and Calare in the 2022 federal election, detailing projects and other funding needs and opportunities across the LGA, including, but not limited to, ones related to the construction of additional aquatic leisure facilities in Dubbo, rehousing the Macquarie Conservatorium of Music, upgrading road infrastructure across the LGA (ie a Dubbo bypass/ring road, Wheelers Lane road rehabilitation works - Myall St to railway line section, Wellington road network in general), Wellington showground upgrades, and Bodangora aerodrome upgrades.*

Yours faithfully,



Josh Black  
Councillor

**CCL22/37 Dubbo Regional Council Roads**

**Attachment 1:** Signed Notice of Motion - Dubbo Regional Council  
Road - Clr J Black.....25

**Councillor Joshua Black**  
PO Box 81  
DUBBO NSW 2830

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17 February 2022

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

Dear Mr Wood,

**NOTICE OF MOTION – DUBBO REGIONAL COUNCIL ROADS**

I would like to place the following notice of motion on the agenda for the 24 February 2022 Ordinary meeting of Council.

1. *That council notes community concern about the state of roads in the Dubbo Regional Council LGA.*
2. *That the Chief Executive Officer provide a report to the 25 March 2022 Ordinary Council Meeting outlining relevant information in regard to road maintenance and repair, including but not limited to:*
  - *current budget and comparison to other similar local government areas*
  - *current schedule of repairs*
  - *funding required*
  - *funding received from other levels of government*
  - *rating system for assessing Dubbo Regional Council roads and the process of designating priority repairs, maintenance, and upgrades*
  - *challenges unique to Dubbo Regional Council in road maintenance*

Yours faithfully,



Josh Black  
Councillor

**REPORTS FROM STAFF**

**CCL22/39      December 2021 Quarterly Budget Review Statements**

**Attachment 1:** QBRS - Quarterly Budget Review Statements -  
December 2021 .....27

**REPORT BY RESPONSIBLE ACCOUNTING OFFICER**

**DUBBO REGIONAL COUNCIL**  
**Quarterly Budget Review Statement - Quarter Ending 31 December 2021**

The following statement is made in accordance with Section 203(2) of the Local Government (General) Regulations 2021.

It is my opinion that the Quarterly Budget Review Statement for Dubbo Regional Council for the Quarter Ended 31 December 2021 indicates that Council's projected financial position at 30 June 2022 will be satisfactory, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed: *Michael Howlett*  
Name: Michael Howlett  
Responsible Accounting Officer  
Date: 10 February 2022

## CASH & INVESTMENTS

### DUBBO REGIONAL COUNCIL

#### Quarterly Budget Review Statement - Quarter Ending 31 December 2021

#### Comment on Cash and Investments Position

There have been no major impacts during the quarter that have impacted on Council's original budgeted cash and investments position.

#### Statements:

##### Investments

Restricted funds have been invested in accordance with Council's investment policies.

##### Cash

A reconciliation of cash with bank statements has been undertaken, with the 31st December 2021 Statement reconciliation being prepared on 4 January 2022.

##### Reconciliation

The YTD total Cash and Investments has been reconciled with funds invested and cash at bank

Signed: *Michael Howlett*

Name: Michael Howlett  
Responsible Accounting Officer

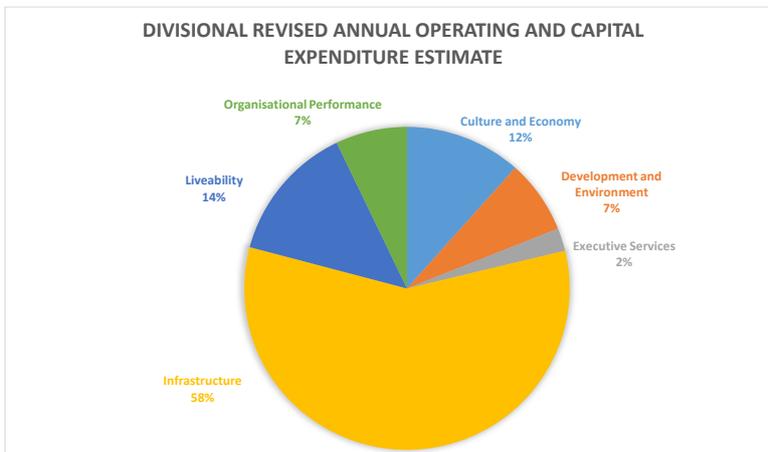
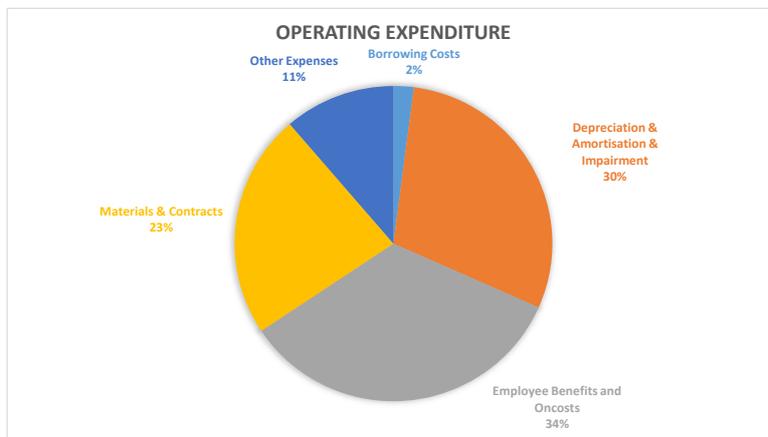
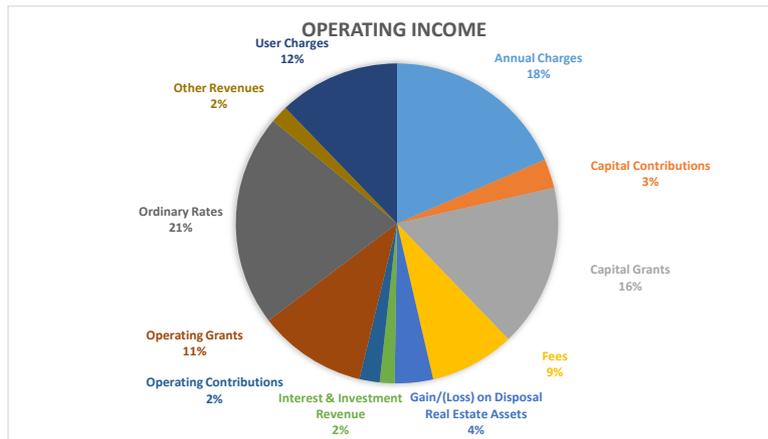
Date: 10 February 2022

Budget Review Statement - Quarter Ending 31 December 2021

Section 203 Local Government (General) Regulation 2005

Function	Operating Revenue		Operating Expense		(Surplus) / Deficit from Operations		Capital Revenue				Capital Expense				Funds Transferred To / (From) Restricted Assets		Net Funds Available (to) / Required from Rates and General Revenue		
	Original	Revised	Original	Revised	Original	Revised	Expenses Not Involving Flows of Funds (Depr etc)		Loan Borrowings Assets Sold		Loan Repayment Principal		Assets Purchased		Original	Revised	Original	Revised	
							Original	Revised	Original	Revised	Original	Revised	Original	Revised					
<b>Culture and Economy</b>																			
Dubbo Regional Airport	-3,822,093	-3,384,941	4,764,352	4,973,652	942,259	1,588,711	-1,493,549	-2,329,862					1,455,756	1,370,424	106,551	381,744	1,011,017	1,011,017	
Dubbo Regional Livestock Markets	-3,479,348	-3,520,256	3,848,716	3,903,496	369,368	383,240	-1,219,318	-1,219,318					1,900,000	105,420	-1,500,050	280,658	-450,000	-450,000	
Economic Development and Marketing	-407,873	-423,749	2,291,382	2,563,423	1,883,509	2,139,674	-104,229	-105,630						26,747	0	-281,511	1,779,290	1,779,290	
Old Dubbo Gaol	-944,968	-652,536	945,749	1,038,730	781	386,194		-135,523					343,000	3,460	0	157,609	208,259	411,740	
Regional Events	-451,850	-607,678	1,239,851	1,256,518	788,001	648,840		0						0	0	133,333	788,001	782,173	
Regional Experiences	-136,476	-125,976	1,511,799	1,566,879	1,375,323	1,440,903		0						0	0	-84,115	1,375,323	1,375,323	
Regional Theatre and Convention Centre	-1,763,804	-1,324,395	3,914,542	3,866,178	2,150,738	2,541,783	-1,142,396	-1,150,922			627,832	627,832	393,380	337,922	-554,050	-652,342	1,475,504	1,704,273	
Showgrounds	-330,346	-373,221	1,338,589	1,340,386	1,008,243	967,165	-806,978	-806,978					225,000	805,781	0	-539,703	426,265	426,265	
Strategic Culture and Economy	0	0	241,175	241,175	241,175	241,175		0						0	0	0	241,175	241,175	
Wellington Caves Complex	-1,028,569	304,474	1,393,940	1,288,160	365,371	1,592,634	-143,861	-1,199,062					345,000	368,280	-405,000	-344,157	161,510	417,695	
Western Plains Cultural Centre	-220,410	-611,759	1,453,454	2,038,809	1,233,044	1,427,050	-471,363	-482,825			368,919	368,919	209,000	455,870	667,413	-850,641	918,373	918,373	
Wiradjuri Tourism Centre	-485,000	0	735,000	250,000	250,000	250,000		0						0	0	250,000	250,000	250,000	
<b>TOTAL</b>	<b>-13,070,737</b>	<b>-10,720,037</b>	<b>23,678,549</b>	<b>24,327,406</b>	<b>10,607,812</b>	<b>13,607,358</b>	<b>-5,517,217</b>	<b>-7,430,120</b>	<b>0</b>	<b>-2,210</b>	<b>-2,210</b>	<b>996,751</b>	<b>996,751</b>	<b>4,871,136</b>	<b>3,492,439</b>	<b>-3,029,962</b>	<b>-1,799,125</b>	<b>7,928,520</b>	<b>8,867,314</b>
<b>Development and Environment</b>																			
Building and Development Services	-1,692,520	-2,134,250	1,530,414	1,783,042	-162,106	-351,208		0		-2,210	-2,210			68,000	0	-321,908	-164,316	-607,326	
Compliance	-428,181	-362,159	1,535,148	1,590,039	1,106,967	1,227,880	-54,365	-54,365			80,118	80,118	183,800	183,800	0	-24,762	1,162,510	1,412,671	
Environment and Health	-114,863	-189,863	867,808	867,808	998,619	752,945	808,756	-2,431					4,200	0	-148,035	-128,846	606,679	677,479	
Growth Planning	-90,000	-74,500	1,040,722	1,202,518	950,722	1,128,018		0						0	0	-80,000	-257,296	870,722	
Resource Recovery and Efficiency	0	-59,735	278,748	278,748	278,748	219,013		0					124,619	0	-30,000	-94,884	246,748	246,748	
Strategic Development and Environment	0	0	738,071	738,071	738,071	738,071		0						0	0	0	738,071	738,071	
Waste Management - Domestic	-8,174,367	-8,313,650	7,271,721	7,295,221	-902,646	-1,018,429	-277,930	-277,930			-27,000	-27,000	82,329	936,961	1,125,247	386,398	0	0	
Waste Management - Other	-3,909,944	-3,909,944	2,938,319	2,938,319	-971,625	-971,625	-536,831	-536,831			-139,000	-139,000	25,820	25,820	675,517	119,899	946,119	1,371,737	
<b>TOTAL</b>	<b>-14,409,875</b>	<b>-15,044,101</b>	<b>16,200,951</b>	<b>16,824,577</b>	<b>1,791,076</b>	<b>1,780,476</b>	<b>-871,557</b>	<b>-871,557</b>	<b>-168,210</b>	<b>-38,210</b>	<b>105,938</b>	<b>105,938</b>	<b>945,846</b>	<b>1,433,279</b>	<b>1,813,331</b>	<b>930,439</b>	<b>3,616,424</b>	<b>3,340,365</b>	
<b>Executive Services</b>																			
Corporate Image and Communications	0	0	830,252	934,793	830,252	934,793		0						0	0	-51,700	830,252	883,093	
Governance and Internal Control	-1,000	-18,000	4,879,404	4,848,404	4,878,404	4,830,404		0					2,000	0	-335,091	-335,091	4,545,313	4,495,313	
People Culture and Safety	-100,000	-130,618	104,306	110,554	4,306	241,172	-4,306	-4,306						0	0	245,478	0	0	
<b>TOTAL</b>	<b>-101,000</b>	<b>-148,618</b>	<b>5,813,962</b>	<b>5,672,643</b>	<b>5,712,962</b>	<b>5,525,025</b>	<b>-4,306</b>	<b>-4,306</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,000</b>	<b>0</b>	<b>-335,091</b>	<b>-141,313</b>	<b>5,375,565</b>	<b>5,378,406</b>	
<b>Infrastructure</b>																			
BILT	0	-3,855,873	91,147	17,039	91,147	-3,838,834		0					2,409,384	2,788,048	-2,350,000	1,201,317	150,531	150,531	
Depot Services	-15,461	-15,882	385,675	450,153	370,214	434,271	-338,459	-338,459					638,459	989,678	-670,214	-1,085,490	0	0	
Fire and Emergency Services	-1,173,239	-2,507,619	2,966,141	2,966,141	1,792,902	458,522	-618,293	-618,293			-207,641	-207,641	709,853	2,251,874	-163,259	-1,623,259	1,721,203	1,721,203	
Fleet Services	-328,962	-480,494	-36,381	-116,381	-365,343	-596,875	-2,664,578	-2,637,694			-1,228,785	-1,295,261	0	4,302,971	2,911,311	-353,227	1,309,557	-308,962	
Infrastructure Strategy and Design	-281,527	-524,076	300,779	543,328	19,252	19,252	-23,280	-23,280					0	0	0	-4,028	0	-4,028	
Roads Network	-18,171,488	-16,216,763	23,364,986	23,594,677	5,193,498	7,377,914	-15,392,598	-15,392,598					54,676	54,676	-8,060,794	-12,556,083	10,001,136	10,001,136	
Roads State Network	-630,876	-1,693,950	733,786	2,013,925	102,910	319,975		0						0	0	-102,910	-319,975	0	
Sewerage Services	-20,720,472	-20,685,537	14,502,326	14,727,623	-6,218,146	-5,957,914	-4,584,787	-4,584,787			-82,968	-119,179	2,220,663	2,220,663	7,053,942	10,574,085	1,611,296	-2,132,868	
Stormwater	-1,698,805	-1,805,814	3,385,959	3,512,698	1,687,154	1,706,884	-2,090,855	-2,090,855					335,332	335,332	4,079,653	1,996,144	-3,600,846	410,438	
Strategic Infrastructure	0	0	205,543	185,543	205,543	185,543		0						0	0	20,000	205,543	205,543	
Street Lighting	-163,378	-167,499	1,180,540	978,830	1,017,162	811,331		0						0	445,619	651,450	1,462,781	1,462,781	
Traffic Management	-1,214,148	-1,548,125	1,192,639	1,369,905	-21,509	-178,220	-28,660	-28,660					267,425	267,425	0	178,040	940,951	919,622	
Water For The Future	0	-8,105,032	0	521,938	0	-7,583,094		0					16,500,000	7,583,094	-16,500,000	0	0	0	
Water Supply	-28,808,382	-23,694,654	21,214,643	21,606,667	-7,593,739	-2,087,987	-5,314,935	-5,314,935			-69,783	-69,783	1,263,766	9,610,556	2,104,135	-1,389,978	0	0	
<b>TOTAL</b>	<b>-73,206,738</b>	<b>-81,301,318</b>	<b>69,487,783</b>	<b>72,372,086</b>	<b>-3,718,955</b>	<b>-8,929,232</b>	<b>-31,056,445</b>	<b>-31,029,561</b>	<b>-1,381,536</b>	<b>-1,691,864</b>	<b>4,141,862</b>	<b>4,141,862</b>	<b>73,511,172</b>	<b>67,389,318</b>	<b>-26,699,249</b>	<b>-15,083,674</b>	<b>14,796,849</b>	<b>14,796,849</b>	
<b>Liveability</b>																			
Aquatic Leisure Centres	-881,096	-896,096	2,678,838	2,721,946	1,797,742	1,825,850	-295,962	-295,962					45,203	45,203	87,100	385,902	70,566	-282,400	1,704,649
Cemeteries	-414,300	-414,300	611,421	687,629	197,121	273,329	-51,241	-51,241					40,000	46,206	-42,500	-60,924	143,380	207,370	
Community Services	-304,516	-307,010	2,090,060	2,072,339	1,785,544	1,765,329	-647,971	-647,971					1,371,920	606,634	-627,500	106,581	1,881,993	1,830,573	
Family Day Care	-1,701,444	-1,701,444	1,704,161	2,717	2,717	2,717	-1,899	-1,899					0	10,000	0	-10,818	0	0	
Library Services	-207,294	-214,684	2,739,511	2,767,356	2,552,227	2,552,672	-281,096	-281,096					77,600	394,925	0	-414,243	2,348,731	2,294,789	
Open Space	-532,532	-2,083,072	6,944,378	7,076,448	6,411,844	4,993,376	-2,016,221	-2,016,221					1,632,944	3,085,596	-825,159	-837,243	5,203,008	5,225,508	
Operations	-111,000	-111,000	2,333,300	2,401,863	2,222,300	2,290,863	-3,978	-3,978						0	0	-92,720	-161,283	2,125,602	
Rainbow Cottage	-1,223,531	-1,224,784	1,547,940	1,549,193	324,409	324,409		0						0	0	0	251,996	251,996	
Recreation and Sporting	-294,244	-2,115,024	3,981,930	3,984,164	3,687,686	1,869,140	-1,564,586	-1,564,586					194,722	194,722	627,000	3,780,861	-500,000	-1,954,622	
Strategic Liveability	0	0	733,018	743,018	743,018	743,018		0											

December 2021 Quarterly Review Income and Expenditure



Dubbo Regional Council  
Detailed Financial Statement - Quarter Ending 31 December 2021

	2021/2022 Original Budget	September Adjustment	December Adjustment	Revised Annual Estimate	YTD Actuals to 31 December 2021
<b>Operating</b>					
<b>Income</b>					
Annual Charges	31,790,682	56,967	1,735	31,849,384	32,690,347
Capital Contributions	3,705,767	-480,648	1,828,047	5,053,166	5,257,769
Capital Grants	14,681,223	15,040,868	-1,347,925	28,374,166	12,610,148
Fees	16,583,308	-1,399,596	-471,439	14,712,273	7,456,188
Gain/(Loss) on Disposal Real Estate Assets	6,562,050	0	67,856	6,629,906	-746,818
Interest & Investment Revenue	2,484,947	0	69,333	2,554,280	1,503,673
Operating Contributions	3,394,067	150,000	-28,333	3,515,734	1,042,128
Operating Grants	17,884,485	478,900	395,054	18,758,439	7,253,527
Ordinary Rates	36,512,330	308,985	181,347	37,002,662	37,675,971
Other Revenues	2,543,970	184,931	310,001	3,038,902	1,538,945
User Charges	25,961,596	-5,000,000	-1,929	20,959,667	9,779,067
<b>Income Total</b>	<b>162,104,425</b>	<b>9,340,407</b>	<b>1,003,747</b>	<b>172,448,579</b>	<b>116,060,945</b>
<b>Expenditure</b>					
Borrowing Costs	3,129,824	0	0	3,129,824	1,152,180
Depreciation & Amortisation & Impairment	44,135,922	0	788,778	44,924,700	25,146,204
Employee Benefits and Oncosts	51,882,613	-263,200	20,659	51,640,072	25,556,531
Materials & Contracts	32,068,532	2,839,057	103,332	35,010,921	15,286,652
Other Expenses	16,346,579	870,158	-36,955	17,179,782	7,369,169
<b>Expenditure Total</b>	<b>147,563,470</b>	<b>3,446,015</b>	<b>875,814</b>	<b>151,885,299</b>	<b>74,510,736</b>
<b>Operating Total</b>	<b>14,540,955</b>	<b>5,894,392</b>	<b>127,933</b>	<b>20,563,280</b>	<b>41,550,209</b>

**Capital Budget Review**

**Detailed Financial Statement - Quarter Ending 31 December 2021**

	Original Budget	September Adjustment	December Adjustment	Annual Forecast	YTD Actuals as at 31 December
<b>Capital</b>					
<b>Expenditure</b>					
<b>Culture and Economy</b>					
<b>Dubbo Regional Airport</b>					
<b>Dubbo Regional Airport - Acquisition of Assets</b>					
01.09206 - Airport - Buildings					
6962 - Security Screening Area Upgrades	0	1,900	0	1,900	1,900
01.09206 - Airport - Buildings Total	0	1,900	0	1,900	1,900
<b>Dubbo Regional Airport - Acquisition of Assets Total</b>	<b>0</b>	<b>1,900</b>	<b>0</b>	<b>1,900</b>	<b>1,900</b>
<b>Dubbo Regional Airport - Asset Renewals - Maint.</b>					
01.09208 - Airport - Other Structures					
6951 - CCTV Enhancement	9,000	0	0	9,000	720
01.09208 - Airport - Other Structures Total	9,000	0	0	9,000	720
01.09212 - Airport - Infrastructure Pavements					
6975 - NSRF - Stage 4 - Electricity/Comms	0	10,868	0	10,868	6,144
7000 - RPT - Southern Apron expansion	1,346,756	0	-1,296,756	50,000	31,082
7002 - Northern Apron Expansion	0	1,900	1,296,756	1,298,656	1,900
01.09212 - Airport - Infrastructure Pavements Total	1,346,756	12,768	0	1,359,524	39,126
01.09215 - Asset Renewal Airport - Buildings					
6907 - Security Area	100,000	-100,000	0	0	0
01.09215 - Asset Renewal Airport - Buildings Total	100,000	-100,000	0	0	0
<b>Dubbo Regional Airport - Asset Renewals - Maint. Total</b>	<b>1,455,756</b>	<b>-87,232</b>	<b>0</b>	<b>1,368,524</b>	<b>39,846</b>
<b>Dubbo Regional Airport Total</b>	<b>1,455,756</b>	<b>-85,332</b>	<b>0</b>	<b>1,370,424</b>	<b>41,746</b>
<b>Dubbo Regional Livestock Markets</b>					
<b>Livestock Markets - Acquisition of Assets</b>					
01.09167 - Livestock Markets - Other Structures					
6946 - Shade Structures (Cattle Yards)	90,000	-90,000	0	0	0
6951 - Cattle Yards Rubber Matting	50,000	0	10,000	60,000	50,790
01.09167 - Livestock Markets - Other Structures Total	140,000	-90,000	10,000	60,000	50,790
<b>Livestock Markets - Acquisition of Assets Total</b>	<b>140,000</b>	<b>-90,000</b>	<b>10,000</b>	<b>60,000</b>	<b>50,790</b>
<b>Livestock Markets - Asset Renewals - Maintenance</b>					
01.09176 - Livestock Markets - Buildings - Non Specialised					
7000 - Canteen/amenities/office	1,590,000	-1,490,000	-90,000	10,000	3,915
01.09176 - Livestock Markets - Buildings - Non Specialised Total	1,590,000	-1,490,000	-90,000	10,000	3,915
01.09177 - Livestock Markets - Other Structures					
6895 - Security Cameras	20,000	12,690	2,730	35,420	32,690
6907 - Upgrade Sheep Paddock Fences	150,000	0	-150,000	0	0
01.09177 - Livestock Markets - Other Structures Total	170,000	12,690	-147,270	35,420	32,690
<b>Livestock Markets - Asset Renewals - Maintenance Total</b>	<b>1,760,000</b>	<b>-1,477,310</b>	<b>-237,270</b>	<b>45,420</b>	<b>36,605</b>
<b>Dubbo Regional Livestock Markets Total</b>	<b>1,900,000</b>	<b>-1,567,310</b>	<b>-227,270</b>	<b>105,420</b>	<b>87,395</b>
<b>Economic Development and Marketing</b>					
<b>Economic Development - Acquisition of Assets</b>					
01.09489 - Tourism Promotion					
7290 - Wellington VIC Driver Re-licence Upgrade	0	26,747	0	26,747	13,276
01.09489 - Tourism Promotion Total	0	26,747	0	26,747	13,276
<b>Economic Development - Acquisition of Assets Total</b>	<b>0</b>	<b>26,747</b>	<b>0</b>	<b>26,747</b>	<b>13,276</b>
<b>Economic Development and Marketing Total</b>	<b>0</b>	<b>26,747</b>	<b>0</b>	<b>26,747</b>	<b>13,276</b>
<b>Old Dubbo Gaol</b>					
<b>Old Dubbo Gaol - Acquisition of Assets</b>					
01.09456 - Infrastructure					
5802 - Paving & Underground Infrastructure	100,000	150,000	-250,000	0	0
5803 - Roof and Guttering	193,000	-193,000	0	0	0
5804 - Gallery Wall Repointing	50,000	0	-50,000	0	0
01.09456 - Infrastructure Total	343,000	-43,000	-300,000	0	0
<b>Old Dubbo Gaol - Acquisition of Assets Total</b>	<b>343,000</b>	<b>-43,000</b>	<b>-300,000</b>	<b>0</b>	<b>0</b>
<b>Old Dubbo Gaol - Asset Renewals - Maintenance</b>					
01.09455 - Old Dubbo Gaol - Buildings					
5916 - Padded Cell Upgrade	0	3,460	0	3,460	0
01.09455 - Old Dubbo Gaol - Buildings Total	0	3,460	0	3,460	0
<b>Old Dubbo Gaol - Asset Renewals - Maintenance Total</b>	<b>0</b>	<b>3,460</b>	<b>0</b>	<b>3,460</b>	<b>0</b>
<b>Old Dubbo Gaol Total</b>	<b>343,000</b>	<b>-39,540</b>	<b>-300,000</b>	<b>3,460</b>	<b>0</b>
<b>Regional Experiences</b>					
<b>Regional Experiences - Acquisition of Assets</b>					
01.09048 - Regional Experiences - Acquisition of Assets					
1000 - Audio/Visual Exhibition	0	15,000	0	15,000	0
1001 - Stop Motion Adventure - Grant	0	3,535	0	3,535	0
01.09048 - Regional Experiences - Acquisition of Assets Total	0	18,535	0	18,535	0
<b>Regional Experiences - Acquisition of Assets Total</b>	<b>0</b>	<b>18,535</b>	<b>0</b>	<b>18,535</b>	<b>0</b>
<b>Regional Experiences Total</b>	<b>0</b>	<b>18,535</b>	<b>0</b>	<b>18,535</b>	<b>0</b>
<b>Regional Theatre and Convention Centre</b>					
<b>Regional Theatre Convention Ctr-Acquisition Assets</b>					
01.09551 - DRTRC - Furniture & Fittings					
9015 - Refrigeration	15,000	-15,000	0	0	0
01.09551 - DRTRC - Furniture & Fittings Total	15,000	-15,000	0	0	0
<b>Regional Theatre Convention Ctr-Acquisition Assets Total</b>	<b>15,000</b>	<b>-15,000</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Regional Theatre Convntn-Asset Renewals-Mainten</b>					
01.09578 - DRTRC - Furniture & Fittings					

	Original Budget	September Adjustment	December Adjustment	Annual Forecast	YTD Actuals as at 31 December
7302 - External LED Sign	300,000	-4,600	0	295,400	25,855
7305 - Heating Water Boiler	30,000	-30,000	0	0	0
7306 - Heating Water Pressurisation Tank	6,000	0	-6,000	0	0
7312 - Stage Grid	0	46,272	-3,750	42,522	42,522
<b>01.09578 - DRTCC - Furniture &amp; Fittings Total</b>	<b>336,000</b>	<b>11,672</b>	<b>-9,750</b>	<b>337,922</b>	<b>68,377</b>
<b>01.09582 - Wellington Civic Centre - Buildings</b>					
7000 - Wellington Civic Centre	42,380	-42,380	0	0	0
<b>01.09582 - Wellington Civic Centre - Buildings Total</b>	<b>42,380</b>	<b>-42,380</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Regional Theatre ConvnTin-Asset Renewals-Mainten Total</b>	<b>378,380</b>	<b>-30,708</b>	<b>-9,750</b>	<b>337,922</b>	<b>68,377</b>
<b>Regional Theatre and Convention Centre Total</b>	<b>393,380</b>	<b>-45,708</b>	<b>-9,750</b>	<b>337,922</b>	<b>68,377</b>
<b>Showgrounds</b>					
<b>Showgrounds - Acquisition of Assets</b>					
<b>01.09290 - Showground - Furniture &amp; Fittings</b>					
7123 - Function Equipment	0	40,000	-40,000	0	954
<b>01.09290 - Showground - Furniture &amp; Fittings Total</b>	<b>0</b>	<b>40,000</b>	<b>-40,000</b>	<b>0</b>	<b>954</b>
<b>01.09292 - Showground - Buildings</b>					
7118 - DCP & DP/E - 50% Grant - Stables	0	225,000	0	225,000	218,620
7119 - Grant - Pavilion Piazza	0	495,264	-395,264	100,000	0
<b>01.09292 - Showground - Buildings Total</b>	<b>0</b>	<b>720,264</b>	<b>-395,264</b>	<b>325,000</b>	<b>218,620</b>
<b>01.09297 - Showground - Other Assets</b>					
7125 - Water Mains	0	0	0	0	105
7140 - Showground Master Plan	125,000	110,000	-235,000	0	0
7141 - OEC Toilets (Grandstand)	0	60,000	0	60,000	0
7201 - PI&E Grant Phase 1 - Boundary Fence	0	29,658	0	29,658	29,559
7202 - Toilet Block - Grandstand	0	360,500	0	360,500	43,234
<b>01.09297 - Showground - Other Assets Total</b>	<b>125,000</b>	<b>560,158</b>	<b>-235,000</b>	<b>450,158</b>	<b>72,898</b>
<b>Showgrounds - Acquisition of Assets Total</b>	<b>125,000</b>	<b>1,320,422</b>	<b>-670,264</b>	<b>775,158</b>	<b>292,472</b>
<b>Showgrounds - Asset Renewals - Maintenance</b>					
<b>01.09295 - Showground - Buildings</b>					
7122 - Showground CCTV Renewal	0	623	0	623	623
7130 - Wellington Showground - Disabled Access	50,000	0	-50,000	0	0
7134 - Storage Shed Extension	0	30,000	0	30,000	0
<b>01.09295 - Showground - Buildings Total</b>	<b>50,000</b>	<b>30,623</b>	<b>-50,000</b>	<b>30,623</b>	<b>623</b>
<b>Showgrounds - Asset Renewals - Maintenance Total</b>	<b>50,000</b>	<b>30,623</b>	<b>-50,000</b>	<b>30,623</b>	<b>623</b>
<b>Wellington - Capital Expenses</b>					
<b>01.08221 - Asset Renewals</b>					
7002 - Wellington Showground Upgrade	50,000	0	-50,000	0	0
<b>01.08221 - Asset Renewals Total</b>	<b>50,000</b>	<b>0</b>	<b>-50,000</b>	<b>0</b>	<b>0</b>
<b>Wellington - Capital Expenses Total</b>	<b>50,000</b>	<b>0</b>	<b>-50,000</b>	<b>0</b>	<b>0</b>
<b>Showgrounds Total</b>	<b>225,000</b>	<b>1,351,045</b>	<b>-770,264</b>	<b>805,781</b>	<b>293,095</b>
<b>Wellington Caves Complex</b>					
<b>Wellington Caves Complex - Acquisition of Assets</b>					
<b>01.08150 - Caravan Park - Other Structures</b>					
5004 - Bin Storage Area	0	8,184	0	8,184	8,184
<b>01.08150 - Caravan Park - Other Structures Total</b>	<b>0</b>	<b>8,184</b>	<b>0</b>	<b>8,184</b>	<b>8,184</b>
<b>01.08153 - Caravan Park - Furniture &amp; Fittings</b>					
5002 - Mattresses for Cabins	0	0	0	0	-2,000
5100 - Cabin Furniture & Fittings	20,000	0	0	20,000	2,438
<b>01.08153 - Caravan Park - Furniture &amp; Fittings Total</b>	<b>20,000</b>	<b>0</b>	<b>0</b>	<b>20,000</b>	<b>438</b>
<b>01.08172 - Wellington Caves - Other Structures</b>					
7000 - Megafauna Education Zone	0	70,000	0	70,000	70,000
7002 - Caves Entrance Sign Upgrade	0	132,379	0	132,379	34,554
<b>01.08172 - Wellington Caves - Other Structures Total</b>	<b>0</b>	<b>202,379</b>	<b>0</b>	<b>202,379</b>	<b>104,554</b>
<b>Wellington Caves Complex - Acquisition of Assets Total</b>	<b>20,000</b>	<b>210,563</b>	<b>0</b>	<b>230,563</b>	<b>113,176</b>
<b>Wellington Caves Complex - Asset Renewals - Maint.</b>					
<b>01.08200 - Land &amp; Buildings</b>					
7106 - Caravan Park Office	0	0	2,520	2,520	2,520
7107 - Park Cabin Family Units	150,000	0	-150,000	0	0
7108 - Caravan Park - Irrigation	0	0	2,000	2,000	2,000
7109 - Thunder Caves Stairs	65,000	0	0	65,000	0
7110 - Garden Caves Hand Rails	40,000	0	0	40,000	0
7112 - Garage Removal and Landscaping	25,000	0	0	25,000	0
<b>01.08200 - Land &amp; Buildings Total</b>	<b>280,000</b>	<b>0</b>	<b>-145,480</b>	<b>134,520</b>	<b>4,520</b>
<b>01.08202 - Plant and Equipment</b>					
7002 - Caravan Park - Security Upgrade	45,000	0	-45,000	0	0
<b>01.08202 - Plant and Equipment Total</b>	<b>45,000</b>	<b>0</b>	<b>-45,000</b>	<b>0</b>	<b>0</b>
<b>01.08203 - Infrastructure - Road &amp; Bridge &amp; Footpath</b>					
7002 - Access Road	0	3,197	0	3,197	3,197
<b>01.08203 - Infrastructure - Road &amp; Bridge &amp; Footpath Total</b>	<b>0</b>	<b>3,197</b>	<b>0</b>	<b>3,197</b>	<b>3,197</b>
<b>Wellington Caves Complex - Asset Renewals - Maint. Total</b>	<b>325,000</b>	<b>3,197</b>	<b>-190,480</b>	<b>137,717</b>	<b>7,717</b>
<b>Wellington Caves Complex Total</b>	<b>345,000</b>	<b>213,760</b>	<b>-190,480</b>	<b>368,280</b>	<b>120,893</b>
<b>Western Plains Cultural Centre</b>					
<b>Cultural Centre - Acquisition of Assets</b>					
<b>01.09535 - WPCC - Other Structures</b>					
7054 - Security DVR Upgrade	100,000	138,728	0	238,728	141,009
7087 - Callie Deck/Rock Garden	0	45,000	-45,000	0	0
<b>01.09535 - WPCC - Other Structures Total</b>	<b>100,000</b>	<b>184,728</b>	<b>-45,000</b>	<b>238,728</b>	<b>141,009</b>
<b>01.09541 - WPCC - Furniture &amp; Fittings</b>					
7122 - Lockable Trolleys	8,000	0	0	8,000	0

	Original Budget	September Adjustment	December Adjustment	Annual Forecast	YTD Actuals as at 31 December
<b>01.09541 - WPCC - Furniture &amp; Fittings Total</b>	<b>8,000</b>	<b>0</b>	<b>0</b>	<b>8,000</b>	<b>0</b>
<b>01.09542 - WPCC - Plant &amp; Equipment</b>					
7454 - Daikin Air Condition Unit - Staff Office	0	0	7,968	7,968	0
<b>01.09542 - WPCC - Plant &amp; Equipment Total</b>	<b>0</b>	<b>0</b>	<b>7,968</b>	<b>7,968</b>	<b>0</b>
<b>01.09545 - Cultural Facilities - Buildings</b>					
7415 - BMS System	41,000	45,000	4,971	90,971	1,415
7416 - Store & Music Facility WPCC	0	49,203	0	49,203	4,643
<b>01.09545 - Cultural Facilities - Buildings Total</b>	<b>41,000</b>	<b>94,203</b>	<b>4,971</b>	<b>140,174</b>	<b>6,058</b>
<b>Cultural Centre - Acquisition of Assets Total</b>	<b>149,000</b>	<b>278,931</b>	<b>-32,061</b>	<b>395,870</b>	<b>147,067</b>
<b>Cultural Centre - Asset Renewals - Maintenance</b>					
<b>01.09533 - WPCC - Furniture &amp; Fittings</b>					
7307 - Fan Coil Unit	50,000	0	0	50,000	0
7324 - Fire Dampers and Fire Rating	10,000	0	0	10,000	0
<b>01.09533 - WPCC - Furniture &amp; Fittings Total</b>	<b>60,000</b>	<b>0</b>	<b>0</b>	<b>60,000</b>	<b>0</b>
<b>01.09721 - WPCC - Land &amp; Buildings</b>					
7001 - Garden Upgrade	0	40,000	-40,000	0	0
7002 - Courtyard Upgrade	0	0	0	0	9,080
<b>01.09721 - WPCC - Land &amp; Buildings Total</b>	<b>0</b>	<b>40,000</b>	<b>-40,000</b>	<b>0</b>	<b>9,080</b>
<b>Cultural Centre - Asset Renewals - Maintenance Total</b>	<b>60,000</b>	<b>40,000</b>	<b>-40,000</b>	<b>60,000</b>	<b>9,080</b>
<b>Cultural Centre - Profit on Sale of Assets</b>					
<b>01.01254 - Profit/Loss on Sale of Assets</b>					
<b>01.01254 - Profit/Loss on Sale of Assets Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Cultural Centre - Profit on Sale of Assets Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Western Plains Cultural Centre Total</b>	<b>209,000</b>	<b>318,931</b>	<b>-72,061</b>	<b>455,870</b>	<b>156,147</b>
<b>Culture and Economy Total</b>	<b>4,871,136</b>	<b>191,128</b>	<b>-1,569,825</b>	<b>3,492,439</b>	<b>780,929</b>
<b>Development and Environment</b>					
<b>Building and Development Services</b>					
<b>Building and Development Serv-Acquisition of Assets</b>					
<b>01.09318 - Building Control - Office Equipment</b>					
7000 - e-Planning Portal Integration Software	0	68,000	0	68,000	31,099
<b>01.09318 - Building Control - Office Equipment Total</b>	<b>0</b>	<b>68,000</b>	<b>0</b>	<b>68,000</b>	<b>31,099</b>
<b>Building and Development Serv-Acquisition of Assets Total</b>	<b>0</b>	<b>68,000</b>	<b>0</b>	<b>68,000</b>	<b>31,099</b>
<b>Building and Development Services Total</b>	<b>0</b>	<b>68,000</b>	<b>0</b>	<b>68,000</b>	<b>31,099</b>
<b>Compliance</b>					
<b>Compliance - Acquisition of Assets</b>					
<b>01.09365 - Compliance - Other Structures</b>					
7001 - Animal Shelter	100,000	0	0	100,000	0
7002 - Parking Sensors	70,000	60,000	-60,000	70,000	0
<b>01.09365 - Compliance - Other Structures Total</b>	<b>170,000</b>	<b>60,000</b>	<b>-60,000</b>	<b>170,000</b>	<b>0</b>
<b>01.09373 - Compliance - Office Equipment</b>					
7000 - Minor Office Equipment	13,800	0	0	13,800	0
7001 - Tablet for EPA Grant Funded Project	0	0	0	0	7,182
<b>01.09373 - Compliance - Office Equipment Total</b>	<b>13,800</b>	<b>0</b>	<b>0</b>	<b>13,800</b>	<b>7,182</b>
<b>Compliance - Acquisition of Assets Total</b>	<b>183,800</b>	<b>60,000</b>	<b>-60,000</b>	<b>183,800</b>	<b>7,182</b>
<b>Compliance Total</b>	<b>183,800</b>	<b>60,000</b>	<b>-60,000</b>	<b>183,800</b>	<b>7,182</b>
<b>Environment and Health</b>					
<b>Environment and Health - Acquisition of Assets</b>					
<b>01.09305 - Environmental Control - Office Equip</b>					
7124 - Office Equipment	4,200	0	-4,200	0	0
<b>01.09305 - Environmental Control - Office Equip Total</b>	<b>4,200</b>	<b>0</b>	<b>-4,200</b>	<b>0</b>	<b>0</b>
<b>Environment and Health - Acquisition of Assets Total</b>	<b>4,200</b>	<b>0</b>	<b>-4,200</b>	<b>0</b>	<b>0</b>
<b>Environment and Health Total</b>	<b>4,200</b>	<b>0</b>	<b>-4,200</b>	<b>0</b>	<b>0</b>
<b>Resource Recovery and Efficiency</b>					
<b>Acquisition of Assets</b>					
<b>01.09410 - Acquisition of Assets - Other Structures</b>					
7200 - DRTOCC - Roof Mounted Photovoltaics	0	4,735	0	4,735	0
7201 - Dubbo Library-Roof Mounted Photovoltaics	0	0	0	0	2,435
7207 - WAB - Solar Renewable System	0	119,864	0	119,864	22,727
7208 - CAB - Solar Renewable System	0	0	0	0	96,800
<b>01.09410 - Acquisition of Assets - Other Structures Total</b>	<b>0</b>	<b>124,619</b>	<b>0</b>	<b>124,619</b>	<b>124,962</b>
<b>Acquisition of Assets Total</b>	<b>0</b>	<b>124,619</b>	<b>0</b>	<b>124,619</b>	<b>124,962</b>
<b>Resource Recovery and Efficiency Total</b>	<b>0</b>	<b>124,619</b>	<b>0</b>	<b>124,619</b>	<b>124,962</b>
<b>Waste Management - Domestic</b>					
<b>Domestic Waste - Acquisition of Assets</b>					
<b>01.09103 - DWM - Plant &amp; Equipment Purchases</b>					
6728 - Truck (713)	0	389,230	0	389,230	389,230
6733 - Utility (122)	44,746	0	0	44,746	0
6739 - Truck (710)	0	389,230	0	389,230	389,230
6741 - Utility (2122)	37,583	0	0	37,583	0
6746 - Utility (091)	0	35,452	0	35,452	35,452
6747 - Utility (2121)	0	40,720	0	40,720	40,720
<b>01.09103 - DWM - Plant &amp; Equipment Purchases Total</b>	<b>82,329</b>	<b>854,632</b>	<b>0</b>	<b>936,961</b>	<b>854,632</b>
<b>Domestic Waste - Acquisition of Assets Total</b>	<b>82,329</b>	<b>854,632</b>	<b>0</b>	<b>936,961</b>	<b>854,632</b>
<b>Waste Management - Domestic Total</b>	<b>82,329</b>	<b>854,632</b>	<b>0</b>	<b>936,961</b>	<b>854,632</b>
<b>Waste Management - Other</b>					
<b>Other Waste - Acquisition of Assets</b>					
<b>01.08113 - Other Assets</b>					
6506 - Minor Other Assets	0	0	0	0	6,810
<b>01.08113 - Other Assets Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>6,810</b>

	Original Budget	September Adjustment	December Adjustment	Annual Forecast	YTD Actuals as at 31 December
<b>01.09114 - Other Waste - Plant &amp; Equipment</b>					
6760 - Utility (121)	40,229	0	0	40,229	0
6795 - Wheeled Loader (718)	380,000	0	-380,000	0	0
6818 - Water Pump (880)	0	0	29,670	29,670	29,670
<b>01.09114 - Other Waste - Plant &amp; Equipment Total</b>	<b>420,229</b>	<b>0</b>	<b>-350,330</b>	<b>69,899</b>	<b>29,670</b>
<b>01.09120 - Other Waste - Land Improvements</b>					
6784 - Landfill Rehabilitation - Wellington Tip	255,288	0	-205,288	50,000	17,635
<b>01.09120 - Other Waste - Land Improvements Total</b>	<b>255,288</b>	<b>0</b>	<b>-205,288</b>	<b>50,000</b>	<b>17,635</b>
<b>Other Waste - Acquisition of Assets Total</b>	<b>675,517</b>	<b>0</b>	<b>-555,618</b>	<b>119,899</b>	<b>54,115</b>
<b>Waste Management - Other Total</b>	<b>675,517</b>	<b>0</b>	<b>-555,618</b>	<b>119,899</b>	<b>54,115</b>
<b>Development and Environment Total</b>	<b>945,846</b>	<b>1,107,251</b>	<b>-619,818</b>	<b>1,433,279</b>	<b>1,071,990</b>
<b>Executive Services</b>					
<b>Governance and Internal Control</b>					
<b>Governance and Internal Con - Acquisition of Assets</b>					
<b>01.09660 - Admin Services - Office Equipment</b>					
7902 - Councilors Office Equipment	2,000	0	-2,000	0	0
<b>01.09660 - Admin Services - Office Equipment Total</b>	<b>2,000</b>	<b>0</b>	<b>-2,000</b>	<b>0</b>	<b>0</b>
<b>Governance and Internal Con - Acquisition of Assets Total</b>	<b>2,000</b>	<b>0</b>	<b>-2,000</b>	<b>0</b>	<b>0</b>
<b>Governance and Internal Control Total</b>	<b>2,000</b>	<b>0</b>	<b>-2,000</b>	<b>0</b>	<b>0</b>
<b>Executive Services Total</b>	<b>2,000</b>	<b>0</b>	<b>-2,000</b>	<b>0</b>	<b>0</b>
<b>Infrastructure</b>					
<b>BILT</b>					
<b>BILT - Expenditure on Grants</b>					
<b>01.09353 - BILT - Wellington Pool Redevelopment</b>					
1000 - Wellington Pool Redevelopment	0	3,430	0	3,430	3,376
<b>01.09353 - BILT - Wellington Pool Redevelopment Total</b>	<b>0</b>	<b>3,430</b>	<b>0</b>	<b>3,430</b>	<b>3,376</b>
<b>01.09372 - Destination Dubbo</b>					
1000 - Old Dubbo Gasol Plaza	2,364,846	-222,746	-1,000,000	1,142,100	381,259
1001 - Wiradjuri Tourism Centre - Building	29,692	800,000	0	823,692	141,954
1002 - Macquarie Foreshore - Event Precinct	14,846	2,097,980	-1,300,000	812,826	324,694
<b>01.09372 - Destination Dubbo Total</b>	<b>2,409,384</b>	<b>2,675,234</b>	<b>-2,300,000</b>	<b>2,768,618</b>	<b>847,907</b>
<b>BILT - Expenditure on Grants Total</b>	<b>2,409,384</b>	<b>2,678,664</b>	<b>-2,300,000</b>	<b>2,768,048</b>	<b>851,283</b>
<b>BILT Total</b>	<b>2,409,384</b>	<b>2,678,664</b>	<b>-2,300,000</b>	<b>2,768,048</b>	<b>851,283</b>
<b>Depot Services</b>					
<b>Depot Services - Acquisition of Assets</b>					
<b>01.09693 - Depot - Plant &amp; Equipment</b>					
7947 - Alarm System	0	5,951	0	5,951	5,951
7970 - Amaroo Dr Depot Key Security System	0	38,325	0	38,325	0
<b>01.09693 - Depot - Plant &amp; Equipment Total</b>	<b>0</b>	<b>44,276</b>	<b>0</b>	<b>44,276</b>	<b>5,951</b>
<b>01.09696 - Depot - Other Structures</b>					
7963 - General Staff Car Park	0	12,666	0	12,666	12,666
7971 - Hawthorn St Depot Bitumen Seal	0	1,586	358	1,944	2,241
<b>01.09696 - Depot - Other Structures Total</b>	<b>0</b>	<b>14,252</b>	<b>358</b>	<b>14,610</b>	<b>14,907</b>
<b>01.09697 - Depot - Buildings</b>					
7546 - Hawthorn St Build 15 - 5 Bay Ganger Shed	0	0	250,000	250,000	0
7547 - Hawthorn St Build14 Op's Plant Shelter	0	0	35,000	35,000	0
7549 - Hawthorn St Depot Inf Office Block	338,459	338,609	-250,000	425,068	7,222
7552 - Hawthorn St Depot Stores Shed	0	1,880	0	1,880	1,880
7969 - Hawthorn St Depot Improvements	300,000	-46,156	-35,000	218,844	0
<b>01.09697 - Depot - Buildings Total</b>	<b>638,459</b>	<b>292,333</b>	<b>0</b>	<b>930,792</b>	<b>9,802</b>
<b>Depot Services - Acquisition of Assets Total</b>	<b>638,459</b>	<b>350,861</b>	<b>358</b>	<b>989,678</b>	<b>30,660</b>
<b>Depot Services Total</b>	<b>638,459</b>	<b>350,861</b>	<b>358</b>	<b>989,678</b>	<b>30,660</b>
<b>Fire and Emergency Services</b>					
<b>Emergency Management - Acquisition of Assets</b>					
<b>01.09168 - Emergency Management Facilities</b>					
6899 - NSW Emergency Operations Centre Upgrade	0	145,951	0	145,951	126,341
<b>01.09168 - Emergency Management Facilities Total</b>	<b>0</b>	<b>145,951</b>	<b>0</b>	<b>145,951</b>	<b>126,341</b>
<b>Emergency Management - Acquisition of Assets Total</b>	<b>0</b>	<b>145,951</b>	<b>0</b>	<b>145,951</b>	<b>126,341</b>
<b>Fire Services - Acquisition of Assets</b>					
<b>01.09156 - Fire Control - Plant &amp; Equipment</b>					
6840 - BFC Catalogue Items - Capital	0	0	1,396,904	1,396,904	1,396,904
<b>01.09156 - Fire Control - Plant &amp; Equipment Total</b>	<b>0</b>	<b>0</b>	<b>1,396,904</b>	<b>1,396,904</b>	<b>1,396,904</b>
<b>01.09164 - Fire Control - Buildings</b>					
6903 - NSW RFS Flight Simulator	400,000	0	0	400,000	193,225
6904 - Bodangora Station	255,000	0	0	255,000	4,064
6905 - Dripstone Floor	0	43,049	0	43,049	13,236
6907 - Wuuluman Station	54,853	-43,883	0	10,970	4,064
<b>01.09164 - Fire Control - Buildings Total</b>	<b>709,853</b>	<b>-834</b>	<b>0</b>	<b>709,019</b>	<b>214,589</b>
<b>Fire Services - Acquisition of Assets Total</b>	<b>709,853</b>	<b>-834</b>	<b>1,396,904</b>	<b>2,105,923</b>	<b>1,611,493</b>
<b>Fire and Emergency Services Total</b>	<b>709,853</b>	<b>145,117</b>	<b>1,396,904</b>	<b>2,251,874</b>	<b>1,737,834</b>
<b>Fleet Services</b>					
<b>Fleet - Acquisition of Assets</b>					
<b>01.09615 - Assets Purchased - Sundry Plant (\$5000 to \$9999)</b>					
7941 - Trailer (2536)	0	5,700	0	5,700	5,700
7949 - Fire Fighting Trailer (2595)	0	17,091	-17,091	0	0
8600 - Trailer (527)	9,999	-9,999	0	0	0
<b>01.09615 - Assets Purchased - Sundry Plant (\$5000 to \$9999) Total</b>	<b>9,999</b>	<b>12,792</b>	<b>-17,091</b>	<b>5,700</b>	<b>5,700</b>
<b>01.09619 - Assets Purchased - Minor Plant (\$5000 to \$149999) Total</b>	<b>254,037</b>	<b>59,000</b>	<b>-254,037</b>	<b>59,000</b>	<b>0</b>
<b>01.09621 - Assets Purchased - Major Plant (&gt;\$150 &amp; 000) Total</b>	<b>1,475,368</b>	<b>28,115</b>	<b>-409,950</b>	<b>1,093,533</b>	<b>324,274</b>

	Original Budget	September Adjustment	December Adjustment	Annual Forecast	YTD Actuals as at 31 December
<b>01.09623 - Assets Purchased - Light Vehicles Total</b>	<b>2,361,409</b>	<b>188,558</b>	<b>-935,095</b>	<b>1,614,872</b>	<b>654,205</b>
<b>01.09625 - Assets Purchased - Small Plant (\$10000 to \$49999) Total</b>	<b>202,158</b>	<b>40,342</b>	<b>-104,294</b>	<b>138,206</b>	<b>62,766</b>
<b>Fleet - Acquisition of Assets Total</b>	<b>4,302,971</b>	<b>328,807</b>	<b>-1,720,467</b>	<b>2,911,311</b>	<b>1,046,945</b>
<b>Fleet Services Total</b>	<b>4,302,971</b>	<b>328,807</b>	<b>-1,720,467</b>	<b>2,911,311</b>	<b>1,046,945</b>
<b>Roads Network</b>					
<b>Footpaths &amp; Cycleways - Acquisition of Assets</b>					
<b>01.09006 - Paved Footpaths - Construction</b>					
6527 - Wheelers Lane - Myall to Bass	0	55,720	0	55,720	55,720
6600 - Macquarie St	0	42,014	-29,301	12,713	12,713
6604 - Fence various walkways	0	37,948	-35,418	2,530	255
6605 - LRCI - Hennessy Dr Shared Pathway	480,000	-6,867	0	473,133	30,999
<b>01.09006 - Paved Footpaths - Construction Total</b>	<b>480,000</b>	<b>128,815</b>	<b>-64,719</b>	<b>544,096</b>	<b>99,687</b>
<b>Footpaths &amp; Cycleways - Acquisition of Assets Total</b>	<b>480,000</b>	<b>128,815</b>	<b>-64,719</b>	<b>544,096</b>	<b>99,687</b>
<b>Footpaths &amp; Cycleways - Asset Renewals</b>					
<b>01.09004 - Paved Footpaths - Reconstruction</b>					
6689 - Brisbane St (Tamworth to Mitchell)	444,864	-444,864	0	0	0
<b>01.09004 - Paved Footpaths - Reconstruction Total</b>	<b>444,864</b>	<b>-444,864</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Footpaths &amp; Cycleways - Asset Renewals Total</b>	<b>444,864</b>	<b>-444,864</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Rural Roads - Acquisition of Assets</b>					
<b>01.09076 - Roads To Recovery Program</b>					
6680 - Planned Roads to Recovery Program	2,146,498	-1,707,138	435,803	875,163	0
6681 - Village Sealing Program	0	0	50,000	50,000	0
<b>01.09076 - Roads To Recovery Program Total</b>	<b>2,146,498</b>	<b>-1,707,138</b>	<b>485,803</b>	<b>925,163</b>	<b>0</b>
<b>01.09079 - Rural Roads - Land Acquisition</b>					
6700 - Land Acquisition Costs	0	1,206	0	1,206	8,088
<b>01.09079 - Rural Roads - Land Acquisition Total</b>	<b>0</b>	<b>1,206</b>	<b>0</b>	<b>1,206</b>	<b>8,088</b>
<b>01.09082 - Bridge Improvements Program</b>					
6682 - Torrabella Bridge	2,168,000	-46,000	0	2,122,000	618,466
6683 - Burrendong Bridge No 2	2,120,000	1,205,686	0	3,325,686	1,225,928
6685 - Benolong Bridge Replacement	1,500,000	-993,837	0	506,163	127,631
6686 - Burrendong Bridge No 1	0	65,000	0	65,000	1,477
6687 - Tara Rd	0	10,000	0	10,000	0
6688 - Molong St Stuart Town	0	20,000	0	20,000	0
<b>01.09082 - Bridge Improvements Program Total</b>	<b>5,788,000</b>	<b>260,849</b>	<b>0</b>	<b>6,048,849</b>	<b>1,973,502</b>
<b>Rural Roads - Acquisition of Assets Total</b>	<b>7,934,498</b>	<b>-1,445,083</b>	<b>485,803</b>	<b>6,975,218</b>	<b>1,981,590</b>
<b>Rural Roads - Asset Renewals - Asset Maintenance</b>					
<b>01.09072 - Rural Road-Major Construction &amp; Reconstruction</b>					
6658 - Regional Roads Upgrading Program	800,000	-800,000	0	0	0
6773 - Twelve Mile Road	1,510,404	-1,507,178	0	3,226	3,226
6783 - Boothenba/Livestock Market Intersection	4,428,710	761,782	0	5,190,492	679,187
6785 - Burrendong Way - Safer Roads Program	2,262,000	-1,357,200	0	904,800	370,586
6786 - Renshaw McGirr Way - Safer Roads Program	0	0	0	0	4,570
6788 - FLR - Old Mendooran Rd Seal Extension	0	1,782,685	236,626	2,019,311	466,820
6791 - RMS - 20/21 MRS73 Burrendong Way	0	398,891	0	398,891	404,342
6792 - Safer Roads Program - Old Dubbo Road	0	1,263,496	-73,340	1,190,156	1,189,770
6795 - Toorale Rd Drainage Improvements	0	451,020	48,000	499,020	723,237
6796 - RTR - Obley Rd Culvert Replacement	0	253,839	272,242	526,081	288,774
6809 - Boothenba/Old Mendooran Intersection	0	0	100,000	100,000	0
6810 - Coorena Road	0	294,658	-4,753	289,905	294,688
6818 - Burrendong Way - Dripstone Seg 50	0	800,000	0	800,000	7,771
6819 - Ballimore Rd (Windora to Wongajong Rd)	0	300,000	-150,000	150,000	11,389
6820 - Ballimore Rd (Wongajong to Westalla Rd)	0	25,000	0	25,000	11,389
6821 - Ballimore Rd (Comobella to Windora Rd)	0	7,577	0	7,577	0
6823 - Eulalie Ln Stg 1 (Weonga Rd to Seal)	0	25,000	0	25,000	0
6828 - Eulalie Ln Stg 3 (Seal to Weonga Rd)	0	4,407	0	4,407	0
<b>01.09072 - Rural Road-Major Construction &amp; Reconstruction Total</b>	<b>9,001,114</b>	<b>2,703,977</b>	<b>428,775</b>	<b>12,133,866</b>	<b>4,455,749</b>
<b>01.09074 - Rural Road Construction - Preconstruction</b>					
6670 - IS & Design - Preconstruction	0	1,856	0	1,856	-48
<b>01.09074 - Rural Road Construction - Preconstruction Total</b>	<b>0</b>	<b>1,856</b>	<b>0</b>	<b>1,856</b>	<b>-48</b>
<b>01.09077 - Rural Roads - Renewals</b>					
6695 - Annual Reseal Program	863,573	0	0	863,573	5,092
6697 - Rural Unsealed - Resheeting (West)	401,573	0	246,528	648,101	276,669
6698 - Rural Unsealed - Resheeting (East Zone)	531,573	0	0	531,573	0
<b>01.09077 - Rural Roads - Renewals Total</b>	<b>1,796,719</b>	<b>0</b>	<b>246,528</b>	<b>2,043,247</b>	<b>281,761</b>
<b>Rural Roads - Asset Renewals - Asset Maintenance Total</b>	<b>10,797,833</b>	<b>2,705,833</b>	<b>675,303</b>	<b>14,178,969</b>	<b>4,737,462</b>
<b>Urban Roads - Acquisition of Assets</b>					
<b>01.09043 - Preconstruction</b>					
6617 - IS & Design - Preconstruction	200,000	-158,840	0	41,160	7,484
<b>01.09043 - Preconstruction Total</b>	<b>200,000</b>	<b>-158,840</b>	<b>0</b>	<b>41,160</b>	<b>7,484</b>
<b>01.09053 - Public Transport Infrastructure Program</b>					
6638 - Bus Shelters	0	0	2,156	2,156	0
<b>01.09053 - Public Transport Infrastructure Program Total</b>	<b>0</b>	<b>0</b>	<b>2,156</b>	<b>2,156</b>	<b>0</b>
<b>Urban Roads - Acquisition of Assets Total</b>	<b>200,000</b>	<b>-158,840</b>	<b>2,156</b>	<b>43,316</b>	<b>7,484</b>
<b>Urban Roads - Asset Renewals - Asset Maintenance</b>					
<b>01.09041 - Urban Road Construction &amp; Reconstruction</b>					
6677 - Purvis Lane Reconstruction	0	115,351	110,649	226,000	115,351
6685 - Swift Street (Arthur to Railway Station)	1,269,276	455,842	-450,000	1,275,118	1,370,219
6690 - Urban Roads Backlog Construction	1,000,000	118,758	-155,000	963,758	2,520
6697 - Boundary Rd Extension Stage 2	2,747,533	1,148,189	0	3,895,722	2,677,953
6702 - FLR - Wheelers/Keswick Roundabout 20/21	0	163,164	0	163,164	1,767
6703 - Fixing Local Roads Urban 2020 - 2021	0	156,775	0	156,775	1,216

	Original Budget	September Adjustment	December Adjustment	Annual Forecast	YTD Actuals as at 31 December
6704 - Boundary Rd Shop Precinct Beautification	0	262,575	0	262,575	22,215
6709 - Wheelers Lane (Rail to Myall)	1,400,000	-950,000	-350,000	100,000	3,528
6710 - LRCI (2) Tamworth St (Palmer to Fitzroy)	704,000	344,725	-750,000	298,725	47,033
6712 - Merrilea Rd Drainage Improvements	0	924	0	924	924
6713 - Buninyong Rd Drainage Improvements	0	17,991	0	17,991	17,991
6714 - Percy St - Warne to Swift	0	220,000	0	220,000	3,749
6715 - Victoria St Shop Precinct Beautification	42,831	0	0	42,831	0
6716 - Thornton St (Zouch to Hawkins)	0	0	55,000	55,000	1,097
<b>01.09041 - Urban Road Construction &amp; Reconstruct Total</b>	<b>7,163,640</b>	<b>2,054,294</b>	<b>-1,539,351</b>	<b>7,678,583</b>	<b>4,265,563</b>
<b>01.09044 - Urban Roads - Renewals</b>					
6730 - Annual Reseal Program	615,519	0	0	615,519	0
6731 - Heavy Patching Program	400,000	0	0	400,000	55,202
<b>01.09044 - Urban Roads - Renewals Total</b>	<b>1,015,519</b>	<b>0</b>	<b>0</b>	<b>1,015,519</b>	<b>55,202</b>
<b>01.09055 - K&amp;G Construct / Reconstruction</b>					
6677 - Gipps St (Wingewarra to Bulje)	0	0	0	0	247
6694 - Darling St (V) - Bulje to Wingewarra	0	132,426	-50,000	82,426	-13,311
6695 - Brisbane St (Tamworth to Mitchell)	170,000	-170,000	0	0	0
<b>01.09055 - K&amp;G Construct / Reconstruction Total</b>	<b>170,000</b>	<b>-37,574</b>	<b>-50,000</b>	<b>82,426</b>	<b>-13,064</b>
<b>Urban Roads - Asset Renewals - Asset Maintenance Total</b>	<b>8,349,159</b>	<b>2,016,720</b>	<b>-1,589,351</b>	<b>8,776,528</b>	<b>4,307,701</b>
<b>Roads Network Total</b>	<b>28,206,354</b>	<b>2,802,581</b>	<b>-490,808</b>	<b>30,518,127</b>	<b>11,133,924</b>
<b>Sewerage Services</b>					
<b>Sewerage Services - Acquisition of Assets</b>					
<b>03.08051 - Pumps &amp; Equipment</b>					
5120 - Telemetry RTU Upgrades	0	19,256	0	19,256	10,103
5142 - Testing Equipment	0	52,000	0	52,000	0
<b>03.08051 - Pumps &amp; Equipment Total</b>	<b>0</b>	<b>71,256</b>	<b>0</b>	<b>71,256</b>	<b>10,103</b>
<b>03.08053 - Plant &amp; Equipment Purchases</b>					
5089 - Small Plant	0	4,636	0	4,636	4,636
5111 - Ford Courier Ute 4x4 (132)	36,576	0	0	36,576	0
5119 - Truck (164)	120,000	-42,972	0	77,028	0
5149 - Trailer/Sega Unit (510)	35,000	0	0	35,000	0
5192 - Utility (142)	38,000	0	0	38,000	0
5205 - Dual Axel Trailer (504)	0	0	0	0	118
5207 - Cummins 600KVA Generator (989)	140,000	-5,550	0	134,450	0
5214 - Perkins 100KVA Generator (999)	75,000	0	0	75,000	0
5221 - Utility (134)	33,827	0	0	33,827	0
5248 - Hilux Dual Cab (064)	0	0	38,658	38,658	38,658
5249 - Utility (037)	40,539	0	0	40,539	0
5261 - Light Vehicle (108)	0	0	36,907	36,907	36,907
<b>03.08053 - Plant &amp; Equipment Purchases Total</b>	<b>518,942</b>	<b>-43,886</b>	<b>75,565</b>	<b>550,621</b>	<b>80,319</b>
<b>03.08055 - Other Structures</b>					
5148 - Trial and Demonstration of mCDI Device	0	21,687	0	21,687	17,407
<b>03.08055 - Other Structures Total</b>	<b>0</b>	<b>21,687</b>	<b>0</b>	<b>21,687</b>	<b>17,407</b>
<b>03.08071 - Augmentation</b>					
5002 - Augmentation Program	600,000	-11,275	-173,498	415,227	0
5533 - First Flush RM to SW Detention Pond 2	0	8,700	0	8,700	8,700
5959 - U/Gird Sewer R-Christian St to St Jhn C	375,000	-375,000	0	0	0
5989 - Upgrade Sewer R (incl all component) (C)	1,000,000	3,408,636	0	4,408,636	3,768,829
6055 - Sewer Intercept West Margaret Cres. (C)	50,000	0	0	50,000	0
6060 - Troy Gully Upgrade Switch Board	1,200,000	-454,617	0	745,383	2,563
6068 - Nanims STP Upgrade(C)-Fund by Others	500,000	-500,000	0	0	0
6100 - Inlet Channel Band Screen	0	0	135,000	135,000	11,895
6203 - Palmer/Pierce/Parings St SPS Replace	0	1,639,535	0	1,639,535	1,497,373
6204 - DSTP - Digester	200,000	0	0	200,000	0
6206 - Boundary Rd East of Wheelers Lane	0	258,668	267	258,935	175,031
6212 - Huckle Street Pressure Sewer	0	2,575	8,498	11,073	12,088
6213 - Additional Effluent Discharge Pipework	0	0	0	0	43,083
6214 - Mumbil Pressure Sewer Main	0	0	30,000	30,000	5,541
<b>03.08071 - Augmentation Total</b>	<b>3,925,000</b>	<b>3,977,222</b>	<b>267</b>	<b>7,902,489</b>	<b>5,525,103</b>
<b>03.08073 - Asset Replacement/Refurbishment &gt;\$10K</b>					
6510 - Dubbo STP Grit Removal 2	0	65,000	0	65,000	0
6533 - Dubbo STP Switchboard	600,000	0	-600,000	0	0
6614 - Mumbil AC Creek Crossing (C)	200,000	0	0	200,000	0
6617 - Mech/Elect Renewals	410,000	-65,000	0	345,000	62,953
6620 - Bunglegumbe SPS - Marshalling Cabinet	0	0	18,032	18,032	18,032
<b>03.08073 - Asset Replacement/Refurbishment &gt;\$10K Total</b>	<b>1,210,000</b>	<b>0</b>	<b>-581,968</b>	<b>628,032</b>	<b>80,985</b>
<b>Sewerage Services - Acquisition of Assets Total</b>	<b>5,653,942</b>	<b>4,026,279</b>	<b>-506,136</b>	<b>9,174,085</b>	<b>5,713,917</b>
<b>Sewerage Services - Asset Renewals - Asset Mainten</b>					
<b>03.08077 - Main Rehabilitation</b>					
5653 - Mains Rehabilitation	1,400,000	0	0	1,400,000	473,480
<b>03.08077 - Main Rehabilitation Total</b>	<b>1,400,000</b>	<b>0</b>	<b>0</b>	<b>1,400,000</b>	<b>473,480</b>
<b>Sewerage Services - Asset Renewals - Asset Mainten Total</b>	<b>1,400,000</b>	<b>0</b>	<b>0</b>	<b>1,400,000</b>	<b>473,480</b>
<b>Sewerage Services Total</b>	<b>7,053,942</b>	<b>4,026,279</b>	<b>-506,136</b>	<b>10,574,085</b>	<b>6,187,397</b>
<b>Stormwater</b>					
<b>Stormwater - Acquisition of Assets</b>					
<b>01.09133 - Gross Pollutant Trap Installation</b>					
6820 - RAAF Base Outlet Headwall Grate	0	12,081	-8,911	3,170	3,170
<b>01.09133 - Gross Pollutant Trap Installation Total</b>	<b>0</b>	<b>12,081</b>	<b>-8,911</b>	<b>3,170</b>	<b>3,170</b>
<b>01.09135 - Drainage Extensions</b>					
6826 - Bourke Street - Myall St to River St	1,700,000	-1,600,000	-40,000	60,000	3,776
6841 - Laughton St Extension	135,000	-130,000	0	5,000	0
6845 - Taylor/Jubilee St Flooding Rectification	0	38,361	75,000	113,361	6,778
6849 - Elizabeth St Extension	0	496,253	53,747	550,000	1,189

	Original Budget	September Adjustment	December Adjustment	Annual Forecast	YTD Actuals as at 31 December
<b>01.09135 - Drainage Extensions Total</b>	<b>1,835,000</b>	<b>-1,195,386</b>	<b>88,747</b>	<b>728,361</b>	<b>11,743</b>
<b>01.09140 - Equipment</b>					
5603 - Survey Equipment	0	21,265	0	21,265	21,265
<b>01.09140 - Equipment Total</b>	<b>0</b>	<b>21,265</b>	<b>0</b>	<b>21,265</b>	<b>21,265</b>
<b>01.09145 - Wongarbron Drainage Scheme</b>					
4628 - Wongarbron Drainage Scheme	1,429,653	-1,029,653	0	400,000	3,778
<b>01.09145 - Wongarbron Drainage Scheme Total</b>	<b>1,429,653</b>	<b>-1,029,653</b>	<b>0</b>	<b>400,000</b>	<b>3,778</b>
<b>01.09147 - Keswick Estate Development - Section 7.11</b>					
4627 - Northern Stormwater Channel - Stage 5	0	20,606	0	20,606	601
<b>01.09147 - Keswick Estate Development - Section 7.11 Total</b>	<b>0</b>	<b>20,606</b>	<b>0</b>	<b>20,606</b>	<b>601</b>
<b>Stormwater - Acquisition of Assets Total</b>	<b>3,264,653</b>	<b>-2,171,087</b>	<b>79,836</b>	<b>1,173,402</b>	<b>40,557</b>
<b>Stormwater - Asset Renewals - Asset Maintenance</b>					
<b>01.09127 - Asset Renewals/Maintenance</b>					
6800 - Boori Creek - 33 Jennings St Geurie	0	0	2,256	2,256	2,256
6807 - Gipps St - Wingwarra St to Buljje St	0	100,000	-100,000	0	0
6819 - Devils Hole Outfall Reconstruction	0	592,873	-592,873	0	0
6836 - Wellington Bridge Outfall Reconstruction	0	114,869	-114,869	0	0
6837 - Simpson St Outfall Reconstruction	0	54,448	-54,448	0	0
6840 - Pipe Relining	150,000	202,040	0	352,040	0
6849 - Other Infrastructure - Wellington	0	0	2,256	2,256	2,256
6880 - Wellington Bridge Outfall Reconstruction	120,000	0	0	120,000	0
6882 - South Dubbo Taylor St	75,000	0	-75,000	0	0
6883 - Wellington Simpson St Outfall	70,000	0	0	70,000	0
7000 - West Dubbo Main Drain Reconstruction	150,000	0	-150,000	0	0
7027 - Rosedale Rd Causeway Reconstruction	0	23,000	-7,037	15,963	15,963
<b>01.09127 - Asset Renewals/Maintenance Total</b>	<b>565,000</b>	<b>1,087,230</b>	<b>-1,089,715</b>	<b>562,515</b>	<b>20,475</b>
<b>01.09142 - Hennessy Road Detention Basin Section 7.11</b>					
4620 - Hennessy Rd Detention Basin Construction	100,000	-100,000	6,289	6,289	6,289
4670 - Technical Support - Preconstruction	0	100,000	-54,512	45,488	0
<b>01.09142 - Hennessy Road Detention Basin Section 7.11 Total</b>	<b>100,000</b>	<b>0</b>	<b>-48,223</b>	<b>51,777</b>	<b>6,289</b>
<b>01.09144 - Troy Basin</b>					
4627 - Purvis Lane	0	128,450	0	128,450	63,062
4628 - Troy Gully Floodplain Reconstruction	150,000	0	-70,000	80,000	0
<b>01.09144 - Troy Basin Total</b>	<b>150,000</b>	<b>128,450</b>	<b>-70,000</b>	<b>208,450</b>	<b>63,062</b>
<b>Stormwater - Asset Renewals - Asset Maintenance Total</b>	<b>815,000</b>	<b>1,215,680</b>	<b>-1,207,938</b>	<b>822,742</b>	<b>89,826</b>
<b>Stormwater Total</b>	<b>4,079,653</b>	<b>-955,407</b>	<b>-1,128,102</b>	<b>1,996,144</b>	<b>130,383</b>
<b>Traffic Management</b>					
<b>Traffic Management - Acquisition of Assets</b>					
<b>01.09022 - Traffic Management - Office Equipment</b>					
6588 - Survey Equipment	0	131,000	0	131,000	107,151
<b>01.09022 - Traffic Management - Office Equipment Total</b>	<b>0</b>	<b>131,000</b>	<b>0</b>	<b>131,000</b>	<b>107,151</b>
<b>Traffic Management - Acquisition of Assets Total</b>	<b>0</b>	<b>131,000</b>	<b>0</b>	<b>131,000</b>	<b>107,151</b>
<b>Traffic Management - Asset Renewals</b>					
<b>01.09023 - Intersection Improvement Program</b>					
5002 - Stimulus Pedestrian Refuge Buljje & Gipp	0	0	32,585	32,585	29,908
9668 - Windsor Pde Lights	0	14,455	0	14,455	0
<b>01.09023 - Intersection Improvement Program Total</b>	<b>0</b>	<b>14,455</b>	<b>32,585</b>	<b>47,040</b>	<b>29,908</b>
<b>Traffic Management - Asset Renewals Total</b>	<b>0</b>	<b>14,455</b>	<b>32,585</b>	<b>47,040</b>	<b>29,908</b>
<b>Traffic Management Total</b>	<b>0</b>	<b>145,455</b>	<b>32,585</b>	<b>178,040</b>	<b>137,059</b>
<b>Water for the Future</b>					
<b>Water for the Future - Acquisition of Assets</b>					
<b>02.09701 - Acquisition of Assets</b>					
3000 - Groundwater Infrastructure	10,000,000	-7,736,600	670,594	2,933,994	358,370
3001 - Non-Potable Pipeline	6,500,000	107,404	-4,251,391	2,356,013	-1,326,487
3362 - Consultants and Project Management	0	49,290	-49,290	0	0
4500 - Geurie Bore and Pipeline	0	589,910	-69,130	520,780	215,137
4502 - Wellington Bore and Pipeline	0	48,976	1,322,532	1,371,508	58,193
4504 - Northern Borefields	0	31,682	369,117	400,799	-1
<b>02.09701 - Acquisition of Assets Total</b>	<b>16,500,000</b>	<b>-6,909,338</b>	<b>-2,007,568</b>	<b>7,583,094</b>	<b>-694,788</b>
<b>Water for the Future - Acquisition of Assets Total</b>	<b>16,500,000</b>	<b>-6,909,338</b>	<b>-2,007,568</b>	<b>7,583,094</b>	<b>-694,788</b>
<b>Water for the Future Total</b>	<b>16,500,000</b>	<b>-6,909,338</b>	<b>-2,007,568</b>	<b>7,583,094</b>	<b>-694,788</b>
<b>Water Supply</b>					
<b>Water Supply - Acquisition of Assets</b>					
<b>02.08051 - Works Plant - Purchases</b>					
5039 - Truck (468)	155,000	0	0	155,000	0
5041 - Truck (474)	0	196,360	0	196,360	196,360
5045 - Ute T/Top Filtration Plant (136)	45,392	0	0	45,392	0
5097 - Howard (951)	10,000	0	0	10,000	0
5123 - Vehicle (064)	34,000	0	0	34,000	0
5126 - Utility (028)	34,000	0	0	34,000	38,890
5205 - Light Vehicle (077)	0	43,450	0	43,450	45,255
<b>02.08051 - Works Plant - Purchases Total</b>	<b>278,392</b>	<b>239,810</b>	<b>0</b>	<b>518,202</b>	<b>280,505</b>
<b>02.08055 - New House Services</b>					
5171 - Construction - House Services	20,000	-20,000	0	0	0
<b>02.08055 - New House Services Total</b>	<b>20,000</b>	<b>-20,000</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>02.08063 - Contributed Assets - Water Mains</b>					
5197 - Water Supply Mains	562,164	-562,164	0	0	0
<b>02.08063 - Contributed Assets - Water Mains Total</b>	<b>562,164</b>	<b>-562,164</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>02.08069 - Augmentation Works</b>					
3050 - Automated Meter Reading Equipment	500,000	98,767	0	598,767	138,365

	Original Budget	September Adjustment	December Adjustment	Annual Forecast	YTD Actuals as at 31 December
5438 - Pipelines - Obley/Newell (C)	800,000	-494,486	-69,026	236,488	227,106
5613 - Wheelers Lane Water Main and PRV	0	364,319	0	364,319	262,484
5713 - WTP Optimisation Control system	0	0	0	0	300
5717 - Future Augmentation	700,000	-614,509	0	85,491	0
5718 - New Pipeline - Network	200,000	0	-200,000	0	0
6210 - Lime Dosing Unit (C)	200,000	-200,000	0	0	0
6212 - Pipeline Rifle Range-Chapmans to Minore	150,000	0	-150,000	0	0
6228 - Boundary Rd Watermain East of Wheelers	0	530,349	0	530,349	191,419
6502 - Additional UV Treatment (Wellington)	0	523,770	0	523,770	254,140
6506 - Additional UV Treatment (Geurie)	0	500,000	0	500,000	201,639
6520 - Wellington-A/C Pipe Replacement	100,000	0	0	100,000	165,058
6521 - Mumbil Rising Water Main-200AC	800,000	0	-799,054	946	946
6524 - Sedimentation Lagoon Wellington	0	0	0	0	59
6528 - Filter Upgrade JGWTP (C)	570,000	0	107,512	677,512	34,058
6527 - JGWTP Additional UV Treatment	850,000	-365,080	-444,820	40,000	0
6528 - Cathodic Protection Install 7 Res Dubbo	0	3,028	0	3,028	3,554
6535 - Geurie Water Treatment Plant upgrade	250,000	0	0	250,000	7,398
<b>02.08069 - Augmentation Works Total</b>	<b>5,120,000</b>	<b>453,670</b>	<b>-1,663,000</b>	<b>3,910,670</b>	<b>1,486,526</b>
<b>02.08071 - Asset Replacement / Refurbishment &gt;\$10 &amp; 000</b>					
5717 - Bore Asset Renewal	75,000	0	0	75,000	30,936
5719 - Booster Pump Stations	100,000	-50,000	0	50,000	3,715
5720 - Reservoir Asset Renewals	70,000	-19,955	0	50,045	0
5766 - SCADA RTU Upgrades	80,000	0	0	80,000	42,666
5809 - WTP Filter Valve Rehabilitation	600,000	-300,000	-20,000	280,000	49,855
5813 - WTP RW Pump #2 (elect)	25,000	0	0	25,000	0
6217 - Fencing	0	0	0	0	16,068
6502 - WTP Online Instrument Replacement	80,000	0	0	80,000	14,298
6559 - JGWTP Compressor replacement-No1&No2	150,000	0	0	150,000	0
6565 - Sand Filter No 6-media- Wellington	50,000	0	0	50,000	0
6575 - Powder Activated Carbon Unit	0	0	20,000	20,000	0
6609 - Dubbo Mech/Elect	200,000	0	-90,000	110,000	37,527
6619 - Wellington WTP Electrical Renewals	50,000	0	0	50,000	2,201
6621 - Geurie Mech/Elect	0	0	0	0	10,250
6670 - Upgrade Flouride Dosing System	150,000	0	0	150,000	35,450
<b>02.08071 - Asset Replacement / Refurbishment &gt;\$10 &amp; 000 Total</b>	<b>1,630,000</b>	<b>-369,955</b>	<b>-90,000</b>	<b>1,170,045</b>	<b>242,976</b>
<b>Water Supply - Acquisition of Assets Total</b>	<b>7,610,556</b>	<b>-258,639</b>	<b>-1,753,000</b>	<b>5,598,917</b>	<b>2,010,007</b>
<b>Water Supply - Asset Renewals - Asset Maintenance</b>					
<b>02.08073 - Mains Replacement</b>					
5657 - Fitzroy - Cobra to Bultje	0	77,812	0	77,812	83,554
5673 - Jubilee and Sterling St	0	8,337	0	8,337	12,895
5701 - Allison St Main Replacement	0	73	88,710	88,783	6,596
5712 - Victoria St (33 Victoria to Whylandra)	0	136	0	136	136
5776 - North St (East to Bent St)	0	0	0	0	1,750
5781 - Macquarie St Main Replacement	0	154,009	0	154,009	177,946
5790 - Jubilee Street (Tamworth to Goode Sts)	0	455	0	455	1,092
6232 - Furney St - Gipps to Bourke	0	1,846	0	1,846	2,265
6546 - O'Donnell St	0	18,026	0	18,026	28,636
6689 - McDonald St (Gipps to Fitzroy)	0	33,453	0	33,453	50,616
6700 - Bultje St Main Replacement	0	4,268	0	4,268	9,463
6727 - Wheelers Lane	0	0	0	0	7,490
6742 - Kennedy St	0	8,990	0	8,990	13,775
6747 - Darling St (Wingewarra to Bultje)	0	28,689	0	28,689	49,161
6753 - Mains replacement	2,000,000	-449,702	-88,710	1,461,588	108,001
6757 - Bishop St Main Replacement	0	218	0	218	14,566
6759 - Birch Ave (Viceroy Ave and Sheraton Rd)	0	6,500	0	6,500	9,918
6760 - Tamworth St - Fitzroy to Brisbane Sts	0	5,220	0	5,220	6,380
6761 - East St (Wattle to Leavers)	0	90,000	0	90,000	0
6768 - Birch Ave (Kensington to Windsor)	0	6,650	0	6,650	6,650
6769 - Birch Ave & Windsor Pd trunk main	0	0	0	0	27,122
6771 - Bultje St (Darling to Bourke)	0	5,000	0	5,000	7,078
6772 - Flood Damage - Oxley Ave Creek Crossing	0	0	0	0	72,223
<b>02.08073 - Mains Replacement Total</b>	<b>2,000,000</b>	<b>0</b>	<b>0</b>	<b>2,000,000</b>	<b>697,313</b>
<b>02.08074 - Mains Extensions</b>					
5707 - Mountbatten Drive Mains Extension	0	0	0	0	455
5953 - Hennessy Drive Main Extension	0	0	0	0	10,451
<b>02.08074 - Mains Extensions Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>10,906</b>
<b>Water Supply - Asset Renewals - Asset Maintenance Total</b>	<b>2,000,000</b>	<b>0</b>	<b>0</b>	<b>2,000,000</b>	<b>708,219</b>
<b>Water Supply Total</b>	<b>9,610,556</b>	<b>-258,639</b>	<b>-1,753,000</b>	<b>7,598,917</b>	<b>2,718,226</b>
<b>Infrastructure Total</b>	<b>73,511,172</b>	<b>2,354,380</b>	<b>-8,476,234</b>	<b>67,389,318</b>	<b>23,278,923</b>
<b>Liveability</b>					
<b>Aquatic Leisure Centres</b>					
<b>Aquatic Leisure Centres - Acquisition of Assets</b>					
<b>01.09472 - DALC - Acquisition of Assets - Other Structures</b>					
7318 - WALC - Entry Refurbishment	0	0	0	0	1,850
7320 - DALC - 50m Pool Connection to Sewer	0	0	0	0	725
<b>01.09472 - DALC - Acquisition of Assets - Other Structures Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,575</b>
<b>01.09474 - DALC - Acquisition of Assets - Plant &amp; Equipment</b>					
7305 - DALC - PA System	0	0	0	0	5,550
<b>01.09474 - DALC - Acquisition of Assets - Plant &amp; Equipment Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5,550</b>
<b>Aquatic Leisure Centres - Acquisition of Assets Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8,125</b>
<b>Aquatic Leisure Centre - Asset Renewals - Maintenance</b>					
<b>01.09041 - Aquatic Leisure - Asset Renewals - Office Equipment</b>					
6027 - ALC - Renew IT Operating System	0	57,192	-25,619	31,573	10,413
<b>01.09041 - Aquatic Leisure - Asset Renewals - Office Equipment Total</b>	<b>0</b>	<b>57,192</b>	<b>-25,619</b>	<b>31,573</b>	<b>10,413</b>
<b>01.09470 - Asset Renewal - Other Structures</b>					
7290 - Pool Lighting	0	36,000	0	36,000	19,020

	Original Budget	September Adjustment	December Adjustment	Annual Forecast	YTD Actuals as at 31 December
7306 - Circulation Pump	0	32,000	0	32,000	24,604
7308 - Main ECB in Separate Room	0	23,659	0	23,659	37,940
7309 - DALC Expansion Joints	42,900	0	0	42,900	0
7316 - DALC Waterslide Staircase	20,000	0	-20,000	0	0
7325 - DALC - Security System including locks	0	37,000	0	37,000	41,736
7326 - ALC - Pump Renewals	24,200	30,684	-10,048	44,836	34,670
7328 - DALC - Gas Heater Replacement	0	0	127,886	127,886	0
<b>01.09470 - Asset Renewal - Other Structures Total</b>	<b>87,100</b>	<b>159,343</b>	<b>97,838</b>	<b>344,281</b>	<b>157,970</b>
<b>01.09473 - DALC - Asset Renewal - Buildings</b>					
7298 - DALC - Building Improvements	0	0	10,048	10,048	10,048
<b>01.09473 - DALC - Asset Renewal - Buildings Total</b>	<b>0</b>	<b>0</b>	<b>10,048</b>	<b>10,048</b>	<b>10,048</b>
<b>Aquatic Leisure Centre -Asset Renewals -Maintenance Total</b>	<b>87,100</b>	<b>216,535</b>	<b>82,267</b>	<b>385,902</b>	<b>178,431</b>
<b>Aquatic Leisure Centres Total</b>	<b>87,100</b>	<b>216,535</b>	<b>82,267</b>	<b>385,902</b>	<b>186,556</b>
<b>Cemeteries</b>					
<b>Cemeteries - Acquisition of Assets</b>					
<b>01.09401 - Cemetery - Road Infrastructure</b>					
7170 - Road Reseal	20,000	0	-20,000	0	0
<b>01.09401 - Cemetery - Road Infrastructure Total</b>	<b>20,000</b>	<b>0</b>	<b>-20,000</b>	<b>0</b>	<b>0</b>
<b>01.09403 - Cemetery - Land Improvements</b>					
7180 - New Concrete Beams	20,000	26,206	0	46,206	1,128
<b>01.09403 - Cemetery - Land Improvements Total</b>	<b>20,000</b>	<b>26,206</b>	<b>0</b>	<b>46,206</b>	<b>1,128</b>
<b>Cemeteries - Acquisition of Assets Total</b>	<b>40,000</b>	<b>26,206</b>	<b>-20,000</b>	<b>46,206</b>	<b>1,128</b>
<b>Cemeteries Total</b>	<b>40,000</b>	<b>26,206</b>	<b>-20,000</b>	<b>46,206</b>	<b>1,128</b>
<b>Community Services</b>					
<b>Community Services - Acquisition of Assets</b>					
<b>01.09501 - Community Services - Acquisition of Buildings</b>					
7320 - Wiradjuri Tourism Experience - Wton	0	0	0	0	-3,000
<b>01.09501 - Community Services - Acquisition of Buildings Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-3,000</b>
<b>Community Services - Acquisition of Assets Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-3,000</b>
<b>Community Services - Asset Renewals - Maintenance</b>					
<b>01.09415 - Community Services - Buildings (Renewals)</b>					
7218 - South Scout Hall Flooring	1,920	-1,920	0	0	0
7240 - Wellington Public Halls	20,000	0	0	20,000	0
7245 - Disability Access Infrastructure Replace	1,030,000	-390,000	-320,000	320,000	2,200
7249 - Wellington Child Care Centre - Roof	290,000	0	-203,000	87,000	0
<b>01.09415 - Community Services - Buildings (Renewals) Total</b>	<b>1,341,920</b>	<b>-391,920</b>	<b>-523,000</b>	<b>427,000</b>	<b>2,200</b>
<b>01.09502 - Community Services - Furniture &amp; Fittings</b>					
7300 - Wiradjuri Tourism Experience -Wellington	0	38,779	-27,145	11,634	15,125
7330 - Racecourse - Carpet	0	12,840	0	12,840	0
7331 - Racecourse - Tiling	0	11,400	0	11,400	0
<b>01.09502 - Community Services - Furniture &amp; Fittings Total</b>	<b>0</b>	<b>63,019</b>	<b>-27,145</b>	<b>35,874</b>	<b>15,125</b>
<b>01.09507 - Community Services - Other Assets</b>					
7302 - CCTV Purchase & Installation	30,000	113,760	0	143,760	134,888
<b>01.09507 - Community Services - Other Assets Total</b>	<b>30,000</b>	<b>113,760</b>	<b>0</b>	<b>143,760</b>	<b>134,888</b>
<b>Community Services - Asset Renewals - Maintenance Total</b>	<b>1,371,920</b>	<b>-215,141</b>	<b>-550,145</b>	<b>606,634</b>	<b>152,313</b>
<b>Community Services Total</b>	<b>1,371,920</b>	<b>-215,141</b>	<b>-550,145</b>	<b>606,634</b>	<b>149,313</b>
<b>Family Day Care</b>					
<b>Family Day Care - Contra - Trf to Fixed Assets</b>					
<b>01.09530 - Assets Purchased - Furniture &amp; Fittings</b>					
7353 - Shelving	10,000	-10,000	0	0	0
<b>01.09530 - Assets Purchased - Furniture &amp; Fittings Total</b>	<b>10,000</b>	<b>-10,000</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Family Day Care - Contra - Trf to Fixed Assets Total</b>	<b>10,000</b>	<b>-10,000</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Family Day Care Total</b>	<b>10,000</b>	<b>-10,000</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Library Services</b>					
<b>Library Services - Acquisition of Assets</b>					
<b>01.09444 - Furniture and Fittings</b>					
7252 - Various Furniture & Fittings	5,000	-5,000	0	0	318
<b>01.09444 - Furniture and Fittings Total</b>	<b>5,000</b>	<b>-5,000</b>	<b>0</b>	<b>0</b>	<b>318</b>
<b>Library Services - Acquisition of Assets Total</b>	<b>5,000</b>	<b>-5,000</b>	<b>0</b>	<b>0</b>	<b>318</b>
<b>Library Services - Asset Renewal - Maintenance</b>					
<b>01.09442 - Library - Buildings Renewal</b>					
7245 - Building Improvements	30,000	-4,318	0	25,682	0
7246 - Wellington Library Living Lounge Room	0	175,305	-17,556	157,749	142,205
7271 - Bathrooms renovation	0	211,494	0	211,494	201,380
<b>01.09442 - Library - Buildings Renewal Total</b>	<b>30,000</b>	<b>382,481</b>	<b>-17,556</b>	<b>394,925</b>	<b>343,585</b>
<b>01.09447 - Library - Furniture and Fittings Renewal</b>					
7000 - Air Conditioning Unit	42,600	-42,600	0	0	0
<b>01.09447 - Library - Furniture and Fittings Renewal Total</b>	<b>42,600</b>	<b>-42,600</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Library Services - Asset Renewal - Maintenance Total</b>	<b>72,600</b>	<b>339,881</b>	<b>-17,556</b>	<b>394,925</b>	<b>343,585</b>
<b>Library Services Total</b>	<b>77,600</b>	<b>334,881</b>	<b>-17,556</b>	<b>394,925</b>	<b>343,903</b>
<b>Open Space</b>					
<b>Horticulture - Acquisition of Assets</b>					
<b>01.09555 - Horticultural Services - Other Structures</b>					
7503 - Cameron Park Regional Playground	0	71,500	3,500	75,000	0
7515 - Lions Park Wellington playground	0	0	3,568	3,568	3,568
7518 - Wellington Osawano Japanese Garden	35,000	47,258	-24,677	57,581	11,544
7520 - Spoutlake Playground	175,000	0	-175,000	0	0
9017 - Elston Park Amenities (\$7.11)	0	367,403	0	367,403	70,309
9019 - Victoria Park Shade & Equipment (\$7.11)	150,000	0	0	150,000	0
9029 - Wiradjuri Gardens - Dubbo	0	4,834	-4,834	0	16,038
9427 - Drought Resilient Urban Landscapes Dubbo	0	188,809	44,000	232,809	1,879

	Original Budget	September Adjustment	December Adjustment	Annual Forecast	YTD Actuals as at 31 December
9428 - Cameron Park Pedestrian Bridge	850,000	5,953	-55,953	800,000	27,416
9429 - Cameron Park Outdoor Furniture	0	0	0	0	913
9465 - Dubbo CBD Macquarie River Bank Boardwalk	0	0	301,640	301,640	67,882
<b>01.09555 - Horticultural Services - Other Structures Total</b>	<b>1,210,000</b>	<b>685,757</b>	<b>92,244</b>	<b>1,988,001</b>	<b>199,549</b>
<b>01.09559 - Horticultural Services - Land</b>					
9426 - West Dubbo Water Scheme - Lions Park West	0	100,000	-100,000	0	0
<b>01.09559 - Horticultural Services - Land Total</b>	<b>0</b>	<b>100,000</b>	<b>-100,000</b>	<b>0</b>	<b>0</b>
<b>01.09612 - Parks &amp; Landcare Operations - Other Structures</b>					
7852 - Shed - Victoria Park Number 1 Oval	0	0	0	0	677
<b>01.09612 - Parks &amp; Landcare Operations - Other Structures Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>677</b>
<b>Horticulture - Acquisition of Assets Total</b>	<b>1,210,000</b>	<b>785,757</b>	<b>-7,756</b>	<b>1,988,001</b>	<b>200,226</b>
<b>Horticulture - Asset Renewals - Maintenance</b>					
<b>01.09563 - Horticultural Service - Other Structures (Renewals)</b>					
7453 - Macquarie Lions Park Playground Softfall	0	30,000	-30,000	0	0
7456 - Wahroonga Park BBQ West	0	17,543	0	17,543	0
7460 - Victoria Park Irrigation	0	0	0	0	2,018
7463 - Victoria Park Duck Pond	70,000	0	20,000	90,000	0
7475 - Teresa Malphant Playground	0	15,000	-15,000	0	0
7476 - Teresa Malphant Playground Softfall	0	30,000	-30,000	0	0
7508 - Macquarie Lions Playground	0	127,185	0	127,185	121,559
7521 - Brocklehurst Playground (SCCF3)	40,000	1,163	29,163	70,326	0
7532 - Lions Park West Pedestrian Lights	25,000	0	-25,000	0	0
7557 - Winged Victory Memorial	0	12,288	1,162	13,450	0
7558 - Cameron Park Fountain Restoration	0	46,866	10,432	57,298	56,738
8545 - Victoria Park-Playgrnd Equipment Replace	287,500	327,753	100,000	715,253	3,717
8548 - Victoria Park - Playground - Rocket	0	6,540	0	6,540	5,835
9010 - Renewals - Buildings	44	0	-44	0	0
9017 - Daphne Park Irrigation Renewals	0	25,000	-25,000	0	0
<b>01.09563 - Horticultural Service - Other Structures (Renewals) Total</b>	<b>422,544</b>	<b>639,338</b>	<b>35,713</b>	<b>1,097,595</b>	<b>189,867</b>
<b>Horticulture - Asset Renewals - Maintenance Total</b>	<b>422,544</b>	<b>639,338</b>	<b>35,713</b>	<b>1,097,595</b>	<b>189,867</b>
<b>Open Space Total</b>	<b>1,632,544</b>	<b>1,425,095</b>	<b>27,957</b>	<b>3,085,596</b>	<b>390,093</b>
<b>Recreation and Sporting</b>					
<b>Sporting Facilities - Acquisition of Assets</b>					
<b>01.09596 - Sporting Facilities - Other Structures</b>					
7545 - Netball Court Construction	0	1,600	211,798	213,398	1,844
7825 - Dubbo Cycle Facility	0	17,027	0	17,027	17,027
<b>01.09596 - Sporting Facilities - Other Structures Total</b>	<b>0</b>	<b>18,627</b>	<b>211,798</b>	<b>230,425</b>	<b>18,871</b>
<b>01.09618 - Sporting Facilities - Plant and Equipment</b>					
7000 - Dubbo Netball Assn - PA System	0	10,000	0	10,000	0
<b>01.09618 - Sporting Facilities - Plant and Equipment Total</b>	<b>0</b>	<b>10,000</b>	<b>0</b>	<b>10,000</b>	<b>0</b>
<b>Sporting Facilities - Acquisition of Assets Total</b>	<b>0</b>	<b>28,627</b>	<b>211,798</b>	<b>240,425</b>	<b>18,871</b>
<b>Sporting Facilities - Asset Renewals - Maintenance</b>					
<b>01.09600 - Sporting Fac. - Other Structures (Renewals)</b>					
7593 - Victoria Park No. 1 PA System	0	34,305	-3,076	31,229	30,774
7772 - Lady Cutler East Soccer Goal Posts	0	12,000	0	12,000	0
7773 - Lights at Victoria Park No. 1	0	18,000	0	18,000	0
7774 - Rugby League Goal Posts Victoria Pk No.1	15,000	-9,065	0	5,935	5,935
7778 - Victoria Park No. 1 Grandstand Seating	112,000	0	100,000	212,000	0
7923 - John McGrath Sports Lighting	0	0	388,482	388,482	0
7924 - Nita McGrath Netball Courts (SCCF)	0	0	200,000	200,000	0
7925 - Nita McGrath Access Improvement	0	0	160,000	160,000	0
<b>01.09600 - Sporting Fac. - Other Structures (Renewals) Total</b>	<b>127,000</b>	<b>55,240</b>	<b>845,406</b>	<b>1,027,646</b>	<b>36,709</b>
<b>01.09601 - Sporting Facilities - Buildings - Amenities</b>					
7668 - Jubilee Oval Amenities	0	296,002	0	296,002	4,382
7728 - Apex Oval Grandstand Hot Water System	0	49,923	0	49,923	42,650
7742 - Kennard Park Amenities (SCCF R2)	0	433,747	0	433,747	254,488
7743 - South Dubbo Oval Amenities (SCCF R2)	0	390,993	0	390,993	329,208
7744 - Apex Oval Jnr Rugby Amenities (SCCF R2)	0	480,988	0	480,988	164,003
7746 - Battistels & Pavan Amenities	500,000	361,137	0	861,137	967,038
<b>01.09601 - Sporting Facilities - Buildings - Amenities Total</b>	<b>500,000</b>	<b>2,012,790</b>	<b>0</b>	<b>2,512,790</b>	<b>1,761,769</b>
<b>Sporting Facilities - Asset Renewals - Maintenance Total</b>	<b>627,000</b>	<b>2,068,030</b>	<b>845,406</b>	<b>3,540,436</b>	<b>1,798,478</b>
<b>Recreation and Sporting Total</b>	<b>627,000</b>	<b>2,096,657</b>	<b>1,057,204</b>	<b>3,780,861</b>	<b>1,817,349</b>
<b>Liveability Total</b>	<b>3,846,164</b>	<b>3,874,233</b>	<b>579,727</b>	<b>8,300,124</b>	<b>2,888,342</b>
<b>Organisational Performance</b>					
<b>Building Assets</b>					
<b>Civic Admin. Buildings - Acquisition of Assets</b>					
<b>01.09665 - CAB - Furniture &amp; Fittings</b>					
7951 - CAB Hot Water Bollers	0	0	73,756	73,756	54,799
<b>01.09665 - CAB - Furniture &amp; Fittings Total</b>	<b>0</b>	<b>0</b>	<b>73,756</b>	<b>73,756</b>	<b>54,799</b>
<b>01.09668 - C.A.B. - Buildings</b>					
7945 - 139-141 Darling Street - Carpet Court	0	1,080,000	3,456	1,083,456	1,083,456
<b>01.09668 - C.A.B. - Buildings Total</b>	<b>0</b>	<b>1,080,000</b>	<b>3,456</b>	<b>1,083,456</b>	<b>1,083,456</b>
<b>Civic Admin. Buildings - Acquisition of Assets Total</b>	<b>0</b>	<b>1,080,000</b>	<b>77,212</b>	<b>1,157,212</b>	<b>1,138,255</b>
<b>Civic Admin. Buildings - Asset Renewals - Maint.</b>					
<b>01.08280 - Wellington Administration Building - Asset Renewal</b>					
5911 - Refurbishment	0	0	0	0	310
5912 - WAB Refurbishment	0	64,000	0	64,000	0
<b>01.08280 - Wellington Administration Building - Asset Renewal Total</b>	<b>0</b>	<b>64,000</b>	<b>0</b>	<b>64,000</b>	<b>310</b>
<b>01.09672 - Capital Renewals - Dubbo CAB</b>					
5002 - Foyer Refurbishment	0	0	0	0	2,215
5020 - Lift Replacement	0	38,077	-38,077	0	0

	Original Budget	September Adjustment	December Adjustment	Annual Forecast	YTD Actuals as at 31 December
5021 - BMS System	0	0	100,108	100,108	0
5022 - Additional Car Parks	0	3,044	-3,044	0	0
<b>01.09672 - Capital Renewals - Dubbo CAB Total</b>	<b>0</b>	<b>41,121</b>	<b>58,987</b>	<b>100,108</b>	<b>2,215</b>
Civic Admin. Buildings - Asset Renewals - Maint. Total	0	105,121	58,987	164,108	2,525
<b>Building Assets Total</b>	<b>0</b>	<b>1,185,121</b>	<b>136,199</b>	<b>1,321,320</b>	<b>1,140,780</b>
<b>Information Services</b>					
<b>Information Services - Acquisition of Assets</b>					
<b>01.09653 - Office Equipment</b>					
7890 - UPS Upgrade	10,000	0	-10,000	0	0
7893 - Hardware Purchases - PC's/Laptops	150,000	0	-4,457	145,543	70,656
7909 - Internal Comms Project - Intranet	0	60,000	0	60,000	0
7911 - LAN Network Upgrade	30,000	0	8,198	38,198	3,345
7912 - Hardware Purchases (Printer)	50,000	0	66,421	116,421	116,422
7928 - Hardware Purchases - Server	30,000	0	0	30,000	16,663
7935 - Software	30,000	0	0	30,000	13,424
7943 - Call Centre Upgrade	0	28,435	0	28,435	0
7950 - Hardware Purchases - Misc	25,000	0	0	25,000	1,103
7962 - Upgrade Network at Remote Sites	50,000	0	8,736	58,736	0
7970 - RPAS/Drone	50,000	0	-50,000	0	0
<b>01.09653 - Office Equipment Total</b>	<b>425,000</b>	<b>88,435</b>	<b>18,898</b>	<b>532,333</b>	<b>221,613</b>
<b>Information Services - Acquisition of Assets Total</b>	<b>425,000</b>	<b>88,435</b>	<b>18,898</b>	<b>532,333</b>	<b>221,613</b>
<b>Information Services Total</b>	<b>425,000</b>	<b>88,435</b>	<b>18,898</b>	<b>532,333</b>	<b>221,613</b>
<b>Property and Land Development</b>					
<b>Property Development - Acquisition of Assets</b>					
<b>01.09234 - Assets Const - Land Development - Stormwater</b>					
7048 - Moffatt Estate Stage 3	0	0	0	0	152,092
7080 - Kaswick SFR3	336,000	0	0	336,000	0
<b>01.09234 - Assets Const - Land Development - Stormwater Total</b>	<b>336,000</b>	<b>0</b>	<b>0</b>	<b>336,000</b>	<b>152,092</b>
<b>01.09238 - Assets Const - Land Development - Water</b>					
7048 - Moffatt Estate Stage 3	0	0	0	0	2,582
7080 - Kaswick SFR3	177,000	0	0	177,000	0
<b>01.09238 - Assets Const - Land Development - Water Total</b>	<b>177,000</b>	<b>0</b>	<b>0</b>	<b>177,000</b>	<b>2,582</b>
<b>01.09240 - Assets Const - Land Development - Sewer</b>					
7048 - Moffatt Estate Stage 3	0	0	0	0	30,930
7080 - Kaswick SFR3 Sewer	195,000	0	0	195,000	0
<b>01.09240 - Assets Const - Land Development - Sewer Total</b>	<b>195,000</b>	<b>0</b>	<b>0</b>	<b>195,000</b>	<b>30,930</b>
<b>01.09242 - Assets Const - Land Development - Roads</b>					
7052 - Moffatt Estate Stage 3	0	0	0	0	244,688
7089 - Kaswick Stage 5 - Rel 2 - Works Services	0	0	0	0	1,987
7090 - Kaswick Stage 5 - Release 2 - Final Seal	150,000	0	0	150,000	0
7095 - Kaswick SFR3	1,300,000	0	0	1,300,000	2,776
<b>01.09242 - Assets Const - Land Development - Roads Total</b>	<b>1,450,000</b>	<b>0</b>	<b>0</b>	<b>1,450,000</b>	<b>249,451</b>
<b>01.09245 - Acquisition of Assets - Land</b>					
7000 - 10 Monteflores St Wellington	0	0	0	0	244,016
<b>01.09245 - Acquisition of Assets - Land Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>244,016</b>
<b>Property Development - Acquisition of Assets Total</b>	<b>2,158,000</b>	<b>0</b>	<b>0</b>	<b>2,158,000</b>	<b>679,071</b>
<b>Property and Land Development Total</b>	<b>2,158,000</b>	<b>0</b>	<b>0</b>	<b>2,158,000</b>	<b>679,071</b>
<b>Organisational Performance Total</b>	<b>2,583,000</b>	<b>1,273,556</b>	<b>155,097</b>	<b>4,011,653</b>	<b>2,041,464</b>
<b>Expenditure Total</b>	<b>85,759,318</b>	<b>8,800,548</b>	<b>-9,933,053</b>	<b>84,626,813</b>	<b>30,061,648</b>
<b>Capital Total</b>	<b>85,759,318</b>	<b>8,800,548</b>	<b>-9,933,053</b>	<b>84,626,813</b>	<b>30,061,648</b>
<b>Total</b>	<b>85,759,318</b>	<b>8,800,548</b>	<b>-9,933,053</b>	<b>84,626,813</b>	<b>30,061,648</b>

**CONSULTANCY AND LEGAL EXPENSES**

<b>Quarterly Budget Review Statement - Quarter Ending 31 December 2021</b>		
<b>Expense</b>	<b>Expenditure YTD</b>	<b>Budgeted (Y/N)</b>
Legal Expenses	\$269,771.35	Y
Consultant Services	\$994,233.54	Y

<b>CONTRACT LISTING</b>				
<b>Quarterly Budget Review Statement - Quarter Ending 31 December 2021</b>				
<b>Contractor</b>	<b>Details and Purpose</b>	<b>Contract Value</b>	<b>Commencement Date</b>	<b>Budgeted (Y/N)</b>
Central West Linemarking	Linemarking Old Dubbo Road & Burrendong Way	\$ 58,233.76	01/10/2021	Y
JAC Pump Services Pty Ltd	Inspection & Audit Sewerage Pump Stations	\$ 73,315.00	19/10/2021	Y
Holcim (Australia) Pty Ltd	Supply and Delivery of 2,100 T of HD DGB20	\$ 71,610.00	20/10/2021	Y
Large Industries Pty Ltd T/as JLE Electrical	Installation of 3 additional street lights in South Dubbo on Wheelers Lane in front of Magnolia Estate	\$ 55,000.00	22/10/2021	Y
KB Concrete Pty Ltd	Hennessy Drive - Concrete for shared footpath/cycleway	\$ 99,110.00	27/10/2021	Y
Stanaway Pty Ltd T/as David Payne	Construction of Amenities Building and Car Park - New Riverside Sporting Oval Dubbo	\$ 811,961.44	29/10/2021	Y
Audio Plus Pty Ltd	Supply and Install DRTCC LED Signage	\$ 203,189.80	04/11/2021	Y
Robertson MG & JK T/as Robertsons Motorcycles	Supply one Kubota FS3690 72	\$ 55,484.32	08/11/2021	Y
Dubbo Automotive Pty Ltd	Supply one Ford Ranger XL 2.2L	\$ 52,769.62	12/11/2021	Y
Lahz Nimmo Architects	Undertake detailed design of riverside	\$ 248,234.70	17/11/2021	Y
Aqseptence Group Pty Ltd	Centre-Flo Band Screen Model CF450-750 - per Quota	\$ 130,845.00	25/11/2021	Y
Maas Plumbing Pty Ltd T/as O'Brien Plumbing Dubbo	General Aviation sub-soil drainage system - Stage 1	\$ 55,469.58	25/11/2021	Y
Lionel Moore Trailers Pty Ltd	Supply one Tri Axle Side Tipping	\$ 154,500.00	07/12/2021	Y
Glenn Healey Constructions	Installation of Dubbo Showground Amenities Block	\$ 99,948.75	07/12/2021	Y
Aquatec Maxcon Pty Ltd	1 x new Grit remover for Dubbo Sewer Treatment Plant	\$ 60,845.20	10/12/2021	Y
Webturn Pty Ltd t/as Sainsbury Automotive Dubbo	Supply one Isuzu DMax SX Dual Cab	\$ 55,814.10	16/12/2021	Y
Specialized Electrical Pty Ltd	Bunglegumbie Sewerage Pumping Station electrical upgrade	\$ 53,424.93	20/12/2021	Y
NSW Public Works Advisory a Division of DFSI	Preparation of an Integrated Water Cycle Management Strategy	\$ 68,118.60	20/12/2021	Y
Maas Civil Pty Ltd	Stormwater Construction - Keswick Estate	\$ 7,097,528.90	20/12/2021	Y
Barnson Pty Ltd	Design and project management of Keswick	\$ 203,995.00	22/12/2021	Y
Westrac Pty Ltd	Supply one Caterpillar 950 Wheel	\$ 446,096.42	22/12/2021	Y

**Note:** Contracts listed are those entered into during the quarter and have yet to be fully performed (excluding preferred suppliers).

**CCL22/40 Delegated Authority to Council's Standing Committees**

<b>Attachment 1:</b>	Draft - Delegation of Authority to the Infrastructure, Planning and Environment Committee - 2022.....	46
<b>Attachment 2:</b>	Draft - Delegation of Authority to the Culture and Community Committee - 2022.....	50
<b>Attachment 3:</b>	Draft - Delegation of Authority to the Corporate Services Committee - 2022.....	53



**DUBBO REGIONAL  
COUNCIL**

**Delegation of Authority to the  
Infrastructure, Planning and  
Environment Committee**

**DRAFT**

**DELEGATION TO THE INFRASTRUCTURE, PLANNING AND ENVIRONMENT  
COMMITTEE OF COUNCIL**

**PURSUANT TO SECTION 377 OF THE LOCAL GOVERNMENT ACT, 1993**

That, subject to compliance with the requirements of the Local Government Act 1993, and Regulations thereunder, the Environmental Planning and Assessment Act 1979, and any Regulations, Policies, Plans or Directions thereunder, and subject to any direction given by the Council, the Council, pursuant to the provisions of Section 377 of the Local Government Act 1993, and every other enabling legislation hereby delegates to the Infrastructure, Planning and Environment Committee of the Council to exercise and perform on behalf of the Council the following powers, authorities, duties and functions:

**Environmental Planning and Assessment Act, 1979**

Development Assessment

1. To assess and determine any application in accordance with Part 4, Divisions ~~2 and 5~~ 4.3 and 4.8 of the Environmental Planning and Assessment Act, 1979 (NSW) and Part 6, Divisions 1, 2, 3, 4, 7, 8, 10, 11, 12 & 13 of the Environmental Planning and Assessment Regulation, 2000 (NSW).
2. To assume the concurrence of the Director-General of the Department of Planning pursuant to clause 64 of the Environmental Planning and Assessment Regulation, 2000 (NSW) in relation to deciding that it is unnecessary to require compliance with a development standard pursuant to State Environmental Planning Policy No. 1 - Development Standards.
3. To endorse support for a development application and refer the application to the Director Development and Environment for determination with or without a recommendation for the imposition of proposal specific conditions of consent.
4. To review a determination, pursuant to sections 8.2, 8.3, 8.4 and 8.5 of the Environmental Planning and Assessment Act, 1979, of a development application by staff under delegation. *The Committee may utilise this delegated authority to determine a review of determination made by staff under delegation but cannot review a determination made by the Council using this delegated authority.*
5. To modify a development consent pursuant to section 4.55(1), (1A) and (2) of the Environmental Planning and Assessment Act, 1979.
6. To extend the period after which a development consent lapses in accordance with Section 5.54 of the Environmental Planning and Assessment Act, 1979.
7. To revoke or modify a development consent pursuant to sections 4.56 and 4.57 of the Environmental Planning and Assessment Act, 1979.

Preparation of a Planning Proposal for a Draft Local Environmental Plan in Accordance with the Environmental Planning and Assessment Act, 1979

1. Section 3.33  
To prepare a Planning Proposal.
2. Schedule 1, clause 4  
To undertake community consultation

Preparation of a Development Control Plan (DCP) or Amendment thereto in  
Accordance with the Environmental Planning and Assessment Act, 1979

1. Section 3.43 - 3.44  
To prepare or amend or revoke a Development Control Plan

Entering into a Voluntary Planning Agreement in Accordance with the Environmental  
Planning and Assessment Act, 1979

1. Section 7.4 – 7.10  
To enter into or amend a Voluntary Planning Agreement (VPA)

**Notices and Orders**

To exercise the provisions of part 9, Division 9.3 and Schedule 5 of the Environmental Planning and Assessment Act, 1979 and Chapter 7 Part 2 of the Local Government Act, 1993 in particular but not limited to:

- The unauthorised use of land and structures
- Compliance with conditions of development consent
- Other matters listed in Schedule 5 of the Environmental Planning and Assessment Act, 1979 and Section 124 of the Local Government Act, 1993.

**Local Government Act, 1993 (NSW)**

The Council pursuant to the provisions of Section 377 of the Local Government Act 1993, delegates to the Infrastructure, Planning and Environment Committee of the Council to exercise, or perform on behalf of the Council, all of the Council's powers, authorities, duties and functions in relation to such matters as the Chief Executive Officer, or his delegate, shall from time to time refer to that Committee for consideration.

This delegation excludes the following functions expressly reserved in Section 377, which cannot be delegated:

- (a) the appointment of a general manager,
- (b) the making of a rate,
- (c) a determination under section 549 as to the levying of a rate,
- (d) the making of a charge,
- (e) the fixing of a fee,
- (f) the borrowing of money,
- (g) the voting of money for expenditure on its works, services or operations,
- (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),
- (i) the acceptance of tenders to provide services currently provided by members of the staff of the council,
- (j) the adoption of an operational plan under section 405,
- (k) the adoption of a financial statement included in an annual financial report,
- (l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,

- (m) the fixing of an amount or rate for the carrying out by the council of work on private land,
- (n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,
- (o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under sections 8.2 – 8.5 of the Environmental Planning and Assessment Act 1979,
- (p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,
- (q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons, unless the financial assistance is part of a specified program in council's Operational Plan for the year,
- (r) a decision under section 234 to grant leave of absence to the holder of a civic office,
- (s) the making of an application, or the giving of a notice, to the Governor or Minister,
- (t) this power of delegation,
- (u) any function under this or any other Act that is expressly required to be exercised by resolution of the council (*including decisions to use Council's Common Seal*)

**Exercising of delegations are subject to the following limitations and conditions:**

1. That the Delegated Authority of the Committee to make a delegated decision may only be exercised on consideration of a report from the Mayor or the proper employee of the Council with those matters being included on the Business Paper of the Committee as prepared and distributed in accordance with the requirements of the Local Government Act 1993, and Regulations thereunder.
2. The Committee shall not make any decision under delegated authority where an unbudgeted financial contribution from Council's fund is sought or income is to be forgone. This includes the variations of required developer contributions.
3. Any decision in respect of matters being considered in terms of the delegated authority shall be in accordance with a decision by majority vote of all members of the Committee in attendance at the Committee meeting. Any decision that does not receive a majority vote of all members present shall be deferred to the next meeting of Council for determination.
4. A decision made under delegated authority shall not take effect as a decision of the Council until 12.00pm on the second working day following the date of the meeting at which the Committee makes the decision.
5. If any three duly elected Councillors advise the Chief Executive Officer or the Executive Manager Governance and Internal Control prior to the time specified in clause 4 herein, that they seek the rescission of any such decision, the decision shall not take effect and the decision will be referred to the next Ordinary Meeting of the Council for consideration and determination.
6. If a decision is rescinded in accordance with clause 5 herein the decision shall be treated as a recommendation to the Council from the Committee.
7. Notwithstanding the provisions of clause 3 herein, the Committee may, by Majority vote of all members in attendance, refer for further consideration or report, any item/s or matter on the Committee's Business Paper, to any future Standing Committee or Council meeting.



**DUBBO REGIONAL  
COUNCIL**

**Delegation of Authority to the  
Culture and Community  
Committee**

**DRAFT**

## DELEGATION TO THE CULTURE AND COMMUNITY COMMITTEE OF COUNCIL

### PURSUANT TO SECTION 377 OF THE LOCAL GOVERNMENT ACT, 1993

That, subject to compliance with the requirements of the Local Government Act 1993, and Regulations thereunder, any expressed policy of the Council, and subject to any direction given by the Council, the Council pursuant to the provisions of Section 377 of the Local Government Act 1993, and every other enabling legislation, delegates to the Culture and Community Committee of the Council to exercise, or perform on behalf of the Council, all of the Council's powers, authorities, duties and functions in relation to such matters as the Chief Executive Officer, or his delegate, shall from time to time refer to that Committee for consideration.

This delegation excludes the following functions expressly reserved in Section 377, which cannot be delegated:

- (a) the appointment of a general manager,
- (b) the making of a rate,
- (c) a determination under section 549 as to the levying of a rate,
- (d) the making of a charge,
- (e) the fixing of a fee,
- (f) the borrowing of money,
- (g) the voting of money for expenditure on its works, services or operations,
- (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),
- (i) the acceptance of tenders to provide services currently provided by members of the staff of the council,
- (j) the adoption of an operational plan under section 405,
- (k) the adoption of a financial statement included in an annual financial report,
- (l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,
- (m) the fixing of an amount or rate for the carrying out by the council of work on private land,
- (n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,
- (o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under sections 8.2-8.5 of the Environmental Planning and Assessment Act 1979,
- (p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,
- (q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons, unless the financial assistance is part of a specified program in council's Operational Plan for the year,
- (r) a decision under section 234 to grant leave of absence to the holder of a civic office,
- (s) the making of an application, or the giving of a notice, to the Governor or Minister,
- (t) this power of delegation,
- (u) any function under this or any other Act that is expressly required to be exercised by resolution of the council (*including decisions to use Council's Common Seal*)

**Exercising of delegations are subject to the following limitations and conditions:**

1. That the Delegated Authority of the Committee to make a delegated decision may only be exercised on consideration of a report from the Mayor or the proper employee of the Council with those matters being included on the Business Paper of the Committee as prepared and distributed in accordance with the requirements of the Local Government Act 1993, and Regulations thereunder.
2. The Committee shall not make any decision under delegated authority where an unbudgeted financial contribution from Council's fund is sought or income is to be forgone.
3. Any decision in respect of matters being considered in terms of the delegated authority shall be in accordance with a decision by majority vote of all members of the Committee in attendance at the Committee meeting. Any decision that does not receive a majority vote of all members present shall be deferred to the next meeting of Council for determination.
4. A decision made under delegated authority shall not take effect as a decision of the Council until 12.00pm on the second working day following the date of the meeting at which the Committee makes the decision.
5. If any three duly elected Councillors advise the Chief Executive Officer or the Executive Manager Governance and Internal Control prior to the time specified in clause 4 herein, that they seek the rescission of any such decision, the decision shall not take effect and the decision will be referred to the next Ordinary Meeting of the Council for consideration and determination.
6. If a decision is rescinded in accordance with clause 5 herein, the decision shall be treated as a recommendation to the Council from the Committee.
7. Notwithstanding the provisions of clause 3 herein, the Committee may, by Majority vote of all members in attendance, refer for further consideration or report, any item/s or matter on the Committee's Business Paper, to any future Standing Committee or Council meeting.



**DUBBO REGIONAL  
COUNCIL**

**Delegation of Authority to the  
Corporate Services Committee**

**DRAFT**

## DELEGATION TO THE CORPORATE SERVICES COMMITTEE OF COUNCIL

### PURSUANT TO SECTION 377 OF THE LOCAL GOVERNMENT ACT, 1993

That, subject to compliance with the requirements of the Local Government Act 1993, and Regulations thereunder, any expressed policy of the Council, and subject to any direction given by the Council, the Council pursuant to the provisions of Section 377 of the Local Government Act 1993, and every other enabling legislation, delegates to the Corporate Services Committee of the Council to exercise, or perform on behalf of the Council, all of the Council's powers, authorities, duties and functions in relation to such matters as the Chief Executive Officer, or his delegate, shall from time to time refer to that Committee for consideration.

This delegation excludes the following functions expressly reserved in Section 377, which cannot be delegated:

- (a) the appointment of a general manager,
- (b) the making of a rate,
- (c) a determination under section 549 as to the levying of a rate,
- (d) the making of a charge,
- (e) the fixing of a fee,
- (f) the borrowing of money,
- (g) the voting of money for expenditure on its works, services or operations,
- (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),
- (i) the acceptance of tenders to provide services currently provided by members of the staff of the council,
- (j) the adoption of an operational plan under section 405,
- (k) the adoption of a financial statement included in an annual financial report,
- (l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,
- (m) the fixing of an amount or rate for the carrying out by the council of work on private land,
- (n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,
- (o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under sections 8.2-8.5 of the Environmental Planning and Assessment Act 1979,
- (p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,
- (q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons, unless the financial assistance is part of a specified program in council's Operational Plan for the year,
- (r) a decision under section 234 to grant leave of absence to the holder of a civic office,
- (s) the making of an application, or the giving of a notice, to the Governor or Minister,
- (t) this power of delegation,
- (u) any function under this or any other Act that is expressly required to be exercised by resolution of the council (*including decisions to use Council's Common Seal*)

**Exercising of delegations are subject to the following limitations and conditions:**

1. That the Delegated Authority of the Committee to make a delegated decision may only be exercised on consideration of a report from the Mayor or the proper employee of the Council with those matters being included on the Business Paper of the Committee as prepared and distributed in accordance with the requirements of the Local Government Act 1993, and Regulations thereunder.
2. The Committee shall not make any decision under delegated authority where an unbudgeted financial contribution from Council's fund is sought or income is to be forgone.
3. Any decision in respect of matters being considered in terms of the delegated authority shall be in accordance with a decision by majority vote of all members of the Committee in attendance at the Committee meeting. Any decision that does not receive a majority vote of all members present shall be deferred to the next meeting of Council for determination.
4. A decision made under delegated authority shall not take effect as a decision of the Council until 12.00pm on the second working day following the date of the meeting at which the Committee makes the decision.
5. If any three duly elected Councillors advise the Chief Executive Officer or the Executive Manager Governance and Internal Control prior to the time specified in clause 4 herein, that they seek the rescission of any such decision, the decision shall not take effect and the decision will be referred to the next Ordinary Meeting of the Council for consideration and determination.
6. If a decision is rescinded in accordance with clause 5 herein, the decision shall be treated as a recommendation to the Council from the Committee.
7. Notwithstanding the provisions of clause 3 herein, the Committee may, by Majority vote of all members in attendance, refer for further consideration or report, any item/s or matter on the Committee's Business Paper, to any future Standing Committee or Council meeting.

**CCL22/41 Draft Council Policy - Code of Meeting Practice**

**Attachment 1: Draft - Council Policy - Code of Meeting Practice .....57**



DUBBO  
REGIONAL  
COUNCIL

# COUNCIL POLICY

## Code of Meeting Practice

**Date** February 2022

**Council Resolution Date**

**Clause Number**

**Responsible Position** Executive Manager Governance and Internal Control  
**Branch** Governance and Internal Control  
**Division** Executive Services  
**Version** 4  
**TRIM Reference Number**  
**Review Period** Within 12 months of new Term of Council or when the Model Code of Meeting Practice is updated by the Office of Local Government NSW.  
**Review Date** November 2024  
**Consultation** Councillor Workshop  
 Public Exhibition prior to adoption

Document Revision History	
Description	Date
Amended and adopted by Council following merger between former Dubbo City and Wellington Councils	July 2016
Amended to include provision for web streaming of Council and Standing Committee meetings	October 2017
Amended to reflect position title change from General Manager to Chief Executive Officer	May 2018
Adopted by Council following workshop and Public Exhibition	July 2019
Submitted to Council for adoption following minor changes (see notes)	October 2021
Adopted by Council following workshop and Public Exhibition after 2021 Local Government Elections	March 2022
<b>Notes</b>	
Amendments made for new Term of Council.	

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## 1. INTRODUCTION

### PURPOSE

A Council and a Committee of the Council of which all the members are Councillors must conduct its meetings in accordance with the Code of Meeting Practice adopted by the Council.

### BACKGROUND AND RELATED LEGISLATION

The Model Code of Meeting Practice for Local Councils in NSW (the Model Code) is made under section 360 of the Local Government Act 1993 (the Act) and the Local Government (General) Regulation 2021 (the Regulation).

Council must adopt a Code of Meeting Practice that incorporates the mandatory provisions of the Model Code of Meeting, but may also include non-mandatory and other supplementary provisions of the Model Code providing that it does not contain provisions that are inconsistent with the mandatory provisions of the Model Meeting Code.

This Code of Meeting Practice has been publically exhibited in accordance with the Act and adopted by the Council.

### SCOPE

This Code applies to all meetings of Council and Committees of Council of which all the members are Councillors (Committees of Council). These Committees include the Committee of the Whole; the **Infrastructure, Planning and Environment Committee; the Culture and Community Committee; and the Corporate Services Committee**. Council Committees whose members include persons other than Councillors may adopt their own rules for meetings unless the Council determines otherwise.

### DEFINITIONS

To assist in interpretation, the following definitions apply:

Term	Definition
The Act	<i>The Local Government Act 1993.</i>
Act of disorder	An act of disorder is defined in clause 15.11 of this code.
Amendment	In relation to an original motion, means a motion moving and amendment to that motion.
Audio recorder	Any device capable or recording speech.
Audio-visual link	means a facility that enables audio and visual communication between persons at different places
Business day	Any day except Saturday or Sunday or any other day the whole or part of which is observed a public holiday throughout NSW.
Chairperson	In relation to a meeting of the council, the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code; and in relation to a meeting of a committee, the person presiding at the meeting as provided by clause 20.11 of this code.

This code	Council's adopted Code of Meeting Practice.
Committee of the Council	A committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1.
Council official	Has the same meaning it has in the Model Code of Conduct for Local Councils in NSW
Day	Calendar day.
Division	A request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion.
Foreshadowed amendment	A proposed amendment foreshadowed by a councillor under clause 10.18 of this code during debate on the first amendment.
Foreshadowed motion	A motion foreshadowed by a councillor under clause 10.17 of this code during debate on an original motion.
MCOMP	NSW Government Model Code of Meeting Practice for Local Councils in NSW <b>2021</b> .
Open voting	Voting on the voices or by a show of hands or by a visible electronic voting system or similar means.
Planning decision	A decision made in the exercise of a function of a Council under the Environmental Planning and Assessment Act 1979 including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act.
Performance Improvement Order	An order issued under Section 438A of the Act.
Quorum	The minimum number of councillors or committee members necessary to conduct a meeting.
The Regulation	<i>The Local Government (General) Regulation 2021</i> .
Webcast	A video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time.
Year	The period beginning 1 July and ending the following 30 June.

## RESPONSIBILITIES

A Council and a Committee of the Council of which all the members are Councillors must conduct its meetings in accordance with the Code of Meeting Practice adopted by the Council.

## POLICY

See next page for Dubbo Regional Council's Code of Meeting Practice.

## 2. MEETING PRINCIPLES

*(MCOMP Mandatory Provision 2.1)*

2.1 Council and committee meetings should be:

**Transparent:** Decisions are made in a way that is open and accountable.

**Informed:** Decisions are made based on relevant, quality information.

**Inclusive:** Decisions respect the diverse needs and interests of the local community.

**Principled:** Decisions are informed by the principles prescribed under Chapter 3 of the Act.

**Trusted:** The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community.

**Respectful:** Councillors, staff and meeting attendees treat each other with respect.

**Effective:** Meetings are well organised, effectively run and skilfully chaired.

**Orderly:** Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

### 3. BEFORE THE MEETING

#### Timing of Ordinary Council Meetings

*(MCOMP Mandatory Provisions 3.1 - 3.2)*

~~3.1 The Council shall, by resolution, set the frequency, time, date and place of its ordinary meetings. Ordinary meetings will usually be held at 5.30pm on the fourth Thursday of each month, except December when it will be held on the second Thursday. Ordinary Council meetings will be held in Dubbo unless otherwise specified.~~

3.1 The time, date and place of Ordinary meetings will be determined during the Ordinary meeting of Council held each September for the ensuing year, unless it is a Local Government election year in which case the Ordinary meeting dates will be determined in October for the ensuing year.

**Note: Under section 365 of the Act, councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year under section 365A.**

#### Extraordinary Meetings

*(MCOMP Mandatory Provision 3.3)*

3.2 If the Mayor receives a request in writing, signed by at least two (2) Councillors, the Mayor must call an extraordinary meeting of the Council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The Mayor can be one of the two Councillors requesting the meeting.

**Note: Clause 3.2 reflects section 366 of the Act.**

#### Notice to the Public of Council Meetings

*(MCOMP Mandatory Provisions 3.4-3.6)*

3.3 The Council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings and of each meeting of Committees of the Council.

**Note: Clause 3.3 reflects section 9(1) of the Act.**

3.4 For the purposes of clause 3.3, notice of a meeting of the Council and of a Committee of council is to be published before the meeting takes place. The notice must be published on the Council's website, and in such other manner that the Council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

3.5 For the purposes of clause 3.3, notice of more than one (1) meeting may be given in the same notice.

#### Notice to Councillors of Ordinary Council Meetings

*(MCOMP Mandatory Provisions 3.7 - 3.8)*

3.6 The Chief Executive Officer must send to each Councillor, at least three (3) days before each meeting of the Council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

**Note: Clause 3.6 reflects section 367(1) of the Act.**

3.7 The notice and the agenda for, and the business papers relating to, the meeting may be given to Councillors in electronic form, but only if all Councillors have facilities to access the notice, agenda and business papers in that form.

**Note: Clause 3.7 reflects section 367(3) of the Act.**

### Notice to Councillors of Extraordinary Meetings

*(MCOMP Mandatory Provision 3.9)*

3.8 Notice of less than three (3) days may be given to Councillors of an Extraordinary meeting of the Council in cases of emergency.

**Note: Clause 3.8 reflects section 367(2) of the Act.**

### Giving Notice of Business to be Considered at Council Meetings

*(MCOMP Mandatory Provisions 3.10-3.11  
MCOMP Non-mandatory Provisions 3.12-3.13)*

3.9 A Councillor may give notice of any business they wish to be considered by the Council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted at least five business days before the meeting is to be held.

3.10 A Councillor may, in writing to the Chief Executive Officer, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered. If a Councillor who has submitted a notice of motion under this clause wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to Councillors, the Councillor may request the withdrawal of the motion when it is before the Council.

3.11 A notice of motion lodged with Council must request the Chief Executive Officer to prepare a report on the subject of the notice of motion for a future meeting of Council that addresses the legal, strategic, financial or policy implications of the proposed motion.

3.12 A notice of motion for the expenditure of funds on works and/or

services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the Chief Executive Officer must either:

(a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or

(b) by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.

### Questions With Notice

*(MCOMP Mandatory Provisions 3.14-3.16)*

3.13 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.

3.14 A Councillor is not permitted to ask a question with notice under clause 3.13 that comprises a complaint against the Chief Executive Officer or a member of staff of the Council, or a question that implies wrongdoing by the Chief Executive Officer or a member of staff of the Council.

3.15 The Chief Executive Officer or their nominee may respond to a question with notice submitted under clause 3.13 by way of a report included in the business papers for the relevant meeting of the Council or orally at the meeting.

### Agenda and Business Papers for Ordinary

**Meetings***(MCOMP Mandatory Provision 3.17-3.22)*

3.16 The Chief Executive Officer must cause the agenda for a meeting of the Council or a Committee of the Council to be prepared as soon as practicable before the meeting.

3.17 The Chief Executive Officer must ensure that the agenda for an Ordinary meeting of the Council states:

(a) all matters to be dealt with arising out of the proceedings of previous meetings of the Council, and

(b) if the Mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and

(c) all matters, including matters that are the subject of staff reports and reports of Committees, to be considered at the meeting, and

(d) any business of which due notice has been given under clause 3.9.

3.18 Nothing in clause 3.17 limits the powers of the Mayor to put a Mayoral Minute to a meeting under clause 9.6.

3.19 Nothing in clause 3.17 limits the powers of the Chief Executive Officer to table a report at a meeting under clause 3.20.

3.20 Subject to clause 3.21, the Chief Executive Officer may, by report signed by the Chief Executive Officer, put to the meeting, in writing, without notice any matter or topic that is within the jurisdiction of the Council, or of which the Council has official knowledge.

3.21 Any report put to the meeting under clause 3.20 must not be used to put without notice matters that are routine and not urgent or matters for which proper notice should be given because of their complexity. For the purpose of this

clause, a matter will be urgent where it requires a decision by the Council before the next scheduled Ordinary meeting of the Council.

3.22 The Chief Executive Officer must not include in the agenda for a meeting of the Council any business of which due notice has been given if, in the opinion of the Chief Executive Officer, the business is, or the implementation of the business would be, unlawful. The Chief Executive Officer must report, without giving details of the item of business, any such exclusion to the next meeting of the Council.

3.23 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the Chief Executive Officer, is likely to take place when the meeting is closed to the public, the Chief Executive Officer must ensure that the agenda of the meeting:

(a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and

(b) states the grounds under section 10A(2) of the Act relevant to the item of business.

**Note: Clause 3.23 reflects section 9(2A)(a) of the Act.**

3.24 The Chief Executive Officer must ensure that the details of any item of business which, in the opinion of the Chief Executive Officer, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to Councillors for the meeting concerned. Such details must not be included in the business papers made available to the public and must not be disclosed by a Councillor or by any other person to another person who is not authorised to have that information.

**Statement of Ethical Obligations***(MCOMP Mandatory Provision 3.23)*

3.25 Business papers for all ordinary and extraordinary meetings of the council and committees of the council must contain a statement reminding councillors of their oath or affirmation of office made under section 233A of the Act and their obligations under the council's code of conduct to disclose and appropriately manage conflicts of interest.

**Availability of the Agenda and Business Papers to the Public***(MCOMP Mandatory Provision 3.24-3.27)*

3.26 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the Council and Committees of Council, are to be published on the Council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the Council, at the relevant meeting and at such other venues determined by the Council.

**Note: Clause 3.26 reflects section 9(2) and (4) of the Act.**

3.27 Clause 3.26 does not apply to the business papers for items of business that the Chief Executive Officer has identified under clause 3.23 as being likely to be considered when the meeting is closed to the public.

**Note: Clause 3.27 reflects section 9(2A) (b) of the Act.**

3.28 For the purposes of clause 3.26, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to Councillors.

**Note: Clause 3.28 reflects section 9(3) of the Act.**

3.29 A copy of an agenda, or of an associated business paper made available under clause 3.26, may in addition be given or made available in electronic form.

**Note: Clause 3.29 reflects section 9(5) of the Act.**

**Agenda and Business Papers for Extraordinary Meetings***(MCOMP Mandatory Provisions 3.28-3.32)*

3.30 The Chief Executive Officer must ensure that the agenda for an Extraordinary meeting of the Council deals only with the matters stated in the notice of the meeting.

3.31 Despite clause 3.30, business may be considered at an Extraordinary meeting of the Council, even though due notice of the business has not been given, if:

- (a) a motion is passed to have the business considered at the meeting, and
- (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the Council before the next scheduled Ordinary meeting of the Council.

3.32 A motion moved under clause 3.31(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.

3.33 Despite clauses 10.20–10.30, only the mover of a motion moved under clause 3.31(a) can speak to the motion before it is put.

3.34 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.31(b) on whether a matter is of great urgency.

**Pre-meeting Briefing Sessions***(MCOMP Non-mandatory Provision 3.33-3.38)*

3.35 Prior to each Ordinary meeting of the Council, the Chief Executive Officer may arrange a pre-meeting briefing session to brief Councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for Extraordinary meetings of the Council and meetings of Committees of the Council.

3.36 Pre-meeting briefing sessions are to be held in the absence of the public.

3.37 Pre-meeting briefing sessions may be held by audio-visual link.

3.38 The Chief Executive Officer or a member of staff nominated by the Chief Executive Officer is to preside at pre-meeting briefing sessions.

3.39 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal Council or Committee meeting at which the item of business is to be considered.

3.40 Councillors (including the Mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a Council or Committee meeting. The Council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the Councillor who made the declaration.

3.41 A record of minutes will be taken in pre-meeting briefings including the items discussed, attendees at the meetings, timings and conflicts of interest as detailed in clause 3.40.

#### 4. PUBLIC FORUMS

*(MCOMP Non-mandatory Provision 4.1-4.24)*

4.1 The Council will hold a public forum during each Ordinary and Extraordinary meeting of the Council for the purpose of hearing oral submissions from members of the public.

4.2 Public forums may be held by audio-visual link.

4.3 Public Forum is limited to a maximum period of thirty (30) minutes and shall be held following "Apologies" on the Council agenda. Should there remain time following speakers who have previously nominated, the Mayor will enquire of the Public Gallery if there are any other speakers.

Should the number of nominated speakers exceed the thirty (30) minute time frame, a decision by Council may extend the time frame for Public Forum by a length of time nominated by the mover of the motion.

4.4 Members of the public wishing to discuss items of business listed on the business paper will be given preference over those wishing to discuss matters that are not included on the agenda to be considered at the meeting.

4.5 To speak at a public forum, a person must first make an application to the Council in the approved form. Applications to speak at the public forum must be received at least two (2) hours prior to the commencement of the public forum, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item, where applicable. Any material for distribution to the Council must be submitted with the application for approval by the Chief Executive Officer.

4.6 A person may apply to speak on more than one item however the total time that person speaks for must not exceed five (5) minutes.

4.7 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.

4.8 The Chief Executive Officer or their delegate may refuse an application to speak at a public forum. The Chief Executive Officer or their delegate must give reasons in writing for a decision to refuse an application and advise the chairperson prior to the respective public forum session.

4.9 No more than two (2) speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the Council meeting.

4.10 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the Chief Executive Officer or their delegate may request the speakers to nominate from among themselves the persons who are to address the Council on the item of business. If the speakers are not able to agree on whom to nominate to address the Council, the first two (2) speakers to register interest to speak on that item shall be permitted to speak to the item.

4.11 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the Chief Executive Officer or their delegate may, in consultation with the Mayor or the chairperson as the case may be, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the Council to hear a fuller range of views on the relevant item of business. Additional speakers shall speak once all

registered speakers have spoken and will only be permitted provided that the maximum time for public forum of thirty (30) minutes is not exceeded.

4.12 Approved speakers at the public forum are to register with the Council any written, visual or audio material to be presented in support of their address to the Council at the public forum, and to identify any equipment needs no less than one (1) business day before the public forum. The Chief Executive Officer or their delegate may refuse to allow such material to be presented should the request be unreasonable and the equipment not being readily available.

4.13 The Chief Executive Officer or their delegate is to determine the order of speakers at the public forum. This will usually be determined by the order in which the requests are received.

4.14 Each speaker will be allowed five (5) minutes to address the Council. This time is to be strictly enforced by the chairperson.

4.15 Speakers at public forums must not digress from the item on the agenda of the Council meeting they have applied to address the Council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard and will be requested to return to their seat.

4.16 A Councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.

4.17 Speakers at public forums **cannot** ask questions of the Council, Councillors, or Council staff.

4.18 The Chief Executive Officer or their nominee may, with the concurrence of the chairperson, address the Council for up to two (2) minutes in response to an address to the Council at a public forum after the address and any subsequent questions and answers have been finalised.

4.19 Where an address made at a public forum raises matters that require further consideration by Council staff, the Chief Executive Officer may recommend to the chairperson that the Council defer consideration of the matter pending the preparation of a further report on the matters.

4.20 When addressing the Council, speakers at public forums must comply with this code and all other relevant Council codes, policies, and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the Council's Code of Conduct, or making other potentially defamatory statements.

4.21 If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.20, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.

4.22 Clause 4.21 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.

4.23 Where a speaker engages in conduct of the type referred to in clause 4.20, the Chief Executive Officer or their delegate may refuse further applications

from that person to speak at public forums for a period of six (6) months. Should this speaker repeat this conduct following this suspension at a further public forum session, the Chief Executive Officer or their delegate may refuse further applications from that person to speak at public forums for a period of twelve (12) months. Should this speaker repeat this conduct following this second suspension at a further public forum session, the Chief Executive Officer or their delegate may refuse further applications from that person to speak at public forums indefinitely.

**4.24** Councillors (including the Mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so during the remainder of a Council or Committee meeting. The Council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the Councillor who made the declaration.

**4.25** Where an address relates to an issue of general interest (that is a matter not listed on the agenda), it cannot be debated by Council except where in accordance with **clause 9.3 of this code:**

(a) a motion is passed to have the business considered at the meeting, and

(b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the Council before the next scheduled ordinary meeting of the Council.

**4.26** Speakers must conduct themselves with respect to Council and observe the rules of order and meeting procedure as contained in Council's Code of Meeting Practice. As part of Public Forum, the

Mayor shall ensure the conduct of public forum is such that presenters:

- confine their presentation to a statement of facts
- not insult or make personal reflections or impute improper motives to any Councillor or member of staff
- not say or do anything that is inconsistent with maintaining order at the meeting or is likely to bring Council into contempt
- allow other speakers to put their views without interruption.

**4.27** Any potential tenderer (being a person or entity, including their agent, employee or representative, that has requested documents or information regarding a tender or quotation) must not be permitted to address a meeting of Council (including any Committee or Working Party of Council) regarding the relevant tender or quotation without the prior written consent of the Chief Executive Officer.

In deciding whether to grant such consent, the Chief Executive Officer may take into consideration: any relevant legislative requirements, tendering guidelines issued by the Office of Local Government from time to time, terms of the relevant tender or quotation documents, Council's Code of Conduct, and the rules of procedural fairness.

(It is noted that Council has a statutory obligation to ensure that any requests for tender or quotation documents, or information or clarification regarding the tender or quotation, from any potential tenderer must be directed to the responsible officer identified in the tender or quotation documents.)

**4.28** It is Council's practice that members of the public who have an interest in matters before Council's standing committees (**Infrastructure, Planning and Environment Committee;**

Culture and Community Committee or Corporate Services Committee) are advised that they may attend and address those committees. This practice is more informal and there is often interaction, questions, or discussions between those persons and the Councillors and staff. This informality has been at the discretion of the Chairperson, noting that only those matters listed on the Committee's agenda will be discussed; matters of "general interest" are not to be raised by the public.

There is no specific agenda item for Public Forum during Committee meetings, but registered speakers will address the Council immediately prior to the subject matter on the agenda.

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## 5. COMING TOGETHER

### Attendance by Councillors at Meetings

*(MCOMP Mandatory Provisions 5.1 – 5.8)*

5.1 All Councillors must make reasonable efforts to attend meetings of the Council and of Committees of the Council of which they are members.

**Note: A Councillor may not attend a meeting as a Councillor (other than the first meeting of the Council after the Councillor is elected or a meeting at which the Councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.**

5.2 A Councillor cannot participate in a meeting of the Council or of a Committee of the Council unless personally present at the meeting, **unless permitted to attend the meeting by audio-visual link under this code.**

5.3 Where a Councillor is unable to attend one or more Ordinary meetings of the Council, the Councillor should formally request that the Council grant them a leave of absence from those meetings. This clause does not prevent a Councillor from making an apology if they are unable to attend a meeting. However, the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.

**Note: The making an apology by a Councillor is to be done in writing to the Chief Executive Officer at least one (1) hour prior to the commencement of a meeting who will notify the Mayor, or chairperson prior to the commencement of a meeting. An apology will not be recorded for an absent Councillor who has not provided formal notification.**

5.4 A Councillor's request for leave of absence from Council meetings should, if practicable, identify (by date) the meetings from which the Councillor intends to be absent and the grounds upon which the leave of absence is being sought.

5.5 The Council must act reasonably when considering whether to grant a Councillor's request for a leave of absence.

5.6 A Councillor's civic office will become vacant if the Councillor is absent from three (3) consecutive ordinary meetings of the Council without prior leave of the Council, or leave granted by the Council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the Council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

**Note: Clause 5.6 reflects section 234(1) (d) of the Act.**

5.7 A Councillor who intends to attend a meeting of the Council despite having been granted a leave of absence should, if practicable, give the Chief Executive Officer at least two (2) days' notice of their intention to attend.

### The Quorum for a Meeting

*(MCOMP Mandatory Provisions 5.9 – 5.13*

*Non-mandatory Provisions 5.14-5.16)*

5.8 The quorum for a meeting of the Council is a majority of the Councillors of the Council who hold office at that time and are not suspended from office.

**Note: Clause 5.8 reflects section 368(1) of the Act.**

5.9 Clause 5.8 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the Council.

**Note: Clause 5.9 reflects section 368(2) of the Act.**

**5.10** A meeting of the Council must be adjourned if a quorum is not present:

(a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or

(b) within half an hour after the time designated for the holding of the meeting, or

(c) at any time during the meeting.

**5.11** In either case, the meeting must be adjourned to a time, date, and place fixed:

(a) by the chairperson, or

(b) in the chairperson's absence, by the majority of the councillors present, or

(c) failing that, by the Chief Executive Officer.

**5.12** The Chief Executive Officer must record in the Council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the Council, together with the names of the Councillors present.

**5.13** Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the health, safety or welfare of Councillors, Council staff and members of the public may be put at risk by attending the meeting because of a natural disaster (~~such as, but not limited to flood or bushfire~~) or a public health emergency, the Mayor may, in consultation with the Chief Executive Officer and, as far as is practicable, with each Councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the Council's website and in such other manner that the Council is satisfied is

likely to bring notice of the cancellation to the attention of as many people as possible.

**5.14** Where a meeting is cancelled under clause 5.13, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the Council or at an extraordinary meeting called under clause 3.2.

#### **Meetings Held Via Audi-Visual Link**

*(MCOMP Non-Mandatory Provisions 5.16 – 5.18)*

**5.15** A meeting of the Council or a Committee of the Council may be held by audio-visual link where the mayor determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health and safety of councillors and staff at risk. The mayor must make a determination under this clause in consultation with the Chief Executive Officer and, as far as is practicable, with each councillor.

**5.16** Where the mayor determines under clause 5.16 that a meeting is to be held by audio-visual link, the Chief Executive Officer must:

(a) give written notice to all councillors that the meeting is to be held by audio-visual link, and

(b) take all reasonable steps to ensure that all councillors can participate in the meeting by audio-visual link, and

(c) cause a notice to be published on the council's website and in such other manner the Chief Executive Officer is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where

members of the public may view the meeting.

5.17 This code applies to a meeting held by audio-visual link under clause 5.15 in the same way it would if the meeting was held in person.

**Note: Where a council holds a meeting by audio-visual link under clause 5.15, it is still required under section 10 of the Act to provide a physical venue for members of the public to attend in person and observe the meeting.**

**Attendance by Councillors at Meetings by Audi-Visual Link**

*(MCOMP Non-Mandatory Provisions 5.19 – 5.30)*

5.18 Councillors may attend and participate in meetings of the Council and Committees of the council by audio-visual link with the approval of the Council or the relevant Committee.

5.19 A request by a Councillor for approval to attend a meeting by audio-visual link must be made in writing to the Chief Executive Officer prior to the meeting in question and must provide reasons why the Councillor will be prevented from attending the meeting in person.

5.20 Councillors may request approval to attend more than one meeting by audio-visual link. Where a Councillor requests approval to attend more than one meeting by audio-visual link, the request must specify the meetings the request relates to in addition to the information required under clause 5.19.

5.21 The council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting by audio-visual link.

5.22 A Councillor who has requested approval to attend a meeting of the Council or a Committee of the Council by

audio-visual link may participate in the meeting by audio-visual link until the Council or Committee determines whether to approve their request and is to be taken as present at the meeting. The Councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.

5.23 A decision whether to approve a request by a Councillor to attend a meeting of the Council or a Committee of the Council by audio-visual link must be made by a resolution of the Council or the Committee concerned. The resolution must state:

(a) the meetings the resolution applies to, and

(b) the reason why the Councillor is being permitted to attend the meetings by audio-visual link where it is on grounds other than illness, disability, or caring responsibilities.

5.24 If the Council or Committee refuses a Councillor's request to attend a meeting by audio-visual link, their link to the meeting is to be terminated.

5.25 A decision whether to approve a Councillor's request to attend a meeting by audio-visual link is at the Council's or the relevant Committee's discretion. The Council and Committees of the Council must act reasonably when considering requests by Councillors to attend meetings by audio-visual link. However, the Council and Committees of the Council are under no obligation to approve a Councillor's request to attend a meeting by audio-visual link where the technical capacity does not exist to allow the Councillor to attend the meeting by these means.

5.26 The Council and committees of the council may refuse a councillor's request to attend a meeting by audio-visual link where the council or committee is satisfied that the councillor has failed to appropriately declare and manage conflicts of interest, observe

confidentiality or to comply with this code on one or more previous occasions they have attended a meeting of the council or a committee of the council by audio-visual link.

5.27 This code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.

5.28 A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this code.

5.29 A councillor must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.

#### **Entitlement of the Public to Attend Council Meetings**

*(MCOMP Mandatory Provisions 5.31 – 5.33)*

5.30 Everyone is entitled to attend a meeting of the Council and Committees of the Council. The Council must ensure that all meetings of the Council and Committees of the Council are open to the public.

**Note: Clause 5.30 reflects section 10(1) of the Act. Committees of the Council in this context refers to standing committees where all Councillors are members.**

5.31 Clause 5.30 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

5.32 A person (whether a Councillor or another person) is not entitled to be present at a meeting of the Council or a Committee of the Council if expelled from the meeting:

(a) by a resolution of the meeting, or

(b) by the person presiding at the meeting if the Council has, by resolution, authorised the person presiding to exercise the power of expulsion.

**Note: Clause 5.32 reflects section 10(2) of the Act.**

**Note: clause 15.14 confers a standing authorisation on all chairpersons of meetings of the council and committees of the council to expel persons from meetings. Clause 15.14 authorises chairpersons to expel persons other than councillors from a council or committee meeting.**

#### **Webcasting of Meetings**

*(MCOMP Mandatory Provisions 5.34 – 5.39)*

~~5.33 All meetings of the Council and Committees of the Council are to be webcast on the Council's website. Each meeting of the council or a committee of the council is to be recorded by means of an audio or audio-visual device.~~

These meetings shall be webcast as an audio-visual live stream with a copy of the stream being retained on Council's website for a minimum period of 6 months.

~~It is noted that due to technical difficulties, it may not be possible to produce an audio-visual live stream and in these cases an audio recording will be made available on Council's website within 48 hours of the meeting being held.~~

~~5.20 Clause 5.19 does not apply to parts of a meeting that have been closed to the public under section 10A of the Act.~~

~~5.21 At the start of each meeting the chairperson is to make a statement informing those in attendance that the meeting is being webcast and that those in attendance should refrain from making any defamatory statements.~~

~~5.22 A recording of each meeting of the Council and Committee of the Council is to be retained on the council's website for a minimum period of 6 months. Recordings of meetings may be disposed of in accordance with the State Records Act 1998.~~

5.34 At the start of each meeting of the council or a committee of the council, the chairperson must inform the persons attending the meeting that:

(a) the meeting is being recorded and made publicly available on the council's website, and

(b) persons attending the meeting should refrain from making any defamatory statements.

5.35 The recording of a meeting is to be made publicly available on the council's website:

(a) at the same time as the meeting is taking place, or

(b) as soon as practicable after the meeting

5.36 The recording of a meeting is to be made publicly available on the council's website for at least twelve (12) months after the meeting.

5.37 Clauses 5.35 and 5.36 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.

**Note: Clause 5.33 – 5.37 reflect section 236 of the Regulation.**

5.38 Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

#### **Attendance of the Chief Executive Officer and Other Staff at Meetings**

*(MCOMP Mandatory Provisions 5.40 – 5.43 and Non-Mandatory Provision 5.44)*

5.39 The Chief Executive Officer is entitled to attend, but not to vote at, a meeting of the Council or a meeting of a Committee of the Council of which all of the members are Councillors.

**Note: Clause 5.39 reflects section 376(1) of the Act.**

5.40 The Chief Executive Officer is entitled to attend a meeting of any other Committee of the Council and may, if a member of the Committee, exercise a vote.

**Note: Clause 5.40 reflects section 376(2) of the Act.**

5.41 The Chief Executive Officer may be excluded from a meeting of the Council or a Committee while the Council or Committee deals with a matter relating to the standard of performance of the Chief Executive Officer or the terms of employment of the Chief Executive Officer.

**Note: Clause 5.41 reflects section 376(3) of the Act.**

5.42 The attendance of other Council staff at a meeting, (other than as members of the public) shall be with the approval of the Chief Executive Officer.

5.43 The Chief Executive Officer and other council staff may attend meetings of the council and committees of the council by audio-visual-link. Attendance by council staff at meetings by audio-visual link (other than as members of the public) shall be with the approval of the Chief Executive Officer.

## 6. THE CHAIRPERSON

### The Chairperson at Meetings

*(MCOMP Mandatory Provisions 6.1 – 6.2)*

6.1 The Mayor, or at the request of or in the absence of the Mayor, the Deputy Mayor (if any) presides at meetings of the Council.

**Note: Clause 6.1 reflects section 369(1) of the Act.**

6.2 If the Mayor and the Deputy Mayor (if any) are absent, a Councillor elected to chair the meeting by the Councillors present presides at a meeting of the Council.

**Note: Clause 6.2 reflects section 369(2) of the Act.**

### Election of the Chairperson in the Absence of the Mayor and Deputy Mayor

*(MCOMP Mandatory Provisions 6.3 – 6.8)*

6.3 If no chairperson is present at a meeting of the Council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.

6.4 The election of a chairperson must be conducted:

(a) by the Chief Executive Officer or, in their absence, an employee of the Council designated by the Chief Executive Officer to conduct the election, or

(b) by the person who called the meeting or a person acting on their behalf if neither the Chief Executive Officer nor a designated employee is present at the meeting, or if there is no Chief Executive Officer or designated employee.

6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.

6.6 For the purposes of clause 6.5, the person conducting the election must:

(a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and

(b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.

6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.

6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

### Chairperson to Have Precedence

*(MCOMP Mandatory Provisions 6.9)*

6.9 When the chairperson rises or speaks during a meeting of the Council:

(a) any Councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and

(b) every Councillor present must be silent to enable the chairperson to be heard without interruption.

## 7. MODES OF ADDRESS

*(MCOMP Non-Mandatory Provisions 7.1 – 7.4)*

7.1 If the chairperson is the Mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.

7.2 Where the chairperson is not the Mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson'.

7.3 A Councillor is to be addressed as 'Councillor [surname]'.

7.4 A Council officer is to be addressed by their official designation or as Mr/Ms [surname] or their position title.

7.5 During a meeting of the Council, all Councillors with the exception of the chairperson, or any Councillor prevented by physical infirmity, shall stand when speaking.

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## 8. ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

*(MCOMP Mandatory Provisions 8.1/8.2 – 8.4)*

8.1 The general order of business for an ordinary meeting of the council shall be:

- 01 Opening meeting
- 02 Prayer
- 03 Welcome to Country or Acknowledgement of Country
- 04 Apologies and applications for a leave of absence or attendance by audio-visual link by Councillors
- 05 Conflicts of Interest
- 06 Public Forum
- 07 Confirmation of Minutes
- 08 Mayoral minute(s)
- 09 Correspondence
- 10 Procedural Matters
- 11 Information Only Matters
- 12 Petitions
- 13 Matters Considered by Committees
- 14 Notices of Motion/ Notices of Motion of Rescission
- 15 Delegates' Reports
- 16 Reports from Staff
- 17 Questions on Notice
- 18 Comments and Matters of Urgency
- 19 ~~Committee of the Whole/~~Confidential matters ~~(where required)~~
- 20 Conclusion of the meeting

8.2 The order of business as fixed under 8.1 may be altered for a particular meeting of the Council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

8.3 Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 8.2 may speak to the motion before it is put.

8.4 With regard to the lodgement of petitions:

- (a) Petitions must be lodged in the format as specified in the Petitions Policy

(b) Petitions may be lodged at a Council meeting however they are not to be considered or debated unless a resolution of Council is passed to transact the business of the meeting and the chairperson rules it as a matter of urgency in accordance with clause 9.3.

(c) Petitions lodged with Council will be presented to Council for consideration at the next available Ordinary meeting of Council where the agenda has not already been determined.

8.5 (a) Questions on Notice must be lodged in writing with the Chief Executive Officer no later than 5pm five business days prior to the scheduled Ordinary Meeting of the Council.

(b) Questions on Notice must directly relate to the business of the Council and ~~must comply with the Local Government (General) Regulation 2021 which provides in Clause 249 that a~~ "Councillor must put every such question directly, succinctly and without argument, in accordance with clause 9.18.

## 9. CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

### Business that can be Dealt with at a Council Meeting

*(MCOMP Mandatory Provisions 9.1 – 9.5)*

9.1 The Council must not consider business at a meeting of the Council:

(a) unless a Councillor has given notice of the business, as required by clause 3.10, and

(b) unless notice of the business has been sent to the Councillors in accordance with clause 3.7 in the case of an Ordinary meeting or clause 3.9 in the case of an Extraordinary meeting called in an emergency.

9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:

(a) is already before, or directly relates to, a matter that is already before the Council, or

(b) is the election of a chairperson to preside at the meeting, or

(c) subject to clause 9.9, is a matter or topic put to the meeting by way of a mayoral minute, or

(d) is a motion for the adoption of recommendations of a Committee, including, but not limited to, a Committee of the Council.

9.3 Despite clause 9.1, business may be considered at a meeting of the Council even though due notice of the business has not been given to the Councillors if:

(a) a motion is passed to have the business considered at the meeting, and

(b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the Council before the next scheduled ordinary meeting of the Council.

9.4 A motion moved under clause 9.3(a) can be moved without notice.

Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.

9.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b).

### Mayoral Minutes

*(MCOMP Mandatory Provisions 9.6 – 9.9  
Non-mandatory Provision 9.10)*

9.6 Subject to clause 9.9, if the Mayor is the chairperson at a meeting of the Council, the Mayor may, by minute signed by the Mayor, put to the meeting, in writing, without notice any matter or topic that is within the jurisdiction of the Council, or of which the Council has official knowledge.

9.7 A Mayoral Minute, when put to a meeting, takes precedence over all business on the Council's agenda for the meeting. The chairperson (but only if the chairperson is the Mayor) may move the adoption of a Mayoral Minute without the motion being seconded.

9.8 A recommendation made in a Mayoral Minute put by the Mayor is, so far as it is adopted by the Council, a resolution of the Council.

9.9 A Mayoral Minute must not be used to put without notice matters that are routine and not urgent or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the Council before the next scheduled Ordinary meeting of the Council.

9.10 Where a Mayoral Minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the Council's current adopted operational plan, it must

identify the source of funding for the expenditure that is the subject of the recommendation.

If the Mayoral Minute does not identify a funding source, the Council must defer consideration of the matter, pending a report from the Chief Executive Officer on the availability of funds for implementing the recommendation if adopted.

#### **Staff Reports**

*(MCOMP Mandatory Provision 9.11)*

9.11 A recommendation made in a staff report is, so far as it is adopted by the Council, a resolution of the Council.

#### **Reports of Committees of Council**

*(MCOMP Mandatory Provisions 9.12 – 9.13)*

9.12 The recommendations of a Committee of the Council are, so far as they are adopted by the Council, resolutions of the Council.

9.13 If in a report of a Committee of the Council distinct recommendations are made, the Council may make separate decisions on each recommendation.

#### **Questions**

*(MCOMP Mandatory Provisions 9.14 – 9.19)*

9.14 A question must not be asked at a meeting of the Council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.13.

9.15 A Councillor may, through the chairperson, put a question to another Councillor about a matter on the agenda.

9.16 A Councillor may, through the Chief Executive Officer, put a question to a Council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the Chief Executive Officer at the direction of the Chief Executive Officer.

9.17 A Councillor or Council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to information. Where a Councillor or Council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the Council or before the next meeting of Council with the response being circulated to all Councillors.

9.18 Councillors must put questions directly, succinctly, respectfully and without argument.

9.19 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a Councillor or Council employee.

## 10. RULES OF DEBATE

### Motions to be Seconded

*(MCOMP Mandatory Provision 10.1)*

10.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

### Notices of Motion

*(MCOMP Mandatory Provisions 10.2 – 10.4)*

10.2 A Councillor who has submitted a notice of motion under clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.

10.3 If a Councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to Councillors, the Councillor may request the withdrawal of the motion when it is before the Council.

10.4 In the absence of a Councillor who has placed a notice of motion on the agenda for a meeting of the council:

(a) any other Councillor may, with the leave of the chairperson, move the motion at the meeting, or

(b) the chairperson may defer consideration of the motion until the next meeting of the Council.

### Chairperson's Duties With Respect to Motions

*(MCOMP Mandatory Provisions 10.5 – 10.8)*

10.5 It is the duty of the chairperson at a meeting of the Council to receive and put to the meeting any lawful motion that is brought before the meeting.

10.6 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.

10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.

10.8 Any motion, amendment, or other matter that the chairperson has ruled out of order is taken to have been lost.

### Motions Requiring the Expenditure of Funds

*(MCOMP Non-Mandatory Provision 10.9)*

10.9 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the Council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the Council must defer consideration of the matter, pending a report from the Chief Executive Officer on the availability of funds for implementing the motion if adopted.

### Amendments to motions

*(MCOMP Mandatory Provisions 10.10 – 10.16)*

10.10 An amendment to a motion must be moved and seconded before it can be debated.

10.11 An amendment to a motion must relate to the matter being dealt with in the original motion before the Council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.

10.12 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.

10.13 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before Council at any one time.

10.14 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.

10.15 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.

10.16 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

#### **Foreshadowed Motions**

*(MCOMP Mandatory Provisions 10.17 – 10.19)*

10.17 A Councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the Council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.

10.18 Where an amendment has been moved and seconded, a Councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the Council at any time. However, no discussion can take place on foreshadowed amendments until the

previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.

10.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

#### **Limitations on the Number and Duration of Speeches**

*(MCOMP Mandatory Provisions 10.20 – 10.30)*

10.20 A Councillor who, during a debate at a meeting of the Council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.

10.21 A Councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.

10.22 A Councillor must not, without the consent of the Council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.

10.23 Despite clause 10.22, the chairperson may permit a Councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the Councillor to make a statement limited to explaining the misrepresentation or misunderstanding.

10.24 Despite clause 10.22, the Council may resolve to shorten the duration of

speeches to expedite the consideration of business at a meeting.

10.25 Despite clauses 10.20 and 10.21, a Councillor may move that a motion or an amendment be now put:

(a) if the mover of the motion or amendment has spoken in favour of it and no Councillor expresses an intention to speak against it, or

(b) if at least two (2) Councillors have spoken in favour of the motion or amendment and at least two (2) Councillors have spoken against it.

10.26 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.

10.27 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.20.

10.28 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.

10.29 All Councillors must be heard without interruption and all other Councillors must, unless otherwise permitted under this code, remain silent while another Councillor is speaking.

10.30 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.

## 11. VOTING

### Voting Entitlements of Councillors

*(MCOMP Mandatory Provisions 11.1 – 11.3)*

11.1 Each councillor is entitled to one (1) vote.

**Note: Clause 11.1 reflects section 370(1) of the Act.**

11.2 The person presiding at a meeting of the Council has, in the event of an equality of votes, a second or casting vote.

**Note: Clause 11.2 reflects section 370(2) of the Act.**

11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

### Voting at Council Meetings

*(MCOMP Mandatory Provisions 11.5 – 11.10 Non-mandatory Provision 11.11)*

11.4 A Councillor who is present at a meeting of the Council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.

11.5 If a Councillor votes against a motion put at a Council meeting, the Chief Executive Officer must ensure that the Councillor's dissenting vote is recorded in the Council's minutes as if a division had been called.

11.6 The decision of the chairperson as to the result of a vote is final unless the decision is immediately challenged and not fewer than two (2) Councillors rise and call for a division.

11.7 When a division on a motion is called, the chairperson must ensure that the division takes place immediately. The Chief Executive Officer must ensure that the names of those who vote for the motion and those who vote against it are recorded in the Council's minutes for the meeting.

11.8 When a division on a motion is called, any Councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.4 of this code.

11.10 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the Council may resolve that the voting in any election by Councillors for Mayor or Deputy Mayor is to be by secret ballot.

**11.11 All voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.**

### Voting on Planning Decisions

*(MCOMP Mandatory Provisions 11.12 – 11.15)*

**11.12** The Chief Executive Officer must keep a register containing, for each planning decision made at a meeting of the Council or a Council Committee (including, but not limited to a Committee of the Council), the names of the Councillors who supported the decision and the names of any Councillors who opposed (or are taken to have opposed) the decision.

**11.13** For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the Council or a Council Committee.

**11.14** Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.

**11.15** Clauses **11.12–11.14** apply also to meetings that are closed to the public.

Note: Clauses **11.12–11.15** reflect section 375A of the Act.

Note: The requirements of clause **11.12** may be satisfied by maintaining a register of the minutes of each planning decision.

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## 12. COMMITTEE OF THE WHOLE

*(MCOMP Mandatory Provisions 12.1 – 12.4)*

12.1 The Council may resolve itself into a Committee to consider any matter before the Council.

**Note: Clause 12.1 reflects section 373 of the Act.**

12.2 All the provisions of this code relating to meetings of the Council, so far as they are applicable, extend to and govern the proceedings of the Council when in Committee of the Whole, except the provisions limiting the number and duration of speeches.

**Note: Clauses 10.20–10.30 limit the number and duration of speeches.**

12.3 The Chief Executive Officer or, in the absence of the Chief Executive Officer, an employee of the Council designated by the Chief Executive Officer, is responsible for reporting to the Council the proceedings of the Committee of the Whole. It is not necessary to report the proceedings in full, but any recommendations of the Committee must be reported.

12.4 The Council must ensure that a report of the proceedings (including any recommendations of the Committee) is recorded in the Council's minutes. However, the Council is not taken to have adopted the report until a motion for adoption has been made and passed.

### 13. DEALING WITH ITEMS BY EXCEPTION

*(MCOMP Non-mandatory Provisions 13.1 – 13.7)*

13.1 The Council or a Committee of Council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.

13.2 Before the Council or Committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask Councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.

13.3 The Council or Committee must not resolve to adopt any item of business under clause 13.1 that a Councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.

13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the Council or Committee must resolve to alter the order of business in accordance with clause 8.2.

13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.

13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.

13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct.

#### 14. CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

*(MCOMP Mandatory Provisions 14.1 – 14.2)*

14.1 The Council or a Committee of the Council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:

(a) personnel matters concerning particular individuals (other than Councillors),

(b) the personal hardship of any resident or ratepayer,

(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,

(d) commercial information of a confidential nature that would, if disclosed:

(i) prejudice the commercial position of the person who supplied it, or

(ii) confer a commercial advantage on a competitor of the Council, or

(iii) reveal a trade secret,

(e) information that would, if disclosed, prejudice the maintenance of law,

(f) matters affecting the security of the Council, Councillors, Council staff or Council property,

(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,

(h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,

(i) alleged contraventions of the Council's Code of Conduct.

**Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.**

14.2 The Council or a Committee of the Council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

**Note: Clause 14.2 reflects section 10A(3) of the Act.**

#### Matters to be Considered when Closing Meetings to the Public

*(MCOMP Mandatory Provisions 14.3 – 14.7)*

14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:

(a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and

(b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the Council or Committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

**Note: Clause 14.3 reflects section 10B(1) of the Act.**

14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:

(a) are substantial issues relating to a matter in which the Council or Committee is involved, and

(b) are clearly identified in the advice, and

(c) are fully discussed in that advice.

**Note: Clause 14.4 reflects section 10B(2) of the Act.**

14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

**Note: Clause 14.5 reflects section 10B(3) of the Act.**

14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:

(a) a person may misinterpret or misunderstand the discussion, or

(b) the discussion of the matter may:

(i) cause embarrassment to the Council or Committee concerned, or to Councillors or to employees of the Council, or

(ii) cause a loss of confidence in the Council or Committee.

**Note: Clause 14.6 reflects section 10B(4) of the Act.**

14.7 In deciding whether part of a meeting is to be closed to the public, the Council or Committee concerned must consider any relevant guidelines issued by the **Departmental** Chief Executive of the Office of Local Government.

**Note: Clause 14.7 reflects section 10B(5) of the Act.**

**Notice of Likelihood of Closure Not Required in Urgent Cases**

*(MCOMP Mandatory Provision 14.8)*

14.8 Part of a meeting of the Council, or of a Committee of the Council, may be closed to the public while the Council or Committee considers a matter that has not been identified in the agenda for the meeting under clause 3.21 as a matter

that is likely to be considered when the meeting is closed, but only if:

(a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and

(b) the Council or Committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:

(i) should not be deferred (because of the urgency of the matter), and

(ii) should take place in a part of the meeting that is closed to the public.

**Note: Clause 14.8 reflects section 10C of the Act.**

**Representations by Members of the Public**

*(MCOMP Mandatory Provisions 14.9-14.17)*

14.9 The Council, or a Committee of the Council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

**Note: Clause 14.9 reflects section 10A(4) of the Act.**

14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.

14.11 Where the matter has been identified in the agenda of the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the Council in the approved form. Applications must be received by Council no less than two (2) hours before the meeting at which the matter is to be considered.

14.12 The Chief Executive Officer (or their delegate) may refuse an application made under clause 14.11. The Chief Executive Officer or their delegate must give reasons in writing for a decision to refuse an application.

14.13 No more than three (3) speakers are to be permitted to make representations under clause 14.9 and each speaker shall be allowed a maximum of two (2) minutes to make representations to the Council.

14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the Chief Executive Officer or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the Council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the Chief Executive Officer or their delegate is to determine who will make representations to the Council.

14.15 The Chief Executive Officer (or their delegate) is to determine the order of speakers.

14.16 Where the Council or a Committee of the Council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than three (3) speakers to make representations in such order as determined by the chairperson.

14.17 Each speaker will be allowed two (2) minutes to make representations, and

this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

#### **Expulsion of Non-councillors from Meetings Closed to the Public**

*(MCOMP Mandatory Provisions 14.18 - 4.19)*

14.18 If a meeting or part of a meeting of the Council or a Committee of the Council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a Councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.

14.19 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

#### **Obligations of Councillors Attending Meetings by Audio-Visual Link**

*(MCOMP Non-Mandatory Provision 14.20)*

14.20 Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting is closed to the public under section 10A of the Act.

**Information to be Disclosed in Resolutions Closing Meetings to the Public**

*(MCOMP Mandatory Provision 14.21)*

**14.21** The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:

(a) the relevant provision of section 10A(2) of the Act,

(b) the matter that is to be discussed during the closed part of the meeting,

(c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

**Note: Clause 14.21 reflects section 10D of the Act.**

**Resolutions Passed at Closed Meetings to be Made Public**

*(MCOMP Mandatory Provisions 14.22 – 14.23)*

**14.22** If the Council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.

**14.23** Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 14.22 during a part of the meeting that is webcast.

## 15. KEEPING ORDER AT MEETINGS

### Points of Order

*(MCOMP Mandatory Provisions 15.1 – 15.3)*

15.1 A Councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.

15.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.

15.3 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the Councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

### Questions of Order

*(MCOMP Mandatory Provisions 15.4 – 15.7)*

15.4 The chairperson, without the intervention of any other Councillor, may call any Councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.

15.5 A Councillor who claims that another Councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.

15.6 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the Council.

15.7 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

### Motions of Dissent

*(MCOMP Mandatory Provisions 15.8 – 15.10)*

15.8 A Councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.

15.9 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.

15.10 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

### Acts of Disorder

*(MCOMP Mandatory Provisions 15.11 – 15.12)*

15.11 A Councillor commits an act of disorder if the Councillor, at a meeting of the Council or a Committee of the Council:

- (a) contravenes the Act, the Regulation or this code, or
- (b) assaults or threatens to assault another Councillor or person present at the meeting, or
- (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the Council or the Committee, or addresses or attempts to address the Council or the Committee on such a motion, amendment or matter, or
- (d) insults, makes unfavourable personal remarks about or imputes improper motives to any other Council

official, or alleges a breach of the Council's Code of Conduct, or

(e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the Council or the Committee into disrepute.

**Note: Clause 15.11 reflects section 182 of the Regulation.**

15.12 The chairperson may require a Councillor:

(a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a), (b) or (e), or

(b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or

(c) to retract and apologise without reservation for **any statement that constitutes** an act of disorder referred to in clauses 15.11(d) and (e).

**Note: Clause 15.12 reflects section 233 of the Regulation.**

#### **How Disorder at a Meeting may be Dealt With**

*(MCOMP Mandatory Provision 15.13)*

15.13 If disorder occurs at a meeting of the Council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The Council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of Councillors.

#### **Expulsion from Meetings**

*(MCOMP Non-mandatory Provision 15.14 - 15.16 Mandatory Provisions 15.17 - 15.20)*

15.14 All chairpersons of meetings of the Council and Committees of the Council are authorised under this code to expel

any person other than a Councillor, from a Council or Committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the Council or the Committee of the Council.

15.15 Clause 15.14 does not limit the ability of the Council or a Committee of the Council to resolve to expel a person, including a Councillor, from a Council or Committee meeting, under section 10(2)(a) of the Act.

15.16 A Councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the Council for having failed to comply with a requirement under clause 15.12. The expulsion of a Councillor from the meeting for that reason does not prevent any other action from being taken against the Councillor for the act of disorder concerned.

**Note: Clause 15.16 reflects section 233(2) of the Regulation.**

15.17 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the Council for engaging in or having engaged in disorderly conduct at the meeting.

15.18 Where a Councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.

15.19 If a Councillor or a member of the public fails to leave the place where a meeting of the Council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the Councillor or member of the public from that place and, if necessary, restrain the Councillor or member of the public from

re-entering that place for the remainder of the meeting.

**How Disorder by Councillors Attending Meetings by Audio-Visual Link May be Dealt With**

*(MCOMP Non-Mandatory Provisions 15.21 – 15.22)*

15.20 Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with this code.

15.21 If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

**Use of Mobile Phones and the Unauthorised Recording of Meetings**

*(MCOMP Mandatory Provisions 15.23 – 15.26)*

15.22 Councillors, Council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the Council and Committees of the Council.

15.23 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the Council or a Committee of the Council without the prior authorisation of the Council or the Committee.

15.24 Without limiting clause 15.17, a contravention of clause 15.23 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.17. Any person who contravenes or attempts to contravene

clause 15.23, may be expelled from the meeting as provided for under section 10(2) of the Act.

15.25 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

## 16. CONFLICTS OF INTEREST

*(MCOMP Mandatory Provision 16.1*

*Non-Mandatory Provision 16.2)*

16.1 All Councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the Council and Committees of the Council in accordance with the Council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.

16.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the council's Code of Conduct. Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be suspended or terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

## 17. DECISIONS OF THE COUNCIL

### Council Decisions

*(MCOMP Mandatory Provisions 17.1 – 17.2)*

17.1 A decision supported by a majority of the votes at a meeting of the Council at which a quorum is present is a decision of the Council.

**Note: Clause 17.1 reflects section 371 of the Act.**

17.2 Decisions made by the Council must be accurately recorded in the minutes of the meeting at which the decision is made.

### Rescinding or Altering Council Decisions

*(MCOMP Mandatory Provisions 17.3 – 17.9 and 17.11*

*Non-mandatory Provisions 17.10 and 17.12 – 17.14)*

17.3 A resolution passed by the Council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.9.

**Note: Clause 17.3 reflects section 372(1) of the Act.**

17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

**Note: Clause 17.4 reflects section 372(2) of the Act.**

17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.9.

**Note: Clause 17.5 reflects section 372(3) of the Act.**

17.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) Councillors if less than three (3) months has elapsed since the

resolution was passed, or the motion was lost.

**Note: Clause 17.6 reflects section 372(4) of the Act.**

17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

**Note: Clause 17.7 reflects section 372(5) of the Act.**

17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.

**Note: Clause 17.8 reflects section 372(7) of the Act.**

17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.10 with the consent of all signatories to the notice of motion.

17.10 Where a Councillor intends to move a notice of motion to alter or rescind a resolution relating to a development application, the Councillor must advise the Chief Executive Officer their intent to do so immediately following the adoption of the motion and the notice of motion to alter or rescind a resolution must be submitted to the Chief Executive Officer no later than 48 hours after the completion of the meeting at which the resolution was adopted. This will allow the Council to delay the formal approval of the development application until the matter is finalised.

17.11 A motion to alter or rescind a resolution of the Council may be moved on the report of a Committee of the Council and any such report must be recorded in the minutes of the meeting of the Council.

**Note: Clause 17.11 reflects section 372(6) of the Act.**

17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the Council may be moved at the same meeting at which the resolution was adopted, where:

(a) a notice of motion signed by three Councillors is submitted to the chairperson, and

(b) a motion to have the motion considered at the meeting is passed, and

(c) the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the Council before the next scheduled ordinary meeting of the Council.

17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.

17.14 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.12(c).

17.15 Where a Councillor has indicated that they wish to submit a notice of motion under 17.12(a), the chairperson must adjourn the meeting for five (5) minutes to allow the preparation of the notice of motion.

**Recommitting Resolutions to Correct an Error**

*(MCOMP Non-mandatory Provisions 17.15 – 17.20)*

17.16 Despite the provisions of this Part, a Councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:

(a) to correct any error, ambiguity or imprecision in the council's resolution, or

(b) to confirm the voting on the resolution.

17.17 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.16(a), the Councillor is to propose alternative wording for the resolution.

17.18 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.16(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.

17.19 A motion moved under clause 17.16 can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.16 can speak to the motion before it is put.

17.20 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.16.

17.21 A motion moved under clause 17.16 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

## 18. TIME LIMITS ON COUNCIL MEETINGS

*(MCOMP Non-mandatory Provisions 18.1 – 18.5)*

18.1 There are no time limits imposed on Council or Committee meetings however the chairperson may adjourn a meeting of Council or Committee if required due to the meeting not completing in a reasonable timeframe, following the moving and adoption of a motion to do so.

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## 19. AFTER THE MEETING

### Minutes of Meetings

*(MCOMP Mandatory Provisions 19.1 – 19.7*

*Non-Mandatory Provision 19.2(a))*

19.1 The Council is to keep full and accurate minutes of the proceedings of meetings of the Council.

**Note: Clause 19.1 reflects section 375(1) of the Act.**

19.2 At a minimum, the Chief Executive Officer must ensure that the following matters are recorded in the Council's minutes:

(a) the names of councillors attending a council meeting and whether they attended the meeting in person or by audio-visual link,

(b) details of each motion moved at a Council meeting and of any amendments moved to it,

(c) the names of the mover and seconder of the motion or amendment,

(d) whether the motion or amendment was passed or lost, and

(e) such other matters specifically required under this code.

19.3 The minutes of a Council meeting must be confirmed at a subsequent meeting of the Council.

**Note: Clause 19.3 reflects section 375(2) of the Act.**

19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

**Note: Clause 19.5 reflects section 375(2) of the Act.**

19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors

after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

19.7 The confirmed minutes of a Council meeting must be published on the Council's website. This clause does not prevent the Council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

### Access to Correspondence and Reports Laid on the Table at, or Submitted to, a Meeting

*(MCOMP Mandatory Provisions 19.8 – 19.11)*

19.8 The Council and Committees of the Council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

**Note: Clause 19.8 reflects section 11(1) of the Act.**

19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

**Note: Clause 19.9 reflects section 11(2) of the Act.**

19.10 Clause 19.8 does not apply if the Council or the Committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

**Note: Clause 19.10 reflects section 11(3) of the Act.**

19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

**Implementation of Decisions of the Council**

*(MCOMP Mandatory Provision 19.12)*

19.12 The Chief Executive Officer is to implement, without undue delay, lawful decisions of the Council.

**Note: Clause 19.12 reflects section 335(b) of the Act.**

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## 20. COUNCIL COMMITTEES

### Application of this Part

*(MCOMP Mandatory Provision 20.1)*

20.1 This Part only applies to Committees of the Council whose members are all Councillors.

### Council Committees Whose Members are all Councillors

*(MCOMP Mandatory Provisions 20.2 – 20.4)*

20.2 The Council may, by resolution, establish such Committees as it considers necessary.

20.3 A Committee of the Council is to consist of the Mayor and such other Councillors as are elected by the Councillors or appointed by the Council.

20.4 The quorum for a meeting of a Committee of the Council is to be:

- (a) such number of members as the Council decides, or
- (b) if the Council has not decided a number – a majority of the members of the Committee.

### Functions of Committees

*(MCOMP Mandatory Provision 20.5)*

20.5 The Council must specify the functions of each of its Committees when the Committee is established but may from time to time amend those functions.

### Notice of Committee Meetings

*(MCOMP Mandatory Provisions 20.6 – 20.7)*

20.6 The Chief Executive Officer must send to each Councillor, regardless of whether they are a Committee member, at least three (3) days before each meeting of the Committee, a notice specifying:

- (a) the time, date and place of the meeting, and
- (b) the business proposed to be considered at the meeting.

20.7 Notice of less than three (3) days may be given of a Committee meeting called in an emergency.

### Attendance at Committee Meetings

*(MCOMP Mandatory Provisions 20.8 – 20.9)*

20.8 A Committee member (other than the Mayor) ceases to be a member of a Committee if the Committee member:

- (a) has been absent from three (3) consecutive meetings of the Committee without having given reasons acceptable to the Committee for the member's absences, or
- (b) has been absent from at least half of the meetings of the Committee held during the immediately preceding year without having given to the Committee acceptable reasons for the member's absences.

20.9 Clause 20.8 does not apply if all of the members of the Council are members of the Committee.

### Non-members Entitled to Attend Committee Meetings

*(MCOMP Mandatory Provision 20.10)*

20.10 A Councillor who is not a member of a Committee of the Council is entitled to attend, and to speak at a meeting of the Committee. However, the Councillor is not entitled:

- (a) to give notice of business for inclusion in the agenda for the meeting, or
- (b) to move or second a motion at the meeting, or
- (c) to vote at the meeting.

### **Chairperson and Deputy Chairperson of Council Committees**

*(MCOMP Mandatory Provisions 20.11 – 20.14)*

20.11 The chairperson of each Committee of the Council must be:

- (a) the Mayor, or
- (b) if the Mayor does not wish to be the chairperson of a Committee, a member of the Committee elected by the Council, or
- (c) if the Council does not elect such a member, a member of the Committee elected by the Committee.

20.12 The Council may elect a member of a Committee of the Council as deputy chairperson of the Committee. If the Council does not elect a deputy chairperson of such a Committee, the Committee may elect a deputy chairperson.

20.13 If neither the chairperson nor the deputy chairperson of a Committee of the Council is able or willing to preside at a meeting of the Committee, the Committee must elect a member of the Committee to be acting chairperson of the Committee.

20.14 The chairperson is to preside at a meeting of a Committee of the Council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

### **Procedure in Committee Meetings**

*(MCOMP Mandatory Provisions 20.15 – 20.18)*

20.15 Subject to any specific requirements of this code, each Committee of the Council may regulate its own procedure. The provisions of this code are to be taken to apply to all Committees of the Council unless the

Council or the Committee determines otherwise in accordance with this clause.

20.16 Whenever the voting on a motion put to a meeting of the Committee is equal, the chairperson of the Committee is to have a casting vote as well as an original vote unless the Council or the Committee determines otherwise in accordance with clause 20.15.

20.17 Voting at a Council Committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

### **Closure of Committee Meetings to the Public**

*(MCOMP Mandatory Provisions 20.19 – 20.21)*

20.18 The provisions of the Act and Part 14 of this code apply to the closure of meetings of Committees of the Council to the public in the same way they apply to the closure of meetings of the Council to the public.

20.19 If a Committee of the Council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the Council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.

20.20 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.19 during a part of the meeting that is webcast.

**Disorder in Committee Meetings***(MCOMP Mandatory Provision 20.22)*

20.21 The provisions of the Act and this code relating to the maintenance of order in Council meetings apply to meetings of Committees of the Council in the same way as they apply to meetings of the Council.

**Minutes of Council Committee Meetings***(MCOMP Mandatory Provision 20.23, 20.25 – 20.29**Non-mandatory provision 20.23(a) and 20.24)*

20.22 Each Committee of the Council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a Committee must ensure that the following matters are recorded in the Committee's minutes:

(a) the names of councillors attending a meeting and whether they attended the meeting in person or by audio-visual link,

(b) details of each motion moved at a meeting and of any amendments moved to it,

(c) the names of the mover and seconder of the motion or amendment,

(d) whether the motion or amendment was passed or lost, and

(e) such other matters specifically required under this code.

20.23 All voting at meetings of committees of the council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.

20.24 If a Councillor votes against a motion put at a Committee of Council meeting, the Chief Executive Officer must ensure that the Councillor's dissenting vote is recorded in the Council's minutes.

20.25 The minutes of meetings of each Committee of the Council must be confirmed at a subsequent meeting of the Committee.

20.26 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

20.27 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.

20.28 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

20.29 The confirmed minutes of a meeting of a Committee of the Council must be published on the Council's website. This clause does not prevent the Council from also publishing unconfirmed minutes of meetings of committees of the Council on its website prior to their confirmation.

## 21. IRREGULARITIES

*(MCOMP Mandatory Provision 21.1)*

21.1 Proceedings at a meeting of a Council or a Council Committee are not invalidated because of:

- (a) a vacancy in a civic office, or
- (b) a failure to give notice of the meeting to any Councillor or Committee member, or
- (c) any defect in the election or appointment of a Councillor or Committee member, or
- (d) a failure of a Councillor or a Committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a Council or Committee meeting in accordance with the Council's code of conduct, or
- (e) a failure to comply with this code.

**Note: Clause 21.1 reflects section 374 of the Act.**

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**CCL22/43      Review of Audit and Risk Management Committee Charter**

**Attachment 1:** Report - Audit and Risk Management Committee -  
08/02/2022 - Review of Audit and Risk Management  
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**Attachment 2:** Proposed ARMC Charter - February 2022..... 110



## REPORT: Review of Audit and Risk Management Committee Charter

**DIVISION:** Executive Services  
**REPORT DATE:** 1 February 2022  
**TRIM REFERENCE:** ID22/142

### EXECUTIVE SUMMARY

<b>Purpose</b>	Seek endorsement	
<b>Issue</b>	<ul style="list-style-type: none"><li>Changes are proposed for the Audit and Risk Management Committee Charter</li></ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"><li>Changes are needed to meet legislative requirements</li><li>Local Government Amendment (Governance and Planning) Act 2016 No 38</li><li>Section 23A, Local Government Act 1993</li></ul>	
<b>Financial Implications</b>	Budget Area	There are no financial implications arising from this report.
<b>Policy Implications</b>	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 Community Leadership

CSP Objective: 4.4 Statutory requirements are met and services are provided to the organisation in a cost-effective and timely manner

Delivery Program Strategy: 4.4.1 The organisation meets all statutory requirements

### RECOMMENDATION

**That the changes in the Audit and Risk Management Committee Charter proposed in the report be submitted to Council for approval.**

*Abbey Rouse*  
Executive Manager Governance and Internal Control

*PB*  
Internal Auditor

## BACKGROUND

In 2008 the State Government made the first small steps toward influencing how Local Government Audit Committees and Internal Audit functions operate with the issuing of the first version of its Guidelines for Internal Audit. A second version followed in 2010 and then much discussion of what to do next. At the present time, the current guidelines are recommendations only. Pursuant to s23A of the Local Government Act, Council must consider these recommendations before making an audit related decision. While the Council is effectively still in full control of the Audit and Risk Management Committee and the CEO is effectively in full control of the Internal Audit function, the State Government is intent on making changes.

The history of best practice perspectives for Local Government Audit Committees includes:

- 2008 NSW LG Audit Guidelines and 2010 (minimal) revision
- multiple events where expectations for better outcomes are expressed including 2011 ICAC investigation of Burwood Council
- recommendations in the 2013 "Revitalising Local Government – Final Report of the NSW Independent Local Government Review Panel"
- the government's response of 2015 "Fit for the Future"
- changes to the Act in 2016 to mandate an Audit, Risk and Improvement Committee
- discussion paper of 2019
- draft guidelines of 2021

## REPORT

### Consultation

This report initiates the consultation process with the Audit and Risk Management Committee.

### Resourcing Implications

Nil

### Updates

On 18 August 2021, the start dates for some matters prescribed by Local Government Amendment (Governance and Planning) Act 2016 No 38 were proclaimed. Council would have until June 2022 to create an Audit Risk and Improvement Committee if it did not already have such a committee. However the majority of things we must do, and when they must be done by, are to be per the regulations and guidelines which are not actually issued yet. To comply with the Act, the following will need to be included in the committee's charter (per s428A) within six months of the last election:

*The Committee must keep under review the following aspects of the council's operations:*

- (a) compliance,*
- (b) risk management,*
- (c) fraud control,*

*(d) financial management,  
(e) governance,*

*(f) implementation of the strategic plan, delivery program and  
strategies,*

*(g) service reviews,*

*(h) collection of performance measurement data by the council,*

*(i) any other matters prescribed by the regulations.*

*The Committee is also to provide information to the council for the purpose  
of improving the council's performance of its functions.*

The Council is currently free to direct the committee on how it should interpret and action those requirements.

#### **OLG view on Charters**

On 24 August 2021, the Office of Local Government (OLG) issued the most recent draft risk and audit guidelines for public consultation. The matter is discussed in a detailed report to the Audit and Risk Management Committee meeting of 19 October 2021.

Included in the guidelines are two draft charters:

- Audit Risk and Improvement Committee Charter – traditionally the directions from the Council to the Committee on how it should operate and what authority it has.
- Internal Audit Charter – traditionally the agreed directions issued jointly by the committee and the CEO to Internal Audit advising how it should operate and what authority it has.

It is expected that the Office of Local Government will arrange for Legislation to be passed authorising the Minister to prescribe the exact content of both Charters, and that charters will be prescribed that will be very similar to the published drafts. It is however possible that the final documents might be somewhat different.

#### **Options Considered**

It seems likely that when the Parliament prescribed the general principles in 2016 but deferred the start date, it was expected that the precise details would have been finalised before the principles became law. At this point there is a very real chance that the rules on how the authority of the Audit and Risk Management Committee works in practice will not be known when the principles commence.

There are essentially three options –

- Make the prescribed changes as they are prescribed. While multiple revisions will be required, this is the recommended approach.
- Seeing the intent is known, make the changes OLG currently prefers and hope they don't change their minds too much. Then make additional changes when the final rules are published (multiple revisions will still be required). This may mean we get to the final outcome faster but it is a more cumbersome process.
- Wait in the expectation that the guidelines will be published before June and action all changes in one go. Given the numerous delays so far, any strategy relying on OLG to

deliver before June includes additional delays. Even if the rules are published, the response would be rushed and hence at higher risk of error.

The Audit and Risk Management Committee may wish to express a view on what it considers the optimal timing for changes. The gazetting of the new s428A does however require a small amount of editing to ensure conformance with the new requirements. Appendix 1 contains the minimum change needed.

Pursuant to s23A of the Local Government Act and the publications issued under that section, this report must advise if the recommended action is consistent with OLG's audit recommendations. Council is not bound to follow the OLG recommendations but is obliged to consider any relevant advice. The OLG recommendations are not relevant to this change.

**APPENDICES:**

- 1 Proposed ARMC Charter Feb 2022



# AUDIT AND RISK MANAGEMENT COMMITTEE CHARTER

~~June 2020~~ January 2022

Records Reference: ~~ED20/97065~~ ED22/7970

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**Audit and Risk Management Committee (ARMC) Charter****1 ARMC Purpose**

The Audit and Risk Management Committee (ARMC) is an advisory Committee assisting the Council to fulfil its governance and oversight responsibilities. The Local Government Act prescribes that the ARMC shall keep the following matters under review:

- 1.1. compliance,
- 1.2. risk management,
- 1.3. fraud control,
- 1.4. financial management,
- 1.5. governance,
- 1.6. implementation of the strategic plan, delivery program and strategies,
- 1.7. service reviews,
- 1.8. collection of performance measurement data by the council,
- 1.9. any other matters prescribed by the regulations

In addition, the ARMC shall

1.10 provide information to the council for the purpose of improving the council's performance of its functions

1.11 In determining how much time to allocate to each element, the ARMC should consider all the directions contained in this charter. The primary duties and responsibilities of the ARMC are to assist the Council to discharge its responsibilities relating to:

- 1.1-1.11.a Financial reporting process
- 1.2-1.11.b Business ethics, policies and practices
- 1.3-1.11.c Management and internal controls
- 1.4-1.11.d Monitoring the integrity of the Council's financial reporting practices and finance and accounting compliance
- 1.5-1.11.e Reviewing internal controls, key corporate risks and all audit related matters
- 1.6-1.11.f Encouraging continuous improvement of Council's systems and practices
- 1.7-1.11.g Adoption of the Internal Audit Plan
- 1.8-1.11.h The Council's process for monitoring compliance (as detailed at 8.3.6).

**2 Authority**

2.1. The ARMC is delegated authority by Council to carry out its duties and responsibilities as defined in this charter. The ARMC has delegated authority to approve investigations into any matters within its scope of responsibility. It is empowered to:

- 2.1.(a) Resolve any disagreements between management and the auditor regarding financial reporting (subject to confidentiality considerations).
- 2.1.(b) Pre-approve all auditing and non-audit services.
- 2.1.(c) After due consultation with the Chief Executive Officer, retain independent counsel, accountants, or others to advise the Committee or assist in the conduct of an investigation.
- 2.1.(d) Meet with Council management, external auditors, or outside counsel, as necessary.

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

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

### **3 Composition**

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

**4 Tenure**

- 4.1. The term of office for an ARMC member shall end on the earlier of:
  - (a) the day on which the member resigns from the ARMC
  - (b) in the case of a Councillor, the day on which the Councillor ceases to be a Councillor for the Dubbo Regional Council.
  - (c) two years in respect of the independent external members or such other term as determined by Council.
  - (d) the day on which the member's appointment is legally terminated by Council.
  - (e) the day on which the member is incapacitated by law from holding such office.
- 4.2. Members are encouraged reapply for membership at the end of each appointed term and to plan for an orderly rotation of members so that experienced members will always be serving. The ARMC may make recommendations to Council on membership.
- 4.3. In any event, the appointment of each member of the ARMC will be reviewed at the end of the first year and confirmed for the remaining period subject to satisfactory performance as determined by Council. A member may be eligible for re-appointment to the Committee for a continuous period not exceeding eight (8) years.
- 4.4. In considering new independent members for the ARMC, selection shall be influenced by:
  - (a) Industry standards for similar committees, particularly relating to the appointment of independents to ARMC's.
  - (b) Any guidelines issued by the NSW Government concerning Local Government ARMC's.
  - (c) The attributes and experience of candidates who respond to Expressions of Interest advertisements for Independent Members.
  - (d) At least one voting member shall have accounting or related financial management expertise and experience, with understanding of accounting and auditing standards in a public sector environment.
  - (e) The members, taken collectively shall have a broad range of skills and experience relevant to Local Government.
- 4.5. The independent members and community representative on the ARMC should be remunerated for attending committee meetings. The remuneration shall be as adopted by Council.
- 4.6. Committee members will receive relevant information and briefings to assist them to meet their Committee responsibilities. A member of the Committee may, with the approval of the Chief Executive Officer, attend appropriate seminars or training in respect to issues related to the function and responsibilities of the Committee.

**5 Remuneration**

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

**6 Meetings & Quorum**

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

**7 Confidentiality**

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

**8 Responsibilities**

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

**8.3.1 Financial Statements**

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

**8.3.2 Risk Management**

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

**8.3.3 Internal Control**

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

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

#### **8.3.4 Internal Audit**

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

#### **8.3.5 External Audit**

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

#### **8.3.6 Compliance**

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

#### **8.3.7 Reporting Responsibilities**

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

**8.3.8 Other Responsibilities**

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

**8.3.9 Individual Responsibilities of Chairperson**

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

**8.3.10 Individual Responsibilities of Members**

Members of the ARMC are expected to:

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

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

**Review**

9.1 The Audit and Risk Management Committee Charter shall be reviewed as required with any proposed changes being sent to Council for consideration. Pursuant to s23A of the Local Government Act, the Council shall be advised whether any proposed change is in accord with the recommendations of the Office of Local Government or not.

9.2 At the end of each term of independent members the Chief Executive Officer shall arrange a review the Charter advise the Council of any recommended changes.

9.3 At a frequency determined by the Audit and Risk Management Committee, and at least once every two years, the ARMC, in consultation with the Chief Executive Officer, will review this Audit and Risk Management Committee Charter.

Version Control		Date of change
Version 1	ED17/89877	Prepared August 2017
Version 2		Updated February 2018
Version 3	ED18/36710	Adopted 19 March 2018 (Clause EDBC18/17)
Version 4	ED20/97065	June 2020
<u>This proposal</u>	<u>ED22/7970</u>	<u>January 2022</u>

**CCL22/44      Review of the 2040 Community Strategic Plan**

**Attachment 1:** Updated 2040 Community Strategic Plan ..... 121

**Attachment 2:** Comparison of existing and updated 2040  
Community Strategic Plan ..... 140

**Attachment 3:** Community Engagement Strategy ..... 153



# TOWARDS 2040

COMMUNITY STRATEGIC PLAN





# Acknowledgement of Country

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

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## Introduction

This Dubbo Regional 2040 Community Strategic Plan identifies your main aspirations and priorities for the future of the region through to 2040.

This Plan is the highest level strategy that will guide and influence the direction of Council, the community and other levels of Government over the coming years. It seeks to provide a blueprint for achieving your vision for the future, while being flexible and fit for purpose over the term of its life.

This Plan is the second version of its kind to be developed. Council at its meeting on 25 October 2021 resolved to update and extend the current Community Strategic Plan and supporting documents for the next 12 months, with extensive community consultation and additional changes made prior to July 2023 for the

remainder of the Councillor term. This was in response to the high number of COVID-19 cases in the region, with Council prioritising communications with the community about the importance of staying home, staying safe and getting vaccinated.

It is important not to lose sight of the significant community input and actions from the original 2040 Community Strategic Plan and to build on its success in driving and maintaining our region as a great place to live, work and play.

Together as a community we have a combined strength and focus which will ensure that the region continues to prosper and provide an excellent and affordable quality of life for residents and visitors.



# Your future

## Your vision

To be inserted after community consultation

## Your aspirations



**Affordable living**  
 Variety of housing types, locations and price points  
 Plan and manage land use



**Lifestyle opportunities**  
 Growth of villages and rural areas



**Urban infrastructure**  
 Well-maintained road, sewer, water and stormwater infrastructure



**Village infrastructure**  
 Well-maintained, fit for purpose and new infrastructure



**Environment and sustainability**  
 Plan for climate change  
 Protect and manage natural assets and resources



**Thriving economy**  
 Strong and diverse local jobs and businesses  
 Strong visitor economy that attracts significant tourists



**Culture and heritage**  
 Variety of culture, history, art and creativity  
 A range of unique experiences



**Quality of life**  
 Quality and variety of public spaces and amenities  
 Safe and healthy communities



**Collaboration**  
 Active engagement between the community and Council



**Transparency**  
 Clear and accountable decision making  
 Understanding of resource allocation



# Bringing your vision to life

This Plan is the central component of the Integrated Planning and Reporting Framework under the Local Government Act 1993. The Framework requires Council to undertake long-term planning, based on comprehensive community engagement, that supports a clear vision for the future and provides a roadmap for delivering community priorities in a sustainable manner. The Integrated Planning and Reporting Framework is shown in Figure 1.

The vision and community objectives in this Plan will guide Council's long-term decision making. It provides direction for Council's four-year Delivery Program and one-year Operational Plan, and creates clear linkages between strategic directions and operational efficiency. These linkages will ultimately ensure delivery of your vision, aspirations and priorities.

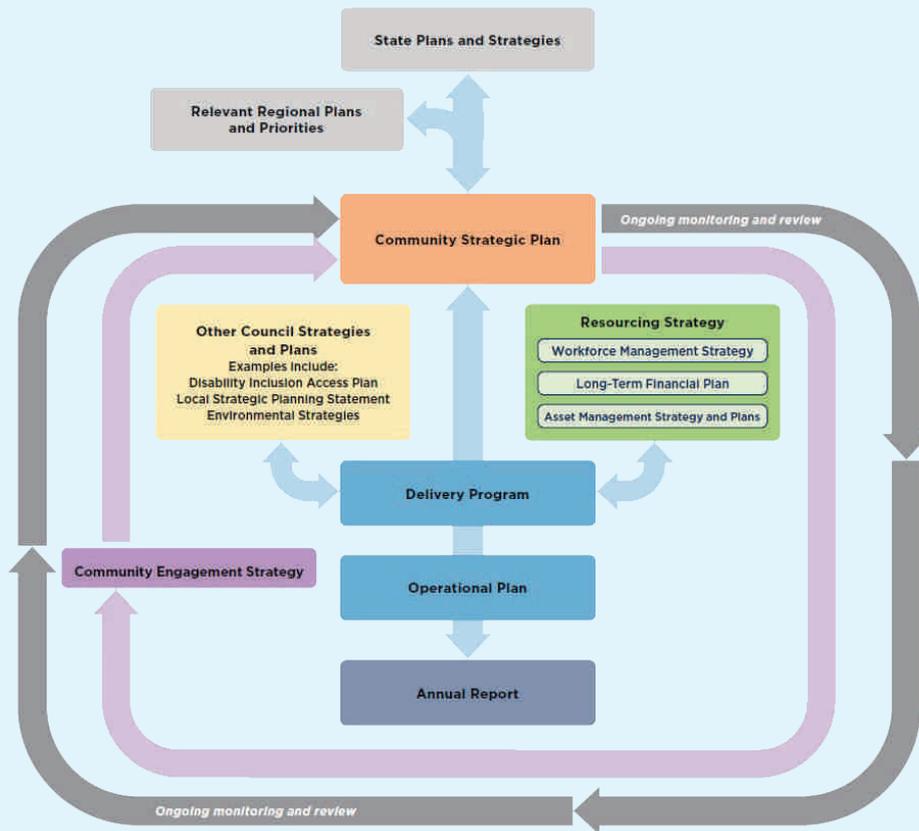
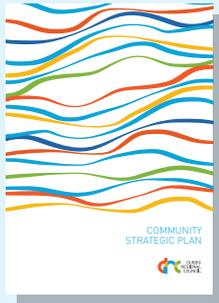


Figure 1—Integrated Planning and Reporting Framework



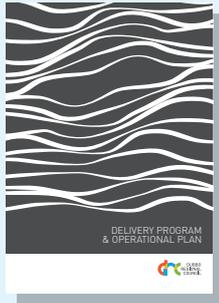
**2040  
Community  
Strategic Plan**

States the community's vision, main priorities and aspirations



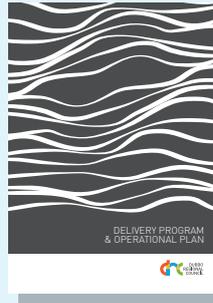
**Resourcing  
Strategy**

Demonstrates how the Delivery Program and Operational Plan will be resourced from an asset, financial and workforce perspective



**Delivery  
Program**

Outlines the principal activities that Council will undertake over the next 4-years to address the vision and objectives of the CSP



**Operational  
Plan**

Identifies the projects, programs and actions that Council will undertake during the financial year to address the goals outlined in the Delivery Program



DUBBO REGION COMMUNITY STRATEGIC PLAN

# Council's guiding principles

This Plan is underpinned by the following guiding principles:

## Improving Council's decision-making

Council's decision-making and actions need to be open, transparent and accountable. Improving the decision-making of Council, other levels of Government and the community is an essential driver for achieving outcomes.

## A partnership approach

Partnerships with other stakeholders are critical as they help achieve a shared vision, enable more effective and efficient use of resources, and provide a means of distributing the costs involved in delivering actions.

## Effects on future generations

We all have a responsibility to ensure future generations are not worse off as a result of our decision-making and actions. Council will leverage every resource available to encourage individuals, communities, organisations and Governments to do what is needed.

## Social justice

Social justice ensures the rights of everyone are considered in a fair and equitable manner. While equal opportunity targets everyone in the community, social justice targets groups of people who are marginalised and disadvantaged. Social justice means a commitment to ensuring:

- Fairness in the distribution of resources;
- Rights are recognised and promoted;
- That everyone has fair access to essential services that meet their basic needs and improve their quality of life; and
- That everyone has better opportunities for genuine participation and consultation about decisions affecting their lives.

## The Quadruple Bottom Line (QBL)

The QBL addresses social, environmental, economic and civic leadership considerations, and ensures a holistic approach is applied to all aspects of this Plan.



# Council's role

Council will identify and prioritise key local community needs and aspirations, and develop strategies and activities to achieve them within the resources available.

Council takes a lead role in implementing this Plan but has limited abilities and funding sources available to deliver all of the actions and initiatives identified by the community. All levels of government, stakeholders, community and individuals share responsibility for achieving the goals.

Council will have the following roles when implementing this Plan:



**PROVIDER**

Deliver the services and programs to meet the needs of the community



**LEADER**

Act as leaders and identify key community issues that stakeholders should respond to



**COLLABORATOR**

Support and work in partnership with stakeholders to deliver benefits to the community



**ADVOCATOR**

We ensure major priorities for the community are known and promoted to other decision-making organisations



## Desired levels of service

Key to Council's role is understanding your desired levels of service and demands for essential facilities and programs. The desired levels of service is the balance between the service provided, the level of service you expect, and what you are prepared to pay for.

The desired levels of service will inform the actions within all of Council's plans.



## Our region

The Wiradjuri People are the original inhabitants and custodians of all land and water in the Dubbo Regional Local Government Area.

The region is one of the fastest growing and largest Local Government Area in regional NSW. Geographically located in the heart of NSW, it services a catchment area of over 120,000 people from across an area one-third the size of NSW, and is ideally located at the intersection of major road, rail and air routes. Our broad range of economic sectors reinforces our role as a vibrant, regional service centre.

The region contains a diverse mix of urban, rural and industrial land uses, as well as significant area of natural bushlands and state forests.

The region is a culturally diverse, welcoming and vibrant society where a quality lifestyle, affordable housing, career opportunities and education options combine and make the region a great place to live, work, invest and play. Council and the community will continue to work together so that as change occurs, the many lifestyle elements that make the region a great place to live will be made even better.

**Image of the region will be inserted after community consultation**

**Population projections will be inserted after community consultation**

# Planning to support your vision

This Plan contains six inter-related themes, objectives and supporting strategies that support your vision and aspirations for the future.



## HOUSING

We are a well-designed region that includes a variety of housing types, locations and price points



## INFRASTRUCTURE

We have well-maintained, fit for purpose and new infrastructure that helps our community grow



## ECONOMY

We have a strong and diverse local economy that provides employment opportunities for people of all ages and abilities



## LEADERSHIP

We have leaders who are engaged, transparent, accountable, and represent the best interests of our community



## LIVEABILITY

We are a diverse, vibrant, safe and healthy region that includes a variety of public spaces and amenities



## ENVIRONMENTAL SUSTAINABILITY

We have a healthy natural environment that is resilient to the impacts of climate change and natural hazards



# Theme 1 – Housing



## Our objectives and strategies

### 1.1 Housing meets the current and future needs of our community

- 1.1.1 A variety of housing types are located close to appropriate services and facilities
- 1.1.2 Housing is affordable and secure
- 1.1.3 Urban renewal is encouraged in the Dubbo Central Business District and Wellington Town Centre
- 1.1.4 Public and social housing are integrated into residential areas

### 1.2 An adequate supply of land is located close to community services and facilities

- 1.2.1 Land is suitably zoned, sized and located to facilitate a variety of housing opportunities
- 1.2.2 Adequate land is available in the villages for development
- 1.2.3 Development is supported by a strategic and affordable infrastructure framework
- 1.2.4 Development does not impact the agricultural production potential of rural land

### 1.3 Short-term and emergency accommodation is available

- 1.3.1 Short term accommodation is available for the workforce associated with significant infrastructure, major projects and employment generators
- 1.3.2 Crisis and emergency accommodation supports the needs of the community

## What do you think?

Do these Strategies adequately consider the current housing issues?

How can we provide more housing and short-term accommodation options?

How can we sustainably manage population growth?

Are there any other issues you think this Theme needs to address?



# Theme 2 – Infrastructure



## Our objectives and strategies

**2.1 The road transportation network is safe, convenient and efficient**

- 2.1.1 Traffic management facilities enhance the safety and efficiency of the road network
- 2.1.2 The road network meets the needs of the community in terms of traffic capacity, functionality and connectivity
- 2.1.3 Additional flood-free road access over the Macquarie River at Dubbo is provided
- 2.1.4 Adequate and convenient car parking is available in commercial centres
- 2.1.5 Council works collaboratively with government and stakeholders on transport-related issues

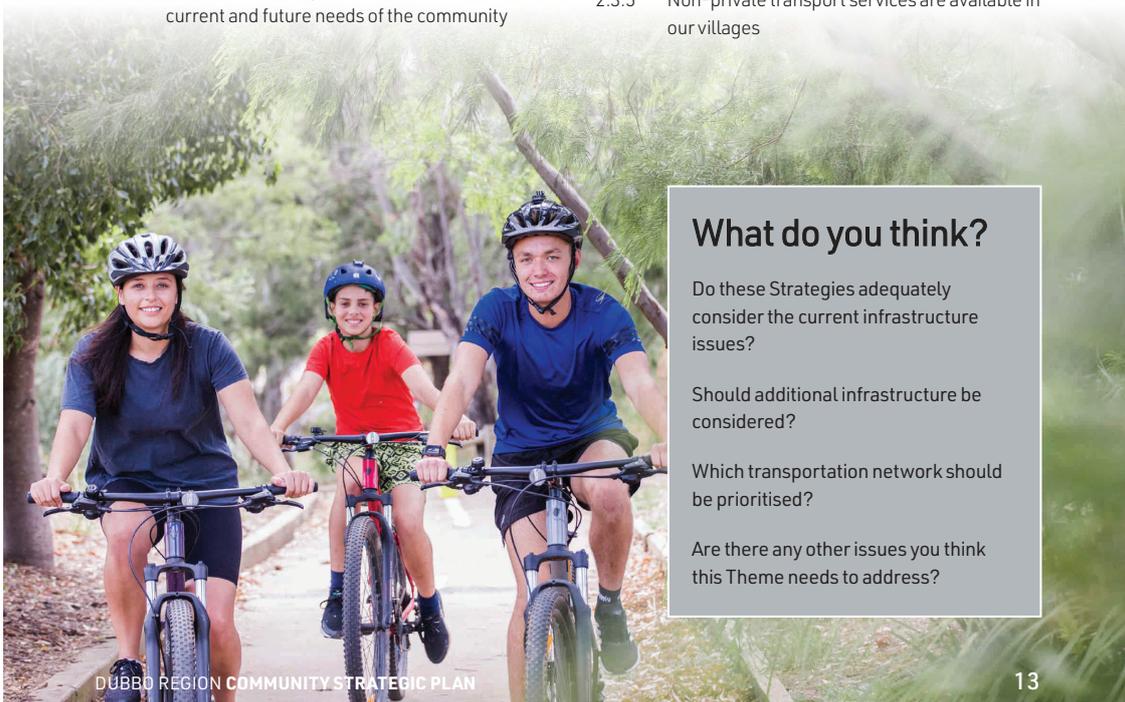
**2.2 Infrastructure meets the current and future needs of our community**

- 2.2.1 Water and sewer infrastructure and services meet the current and future needs of the community
- 2.2.2 Solid waste management services meet the current and future needs of the community

- 2.2.3 Urban drainage systems meet the current and future needs of the community
- 2.2.4 Enhanced telecommunications coverage is available in the region
- 2.2.5 Council maintains infrastructure and delivers services at the adopted service levels as agreed with the community
- 2.2.6 Council utilises a modern and efficient plant fleet that meets operational needs

**2.3 The transportation network supports connections within and outside the region**

- 2.3.1 State transportation infrastructure and services are maintained and enhanced
- 2.3.2 Community and business have convenient air access to a variety of destinations
- 2.3.3 Appropriate and well-connected rail infrastructure is available
- 2.3.4 A network of cycleways and pedestrian facilities is provided and maintained
- 2.3.5 Non-private transport services are available in our villages



**What do you think?**

Do these Strategies adequately consider the current infrastructure issues?

Should additional infrastructure be considered?

Which transportation network should be prioritised?

Are there any other issues you think this Theme needs to address?

# Theme 3 – Economy



## Our objectives and strategies

### 3.1 Visitor economy growth is supported

- 3.1.1 Diverse and unique tourism opportunities are explored, developed and supported
- 3.1.2 Visitor experiences in the region are of high quality, relevant and provide value for visitors
- 3.1.3 Events that foster cultural and recreational opportunities and community interaction are supported
- 3.1.4 Visitor accommodation is available to support tourist activities

### 3.2 Employment opportunities are available in all sectors of our economy

- 3.2.1 Employment and investment opportunities for all sectors of the economy are fostered
- 3.2.2 Traineeships and employment pathways are available for all sectors of the community
- 3.2.3 The growth and development of the agricultural sector is supported
- 3.2.4 The Dubbo Central Business District and Wellington Town Centre are supported in increasing activity and development

- 3.2.5 Neighbourhood shopping centres provide attractive and convenient services and facilities

### 3.3 The opportunities and benefits of living, working and visiting the region are promoted

- 3.3.1 Marketing programs encourage new residents and skill attraction
- 3.3.2 Destination brands for Dubbo and Wellington are maintained and supported
- 3.3.3 Opportunities and unique offerings in the region are promoted

### 3.4 A strategic framework is in place to maximise the realisation of economic development opportunities for the region

- 3.4.1 Land is suitably zoned, sized and located to facilitate a variety of development and employment generating activities
- 3.4.2 The Dubbo Central Business District and Wellington Town Centre planning, development and investment are supported by long term plans



## What do you think?

Do these Strategies adequately consider the current economic issues?

How can we create and support a vibrant visitor economy?

How can we address the local workforce capacity and develop a local skills base?

What are the current benefits of living, working and visiting the region?

Are there any other issues you think this Theme needs to address?

# Theme 4 – Leadership



## Our objectives and strategies

### 4.1 Council provides transparent, fair and accountable leadership and governance

- 4.1.1 Council encourages two-way communication with stakeholders and the community
- 4.1.2 Council's decision-making processes are open, transparent and accountable
- 4.1.3 Council provides quality customer service
- 4.1.4 Statutory requirements are met and services are provided in a cost-effective and timely manner

### 4.2 The resources of Council are well managed

- 4.2.1 The system of raising revenue is equitable and revenue from grants and other income sources are increased
- 4.2.2 Information management capabilities meet the requirements of Council and the community

4.2.3 A highly skilled, diverse and motivated workforce is maintained

4.2.4 The business activities of Council provide financial returns to the community

## What do you think?

Do these Strategies adequately consider the current Council leadership issues?

How can we demonstrate transparent, fair and accountable leadership?

How can we ensure ongoing financial sustainability while meeting your service level expectations?

Are there any other issues you think this Theme needs to address?



## Theme 5 – Liveability



### Our objectives and strategies

#### 5.1 The health and safety of the community is maintained and enhanced

- 5.1.1 Effective medical services and facilities are available
- 5.1.2 The needs of older people, people with a disability and vulnerable people are monitored to ensure appropriate services and facilities are available
- 5.1.3 There is an appropriate level of policing in our region

#### 5.2 Our First Nations communities and cultures are recognised and celebrated

- 5.2.1 The health, education and socio economic status of our First Nations communities is improved
- 5.2.2 The culture of our First Nations people is celebrated
- 5.2.3 Items, areas and places of First Nations cultural heritage significance are protected and conserved

#### 5.3 The lifestyle and social needs of the community are supported

- 5.3.1 The social services requirements of our community are met
- 5.3.2 A variety of youth activities and entertainment is available
- 5.3.3 Our community has access to a range of burial and interment options

#### 5.4 Our community has access to a full range of educational opportunities

- 5.4.1 Access is available to a variety of high quality education facilities, opportunities and choice
- 5.4.2 Early childhood education meets the needs of the community
- 5.4.3 Access to a high standard of library services and facilities is available

#### 5.5 Our community has access to a diverse range of recreational opportunities

- 5.5.1 Passive and active open space is located to maximise access and use by the community
- 5.5.2 Unique recreation and open space facilities are available
- 5.5.3 Our sporting facilities cater for a wide range of local, regional and state sporting events and opportunities

#### 5.6 The diversity of our heritage, cultural services and facilities are maintained and promoted

- 5.6.1 Our community participates in and celebrates the high quality of cultural services and facilities available
- 5.6.2 Culturally and Linguistically Diverse peoples culture and heritage is celebrated
- 5.6.3 Existing arts and cultural facilities are leveraged to provide and promote complementary facilities and opportunity
- 5.6.4 Items of heritage significance are protected, conserved and adapted for re-use where appropriate

### What do you think?

Do these Strategies adequately consider the liveability issues?

How can we create places that respond to the different needs of various age groups?

How can we foster cultural diversity?

How can we improve education, safety and health outcomes?

What sporting and recreational areas should be prioritised?

Are there any other issues you think this Theme needs to address?



# Theme 6 – Environmental Sustainability

## Our objectives and strategies

### 6.1 We will achieve net zero emissions

- 6.1.1 Investment in renewable energy opportunities are encouraged and supported
- 6.1.2 Council buildings and facilities are energy efficient and utilise renewable energy supplies
- 6.1.3 Alternative modes of transport are encouraged
- 6.1.4 Existing and new development is sustainable and efficiently uses resources

### 6.2 We recognise and plan for the impacts of climate change

- 6.2.1 The impacts of climate change are addressed with our community through identification and collaboration across all levels of government
- 6.2.2 Water supply is provided efficiently and sustainably to our community
- 6.2.3 Waste management processes adopt innovative and advanced technology to reduce our environmental footprint and impact on the environment
- 6.2.4 Our community is educated and encouraged to adopt sustainable practices in their daily activities
- 6.2.5 We work with our community and partners to become more sustainable

### 6.3 Land use management sustains and improves the built and natural environment

- 6.3.1 The quality of the Macquarie, Talbragar and Bell river corridors is enhanced
- 6.3.2 Urban stormwater discharge from the drainage network into receiving waters is limited
- 6.3.3 Rural land managers are encouraged to promote sustainable agricultural and land management practices
- 6.3.4 Endangered ecological communities, threatened species and environmental assets are protected

### 6.4 Our community is prepared for natural events and disasters

- 6.4.1 People and property are protected from fire-related incidents
- 6.4.2 Development does not place the community at risk from flood impacts
- 6.4.3 Local emergency management organisations and local State Emergency Services are capable of responding to emergencies



## What do you think?

Do these Strategies adequately cover the current environmental issues in the region?

How can we respond to climate change?

How can we protect environmental catchments and habitats?

Are there any other issues you think this Theme needs to address?

DUBBO REGION COMMUNITY STRATEGIC PLAN

# How will we know when we get to 2040?

It is important that we continually review and check our progress to ensure we continue to work toward the strategic outcomes included in the Plan and ultimately, the vision for the Dubbo Regional Local Government Area.

The documents below outline the public reporting requirements Council will undertake to ensure that progress is monitored and maintained in our journey to 2040.



## Budget Review Statement

Provides an estimate of income and expenditure set out in the Revenue Policy included in the Operational Plan for the relevant year and includes a revised budget estimate.

**Frequency:** By 1 December, 1 March and 1 June.



## Annual Report

Reports on progress of the Delivery Program and the effectiveness of achieving the objectives of the CSP. The Annual Report is required to be prepared in accordance with the Local Government Act.

**Frequency:** By 30 November following conclusion of the previous financial year.



## Progress reports on the Delivery Program

Report on progress of the measures included in the Delivery Program.

**Frequency:** Every six months.



## State of the Region Report

Reports on the previous Council's achievements in implementing the CSP over the previous four-year period.

Presented at the second meeting of the newly elected Council and included as a component of the Annual Report for the relevant year.





Cnr Church and Darling streets, Dubbo  
Cnr Nanima Crescent and Warne Street, Wellington  
Ph: (02) 6801 4000  
dubbo.nsw.gov.au



- New
- Amended
- Deleted

### Theme 1: Housing

Existing 2040 Community Strategic Plan	Updated 2040 Community Strategic Plan
<p>Residential housing opportunity meets the current and projected needs of our community and facilitates an ultimate population of 100,000</p> <ul style="list-style-type: none"> <li>• A variety of residential housing types are located close to appropriate services and facilities</li> <li>• Residential accommodation is designed to meet the needs of our ageing population</li> <li>• Urban renewal is encouraged in the Dubbo Central Business District to provide a variety of housing choice that makes efficient use of existing infrastructure and facilities</li> <li>• New public and social housing is integrated into existing residential areas</li> </ul>	<p>Housing meets the current and future needs of our community</p> <ul style="list-style-type: none"> <li>• A variety of housing types are located close to appropriate services and facilities</li> <li>• Housing is affordable and secure</li> <li>• Urban renewal is encouraged in the Dubbo Central Business District and Wellington Town Centre to provide a variety of housing choice</li> <li>• Public and social housing are integrated into residential areas</li> </ul>
<p>Residential development is well-designed</p> <ul style="list-style-type: none"> <li>• A high level of residential amenity is achieved in all new development</li> <li>• The character and amenity of established residential areas is maintained and enhanced</li> <li>• New residential development is designed in accordance with Safer-By-Design principles</li> </ul>	<p>These Strategies relate to elements within Council’s Development Control Plan</p>
<p>Residential development opportunities are provided in the villages to facilitate rural lifestyle housing options</p> <ul style="list-style-type: none"> <li>• Adequate land is available in the villages for development</li> <li>• Opportunities for residential development in a village environment are promoted</li> </ul>	<p>Similar to Economy Strategy – Marketing programs encourage new residents and skill attraction</p> <p>Incorporated with Strategy below – An adequate supply of land is located close to community services and facilities</p>
<p>An adequate supply of land is maintained close to established community services and facilities</p> <ul style="list-style-type: none"> <li>• There is adequate land suitably zoned to meet a variety of residential development opportunity</li> <li>• Planning instruments and policies reflect the intent and direction of adopted land use strategies and facilitate sustainable development</li> <li>• Residential and other development is supported by the provision of a strategic and affordable infrastructure framework</li> <li>• Residential development does not adversely impact on the agricultural production potential of rural land</li> </ul>	<p>An adequate supply of land is located close to community services and facilities</p> <ul style="list-style-type: none"> <li>• Land is suitably zoned, sized and located to facilitate a variety of housing opportunities</li> <li>• Adequate land is available in the villages for development</li> <li>• Development is supported by a strategic and affordable infrastructure framework</li> <li>• Development does not impact the agricultural production potential of rural land</li> </ul>

Existing 2040 Community Strategic Plan	Updated 2040 Community Strategic Plan
<p>Neighbourhoods are designed and enhanced to ensure social cohesion and connectivity</p> <ul style="list-style-type: none"> <li>The design of neighbourhoods reflects the form and function and promotes connectivity and social cohesion</li> </ul>	<p>This Strategy relates to elements within Council's Development Control Plan</p>
<p>Opportunities for short term and visitor accommodation are provided</p> <ul style="list-style-type: none"> <li>Short term and visitor accommodation is provided to support existing business, industry and tourist activities</li> <li>Short term accommodation associated with significant infrastructure and other projects is planned in existing urban areas</li> <li>Short term crisis/emergency accommodation is available to support the needs of the community</li> </ul>	<p>Short-term and emergency accommodation is available</p> <ul style="list-style-type: none"> <li>Short-term accommodation is available for the workforce associated with significant infrastructure, major projects and employment generators</li> <li>Crisis and emergency accommodation supports the needs of the community</li> </ul>
<p>The importance of the local development industry to the continued residential growth and development of the Local Government Area is recognised</p> <ul style="list-style-type: none"> <li>The residential development industry is recognised as a key driver of the local economy</li> </ul>	

**Theme 2: Infrastructure**

Existing 2040 Community Strategic Plan	Updated 2040 Community Strategic Plan
<p>Opportunities for use of renewable energy are increased</p> <ul style="list-style-type: none"> <li>Investment in renewable energy opportunities are encouraged and supported</li> <li>Street lighting is provided in accordance with required standards and is cost-effective and energy-efficient</li> <li>Council buildings and facilities are energy-efficient and take advantage of opportunities for renewable energy supply</li> <li>Use of alternative modes of transport, including electric vehicles is encouraged</li> </ul>	<p>Moved to Sustainability theme</p>
<p>Our road transportation network is safe, convenient and efficient</p> <ul style="list-style-type: none"> <li>Council promotes a high level of road safety to users</li> <li>Council provides traffic management facilities to enhance the safety and efficiency of the road transport network</li> <li>Council’s road network meets the transport needs of users in terms of traffic capacity, functionality and economic and social connectivity</li> <li>A Road Transportation Strategy is adopted to maximise transport efficiency and safety and promote economic opportunities</li> <li>Council works collaboratively with government and stakeholders on transport-related issues</li> </ul>	<p>The road transportation network is safe, convenient and efficient</p> <ul style="list-style-type: none"> <li>Traffic management facilities enhance the safety and efficiency of the road network</li> <li>The road network meets the needs of the community in terms of traffic capacity, functionality and connectivity</li> <li>Additional flood-free road access over the Macquarie River at Dubbo is provided</li> <li>Adequate and convenient car parking is available in commercial centres</li> <li>Council works collaboratively with government and stakeholders on transport-related issues</li> </ul>
<p>Infrastructure meets the current and future needs of our community</p> <ul style="list-style-type: none"> <li>Council’s water and sewer infrastructure and services comply with appropriate regulations to meet the current and future needs of the community and facilitate a future population of 100,000</li> <li>Council’s solid waste management services comply with legislation and meet the current and future needs of the community</li> <li>Council’s urban drainage systems comply with legislation and meet the current and future needs of the community</li> </ul>	<p>Infrastructure meets the current and future needs of our community</p> <ul style="list-style-type: none"> <li>Water and sewer infrastructure and services meet the current and future needs of the community</li> <li>Solid waste management services meet the current and future needs of the community</li> <li>Urban drainage systems meet the current and future needs of the community</li> <li>Enhanced telecommunications coverage is available in the region</li> <li>Council maintains infrastructure and delivers services at the adopted service levels as agreed with the community</li> <li>Council utilises a modern and efficient plant fleet that meets operational needs</li> </ul>

Existing 2040 Community Strategic Plan	Updated 2040 Community Strategic Plan
<p>Our transportation networks are planned to accommodate future growth and development of the Local Government Area</p> <ul style="list-style-type: none"> <li>• Transportation strategies are developed for the Local Government Area that facilitate access throughout the region and ensures residential growth areas are well-connected to employment areas and services</li> <li>• Community and business have convenient air access to a variety of destinations</li> <li>• Business and industry are supported through the provision of appropriate and well-connected road and rail infrastructure</li> </ul>	
<p>Our diverse transportation system supports connections within and outside the region</p> <ul style="list-style-type: none"> <li>• State transportation infrastructure and services are maintained and enhanced</li> <li>• Roadside environments and entrance statements are strategically developed and maintained</li> <li>• A high level of pedestrian accessibility is provided</li> <li>• Additional flood-free road access over the Macquarie River at Dubbo is provided</li> <li>• A network of cycleways and pedestrian facilities is provided and maintained</li> <li>• Adequate and convenient car parking is available in commercial centres</li> <li>• Alternative modes of transport are encouraged</li> <li>• Non-private transport services are available in our villages</li> </ul>	<p>The transportation network supports connections within and outside the region</p> <ul style="list-style-type: none"> <li>• State transportation infrastructure and services are maintained and enhanced</li> <li>• Community and business have convenient air access to a variety of destinations</li> <li>• Appropriate and well-connected rail infrastructure is available</li> <li>• A network of cycleways and pedestrian facilities is provided and maintained</li> <li>• Non-private transport services are available in our villages</li> </ul>
<p>Community and business have access to the highest standard of telecommunications networks and facilities</p> <ul style="list-style-type: none"> <li>• Enhanced telecommunications coverage is available throughout the Local Government Area</li> </ul>	<p>Moved to Strategy - Infrastructure meets the current and future needs of our community</p>

### Theme 3: Economy

Existing 2040 Community Strategic Plan	Updated 2040 Community Strategic Plan
<p>Visitor economy growth is supported through product development, enhancement and strategic management</p> <ul style="list-style-type: none"> <li>• Diverse and unique tourism opportunities are explored, developed and supported</li> <li>• Value and appeal to regional visitors is increased through packaging, trails and collaborative campaigns</li> <li>• The performance of the visitor economy is monitored</li> <li>• Visitor experiences in the Local Government Area are of high quality, relevance and value for visitors</li> <li>• Events that provide for activities that foster cultural and recreational opportunities and community interaction are supported</li> </ul>	<p>Visitor economy growth is supported</p> <ul style="list-style-type: none"> <li>• Diverse and unique tourism opportunities are explored, developed and supported</li> <li>• Visitor experiences in the region are of high quality, relevant and provide value for visitors</li> <li>• Events that foster cultural and recreational opportunities and community interaction are supported</li> <li>• Visitor accommodation is available to support tourist activities</li> </ul>
<p>Employment opportunities are available in all sectors of our economy</p> <ul style="list-style-type: none"> <li>• Employment opportunities for all sectors of the community that support economic growth are fostered</li> <li>• Traineeships and employment pathways are available for all sectors of the community</li> <li>• Industry is supported in the attraction of skilled professionals</li> </ul>	<p>Employment opportunities are available in all sectors of the economy</p> <ul style="list-style-type: none"> <li>• Employment and investment opportunities for all sectors of the economy are fostered</li> <li>• Traineeships and employment pathways are available for all sectors of the community</li> <li>• The growth and development of the agricultural sector is supported</li> <li>• The Dubbo Central Business District and Wellington Town Centre are supported in increasing activity and development</li> <li>• Neighbourhood shopping centres provide attractive and convenient services and facilities</li> </ul>
<p>The opportunities and benefits of living, working and visiting the region are promoted</p> <ul style="list-style-type: none"> <li>• Marketing programs encourage new residents and skill attraction</li> <li>• Marketing initiatives include local industry collaboration through input, funding and delivery of promotional programs</li> </ul>	<p>The opportunities and benefits of living, working and visiting the region are promoted</p> <ul style="list-style-type: none"> <li>• Marketing programs encourage new residents and skill attraction</li> <li>• Destination brands for Dubbo and Wellington are maintained and supported</li> <li>• Opportunities and unique offerings in the region are promoted</li> </ul>
<p>A strong agricultural sector with a continuing capacity to be a significant contributor to the local, regional and national economy is encouraged</p> <ul style="list-style-type: none"> <li>• The growth and development of our agricultural sector to further diversify and increase value adding is supported</li> <li>• Capacity of the agricultural industry is supported through effective planning, investment attraction and support</li> </ul>	<p>Combined with Strategy – Employment opportunities are available in all sectors of the economy</p>

Existing 2040 Community Strategic Plan	Updated 2040 Community Strategic Plan
<p>The long term economic growth of the Local Government Area is realised</p> <ul style="list-style-type: none"> <li>• Opportunity for long term growth and investment across sectors and industry is leveraged</li> <li>• Opportunities and unique offerings in the Local Government Area are promoted</li> <li>• Government funding opportunities are strategically and proactively pursued</li> <li>• New business and industry are established in the Local Government Area</li> <li>• Business and industry are encouraged to grow, diversify and upskill workers</li> <li>• Investment in the Local Government Area as a driver of growth in the region is a key priority for government, industry and the local community</li> </ul>	<p>Combined with Strategy – Employment opportunities are available in all sectors of the economy</p>
<p>The Local Government Area is recognised as a leading regional centre in Australia through the development of a united and positive image of the region</p> <ul style="list-style-type: none"> <li>• Destination brands for Dubbo and Wellington are maintained and supported</li> <li>• Progressive digital communications and e-Commerce opportunities are explored and implemented to improve economic outcomes</li> </ul>	<p>Moved to Strategy – The opportunities and benefits of living, working and visiting the region are promoted</p>
<p>A strategic framework is in place to maximise the realisation of economic development opportunities for the region</p> <ul style="list-style-type: none"> <li>• Economic development stakeholders are actively engaged in providing insight and ideas for economic development responses to opportunities and challenges</li> <li>• Strategic land use strategies establish a land use hierarchy for the location of employment generating activities</li> <li>• Planning controls ensure adequate and suitable land is available for new development opportunities</li> <li>• Neighbourhood shopping centres are located to provide attractive and convenient services and facilities to support new and established neighbourhoods without adversely impacting on the Dubbo Central Business District</li> <li>• The business activities of Council are an important sector of the local economy and provide financial returns to the community</li> </ul>	<p>A strategic framework is in place to maximise the realisation of economic development opportunities for the region</p> <ul style="list-style-type: none"> <li>• Land is suitably zoned, sized and located to facilitate a variety of development and employment generating activities</li> <li>• The Dubbo Central Business District and Wellington Town Centre planning, development and investment are supported by long term plans</li> </ul>
<p>The Dubbo Central Business District and Wellington Town Centre are strategically managed to promote occupation, activity and investment</p> <ul style="list-style-type: none"> <li>• The Dubbo Central Business District and Wellington Town Centre are supported by commercial activation programs and activities</li> <li>• The Dubbo Central Business District and Wellington Town Centre planning, development and investment are supported by long term plans</li> </ul>	<p>Moved to Strategy – A strategic framework is in place to maximise the realisation of economic development opportunities for the region</p>

Existing 2040 Community Strategic Plan	Updated 2040 Community Strategic Plan
<p>The importance of the local development industry to the continued growth and development of the Local Government Area is recognised</p> <ul style="list-style-type: none"><li>• The local development industry is recognised as a key driver of the local economy</li></ul>	

**Theme 4: Leadership**

Existing 2040 Community Strategic Plan	Updated 2040 Community Strategic Plan
<p>Our community is active and engaged</p> <ul style="list-style-type: none"> <li>• There is demonstrated unity throughout the community</li> </ul>	<p>Council provides transparent, fair and accountable leadership and governance</p> <ul style="list-style-type: none"> <li>• Council encourages two-way communication with stakeholders and the community</li> </ul>
<p>Our civic leaders represent the community</p> <ul style="list-style-type: none"> <li>• The community acknowledges that Dubbo Regional Council is a representative and responsive Council</li> </ul>	<ul style="list-style-type: none"> <li>• Council’s decision-making processes are open, transparent and accountable</li> <li>• Council demonstrates quality customer service</li> <li>• Statutory requirements are met and services are provided in a cost-effective and timely manner</li> </ul>
<p>The resources of Council are appropriately managed</p> <ul style="list-style-type: none"> <li>• The organisation displays the elements of sound management and strategic planning</li> <li>• The system of raising revenue is regarded as equitable and revenue from grants and other income sources is maximised</li> <li>• Information management capabilities meet the requirements of the organisation and the community</li> <li>• Council’s ability and capacity to deliver services and respond to emergencies is enabled by the utilisation of a modern and efficient plant fleet that meets operational needs</li> <li>• Council strives for transparency and is an organisation that values two way communication with stakeholders and the broader community</li> <li>• A corporate culture with an emphasis on quality customer service and community engagement is demonstrated by Council</li> <li>• A highly skilled and motivated workforce is maintained</li> <li>• Council is financially sustainable and has the ability to maintain infrastructure and deliver services at the adopted service levels as agreed with the community</li> </ul>	<p>The resources of Council are well managed</p> <ul style="list-style-type: none"> <li>• The system of raising revenue is equitable and revenue from grants and other income sources are increased</li> <li>• Information management capabilities meet the requirements of Council and the community</li> <li>• A highly skilled, diverse and motivated workforce is maintained</li> <li>• The business activities of Council provide financial returns to the community</li> </ul>
<p>Statutory requirements are met and services are provided to the organisation in a cost-effective and timely manner</p> <ul style="list-style-type: none"> <li>• The organisation meets all statutory requirements</li> </ul>	

### Theme 5: Liveability

Existing 2040 Community Strategic Plan	Updated 2040 Community Strategic Plan
<p>Our City, town and villages are well-maintained, welcoming, showcase their heritage and what they have to offer</p> <ul style="list-style-type: none"> <li>• Our towns and villages are sustainable and promoted for their range of lifestyle opportunities and being attractive and welcoming</li> <li>• The community participates in community/volunteer programs that build social connections and improve the amenity of our neighbourhoods</li> <li>• The City of Dubbo is recognised as being attractive and welcoming</li> </ul>	<p>Similar to Economy Strategy – Marketing programs encourage new residents and skill attraction</p>
<p>The health of the community is maintained and enhanced</p> <ul style="list-style-type: none"> <li>• The health of the community is maintained through the availability of effective medical services and facilities</li> <li>• The needs of older people and people with a disability are monitored to ensure appropriate services and facilities are available in the region</li> <li>• Dubbo is the regional medical centre for western NSW</li> </ul>	<p>The health and safety of the community is maintained and enhanced</p> <ul style="list-style-type: none"> <li>• Effective medical services and facilities are available</li> <li>• The needs of older people, people with a disability and vulnerable people are monitored to ensure appropriate services and facilities are available</li> <li>• There is an appropriate level of policing in the region</li> </ul>
	<p>Our First Nations communities and cultures are recognised and celebrated</p> <ul style="list-style-type: none"> <li>• The health, education and well-being of our First Nations communities is improved</li> <li>• The culture of our First Nations people is celebrated</li> <li>• Items, areas and places of Aboriginal cultural heritage significance are protected and conserved</li> </ul>
<p>The lifestyle and social needs of the community are supported</p> <ul style="list-style-type: none"> <li>• The social services requirements of our community are met</li> <li>• A variety of youth activities and entertainment is available</li> <li>• The health, education and socio economic status of the Aboriginal community is improved</li> <li>• People have access to a range of burial and interment options in the Local Government Area</li> </ul>	<p>The lifestyle and social needs of the community are supported</p> <ul style="list-style-type: none"> <li>• The social services requirements of the community are met</li> <li>• A variety of youth activities and entertainment is available</li> <li>• Our community has access to a range of burial and interment options</li> </ul>
<p>The community has access to a full range of educational opportunities</p> <ul style="list-style-type: none"> <li>• An expanded tertiary education offer is available that provides additional opportunities for education within the region</li> <li>• Access to a variety of high quality education facilities, opportunity and choice is available</li> <li>• Child care, preschools and ‘after hours’ care meets the needs of the community</li> </ul>	<p>The community has access to a full range of educational opportunities</p> <ul style="list-style-type: none"> <li>• Access is available to a variety of high quality education facilities, opportunities and choice</li> <li>• Early childhood education meets the needs of the community</li> <li>• Access to a high standard of library services and facilities are available</li> </ul>

Existing 2040 Community Strategic Plan	Updated 2040 Community Strategic Plan
<p>The community has the opportunity to participate in a diverse range of lifestyle, sporting and passive recreational pursuits</p> <ul style="list-style-type: none"> <li>• Access to recreation and cultural facilities for young people is improved</li> <li>• Quality passive and active open space is located to maximise access and use by the community</li> <li>• Unique recreational facilities and opportunity are available</li> <li>• Our sporting facilities are recognised as catering for a wide range of local, regional and state sporting events and opportunity</li> </ul>	<p>Our community has access to a diverse range of recreational opportunities</p> <ul style="list-style-type: none"> <li>• Passive and active open space is located to maximise access and use by the community</li> <li>• Unique recreation and open spaces facilities are available</li> <li>• Our sporting facilities cater for a wide range of local, regional and state sporting events and opportunities</li> </ul>
<p>We are a safe and healthy community</p> <ul style="list-style-type: none"> <li>• There is an appropriate level of policing in our urban areas and villages</li> <li>• People and property are protected from fire-related incidents</li> <li>• New development within the Macquarie, Talbragar and Bell rivers floodplains do not place the community at risk from flood impact</li> <li>• Local emergency management organisations and local State Emergency Services are capable of responding to emergencies</li> </ul>	<p>Policing – Moved to Strategy – The health and safety of the community is maintained and enhanced</p> <p>Moved to Sustainability Theme - Our community is prepared for natural events and disasters</p>
<p>The high profile of existing cultural services and facilities is maintained</p> <ul style="list-style-type: none"> <li>• The community participates in and celebrates the high quality of cultural services and facilities available</li> <li>• Aboriginal culture is celebrated</li> <li>• Existing arts and cultural facilities are leveraged to provide and promote complementary facilities and opportunity</li> <li>• The community has access to a high standard of library services and facilities</li> </ul>	<p>The diversity of heritage, cultural services and facilities are maintained and promoted</p> <ul style="list-style-type: none"> <li>• Our community participates in and celebrates the high quality of cultural services and facilities available</li> <li>• Culturally and Linguistically Diverse peoples culture and heritage is celebrated</li> <li>• Existing arts and cultural facilities are leveraged to provide and promote complementary facilities and opportunity</li> <li>• Items of heritage significance are protected, conserved and adapted for re-use where are appropriate</li> </ul>
<p>The diversity of our heritage is maintained and promoted</p> <ul style="list-style-type: none"> <li>• Conservation of heritage items through their adaptive re-use is encouraged</li> <li>• Planning instruments protect items of heritage significance</li> <li>• The Old Dubbo Gaol is maintained as a premier tourist attraction</li> <li>• The Wellington Caves is maintained as a premier tourist attraction</li> </ul>	<p>Combined with Strategy - The diversity of heritage, cultural services and facilities is maintained and promoted</p>
<p>Environmental sustainability is a priority</p> <ul style="list-style-type: none"> <li>• The community and Council is supported in becoming sustainable</li> </ul>	<p>Moved to Sustainability Theme</p>

Existing 2040 Community Strategic Plan	Updated 2040 Community Strategic Plan
<p>The quality of our environment and lifestyle is enhanced by the provision of environmental education and regulation</p> <ul style="list-style-type: none"> <li>• Land use management improves and sustains the built and natural environment</li> <li>• The quality of the Macquarie, Talbragar and Bell river corridors is enhanced</li> <li>• Urban stormwater discharge from the drainage network into receiving waters is limited</li> <li>• Rural land managers are encouraged to promote sustainable agricultural and land management practices</li> <li>• Planning instruments include provisions for the protection of sensitive environments</li> <li>• Endangered ecological communities and threatened species are protected</li> <li>• The community displays a high level of understanding and compliance with legislation in regard to the keeping and control of companion and other animals</li> </ul>	<p>Moved to Sustainability Theme</p>

**Theme 6: Environmental Sustainability**

Existing 2040 Community Strategic Plan	Updated 2040 Community Strategic Plan
<p><b>MOVED FROM INFRASTRUCTURE THEME</b></p> <p>Opportunities for use of renewable energy are increased</p> <ul style="list-style-type: none"> <li>• Investment in renewable energy opportunities are encouraged and supported</li> <li>• <b>Street lighting is provided in accordance with required standards and is cost-effective and energy-efficient</b></li> <li>• Council buildings and facilities are energy-efficient and take advantage of opportunities for renewable energy supply</li> <li>• Use of alternative modes of transport, including electric vehicles is encouraged</li> </ul>	<p>We will achieve net zero emissions</p> <ul style="list-style-type: none"> <li>• Investment in renewable energy opportunities are encouraged and supported</li> <li>• Council buildings and facilities take advantage of opportunities for renewable energy supply</li> <li>• Alternative modes of transport are encouraged</li> <li>• <b>Existing and new development is sustainable and efficiently uses resources</b></li> </ul>
	<p>We recognise and plan for the impacts of climate change</p> <ul style="list-style-type: none"> <li>• The impacts of climate change are addressed with our community through identification and collaboration with all levels of government</li> <li>• Water supply is provided efficiently and sustainably to our community</li> <li>• Waste management processes adopt innovative and advanced technologies to reduce our environmental footprint and impact on the environment</li> <li>• Our community is educated and encouraged to adopt sustainable practices in their daily activities</li> <li>• We work with our community and partners to become more sustainable</li> </ul>
<p><b>MOVED FROM LIVEABILITY THEME</b></p> <p>The quality of our environment and lifestyle is enhanced by the provision of environmental education and regulation</p> <ul style="list-style-type: none"> <li>• <b>Land use management improves and sustains the built and natural environment</b></li> <li>• The quality of the Macquarie, Talbragar and Bell river corridors is enhanced</li> <li>• Urban stormwater discharge from the drainage network into receiving waters is limited</li> <li>• Rural land managers are encouraged to promote sustainable agricultural and land management practices</li> <li>• <b>Planning instruments include provisions for the protection of sensitive environments</b></li> <li>• Endangered ecological communities and threatened species are protected</li> </ul>	<p><b>Land use management improves and sustains the built and natural environment</b></p> <ul style="list-style-type: none"> <li>• The quality of the Macquarie, Talbragar and Bell river corridors is enhanced</li> <li>• Urban stormwater discharge from the drainage network into receiving waters is limited</li> <li>• Rural land managers are encouraged to promote sustainable agricultural and land management practices</li> <li>• Endangered ecological communities, threatened species and environmental assets are protected</li> </ul>

Existing 2040 Community Strategic Plan	Updated 2040 Community Strategic Plan
<p><b>MOVED FROM LIVEABILITY THEME</b></p> <p>We are a safe and healthy community</p> <ul style="list-style-type: none"> <li>• There is an appropriate level of policing in our urban areas and villages</li> <li>• People and property are protected from fire-related incidents</li> <li>• New development within the Macquarie, Talbragar and Bell rivers floodplains do not place the community at risk from flood impact</li> <li>• Local emergency management organisations and local State Emergency Services are capable of responding to emergencies</li> </ul>	<p>Our community is prepared for natural events and disasters</p> <ul style="list-style-type: none"> <li>• People and property are protected from fire-related incidents</li> <li>• Development does not place the community at risk from flood impact</li> <li>• Local emergency management organisations and local State Emergency Services are capable of responding to emergencies</li> </ul>



# Community Engagement Strategy

Updated 2040 Community Strategic Plan

February 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.

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## SECTION 1 ABOUT THIS STRATEGY

This Community Engagement Strategy outlines how Council will engage with the community during the review and update of the 2040 Community Strategic Plan (CSP). Council must review the existing 2040 CSP before June 2022, and either endorse the existing Plan or develop and endorse a new Plan.

This Strategy outlines the guiding principles and approaches for ensuring everyone in the community has an opportunity to have their say in a meaningful way. It will allow the community to provide feedback on the CSP's vision, objectives and strategies to ensure the main priorities and aspirations for the future of the Dubbo Regional Local Government Area are identified.

*Your ideas, Your place, Your plan* conceptualises the intent of this Strategy. Everyone in the community is part of the region's future, and everyone needs to work together to ensure things that matter are delivered.

### 1.1 Objectives of the Strategy

The objectives of this Strategy are:

- Ensure the community is aware of the importance of Integrated Planning and Reporting and how it will shape the future of the region
- Ensure everyone in the community is aware of the opportunities to be involved in the development of the CSP
- Identify stakeholders and methods of engaging with them
- Ensure a comprehensive and representative sample of stakeholders are involved in the development of the CSP
- Ensure Council and the community work together to develop an integrated plan for region
- Help the community understand the purpose, aims and objectives of the CSP and how it influences Council's decisions

### 1.2 What is engagement?

Engagement is the process of working collaboratively and cooperatively with the community throughout the decision-making process. Engagement provides opportunities for Council to understand community interests, and aims to provide the community with opportunities to share their ideas, concerns and needs. Engagement helps create partnerships to ensure the best possible outcomes are achieved for Council and the community.

Council's approach to engagement is guided by the IAP2 Participation Spectrum. The role of the community in the decision-making process is identified by five different levels, with each level outlining the various types of engagement and the level of impact community involvement will have on the outcomes of the decision. The levels of engagement are outlined in Figure 1 below.



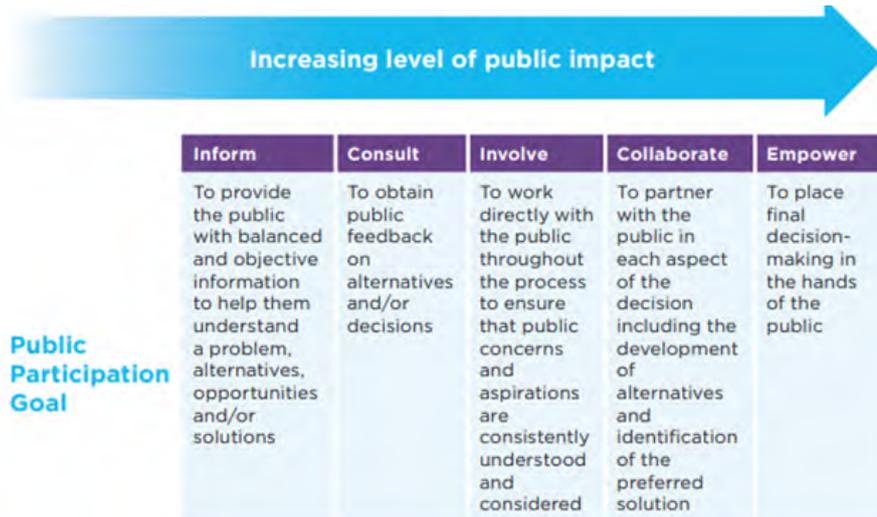


Figure 1: Levels of engagement—IAP2 Participation Spectrum

### 1.3 Why does Council engage?

Council’s decisions can have a wide impact on the community and the broader Central West and Orana District; it is therefore important to listen to a broad range of voices. Understanding the community’s aspirations and long-term goals helps us better prepare for the future.

Effective community engagement has the following benefits:

- Better outcomes through understanding the needs and views of the community
- Increased open discussion and shared responsibility for decisions
- Increased awareness and understanding of decisions made
- Development of solutions to local issues through partnerships
- Increased community understanding of Council’s processes and responsibilities

### 1.4 Engagement principles

Council is committed to the following engagement principles, which are based on the social justice principles of equity, access, participation and rights.

<b>Intentional</b>	Council will clearly state the purpose and anticipated outcomes of engagement
<b>Inclusive</b>	Council will aim to overcome access barriers as different people engage in different ways, and what is accessible for one group may not be for others. Council will be sensitive to the needs of particular individuals or groups to maximise their ability to contribute
<b>Meaningful</b>	Council will facilitate genuine engagement opportunities and listen to all views, ideas, concerns and needs
<b>Partnerships</b>	Council will create respectful partnerships, as everyone is responsible for shaping the future and growth of the region
<b>Clear</b>	Council will provide information in plain English and in a form that promotes community participation

## SECTION 2 WHAT IS THE COMMUNITY STRATEGIC PLAN?

The CSP is the highest level strategy that guides and influences the actions and initiatives of Council in partnership with the community and Government through to 2040. It identifies the community's vision and main priorities for the region. It takes into consideration the issues and pressures that may affect the community and the level of resources that will realistically be available to deliver their long term objectives.

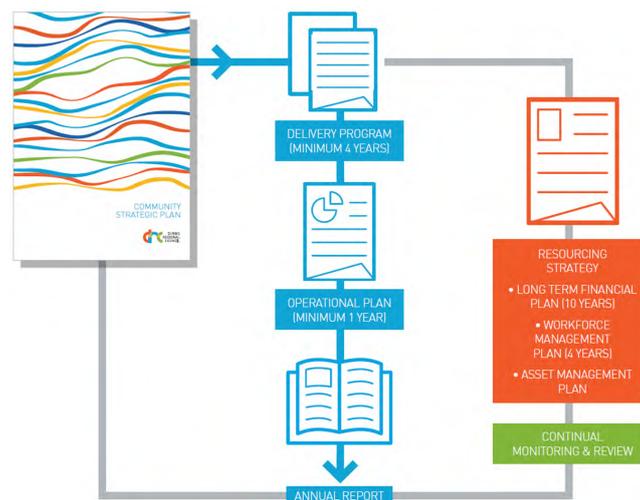
The CSP is supported by the following plans:

- The Resourcing Strategy (incorporating the Long Term Financial Plan, Asset Management Plan and the Workforce Management Plan)
- The Delivery Program
- The Operational Plan

The Resourcing Strategy identifies the resources required to implement the CSP objectives over the short, medium and long term, including how Council will be financially sustainable, current and predicted workforce issues, and current and predicted assets issues.

The Delivery Program details the activities Council will undertake in the four year Council term to implement the strategies established by the CSP. The Operational Plan is prepared as a sub-plan of the Delivery Program and details the activities Council will undertake during the financial year to address the activities outlined in the Delivery Program.

Council's Integrated Planning and Reporting (IP&R) Framework recognises that Council plans and policies do not exist in isolation and are all connected to deliver community outcomes. The IP&R Framework is outlined in Figure 2 below.



**Figure 2:** Council's Integrated Planning and Reporting Framework

Council adopted the 2040 CSP for the Dubbo Regional Local Government Area on 25 June 2018. It was developed through extensive engagement that included a number of community summits, regional roadshows, sector-specific stakeholder workshops and 'drop-in' consultation stations.

Council must review the existing CSP before June 2022, and either endorse the existing Plan or develop and endorse a new Plan.

## SECTION 3 ENGAGEMENT ACTIVITIES AND CHALLENGES

### 3.1 Planned engagement activities

Successful community engagement will ensure the CSP continues to be a comprehensive strategy that can and will be owned by the community.

Council will undertake a range of engagement activities so that as many people as possible can have their say. Engagement activities will be continually reviewed, and additional activities will be included as required. This will allow flexibility and maximise opportunities for feedback. Due to the unpredictable COVID-19 restrictions, public consultation will be adapted to provide a greater focus on digital platforms and social media, in addition to the standard print and radio media platforms.

Council will share specific details around planned engagement activities, including dates, locations, and how the community can get involved. To maximise community involvement, Council will engage early, and where possible, go beyond the minimum requirements and timeframes set out in legislation.

Subject to COVID-19 restrictions, Council will undertake the following engagement activities:

<b>Inform</b>	Social media	Council's website	Printed media
	Online information about how to have your say	Detailed information about planned activities and what we have heard	Printed information about how to have your say
<b>Consult</b>	Survey	Have your say	Discussion paper
	Share detailed information about your ideas, issues and needs	Share detailed information about your ideas, issues and needs	Highlights the key considerations which must be taken into consideration
<b>Involve</b>	Community summit		
	Join others for a detailed discussion about ideas, issues and needs		

### 3.2 Engaging with everyone

Engagement will be undertaken with a range of stakeholders that have an interest in the long-term growth and prosperity of the region. Council is committed to being inclusive and accessible.

Council will seek to engage the following stakeholders:

- Residents and ratepayers
- Local resident, ratepayer and progress associations
- Businesses and industries
- Local, federal and state MPs
- Government agencies and non-government organisations
- Representatives of community demographics
- Agriculture industry associations
- Community and sporting groups
- Aboriginal and Torres Strait Islander groups
- Ethnic communities
- Education groups
- Health providers
- Disability organisations
- Visitors
- Neighbouring councils and regional organisations
- Council Advisory committees
- Council staff

A list of potential stakeholders is identified in Section 5 - Stakeholder Identification.

### 3.3 Engagement challenges

Council recognises that different people engage in different ways, and what is accessible for one group may not be for others. Council will aim to engage with groups whose voice may not normally be heard, including people with a disability, young people, older people, Aboriginal and Torres Strait Islander people, people from culturally and linguistically diverse backgrounds, people in rural areas and other geographically isolated areas.

Council will encourage cross-generational discussions. These discussions provide an opportunity for people in one group of the community to hear first-hand what some of the key issues are for another group. This encourages a shared understanding of the issues, and promotes discussion about priorities and resource allocation.

Council understands that engagement expectations should be realistic. Many stakeholders will have some interest, knowledge or skill in the issues being presented and will be keen to express them, but the main aim of engagement is to acknowledge and address interests, rather than trying to satisfy them all.

Council understands	Council will
Not everyone can visit Council during office hours	Explore options to provide ways the community can access information 24/7
Technical and lengthy documents lead to disengagement and increase uncertainty about the level of impact a decision will have on residents	Provide summaries of lengthy information
Engagement activities should provide the same opportunities for both online and print formats	Provide online engagement tools in print format, where possible.
Not everyone accesses Council’s website or meeting reports for information	Make information available through a range of online and printed media
Duplication and over-consultation leads to disengagement	Consider recent community surveys and engagement information from newly developed strategic plans



## SECTION 4 USING COMMUNITY FEEDBACK

Once consultation is complete and the feedback is analysed, Council will:

- update the CSP, Resourcing Strategy, Delivery Program and Operational Plan to ensure the community's vision and main priorities for the region are identified in conjunction with the issues, pressures and resources that will realistically be available to deliver their long term objectives
- place the draft documents on public exhibition for further feedback

Once the documents are adopted, Council will:

- ensure the CSP remains top-of-mind with Council and the community
- regularly report on the progress of implementation and how contributing stakeholders are involved in this process
- actively advocate project priorities to the State and Federal Governments that fall outside our responsibility
- actively support various community groups helping to deliver community aspirations

## SECTION 5 STAKEHOLDER IDENTIFICATION

Table 1: Stakeholder Identification

<b>Stakeholder*</b>	<b>Key engagement activity</b> Subject to COVID-19 Restrictions
Department of Premier and Cabinet	<ul style="list-style-type: none"> <li>• Invitation to circulate and submit survey</li> <li>• Invitation to nominate representatives for community summit</li> </ul>
Members for Dubbo and Parkes	<ul style="list-style-type: none"> <li>• Invitation extended to discuss key issues as needed</li> </ul>
NSW Government Departments: <ul style="list-style-type: none"> <li>• Communities and Justice</li> <li>• Education</li> <li>• Planning, Industry and Environment</li> <li>• Regional NSW</li> <li>• Transport for NSW</li> </ul>	<ul style="list-style-type: none"> <li>• Invitation to circulate and submit survey</li> <li>• Invitation to nominate representatives for community summit</li> </ul>
NSW Emergency Service providers	<ul style="list-style-type: none"> <li>• Invitation to submit survey</li> <li>• Invitation to nominate representatives for community summit</li> </ul>
Dubbo and Wellington Chambers of Commerce	<ul style="list-style-type: none"> <li>• Invitation to submit survey</li> <li>• Invitation to nominate representatives for community summit</li> </ul>
Business and industry groups	<ul style="list-style-type: none"> <li>• Invitation to submit survey</li> <li>• Invitation to nominate representatives for community summit</li> </ul>
Developers	<ul style="list-style-type: none"> <li>• Invitation to submit survey</li> <li>• Invitation to nominate representatives for community summit</li> </ul>
Aboriginal Community Working Parties	<ul style="list-style-type: none"> <li>• Invitation to submit survey</li> <li>• Invitation to nominate representatives for community summit</li> </ul>
Dubbo and Wellington Aboriginal Lands Councils	<ul style="list-style-type: none"> <li>• Invitation to circulate and submit survey</li> <li>• Invitation to submit survey</li> <li>• Invitation to nominate representatives for community summit</li> </ul>
Individual ratepayers	<ul style="list-style-type: none"> <li>• Invitation to submit survey</li> <li>• Invitation to participate in community summit</li> </ul>
Media representatives	<ul style="list-style-type: none"> <li>• Online engagement</li> <li>• Invitation to circulate and submit survey</li> </ul>
Village residents	<ul style="list-style-type: none"> <li>• Invitation to submit survey</li> <li>• Invitation to nominate representatives for community summit</li> </ul>

<b>Stakeholder*</b>	<b>Key engagement activity</b> Subject to COVID-19 Restrictions
Services and community groups such as Rotary and Lions	<ul style="list-style-type: none"> <li>• Invitation to submit survey</li> <li>• Invitation to nominate representatives for community summit</li> </ul>
NSW Farmers Association and rural working groups	<ul style="list-style-type: none"> <li>• Invitation to submit survey</li> <li>• Invitation to nominate representatives for community summit</li> </ul>
Dubbo Regional Sports Council	<ul style="list-style-type: none"> <li>• Invitation to submit survey</li> <li>• Invitation to nominate representatives for community summit</li> </ul>
Education and childcare providers	<ul style="list-style-type: none"> <li>• Invitation to submit survey</li> <li>• Invitation to nominate representatives for community summit</li> </ul>
Tourism and accommodation providers	<ul style="list-style-type: none"> <li>• Invitation to submit survey</li> <li>• Invitation to nominate representatives for community summit</li> </ul>
Aged care providers	<ul style="list-style-type: none"> <li>• Invitation to submit survey</li> <li>• Invitation to nominate representatives for community summit</li> </ul>
Health providers	<ul style="list-style-type: none"> <li>• Invitation to submit survey</li> <li>• Invitation to nominate representatives for community summit</li> </ul>
Environmental groups	<ul style="list-style-type: none"> <li>• Invitation to submit survey</li> <li>• Invitation to nominate representatives for community summit</li> </ul>
Transport and logistics providers	<ul style="list-style-type: none"> <li>• Invitation to submit survey</li> <li>• Invitation to nominate representatives for community summit</li> </ul>
Dubbo Youth Council	<ul style="list-style-type: none"> <li>• Invitation to submit survey</li> <li>• Invitation to nominate representatives for community summit</li> </ul>
Arts and cultural organisations	<ul style="list-style-type: none"> <li>• Invitation to submit survey</li> <li>• Invitation to nominate representatives for community summit</li> </ul>

\* Additional stakeholders may be identified throughout the engagement period

Table 2: Community Engagement Activities Implementation Plan

Project Milestone	Actions	Timeframe	Resp.*
Community Engagement Strategy adopted	<ul style="list-style-type: none"> <li>Community Engagement Strategy and 2040 concepts and imagery adopted by Council</li> </ul>	24 February 2022	DD&E
Preparation of engagement and communication collateral	<ul style="list-style-type: none"> <li>Survey finalised</li> <li>Supporting communication content and collateral finalised</li> </ul>	25 February – 2 March 2022	CIC/MGP
Community engagement activities commence	<ul style="list-style-type: none"> <li>Website content live and public announcement of community engagement undertaken</li> <li>Media release distributed</li> <li>Social media advertising commenced</li> </ul>	2 March 2022	CIC
Online community summits	<ul style="list-style-type: none"> <li>Advertising and promotions commenced</li> <li>Summits conducted</li> </ul>	2 March – 8 April 2022	CIC/MGP
Monitor online engagement	<ul style="list-style-type: none"> <li>Maintain watching brief on online activity</li> </ul>	2 March – 8 April 2022	CIC
Engagement closes	<ul style="list-style-type: none"> <li>Thank you letters distributed to all participants</li> </ul>	Late April 2021	MGP
Report to Council	<ul style="list-style-type: none"> <li>Outcomes of engagement and progress of draft Community Strategic Plan reported to Council</li> </ul>	May 2022	DD&E
Report to Council	<ul style="list-style-type: none"> <li>Endorsement of Community Strategic Plan by Council</li> </ul>	23 June 2022	DD&E

\* Responsibilities: Director Development and Environment (DD&E), Manager Growth Planning (MGP), Corporate Images and Communications (CIC)

**CCL22/45 Development Application D21-552 - Boarding House - Lot 1 DP 596251, 47 Macleay Street Dubbo**

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## APPLICATION ASSESSMENT REPORT

**REPORT:** Lot: 1 DP: 596251, 47 Macleay Street DUBBO  
**Development:** Boarding house (18 units)  
**Applicant:** He & Wang Consulting Pty Ltd  
**Owner:** Airthrow Pty Ltd  
**Assessing Officer:** Senior Planner 1  
**Date:** 07 January 2022  
**File:** D2021-552 Part 1

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### PROPOSED DEVELOPMENT

Council is in receipt of a Development Application for a boarding house at Lot 1 DP 596251, 47 Macleay Street DUBBO.

The proposed development consists of the following:

- Demolition of existing dwelling
- Construction of two (2) separate buildings featuring:
  - 'Block A' (fronting Macleay Street)
    - Single storey building
    - Six (6) bedrooms each featuring a kitchenette and bathroom facilities
    - A communal lounge area
  - 'Block B'
    - Two (2) storey building
    - First floor:
      - Six (6) bedrooms each featuring a kitchenette and bathroom facilities (including one (1) designated disabled room)
      - A communal lounge area
    - Ground Floor:
      - Six (6) bedrooms each featuring a kitchenette and bathroom facilities (including one (1) designated disabled room)
      - A communal lounge area

The proposed development also includes nine (9) car parking spaces; bin storage area; landscaping; a ramp that provides wheelchair access from the footpath to Block A and from Block A to Block B; four (4) motorcycle parking spaces; communal outdoor space; bicycle parking; clothes drying area; and driveway.

### SITE CHARACTERISTICS

#### *Locality*

The allotment is located on the southern side of Macleay Street. The allotment has an area of 1,149m<sup>2</sup> with a frontage of 15.57m to Macleay Street. For a locality map of the site see **Figure 1**.

*Slope*

The site is generally flat at 262.5mAHD.

*Vegetation*

The site is void of significant native vegetation.

*Access*

Access to the site is obtained via Macleay Street, a bitumen sealed public road with kerb and guttering.

*Drainage*

Drainage would occur into Council's reticulated stormwater system on Macleay Street.

*Services*

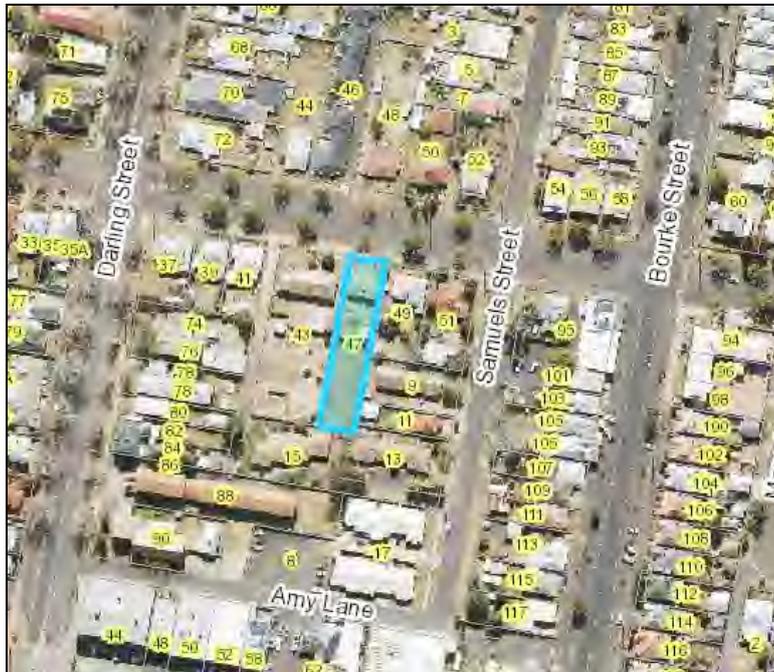
The site would be connected to all utility services (water, sewer, stormwater and electricity).

*Adjoining uses*

The land is bound by residential uses in all directions.

*Site Inspection*

An inspection of the site was conducted on 29 September 2021, a number of photographs are included on file.



**Figure 1:** Site location Lot 1 DP 596251, 47 Macleay Street DUBBO.

During the inspection a 15m high pole was noted along the eastern boundary (**Figure 2**). Council's Senior Building Certifier has confirmed this pole is a sewer vent pipe which is typical of the older residential areas of Dubbo. Council's Senior Development Engineer has confirmed that the buildings must to be within 5m of the vent. The buildings are located in excess of 5m as required.



**Figure 2:** Existing sewer vent pipe along eastern boundary.

#### **SITE HISTORY**

The subject land was created on 6 October 2021. D80-813 granted consent for a brick veneer dwelling. There are no issues from previous development approvals, which require further consideration.

#### **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 55 – Remediation of Land

The proposed development involves a residential land use. The land is currently used for a residential land use. An inspection of the site did not reveal any evidence of a potentially contaminating land use such as oil stains and the like. No further investigation is required.

Contamination considerations associated with demolition work will be discussed elsewhere in this report.

SEPP (Infrastructure) 2007

The application was referred to Essential Energy in accordance with Clause 45 for which they responded in correspondence dated 24 September 2021, raising no objection to the proposed development. The requirements specified by Essential Energy will be included on the development consent as notations, as Council is unable to enforce such requirements.

SEPP (Housing) 2021

Although the proposed development demonstrates inconsistencies with the SEPP (Housing) 2021, it provides the following savings provisions:

*Schedule 6(2)*

The former provisions of a repealed instrument continue to apply to the following –

- (a) A development application made, but not yet determine, on or before the repeal day,*
- (b) A development consent granted on or before the repeal day.*

The proposed development was lodged prior to the gazettal of the SEPP and as such the provisions of the SEPP (ARH) applies. No further assessment required.

SEPP (Affordable Rental Housing) 2009

The aims of the policy are as follows:

- (a) to provide a consistent planning regime for the provision of affordable rental housing,*
- (b) to facilitate the effective delivery of new affordable rental housing by providing incentives by way of expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards,*
- (c) to facilitate the retention and mitigate the loss of existing affordable rental housing,*

- (d) to employ a balanced approach between obligations for retaining and mitigating the loss of existing affordable rental housing, and incentives for the development of new affordable rental housing,*
- (e) to facilitate an expanded role for not-for-profit-providers of affordable rental housing,*
- (f) to support local business centres by providing affordable rental housing for workers close to places of work,*
- (g) to facilitate the development of housing for the homeless and other disadvantaged people who may require support services, including group homes and supportive accommodation.*

The applicant has confirmed the following details in relation to the operation of the boarding house for affordable rental housing:

*It is intended that the maximum tariffs charged for accommodation in the proposed two boarding houses are no more than the tariff limits specified or calculated in accordance with the guidelines approved by the NSW Treasurer each year as part of the criteria for land tax exemption for land used and occupied primarily for a boarding house.*

*As an example, according to Ruling LT 108 under Section 10Q - Low cost accommodation--exemption/reduction, Land Tax Management Act 1956, the tariff limits for land tax exemption for the 2021 tax year are as follows:*

***The maximum tariffs that may be charged during 2021 must not exceed:***

- for full board and lodging:***
  - \$401 per week for single accommodation; or*
  - \$663 per week for family or shared accommodation;*
- for less than full board and lodging:***
- \$270 per week for single accommodation; or***
- \$446 per week for family or shared accommodation.***

*We are of the view that such tariff limits published each year by Revenue NSW are a practical guide as to what is accepted to be low cost and affordable. It is intended that all rooms in the proposed two boarding houses are to be rented on a single occupancy basis with no meals provided. In accordance to the above tariff limits, a room in the proposed two boarding houses would have charged no more than \$270 per week during the 2021 tax year. The median weekly household income for the Greater Sydney in 2016 Census is \$1,750, and 120% of such figure is \$2,100. This figure will certainly increase when the 2021 Census data is published by the Australian Bureau of Statistics in the future.*

*It is intended that only occupants having household income of less than \$2,100/week will be approved to occupy a room in the proposed two boarding houses. The proposed maximum tariff of \$270/week is well within the 30% limit as a percentage of gross income in rent.*

*Therefore, this demonstrates that the aims of the SEPP are addressed and complied, and the operation of the proposed two boarding houses are in accordance with the definition of affordable housing in accordance with Clause 6 of the SEPP.*

It is considered the applicant has adequately demonstrated consistency with the aims of the SEPP.

Further, as the boarding house does not include a manager's residence the applicant has provided the following details in relation to the management of the development:

*It is intended that one of the local reputable real estate agencies will be selected and appointed to manage the boarding houses exclusively for the landowner once the development is completed:*

- *Raine & Horne Dubbo*
- *SJ Shooter Real Estate*
- *Matt Hansen Real Estate*
- *Ray White Dubbo*
- *Dubbo Real Estate*
- *Elders Real Estate Dubbo*
- *Platinum Property Group Dubbo*

*It is intended that while the ownership of the land is unchanged after the proposed development is completed, the boarding houses are to be operated within the private sector on an ongoing basis.*

*The proposed development is not to be carried out by or on behalf of a social housing provider.*

It is considered that although there will be onsite manager the boarding house will be adequately advertised and managed through a local real estate agent.

*Division 3 Boarding Houses is considered as follows:*

Clause	Control	Comment	Complies (Y/N)
26	This Division applies to land within any of the following land use zones or within a land use zone that is equivalent to any of those zones— (a) Zone R1 General Residential, (b) ... (g) Zone B4 Mixed Use.	The subject land is located within the R1 zone.	Yes
27	(1) This Division applies to development, on land to which this Division applies, for the purposes of boarding houses. (2) Despite subclause (1), clauses 29, 30 and 30A do not apply to development on land within Zone R2 Low Density Residential or within a land use zone that is equivalent to that zone in the Greater Sydney region unless the land is within an accessible area. (3) Despite subclause (1), clauses 29, 30 and 30A do not apply to development on land within Zone R2 Low Density Residential or within a land use zone that is equivalent to that zone that is not in the Greater Sydney region unless all or part of the development is within 400 metres walking distance of land within Zone B2 Local Centre or Zone B4 Mixed Use or within a land use zone that is equivalent to any of those zones.	The subject land is located within the R1 zone.	Yes
28	Development to which this Division applies may be carried out with consent.	Development consent has been sought as required.	Yes
29	(1) A consent authority must not refuse consent		

	<p>to development to which this Division applies on the grounds of density or scale if the density and scale of the buildings when expressed as a floor space ratio are not more than—</p> <p>(a) the existing maximum floor space ratio for any form of residential accommodation permitted on the land, or</p> <p>(b) if the development is on land within a zone in which no residential accommodation is permitted—the existing maximum floor space ratio for any form of development permitted on the land, or</p> <p>(c) if the development is on land within a zone in which residential flat buildings are permitted and the land does not contain a heritage item that is identified in an environmental planning instrument or an interim heritage order or on the State Heritage Register—the existing maximum floor space ratio for any form of residential accommodation permitted on the land, plus—</p> <p>(i) 0.5:1, if the existing maximum floor space ratio is 2.5:1 or less, or</p> <p>(ii) 20% of the existing maximum floor space ratio, if the existing maximum floor space ratio is greater than 2.5:1.</p> <p>(2) A consent authority must not refuse consent to development to which this Division applies on any of the following grounds—</p> <p>(a) <b>building height</b> if the building height of all proposed buildings is not more than the maximum building height permitted under another environmental planning instrument for any building on the land,</p> <p>(b) <b>landscaped area</b> if the landscape treatment of the front setback area is compatible with the streetscape in which the building is located,</p> <p>(c) <b>solar access</b> where the development provides for one or more communal living rooms, if at least one of those rooms receives a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter,</p> <p>(d) <b>private open space</b> if at least the following private open space areas are provided (other than the front setback area)—</p> <p>(i) one area of at least 20 square metres with a minimum dimension of 3 metres is provided for the use of the lodgers,</p> <p>(ii) if accommodation is provided on site for a boarding house manager—one area of at least 8 square metres with a minimum dimension of 2.5 metres is</p>	<p>There is no floor space ratio for the subject land however, the proposed development has a floor space ratio of 0.36:1 which is consistent with (c)(i) (the most appropriate control to use)</p> <p>There are no maximum building height controls for the subject land and as such, this does not apply. The proposed development is to be have a height of 7.13m.</p> <p>The proposed landscaping treatment within the front setback is considered consistent with the existing streetscape.</p> <p>The development provides more than 1 communal living area that will receive adequate solar access.</p> <p>The proposed development does not include any onsite manager. The development is provided with at least 105m<sup>2</sup> of private open space behind the front building line (exceeding the 20m<sup>2</sup> requirement) with such area having a minimum dimension of 4.2m exceeding the minimum dimension requirement of 3m.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
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	<p>provided adjacent to that accommodation,</p> <p>(e) <b>parking</b> if—</p> <p>(i) in the case of development carried out by or on behalf of a social housing provider in an accessible area—at least 0.2 parking spaces are provided for each boarding room, and</p> <p>(ii) in the case of development carried out by or on behalf of a social housing provider not in an accessible area—at least 0.4 parking spaces are provided for each boarding room, and</p> <p>(iia) in the case of development not carried out by or on behalf of a social housing provider—at least 0.5 parking spaces are provided for each boarding room, and</p> <p>(iii) in the case of any development—not more than 1 parking space is provided for each person employed in connection with the development and who is resident on site,</p> <p>(f) <b>accommodation size</b> if each boarding room has a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of at least—</p> <p>(i) 12 square metres in the case of a boarding room intended to be used by a single lodger, or</p> <p>(ii) 16 square metres in any other case.</p> <p>(3) A boarding house may have private kitchen or bathroom facilities in each boarding room but is not required to have those facilities in any boarding room.</p> <p>(4) A consent authority may consent to development to which this Division applies whether or not the development complies with the standards set out in subclause (1) or (2).</p> <p>(5) In this clause— <b>social housing provider</b> does not include a registered community housing provider unless the registered community housing provider is a registered entity within the meaning of the <i>Australian Charities and Not-for-profits Commission Act 2012</i> of the Commonwealth.</p>	<p>The development is to be carried out in accordance with (iia) and as such requires the following provision of parking:</p> <p>= 0.5 x 18 = 9 car spaces onsite.</p> <p>9 parking spaces are provided onsite, including 2 disabled spaces.</p> <p>The proposed floor plan indicates single beds and the SEE states the rooms are to be occupied by a single lodger as such (f)(i) applies. The applicant has confirmed that each rooms meets or exceeds the requirement.</p> <p>Each of the rooms within the proposed development feature private bathroom and kitchen facilities. Block A &amp; Block B are also provided with two (2) washing machines each.</p>	<p>Yes</p> <p>Yes. A <b>condition</b> of consent will require the rooms to be single occupancy only.</p> <p>Yes</p>
30	<p>(1) A consent authority must not consent to development to which this Division applies unless it is satisfied of each of the following—</p> <p>(a) if a boarding house has 5 or more boarding rooms, at least one communal living room will be</p>	<p>A communal living area is provided on each of floors of the proposed development.</p>	<p>Yes</p>

	<p>provided,</p> <p>(b) no boarding room will have a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of more than 25 square metres,</p> <p>(c) no boarding room will be occupied by more than 2 adult lodgers,</p> <p>(d) adequate bathroom and kitchen facilities will be available within the boarding house for the use of each lodger,</p> <p>(e) if the boarding house has capacity to accommodate 20 or more lodgers, a boarding room or on site dwelling will be provided for a boarding house manager,</p> <p>(f) (Repealed)</p> <p>(g) if the boarding house is on land zoned primarily for commercial purposes, no part of the ground floor of the boarding house that fronts a street will be used for residential purposes unless another environmental planning instrument permits such a use,</p> <p>(h) at least one parking space will be provided for a bicycle, and one will be provided for a motorcycle, for every 5 boarding rooms.</p> <p>(2) Subclause (1) does not apply to development for the purposes of minor alterations or additions to an existing boarding house.</p>	<p>No boarding room has an area exceeding 25m<sup>2</sup>.</p> <p>The size of the rooms restrict use to single lodgers. A <b>condition</b> of consent to this effect will be imposed.</p> <p>The proposed development includes 18 rooms. As such, (e) does not apply.</p> <p>Not applicable.</p> <p>18 rooms requires 3.6 motorbike (say 4) spaces to be provided to the site. The proposed development includes two (2) bicycle parking spaces and four (4) motorbike parking spaces.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p>
30AA	A consent authority must not grant development consent to a boarding house on land within Zone R2 Low Density Residential or within a land use zone that is equivalent to that zone unless it is satisfied that the boarding house has no more than 12 boarding rooms.	The subject land is within the R1 zone.	N/A
30A	A consent authority must not consent to development to which this Division applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area.	<p>The proposed development is considered compatible with the character of the local area. Although the proposed development includes a first floor atop the rear building, this aspect is not considered to adversely impact the character of the street or local area.</p> <p>The proposed development will result in housing variety and enhance housing affordability to the residents of Dubbo and surrounds whilst being in close proximity to the CBD and transport options.</p>	Yes
52	A consent authority must not grant consent to the strata subdivision or community title subdivision of a boarding house.	The proposal development originally included a two (2) lot strata subdivision which was inconsistent with the Clause. Council received legal advice in relation to the interpretation of this clause which concluded that Clause 52 does indeed prohibit Council from granting consent to the	Yes

	proposed strata subdivision. The applicant removed the proposed subdivision from the application accordingly.	
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SEPP (Building Sustainability Index: BASIX) 2004

The Application requires BASIX documentation as the proposed dwellings are classed as 1a buildings under the Building Code of Australia (BCA). Legislation requires all buildings or parts of buildings of this classification to contain the relevant documentation.

BASIX certificates have been submitted with this Application, BASIX Certificate No 1220411S dated 9 July 2021 for the front building (block A) and BASIX Certificate No 1220419S dated 9 July 2021. These certificates have been noted by Council’s Senior Building and Development Officer as being valid and accurate documents. The BASIX requirements and associated plans have been assessed and approved as meeting the objectives of the SEPP.

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

Dubbo Local Environmental Plan 2011

The following clauses of Dubbo Local Environmental Plan (LEP) 2011 have been assessed as being relevant and matters for consideration in assessment of the Development Application.

	Complies (Yes/No)
<b>Part 1 Preliminary</b>	
<b>Clause 1.2 Aims of the Plan</b>	
The proposed development is consistent with the relevant aims of the Plan	Yes
<b>Clause 1.4 Definitions</b>	
The proposed development is defined as:  <b>boarding house means a building that:</b> <ul style="list-style-type: none"> <li>(a) is wholly or partly let in lodgings, and</li> <li>(b) provides lodgers with a principal place of residence for 3 months or more, and</li> <li>(c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and</li> <li>(d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers, but does not include backpackers’ accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.</li> </ul>	Yes
<b>Clause 2.2 Zoning of land to which Plan applies</b>	
The subject site is zoned R1 General Residential	Yes
<b>Clause 2.3 Zone objectives and Land Use Table</b>	
The proposed development for a boarding house is permitted with development consent and complies with the relevant objectives of the R1 zone.	Yes
<b>Clause 2.7 Demolition</b>	
The development proposes the demolition of existing building and structures on the property. Appropriate <b>conditions</b> will be included on the consent that demolition be undertaken in accordance with the relevant Australian Standards and work cover requirements, with waste material being appropriately disposed of.	Yes

<p><b>Clause 5.14 Siding Spring Observatory – maintaining dark sky</b></p> <p>The proposed development has been assessed as unlikely to adversely affect observing <b>conditions</b> at the Siding Spring Observatory, having regard to subclauses:</p> <ul style="list-style-type: none"> <li>• 2(a) - the amount of light to be emitted;</li> <li>• 2(b) - the cumulative impact of the light emissions with regard to the critical level;</li> <li>• 2(c) - outside light fittings (shielded light fittings);</li> </ul> <p>Additionally, as per subclause (7) the proposed development is not considered likely to result in the emission of light of 1,000,000 lumens or more. A <b>condition</b> of consent will require all external lighting to be installed in a manner that does not extend past the horizontal plane.</p>	<p>Yes, standard <b>condition</b> recommended.</p>
<p><b>Clause 5.21 Flood Planning</b></p> <p>The site is affected by the flood planning area on relevant LEP mapping. Under Council’s Flood Prone Land Policy the 1% ARI event flood level stands at 262.1m AHD (cross section 10 – Macleay Street), with the Flood Planning Level (FPL) therefore being 262.6m AHD. The existing ground level for the development site stands at 262.5m AHD and the finished floor level will be 263.0m AHD (Block A) and 262.6m AHD (Block B). Accordingly, the development will be at or above the FPL and have <i>negligible</i> impact on the flooding hazard or patterns in the area.</p> <p>It is considered the proposed development is consistent with the objectives of the clause, and matters of consideration detailed under subclause (2) and (3).</p> <p>It is noted that under the draft Cardno-Willing Flood Study the site is identified as being affected by the Flood Planning Area (max 1% Annual Exceedance Probability + 500mm) at 263.87m AHD, being 1.27m above the FPL of 262.6m AHD (cross section 10 – Macleay Street), according to Council’s Flood Prone Land Policy. As the Cardno-Willing flood study is a draft document with no legal standing or guarantee of future adoption as Council Policy, only a note to this effect is recommended on the consent.</p>	<p>Yes</p>
<p><b>Clause 7.3 Earthworks</b></p> <p>The proposed development will require earthworks to be undertaken upon the site. Erosion and sediment control measures are required before any earthworks commence in which a <b>condition</b> to this effect will be placed on the consent.</p>	<p>Yes, standard <b>condition</b> recommended.</p>
<p><b>Clause 7.5 Groundwater vulnerability</b></p> <p>Clause 7.5 of Dubbo Local Environmental Plan 2011 applies as the land is included on the Natural Resource – Groundwater Vulnerability Map with moderately high groundwater vulnerability. 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.</p>	<p>Yes</p>
<p><b>Clause 7.7 Airspace operations</b></p> <p>The subject site is located within the Obstacle Limitation Surface Map at height 325m AHD. The overall height of the proposed development is 269.12m AHD, 55.88m below the surface map.</p>	

*(a)(ii) Draft Environmental Planning instruments*

Council has recently exhibited the Draft Dubbo Regional Local Environmental Plan 2021. This Instrument is a merger of the Dubbo Local Environmental Plan 2011 and the Wellington Local Environmental Plan 2012. The draft Instrument is a merger of the two (2) existing Instruments, with no rezonings proposed. As a consequence of this merger, some land uses may become permissible or prohibited in a particular zone, noting current inconsistencies between these

Instruments. None of these amendments specifically relate to the subject site. As such, the proposed amendments do not have any material impact upon the proposed development.

*(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.

<b>Chapter 2.1.2 Residential Design – Residential flat buildings and shop top housing</b>		<b>Complies (Yes/No)</b>								
<b>Element 1 Streetscape character</b>										
<i>Building size and orientation</i>		Yes								
<p>Floor space ratio has been considered under the SEPP above.</p> <p>The proposed development will not be higher than 13m (7.1m). Walls longer than 10m are provided with variation to form.</p>										
<i>Design for Safety</i>										
<p>Windows are provided along the northern and western elevations of Block A and within the northern, eastern and western elevations of Block B to provide casual surveillance to the communal open space and parking areas. No entrapment areas are evident.</p>										
<i>Built Form</i>										
<p>The proposed development will adopt a similar character and form to the existing dwellings and development within the immediate vicinity and surrounding area. The difference between the height of the existing surrounding buildings and the proposed development is one storey as required. The first storey portion of the development is restricted to the rear building (Block B) to ensure the streetscape remains consistent.</p> <p>The frontage of the building (Block A) is readily apparent to the street and Block B is accessible through Block A to ensure occupants of Block B are not forced to access the building via the driveway/carpark which may result in traffic/pedestrian conflict.</p> <p>The front elevation of Block A features cladding over brickwork and a Colorbond roof, stairs up to the terrace/portico with a steel balustrade/ramp. The roof pitch is similar to that of the adjoining dwellings and surrounding development with a small decorative feature on the facade. The overall appearance of Block A is consistent with the streetscape. The first storey of Block B is setback 3m from the front of the ground storey to minimise bulk and achieve a stepped height.</p> <p>A 1.8m high Colorbond fence is proposed along the western boundary.</p> <p>In keeping with the streetscape a 150mm high concrete kerb topped with an 800mm high fence is proposed along the portion of the front boundary that does not include any proposed driveway, mailboxes or pedestrian entry pathway.</p> <p>Garages and parking structures are not proposed.</p>										
<b>Element 2 Building setbacks</b>										
	<table border="1"> <thead> <tr> <th></th> <th><b>Boundary Setback (m)</b></th> <th><b>Minimum DCP Setback (m) (R1/R2 zones)</b></th> <th><b>Complies?</b></th> </tr> </thead> <tbody> <tr> <td><b>Front (north)</b></td> <td>8.5m (Block A)</td> <td>4.5m / consistent with streetscape. Ramp and bin storage located</td> <td>Y - Consistent with streetscape</td> </tr> </tbody> </table>		<b>Boundary Setback (m)</b>	<b>Minimum DCP Setback (m) (R1/R2 zones)</b>	<b>Complies?</b>	<b>Front (north)</b>	8.5m (Block A)	4.5m / consistent with streetscape. Ramp and bin storage located	Y - Consistent with streetscape	Yes
	<b>Boundary Setback (m)</b>	<b>Minimum DCP Setback (m) (R1/R2 zones)</b>	<b>Complies?</b>							
<b>Front (north)</b>	8.5m (Block A)	4.5m / consistent with streetscape. Ramp and bin storage located	Y - Consistent with streetscape							

		within front setback	
<b>Side (east)</b>	1m	BCA	Y
<b>Side (west)</b>	5m	BCA	Y
<b>Rear (south)</b>	4.115m (Block B)	BCA	Y

Further, Block B is 7.1m high from ground level and as such, requires a 2m side boundary setback. The proposed development is provided with a 2.5m wide side setback accordingly.

**Element 3 Solar access**

The submitted shadow diagrams indicate the impact of the development on the adjoining properties at 9am, 12pm and 3pm on the winter solstice. Such plans indicate the adjoining properties will still receive suitable solar access and no adverse impacts to solar access is expected. Suitable roof area is provided to meet the space requirements of a solar hot water service if such system is required.

Communal outdoor clothes drying areas are located along the western boundary and eastern boundary and as such will receive the midday and afternoon sun.

The proposed landscaping, when mature, will not exceed the roof height of the proposed buildings and as such, will not adversely impact on solar access to adjoining properties.

Sun shading devices (awnings) are provided to windows within Block B as required. Sun shading devices are not provided to the windows in Block A however, due to the adjoining development and the shading that is created, such devices are not required.

**Element 4 Private and communal open space and landscaping**

*Private and Communal open Space*

As detailed above, the proposed development is provided with suitable open space area in accordance with the SEPP.

The PPOS (terraces) are accessible from the communal lounges and the private open spaces is provided at the rear of the site.

*Landscaping*

A landscaping plan was submitted as part of the application which indicates landscaping of suitable height, density and species are to be provided to the site to adequately soften the development. It is considered the proposed landscaping will not impact existing infrastructure or the solar access to adjoining properties.

The proposed development includes the removal of the existing street tree adjacent to the property. Council's Manager Open Space and Recreation has recommended an appropriate condition which requires the applicant/develop to compensate Council for its removal.

**Element 5 Infrastructure**

It is considered the proposed development will not overload the reticulated services. Council's Senior Development Engineer in his email dated 28 September 2021 confirmed the following:

*All city services are available ie water, sewer, electricity, nbn, etc. A Council 150mm dia sewer main traverses the site at the middle. There is currently an existing water service and a sewer junction servicing the existing dwelling.*

*Macleay Street at this location is a bitumen sealed road with concrete kerb and gutter on both sides. The width between the kerbs is approximately 22 metres. There is an existing concrete driveway and this will be required to be replaced with a new commercial standard driveway.*

<p><i>The subject land is relatively flat. There is no underground stormwater drainage system along the Macleay Street. Therefore, the stormwater discharge from the proposed development into the existing Macleay Street kerb &amp; gutter system shall be limited to an amount that can be safely conveyed within the gutter, and that overall gutter flows within the Darling Street are within Auspec guidelines for gutter flow width and depth.</i></p> <p>Standard conditions of consent in relation to infrastructure upgrades are to be included on the consent should it be found that the existing service is not suitable for the proposed development.</p>	
<b>Element 6 Visual and Acoustic privacy</b>	
<p><i>Visual privacy</i></p> <p>The proposed development is not likely to result in visual privacy issues between the ground floor communal open space/carpark areas and boarding rooms or between the ground floor boarding rooms and adjoining properties due to the location of windows and the 1.8m high boundary fence.</p> <p>In relation to the first storey windows and the potential for overlooking into the private open spaces areas of the western and eastern adjoining properties, specifically 9 &amp; 11 Samuels Street (to the east) and 43 Macleay Street (to the west), windows along these elevations have been kept to a minimum, the windows have a 1.5m high sill height and the bathroom windows will be provided with fixed obscured glazing.</p> <p><i>Acoustic privacy</i></p> <p>Acoustic privacy between the boarding rooms must be considered. As such a <b>condition</b> of consent will require dividing walls and floors are to be constructed in accordance with the requirements of part F5 of the BCA.</p> <p>A <b>condition</b> of consent will require all electrical, mechanical or hydraulic equipment or plant shall not generate noise greater than 5dBA above the ambient sound level at the boundary of the property.</p> <p>A 1.8m high Colorbond fence is to be provided along the western boundary to reduce the acoustic impacts of vehicles travelling along the driveway on adjoining properties.</p> <p>The subject land is not located within 150m of a business centre, industrial area, or within a noise exposure contour of 20 ANEF or greater. However, the site is located approximately 100m from a classified road (Bourke Street/Newell Highway) and as such, an assessment of the NSW 'Noise Guide for Local Government' is to be undertaken. The applicant has undertaken this assessment accordingly:</p> <p><i>The habitable component of the proposal is located some 105m from any classified Road, and in particular Newell Highway/Bourke Street. We are of the view that this degree of separation is sufficient to mitigate any potential noise impacts. Further, there are a number of buildings and trees between the proposal and Bourke Street/Newell Highway which will also mitigate against noise transmission.</i></p> <p>No further action required.</p>	Yes
<b>Element 7 Vehicular access and car parking</b>	
<p><i>Vehicular access</i></p> <p>Vehicular access is provided to the site via a 7m wide concrete crossover that extends a distance of 8.5m up the driveway. The driveway is then reduced in width down to 5m (exceeding the minimum width of 3m). Council considered this design acceptable as two vehicles can enter and exit in a forward motion, and can pass each other without impacting traffic along Macleay Street.</p>	Yes. <b>Condition</b> accordingly.

<p>The driveway is not located within 6m of a road intersection.</p> <p><i>Car parking</i> As detailed above, parking is provided in accordance with the SEPP. Car parking is located conveniently and safely to serve users including pedestrians, cyclists and vehicles. Car parking spaces are 2.5m wide in accordance with Chapter 3.5 of the DCP.</p> <p>The SEE states that the driveway will be concrete and the parking area will be gravel to reduce impervious surfaces. Council does not consider this to be suitable justification as vehicles parking and moving on gravel will create unnecessary noise that may impact the occupants of the development and the adjoining neighbours. A <b>condition</b> of consent will require the parking area to be concrete. Stormwater management will need to consider the addition flow this hardstand area will create a part of the CC.</p> <p>A <b>condition</b> of consent will require the car parking area to be lit for security and safety purposes.</p> <p>All hardstand areas will drain to Council's reticulated stormwater system in Macleay Street.</p>	
<b>Element 8 Waste Management</b>	
<p>Council's Waste branch requires the proposed development to be provided with five (5) red bins, three (3) yellow bins and two (2) green bins; total 10 bins.</p> <p>The proposed development is provided with a bin storage area (10 bins) within the front setback which will feature a paling fence and landscaping screening. Suitable road frontage is available to store all ten (10) bins on the verge on collection day.</p> <p>Council's Manager Resource Recover and Efficiency in the memo dated 5 October 2021 raised no objections.</p> <p>Effluent will be discharged to the reticulated sewer system and the development will not generate trade waste.</p>	Yes
<b>Element 9 Site facilities</b>	
<p>A mail box structure is located at the major pedestrian entrance to the site as required. The site is provided with suitable area for clothes drying facilities which are located along the western boundary adjacent to Block B and eastern boundary behind Block A.</p> <p>Each room is provided with adequate storage area including a wardrobe and bench and cupboard space in the kitchen.</p>	Yes.
<b>Element 10 Signage</b>	
<p>Not applicable to this application.</p>	

*Chapter 3.1 Access and Mobility*

The proposed development is considered to align with the types of development listed under Group 1 and shall be assessment accordingly.

It should be noted that the application was accompanied by a Disability Access Report prepared by Access Solutions, dated 5 August 2021. The report concludes the proposed development is capable of complying with the relevant standards, codes and controls for accessibility.

Council's Senior Building and Development Officer in the memo dated 24 September 2021 provided the following comment:

*With respect to compliance with the Access Code the level of detail provided on the submitted plans is not sufficient to permit a detailed assessment of design compliance. This would have to be undertaken in conjunction with the building's construction certificate application.*

<b>Chapter 3.1.8</b>	<b>Development Controls</b>	
<b>Element 1</b>	<b>Access routes and entrances</b>	
	An accessible, safe and continuous path of travel has been provided to and from the property entrance and car parking area. A ramp is provided from the property boundary, up to the terrace, through the front door of Block A, through Block A and the carpark and connects to Block B. The ramp provides access to the carpark area and also the communal open space area.	Yes
<b>Element 2</b>	<b>Access to internal facilities</b>	
	Each building is provided with an accessible room and associated facilities on the ground floor. As detailed above, compliance with the relevant standards shall be considered as part of the Construction Certificate application. Suitable turning areas are provided in the vicinity of the washing machines and a continuous path of travel is provided from each building to the drying facilities.	Yes
<b>Element 3</b>	<b>Car parking and set-down areas</b>	
	Two (2) accessible car parking spaces with a shared zone between them has been provided within the proposed carpark as required.	Yes
<b>Element 4</b>	<b>Public spaces</b>	
	The proposed development includes a ramp from the property boundary, through Block A, through the carpark, into Block B and provides access to the communal open space area at the rear.	Yes
<b>Element 5</b>	<b>Adaptable Housing</b>	
	The proposed development provides rooms suitable for people with a disability.	Yes
<b>Element 6</b>	<b>Children and adolescents with a disability</b>	
	Not applicable	N/A

*Chapter 3.5 Parking*

Although the DCP requires one (1) parking space per bedroom, the proposed development meets the requirement of the SEPP in which nine (9) spaces are required.

Due to the sites proximity to the CBD and shops it is considered that the proposed parking volume is suitable.

*(a)(iii) planning agreements*

No planning agreements apply to the proposed development or subject land.

*(a)(iv) the regulations*

No regulations to which this clause refers are applicable to the proposed 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?*

It is considered the external appearance of the proposed development is deemed appropriate in the context of the locality.

- *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 the proposed development.

- *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 residential 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?*

Noise will be generated through construction through the use of power tools and the like. An appropriate condition will be included on the consent restricting work hours to minimise impacts to neighbouring property.

Upon occupation the residential development is not likely to generate noise above that of neighbouring residential properties. No special conditions in relation to noise generation will therefore be included on the consent.

Access, transport and traffic

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

The surrounding road network is considered to have sufficient capacity to cater for additional traffic movements generated by this development.

(d) *submissions*

Council received eight (8) submissions during the notification period and as such, the application must be determined by Council.

It is noted that Submission 1-7 are duplications with an opportunity for the resident to provide details of their name, address and signature. Submission 8 contains the same information as Submissions 1-7 however is formatted differently. Regardless, all submissions contain the same information and raise the same concerns.

The concerns raised are listed below with a planning comment attached:

	<b>Concern</b>	<b>Comment</b>
1	The land is zoned R1 Low Density Residential and the proposed development does not meet the zone objectives, specifically 'provide for the housing needs of the community' in that accommodation to be provided could and would probably be sourced from beyond the community.	<p>The subject land is located within the R1 General Residential zone, not R1 Low Density Residential.</p> <p>The proposed development is consistent and meets the following relevant R1 zone objectives as follows:</p> <ul style="list-style-type: none"> <li>• To provide for the housing needs of the community.</li> <li>• To provide a variety of housing types and densities.</li> <li>• To ensure development is consistent with the character of the immediate locality.</li> </ul> <p>As detailed in the above assessment, the proposed development will result in housing diversity within close proximity to the Dubbo CBD and shops. The proposed development is considered to be designed in a manner that is consistent with the existing streetscape and surrounding area.</p> <p>Affordable rental housing is considered a positive social benefit to those within the community. Council cannot restrict the use of the development to those residing within the LGA to prevent those from outside the LGA utilising the development.</p>
2	The use of the proposed development by those from outside the LGA is inconsistent with the objectives of the Dubbo LEP.	As detailed above, Council cannot restrict the use of the development to those residing within the LGA to prevent those from outside the LGA utilising the development.
3	The proposed density of the development is	The proposed development is permitted with consent in the

	inconsistent with the character of the neighbourhood.	zone and has been designed to ensure a minimal visual impact on the streetscape results. In this regard, the building fronting the street has been designed as single storey building to demonstrate consistency with the streetscape. Further, the street view plan demonstrates the first storey of the rear building will have a negligible impact on the streetscape due to the distance between the rear building and the front boundary.
4	The proposed development will not provide facilities or services to meet the day to day needs of local residents	This objective of the zone relates to permitted non-residential types of development such as neighbourhood shops and the like and as such is not relevant to the proposed development. As stated above, the proposed development is consistent with the remaining relevant zone objectives.
5	The increased number of occupants on the site will place greater demand on the lifestyle and wellbeing of local residents.	The proposed development is permitted with consent in the zone and will create diversity to the housing types available in the area. Council is unsure what is meant by the 'greater demand on the lifestyle and wellbeing of local residents' comment.
6	The proposed development is not consistent with the following zone objective: <i>To ensure development is consistent with the character of the immediate locality.</i>	As stated above, the proposed development is considered to be designed in a manner that is consistent with the existing streetscape and surrounding area.
7	The cumulative impact of similar boarding houses does and will change the fundamental characteristic of the neighbourhood. Eg: the proposed development can accommodate up to 24 persons.	The proposed development is residential in nature and will provide diversity to the housing stock available in the area for those who are eligible for affordable housing and meet the definition of 'affordable housing in accordance with Clause 6 of the SEPP.  The proposed development will accommodate up to 18 persons. A <b>condition</b> of consent will restrict the use of the rooms to be for single occupancy only based on floor area.
8	The SEE states that the proposed development can be assessed as multi-dwelling housing however this is legally incorrect and is more akin to a residential flat building.	In the absence on controls for boarding house development the application was assessed under the chapter relating to Residential flat buildings and shop top housing which was considered to be the most consistent with the proposed land use.
9	The submitted SEE does not comment or address the rationale of the SEPP (ARH) for a boarding house to cater for low-income occupants.	As detailed above, the applicant has addressed the objectives of the SEPP and demonstrating how the development will be utilised for affordable rental housing.
10	The proposed development will reduce the value of properties.	Not a planning consideration.
11	The proposed development will result in up to 24 occupants with nine (9) cars, four (4) motorcycles and four (4) bicycles which is not similar to the land use of a single dwelling house within the R1 Low Density Zone.	The proposed development will accommodate up to 18 persons only and such will be a condition of consent.  Again, the subject land is zoned R1 General Residential, not R1 Low Density Residential.
12	The proposed development will result in adverse impacts in relation to parking availability for existing residents and increased noise from the large number of occupants on the site.	The proposed development has provided suitable onsite parking.  Noise generated by the occupants of a residential development is not a planning consideration. Noise generated outside the hours of 6am and 10pm would be a matter for the Police as it would be for any residential setting.
13	The proposed development will result in the neighbourhood transforming from a low density to a medium density.	The proposed development is permitted with consent in the R1 zone and is consistent with the objectives of the zone. Regardless, the neighbourhood exhibits pockets of medium density development; 9, 13, 15 & 17 Samuels Street.  The proposed development will result in housing diversity for those with a very low to moderate income.
14	The proposed development has not	Clause 4.4 reference cannot be found in the SEPP.

	addressed Clause 4.4 – FSR in relation to the amenity of the adjoining land and the capacity for the road network to accommodate vehicles and pedestrian generated.	Council’s Infrastructure Division has not raised any concerns in relation to the capacity of the surrounding road network to support the traffic generated by the proposed development.
15	Occupants of the boarding house may use on-street parking as a matter of convenience rather than use the on-site parking which will increase parking opposite and adjacent to neighbouring properties.	Suitable onsite parking is provided. Council cannot prevent occupants of the site from utilising street parking.
16	<p>The SEE states that priority will be given to applicant with very low to moderate income after a selection process however there is no guarantee that low-income earners, as defined in clause 6 of the SEPP, will occupy the rooms. By all accounts, the boarding house will rent rooms to those willing to pay the rent.</p> <p>The proposal is by all accounts a commercial enterprise and should not be approved.</p>	<p>The applicant has confirmed the following details in relation to the operation of the boarding house for affordable rental housing:</p> <p><i>It is intended that the maximum tariffs charged for accommodation in the proposed two boarding houses are no more than the tariff limits specified or calculated in accordance with the guidelines approved by the NSW Treasurer each year as part of the criteria for land tax exemption for land used and occupied primarily for a boarding house.</i></p> <p><i>As an example, according to Ruling LT 108 under Section 10Q - Low cost accommodation– exemption/reduction, Land Tax Management Act 1956, the tariff limits for land tax exemption for the 2021 tax year are as follows:</i></p> <p><b>The maximum tariffs that may be charged during 2021 must not exceed:</b></p> <ul style="list-style-type: none"> <li>• <b>for full board and lodging:</b> <ul style="list-style-type: none"> <li>○ <b>\$401 per week for single accommodation; or</b></li> <li>○ <b>\$663 per week for family or shared accommodation;</b></li> </ul> </li> <li>• <b>for less than full board and lodging:</b></li> <li>• <b>\$270 per week for single accommodation; or</b></li> <li>• <b>\$446 per week for family or shared accommodation.</b></li> </ul> <p><i>We are of the view that such tariff limits published each year by Revenue NSW are a practical guide as to what is accepted to be low cost and affordable. It is intended that all rooms in the proposed two boarding houses are to be rented on a single occupancy basis with no meals provided. In accordance to the above tariff limits, a room in the proposed two boarding houses would have charged no more than \$270 per week during the 2021 tax year. The median weekly household income for the Greater Sydney in 2016 Census is \$1,750, and 120% of such figure is \$2,100. This figure will certainly increase when the 2021 Census data is published by the Australian Bureau of Statistics in the future.</i></p> <p><i>It is intended that only occupants having household income of less than \$2,100/week will be approved to occupy a room in the proposed two boarding houses. The proposed maximum tariff of \$270/week is well within the 30% limit as a percentage of gross income in rent.</i></p> <p><i>Therefore, this demonstrates that the aims of the SEPP are addressed and complied, and the operation of the proposed two boarding houses are in accordance with the definition of affordable housing in accordance with Clause 6 of the SEPP.</i></p>

		It is considered the applicant has adequately demonstrated consistency with the aims of the SEPP.
17	In the absence of controls for boarding houses within the DCP the applicant has suggested that the development be assessed against the controls of a single dwelling house which is inappropriate due to the very dissimilar use and purposes. The assessment of the DCP should be disregarded.	In the absence on controls for boarding house development the application was assessed under the chapter relating to Residential flat buildings and shop top housing which was considered to be the most consistent with the proposed land use.  Regardless, the proposed development is consistent with the SEPP.
18	The SEE does not address the aims of the SEPP (ARH). In this regard, the proposed development is not consistent with (f) as there are no local business centres in the vicinity of the property.	As detailed above under 16, the applicant has adequately detailed that the development will be operated in accordance with the SEPP as affordable rental housing.  The subject land is located within 800m of the Dubbo CBD (Corner Macquarie and Talbragar Streets) which is not considered an excessive distance to travel for employment or good and services. As such the proposed development is consistent with (f) of the aims of the SEPP.
19	The application does not provide housing for the homeless and other disadvantaged people and as such is inconsistent with (g).  The question of where the occupants of AHR accommodation are to be drawn from is restricted in the policy to clause 6, the definition of "affordable housing".  The applicant in this DA has not unequivocally stated all occupants WILL be drawn from the income thresholds of the Clause 6.	As detailed above under 16, the applicant has adequately detailed that the development will be operated in accordance with the SEPP as affordable rental housing.
20	The social impacts of the proposed development on local and neighbouring dwellings has not been explicitly addressed by the applicant.	The proposed boarding house does not provide in excess of 20 bedrooms and as such a social impact statement is not required in accordance with the Chapter 3.3 of the DCP. Through this report a merit based assessment of the proposed development has not raised any concerns in relation to significant adverse social impacts.
21	The proposed development may result in new occupants every 3 months and the constant uncertainty of unknown persons living in the boarding house will impact the neighbourhood.	Not a planning consideration.
22	The proposed development should be refused based on traffic generation	Council's Infrastructure Division has not raised any concerns in relation to the capacity of the surrounding road network to support the traffic generated by the proposed development.
23	The proposed development is not considered orderly development and the cumulative effect of the proposed development is not conducive to a low density zone, is not in the public interest and will set an undesirable precedent.	The proposed development is considered to be designed appropriately to minimise the visual impact on the streetscape, is consistent with the zone objectives and is considered to be in the public interest by providing affordable housing solutions within proximity to transport and the Dubbo CBD. Each development application is assessed on its own merits and as such, no precedent is expected.
24	The proposed development will adversely affect my wellbeing and enjoyment of my own home by being exposed to unacceptable motor vehicle traffic during all hours of the day and night all to generate income for the landlord of the development.	A 1.8m high Colorbond fence will be provided along the western boundary adjacent to the driveway. It is considered this material and height is appropriate to reduce the noise generated by vehicles traveling along the driveway that may impact adjoining properties. Commercial benefit is not a planning consideration.

(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**

Conditions of consent will require the payment of the following relevant contributions prior to the issue of an Occupation Certificate.

*Sewer Headworks Contribution*

The proposed development has more than three units (rooms) and as such, is considered to generate an addition demand on sewer infrastructure at a rate of 0.5ET per room.

The subject land has a credit of 1ET from the existing dwelling.

Contribution = 18 rooms x 0.5ET  
= 9ET – 1ET credit  
= 8ET x \$6,024.50 (rate)  
**= \$48,196.00**

*Water Headworks Contribution*

The proposed development has more than three units (rooms) and as such, is considered to generate an addition demand on water infrastructure at a rate of 0.5ET per room.

The subject land has a credit of 1ET from the existing dwelling.

Contribution = 18 rooms x 0.5ET  
= 9ET – 1ET credit  
= 8ET x \$6,024.50 (rate)  
**= \$48,196.00**

*Open Space Recreation Contribution*

The subject land is located within the central (north) open space and recreation planning unit which generates contributions at a rate of \$1,835.23 x 1.1 person per 1 bedroom dwelling/unit.

The subject land has a credit of 2.6 persons from the existing dwelling.

Contribution = 18 rooms x 1.1 persons  
= 19.8 persons – 2.6 (credit)  
= 17.2 persons x \$1,835.23 (rate)  
**= \$31,565.96**

*Stormwater Contribution*

The subject land is located within Catchment 1.1 East Dubbo Drainage (Erskine Street Outfall) which incurs contributions at a rate of \$15,962.55/ha.

The subject land has a credit of 155m<sup>2</sup> from the existing dwelling and driveway.

Contribution = 898m<sup>2</sup> of proposed hardstand – 155m<sup>2</sup> existing hardstand  
= 743m<sup>2</sup>  
= 0.0743ha  
= **\$1,186.02**

*Urban Roads Headworks Contribution*

The proposed development generates 4 trips per 1 bedroom dwelling/room. The subject land has a credit of 11 trips from the existing dwelling.

Contribution = 4 trips x 18 rooms  
= 72 trips – 11 trips (credit)  
= 61 trips x \$617.51 (residential trip rate)  
= **\$37,668.11**

**INTERNAL REFERRALS**

*Building Assessment*

The Senior Building & Development Officer in the report dated 24 September 2021 (copy on file) raised no concerns with the proposed development. The report recommends standard conditions and notations for the Development Consent.

*Engineering Assessment*

The Senior Development Engineer in the report dated 28 September 2021 (copy on file) raised no concerns with the proposed development.

*Environment and Health Assessment*

The Environment & Health Services Team Leader in the report dated 8 September 2021 raised no concerns with the proposed development.

*Resource and Recovery Assessment*

Council's Manager Resource Recover and Efficiency on the 30 September 2021 raised no concerns with the proposed development.

*Open Space and Recreation*

Council's Manager Recreation and Open Space in the memo dated 19 November 2021 raised no concerns with the proposed development.

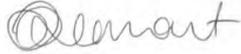
**SUMMARY & RECOMMENDATION**

The Applicant has sought development consent for a boarding house at Lot 1 DP 596251, 47 Macleay Street DUBBO.

The proposed development is not considered likely to have any significant negative impacts upon the environment or upon the amenity of the locality.

The proposed development is consistent with the objectives of the applicable Environmental Planning Instruments, Development Control Plan 2013 and Council policies and is therefore recommended for approval subject to the conditions of consent attached.

Approvals under the Local Government Act, 1993 integrated with the Consent: Nil



*Tracie Smart*  
Senior Planner

Date: 07/01/2022



*Shaun Reynolds*  
Statutory Planning Services Team Leader

Date: 13/1/2022

### CONDITIONS

- (1) The development shall be undertaken in accordance with the Statement of Environmental Effects and stamped approved plans detailed as follows except where modified by any of the following conditions:

- BASIX Certificate No's 1220411S dated 9 July 2021 and BASIX Certificate No 1220419S dated 9 July 2021.

Title/Plan: Proposed Floor Plans  
Drawing No: A-001  
Revision: B  
Dated: 19/10/2021

Title/Plan: Elevations and Sections  
Drawing No: A-002  
Revision: B  
Dated: 19/10/2021

{Reason: To ensure that the development is undertaken in accordance with that assessed}

- (2) Prior to the issue of the Occupation Certificate, the contribution of **\$48,196.00** (8ETs) shall be paid for water supply headworks contributions, calculated on a land use basis, pursuant to Section 64 of the Local Government Act 1993, Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000, and in accordance with Council's adopted Combined Water Supply and Sewerage Contributions Policy dated November 2002.

Such contribution rate per ET is adjusted annually in accordance with Section 3 of the Combined Water Supply and Sewerage Contributions Policy becoming effective from 1 July each year and as adopted in Council's Annual Revenue Policy.

Note 1: Council's adopted 2021/2022 financial year rate is \$6,024.50 per ET.

Note 2: As the above contribution rate is reviewed annually the 'current contribution rate' is to be confirmed prior to payment.

Note 3: Contributions have been levied at 0.5ET per boarding room, with a 1 ET credit applied.

{Reason: Implementation of Council's adopted Combined Water Supply and Sewerage Contributions Policy, November 2002, operating from 1 January 2003}

- (3) Prior to the issue of the Occupation Certificate, the contribution of **\$48,196.00** (8ETs) shall be paid for sewerage supply headworks contributions, calculated on a land use basis, pursuant to Section 64 of the Local Government Act 1993, Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000, and in accordance with Council's adopted Combined Water Supply and Sewerage Contributions Policy dated November 2002.

Such contribution rate per ET is adjusted annually in accordance with Section 3 of the Combined Water Supply and Sewerage Contributions Policy becoming effective from 1 July each year and as adopted in Council's Annual Revenue Policy.

Note 1: Council's adopted 2021/2022 financial year rate is \$6,024.50 per ET.

Note 2: As the above contribution rate is reviewed annually the 'current contribution rate' is to be confirmed prior to payment.

Note 3: Contributions have been levied at 0.5ET per boarding room, with a 1 ET credit applied.

{Reason: Implementation of Council's adopted Combined Water Supply and Sewerage Contributions Policy, November 2002, operating from 1 January 2003}

- (4) Prior to the issue of the Occupation Certificate, the contribution by the developer of **\$31,565.96** (17.2 persons) shall be paid for open space and recreation facilities contributions, calculated on a per person basis, in accordance with Council's Section 94 Contributions Plan for Dubbo Open Space and Recreation Facilities – 2016-2026.

Note 1: Council's adopted 2021/2022 financial year rate is \$1,835.23 (including administration fee) per person (Central (North) Planning Unit).

Note 2: As the above contribution rate is reviewed annually, the 'current contribution rate' is to be confirmed prior to payment.

Note 3: Please note a 1 lot credit has been applied to the contribution above.

{Reason: Implementation of Council's Section 94 Contributions Plan - Open Space and Recreation Facilities}

- (5) Prior to the issue of the Occupation Certificate, the contribution by the developer of **\$37,668.11** (61 daily trips) shall be paid for urban roads headworks contribution, calculated on a per trip basis, in accordance with Council's adopted Amended Section 94 Contributions Plan - Roads, Traffic Management and Carparking, operational 3 March 2016.

Such contribution rate, per trip, is adjusted annually in accordance with Section 6.0 of the Section 94 Contributions Plan becoming effective from the 1 July each year and as adopted in Council's Annual Revenue Policy.

Note 1: Council's adopted 2021/2022 financial year rate is \$617.51 (including administration) per residential trip.

Note 2: As the above contribution rate is reviewed annually, the current contribution rate is to be confirmed prior to payment.

Note 3: Contributions have been levied at four (4) daily trips per boarding room, with a 1 lot (11 trip) credit applied.

{Reason: Implementation of Council's Section 94 Contributions Plan - Roads, Traffic Management and Carparking dated 2016}

- (6) The boarding rooms shall be utilised as single occupancy only.  
{Reason: To ensure compliance with SEPP (ARH) 2009 in relation to floor area requirements}
- (7) Prior to the issue of the Occupation Certificate off-street car parking shall be delineated and sign-posted to at least the standard outlined in Chapter 3.5 of the Dubbo Development Control Plan 2013.  
{Reason: Implementation of Dubbo DCP 2013}
- (8) The proposed landscaping shown on the approved development plan (Titled: Landscape Plan, Plan No. A-003, Revision B, dated 19/10/2021) shall be established prior to issue of the Occupation Certificate.  
{Reason: To maintain the aesthetic quality of the development}
- (9) The existing street tree in Macleay Street (front of No. 47) shall be removed and replaced. The removal and replacement shall be undertaken by Dubbo Regional Council at the full cost to the developer of **\$23,722.00** ex GST (2021/2022 financial year), inclusive of street valuation, removal and establishment of a new tree.  
{Reason: Compliance with Council's Street Tree Policy}
- (10) Prior to issue of the Occupation Certificate, a Plan of Management shall be submitted to and approved by Council.  
{Reason: To ensure potential negative social impacts are minimised}
- (11) Lighting is to be provided adjacent to car parking areas and pathways. Such lighting shall be provided in the form of 'bollard lighting' in accordance with Australian Standard 1158.3.1-2005 – *Lighting for Roads and Public Spaces – Pedestrian Area*. At the time of submission of the Construction Certificate, details regarding the location and provision of lighting is to be submitted to Council for approval.  
{Reason: To provide a safe environment for residents and minimise impacts from light spill}
- (12) Any external lighting must be designed so as not to cause nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity or surrounding area by light overspill. All lighting must comply with the Australian Standard AS 48282 – 1997 Control of the Obtrusive Effects of Outdoor Lighting.  
{Reason: To ensure compliance with the Protection of the Environment Operations Act, 1997}
- (13) Video surveillance (adequately signposted and monitored solely by the site manager) shall be provided at a location agreed to by Council to view external communal areas.  
{Reason: To deter anti-social behavior}
- (14) The approved development is to be provided with a minimum 9 parking spaces in accordance with the approved 'Proposed Floor Plans, Plan No. A-001, Revision B, dated 19/10/2021. All hard stand areas, driveways, car parking and loading areas shall be fully paved in accordance with Chapter 3.5 Parking (3.5.7 – Construction Requirements) of the Dubbo Development Control Plan 2013. The proposed surface design details are to be submitted in conjunction with the application for the Construction Certificate and approved prior to any work commencing.  
{Reason: Implementation of Dubbo DCP 2013}

- (15) All dividing walls and floors are to be constructed in accordance with Part F5 of the Building Code of Australia.  
{Reason: Compliance with Dubbo DCP 2013 and to provide acoustic privacy to the occupants of the Boarding House}
- (16) All electrical, mechanical or hydraulic equipment and plant shall not generate noise greater than 5dBA above the ambient sound level at the boundary of the property.  
{Reason: Compliance with Dubbo DCP 2013}
- (17) Prior to works commencing the Applicant shall ensure that a sign is erected on the work site in a prominent position at the front of the property showing:
- (a) The name, address and telephone number of the Principal Certifier (PC) for the work;
  - (b) The name of the principal contractor for the building/demolition work and a telephone number on which that person may be contacted outside of working hours; and
  - (c) Stating that unauthorised entry to the work site is prohibited.

Such sign must be maintained on the site during the course of the building/demolition work and not be removed until the work has been completed.

Note: In respect of (a) above, where Council is engaged as the PC, the Applicant can either prepare their own sign, or alternatively affix onsite the sticker that will be enclosed with the Council issued Construction Certificate. A larger sign in lieu of utilising the sticker is available upon request from Council's Civic Administration Building.  
{Reason: Statutory condition imposed by clause 98A of the EP&A Regulation 2000}

- (18) The person having the benefit of this Development Consent, if not carrying out the work as an owner-builder, must unless that person is the principal contractor, ensure that the principal contractor has been notified of the critical stage inspections and any other inspections that are specified by the appointed Principal Certifier (PC) to be carried out.

Note: The 'principal contractor' is the person responsible for the overall coordination and control of the carrying out of the building work.  
{Reason: Statutory requirement imposed by the EP&A Act 1979}

- (19) The drainage and plumbing installation shall comply with the provisions of the Local Government (General) Regulation, 2005 and the requirements of Council as the water and sewerage authority.  
{Reason: Statutory and Council requirement}
- (20) The hot water delivered to the outlets of the baths, showers and hand-basins shall not exceed 50°C, whilst disabled fixtures shall not exceed 45°C.  
{Reason: Council policy and statutory requirement of the Plumbing Code of Australia}

(21) All excavations associated with the erection of the buildings and installation of associated services must be properly guarded and protected to prevent them from being dangerous to life or property. Excavations undertaken across or in a public place must be kept adequately guarded and/or enclosed and lit between sunset and sunrise, if left open or otherwise in a condition likely to be hazardous to persons in the public place.

{Reason: Council requirement for protection of public}

(22) All building work must be carried out in accordance with the provisions of the Building Code of Australia.

{Reason: Prescribed statutory condition under EP&A Act}

(23) Prior to the Occupation Certificate being issued, Council is to be given at least 24 hours notice for Council to carry out an inspection of the completed sanitary drainage and water installation.

{Reason: To enable an inspection of the building's plumbing and drainage to determine they have been satisfactorily completed}

(24) A hoarding barricade or fence shall be erected between the building and any adjoining public place and/or around any road openings or obstructions if pedestrian or vehicular traffic is likely to be endangered, obstructed or inconvenienced by the proposed works. If necessary, an awning sufficient to prevent any material from, or in connection with the work falling onto the public place is also to be erected.

The work is to be kept lit during the time between sunset and sunrise if the work may be a source of danger to persons using the adjoining public place.

{Reason: Council requirement for the protection of the public}

(25) All sanitary plumbing and drainage and water plumbing work shall be carried out by a licensed plumber and drainer.

{Reason: Statutory requirement of Section 634 Local Government Act 1993}

(26) The following applicable works shall be inspected and passed by an officer of Council, irrespective of any other inspection works undertaken by a Principal Certifier, prior to them being covered. In this regard, at least 24 hours notice shall be given to Council for inspection of such works. When requesting an inspection, please quote Council's reference number D2021/552.

Advanced notification for an inspection should be made by emailing [de.admin@dubbo.nsw.gov.au](mailto:de.admin@dubbo.nsw.gov.au) or by telephoning Council's Development and Environment Division on 6801 4612.

- Internal and any external sanitary plumbing and drainage under hydraulic test.
- Water plumbing, under hydraulic test.
- Final inspection of the installed sanitary and water plumbing fixtures upon the building's completion prior to its occupation/use.

{Reason: Statutory provision and Council requirement being the water and sewerage authority}

- (27) Prior to the issue of an Occupation Certificate, where the proposed building works necessitate the cutting-in of new stormwater outlets into the existing street kerb, the applicant and plumbing/drainage contractor shall ensure that the following procedures are adopted.
- (a) A kerb adaptor suitable for the particular kerb profile and capable of withstanding vehicular loadings is to be utilised;
  - (b) Create the opening in the kerb by use of either a saw cut or bored hole only – breaking out the kerb by impact methods is not permitted;
  - (c) The kerb adaptor is to be kept flush with the top and outside face of the kerb; and
  - (d) The fixing of the kerb adaptor and filling in of side gaps is to be undertaken by the use of an epoxy resin – mortar or concrete is not to be used.
- {Reason: Requirement of Council as the road authority}
- (28) The applicant shall ensure that the responsible builder or contractor submits to Council, if Council is engaged to act as the Principal Certifier (PC), a Certificate of Installation certifying that the wet areas of the building have been protected by the installation a water-proofing system conforming to AS 3740 'Waterproofing of domestic wet area'. Such Certificate must be provided prior to occupation or use of the building.
- {Reason: To demonstrate the provision of an adequate moisture proofing system}
- (29) The building shall not be occupied or used until the Principal Certifier (PC) has first issued an Occupation Certificate.
- {Reason: Statutory requirement to ensure the building is fit for occupation}
- (30) The applicant must submit with the development's Construction Certificate application, a detailed design of the development's and buildings proposed stormwater drainage system designed by a hydraulics engineer which shall include hydraulic design calculations, surface and invert levels, pipe sizes and grades.
- Such details must demonstrate the development's roof and surface water is able to be adequately drained to the street gutter at the front of the property.
- {Reason: Council requirement to ensure the development is adequately drained}
- (31) Should the existing town water supply service connection(s) not be suitably located and/or of a suitable size to accommodate the proposed development, then a separate application is required to be made to Council, with the appropriate fee(s) being paid, for the provision of a suitably sized metered water service to the development site.
- Note: As Council is the local water supply authority, separate metered connections will be required in respect to the provision of a suitably size domestic water meter and separate fire service meter to the development site.
- {Reason: Council policy in respect of commercial developments}
- (32) Prior to the issue of the Occupation Certificate, the existing vehicular access off Macleay Street shall be upgraded to a commercial standard concrete vehicular cross-over, constructed in accordance with Council's standards STD 5211 and STD 5235 being provided by and at full cost to the Developer to service the proposed boarding house.

However, prior to any construction works being undertaken on this access driveway, a detailed (fully dimensioned) site plan is to be lodged with and approved by Council. The access driveway is to be designed and constructed of sufficient width at the roadway (kerb and gutter alignment) and the property boundary alignment such that two passenger vehicle (utilising the Austroads design templates, and a turning speed of 5-15 km/hr) is able to access the subject land in a forward motion from the through travel lane (s) of Macleay Street without the need to cross over onto the wrong side of the road at any time.

Should Council's Senior Development Engineer (or his representative) not undertake the required inspections as detailed in the abovementioned Council standards, then a detailed list of inspections undertaken by an accredited private certifier verifying compliance with the abovementioned Council standards will be required to be lodged with Council prior to the issue of the Occupation Certificate for the proposed development.

{Reason: Council policy in respect of commercial developments}

- (33) Prior to issue of the Construction Certificate, a separate 'Road Opening Application' (Section 138 Application under the Roads Act 1993) will be required to be made to Council's Infrastructure Division, plus payment of appropriate fee/s.

{Reason: Implementation of Council's Policy and Section 138 of the Roads Act}

- (34) Prior to the issue of the Occupation Certificate any alteration/damage to the footpath, kerbing and guttering, vehicular entrance/s, road or road shoulder including utility services, shall be repaired/restored at full cost to the developer and in accordance with Council's adopted AUS-SPEC #1 Development Specification Series - Construction Standards.

{Reason: Implementation of Council Policy}

- (35) Should any of the proposed works encroach onto the road reserve area (which includes the footpath area) and prior to any works commencing on the site, the applicant is to ensure that any sub-contractor/s working on the site have current public liability insurance policy(ies) to cover Council to an amount of not less than \$20m in respect of any and all actions, costs and claims for damages that may be brought or made or claimed against Council in relation to the granting of this approval. Such policy shall note the interest of Council which ensures that Council is indemnified against any possible action.

{Reason: Implementation of Council's policy}

- (36) No vehicles larger than a 'Passenger Vehicle' generally 5.2m in length (utilising the Austroads design templates) are permitted to access the subject land and development proposal.

{Reason: The internal manoeuvrability and access to the subject land and proposed development will only facilitate 'Passenger Vehicle' generally 5.2m in length or vehicles of lesser dimensions at this location}

- (37) All driveways, hard stand areas and parking areas shall be drained to Council's satisfaction, including implementation of the following:

- Discharge stormwater from the site to Macleay Street kerb and gutter;
- Upstream flows, including overland flow from neighbouring properties, must be considered and managed through the site;
- Provide for the safe passage of stormwater to Macleay Street without impact to neighbouring properties;
- Surcharge and overland flow paths shall be defined;
- Flows from the minor storm event 1:10 year or 10% ARI to be piped to the kerb;
- On site drainage system is to be designed in such a way that the estimated peak flow rate from the site is no greater than what would be expected from the existing site, assuming the existing site is 40% impervious; and
- A 2m easement to drain stormwater should be considered along the southern boundary of the lot. If 43 Macleay Street is redeveloped, this will provide a continuous stormwater easement right through to the lane to the west of 43 Macleay Street. This will allow the potential for future stormwater interallotment drainage if required.

**Note:** Stormwater discharge to the gutter is limited to an amount that can be safely conveyed within the gutter, and that overall gutter flows within the street are within Auspec guidelines for gutter flow width and depth.

Prior to the discharge into Council's system, the Developer will be required to install at their own expense a "pollution control device(s)" which will collect oil, sediment and litter from the development proposal.

In this respect the Developer must have approved by Council, prior to the issue of the building's Construction Certificate, full and detailed hydraulic design calculations and drawings of the proposed development's stormwater drainage system.

{Reason: To achieve a satisfactory standard of stormwater disposal from the proposed development}

- (38) All vehicles must enter and exit the subject land and proposed development in a forward direction. No reversing of vehicles onto the public roadway system will be permitted.

{Reason: To provide safety for the travelling public utilising the public roadways}

- (39) All loading and unloading of goods related to the development proposal shall be carried out within the confines of the allotment's boundary. Under no circumstances will the loading, or unloading, of goods on the public roadway system be permitted.

{Reason: Requirement of Council so as not to create adverse traffic conditions}

- (40) No buildings or structures of any standard shall be erected over Council's existing sewerage main or within the proposed 'easement to drain sewage' to be located on the subject land. Driveway and parking infrastructure is permitted within the easement.

{Reason: Implementation of Council policy}

- (41) The creation by the Developer, under Section 88B of the Conveyancing Act, of a minimum two (2) metre-wide easement in favour of Council, to be centrally located over all Council sewerage mains.

{Reason: Implementation of Council Policy}

- (42) Demolition and construction work shall only be carried out within the following times:  
Monday to Friday: 7:00 am to 6:00 pm  
Saturday: 8:00 am to 1:00 pm  
Sunday and public holidays: No construction work permitted  
{Reason: Council requirement to reduce the likelihood of noise nuisance}
- (43) Suppression and mitigation of dust shall be employed during works on the site to ensure dust is not emitted from the site at any time including when no activities are taking place on the site.  
{Reason: Council requirement to reduce the likelihood of dust nuisance.}
- (44) An Erosion and Sedimentation Control Plan is required to be submitted to and approved by Council's Environmental Compliance Branch prior to the issue of the Construction Certificate. The approved plan shall be implemented onsite prior to any site disturbance works being commenced and shall remain, in a maintained condition, until all site works are completed.  
{Reason: Implementation of Council policy to reduce sediment pollution}
- (45) The demolition of the existing building and infrastructure is required to be undertaken in conformity with AS 2601-1991. A requirement of clause 1.7.1 of such standard is that the applicant and/or its contractor must prepare a Work Plan and submit such plan to Council prior to any demolition work commencing.

In particular, such Work Plan must include proposed measures to address dust generation; protection of the public; assessment, removal and disposal of hazardous materials and conditions (especially asbestos sheeting, lead-based paint and any organochlorine contaminated soil); noise control and protection of Council's services (including the capping of proposed abandoned sewer junction connections).

{Reason: Council requirement to prevent environmental contamination and creation of public nuisances arising from demolition works}

- (46) All solid waste from demolition, construction and operation of the proposed development shall be assessed, classified and disposed of in accordance with the Department of Environment and Climate Change - Waste Classification Guidelines. Whilst recycling and reuse are preferable to landfill disposal, all disposal options (including recycling and reuse) must be undertaken with lawful authority as required under the Protection of the Environment Operations Act.  
{Reason: Council requirement to require compliance with the POEO Act}
- (47) Should any contaminated, scheduled, hazardous or asbestos material be discovered before or during demolition or construction works, the applicant and contractor shall ensure that the appropriate regulatory authority (eg Office of Environment and Heritage (OEH), WorkCover Authority, Council, Fire and Rescue NSW etc) is notified, and that such material is contained, encapsulated, sealed, handled or otherwise disposed of to the requirements of such Authority.  
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: Council requirement to prevent the contamination of the environment}

(48) Prior to the issue of the Occupation Certificate, existing fencing around the perimeter of the site to be replaced as indicated on the approved Site Plan, shall be replaced with 1.8 metre high Colorbond fencing. However, prior to such works commencing consent shall be obtained by neighbouring property owners.

{Reason: To ensure visual privacy is maintained}

(49) Strata or community title subdivision of the boarding house shall not be permitted.

{Reason: Clause 52, State Environmental Planning Policy (Affordable Rental Housing) 2009}

#### **NOTES**

(1) A separate application is required to be submitted to either Council or an accredited certifier to obtain a Construction Certificate to permit the erection of the proposed buildings.

(2) A list of fire safety measures must be submitted with the Construction Certificate application pursuant to clause 139 of the Environmental Planning and Assessment Regulation, 2000. The Regulation prescribes that the information to be submitted must include:

- A list of any existing fire safety measures provided in relation to the land or any existing building on the land; and
- A list of the proposed fire safety measures to be provided in relation to the land and any building on the land as a consequence of the building work.

(3) On completion of the erection of the subject class 3 buildings, the owner of the building is required to submit to the Principal Certifier (PC) a Fire Safety Certificate(s) with respect to each essential fire safety measure installed in association with the building - as listed on the Fire Safety Schedule attached to the Construction Certificate. Such certificate(s) must be submitted to the PC prior to occupation or use of the subject building.

Copies of the subject Fire Safety Certificate(s) must also be forwarded by the owner to Council (if not the appointed PC) and the Commissioner of Fire and Rescue NSW and displayed within the principal building in a prominent position.

(4) The owner of the class 3 buildings is required to submit to Council at least once in each period of 12 months following the completion of the building an Annual Fire Safety Statement(s) with respect to each essential fire safety measure associated with the building.

Copies of the subject Annual Fire Safety Statements must also be forwarded by the owner to the Commissioner of Fire and Rescue NSW and displayed within the principal building in a prominent position. In this regard Fire and Rescue NSW has requested that only electronic copies of the statement be forwarded to their dedicated email address, being [afss@fire.nsw.gov.au](mailto:afss@fire.nsw.gov.au)

(5) If Council is engaged to act as the principal certifier for the Construction Certificate

application the following shall be included with such application:

- Location of the proposed emergency lighting, exit signs and portable fire extinguishers;
- Specifications detailing the proposed class 3 boarding house compliance with the Section J *Energy Efficiency* of BCA;
- Details demonstrating the provision of disabled access to and within the subject buildings as required by the BCA and Access Code; including any exemption relied upon under clause D3.4 (if deemed-to-satisfy solution utilised), or a performance solution prepared under Part A2 of the BCA to address the applicable Performance Requirements under the BCA and Access Code;
- Specification for the buildings exit doors and hardware i.e. door size, door handle and latch;
- All structural details including specifications and design drawings and statement/certificate by the design engineer stipulating the Australian Standards that the design complies with, its design wind load parameters and the design loads.
- Details indicating the slip-resistance classification of any proposed stair landings, ramps, treads and if specified, its nosing strips (i.e.  $\geq 2$  steps) pursuant to D2.10, D2.13 and D2.14 of the BCA;
- Specifications demonstrating the buildings floors, walls and ceiling lining materials conform with C1.10 of the BCA with respect to their fire hazard properties;
- Details of any termite treatment to be provided to the buildings. Note: any *primary building element* of the structure that would be subject to attack by subterranean termites, necessitates the provision of an integrated termite barrier system;
- All relevant stormwater design and disposal details as indicated in the conditions of consent;
- Existing and finished site contours and levels associated with the development's site works;
- Details showing compliance with D2.19, D2.20 and D2.21 of the BCA;
- Appropriate geotechnical investigation report(s) indicating the site's reactivity classification in terms of AS 2870;
- Details of the required smoke hazard management measures under Part E2 of the BCA;
- Details of the proposed method of protection intended to be provided to the boarding house building's walls and openings located within 1.5 m to the fire source features of the allotment boundary (if deemed-to-satisfy solution utilised) or otherwise a performance solution prepared under Part A2 of the BCA;
- Demonstrate compliance with D2.24 of the BCA in relation to the protection of openable windows on the first floors;
- Details demonstrating compliance with D2.13 – D2.17 of the BCA in relation to any proposed stairs, landings, handrails and balustrade etc;
- Plans indicating compliance with AS 1428.1-2009 as adopted by the BCA with respect to the design of the proposed disabled accessible sanitary compartments. Submitted plans should detail the specific set-out dimensions of all proposed fixtures, not only for the benefit of the Principal Certifier, but also the subsequent installation tradesmen. Attention should also be given to the following aspects

- under the BCA and AS 1428.1-2009, and be appropriately detailed in any submitted plans/specifications;
- Details of the proposed fire separation between each SOU, between the common area/laundry and the SOU's in accordance with the BCA;
  - If applicable, details of the system intended to be used to achieve the *60 minute resistance to the spread of fire* ceilings; and
  - The proposed sound proofing between each SOU in accordance with Part F5 of the BCA.
- (6) As the sewer connection serving the subject allotment is relatively shallow, prior to commencement of works, the applicant is advised to engage the services of a plumber to ensure the following can be achieved:
- (a) The building can adequately gravitate to Council's sewer and comply with the statutory sewer main soffit clearances i.e. 1000mm between invert of sewer main and top of yard gully;
  - (b) A minimum cover of 300mm is maintained to drainage lines in non-trafficable areas;
  - (c) The top of the each buildings over-flow relief gully is a minimum 75mm above the finished surrounding ground level and minimum 150mm below the finished floor level of the building;
  - (d) A minimum grade of 1:60 is achieved to all drainage lines.

Note: Should compliance with any of the above requirements cannot be achieved, Council must be notified immediately so that alternate methods of effluent system design and disposal can be discussed.

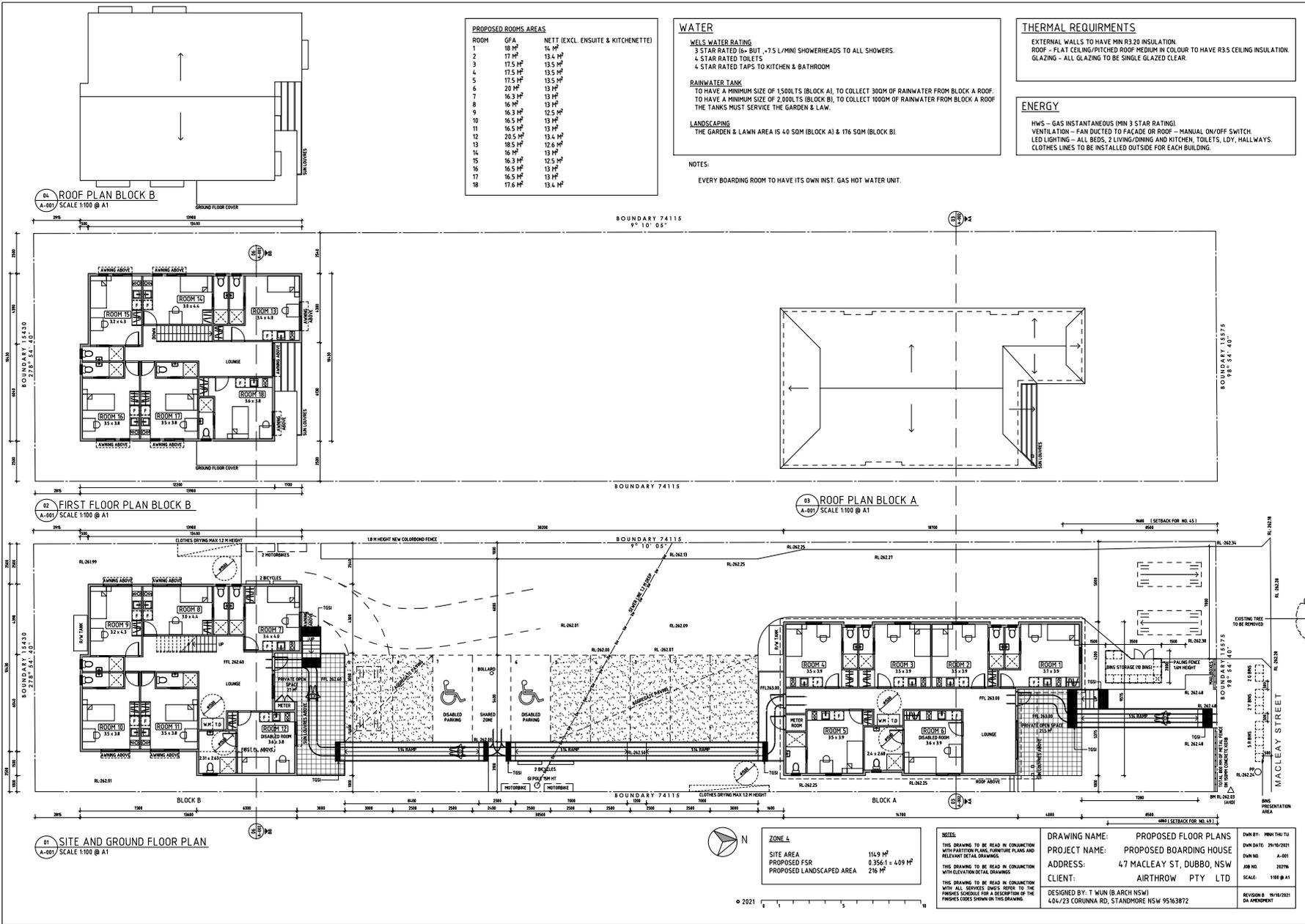
- (7) Dubbo Regional Council has recently engaged the services of Cardno-Willing to undertake flood studies to ascertain new flood levels throughout the Local Government Area. This study has not been adopted by Council, however, its data is utilised to determine the compatibility of proposed development and the potential flood risk.

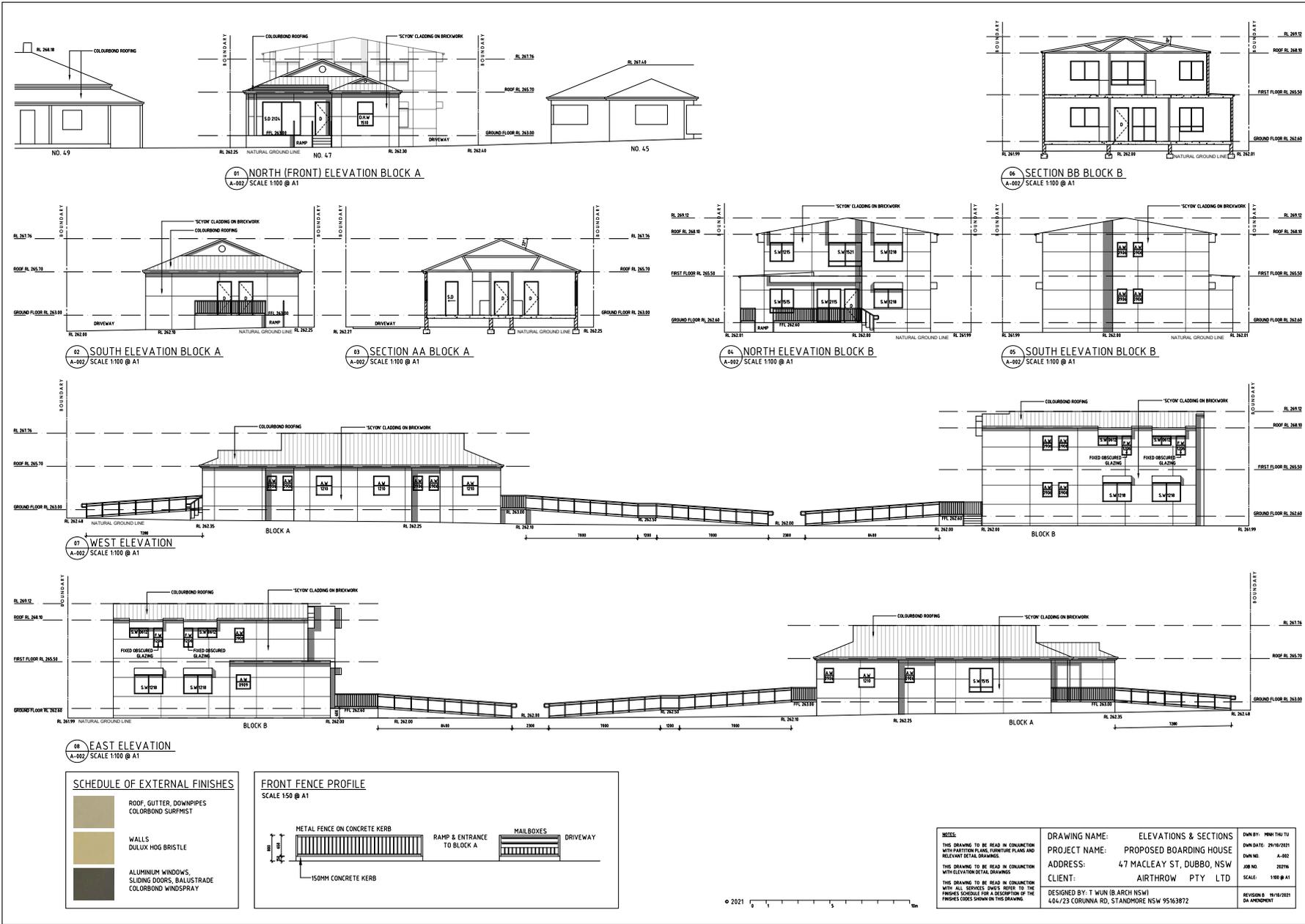
The Cardno Study has the entire property as being below the Flood Planning Level (FPL). The FPL at this location 263.87m AHD.

As the levels within the Cardno-Willing Flood Study have not been adopted by Council, this FPL is provided for your information and records only.

- (8) The Council Section 7.11/64 Contribution Plans referred to in the conditions of this consent may be viewed without charge at Council's Civic Administration Building, Church Street, Dubbo between the hours of 9 am and 5 pm, Monday to Friday. Copies are also available from [www.dubbo.nsw.gov.au](http://www.dubbo.nsw.gov.au)
- (9) The development shall be carried out in accordance with Essential Energy's correspondence dated 24/09/2021 (copy attached).

- (10) Prior to the use of the boarding house commencing, the operator should contact Council's Resource Recovery and Efficiency Branch regarding suitable waste bin (including recycling) allocations for the development.





20 September 2021

Joseph Cooper



Dubbo NSW 2830

Darryll Quigley  
 Manager Building and Development Services  
 Dubbo Regional Council  
 PO Box 81  
 Dubbo NSW 2830

DUBBO REGIONAL COUNCIL	
ACTIONED TO	SP2
28 SEP 2021	
CONTAINER #	AWD/1021

Dear Mr Quigley

**OBJECTIONS TO DA 10.2021.552.1 FOR BOARDING HOUSE AT 47 MACLEAY ST, DUBBO (LOT: 1 DP: 596251)**

I refer to your letter of 7 September 2021 advising of the proposed development for a Boarding House (18 units) and two (2) lot strata subdivision at 47 Macleay Street Dubbo (DA10.2021.552.1).

I live at ■ Macleay ST, Dubbo, in a single storey dwelling in close vicinity to the proposed development. It is acknowledged the proposed DA is to be assessed against the provisions of the EPA Act 1979, SEPP (ARH), DLEP 2011 and the DDCP 2013.

The proposal is located in a R1-Low Density Residential zone. The proposed development does not meet the material objectives of the R1 zone. In particular, it does not, 'provide for the housing needs of the community' (emphasis added) in that accommodation to be provided could and would probably be sourced from beyond the community.

The very nature of the DLEP is directed to the locality and its residents/community. It is suggested the aims and objectives of the LEP are directed towards the welfare of the community. However there is no compulsion in the housing needs of people beyond the community to have their needs catered for in a boarding house in the Dubbo LGA.

In so saying, it is suggested that the interests of the Dubbo community should be of paramount concern to the majority of land use decisions. In such instances the immediate community, residents and the local neighbourhood will have to cope with the increased demands, in all its forms, created by the introduction of a boarding house that relatively speaking, in this particular neighbourhood, is a gross intensification of the land use.

The proposal will, again, not provide facilities or services to meet the day to day needs of local residents as stated in the LEP. In reality, the increased number of occupants will place a greater demand on the lifestyle and wellbeing of local residents.

The final objective in the R1 zone is cause of greatest concern and is the product of the objectives referred to above. The proposal will not ensure the single dwelling and neighbourhood character of the zone are maintained over time and not diminished by the cumulative impact of developments of this nature and intensity.

Although it is acknowledged a boarding house is not a form of multi dwelling housing, nevertheless the cumulative impact of similar boarding houses in the neighbourhood can and does change the fundamental characteristics of both the neighbourhood of the Zone 1. In this instant case, the proposed boarding house can accommodate a maximum of twenty-three (23) persons, including a manager, or twenty-four (24) persons including the manager's partner, for what can effectively be described as a two-story single dwelling structure.

The applicant has suggested the development can be assessed as multi dwelling housing. This categorisation of the proposal for assessment purposes is legally incorrect as the proposed development as a boarding house does NOT fall within the definition of multi dwelling housing. The intensification of use of an 18-room boarding house with some 18-odd, motorised vehicles parked, is akin to a residential flat building for all intents and purposes.

Furthermore, the SEE is absent of any comment or explanation addressing the basic and fundamental rationale of the SEPP (ARH) for a boarding house to cater for low-income occupants. As mentioned above, the cumulative impact on local residents and the wider neighbourhood will have a deleterious effect on their well-being, the enjoyment of their properties and the value of their properties.

The economic effect is a criterion to be accounted for pursuant to s1.3(a) of the EPA Act 1979. In *Arxidis Pty Ltd v Randwick City Council: Arthur Wong Pty Ltd – v – Randwick City Council* (2017) LEC 1463 the court refused a boarding house on the grounds of the DA not having regard to the objectives of the zone. Other matters contributing to the refusal were the compelling nature for parking by existing residents, intensification of noise impacts in the low-density zone, generation of waste and the parking demands over existing residents.

It is submitted similar impacts will be experienced by the residents of Dubbo if the boarding house was approved. A boarding house containing up to 24 persons with (9) cars, 4 motorcycles and 4 bicycles in what is effectively single and two storey dwelling structures is not similar to the land use of a single dwelling house with R1 Low Density zone.

It is posited no single dwelling would accommodate 24 persons with 9 vehicles let alone the motorcycles and cycles. If such a development is not considered an intensification of use of land it beggars the imagination what form of lawful development would constitute such an intensification in a Low-Density residential zone.

In the subject case, the effect would be the beginnings of a transformation of the Low-Density zone to a medium density zone. It would not be an exaggeration to suggest the local environment, restricting it to the R1 zone would not contain a single dwelling house providing accommodation for 24 persons, 9 motor vehicles, 4 motorcycles and 2 bicycles. Clause 4.4 – FSR Clause (1) of the FSR objectives is directed to controlling development density and the intensity of land use by taking account of the amenity of adjoining land and the capacity of road networks to accommodate vehicles and pedestrian traffic.

The applicant has failed to address this objective in its DA. Currently, Macleay St is used by commuters as a convenient locality for on-street parking. It is not uncommon for occupants to park on the street as a matter of convenience, rather than use their on-site parking spaces. There is

nothing to stop or prevent occupants who find it more convenient to park on the street rather than use the parking provisions at the rear of the proposed boarding house.

It should also be noted, the configuration of the Macleay St and manner of landscaping on public land has reduced on street parking facilities. This has been achieved by council planting street trees in front of the proposed development, thereby reducing the on-street parking, all of which accounts for increased parking opposite and adjacent to my property.

Under SEPP-(ARH), conspicuous by its absence, the applicant's SEE and other documents, is there any discussion addressing the fundamental and determining factor of the SEPP being affordable low-cost housing? In Gray-v-Sutherland Shire Council the very question of the eligibility of occupants was the determinative factor in the applicant's appeal of the Commissioners decision to refuse the DA. In the Class 4 proceedings the court recognised the need to address the question of income and occupation of boarding rooms.

In the subject DA the applicant simply states that boarders will be selected, and priority will be given to potential boarders on very low to moderate incomes. Unfortunately, the issue of 'priority' is not advanced or clarified. In the submission, there is nothing to prevent letting rooms to higher income earners after the "selection" process which, incidentally, is not discussed or elaborated upon in the SEE, and where the question of priority can be overlooked on a multiplicity of reasons.

There is no guarantee that low-income earners, as defined in clause 6 of the SEPP, will occupy the rooms. By all accounts, the boarding house will rent rooms to those willing to pay the rent. The proposal is by all accounts a commercial enterprise and should not be approved. The applicant should seek alternative premises where the proposed use will not introduce the form and manner of problems alluded to above.

The provisions of the DCP do not extend to boarding houses. It is totally inappropriate for the applicant to suggest in its SEE that the boarding house should be assessed against the controls and standards of a single dwelling house. The definitions of the two entities are quite dissimilar in terms of their use and purpose. Therefore, the commentary in the SEE to the DCP should be disregarded for all intents and purposes. SEPP (ARH) As mentioned above a single building on a standard residential block, housing 24 persons with parking for 9 cars, 4 motorcycles and 4 bicycles will have a deleterious effect on me.

It is conceded the proposal meets the various standards of the SEPP including those where compliance dictates council cannot refuse consent. Although clause 29 addresses the standards that cannot be the subject of refusal of a boarding house, council can refuse the DA if it does not comply with or is in conflict with cl 3 of the policy. It is submitted the DA does not, in this particular case support local business centres by providing ARH for workers close to places of work cl 3(f).

There are no local business centres in the vicinity of 47 Macleay St. As such, the boarding house is not required in the area. Similarly, the DA does not provide housing for the homeless and other disadvantaged people (cl 3 (g) (2.51). The question of where the occupants of AHR accommodation are to be drawn from is restricted in the policy to clause 6, the definition of "affordable housing". The applicant in this DA has not unequivocally stated all occupants WILL be drawn from the income thresholds of the SEPP. 6.

Based on the above arguments, the proposal fails to satisfy the material aims and objectives of the SEPP (ARH), Council's LEP 2015, the material objects of the EPA Act. Section 1(3)(a),(b),(c) and (d) have not been met by the proposal. The social impact on local and neighbouring dwellings is not in the better interests of the occupants and the applicant has failed to take into consideration the

social impact. Rather there is constant assurance the proposal will not impact unduly, or at all, on neighbours and the locality.

The boarding house located in the low-density residential zone catering for at least 24 persons, together with the large number of means of transport, is unconventional in the context and whose tenure is for a minimum 3 months will also impact on myself and neighbours from the uncertainty of unknown persons living in the boarding house.

The proposal is not considered to be the orderly use and development of land in a low-density residential zone. The DA to erect a boarding house at 47 Macleay St should be refused on the basis of its large occupancy and traffic generation on what is a standard size but low-density zone. The cumulative effect of this boarding house is not conducive in a low residential zone and presents as an undesirable precedent in a low residential density zone.

The subject proposal will affect my well-being and the enjoyment of the benefits of my home. I will be exposed to unacceptable motor vehicular traffic during all hours of the day and night. These features will place undue stress and anxiety on my well-being, to the benefit of the landlord generating income from the boarding house.

In *Luxe Manly Pty Ltd v Northern Beaches Council* (2016) LEC 156 the court referred to the judgment of Biscoe J in *Maxnox Pty Ltd v Hurstville City Council* (2006) 145 LGERA 373. His Honour stated ".....the Court must have regard to, among other things, the public interest" and said ".....One of the objects of the EP&A Act which governs development applications, is to encourage proper development for the purpose of promoting the social and economic welfare of the community and a better environment" (EP&A Act, s5). "In my view the legislature is less concerned in a merits review such as this with winners and losers, than with achieving the best community outcome with as little formality and technicality as possible" (at 17).

The proposed development is also unacceptable pursuant to s4.15(1)(e) of the EP&A Act in that the application is not in the public interest, on the basis it will set an undesirable precedent.

For all the above reasons, the subject proposal should be refused on the grounds that the proposed boarding house is not in the interests of the community and a better environment.

Yours sincerely



cc: Tracie Smart, Senior Planner, Dubbo Regional Council

20 September 2021

Dylan Bellman

Dubbo NSW 2830

Darryll Quigley  
 Manager Building and Development Services  
 Dubbo Regional Council  
 PO Box 81  
 Dubbo NSW 2830

DUBBO REGIONAL COUNCIL	
ACTIONED TO	APR
22 SEP 2021	
CONTAINER #	AW11079

Dear Mr Quigley

**OBJECTIONS TO DA 10.2021.552.1 FOR BOARDING HOUSE AT 47 MACLEAY ST, DUBBO (LOT: 1 DP: 596251)**

I refer to your letter of 7 September 2021 advising of the proposed development for a Boarding House (18 units) and two (2) lot strata subdivision at 47 Macleay Street Dubbo (DA10.2021.552.1).

I live at [REDACTED] Macleay St, Dubbo, in a single storey dwelling in close vicinity to the proposed development. It is acknowledged the proposed DA is to be assessed against the provisions of the EPA Act 1979, SEPP (ARH), DLEP 2011 and the DDCP 2013.

The proposal is located in a R1-Low Density Residential zone. The proposed development does not meet the material objectives of the R1 zone. In particular, it does not, 'provide for the housing needs of the community' (emphasis added) in that accommodation to be provided could and would probably be sourced from beyond the community.

The very nature of the DLEP is directed to the locality and its residents/community. It is suggested the aims and objectives of the LEP are directed towards the welfare of the community. However there is no compulsion in the housing needs of people beyond the community to have their needs catered for in a boarding house in the Dubbo LGA.

In so saying, it is suggested that the interests of the Dubbo community should be of paramount concern to the majority of land use decisions. In such instances the immediate community, residents and the local neighbourhood will have to cope with the increased demands, in all its forms, created by the introduction of a boarding house that relatively speaking, in this particular neighbourhood, is a gross intensification of the land use.

The proposal will, again, not provide facilities or services to meet the day to day needs of local residents as stated in the LEP. In reality, the increased number of occupants will place a greater demand on the lifestyle and wellbeing of local residents.

The final objective in the R1 zone is cause of greatest concern and is the product of the objectives referred to above. The proposal will not ensure the single dwelling and neighbourhood character of the zone are maintained over time and not diminished by the cumulative impact of developments of this nature and intensity.

Although it is acknowledged a boarding house is not a form of multi dwelling housing, nevertheless the cumulative impact of similar boarding houses in the neighbourhood can and does change the fundamental characteristics of both the neighbourhood of the Zone 1. In this instant case, the proposed boarding house can accommodate a maximum of twenty-three (23) persons, including a manager, or twenty-four (24) persons including the manager's partner, for what can effectively be described as a two-story single dwelling structure.

The applicant has suggested the development can be assessed as multi dwelling housing. This categorisation of the proposal for assessment purposes is legally incorrect as the proposed development as a boarding house does NOT fall within the definition of multi dwelling housing. The intensification of use of an 18-room boarding house with some 18-odd, motorised vehicles parked, is akin to a residential flat building for all intents and purposes.

Furthermore, the SEE is absent of any comment or explanation addressing the basic and fundamental rationale of the SEPP (ARH) for a boarding house to cater for low-income occupants. As mentioned above, the cumulative impact on local residents and the wider neighbourhood will have a deleterious effect on their well-being, the enjoyment of their properties and the value of their properties.

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It is submitted similar impacts will be experienced by the residents of Dubbo if the boarding house was approved. A boarding house containing up to 24 persons with (9) cars, 4 motorcycles and 4 bicycles in what is effectively single and two storey dwelling structures is not similar to the land use of a single dwelling house with R1 Low Density zone.

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Yours sincerely

DBellman

Dylan Bellman

cc: Tracie Smart, Senior Planner, Dubbo Regional Council

20 September 2021

DAVID BROWN  
Dubbo NSW 2830

Darryll Quigley  
Manager Building and Development Services  
Dubbo Regional Council  
PO Box 81  
Dubbo NSW 2830

DUBBO REGIONAL COUNCIL	
ACTIONED TO	SP2
22 SEP 2021	
CONTAINER #	21/079

Dear Mr Quigley

**OBJECTIONS TO DA 10.2021.552.1 FOR BOARDING HOUSE AT 47 MACLEAY ST, DUBBO (LOT: 1 DP: 596251)**

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Under SEPP-(ARH), conspicuous by its absence, the applicant's SEE and other documents, is there any discussion addressing the fundamental and determining factor of the SEPP being affordable low-cost housing? In Gray-v-Sutherland Shire Council the very question of the eligibility of occupants was the determinative factor in the applicant's appeal of the Commissioners decision to refuse the DA. In the Class 4 proceedings the court recognised the need to address the question of income and occupation of boarding rooms.

In the subject DA the applicant simply states that boarders will be selected, and priority will be given to potential boarders on very low to moderate incomes. Unfortunately, the issue of 'priority' is not advanced or clarified. In the submission, there is nothing to prevent letting rooms to higher income earners after the "selection" process which, incidentally, is not discussed or elaborated upon in the SEE, and where the question of priority can be overlooked on a multiplicity of reasons.

There is no guarantee that low-income earners, as defined in clause 6 of the SEPP, will occupy the rooms. By all accounts, the boarding house will rent rooms to those willing to pay the rent. The proposal is by all accounts a commercial enterprise and should not be approved. The applicant should seek alternative premises where the proposed use will not introduce the form and manner of problems alluded to above.

The provisions of the DCP do not extend to boarding houses. It is totally inappropriate for the applicant to suggest in its SEE that the boarding house should be assessed against the controls and standards of a single dwelling house. The definitions of the two entities are quite dissimilar in terms of their use and purpose. Therefore, the commentary in the SEE to the DCP should be disregarded for all intents and purposes. SEPP (ARH) As mentioned above a single building on a standard residential block, housing 24 persons with parking for 9 cars, 4 motorcycles and 4 bicycles will have a deleterious effect on me.

It is conceded the proposal meets the various standards of the SEPP including those where compliance dictates council cannot refuse consent. Although clause 29 addresses the standards that cannot be the subject of refusal of a boarding house, council can refuse the DA if it does not comply with or is in conflict with cl 3 of the policy. It is submitted the DA does not, in this particular case support local business centres by providing ARH for workers close to places of work cl 3(f).

There are no local business centres in the vicinity of 47 Macleay St. As such, the boarding house is not required in the area. Similarly, the DA does not provide housing for the homeless and other disadvantaged people (cl 3 (g) (2.51). The question of where the occupants of AHR accommodation are to be drawn from is restricted in the policy to clause 6, the definition of "affordable housing". The applicant in this DA has not unequivocally stated all occupants WILL be drawn from the income thresholds of the SEPP. 6.

Based on the above arguments, the proposal fails to satisfy the material aims and objectives of the SEPP (ARH), Council's LEP 2015, the material objects of the EPA Act. Section 1(3)(a),(b),(c) and (d) have not been met by the proposal. The social impact on local and neighbouring dwellings is not in the better interests of the occupants and the applicant has failed to take into consideration the

social impact. Rather there is constant assurance the proposal will not impact unduly, or at all, on neighbours and the locality.

The boarding house located in the low-density residential zone catering for at least 24 persons, together with the large number of means of transport, is unconventional in the context and whose tenure is for a minimum 3 months will also impact on myself and neighbours from the uncertainty of unknown persons living in the boarding house.

The proposal is not considered to be the orderly use and development of land in a low-density residential zone. The DA to erect a boarding house at 47 Macleay St should be refused on the basis of its large occupancy and traffic generation on what is a standard size but low-density zone. The cumulative effect of this boarding house is not conducive in a low residential zone and presents as an undesirable precedent in a low residential density zone.

The subject proposal will affect my well-being and the enjoyment of the benefits of my home. I will be exposed to unacceptable motor vehicular traffic during all hours of the day and night. These features will place undue stress and anxiety on my well-being, to the benefit of the landlord generating income from the boarding house.

In *Luxe Manly Pty Ltd v Northern Beaches Council* (2016) LEC 156 the court referred to the judgment of Biscoe J in *Maxnox Pty Ltd v Hurstville City Council* (2006) 145 LGERA 373. His Honour stated ".....the Court must have regard to, among other things, the public interest" and said ".....One of the objects of the EP&A Act which governs development applications, is to encourage proper development for the purpose of promoting the social and economic welfare of the community and a better environment" (EP&A Act, s5). "In my view the legislature is less concerned in a merits review such as this with winners and losers, than with achieving the best community outcome with as little formality and technicality as possible" (at 17).

The proposed development is also unacceptable pursuant to s4.15(1)(e) of the EP&A Act in that the application is not in the public interest, on the basis it will set an undesirable precedent.

For all the above reasons, the subject proposal should be refused on the grounds that the proposed boarding house is not in the interests of the community and a better environment.

Yours sincerely



DAVID BROWN

cc: Tracie Smart, Senior Planner, Dubbo Regional Council

20 September 2021

Alan Davies

Dubbo NSW 2830

Darryll Quigley  
 Manager Building and Development Services  
 Dubbo Regional Council  
 PO Box 81  
 Dubbo NSW 2830

DUBBO REGIONAL COUNCIL	
ACTIONED TO	GPI
22 SEP 2021	
CONTAINER #	AU21/079

Dear Mr Quigley

**OBJECTIONS TO DA 10.2021.552.1 FOR BOARDING HOUSE AT 47 MACLEAY ST, DUBBO (LOT: 1 DP: 596251)**

I refer to your letter of 7 September 2021 advising of the proposed development for a Boarding House (18 units) and two (2) lot strata subdivision at 47 Macleay Street Dubbo (DA10.2021.552.1).

I live at ■ Macleay Street, Dubbo, in a single storey dwelling in close vicinity to the proposed development. It is acknowledged the proposed DA is to be assessed against the provisions of the EPA Act 1979, SEPP (ARH), DLEP 2011 and the DDCP 2013.

The proposal is located in a R1-Low Density Residential zone. The proposed development does not meet the material objectives of the R1 zone. In particular, it does not, 'provide for the housing needs of the community' (emphasis added) in that accommodation to be provided could and would probably be sourced from beyond the community.

The very nature of the DLEP is directed to the locality and its residents/community. It is suggested the aims and objectives of the LEP are directed towards the welfare of the community. However there is no compulsion in the housing needs of people beyond the community to have their needs catered for in a boarding house in the Dubbo LGA.

In so saying, it is suggested that the interests of the Dubbo community should be of paramount concern to the majority of land use decisions. In such instances the immediate community, residents and the local neighbourhood will have to cope with the increased demands, in all its forms, created by the introduction of a boarding house that relatively speaking, in this particular neighbourhood, is a gross intensification of the land use.

The proposal will, again, not provide facilities or services to meet the day to day needs of local residents as stated in the LEP. In reality, the increased number of occupants will place a greater demand on the lifestyle and wellbeing of local residents.

The final objective in the R1 zone is cause of greatest concern and is the product of the objectives referred to above. The proposal will not ensure the single dwelling and neighbourhood character of the zone are maintained over time and not diminished by the cumulative impact of developments of this nature and intensity.

Although it is acknowledged a boarding house is not a form of multi dwelling housing, nevertheless the cumulative impact of similar boarding houses in the neighbourhood can and does change the fundamental characteristics of both the neighbourhood of the Zone 1. In this instant case, the proposed boarding house can accommodate a maximum of twenty-three (23) persons, including a manager, or twenty-four (24) persons including the manager's partner, for what can effectively be described as a two-story single dwelling structure.

The applicant has suggested the development can be assessed as multi dwelling housing. This categorisation of the proposal for assessment purposes is legally incorrect as the proposed development as a boarding house does NOT fall within the definition of multi dwelling housing. The intensification of use of an 18-room boarding house with some 18-odd, motorised vehicles parked, is akin to a residential flat building for all intents and purposes.

Furthermore, the SEE is absent of any comment or explanation addressing the basic and fundamental rationale of the SEPP (ARH) for a boarding house to cater for low-income occupants. As mentioned above, the cumulative impact on local residents and the wider neighbourhood will have a deleterious effect on their well-being, the enjoyment of their properties and the value of their properties.

The economic effect is a criterion to be accounted for pursuant to s1.3(a) of the EPA Act 1979. In *Arxidis Pty Ltd v Randwick City Council: Arthur Wong Pty Ltd – v – Randwick City Council* (2017) LEC 1463 the court refused a boarding house on the grounds of the DA not having regard to the objectives of the zone. Other matters contributing to the refusal were the compelling nature for parking by existing residents, intensification of noise impacts in the low-density zone, generation of waste and the parking demands over existing residents.

It is submitted similar impacts will be experienced by the residents of Dubbo if the boarding house was approved. A boarding house containing up to 24 persons with (9) cars, 4 motorcycles and 4 bicycles in what is effectively single and two storey dwelling structures is not similar to the land use of a single dwelling house with R1 Low Density zone.

It is posited no single dwelling would accommodate 24 persons with 9 vehicles let alone the motorcycles and cycles. If such a development is not considered an intensification of use of land it beggars the imagination what form of lawful development would constitute such an intensification in a Low-Density residential zone.

In the subject case, the effect would be the beginnings of a transformation of the Low-Density zone to a medium density zone. It would not be an exaggeration to suggest the local environment, restricting it to the R1 zone would not contain a single dwelling house providing accommodation for 24 persons, 9 motor vehicles, 4 motorcycles and 2 bicycles. Clause 4.4 – FSR Clause (1) of the FSR objectives is directed to controlling development density and the intensity of land use by taking account of the amenity of adjoining land and the capacity of road networks to accommodate vehicles and pedestrian traffic.

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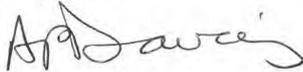
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For all the above reasons, the subject proposal should be refused on the grounds that the proposed boarding house is not in the interests of the community and a better environment.

Yours sincerely



Alan Davies

cc: Tracie Smart, Senior Planner, Dubbo Regional Council

20 September 2021

BEVERLEY PAGE  
 [REDACTED]  
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Dubbo NSW 2830

Darryll Quigley  
 Manager Building and Development Services  
 Dubbo Regional Council  
 PO Box 81  
 Dubbo NSW 2830

DUBBO REGIONAL COUNCIL	
ACTIONED TO .....	CP2
22 SEP 2021	
CONTAINER #	AW2/1079

Dear Mr Quigley

**OBJECTIONS TO DA 10.2021.552.1 FOR BOARDING HOUSE AT 47 MACLEAY ST, DUBBO (LOT: 1 DP: 596251)**

I refer to your letter of 7 September 2021 advising of the proposed development for a Boarding House (18 units) and two (2) lot strata subdivision at 47 Macleay Street Dubbo (DA10.2021.552.1).

I live at [REDACTED] MACLEAY ST., Dubbo, in a single storey dwelling in close vicinity to the proposed development. It is acknowledged the proposed DA is to be assessed against the provisions of the EPA Act 1979, SEPP (ARH), DLEP 2011 and the DDCP 2013.

The proposal is located in a R1-Low Density Residential zone. The proposed development does not meet the material objectives of the R1 zone. In particular, it does not, 'provide for the housing needs of the community' (emphasis added) in that accommodation to be provided could and would probably be sourced from beyond the community.

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The proposal will, again, not provide facilities or services to meet the day to day needs of local residents as stated in the LEP. In reality, the increased number of occupants will place a greater demand on the lifestyle and wellbeing of local residents.

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Yours sincerely

B. Page

Beverley Page

cc: Tracie Smart, Senior Planner, Dubbo Regional Council

20 September 2021

KAYE GERSCH  
 [REDACTED]  
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Dubbo NSW 2830

Darryll Quigley  
 Manager Building and Development Services  
 Dubbo Regional Council  
 PO Box 81  
 Dubbo NSW 2830

DUBBO REGIONAL COUNCIL	
ACTIONED TO	SP2
22 SEP 2021	
CONTAINER #	ADDITION

Dear Mr Quigley

**OBJECTIONS TO DA 10.2021.552.1 FOR BOARDING HOUSE AT 47 MACLEAY ST, DUBBO (LOT: 1 DP: 596251)**

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It should also be noted, the configuration of the Macleay St and manner of landscaping on public land has reduced on street parking facilities. This has been achieved by council planting street trees in front of the proposed development, thereby reducing the on-street parking, all of which accounts for increased parking opposite and adjacent to my property.

Under SEPP-(ARH), conspicuous by its absence, the applicant's SEE and other documents, is there any discussion addressing the fundamental and determining factor of the SEPP being affordable low-cost housing? In Gray-v-Sutherland Shire Council the very question of the eligibility of occupants was the determinative factor in the applicant's appeal of the Commissioners decision to refuse the DA. In the Class 4 proceedings the court recognised the need to address the question of income and occupation of boarding rooms.

In the subject DA the applicant simply states that boarders will be selected, and priority will be given to potential boarders on very low to moderate incomes. Unfortunately, the issue of 'priority' is not advanced or clarified. In the submission, there is nothing to prevent letting rooms to higher income earners after the "selection" process which, incidentally, is not discussed or elaborated upon in the SEE, and where the question of priority can be overlooked on a multiplicity of reasons.

There is no guarantee that low-income earners, as defined in clause 6 of the SEPP, will occupy the rooms. By all accounts, the boarding house will rent rooms to those willing to pay the rent. The proposal is by all accounts a commercial enterprise and should not be approved. The applicant should seek alternative premises where the proposed use will not introduce the form and manner of problems alluded to above.

The provisions of the DCP do not extend to boarding houses. It is totally inappropriate for the applicant to suggest in its SEE that the boarding house should be assessed against the controls and standards of a single dwelling house. The definitions of the two entities are quite dissimilar in terms of their use and purpose. Therefore, the commentary in the SEE to the DCP should be disregarded for all intents and purposes. SEPP (ARH) As mentioned above a single building on a standard residential block, housing 24 persons with parking for 9 cars, 4 motorcycles and 4 bicycles will have a deleterious effect on me.

It is conceded the proposal meets the various standards of the SEPP including those where compliance dictates council cannot refuse consent. Although clause 29 addresses the standards that cannot be the subject of refusal of a boarding house, council can refuse the DA if it does not comply with or is in conflict with cl 3 of the policy. It is submitted the DA does not, in this particular case support local business centres by providing ARH for workers close to places of work cl 3(f).

There are no local business centres in the vicinity of 47 Macleay St. As such, the boarding house is not required in the area. Similarly, the DA does not provide housing for the homeless and other disadvantaged people (cl 3 (g) (2.51). The question of where the occupants of AHR accommodation are to be drawn from is restricted in the policy to clause 6, the definition of "affordable housing". The applicant in this DA has not unequivocally stated all occupants WILL be drawn from the income thresholds of the SEPP. 6.

Based on the above arguments, the proposal fails to satisfy the material aims and objectives of the SEPP (ARH), Council's LEP 2015, the material objects of the EPA Act. Section 1(3)(a),(b),(c) and (d) have not been met by the proposal. The social impact on local and neighbouring dwellings is not in the better interests of the occupants and the applicant has failed to take into consideration the

social impact. Rather there is constant assurance the proposal will not impact unduly, or at all, on neighbours and the locality.

The boarding house located in the low-density residential zone catering for at least 24 persons, together with the large number of means of transport, is unconventional in the context and whose tenure is for a minimum 3 months will also impact on myself and neighbours from the uncertainty of unknown persons living in the boarding house.

The proposal is not considered to be the orderly use and development of land in a low-density residential zone. The DA to erect a boarding house at 47 Macleay St should be refused on the basis of its large occupancy and traffic generation on what is a standard size but low-density zone. The cumulative effect of this boarding house is not conducive in a low residential zone and presents as an undesirable precedent in a low residential density zone.

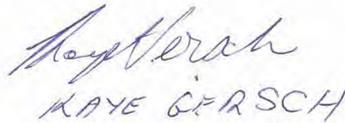
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In *Luxe Manly Pty Ltd v Northern Beaches Council* (2016) LEC 156 the court referred to the judgment of Biscoe J in *Maxnox Pty Ltd v Hurstville City Council* (2006) 145 LGERA 373. His Honour stated ".....the Court must have regard to, among other things, the public interest" and said ".....One of the objects of the EP&A Act which governs development applications, is to encourage proper development for the purpose of promoting the social and economic welfare of the community and a better environment" (EP&A Act, s5). "In my view the legislature is less concerned in a merits review such as this with winners and losers, than with achieving the best community outcome with as little formality and technicality as possible" (at 17).

The proposed development is also unacceptable pursuant to s4.15(1)(e) of the EP&A Act in that the application is not in the public interest, on the basis it will set an undesirable precedent.

For all the above reasons, the subject proposal should be refused on the grounds that the proposed boarding house is not in the interests of the community and a better environment.

Yours sincerely



KAYE GERSCH

cc: Tracie Smart, Senior Planner, Dubbo Regional Council

20 September 2021

Stuart Falconer  
Michelle King

Dubbo NSW 2830

Darryll Quigley  
Manager Building and Development Services  
Dubbo Regional Council  
PO Box 81  
Dubbo NSW 2830

DUBBO REGIONAL COUNCIL	
ACTIONED TO	GP2
22 SEP 2021	
CONTAINER #	AWJ/1021

Dear Mr Quigley

**OBJECTIONS TO DA 10.2021.552.1 FOR BOARDING HOUSE AT 47 MACLEAY ST, DUBBO (LOT: 1 DP: 596251)**

I refer to your letter of 7 September 2021 advising of the proposed development for a Boarding House (18 units) and two (2) lot strata subdivision at 47 Macleay Street Dubbo (DA10.2021.552.1).

I live at [redacted] Macleay Street, Dubbo, in a single storey dwelling in close vicinity to the proposed development. It is acknowledged the proposed DA is to be assessed against the provisions of the EPA Act 1979, SEPP (ARH), DLEP 2011 and the DDCP 2013.

The proposal is located in a R1-Low Density Residential zone. The proposed development does not meet the material objectives of the R1 zone. In particular, it does not, 'provide for the housing needs of the community' (emphasis added) in that accommodation to be provided could and would probably be sourced from beyond the community.

The very nature of the DLEP is directed to the locality and its residents/community. It is suggested the aims and objectives of the LEP are directed towards the welfare of the community. However there is no compulsion in the housing needs of people beyond the community to have their needs catered for in a boarding house in the Dubbo LGA.

In so saying, it is suggested that the interests of the Dubbo community should be of paramount concern to the majority of land use decisions. In such instances the immediate community, residents and the local neighbourhood will have to cope with the increased demands, in all its forms, created by the introduction of a boarding house that relatively speaking, in this particular neighbourhood, is a gross intensification of the land use.

The proposal will, again, not provide facilities or services to meet the day to day needs of local residents as stated in the LEP. In reality, the increased number of occupants will place a greater demand on the lifestyle and wellbeing of local residents.

The final objective in the R1 zone is cause of greatest concern and is the product of the objectives referred to above. The proposal will not ensure the single dwelling and neighbourhood character of the zone are maintained over time and not diminished by the cumulative impact of developments of this nature and intensity.

Although it is acknowledged a boarding house is not a form of multi dwelling housing, nevertheless the cumulative impact of similar boarding houses in the neighbourhood can and does change the fundamental characteristics of both the neighbourhood of the Zone 1. In this instant case, the proposed boarding house can accommodate a maximum of twenty-three (23) persons, including a manager, or twenty-four (24) persons including the manager's partner, for what can effectively be described as a two-story single dwelling structure.

The applicant has suggested the development can be assessed as multi dwelling housing. This categorisation of the proposal for assessment purposes is legally incorrect as the proposed development as a boarding house does NOT fall within the definition of multi dwelling housing. The intensification of use of an 18-room boarding house with some 18-odd, motorised vehicles parked, is akin to a residential flat building for all intents and purposes.

Furthermore, the SEE is absent of any comment or explanation addressing the basic and fundamental rationale of the SEPP (ARH) for a boarding house to cater for low-income occupants. As mentioned above, the cumulative impact on local residents and the wider neighbourhood will have a deleterious effect on their well-being, the enjoyment of their properties and the value of their properties.

The economic effect is a criterion to be accounted for pursuant to s1.3(a) of the EPA Act 1979. In *Axidis Pty Ltd v Randwick City Council: Arthur Wong Pty Ltd – v – Randwick City Council* (2017) LEC 1463 the court refused a boarding house on the grounds of the DA not having regard to the objectives of the zone. Other matters contributing to the refusal were the compelling nature for parking by existing residents, intensification of noise impacts in the low-density zone, generation of waste and the parking demands over existing residents.

It is submitted similar impacts will be experienced by the residents of Dubbo if the boarding house was approved. A boarding house containing up to 24 persons with (9) cars, 4 motorcycles and 4 bicycles in what is effectively single and two storey dwelling structures is not similar to the land use of a single dwelling house with R1 Low Density zone.

It is posited no single dwelling would accommodate 24 persons with 9 vehicles let alone the motorcycles and cycles. If such a development is not considered an intensification of use of land it beggars the imagination what form of lawful development would constitute such an intensification in a Low-Density residential zone.

In the subject case, the effect would be the beginnings of a transformation of the Low-Density zone to a medium density zone. It would not be an exaggeration to suggest the local environment, restricting it to the R1 zone would not contain a single dwelling house providing accommodation for 24 persons, 9 motor vehicles, 4 motorcycles and 2 bicycles. Clause 4.4 – FSR Clause (1) of the FSR objectives is directed to controlling development density and the intensity of land use by taking account of the amenity of adjoining land and the capacity of road networks to accommodate vehicles and pedestrian traffic.

The applicant has failed to address this objective in its DA. Currently, Macleay St is used by commuters as a convenient locality for on-street parking. It is not uncommon for occupants to park on the street as a matter of convenience, rather than use their on-site parking spaces. There is

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Yours sincerely

  
Michelle King

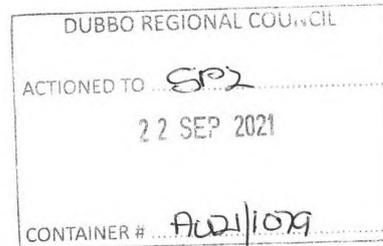
  
Stuart Falwoner

cc: Tracie Smart, Senior Planner, Dubbo Regional Council

20 September 2021

Helen Panaretos  
 [REDACTED]  
 Dubbo NSW 2830

Darryll Quigley  
 Manager Building and Development Services  
 Dubbo Regional Council  
 PO Box 81  
 Dubbo NSW 2830



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I refer to your letter of 7 September 2021 advising of the proposed development for a Boarding House (18 units) and two (2) lot strata subdivision at 47 Macleay Street Dubbo (DA10.2021.552.1).

I live [REDACTED] Dubbo, in a single storey dwelling which I have occupied with my family for the past 55 years. It is acknowledged the proposed DA is to be assessed against the provisions of the EPA Act 1979, SEPP (ARH), DLEP 2011 and the DDCP 2013.

The proposed boarding house is to be located immediately adjacent to my property on the eastern side. The proposal is located in a R1-Low Density Residential zone. The proposed development does not meet the material objectives of the R1 zone. In particular, it does not, 'provide for the housing needs of the community' (emphasis added) in that accommodation to be provided could and would probably be sourced from beyond the community.

The very nature of the DLEP is directed to the locality and its residents/community. It is suggested the aims and objectives of the LEP are directed towards the welfare of the community. However there is no compulsion in the housing needs of people beyond the community to have their needs catered for in a boarding house in the Dubbo LGA.

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The subject proposal will affect my well-being and the enjoyment of the benefits of my home. I will be exposed to unacceptable solar impacts in the mornings extending the full length of my boundary, motor vehicular traffic during all hours of the day and night, on the basis of the boarding house driveway being located adjacent to my western boundary. These features will place undue stress and anxiety on my well-being, to the benefit of the landlord generating income from the boarding house.

In *Luxe Manly Pty Ltd v Northern Beaches Council* (2016) LEC 156 the court referred to the judgment of Biscoe J in *Maxnox Pty Ltd v Hurstville City Council* (2006) 145 LGERA 373. His Honour stated ".....the Court must have regard to, among other things, the public interest" and said ".....One of the objects of the EP&A Act which governs development applications, is to encourage proper development for the purpose of promoting the social and economic welfare of the community and a better environment" (EP&A Act, s5). "In my view the legislature is less concerned in a merits review such as this with winners and losers, than with achieving the best community outcome with as little formality and technicality as possible" (at 17).

The proposed development is also unacceptable pursuant to s4.15(1)(e) of the EP&A Act in that the application is not in the public interest, on the basis it will set an undesirable precedent.

For all the above reasons, the subject proposal should be refused on the grounds that the proposed boarding house is not in the interests of the community and a better environment. I have also spoken with several neighbours who share similar concerns and I understand will be submitting separate objections on similar grounds.

I would request that all correspondence relating to this matter be directed to my son, James Panaretos. His contact details are as follows:

- Email: [REDACTED]
- Mobile: [REDACTED]

Yours sincerely



Helen Panaretos

cc: Tracie Smart, Senior Planner, Dubbo Regional Council  
James Panaretos ([james.panaretos@bigpond.com](mailto:james.panaretos@bigpond.com))

ORDINARY COUNCIL MEETING  
27 JANUARY 2022

**CCL22/18**



**REPORT: Development Application - D21-552 - Boarding House - Lot 1 DP596251, 47 Macleay Street Dubbo**

**DIVISION:** Development and Environment  
**REPORT DATE:** 7 January 2022  
**TRIM REFERENCE:** ID22/7

**EXECUTIVE SUMMARY**

<b>Purpose</b>	Determination of Development Application	
<b>Issue</b>	<ul style="list-style-type: none"> <li>During public notification of the subject Development Application, Council received eight submissions. As per the Chief Executive Officer's (CEO) delegations the CEO cannot approve Development Applications where there are eight or more valid planning objections within the notification area.</li> </ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"> <li>As per the following excerpt from the Chief Executive Officer's (CEO) delegations the CEO cannot approve Development Applications where:                             <ol style="list-style-type: none"> <li><i>A petition with eight or more signatures from separate households within the notification area has been received and the application has not been refused.</i></li> <li><i>Where eight or more valid planning objections to the Development Application have been received from separate households within the notification area and the application has not been refused.</i></li> </ol> </li> <li>A comprehensive planning assessment under Section 4.15 of the <i>Environmental Planning and Assessment Act 1979</i> has been undertaken including an assessment of the issues raised in the submissions and has been attached as <b>Appendix 1</b>.</li> <li>This report will focus on the issues raised during the notification process and details Council's response to such issues. For more information in relation to the overall assessment of the Development Application reference should be made to <b>Appendix 1</b>.</li> </ul>	
<b>Financial Implications</b>	Budget Area	There are no financial implications arising from this report.
<b>Policy Implications</b>	Policy Title	There are no policy implications arising from this report.

ORDINARY COUNCIL MEETING  
27 JANUARY 2022

**CCL22/18**

**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: 1 Housing

CSP Objective: 1.1 Residential housing opportunity meets the current and projected needs of our community

Delivery Program Strategy: 1.1.4 New public and social housing is integrated into existing residential areas

**RECOMMENDATION**

**That Development Application D21-552 Part 1 for a Boarding House at Lot 1 DP 596251, 47 Macleay Street, Dubbo be approved subject to the conditional consent (Appendix 2).**

*Stephen Wallace*  
Director Development and Environment

*TS*  
Senior Planner

ORDINARY COUNCIL MEETING  
27 JANUARY 2022

**CCL22/18**

## BACKGROUND

A Development Application for a boarding house at Lot 1 DP 596251, 47 Macleay Street Dubbo was lodged with Council on 31 August 2021.

The proposed development includes the demolition of an existing dwelling and the construction of two separate buildings. The buildings feature:

- 'Block A' (fronting Macleay Street)
  - Single storey building
  - Six bedrooms each featuring a kitchenette and bathroom facilities
  - A communal lounge area
- 'Block B'
  - Two storey building
  - First floor:
    - Six bedrooms each featuring a kitchenette and bathroom facilities (including one designated disabled room)
    - A communal lounge area
  - Ground Floor
    - Six bedrooms each featuring a kitchenette and bathroom facilities (including one designated disabled room)
    - A communal lounge area

The proposed development also includes: nine car parking spaces; bin storage area; landscaping; a ramp that provides wheelchair access from the footpath to Block A and from Block A to Block B; four motorcycle parking spaces; communal outdoor space; bicycle parking; clothes drying area; and driveway.

For visual reference the submitted floor and elevation plans are attached as **Appendix 3**.

## Site Characteristics

### *Locality*

The allotment is located on the southern side of Macleay Street. The allotment has an area of 1,149m<sup>2</sup> with a frontage of 15.57m to Macleay Street. For a locality map of the site see **Figure 1**.

### *Slope*

The site is generally flat at 262.5mAHD.

### *Vegetation*

The site is void of significant native vegetation.

### *Access*

Access to the site is obtained via Macleay Street, a bitumen sealed public road with kerb and guttering.

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*Drainage*

Drainage would occur into Council's reticulated stormwater system on Macleay Street.

*Services*

The site would be connected to all utility services (water, sewer, stormwater and electricity).

*Adjoining Uses*

The land is bound by residential uses in all directions.

*Site Inspection*

An inspection of the site was conducted on 29 September 2021, a number of photographs are included on file.

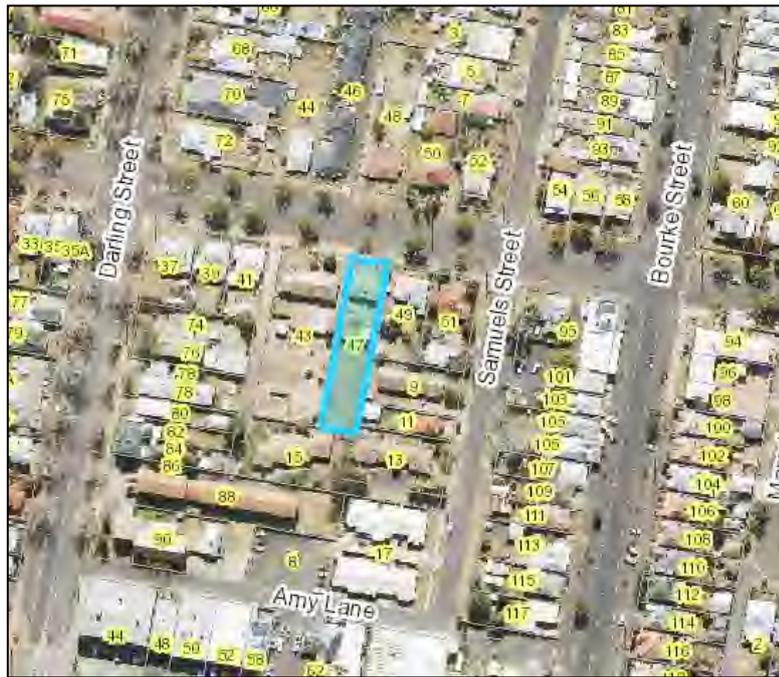


Figure 1: Site location Lot 1 DP 596251, 47 Macleay Street DUBBO.

**REPORT**

**Consultation**

In accordance with Council's Community Participation Plan, the subject Development Application was notified to adjoining owners for a period of 14 days ending 26 September 2021 and advertised in the Daily Liberal on 15 September 2021.

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Council received eight submissions during the notification period and as such, the application shall be determined by Council.

It is noted that Submissions 1-7 are duplications with an opportunity for the resident to provide details of their name, address and signature. Submission 8 contains the same information as Submissions 1-7 however is formatted differently. Regardless, all submissions contain the same information and raise the same concerns.

A copy of the submissions are attached as **Appendix 4**.

The concerns raised are listed below with a planning comment/response attached:

- *Submission concern*

The land is zoned R1 Low Density Residential and the proposed development does not meet the zone objectives, specifically 'provide for the housing needs of the community' in that accommodation to be provided could and would probably be sourced from beyond the community.

*Planning response*

It should be noted the subject land is located within the *R1 General Residential zone*, not R1 Low Density Residential as quoted in the submission.

The proposed development is consistent and meets the following relevant R1 zone objectives as follows:

- To provide for the housing needs of the community.
- To provide a variety of housing types and densities.
- To ensure development is consistent with the character of the immediate locality.

The proposed development will result in housing diversity within close proximity to the Dubbo CBD and shops. The proposed development is considered to be designed in a manner that is consistent with the existing streetscape and surrounding area.

The proposed *boarding house* provides affordable rental housing and positive social benefits to those within the community. Council cannot restrict the use of the development to those residing within the LGA to prevent those from outside the LGA utilising the development.

- *Submission concern*

The use of the proposed development by those from outside the LGA is inconsistent with the objectives of the Dubbo LEP.

*Planning response*

As detailed above, Council cannot restrict the use of the development to those residing within the LGA to prevent those from outside the LGA utilising the development. Additionally, should someone from outside the LGA occupy a room within the development, then that person becomes someone from the community.

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- *Submission concern*

The proposed density of the development is inconsistent with the character of the neighbourhood.

*Planning response*

The proposed development is permitted with consent in the zone and has been designed to ensure a minimal visual impact on the streetscape results. In this regard, the building fronting the street has been designed as single storey building to demonstrate consistency with the streetscape. Further, the street view plan demonstrates the first storey of the rear building will have a negligible impact on the streetscape due to the distance between the rear building and the front boundary.

- *Submission concern*

The proposed development will not provide facilities or services to meet the day to day needs of local residents.

*Planning response*

This objective of the zone relates to permitted non-residential types of development such as neighbourhood shops and the like and as such is not relevant to the proposed development. As stated above, the proposed development is consistent with the remaining relevant zone objectives.

- *Submission concern*

The increased number of occupants on the site will place greater demand on the lifestyle and wellbeing of local residents.

*Planning response*

The proposed development is permitted with consent in the zone and will create diversity to the housing type available in the area. It is unclear what is meant by the 'greater demand on the lifestyle and wellbeing of local residents' comment.

- *Submission concern*

The proposed development is not consistent with the following zone objective:

- *To ensure development is consistent with the character of the immediate locality.*

*Planning response*

As stated above, the proposed residential development is considered to be designed in a manner that is consistent with the existing streetscape and surrounding area.

- *Submission concern*

The cumulative impact of similar boarding houses does and will change the fundamental characteristic of the neighbourhood, such as the proposed development can accommodate up to 24 persons.

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*Planning response*

The proposed development is residential in nature and will provide diversity to the housing stock available in the area for those who are eligible for affordable housing and meet the definition of 'affordable housing' in accordance with Clause 6 of the SEPP.

The proposed development can only accommodate up to 18 persons based on floor area of each unit. A condition of consent will restrict the use of the rooms to be for single occupancy only.

- *Submission concern*

The SEE states that the proposed development can be assessed as multi-dwelling housing however this is legally incorrect and is more akin to a residential flat building.

*Planning response*

In the absence of controls for *boarding house* development within the *Dubbo Development Control Plan 2013*, the application was assessed under the chapter relating to 'Residential flat buildings and shop top housing' which was considered to be the most consistent with the proposed land use.

- *Submission concern*

The submitted SEE does not comment or address the rationale of the Affordable Rental Housing SEPP for a *boarding house* to cater for low-income occupants.

*Planning response*

The applicant has addressed the objectives of the Affordable Rental Housing State Environmental Planning Policy and demonstrates how the development will be utilised for affordable rental housing (see **Appendix 1**).

- *Submission concern*

The proposed development will reduce the value of properties.

*Planning response*

No evidence has been provided to substantiate this claim, nor is this a planning consideration under the *Environmental Planning and Assessment Act 1979*.

- *Submission concern*

The proposed development will result in up to 24 occupants with nine cars, four motorcycles and four bicycles which is not similar to the land use of a single dwelling house within the R1 Low Density Zone.

*Planning response*

The proposed development can only accommodate up to 18 persons which will form a condition of consent. The land use is permitted with consent and is similar to the multi-dwelling development located within the vicinity of the site, namely Numbers 9, 13, 15 and 17 Samuels Street.

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Again, the subject land is zoned R1 *General Residential*, not R1 Low Density Residential as quoted.

- *Submission concern*

The proposed development will result in adverse impacts in relation to parking availability for existing residents and increased noise from the large number of occupants on the site.

*Planning response*

The proposed development has provided suitable onsite parking.

Noise generated by the occupants of the residential development is not expected to be any different to any other residential development. Noise generated outside the hours of 6am and 10pm would be a matter for the Police as it would be for any residential setting.

- *Submission concern*

The proposed development will result in the neighbourhood transforming from a low density to a medium density.

*Planning response*

The proposed development is permitted with consent in the R1 zone and is consistent with the objectives of the zone. Regardless, the neighbourhood exhibits pockets of medium density development, namely Numbers 9, 13, 15 and 17 Samuels Street and 46 Macleay Street.

The proposed development will result in housing diversity for those with a very low to moderate income.

- *Submission concern*

The proposed development has not addressed Clause 4.4 – FSR in relation to the amenity of the adjoining land and the capacity for the road network to accommodate vehicles and pedestrian generated.

*Planning response*

It is assumed that the Clause 4.4 reference is to floor space ratio in *Dubbo Local Environmental Plan 2011*. This clause was not adopted by Council and therefore the concern raised is not relevant.

Council's Infrastructure Division has not raised any concerns in relation to the capacity of the surrounding road network to support the traffic generated by the proposed development.

- *Submission concern*

Occupants of the *boarding house* may use on-street parking as a matter of convenience rather than use the on-site parking which will increase parking opposite and adjacent to neighbouring properties.

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*Planning response*

Compliant on-site parking is provided. Council cannot prevent occupants of the site from utilising street parking.

- *Submission concern*

The SEE states that priority will be given to applicants with very low to moderate income after a selection process however there is no guarantee that low-income earners, as defined in clause 6 of the SEPP, will occupy the rooms. By all accounts, the *boarding house* will rent rooms to those willing to pay the rent.

The proposal is by all accounts a commercial enterprise and should not be approved.

*Planning response*

The applicant has confirmed the following details in relation to the operation of the *boarding house* for affordable rental housing:

*It is intended that the maximum tariffs charged for accommodation in the proposed two boarding houses are no more than the tariff limits specified or calculated in accordance with the guidelines approved by the NSW Treasurer each year as part of the criteria for land tax exemption for land used and occupied primarily for a boarding house.*

*As an example, according to Ruling LT 108 under Section 10Q - Low cost accommodation-- exemption/reduction, Land Tax Management Act 1956, the tariff limits for land tax exemption for the 2021 tax year are as follows:*

*The maximum tariffs that may be charged during 2021 must not exceed:*

- *for full board and lodging:*
  - *\$401 per week for single accommodation; or*
  - *\$663 per week for family or shared accommodation;*
- *for less than full board and lodging:*
  - *\$270 per week for single accommodation; or*
  - *\$446 per week for family or shared accommodation.*

*We are of the view that such tariff limits published each year by Revenue NSW are a practical guide as to what is accepted to be low cost and affordable. It is intended that all rooms in the proposed two boarding houses are to be rented on a single occupancy basis with no meals provided. In accordance to the above tariff limits, a room in the proposed two boarding houses would have charged no more than \$270 per week during the 2021 tax year. The median weekly household income for the Greater Sydney in 2016 Census is \$1,750, and 120% of such figure is \$2,100. This figure will certainly increase when the 2021 Census data is published by the Australian Bureau of Statistics in the future.*

*It is intended that only occupants having household income of less than \$2,100/week will be approved to occupy a room in the proposed two boarding houses. The proposed*

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*maximum tariff of \$270/week is well within the 30% limit as a percentage of gross income in rent.*

*Therefore, this demonstrates that the aims of the SEPP are addressed and complied, and the operation of the proposed two boarding houses are in accordance with the definition of affordable housing in accordance with Clause 6 of the SEPP.*

It is considered the applicant has adequately demonstrated consistency with the aims of the SEPP.

- *Submission concern*

In the absence of controls for *boarding houses* within the DCP the applicant has suggested that the development be assessed against the controls of a single dwelling house which is inappropriate due to the very dissimilar use and purposes. The assessment of the DCP should be disregarded.

*Planning response*

In the absence of controls for *boarding house* development the application was assessed under the chapter relating to 'Residential flat buildings and shop top housing' which was considered to be the most consistent with the proposed land use.

Regardless, the proposed development is also consistent with the SEPP.

- *Submission concern*

The SEE does not address the aims of the SEPP (ARH).

In this regard, the proposed development is not consistent with (f) as there are no local business centres in the vicinity of the property.

*Planning response*

As detailed above, the applicant has adequately detailed that the development will be operated in accordance with the SEPP as affordable rental housing. The subject land is located within 800m of the Dubbo CBD (corner Macquarie and Talbragar Streets) which is not considered an excessive distance to travel for employment or good and services. As such the proposed development is consistent with (f) of the aims of the SEPP (ARH) 2009.

- *Submission concern*

The application does not provide housing for the homeless and other disadvantaged people and as such is inconsistent with (g).

The question of where the occupants of AHR accommodation are to be drawn from is restricted in the policy to clause 6, the definition of "affordable housing".

The applicant in this Development Application has not unequivocally stated all occupants WILL be drawn from the income thresholds of the Clause 6.

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*Planning response*

As detailed above the applicant has adequately detailed that the development will be operated in accordance with the SEPP (ARH) 2009 as affordable rental housing.

- *Submission concern*

The social impacts of the proposed development on local and neighbouring dwellings has not been explicitly addressed by the applicant.

*Planning response*

The proposed *boarding house* does not provide in excess of 20 bedrooms and as such a social impact statement is not required in accordance with the Chapter 3.3 of the *Dubbo DCP 2013*. A merit based assessment of the proposed development has not raised any concerns in relation to significant adverse social impacts.

- *Submission concern*

The proposed development may result in new occupants every three months and the constant uncertainty of unknown persons living in the *boarding house* will impact the neighbourhood.

*Planning response*

Not a planning consideration.

- *Submission concern*

The proposed development should be refused based on traffic generation.

*Planning response*

Council's Infrastructure Division has not raised any concerns in relation to the capacity of the surrounding road network to support the traffic generated by the proposed development.

- *Submission concern*

The proposed development is not considered orderly development and the cumulative effect of the proposed development is not conducive to a low density zone, is not in the public interest and will set an undesirable precedent.

*Planning response*

The proposed development is considered to be designed appropriately to minimise the visual impact on the streetscape, is consistent with the zone objectives and is considered to be in the public interest by providing affordable housing solutions within close proximity to transport and the Dubbo CBD. Each Development Application is assessed on its own merits.

- *Submission concern*

The proposed development will adversely affect my wellbeing and enjoyment of my own home by being exposed to unacceptable motor vehicle traffic during all hours of the day and night, all to generate income for the landlord of the development.

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*Planning response*

A 1.8m high Colorbond fence will be provided along the western boundary adjacent to the driveway. It is considered this material and height is appropriate to reduce the noise generated by vehicles traveling along the driveway that may impact adjoining properties. Commercial benefit is not a planning consideration.

**Resourcing Implications**

Nil.

**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 55 – Remediation of Land

The proposed development involves a residential land use. The land is currently used for a residential land use. An inspection of the site did not reveal any evidence of a potentially contaminating land use such as oil stains and the like. No further investigation is required.

Contamination considerations associated with demolition work will be discussed elsewhere in this report.

SEPP (Infrastructure) 2007

The application was referred to Essential Energy in accordance with Clause 45 for which they responded in correspondence dated 24 September 2021, raising no objection to the proposed development. The requirements specified by Essential Energy will be included on the development consent as notations, as Council is unable to enforce such requirements.

SEPP (Housing) 2021

Although the proposed development demonstrates inconsistencies with the SEPP (Housing) 2021, it provides the following savings provisions:

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*Schedule 6(2)*

The former provisions of a repealed instrument continue to apply to the following –

- (a) A development application made, but not yet determine, on or before the repeal day,*
- (b) A development consent granted on or before the repeal day.*

The proposed development was lodged prior to the gazettal of the SEPP and as such the provisions of the SEPP (ARH) 2009 applies. No further assessment required.

State Environmental Planning Policy (Affordable Rental Housing) 2009 (SEPP (ARH) 2009)

The aims of the policy are as follows:

- a. to provide a consistent planning regime for the provision of affordable rental housing,*
- b. to facilitate the effective delivery of new affordable rental housing by providing incentives by way of expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards,*
- c. to facilitate the retention and mitigate the loss of existing affordable rental housing,*
- d. to employ a balanced approach between obligations for retaining and mitigating the loss of existing affordable rental housing, and incentives for the development of new affordable rental housing,*
- e. to facilitate an expanded role for not-for-profit-providers of affordable rental housing,*
- f. to support local business centres by providing affordable rental housing for workers close to places of work,*
- g. to facilitate the development of housing for the homeless and other disadvantaged people who may require support services, including group homes and supportive accommodation.*

The proposed development complies with the aims and development standards of the SEPP (ARH) 2009. For more information in relation to the assessment of the proposed development against the SEPP (ARH) 2009 reference should be made to **Appendix 1**.

SEPP (Building Sustainability Index: BASIX) 2004

The Application requires BASIX documentation as the proposed dwellings are classed as 1a buildings under the Building Code of Australia (BCA). Legislation requires all buildings or parts of buildings of this classification to contain the relevant documentation.

BASIX certificates have been submitted with this Application, BASIX Certificate No 1220411S dated 9 July 2021 for the front building (block A) and BASIX Certificate No 1220419S dated 9 July 2021. These certificates have been noted by Council's Senior Building and Development

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Officer as being valid and accurate documents. The BASIX requirements and associated plans have been assessed and approved as meeting the objectives of the SEPP.

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

Dubbo Local Environmental Plan 2011

The proposed development complies with the aims and development standards of the Dubbo LEP 2011. For more information in relation to the assessment of the proposed development against the Dubbo LEP 2011 reference should be made to **Appendix 1**.

*(a)(ii) Draft Environmental Planning instruments*

- *Draft Dubbo Regional Environmental Plan 2021*

Council has recently exhibited the Draft Dubbo Regional Local Environmental Plan 2021. This Instrument is a merger of the Dubbo Local Environmental Plan 2011 and the Wellington Local Environmental Plan 2012. The draft Instrument is a merger of the two existing Instruments, with no rezonings proposed. As a consequence of this merger, some land uses may become permissible or prohibited in a particular zone, noting current inconsistencies between these Instruments. None of these amendments specifically relate to the subject site. As such, the proposed amendments do not have any material impact upon the proposed development.

*(a)(iii) Development control plans*

Dubbo Development Control Plan 2013

The proposed development is consistent with the controls of the Dubbo DCP 2013. For more information in relation to the assessment of the proposed development against the Dubbo DCP 2013 reference should be made to **Appendix 1**.

**Summary**

The Applicant has sought development consent for a *boarding house* at Lot 1 DP 596251, 47 Macleay Street, Dubbo.

The proposed development is not considered likely to have any significant negative impacts upon the environment or upon the amenity of the locality.

Specifically, it is evident the valid planning concerns raised in the submissions can be managed appropriately with the imposition of conditions of consent.

The proposed development is consistent with the objectives of the applicable Environmental Planning Instruments, Development Control Plan 2013 and Council policies and is therefore recommended for approval subject to the conditions of consent attached.

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**APPENDICES:**

- 1** Planning Report - 47 Macleay Street Dubbo
- 2** Conditions and Notations - 47 Macleay Street Dubbo
- 3** Floor and Elevation Plans - 47 Macleay Street Dubbo
- 4** Submissions - 47 Macleay Street Dubbo

**CCL22/49 Draft Eumungerie Flood Risk Management Report for Public Exhibition**

**Attachment 1:** Eumungerie Floodplain Risk Management Study -  
Draft.....252



# Eumungerie Floodplain Risk Management Study

## DRAFT Study and Plan

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Dubbo Regional Council

1478-01-F1 [DRAFT], 24 January 2022





<b>Report Title</b>	Eumungerie Floodplain Risk Management Study
<b>Client</b>	Dubbo Regional Council PO Box 81 Dubbo NSW 2830
<b>Report Number</b>	1478-01-F1 [DRAFT]

Revision Number	Report Date	Report Author	Reviewer
0 DRAFT	21 August 2019	ZH	GR
1	24 January 2022	GR	

For and on behalf of WRM Water & Environment Pty Ltd  
Level 9, 135 Wickham Tce, Spring Hill  
PO Box 10703 Brisbane Adelaide St Qld 4000  
Tel 07 3225 0200

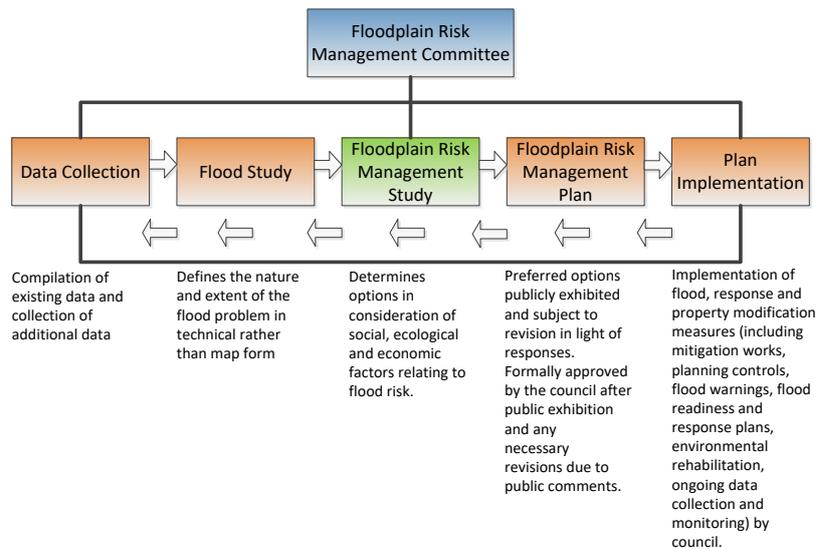
Greg Roads  
Director

NOTE: This report has been prepared on the assumption that all information, data and reports provided to us by our client, on behalf of our client, or by third parties (e.g. government agencies) is complete and accurate and on the basis that such other assumptions we have identified (whether or not those assumptions have been identified in this advice) are correct. You must inform us if any of the assumptions are not complete or accurate. We retain ownership of all copyright in this report. Except where you obtain our prior written consent, this report may only be used by our client for the purpose for which it has been provided by us.

## Foreword

The NSW Government's Flood Prone Land Policy provides a framework for managing development on the floodplain. The primary objective of the policy is to develop sustainable strategies for managing human occupation and use of the floodplain using risk management principles. Under the Policy, the management of flood liable land remains the responsibility of local government. The State Government subsidises flood mitigation works to alleviate existing problems and provides specialist technical advice to assist Councils in the discharge of their floodplain management responsibilities.

The NSW Government's Floodplain Development Manual (2005) (the Manual) has been prepared to support the NSW Government's Flood Prone Land Policy. The Manual provides Council's with a framework for implementing the policy to achieve the policy's primary objective. The framework is shown below.



The Eumungerie Floodplain Risk Management Study constitutes the third stage of the Floodplain Risk Management process to define and assess potential options to manage the flood risk. It has been prepared by consultants WRM Water & Environment Pty Ltd for Dubbo Regional Council.

## Acknowledgements and limitations

This project was prepared with financial assistance from the NSW Government's Floodplain Management Program. This document does not necessarily represent the opinions of the NSW Government or the Office of Environment and Heritage.

While all due effort has been made to ensure the reliability of flood model results, all models have limitations (Ball et al, 2019). The accuracy of any model is a function of the quality of the data used in the model development including topographical data, drainage structure data and calibration data. Modelling is by nature a simplification of very complex systems and results of flood model simulations should be considered as a best estimate only. There is, therefore, an unknown level of uncertainty associated with all model results that should be considered when utilising the outputs from this study.

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# 1 Introduction

## 1.1 OVERVIEW

Eumungerie is a village in central west New South Wales (NSW) located approximately 37 kilometres north of the regional centre of Dubbo (see Figure 1.1). The village is located in the Drillwarrina Creek catchment, which drains in a southerly direction immediately to the west of Eumungerie. Drillwarrina Creek is a tributary of Coolbaggie Creek, which drains in a westerly direction about 3 km to the south of Eumungerie. Coolbaggie Creek is a tributary of the Macquarie River.

Dubbo Regional Council commissioned WRM Water & Environment Pty Ltd (WRM) to prepare a Flood Study Update and Floodplain Risk Management Study and Plan for the village of Eumungerie in accordance with the NSW Flood Prone Land Policy. This report presents the findings of the floodplain risk management and draft plan components of the study. The flood study update was completed by WRM in 2020.

## 1.2 THE FLOOD PROBLEM

The study has been undertaken in accordance with the NSW Government's Floodplain Development Manual (2005) (the Manual), which has been prepared to support the NSW Government's Flood Prone Land Policy. The Manual recognises three separate flood problems: the existing problem, the future problem and the continuing problem.

- The **existing problem** refers to existing properties that are liable to flooding and flood damage.
- The **future problem** refers to those properties, which upon development or redevelopment, become flood-liable and susceptible to significantly higher levels of flood damage.
- The **continuing problem** refers to the risk of flooding and flood damage that remains when all adopted floodplain management measures have been implemented. The continuing flood risk and associated damage can only be eliminated by designing for the probable maximum flood (PMF). In general, design for the PMF is either economically or practically infeasible.

The existing problem was defined as part of the Eumungerie Flood Study (WRM, 2020). Computer models were developed to calculate peak flood levels (based on equations of flow) from design rainfall prepared by the Commonwealth Bureau of Meteorology (BOM). The BOM calculates design rainfalls based on long term rainfall records. The computer model accuracy was improved by calibrating the model to the January 1993 event, which inundated much of the village.

Different flood management options were assessed in this study for each flood problem.

- **Structural measures**, e.g. levees and house raising were investigated to reduce damage, hazard and disruption associated with the existing problem.
- **Planning measures**, such as zoning and building controls (e.g. minimum floor levels) were reviewed to reduce damage, hazard and disruption associated with the future problem.
- **Emergency response measures**, such as flood warning, evacuation and recovery, were reviewed to reduce damage, hazard and disruption associated with the continuing problem.

This report describes and assesses the potential measures to address each of the flood problems for Eumungerie and provides recommendations to manage the flood risk.

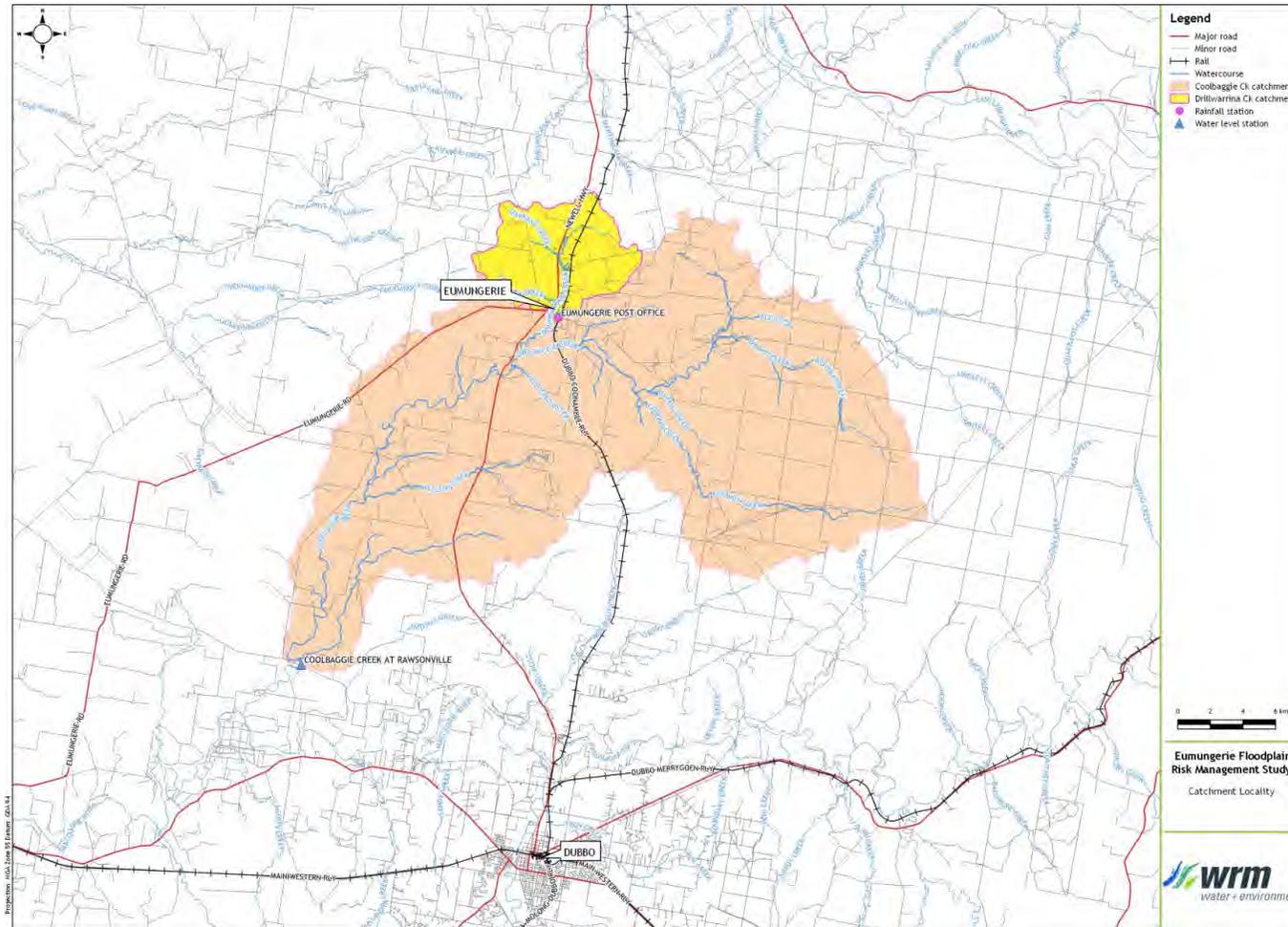


Figure 1.1 - Locality Plan

### 1.3 REPORT STRUCTURE

The report is structured as follows:

- Section 2 describes the existing landuse zonings, the environmental constraints and social characteristics of Eumungerie;
- Section 3 describes the existing flood behaviour and presents flood hazard mapping for the community;
- Section 4 describes the methodology to estimate the flood damages and presents the tangible flood damage costs for existing conditions;
- Section 5 presents the results of the hydraulic modelling used to support emergency management activities;
- Section 6 provides an assessment of potential structural options to mitigate the existing flood risk in Eumungerie;
- Section 7 provides an assessment of potential non-structural options to mitigate the existing, future and continuing flood risk on Eumungerie;
- Section 8 summarises the findings of the study.
- Section 9 is a list of relevant terms used throughout this study.
- Section 10 is a list of references.

Two appendices are attached.

- Appendix A provides flood hazard maps for Eumungerie based on the hydraulic modelling;
- Appendix B provides flood impact maps for the proposed structural mitigation measure.

## 2 Background

### 2.1 STUDY AREA DRAINAGE

The main drainage feature at Eumungerie is Drillwarrina Creek. Drillwarrina Creek drains in a southerly direction to the west of the village centre and joins with Coolbaggie Creek around 3 km downstream of Cobboco Road. Drillwarrina Creek catchment is approximately 50 km<sup>2</sup> to Cobboco Road. A number of local tributaries including Dohnts Creek and Oakville Creek flow into Drillwarrina Creek upstream of Cobboco Road. Local catchment runoff from the east of the Dubbo Coonamble Railway also drains through the village of Eumungerie to Drillwarrina Creek.

Coolbaggie Creek drains in a westerly direction to the south of Eumungerie. It has a catchment area of 367 km<sup>2</sup> to the Drillwarrina Creek confluence and its main tributaries include Drillwarrina Creek, Branch Creek, Goondy Creek, Red Creek, Sandy Creek and Eumunden Creek. The catchment area of Coolbaggie Creek to the Rawsonville gauge (GS421055) is 609 km<sup>2</sup>. The catchment boundaries of Drillwarrina and Coolbaggie creeks and their principal tributaries are shown in Figure 1.1.

### 2.2 LANDUSE

Figure 2.1 shows the land use zones within the study area identified in the local environment plan (LEP). The village has been zoned RU5 (village) with lot sizes limited to 2000 m<sup>2</sup>. Areas to the west of the village have been zoned R5 (large lot residential) with a minimum lot size of 8 ha. The surrounding areas are RU1 (primary production) with minimum lot sizes of 800 ha.

### 2.3 ENVIRONMENT

Figure 2.2 shows an extract of the Dubbo LEP (2011) biodiversity mapping for Eumungerie. There are two predominant vegetation communities within the study area. The Drillwarrina Creek corridor consists predominantly of River Red Gum woodland whereas the Newell Highway corridor is predominantly Pilliga Box - White Cypress Pine. The vegetation communities are identified as having 'high terrestrial biodiversity' in the Dubbo LEP (2011). The Newell Highway corridor has also been identified as a travelling stock reserve for sustainable conservation. It also has suitable Koala habitat. There are no Critically Endangered Ecological Communities within the vicinity of Eumungerie.

Five properties have been identified with heritage value on the LEP including;

- Eumungerie Church;
- Bakers shop & cottage;
- Cottage at 23 Railway Street;
- Eumungerie Hall; and
- Cottage at 6 Moonal St

Soils within the area consist of Balimore - Curban Red Soils (Red Chromosols and Sodosols) suitable for cropping and grazing.

The Eumungerie village does not have a reticulated sewer with on-site septic systems used to manage sewage waste. The individual systems at each property have not been inspected. However, it is likely that all of the on-site systems are prone to flooding and downstream contamination when inundated.

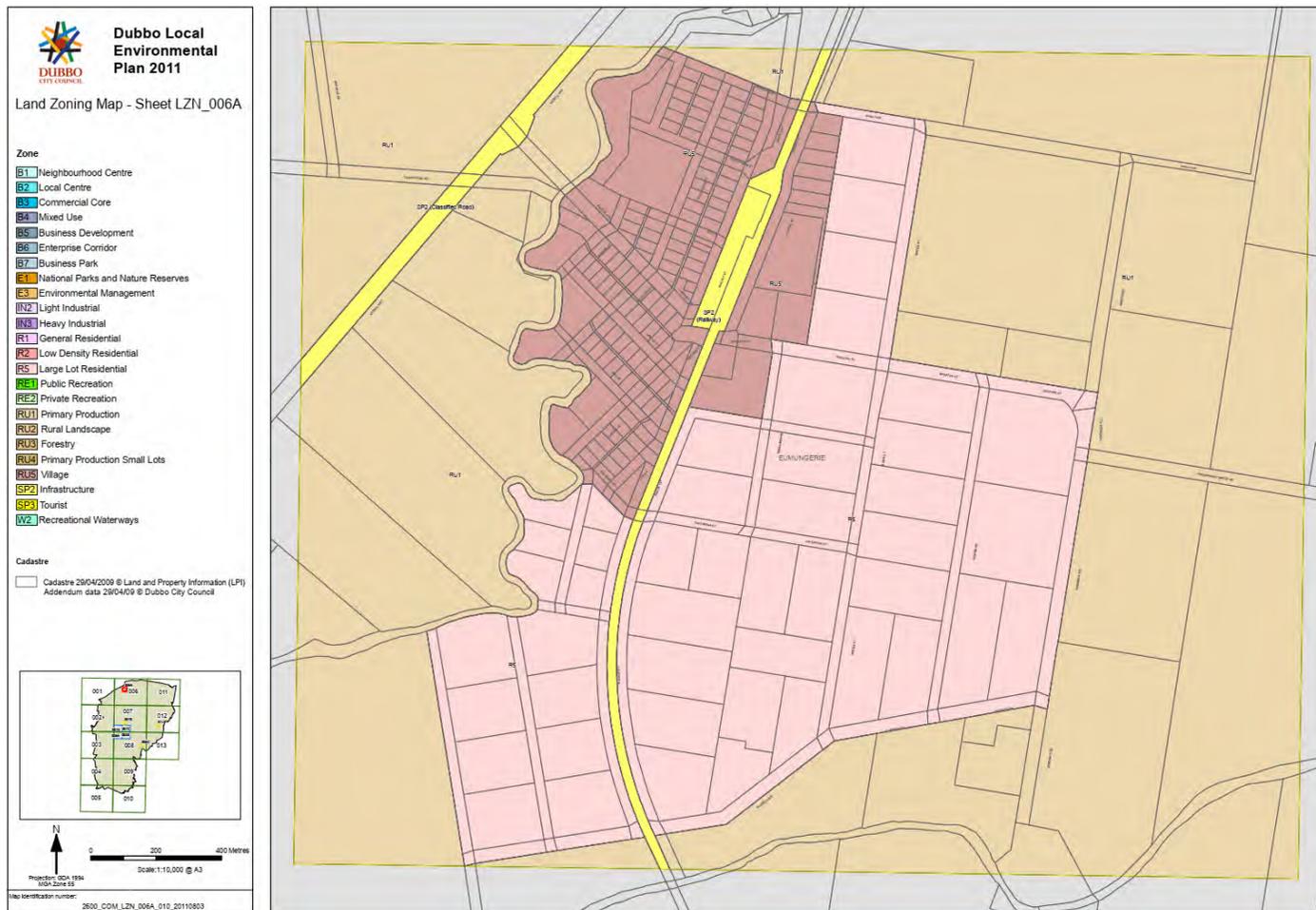


Figure 2.1 - Eumungerie land zoning map

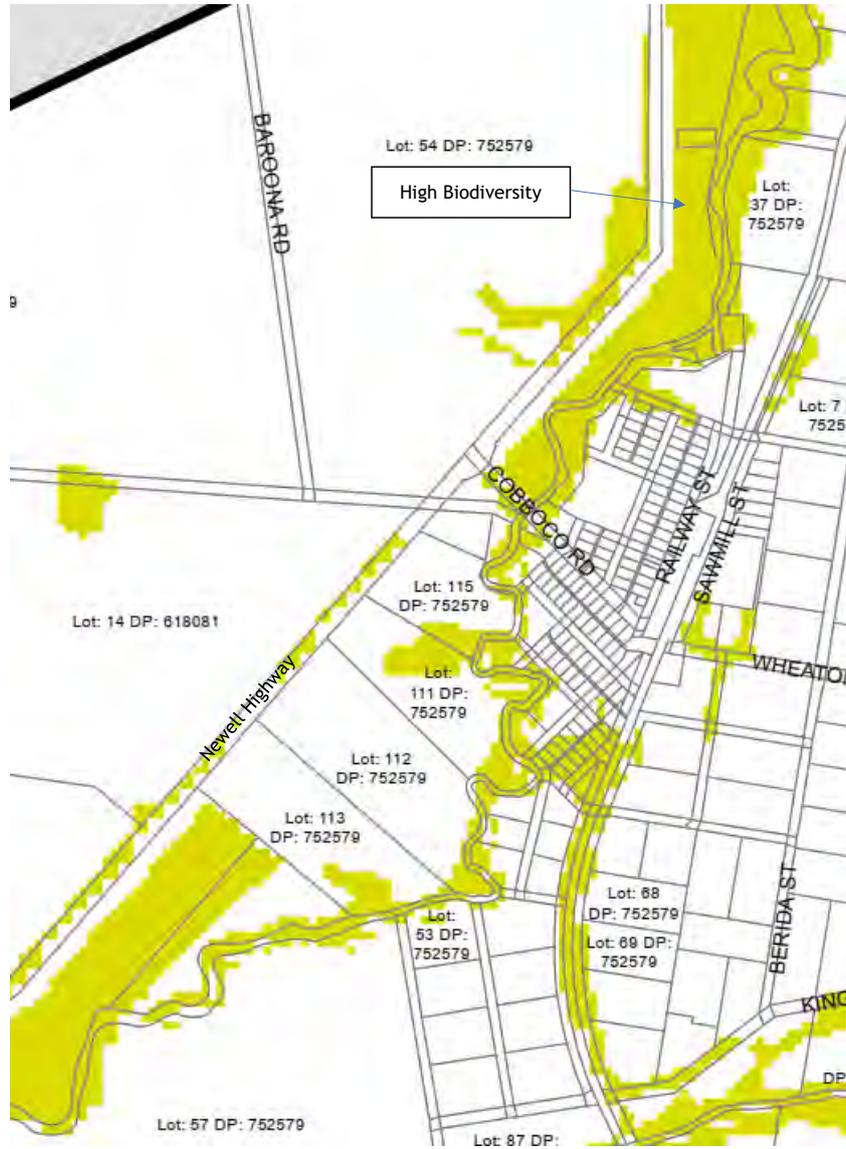


Figure 2.2 - Dubbo LEP 2011 Natural Resource - Biodiversity Map extract of Eumungerie

## 2.4 SOCIAL CHARACTERISTICS

Eumungerie is located within the ABS Statistical Area Level 1(SAL1) code 1110316 of the Dubbo region. It covers the village of Eumungerie and the surrounding rural areas. Statistical data for the village of Eumungerie only was not available.

In the 2016 Census, there were 411 people in SAL1 1110316. Of these, 54.4% were male and 45.6% were female. Aboriginal and/or Torres Strait Islander people made up 7.1% of the population. The median age was 49 years, which is 11 years higher than the median age across NSW. Some 19.3% of the population were aged over 65, which is higher than the state and national medians. 84% of people were born in Australia and 89% of the population speak english at home.

The unemployment rate was lower than the state rate with the most common occupations Managers 20.4%, Technicians and Trades Workers 18.8%, Clerical and Administrative Workers 15.5%, Sales Workers 11.0%, and Labourers 11.0%. Some 16% of people work from home, which is over three times the rate across the remainder of NSW. 70.7% of households had at least one person access the internet from the dwelling, which is lower than across the state.

All of the private dwellings (150) were separate houses with 90.9% of private dwellings occupied and 9.1% were unoccupied. The houses are generally larger than the state average with most dwellings having 3 to 4 bedrooms.

## 2.5 PREVIOUS STUDIES

The Eumungerie Flood Study (PPK Consultants, 1995) details the flooding issues experienced in the village of Eumungerie during the January 1993 event. Drillwarrina Creek catchment rainfall and peak water level data was collected from the local residents for this event. The data was used to calibrate computer based models to determine design discharges and peak flood levels from Drillwarrina Creek.

The report goes on to propose a number of mitigation measures to reduce the impact of Drillwarrina Creek flooding on Eumungerie. It was found that the configuration of Cobboco Road significantly contributed to flooding in Eumungerie during the 1993 event. The road level has since been reduced as recommended by the PPK study.

## 3 Flood behaviour

### 3.1 OVERVIEW

The principal objective of the Eumungerie Flood Study Update (WRM, 2020) was to define the existing flood behaviour across the study area. For that study, a TUFLOW two-dimensional hydraulic model was developed to define the flood levels, depths, extents and flows across the study area for a range of small to extreme flood events. The model was calibrated to the 1993 flood event.

This section describes the flood behaviour across the study area based on the results of the flood study, including an assessment of:

- the probability of flooding;
- flow conveyance and storage functions of the floodplain; and
- the variation in, and the drivers and degree of, flood hazard and flood risk within the floodplain.

### 3.2 DESIGN FLOOD LEVELS, DEPTHS AND EXTENTS

The results of the flood modelling presented in the flood study (WRM, 2020) are summarised as follows:

- The dominant flooding mechanisms at Eumungerie occur from Drillwarrina Creek overflows and from stormwater inundation from the catchment to the east of the rail. Coolbaggie Creek does not cause flooding in Eumungerie with the exception of the PMF. The most frequent flooding occurs from stormwater inundation.
- For the 20% and 10% annual exceedance probability (AEP) events, some overbank flooding would occur within Eumungerie to the north of Coolbaggie Street and to the west of Balladoran Street. These shallow flows are generated from the local catchment to the east of the rail line. Some of the flows generated to the east of the rail are diverted southwards by the rail eventually draining across the rail to the south of Eura Street. The public school grounds would be inundated by the 10% AEP event from these local catchment flows.
- For the 5% AEP event, Drillwarrina Creek would overflow to the north of Breealong Street in Eumungerie to combine with the overland flows from the east of the rail. The combined flows would inundate the yards of properties to the east of Balladoran Street. Floodwater would also build up behind Cobboco Road to inundate properties to the east of Balladoran Street.
- Cobboco Road remains a moderate constriction to the floodplain flows potentially increasing upstream flood levels for all events greater than and equal to the 5% AEP event.
- For the larger events, Drillwarrina Creek flood levels increase to inundate most of the yards of properties within Eumungerie.
- Substantial inundation would occur for the probable maximum precipitation flood (PMP Flood), which has been adopted in this study as the PMF.

### 3.3 PROVISIONAL HAZARD MAPPING

Provisional flood hazards have been defined using the depth and velocity of the floodwaters calculated using the flood model determined in accordance with Figure 3.1 as given in Appendix L of the NSW Floodplain Development (NSW Government, 2005).

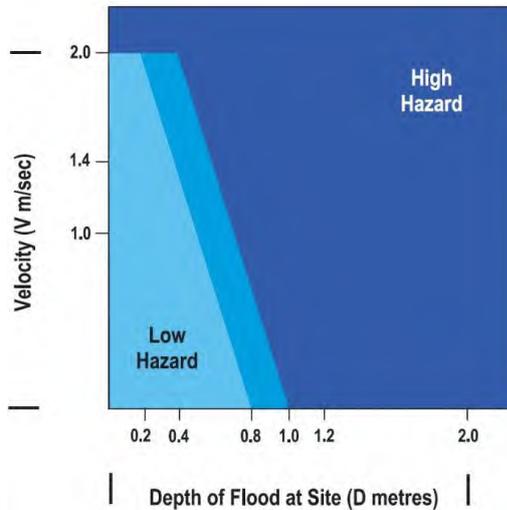


Figure 3.1 - Provisional hazard categories (Source: NSW Government, 2005)

Figure 3.2 presents the provisional hazard map within the study area for the 1% AEP design flood event. Hazard categories for the other design event are given in the flood study (WRM,2020) and show that the urban areas of Eumungerie are generally located in the 'low' hazard part of the floodplain. Areas of 'intermediate' hazard occur immediately upstream of Cobboco Road where higher flood depths occur because of the Cobboco Road constriction.

### 3.4 HYDRAULIC HAZARD

The Australian Disaster Resilience Guideline 7-3 Flood Hazard (AIDR, 2017) recommends grouping the floodplain into six hazard categories using flood depth, flood velocity and the depth-velocity product in accordance with Figure 3.3. This figure closely resembles Figure L1 in the Manual (NSW Government, 2005) but further delineates the floodplain based on recent research undertaken on the trafficability of vehicles and the safety of people during flood events.

Figure 3.4 shows the hydraulic hazard within the study area for the 1% AEP design flood event, using the flood hazard vulnerability curve shown in Figure 3.3 (AIDR, 2017). For the 1% AEP design flood event, the H6 (most hazardous) areas are generally confined to the Coolbaggie Creek waterway corridors. The H5 areas include the Drillwarrina Creek waterway corridors, as well as additional area along the Coolbaggie Creek (H6) waterway corridors. According to the flood hazard vulnerability curve in Figure 3.3, hazards H5 and H6 define areas where structures become vulnerable to failure. No buildings in Eumungerie are found within these hazard zones for the 1% AEP design flood. The extent of the H5 and H6 areas would correspond to the 'floodway' hydraulic category from the Manual (NSW Government, 2005).

The H4 and H3 hydraulic hazard areas for the 1% AEP design event cover areas along both Drillwarrina Creek and Coolbaggie Creek waterway corridors and areas between the north of Cobboco Road and the south of Emu Street. According to the flood hazard vulnerability curve in Figure 3.3 (AIDR, 2017) hazards H3 and above are unsafe for children and the elderly, and H4 and above are unsafe for all people.

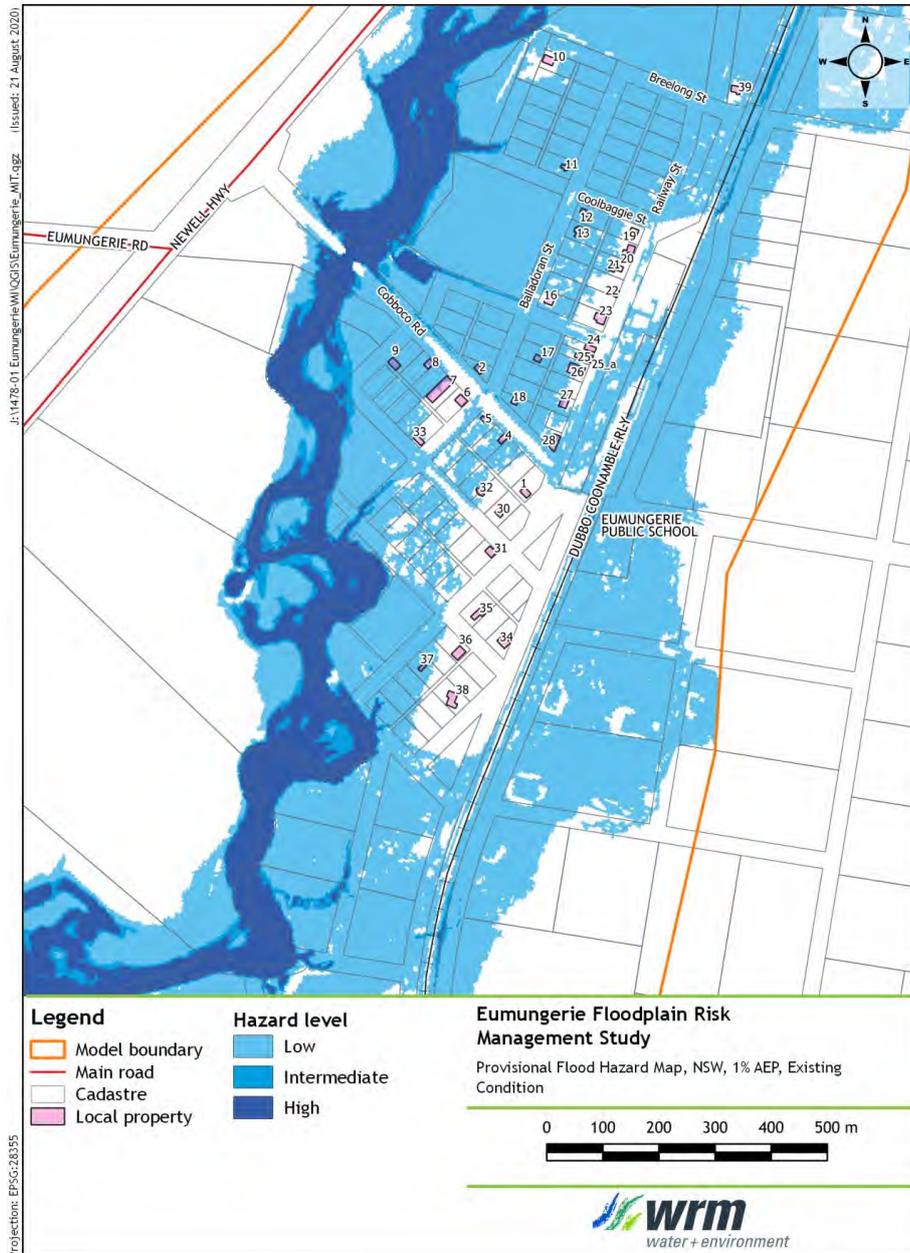


Figure 3.2 - Provisional flood hazard, 1% AEP design flood, existing condition

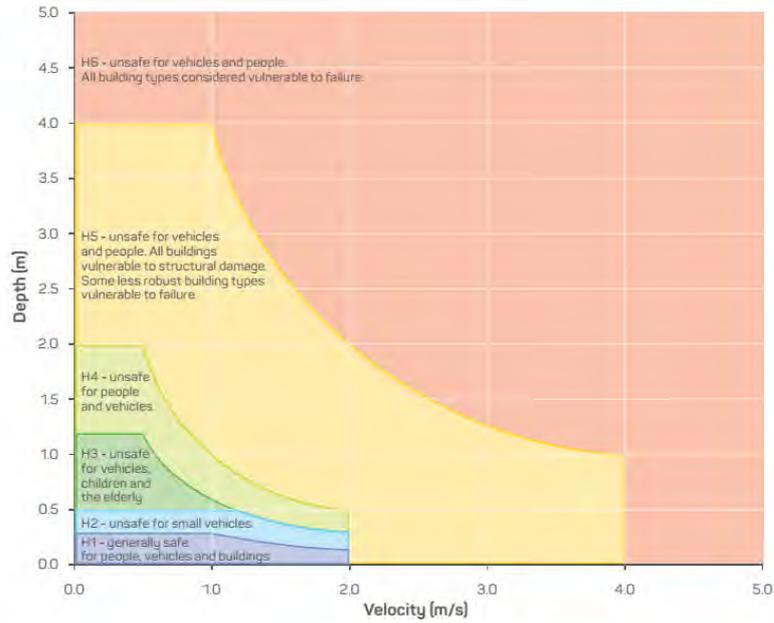


Figure 3.3 - Flood hazard vulnerability curve (source: AIDR, 2017)

Hydraulic hazard mapping for other design flood events is provided in Appendix A. Table 3.1 details the number of existing buildings within each hydraulic hazard zone for each modelled design flood event.

Table 3.1 - Existing building count in each hydraulic hazard zone

Flood Event	Number of buildings per hydraulic hazard zone*					
	H1	H2	H3	H4	H5	H6
20% AEP	3	0	0	0	0	0
10% AEP	8	0	0	0	0	0
5% AEP	12	0	0	0	0	0
2% AEP	14	3	0	0	0	0
1% AEP	17	2	1	0	0	0
0.5% AEP	19	5	3	0	0	0
0.2% AEP	14	13	3	0	0	0
PMF	0	0	0	2	31	3

\* number of buildings is the count of buildings in each zone, it does not correspond to the count of flooded buildings

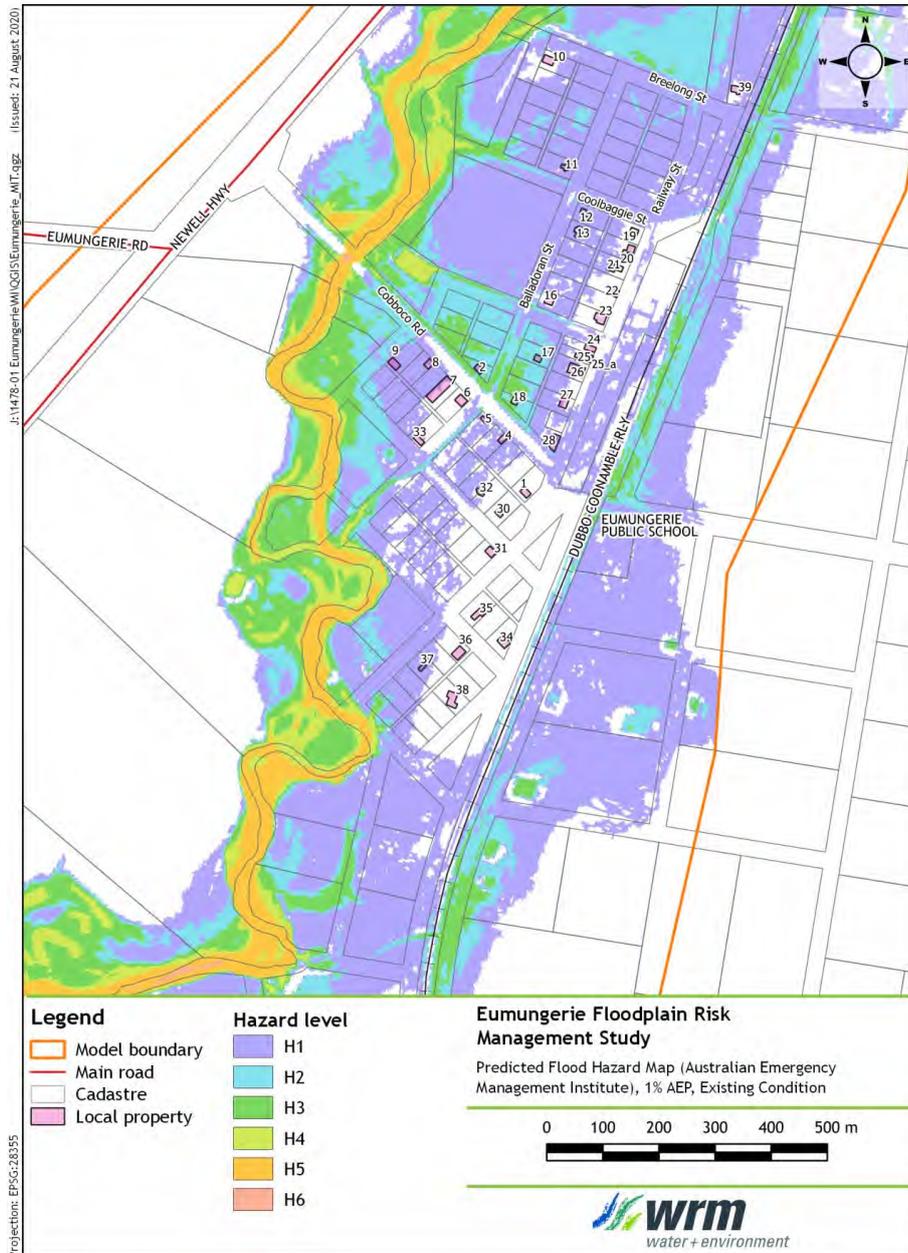


Figure 3.4 - AIDR (2017) hydraulic hazard, 1% AEP design flood

### 3.5 FLOOD RISK

#### 3.5.1 Overview

The flood risk to a community is measured in terms of both the scale of consequence, and the likelihood of that consequence. Previous sections have described the flooding within and around Eumungerie for a range of design flood events to define the likelihood of flooding.

It is also necessary to investigate the consequences of flooding throughout Eumungerie to define a flood risk map that is independent of flood event magnitude (i.e. a single risk map rather than a risk map for each design flood event). This map can then be used as a decision-making tool as it concisely demonstrates where flood risk management strategies need to be enacted.

The Australian Disaster Resilience Guideline 7-6 (AIDR, 2017) was used as a guide for assessing the flood risk across Eumungerie. The guideline suggests the use of a qualitative risk matrix, an example of which is shown in Table 3.2, to define the level of flood consequence to the community and in particular people, economy, environment, public administration and social settings.

Table 3.2 - Example qualitative risk matrix (source: AIDR, 2017)

Likelihood of consequence	AEP range (%)	Level of consequence				
		Insignificant	Minor	Moderate	Major	Catastrophic
Likely	>10	Low	Medium	High	Extreme	Extreme
Unlikely	1 to 10	Low	Medium	High	Extreme	Extreme
Rare to Very rare	0.01 to 1	Very low	Low	Medium	High	High
Extremely rare	<0.01	Very low	Very low	Low	Low	Medium

Risk: Very low (Blue), Low (Green), Medium (Yellow), High (Orange), Extreme (Red)  
 AEP = annual exceedance probability

The AIDR hydraulic hazard vulnerability zones have been used to define the level of consequence to people, economy, public administration and social settings. The vulnerability of the community and assets in each hydraulic hazard zone is as follows:

- Hydraulic hazard H1 - generally safe for people, vehicles and buildings;
- Hydraulic hazard H2 - unsafe for small vehicles;
- Hydraulic hazard H3 - unsafe for vehicles, children and the elderly;
- Hydraulic hazard H4 - unsafe for people and vehicles;
- Hydraulic hazard H5 - unsafe for vehicles and people. All buildings vulnerable to structural damage. Some less robust building types vulnerable to failure; and
- Hydraulic hazard H6 - unsafe for vehicles and people. All building types considered vulnerable to failure.

The level of consequence to the environment cannot be assessed purely on hydraulic hazard but can be qualitatively assessed.

Table 3.3 provides an assessment of the consequences in each hydraulic hazard zone for each modelled design flood, including the number of existing buildings in each zone. Based on this information a risk rating has also been provided for each zone, which is then used to define the flood risk matrix for Eumungerie.

Table 3.3 - Level of consequence in each hazard zone and adopted flood risk

Row number	Design event	Hydraulic hazard	Number of existing buildings	Level of consequence	Risk
1	20% AEP	H1	3	Minor - hydraulic hazard is generally safe, but the frequent likelihood of inundation poses other threats (stress from repeated inundation etc.)	Medium
2	20% AEP	H2 & H3	0	Minor to Moderate - hydraulic hazard begins to become unsafe for certain people and the frequent likelihood of inundation poses other threats (stress from repeated inundation etc.)	High
3	20% AEP	H4 - H6	0	Major to Catastrophic - hydraulic hazard is unsafe for people and there is a frequent likelihood of inundation	Extreme
4	10% AEP	H1	8	Per row 1	Medium
5	10% AEP	H2 & H3	0	Per row 2	High
6	10% AEP	H4 - H6	0	Per row 3	Extreme
7	5% AEP	H1	12	Minor - hydraulic hazard is generally safe	Low
8	5% AEP	H2 & H3	0	Moderate - hydraulic hazard begins to become unsafe for certain vehicles and people	Medium
9	5% AEP	H4	0	Major - hydraulic hazard is unsafe for people	High
10	5% AEP	H5 & H6	0	Major to Catastrophic - hydraulic hazard is unsafe for all vehicles and people	Extreme
11	2% AEP	H1 & H2	17	Minor to Moderate - hydraulic hazard begins to become unsafe for certain vehicles	Low
12	2% AEP	H3	0	Moderate - hydraulic hazard begins to become unsafe for certain people and all vehicles	Medium
13	2% AEP	H4 & H5	0	Major - hydraulic hazard is unsafe for people and structures	High
14	2% AEP	H6	0	Major to Catastrophic - hydraulic hazard is unsafe for all vehicles, people and buildings	Extreme
15	1% AEP	H1	17	Minor - hydraulic hazard is generally safe.	Very Low
16	1% AEP	H2	2	Moderate - hydraulic hazard begins to become unsafe for certain vehicles	Low

Row number	Design event	Hydraulic hazard	Number of existing buildings	Level of consequence	Risk
17	1% AEP	H3 & H4	1	Major - hydraulic hazard is unsafe for vehicles and either becoming unsafe or totally unsafe for people	Medium
18	1% AEP	H5	0	Major - hydraulic hazard is unsafe for people and vehicles and structures become vulnerable	High
19	1% AEP	H6	0	Per row 14	Extreme
20	0.5% AEP	H1 & H2	24	Minor - hydraulic hazard is generally safe. A large existing population is exposed	Very Low
21	0.5% AEP	H3	3	Moderate to Major - hydraulic hazard begins to become unsafe for vehicles and certain people	Low
22	0.5% AEP	H4	0	Major - hydraulic hazard is unsafe for people and vehicles and a large existing population is exposed	Medium
23	0.5% AEP	H5	0	Major - hydraulic hazard is unsafe for people and vehicles and structures become vulnerable	High
24	0.5% AEP	H6	0	Major to Catastrophic - hydraulic hazard is unsafe for all vehicles, people and buildings	Extreme
25	0.2% AEP	H1 - H3	30	Minor to Moderate - hydraulic hazard is beginning to become unsafe for some people. A large existing population is exposed	Very Low
26	0.2% AEP	H4	0	Moderate to Major - hydraulic hazard is unsafe for vehicles and people and a very large existing population is exposed	Low
27	0.2% AEP	H5	0	Major - hydraulic hazard is unsafe for people and vehicles and structures become vulnerable	Medium
28	0.2% AEP	H6	0	Major to Catastrophic - hydraulic hazard is unsafe for all vehicles, people and buildings	High
29	Extreme flood event	H1 - H3	0	Minor - hydraulic hazard is beginning to become unsafe for some population but for an extreme event	Very Low
30	Extreme flood event	H4	2	Moderate - hydraulic hazard is unsafe for vehicles and people and a large existing population is exposed	Low
31	Extreme flood event	H5	31	Major - hydraulic hazard is unsafe for people and vehicles and structures become vulnerable for the majority of the population	Medium

Row number	Design event	Hydraulic hazard	Number of existing buildings	Level of consequence	Risk
32	Extreme flood event	H6	3	Catastrophic - hydraulic hazard is unsafe for all vehicles, people and buildings.	Medium

### 3.5.2 Flood risk matrix

Table 3.4 provides the qualitative flood risk matrix for Eumungerie, which in effect is a summary of the consequence assessment provided in Table 3.3. The matrix defines six zones of flood risk on the Eumungerie floodplain:

- Z1 - land free from flooding for all design flood events; and
- Z2 (very low risk) to Z6 (extreme risk)

Table 3.4 - Flood risk matrix

Design Flood	Flood risk per hydraulic hazard category					
	H1	H2	H3	H4	H5	H6
20% AEP	Z4	Z5	Z5	Z6	Z6	Z6
10% AEP	Z4	Z5	Z5	Z6	Z6	Z6
5% AEP	Z3	Z4	Z4	Z5	Z6	Z6
2% AEP	Z3	Z3	Z4	Z5	Z5	Z6
1% AEP	Z2	Z3	Z3	Z4	Z5	Z6
0.5% AEP	Z2	Z2	Z3	Z4	Z5	Z6
0.2% AEP	Z2	Z2	Z2	Z3	Z4	Z5
Extreme Event	Z2	Z2	Z2	Z3	Z3	Z4

### 3.5.3 Flood risk map

Figure 3.5 shows the flood risk map derived from the flood risk matrix. The flood risk map shows that:

- Risk zone Z6 (extreme flood risk) is limited to the Drillwarrina Creek channels;
- Risk zone Z5 (high flood risk) surrounds the Z6 zones and includes all major flood-runners and flow paths;
- Risk zone Z4 (medium flood risk) surrounds the Z5 zones and includes areas west of Balladoran Street and between Breelong Street and Coolbaggie Street;
- Risk zone Z3 covers the most urban area in Eumungerie between Balladoran Street and Railway Street. This highlights the relatively low risk posed by flooding to the residents of Eumungerie;
- Risk zone Z2 (very low flood risk) cover limited land, generally outside of the current urban extent of Eumungerie.



Figure 3.5 - Flood risk map

The approximate number of existing buildings located within each flood risk zone are provided below:

- Risk zone Z6 (extreme flood risk) - 0 buildings;
- Risk zone Z5 (high flood risk) - 0 buildings;
- Risk zone Z4 (medium flood risk) - 7 buildings;
- Risk zone Z3 (low flood risk) - 29 buildings;
- Risk zone Z2 (very low flood risk) - 0 buildings; and
- Risk zone Z1 (flood free land) - 0 buildings.

### 3.6 FLOOD PLANNING AREA

Section 7.1 of the Dubbo LEP 2011 outlines generic flood planning provisions for managing development on the floodplain. The clauses in the LEP apply to land at or below the flood planning level, which is defined as the level of a 1% AEP flood event plus 0.5 metre freeboard. The extent of inundation defined by the flood planning level is shown in Figure 3.6.

The choice of event and the nominated freeboard is consistent with recommendations given in the Manual (NSW Government, 2005). The 1% AEP event is the typical design event upon which residential flood planning levels are set. A freeboard is added to this event to account for various uncertainties that may include (NSW Government, 2005):

- uncertainties in modelling;
- localised water level differences;
- wave action;
- climate change; and
- cumulative effects of future developments.

Note that the Eumungerie Flood Study (WRM, 2020) found that climate change could increase peak 1% AEP flood levels up to 0.35 m throughout much of the urban areas of Eumungerie to the west of the rail. On this basis, a freeboard of 0.5 m would appear appropriate.

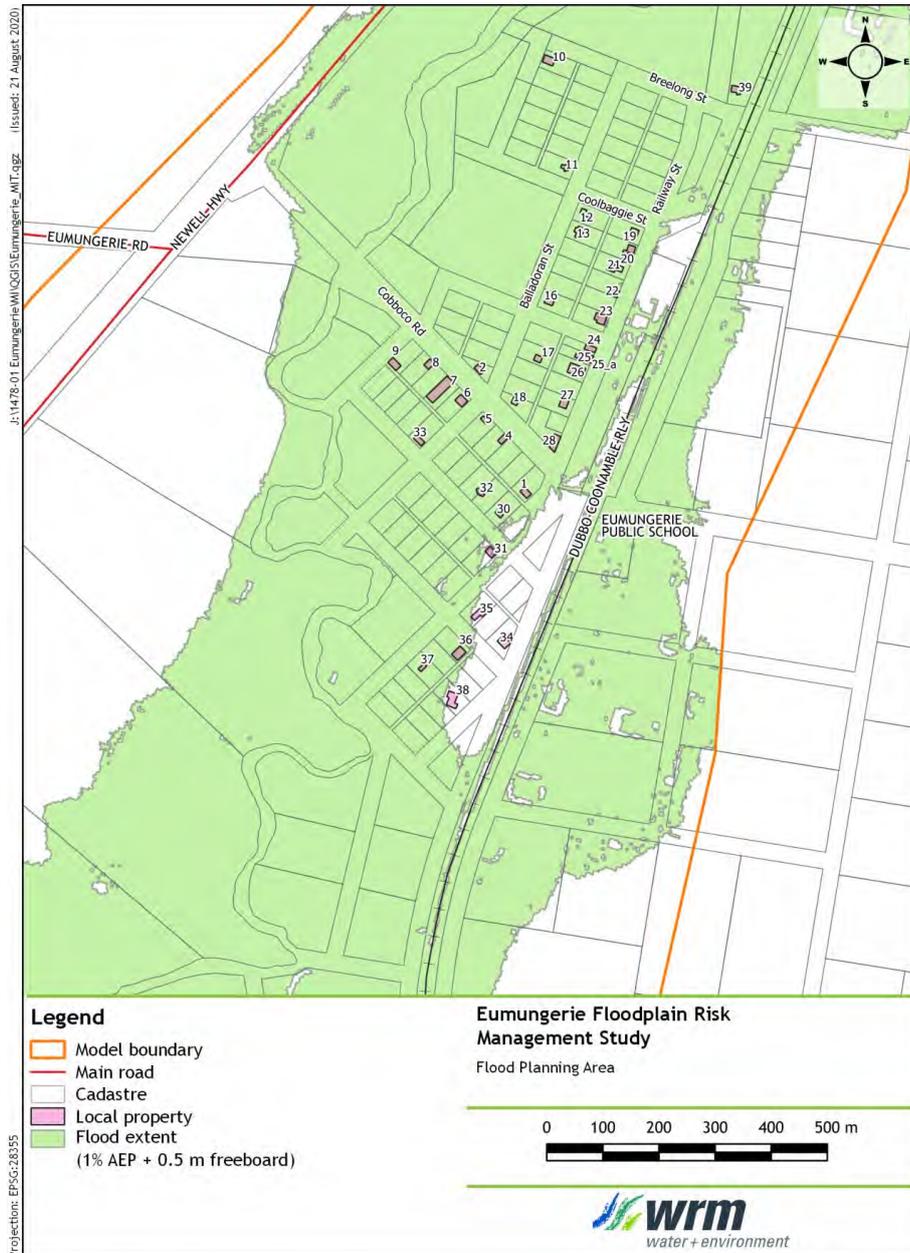


Figure 3.6 - Eumungerie Flood Planning Area

## 4 Flood damage estimation

### 4.1 TYPES OF FLOOD DAMAGE

The Floodplain Development Manual (NSW Government, 2005) defines the various types of damage caused by flooding, with these damages shown graphically in Figure 4.1. Flood damage can be divided into two major categories: tangible and intangible damages. Tangible damages are the financial costs of flooding and are quantified in dollar terms, while intangible damages are the social and environmental costs of flooding and are reflected in increased levels of emotional stress and psychological and physical illness.

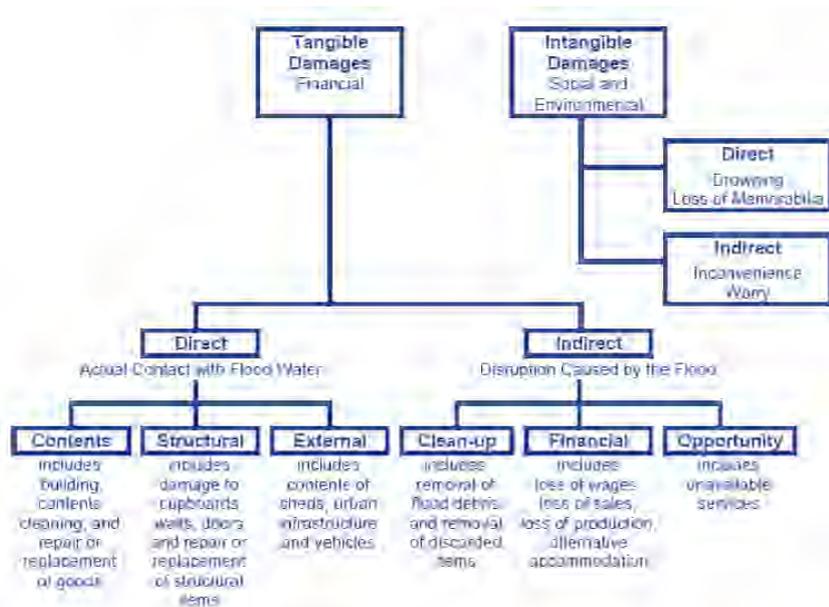


Figure 4.1 - Types of flood damage (Source: NSW Government, 2005)

#### 4.1.1 Tangible damages

Tangible damages can be separated into two major sub-categories:

- direct damage - the loss in value of an object or piece of property caused by direct contact with floodwater; and
- indirect damage - the loss in production or revenue caused by a flood, e.g. the loss of wages, additional accommodation and living expenses and any other extra outlays that occur as a consequence of flood.

Indirect damages are additional to ordinary pre-flood living costs. Indirect damages are typically incurred in the post-flood recovery phase.

##### 4.1.1.1 Direct damage

Direct damage can be incurred either as:

- a replacement cost if a flood-damaged item is discarded;
- a repair cost if the item is repaired; or
- a loss in value if the item is neither discarded nor repaired (repaired items also suffer a loss in value).

In the first case, the direct damage is either the pre-flood value or the replacement cost of the item. In the second case, the damage is the cost of repairs (plus any loss in value). In the third case, the damage is simply the loss in value.

Direct damage is divided into three categories: contents damage, external damage and structural damage (see Figure 4.1):

- contents damage refers to damage to the contents of the main building(s) on a property;
- external damage refers to damage to items external to the main building, e.g. motor vehicles, fences, gardens, the contents of sheds or outbuildings, etc.; and
- structural damage refers to the damage sustained by the fabric of a building (foundations, floors, walls, doors, windows, etc.) and the damage sustained by permanent fixtures in the building, such as built-in cupboards, benches, etc.

#### 4.1.1.2 Indirect damages

Indirect damage is also divided into three categories:

- indirect financial damage refers to the loss of income or increased expenditure caused by a flood;
- clean-up cost refers to the cost of labour and materials required to clean out a flooded building. Typical clean-up activities include the hosing down of walls and floors to remove silt, the taking up of flooded carpets, the removal and discarding of irreparably damaged items, the drying of rooms, etc.; and
- opportunity costs which arise from direct damage to public assets. Because of this damage, a period elapses when the public is not provided with these services or is provided with a reduced level of service.

It is difficult to realistically evaluate opportunity costs. On the one hand, opportunity costs can be estimated in terms of the total operating cost of the facility (wages, maintenance, interest on capital assets, etc.). Society is prepared to pay this cost to provide the services; thus their absence must be worth a corresponding amount. On the other hand, during the aftermath of a flood, public employees often undertake non-duty tasks useful to society when not providing public services (e.g. clean-up operations). For reasons of convenience, opportunity costs are often estimated as the wages cost over the period public facilities are not operating.

#### 4.1.1.3 Potential versus actual damage

Potential damage refers to the damage that would be sustained if no actions were taken by householders, or others, in an attempt to reduce flood damage, i.e. the damage that would occur if the entire population was absent when a flood occurred.

The actual damage sustained at a property is always less than the potential damage. Notwithstanding the shortness or absence of flood warnings, people will attempt to save items by lifting them onto benches or shelves, by shifting motor vehicles, by evacuating their possessions, etc.

Potential and actual damage costs are the same for structural damage, as it is generally impossible to reduce structural damage to buildings in the onset of a flood.

#### 4.1.2 Intangible damages

Intangible damage is difficult to measure and impossible to meaningfully quantify in dollar terms. Nevertheless, it is a very real, significant and often enduring 'cost' that emerges during the recovery phase of a disaster.

The social impacts of flooding include:

- the loss of irreplaceable items, such as family photographs;
- the stress induced by the flood itself;
- temporary evacuation of the home whilst the damage is repaired;
- the disruption caused by the flood to the life of the individual household and to the community as a whole; and
- the effect of floods upon the physical and mental health of those affected.

Research in the past has shown that social impacts can be more important to the victims of floods than the financial losses that they suffer.

## 4.2 TANGIBLE FLOOD DAMAGE ESTIMATION METHODOLOGY

### 4.2.1 Overview

Many factors affect flood damage (e.g. depth of inundation, flow velocity, duration of inundation, time of occurrence, debris/sediment loads, water quality etc.). However, other than the depth of inundation, very little guidance and information is available on how to take the relevant factors into account when estimating flood damage.

In most studies, flood damages are related to only the depth of inundation because the other factors are heterogeneous in space and time, difficult to predict, and there is limited information on their quantitative effects (Merz et al., 2010). As a result, flood stage-damage curves are typically used to estimate flood damages. However, accurate flood damage estimates cannot be made without stage-damage curves that are accurate and locally relevant.

Flood damage estimates made from stage-damage curves require the following information:

- property data;
- floor level data;
- ground level data;
- flood level data; and
- stage-damage curves.

### 4.2.2 Property and floor level data

A property floor level survey was conducted by Dubbo Regional Council on May 2019. All properties within the study area that were within the local Drillwarrina Creek catchment PMF extent.

The floor level survey included relevant property data, such as:

- unique building ID;
- building floor level
- building coordinates; and
- miscellaneous comments.

Building size was mapped based on aerial photographs and building type (commercial/residential) was assigned based on street view information.

#### 4.2.3 Ground level and flood level data

The ground level at each property was assigned based on available LiDAR topographic data (captured in December 2015). Design flood levels at each property were assigned by inspecting the building coordinates captured during the property survey against flood surfaces produced above.

#### 4.2.4 Residential stage-damage curves

Flood stage-damage curves (flood damage curves) relate the depth of flooding at a residential property to an estimate of the corresponding flood damage.

For this study, the residential stage-damage curves described in the Residential Flood Damages flood risk management guideline (NSW Government, 2007) have been used to estimate tangible residential flood damages. The NSW Government approach uses a typical damage curve, which allows damages to be estimated for individual dwellings on the basis of the property type. The use of these curves provides a consistent basis for calculation of flood damage between different projects across NSW whilst allowing consideration for local variation through the scale of a typical house and the value of its contents.

The parameters used to define the residential stage-damage curves are given in Table 4.1. Figure 4.2 graphically shows the residential stage-damage curves adopted for the study.

Table 4.1 - Residential flood damage curve values, NSW Government method

Parameter	Value
Regional cost variation factor (from Rawlinsons, 2020)	1.08
Post late 2001 adjustments (AWE adjustment*)	1.866
Post flood inflation factor (No. flooded properties > 700)	1.45
Typical duration of immersion	8 hours
Building damage repair limitation factor	0.75
Typical house size	240 m <sup>2</sup>
Average content relevant to site	\$62,500
Contents damage repair limitation factor	0.75
Level of flood awareness	Low
Effective warning time	0 hours
Likely time in alternative accommodation	3 weeks

\*AWE = Average Weekly Earning

#### 4.2.5 Commercial and industrial stage-damage curves

Although commercial and industrial damage can be a significant component of overall flood damage, to date there has been limited research on non-residential stage-damage curves other than residential stage-damage curves. A possible reason for this is that it is very difficult to provide accurate estimates given that the costs can vary significantly between each commercial property type and use.

For this study, flood damage curves developed by researchers at Australian National University (CRES, 1992) in the 1980's (ANUFLOOD) have been used. In ANUFLOOD, the commercial and industrial damage is defined on the basis of building size and business type. Three building sizes (small/medium/large) and five classes of building value category (1/2/3/4/5) are combined for a total of fifteen different building categories.

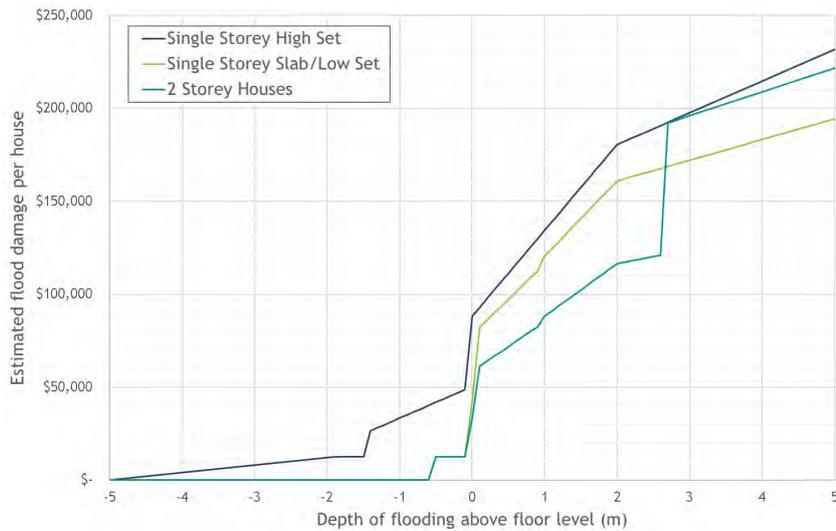


Figure 4.2 - Residential stage-damage curves

In applying these curves, the type of business/industry can be defined on the basis of Australia & New Zealand Standard Industrial Classification Code (ANZIC) (ABS, 2013). The ANZIC value class is assessed from 1 (low value) to 5 (high value). The value class is a subjective estimate of the likely loss that would be sustained if the building was inundated by floodwaters.

Table 4.2 shows ANUFLOOD commercial/industrial stage-damage curves updated to March 2020 prices using changes in the Consumer Price Index (CPI). For each non-residential property, damage is also dependent on the size of the building. ANUFLOOD defines three building size ranges:

- small properties (floor area <186m<sup>2</sup>);
- medium properties (floor area 186 - 650m<sup>2</sup>); and
- large properties (floor area >650m<sup>2</sup>).

For small and medium size properties damage is specified in total dollar values. Damage for large properties is specified as a dollar value per unit floor area. It is not clear what damage components are included and/or excluded in the ANUFLOOD damage values. It appears that damage estimates include structural damages. However, it does not appear that these damage curves include external damages.

The stage-damage curves given in Table 4.2 are potential stage-damage curves. The NSW Government methodology used for the residential stage-damage curves converted potential damages to actual damages, hence a similar conversion was required for the commercial stage-damage curves.

The ratio of actual to potential flood damages was varied depending on the depth of flooding, the available warning time and level of flood awareness. This methodology is more realistic than a simpler constant ratio methodology and is consistent with the residential stage-damage methodology.

Table 4.2 - Stage-damage curves for commercial properties (Source: CRES 1992)

Depth of Flooding Above Floor Level (m)	Potential Direct Damage (March 2020 Dollar Values)				
	Value Class				
	1 Very Low	2 Low	3 Medium	4 High	5 Very High
<b>Small Properties (Floor Area &lt;186m<sup>2</sup>) (\$)</b>					
≤ 0.00	0	0	0	0	0
0.25	5,115	10,232	20,461	40,921	81,845
0.75	12,789	25,575	51,153	102,306	204,612
1.25	19,181	38,367	76,728	153,459	306,916
1.75	21,313	42,626	85,255	170,510	341,018
≥ 2.00	22,591	45,186	90,370	180,739	361,479
<b>Medium Properties (Floor Area 186-650m<sup>2</sup>) (\$)</b>					
≤ 0.00	0	0	0	0	0
0.25	16,201	32,397	64,794	129,586	259,175
0.75	39,217	78,433	156,869	313,738	627,473
1.25	59,677	119,357	238,712	477,489	954,852
1.75	66,069	132,146	264,289	528,579	1,057,158
≥ 2.00	70,334	140,673	281,340	562,681	1,125,362
<b>Large Properties (Floor Area &gt;650m<sup>2</sup>) (\$/m<sup>2</sup>)</b>					
≤ 0.00	0	0	0	0	0
0.25	16.26	34.84	74.33	141.7	283.4
0.75	90.59	181.2	357.7	715.4	1,438
1.25	188.1	376.3	757.2	1,507	3,013
1.75	306.6	620.2	1,238	2,474	4,945
≥ 2.00	369.3	738.6	1,477	2,954	5,911

#### 4.2.6 Actual to potential damages

For Drillwarrina Creek catchment flood events, the available warning time is negligible so the actual damages would likely approach potential damages. Hence, for local catchment flooding the adopted actual to potential damage ratios were based on Figure 4.3 with flood depths of 0.5 m or less assigned an actual to potential damage ratio of 0.8, while flood depths of 2.0 m or greater were assigned a ratio of 0.9, with the ratio for depths in between linearly interpolated.

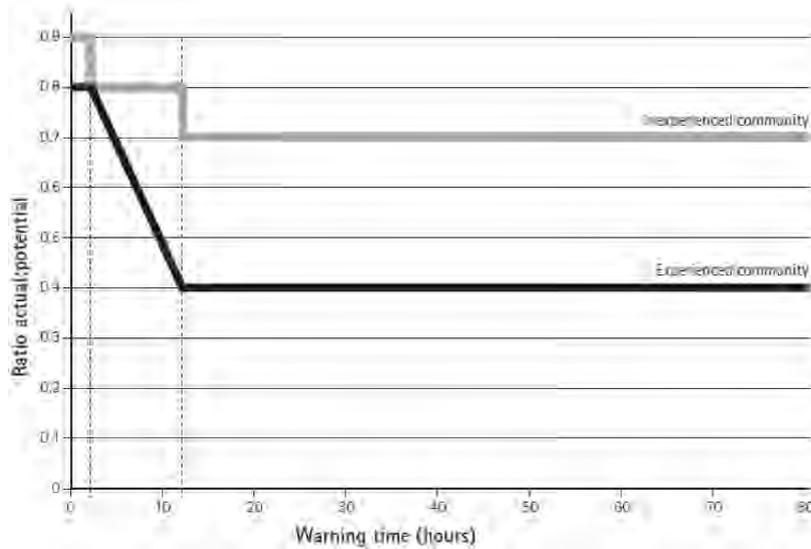


Figure 4.3 - Actual to potential damage ratio relationship (Source: VDNRE, 2000)

#### 4.2.7 Public authority buildings and public utilities

Direct damage to public and community owned buildings and assets must also be considered when estimating overall flood damage. These include:

- hospitals, schools, police and fire stations, and other government owned buildings;
- parks and recreational facilities;
- sporting facilities; and
- communication, electricity, water supply, sewerage and drainage systems.

Ideally, damage to these properties should be estimated on a case by case basis. In the absence of better data, damage to these properties was evaluated using the stage-damage curves given for commercial/industrial damage in Section 4.2.5.

#### 4.2.8 Roads and bridges

Flooding can cause significant damage to roads and bridges. The use of generalised damage rates to calculate road and bridge damage is not applicable as the cost is often closely related to the distance required to travel to access suitable materials (quarries and depots). In the absence of available information, costs due to damage to roads and bridges are not included in this study.

#### 4.2.9 Average annual damage

Over a long period of time, a flood liable community will be subject to a succession of floods. In many years, no floods may occur or the floods may be too small to cause damage. In some years, the floods will be large enough to cause damage, but the damage will generally be small because the floods are of small to medium size. On rare occasions, major floods will occur and cause great damage.

The average annual damage (AAD) is equal to the total damage caused by all floods over a long period of time divided by the number of years in that period (assuming that the

population and development situation does not change over the period of analysis). By estimating the damage caused by floods of different severity, e.g. the 20%, 10%, 5%, 2%, 1%, 0.2% and 0.5% AEP and extreme flood events from this study, it is possible to combine the likelihood of a flood occurring, with the damage it causes, and so estimate the AAD.

### 4.3 INTANGIBLE FLOOD DAMAGE ESTIMATION METHODOLOGY

For this study, intangible damages have been defined on a qualitative basis by comparing the relative flood mitigation benefits of each option to the existing scenario (refer Section 6). Though intangible damages have only been qualitatively assessed it should be remembered that intangible flood damages represent a not insignificant component of overall flood damage.

### 4.4 TANGIBLE FLOOD DAMAGE ESTIMATE

Table 4.3 shows the estimated number of properties flooded above and below floor level and the estimated residential and non-residential building damages for each design flood event (in March 2020 dollar values). The estimated AAD is also shown. A total of 36 buildings are located within the study area. Of the 36 buildings, 30 buildings are residential buildings and the remaining 6 are commercial. The spatial distribution of flood affected properties is shown in Figure 3.5.

Table 4.3 - Estimated number of flood affected buildings and flood damage, existing conditions

Parameter	Event (AEP)							
	20%	10%	5%	2%	1%	0.5%	0.2%	PMPF
No. residential buildings flooded AGL	2	6	9	12	15	21	24	30
No. residential buildings flooded AFL	-	-	-	1	2	2	5	29
Total residential damages (\$K)	\$0.0	\$37.5	\$105	\$176	\$273	\$390	\$609	\$4,494
No. non-residential buildings flooded AGL	1	2	2	5	5	6	6	6
No. non-residential buildings flooded AFL	-	-	-	-	-	-	-	6
Total non-residential damages (\$K)	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$112.5
Building average annual damage	<b>\$133,500</b>							

AGL - above ground level (count includes buildings flooded above both ground level and floor level)  
AFL - above floor level

With respect to the 1% AEP flood, the results show that:

- there are 20 flood affected buildings. Of these:
  - two residential buildings would be inundated above floor level;
  - no non-residential buildings would be inundated above floor level; and
- the total flood damage costs would be in the order of \$273,000 (excluding road, bridge and agricultural flood damages).

From the tabulated results it can be seen that:

- significant 'yard' flooding occurs for the more frequent events (from stormwater runoff);

- residential buildings in the study area start to be inundated above floor level for the 2% AEP and rarer design flood events;
- commercial buildings in the study area would only be inundated above building floor level for the PMP flood event;
- 29 out of 30 residential buildings would be inundated above building floor level for the PMP flood event;
- total building average annual flood damage for existing conditions is approximately \$133,500.

## 5 Emergency response planning

### 5.1 OVERVIEW

The flood model results have been analysed to provide flood related information that may assist the SES during an event. This information may be incorporated into any future updates to the Dubbo City Local Flood Plan (SES, 2013). A further discussion of flood emergency planning is given in Section 0.

### 5.2 ACCESS ROAD INUNDATION

Figure 5.1 shows the locations of roads/streets within Eumungerie estimated to be inundated by more than 0.3 m for more than one hour in the 1% AEP design flood event. It should be noted that each individual flood event is unique and the design flood modelling has only been calibrated to 1993 flood event, inundated areas and duration could vary on different individual flood events, hence Figure 5.1 should be used as a guide only.

The results show that parts of Balladoran Street south of Emu Street, running northeast to southwest in the centre of urban area in Eumungerie would be likely to be cut for a duration up to 1 hour for the 1% AEP design flood event. Evacuation from property ID17 (see Figure 5.1) would be restricted for this event.

Parts of Cobboco Road west of Balladoran Street would be inundated for up to 11 hours. Egress from Eumungerie to the Newell Highway would remain trafficable for the 2% AEP flood but would not be possible for the 1% AEP event.

The primary evacuation route from the community, should an extreme event occur, would be via Wheaton St to the east. Flood modelling shows that local catchment stormwater would inundate Wheaton Street to depths less than 0.1 m for all floods except the PMP flood and would therefore remain trafficable.

### 5.3 EMERGENCY RESPONSE PLANNING COMMUNITIES

Using the Flood Emergency Response Planning Classification Of Communities flood risk management guideline (NSW Government, 2007), the village of Eumungerie would be classified as an area with Rising Road Access (RRA). RRA areas are those in which access roads rise uphill and away from the rising flood waters. In these places the community is not completely isolated before a flood reaches its maximum and evacuation can take place by vehicle or on foot along the road as flood water advances.

### 5.4 FLOOD WARNING

There is currently no flood warning system available for Eumungerie. The only nearby stream gauge is located on Coolbaggie Creek at Rawsonville, which is not relevant for the short duration flooding that would occur at Eumungerie.

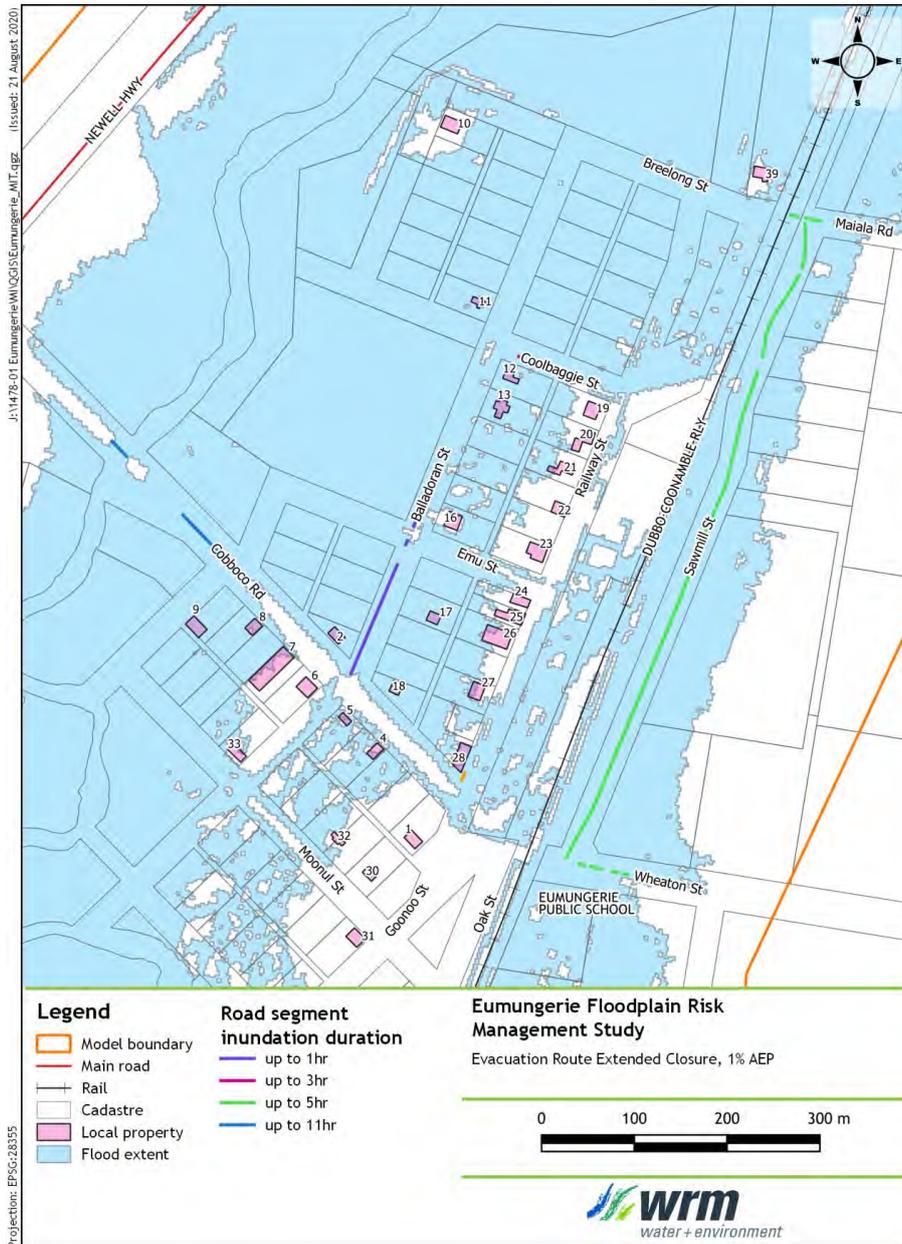


Figure 5.1 - Access roads inundated by 0.3 m for more than one hour, 1% AEP event

## 6 Structural flood management options

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### 6.1 OVERVIEW

Three structural flood management options have been investigated for Eumungerie. The investigated options have been based on a review of the flood risk zones, with the primary aim of structural management options being, either:

- mitigation: reducing the existing flood risk, and/or
- management: providing greater flood emergency response and evacuation options.

The investigated structural flood mitigation options have included:

- voluntary purchase and house raising programs;
- upgrading the existing private levee to the north of Breelong Street;
- a new levee and diversion channel, including:
  - levee (or raised road) on Coolbaggie Street and Balladoran Street; and
  - excavated drainage channel along the Dubbo Coonamble Rail.

This section describes the proposed measures and outlines the tangible and intangible benefits.

### 6.2 AIM OF STRUCTURAL FLOOD MANAGEMENT

The aim of any structural flood management option is to reduce the exposure of the community to flood risk, and/or improve emergency response during a flood event. The flood risk map presented in Section 3.5.3 is a key tool in assessing the effectiveness of each structural flood management option, as this map identifies the existing flood risk across Eumungerie.

Figure 3.5 shows that no buildings are present in risk zone Z6 (extreme risk) or risk zone Z5 (high risk) and approximately 6 residential dwelling near flood risk zone Z4 (medium risk) along Balladoran Street and Cobboco Road. The structural flood mitigation options were directed at mitigating the flood risk at these properties without impact on other properties.

### 6.3 VOLUNTARY PURCHASE AND HOUSE RAISING

#### 6.3.1 Purpose

A voluntary purchase and house raising program for flood prone properties in Eumungerie was considered. The primary objectives of a voluntary purchase and house raising Program would be to:

- reduce the impact of flooding;
- reduce flood liability on individual owners and occupiers of flood prone property; and
- reduce private and public losses resulting from floods.

The voluntary purchase component could be restricted to the most at risk properties, i.e. those in risk zones Z5 and Z6 (high and extreme risk), which there are none. The house raising component could then be targeted at residential properties able to be raised (i.e. not slab-on-ground properties) with an existing floor level below the flood planning level (1% AEP + 0.5 m).

### 6.3.2 Considerations

There are no existing buildings currently in risk zones Z5 and Z6 (high and extreme risk) and therefore voluntary purchase of properties within Eumungerie would not be appropriate.

Under the current government legislation and practical considerations, a proposed house raising program would likely only apply to:

- residential properties constructed prior to 1986 when the original Floodplain Development Manual was gazetted by the State Government;
- single storey residential buildings located outside of high or extreme flood risk zones (Z5 and Z6). Note: a separate floodplain risk management measure (voluntary purchase) is recommended for properties in high flood risk zones;
- residential buildings structurally able to be raised (i.e. buildings on stumps, not slab-on-ground); and
- residential buildings where the floor level of the residence is below the adopted residential flood planning level (1% AEP flood level + 0.5 m). Any house raising should result in the new floor level being, as a minimum, at the flood planning level.

Given the above criteria, a total number of 7 residential properties are potentially eligible for house raising (noting that no investigation of building age has been undertaken, so the actual number of eligible properties will be less than this). Some flood prone properties have been constructed with a slab-on-ground and therefore cannot be raised.

Subject to Government agreement, funding for the program could potentially be provided at ratio of \$2 from the State Government for every \$1 provided by the property owner (or council), in accordance with the NSW Government's Floodplain Management Program for voluntary house raising schemes.

### 6.3.3 Tangible benefits

Table 6.1 shows the number of properties flooded above and below floor level and the estimated residential and commercial damages (in March 2020 dollar values) assuming all potentially eligible residential properties have been raised. The estimated building average annual damage (AAD) under the fully implemented scenario is also shown.

With respect to the 1% AEP flood and comparing to existing conditions (see Table 4.3), the results show that:

- the number of flood affected residential properties above the floor level would reduce from 2 to 0;
- the total local catchment flooding residential flood damages would reduce by approximately \$110,000 (from \$273,000 under existing conditions).

The total building average annual damage from flooding, assuming complete uptake of a voluntary house raising program, is \$124,000. This is approximately \$10,000 less than existing conditions.

Table 6.1 - Number of properties flooded and flood damage costs, fully implemented house raising program

Parameter	Event (AEP)							
	20%	10%	5%	2%	1%	0.5%	0.2%	Extreme
No. residential buildings flooded AGL	2	6	9	12	15	21	24	30
No. residential buildings flooded AFL	-	-	-	-	-	-	-	29
Total residential damages (\$K)	\$0.0	\$25.0	\$25.0	\$37.5	\$163	\$200	\$263	\$4,403
No. non-residential buildings flooded AGL	1	2	3	5	5	6	6	6
No. non-residential buildings flooded AFL	-	-	-	-	-	-	-	6
Total non-residential damages (\$K)	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$112.5
Building average annual damage	<b>\$124,250</b>							

AGL - above ground level (count includes buildings flooded above both ground level and floor level)  
AFL - above floor level

#### 6.3.4 Estimated cost

The cost of house raising can vary widely depending upon the size of the house and the availability of suitable contractors. In South East Queensland, house raise quotations typically range from \$15,000 to \$50,000. Molino Stewart (2014) estimated the cost of house raising in Moree to be \$80,000 per structure. For this assessment, a cost of \$88,200 per structure was assumed for this study (the Molino Stewart estimate was factored using CPI as an indicator of price rise).

#### 6.3.5 Economic evaluation

Table 6.2 shows an economic evaluation of the voluntary house raising component of the program. The reduction in average annual damage was calculated assuming that the two highest priority houses were raised to the flood planning level every year. The net present value of the savings was then determined for discount rates of 4%, 7% and 10%, which was compared to the cost of the raising to determine the benefit cost ratio. The total building AAD each year was then calculated as the sum of AAD for regional flooding and AAD for local catchment flooding.

At all discount rates, none of the rounds of raising properties yield a positive benefit cost ratio, which means the program is not economically viable in any years.

Table 6.2 - Economic evaluation of the proposed house raising program

Yr	Total building AAD after each year	AAD savings	NPV Savings over 20 years			Cost of year	Benefit Cost Ratio		
			@ 4%	@ 7%	@ 10%		@4%	@7%	@10%
	\$133,493	-							
1	\$126,606	\$6,887	\$93,597	\$72,961	\$58,633	\$176,400	0.53	0.41	0.33
2	\$125,465	\$1,141	\$15,503	\$12,085	\$9,712	\$176,400	0.09	0.07	0.06
3	\$124,516	\$949	\$12,903	\$10,058	\$8,083	\$176,400	0.07	0.06	0.05
4	\$124,254	\$262	\$3,564	\$2,779	\$2,233	\$176,400	0.02	0.02	0.01

### 6.3.6 Environmental impacts

There are negligible environmental impacts associated with a voluntary purchase and house raising program. There are however potentially positive, but minor, impacts on flooding due to a less obstructed floodplain.

### 6.3.7 Social impacts

A voluntary purchase and house raising program would have potential positive social impacts on the Eumungerie community. Potential positive social impacts of the program include:

- reduced community impact during rare flood events; and
- reduced stress towards flooding for house owners who participate in the program.

Potential negative social impacts of the program include:

- house owner's financial pressure of partly funding house raising;
- house owner's pressure of moving house if opting for voluntary purchase; and
- inequity for residents who own properties that are ineligible or unsuitable for house raising.

## 6.4 UPGRADE OF THE PRIVATE LEVEE ALONG BREELONG ST

### 6.4.1 Purpose

There is a private levee located to the north of Breelong Street. It is understood the levee was constructed after the January 1993 flood to protect property ID 10 on Balladoran Street (see Figure 6.1). The raising of the levee would potentially reduce Drillwarrina Creek flooding.

### 6.4.2 Considerations

A review of the flood modelling results showed that the existing levee would be overtopped by the 5% AEP event and outflanked by the 20% AEP event. Site observations indicate that it would be very difficult to extend the levee around house ID39 on Breelong Street to prevent the levee from being outflanked. Unless the levee was extended to the south, the levee would not prevent the inundation of Eumungerie for the larger floods. It would also not prevent inundation of local stormwater inundation from the east of the rail.

Given these constraints, the upgrading of the private levee along Breelong Street has not been considered further.

Notwithstanding this, consideration should be given should the owner of property ID10 wish to raise the levee around the house to provide personal protection. This would likely be at the owner's expense.

## 6.5 LEVEE AND CHANNEL SCHEME

### 6.5.1 Purpose

During moderate to large flow events, Drillwarrina Creek overflows drain south to inundate a number of properties along Balladoran Street. Balladoran Street also experiences stormwater inundation from the local catchments draining through the rail from the east.

The objective of the levee and channel scheme would be to reduce the flood risk in this area from both of these sources. It would also reduce the stormwater flooding at Eumungerie Public School.

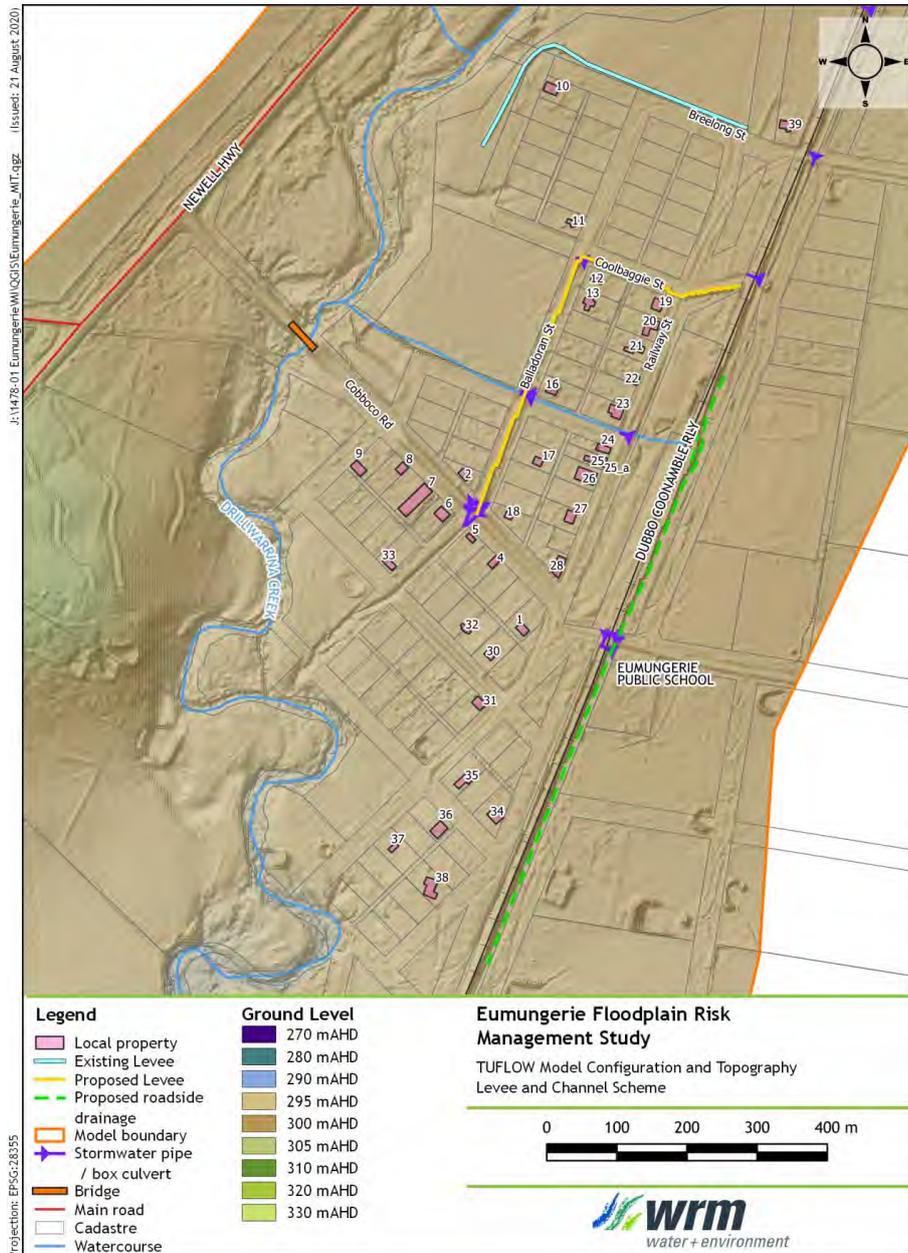


Figure 6.1 - Levee and channel scheme concept

### 6.5.2 Considerations

Figure 6.1 shows the locations of the proposed mitigation measures, which includes the following:

- A 640 m long levee (or road raise) to prevent Drillwarrina Creek flooding in the urban areas in Eumungerie. The levee would follow Coolbaggie Street before turning southwest following Balladoran Street. The optimal configuration for the levee would potentially be by raising the existing road to the 1% AEP design flood level.
- A 910 m long, 10 m wide constructed drainage channel to divert the local catchment flows from the east of the Dubbo Coonamble Railway away from Eumungerie to the south. The drainage channel would formalise the existing flow path located between the Dubbo Coonamble Railway and Sawmill St and would extent from Coolbaggie Street to the north and Eura Street to the south.
- Culverts under the rail at Wheaton St (RL02 and RL03) and at the grain terminal (RL04) would be blocked to prevent water from draining into Eumungerie; and
- New box culverts (2 X 0.9 mH & 1.2 mW) would be constructed on the constructed drainage channel across Wheaton Street.

Note that the community identified stormwater ponding along Balladoran Street was a significant issue and the flood study identified that the most frequent inundation occurred from stormwater runoff. These measures would reduce the catchment and therefore flows draining to this area. It would not however prevent ponding from local rainwater runoff generated between Coolbaggie Street and Cobboco Road. This area would drain via the existing road table drains.

There is opportunity to raise the levee/road to provide a higher level of immunity. However, it would potentially be difficult to raise the road much higher and maintain suitable access to each property and therefore a new structure, potentially on private land would be required. The above levee and channel concept could potentially be located on easement and therefore not require further land acquisition or easements on privately held land.

### 6.5.3 Concept hydraulic modelling

The hydraulic model was used to test the effectiveness of the above mitigation measures for a range of design flood events from the 20% AEP to the PMP flood. Impact mapping from the hydraulic modelling results is presented in Appendix B.

The hydraulic model results show the following:

- For design flood events up to 1% AEP,
  - properties between Coolbaggie Street, Balladoran Street and Railway Street would not be inundated by overflows from Drillwarrina Creek or from stormwater runoff from the catchment to the east of the rail;
  - significant reductions in flooding would occur for properties to the south of Cobboco Road;
  - the Eumungerie Public School would not be inundated;
  - a minor reduction in flood level would occur to the property ID 2 and a minor increase at property ID 11 (the church); and
  - peak flood levels at other properties would not change.
- For events rarer than 1% AEP, a clear reduction in flood levels would occur for properties located along Balladoran Street and for properties to the south of Cobboco Road. No properties with the exception of property ID 11 (the church) would experience increased flood levels.
- Increased flooding would occur along the rail to the south of Eumungerie due to the diverted stormwater. No investigations have been undertaken to mitigate this

increase. However, it is possible additional culverts through the rail would be required.

#### 6.5.4 Tangible benefits

Table 6.3 presents a high-level quantification of the tangible benefits of the Levee and Channel Scheme configured as per Figure 6.1.

For the 1% AEP event, six properties would be inundated above ground level, reduced from 15 in the existing condition. One property would be inundated above floor level, reduced from two previously. The estimated flood damage cost for the 1% AEP event would be \$130,000, a reduction of approximately \$140,000. The average annual damage is reduced by \$10,000 to approximately \$125,000.

Table 6.3 - Number of properties flooded and flood damage costs, Levee and Channel scheme flood mitigation option

Parameter	Event (AEP)							
	20%	10%	5%	2%	1%	0.5%	0.2%	Extreme
No. residential buildings flooded AGL	-	1	3	5	9	16	24	30
No. residential buildings flooded AFL	-	-	-	-	1	2	5	29
Total residential damages (\$K)	\$0.0	\$12.5	\$25	\$63	\$130	\$332	\$596	\$4,492
No. non-residential buildings flooded AGL	1	1	2	3	3	5	6	6
No. non-residential buildings flooded AFL	-	-	-	-	-	-	-	5
Total non-residential damages (\$K)	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$112.5
Building average annual damage	<b>\$125,229</b>							

AGL - above ground level (count includes buildings flooded above both ground level and floor level)  
AFL - above floor level

From the results of the hydraulic modelling and the flooded property analysis it is apparent that the levee and channel scheme would benefit the majority of property owners, with the exception of property ID 11 (the church) which would remain not flooded above floor level by the 1% AEP event.

#### 6.5.5 Estimated cost

Table 6.4 provides indicative costings of the levee (road upgrade) and drainage channel. The costs have been determined using unit rates of fill as well as road and culvert construction composite rates based on the Australian Construction Handbook (Rawlinsons, 2020). The costs been developed to assist in broad-scale planning and should be regarded as indicative only. A 25% contingency cost has also been included. However, the costing is suitable for the comparative preliminary benefit cost analysis undertaken for this study.

Cost that was **not** considered in the cost estimate include:

- Cost of any new rail infrastructure to the south of Eumungerie; and
- maintenance and repair of the structures.

Table 6.4 - Costing of proposed levee and road raise

Item	Unit Cost	Unit	Quantity	Estimate
<b>Raising Coolbaggie and Balladoran streets</b>				
Strip	\$1.85	m <sup>2</sup>	2700	\$4995
Fill	\$17.2	m <sup>3</sup>	1340	23,048
Gravel road surface	\$1.85	m <sup>2</sup>	2700	\$4995
<b>Total</b>				<b>\$33,038</b>
<b>Constructed channel</b>				
Channel excavation	\$12	m <sup>3</sup>	6,000	\$69,300
Channel revegetation	\$10,900	ha	1.27	\$10,900
Wheaton St Culvert	\$51,250	Item	1	\$51,250
<b>Total</b>				<b>\$131,450</b>
25% Contingency				\$41,122
<b>Total</b>				<b>\$205,610</b>

#### 6.5.6 Economic evaluation

Table 6.5 shows an economic evaluation of the proposed scheme. The net present value of the savings has been determined for discount rates of 4%, 7% and 10%, which has been compared to the cost of the levee scheme to determine the benefit cost ratio. The results show that the costs outweigh the benefits for both all discount rates. Further work to reduce the estimated cost could be undertaken to improve the benefit cost ratio. The inclusion of the intangible benefits would also improve the evaluation.

Table 6.5 - Economic evaluation of the proposed levee and channel

Yr	Total AAD	AAD savings	NPV Savings over 20 years			Cost	Benefit Cost Ratio		
			@ 4%	@ 7%	@ 10%		@4%	@7%	@10%
	\$133,493	-							
1	\$125,229	\$8,265	\$177,542	\$114,058	\$81,942	\$205,610	0.86	0.55	0.4

#### 6.5.7 Environmental impacts

The proposed levee and channel are not expected to have a detrimental environmental impact because:

- the proposed levee (raised road) would be located on an existing road easement;
- Drillwarrina Creek flooding behaviour would not change; and
- The proposed drainage channel along the rail would be formalising an existing flowpath, albeit artificially created by the rail.

Careful consideration of the alignment of the diversion channel during detailed would be required to minimise or eliminate the need for the removal of vegetation. Proper consideration to erosion protection would also be required.

#### 6.5.8 Social impacts

A levee and channel scheme would have an overall positive social impact on the Eumungerie community. Potential positive social impacts of the scheme include:

- reduced community impact during frequent to rare flood events;

- reduce flood impacts at Eumungerie Public School;
- increase the accessibility of Cobboco Road - Wheaton Street as an evacuation access during major flood events.

Potential negative social impacts of the scheme include:

- impacts to local church at the intersection of Balladoran Street and Coolbaggie Street;
- increased ponding extents east of Dubbo Coonamble Railway, between Wheaton Street and Kingsley Road.

## 6.6 RECOMMENDED STRUCTURAL MITIGATION OPTION

The comparison of the proposed structural flood mitigation options would suggest that the proposed road raise/levee and channel scheme is the most viable for Eumungerie, although the costs generally outweigh the benefits.

The social benefits of the levee scheme would be significant by reducing local stormwater inundation that frequently occurs in the area. Although the damage caused by the local stormwater inundation is not significant, the lack of drainage in the area means that water would pond for extended periods.

It is recommended to undertake further investigation into the scheme. The investigation should:

- Consult with the community on the suitability of the option;
- Engage with ARTC on the use of the rail easement; and
- Refine the design and costings to improve the benefit cost ratio.

Should the further investigations demonstrate that the levee scheme is feasible and has community acceptance, the floodplain management study should be updated with the revised flood levels once it has been constructed.

## 7 Non-structural flood management options

### 7.1 OVERVIEW

Dubbo Regional Council currently manage the development of flood prone land via land use zoning within the LEP (refer Figure 2.1) and development requirements specified in the Dubbo Development Control Plan (2013).

The LEP defines the flood planning area for Dubbo City but has not defined the area for Eumungerie. The proposed flood planning area for Eumungerie is shown in Figure 3.6, which has been derived from the extent of flooding for the 1% AEP event plus 0.5 m.

The LEP stipulates that:

*Development consent must not be granted to development on land to which this clause applies (land within the flood planning area) unless the consent authority is satisfied that the development:*

- (a) is compatible with the flood hazard of the land, and*
- (b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and*
- (c) incorporates appropriate measures to manage risk to life from flood, and*
- (d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and*
- (e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.*

The DCPs set standards for new developments and modifications to existing developments within the flood planning area. The LEP and DCP have been reviewed to determine whether the controls are appropriate for Eumungerie.

### 7.2 LAND USE PLANNING - LAND USE ZONING

#### 7.2.1 Purpose

The application of land use zoning is an effective and long-term means of controlling development in flood affected areas. The Australian Disaster Resilience Guideline 7-5 Flood Information to Support Land-use Planning (AIDR, 2017) recommends “limiting the growth in flood risk because of new land uses and development in the floodplain”. Land use zoning is therefore key to restricting or preventing incompatible development on flood prone land.

#### 7.2.2 Considerations

Land use zonings over flood prone land should be based on an objective assessment of flood hazard and risk, environmental and social factors including:

- the NSW Governments Flood Prone Land Policy;
- whether the land is in a high flood risk area;
- the potential for future development to have an adverse impact on flood behaviour and thereby negatively impact existing development;
- whether adequate access is available during floods;

- whether certain activities should be excluded because of additional or special risk to their users, e.g. accommodation for aged people, hospitals etc.; and
- existing planning controls.

### 7.2.3 Proposed strategy

A review of the land use zoning map and the flood risk map presented in Section 3.5 shows that the majority of the RU5 lots within Eumungerie have a Z3 (low) or Z4 (medium) flood risk. There is only one undeveloped freehold RU5 lot located within the Z5 (high) and Z6 (extreme) flood risk zone. The location of this lot together with the extent of the Z5 and Z6 flood risk zone is shown in Figure 7.1. The remaining RU5 lots within the Z5 and Z6 zone, also shown in Figure 7.1, are listed as crown land and therefore would not be developed.

It is unlikely that any of these lots within the high flood risk area would be developed in the future as it would not comply with the LEP requirement to be '*compatible with the flood hazard of the land*'. These lots have also been identified on the Natural Resource Biodiversity map as having high biodiversity, which would further limit development.

The R5 lots adjacent to Drillwarrina Creek to the south of Eumungerie are generally within Z3 and Z4 zones and are therefore zoned appropriately.

Although there is a low chance that the lots identified in Figure 7.1 could be developed, it is recommended that Council undertake consultation with the owners of the lots to understand their current use and to articulate the flood hazard of the land. This consultation will be with a view to inclusion of the lots in Council's strategic planning processes for potential rezoning in the future, having regard to the significant flood hazard and the likely constraints of the land to further development.

## 7.3 LAND USE PLANNING - BUILDING AND DEVELOPMENT CONTROLS

### 7.3.1 Purpose

The DCP is the primary instrument for managing development on the floodplain to ensure development is compatible with the prevailing flood situation and that the overall level of potential flood risk is not increased.

### 7.3.2 Considerations

A summary of the key flood development controls within the Dubbo DCP and a discussion on their implications to development within Eumungerie are listed below.

#### Residential

- Ground floors of residences are located at or above the 'flood planning level' to provide protection to life and property in accordance with the accepted level of risk. (A7.1 - Stormwater management)
- Flood free access is provided for driveway and access points (A3.1 in Vehicular access and car parking)
- Where Council sewerage services are not available, an approved effluent disposal system is installed and located so it is not: - Situated on flood-affected land (A3.4 - Infrastructure)

Given the existing flooding constraints in Eumungerie, it is unlikely that any of the existing (undeveloped) RU5 lots would satisfy the flood free requirements for driveway and access points because the majority of public roads to which they would connect, themselves are not flood free.

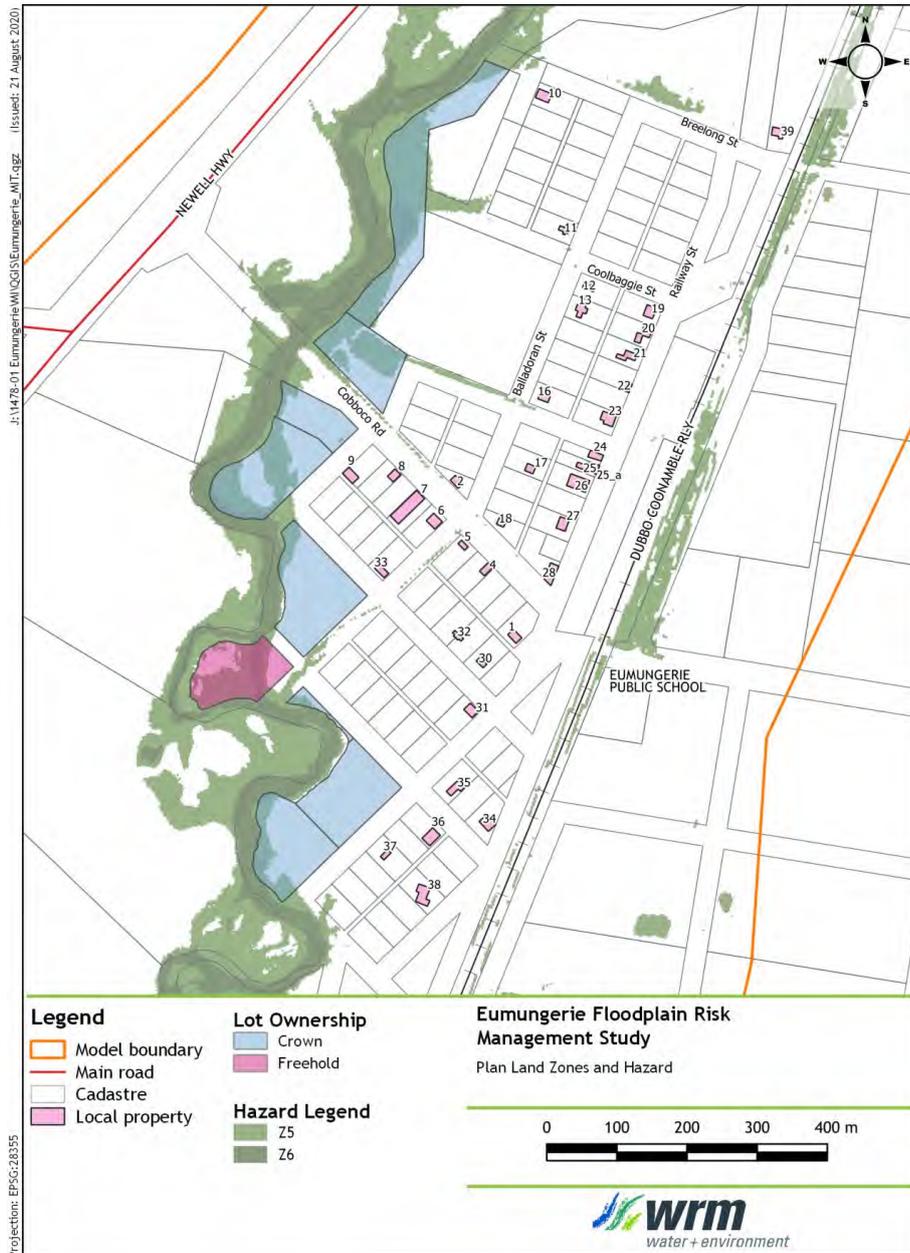


Figure 7.1 - High and extreme flood risk allotments within the RU5 zone

Whilst the term “flood free” is not defined in the DCP, it would notionally relate to the PMF under the NSW Floodplain Development Manual. However, in the context of flooding behaviour in Eumungerie where flood events would be expected to rise and fall in hours and the community has a rising road access as defined by the Flood Emergency Response Planning Classification Of Communities, temporary isolation may be acceptable, and thus having a flood free access up to the PMF flood standard would not be expected to be an imperative.

For major events which would involve over floor flooding and thus likely necessitate evacuation, the public road system would be inundated, and thus the relevance of having a flood-free access within the property itself becomes mute. Under such circumstances the ability for heavy vehicles to access and depart the site to facilitate evacuations, becomes more relevant, being a consideration of the flood depth, velocity and trafficability of the adjacent road surface.

The sewerage constraints would also potentially restrain future residential development within Eumungerie as it would be required to minimise future contamination of the waterway.

#### Rural development

- Buildings on R5 not sited near obvious depressions and watercourses or on flood-prone land (A5.2 in Site integration)
- Evacuation and alternative evacuation paths from natural hazards are clearly identified and constructed prior to development (A5.3 in Site integration)
- Access is flood-free to allow safe transit during and after periods of heavy rain (P3 and associated AS's in Access).
- Development is located away from watercourses and flood-prone land and does not adversely impede the flow of flood waters (P1 and associated AS's in flooding).
- A Flood Evacuation Plan has been prepared (P2 and A2.1 in flooding).

With respect to the study area, the R5 zoned land between Drillwarrina Creek and the rail to the south of Eumungerie would not satisfy the Site Integration and Access and Flooding conditions of the DCP due to its flooding constraints. Given that the subject R5 zoned land is undeveloped ‘rural’ land with no current servicing, no formed public road access, and subject to other natural hazards (i.e. bushfire), the opportunity exists for Council to undertake consultation with the landowners with a view for the inclusion of that area into Council’s strategic planning processes for potential rezoning in the future, having regard to the significant flood hazard and the likely constraints of the land to further development.

#### Commercial

- Ground floors of commercial buildings are located above the 1% AEP flood level to provide protection to property in accordance with the accepted level of risk (P3.2 of Soil, water quality and noise management).

The above development control would appear to be consistent with the LEP and best practice floodplain management.

#### Cumulative impacts of filling

Although the current development demand is low, there would appear to be about 100 RU5 lots within Eumungerie that could incorporate a residential dwelling at some time in the future. Most of these would require a fill pad to meet the floor level requirements, unless constructed on stumps.

The minimum lot size within the RU5 zone is 2,000 m<sup>2</sup> with all but the 10 lots to the south of Cobboco Road and to the west of Balladoran Street exceeding this area. The hydraulic model was used to assess the hypothetical future scenario where all RU5 lots contained a fill pad of 300 m<sup>2</sup> above the 1% AEP flood level including the existing properties. The results of the impact assessment showing the impact of the hypothetical filled scenario compared to existing conditions is shown in Figure 7.2.

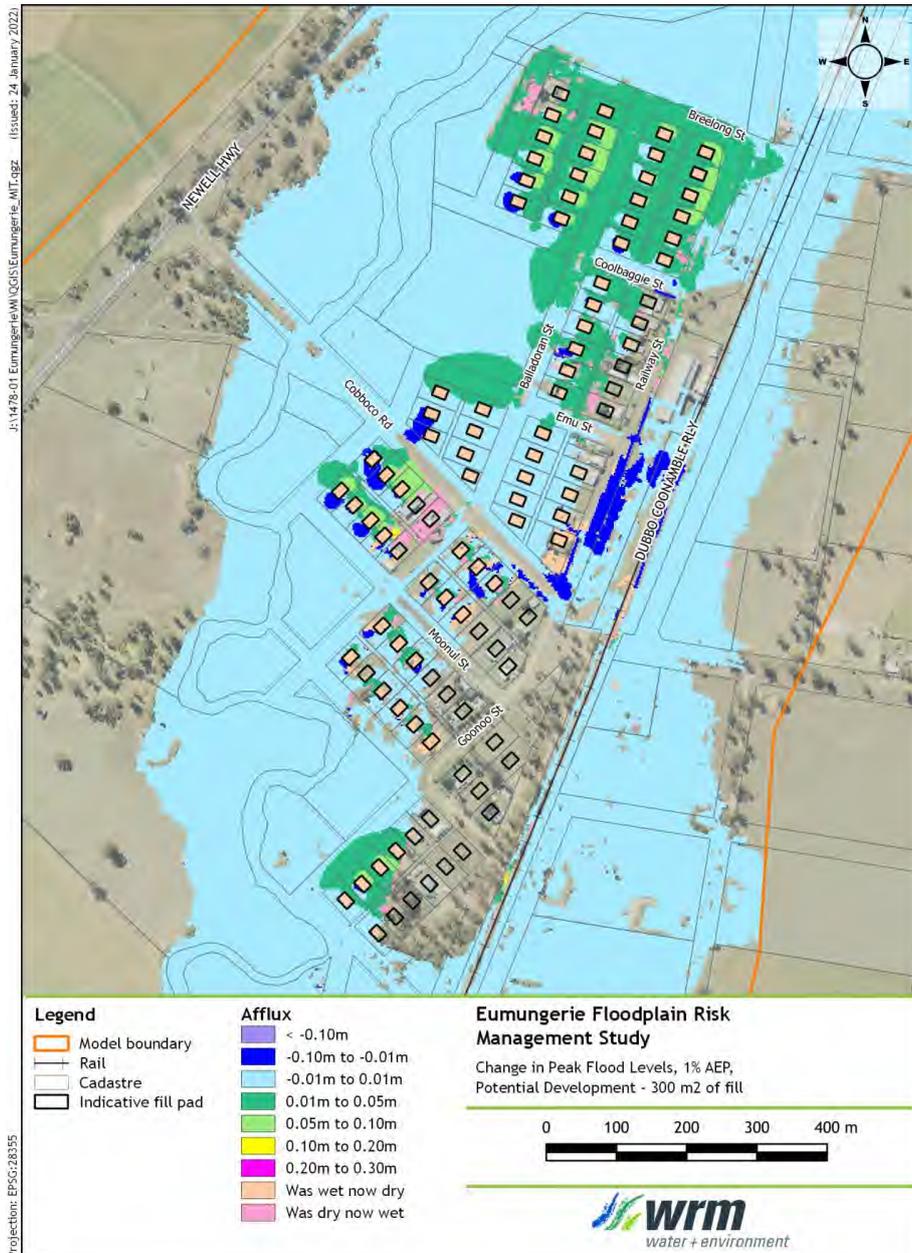


Figure 7.2 - Flood level impacts for filling each RU5 lot by 300m<sup>2</sup>, 1% AEP event.

The results of the assessment show that peak 1% AEP flood levels would increase by:

- up to 0.01 m for the existing dwellings along Railway and Balladoran streets;
- up to 0.09 m for the existing dwellings/commercial properties along Cobboco Road to the west of Balladoran Street;
- up to 0.06 m for the undeveloped lots to the north of Coolbaggie Street.

The greatest flood impact would occur at the existing dwellings/commercial properties along Cobboco Road. The impacts would appear very localised around each fill pad. None of the existing buildings would be inundated above floor level by the 1% AEP event if the fill occurred according to these hypothetically filled areas.

### 7.3.3 Proposed strategy

#### 7.3.3.1 Terminology

The DCP refers to terms such as 'flood prone land' and 'flood free', neither of which are defined within the DCP dictionary. Consideration should be given to defining these terms within the DCP dictionary.

- **Flood prone** land should be consistent with the Floodplain Development Manual (NSW Government, 2005) as *land susceptible to flooding by the PMF event*.
- **Flood free** should relate to a specific flood event and this may vary across the LGA depending upon location. For Eumungerie, flood free access could refer to being trafficable during a 1% AEP event.

#### 7.3.3.2 Cumulative impacts of filling

The DCP should include provisions for managing the filling within the floodplain. The development standards should be consistent with Division 5 of the NSW House Code. However, further acceptable solutions could be considered to take advantage of the assessment undertaken above. Possible acceptable solutions for fill within the floodplain within the RU5 zone include:

- A fill pad on each lot should not exceed 300 m<sup>2</sup> at the ground surface;
- The minimum fill pad level should be the 1% AEP event plus 0.3 m; and
- Any fill pad exceeding 300 m<sup>2</sup> would need a flood study to demonstrate that there would be no adverse impacts on adjacent property

## 7.4 FLOOD EMERGENCY PLANNING

### 7.4.1 Purpose

The existing Dubbo City Local Flood Plan (SES, 2013) covers issues such as preparedness, response and recovery for flood events within the Dubbo LGA including for Eumungerie. The plan details clear lines of responsibility for managing flood events with particular focus on large river flooding from the Macquarie and Talbragar rivers in Dubbo. An assessment of the response measures in the plan for Eumungerie is given below.

### 7.4.2 Considerations

#### 7.4.2.1 Flood warning

The flood study showed that major flooding at Eumungerie from Drillwarrina Creek would occur from rainfall events of about 6 hours. For these events, the flood peaks were predicted to peak within about 6 hours of the commencement of the storm and the onset of overbank flooding would occur within about 4 hours. This suggests that there would be very little time between the heaviest rainfall occurring and the onset of overbank flooding. Note that the January 1993 flood, which resulted from a 1 hour storm, peaked within 3 hours of the storm commencing with overbank flooding occurring within an hour.

There are no flood gauges or rainfall alert stations within the catchment that provide early warning for an impending flood. The broad nature of the catchment would also suggest that the establishment of a flood warning system would not be of significant benefit.

At the peak of the event, the village would also be isolated from Dubbo due to Cobboco Road being inundated by Drillwarrina Creek and Mogriguy Road being inundated by Coolbaggie Creek and potentially at other locations.

Given the above, it is unlikely that SES staff in Dubbo could respond to an event prior to the flood peak. A local SES unit member trained in flood and stormwater response operations would be required to manage any response.

#### 7.4.2.2 Shelter in place

The flood study showed that above floor flooding would not commence until the 2% AEP event (for one dwelling) and only five properties would be inundated for the 0.2% AEP event. It is likely that most residents would remain in their properties for most flood events and only evacuate once yard or above floor flooding commenced. Given the lack of warning, this may be unavoidable.

Given that the roads within Eumungerie rise away from Drillwarrina Creek towards the rail, residents should be able to safely evacuate as the floodwaters arrive. Vulnerable residents would likely need assistance.

#### 7.4.2.3 Evacuation centres

The Dubbo City Local Flood Plan (SES, 2013) identified two evacuation centres for Eumungerie:

- the Eumungerie Hall (Railway Street), and
- Eumungerie Primary School (Wheaton Street).

The Eumungerie Hall would experience yard flooding for the 1% AEP event and above floor flooding for the PMF event. It would not be safe during a PMF. The Eumungerie Primary School would experience yard flooding from local stormwater for the 10% AEP event to shallow depths. Peak flood depths for the PMF would generally be less than 0.4 m.

It would appear that the Eumungerie Primary School should be the favoured evacuation centre.

#### 7.4.3 Proposed Strategy

The Dubbo City Local Flood Plan (SES, 2013) would appear to cover the key issues. However, consideration should be given to training local SES unit members in flood and stormwater response operations specific to Eumungerie as it would be unlikely that the Dubbo SES could respond until after the event had passed.

The additional and updated information provided in Section 5 can be used to update the Local Flood Plan. In particular, the information on the locations of road inundation depths for the various events could assist prioritisation of evacuations for regional flood events.

## 7.5 PUBLIC AWARENESS, COMMUNITY CONSULTATION AND EDUCATION

### 7.5.1 Purpose

Appropriate and timely public response during flooding is related to the level of understanding in the community of the nature, frequency and extent of flooding, the rate of rise of floodwaters and the degree of risk. Therefore, public awareness of the potential risk should be an integral and ongoing part of managing flood affected areas.

### 7.5.2 Considerations

Significant flood events have been rare in Eumungerie with local stormwater problems more prominent to the local community. Given the infrequent flooding, a continuing public education programme is recommended on the basis that a well-prepared community will suffer less damage and other flood related problems during a significant flood event.

Public education is relatively inexpensive and has the potential to reduce the risk to life and property. Significant flood events are infrequent. Therefore, a programme of public information must be ongoing and sustained if it is to be effective.

### 7.5.3 Proposed strategy

The following public awareness strategies are proposed:

- Publishing the Eumungerie Flood Study (WRM, 2020) and the Eumungerie Floodplain Risk Management Study and Plan (WRM 2020) on the Dubbo Regional Council website.
- Flood related property information made available to anyone enquiring through Dubbo Regional Council, including:
  - property ground level and floor levels;
  - design flood levels; and
  - the flood planning level.
- A flier sent to the residents annually, potentially as part of the rates notice reminding residents of the flood risk (as well as other hazards) and to be prepared. The flier could highlight Eumungerie's exposure to all of the hazards, identify nominated evacuation centres and provide information on emergency response numbers.

## 8 Conclusions and recommendations

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This floodplain risk management study has highlighted the existing flood risk in Eumungerie. The results of hydraulic modelling from the flood study have been used to assess the flood hazard assessment has then been summarised into a single flood risk map, independent of flood severity.

The existing flood risk analysis has been complemented with a comprehensive building flood damage assessment. The total average annual damage to buildings in Eumungerie has been estimated at \$133,500.

The existing problem, future problem and residual flood problem has been analysed with structural measures, planning measures and emergency response measures considered to address these problems.

Following consideration of hydraulic, environmental, economic and social issues, a selection of structural flood risk management measures have been ranked for implementation as part of Floodplain Management Plan of this study. This ranking is provisional only, with community feedback to also inform the prioritisation of the mitigation measures. The measures in order of highest priority to lowest priority are given in Table 8.1.

Table 8.1 - Recommended floodplain risk management measures for Eumungerie

Priority	Measure	Recommendation
High	1. Levee and channel scheme	<ul style="list-style-type: none"> <li>• Refine the concept design of the scheme to reduce costs</li> <li>• Consult with the community on the need</li> <li>• Commence consultation with ARTC</li> </ul>
Medium	2. Land use planning	<ul style="list-style-type: none"> <li>• Incorporate flood planning area map into the LEP</li> <li>• Consider rezoning land currently located in Z5 and Z6 hazard areas</li> </ul>
Medium	3. Building and development controls	<ul style="list-style-type: none"> <li>• Updating DCP to include flood risk measures to improve terminology</li> <li>• Updating DCP to include assessment of filling impacts</li> </ul>
Medium	4. Local flood plan	<ul style="list-style-type: none"> <li>• Review and update the Local Flood Plan to incorporate information on flood risks to properties and additional information on road inundation and flood warning. Communicate the contents of the Local flood plan to the community.</li> </ul>
Medium	5. Flood education plan	<ul style="list-style-type: none"> <li>• Develop and implement an ongoing flood education plan.</li> </ul>

## 9 Glossary

annual exceedance probability (AEP)	the chance of a flood of a given or larger size occurring in any one year, usually expressed as a percentage. (see ARI)
Australian Height Datum (AHD)	a common national surface level datum approximately corresponding to mean sea level.
average recurrence interval (ARI)	the long-term average number of years between the occurrence of a flood as big as or larger than the selected event.
catchment	the land area draining through the main stream, as well as tributary streams, to a particular site. It always relates to an area above a specific location.
discharge	the rate of flow of water measured in terms of volume per unit time, for example, cubic metres per second (m <sup>3</sup> /s). Discharge is different from the speed or velocity of flow, which is a measure of how fast the water is moving for example, metres per second (m/s).
effective warning time	the time available after receiving advice of an impending flood and before floodwaters prevent appropriate flood response actions being undertaken. The effective warning time is typically used to move farm equipment, move stock, raise furniture, evacuate people and transport their possessions.
emergency management	a range of measures to manage risks to communities and the environment. In the flood context it may include measures to prevent, prepare for, respond to and recover from flooding.
flash flooding	flooding which is sudden and unexpected. It is often caused by sudden local or nearby heavy rainfall. Often defined as flooding which peaks within six hours of the causative rain.
flood	relatively high stream flow which overtops the natural or artificial banks in any part of a stream, river, estuary, lake or dam, and/or local overland flooding associated with major drainage before entering a watercourse, and/or coastal inundation resulting from super-elevated sea levels and/or waves overtopping coastline defences excluding tsunami.
flood awareness	an appreciation of the likely effects of flooding and a knowledge of the relevant flood warning, response and evacuation procedures.
flood fringe areas	the remaining area of flood prone land after floodway and flood storage areas have been defined.
flood liable land	is synonymous with flood prone land, i.e., land susceptible to flooding by the PMF event. Note that the term flood liable land covers the whole floodplain, not just that part below the FPL (see flood planning area).
flood mitigation standard	the average recurrence interval of the flood, selected as part of the floodplain risk management process that forms

	the basis for physical works to modify the impacts of flooding.
floodplain	area of land which is subject to inundation by floods up to and including the probable maximum flood event, that is, flood prone land.
floodplain risk management options	the measures that might be feasible for the management of a particular area of the floodplain. Preparation of a floodplain risk management plan requires a detailed evaluation of floodplain risk management options.
floodplain risk management plan	a management plan developed in accordance with the principles and guidelines in this manual. Usually includes both written and diagrammatic information describing how particular areas of flood prone land are to be used and managed to achieve defined objectives.
flood plan (local)	a sub-plan of a disaster plan that deals specifically with flooding. They can exist at state, division and local levels. Local flood plans are prepared under the leadership of the SES.
flood planning area	the area of land below the FPL and thus subject to flood related development controls.
flood planning levels (FPLs)	are the combinations of flood levels (derived from significant historical flood events or floods of specific AEPs) and freeboards selected for floodplain risk management purposes, as determined in management studies and incorporated in management plans.
flood proofing	a combination of measures incorporated in the design, construction and alteration of individual buildings or structures subject to flooding, to reduce or eliminate flood damages.
flood prone land	land susceptible to flooding by the PMF event. Flood prone land is synonymous with flood liable land.
flood readiness	readiness is an ability to react within the effective warning time.
flood risk	<p>potential danger to personal safety and potential damage to property resulting from flooding. The degree of risk varies with circumstances across the full range of floods. Flood risk in this manual is divided into 3 types, existing, future and continuing risks. They are described below.</p> <p><b>existing flood risk:</b> the risk a community is exposed to as a result of its location on the floodplain.</p> <p><b>future flood risk:</b> the risk a community may be exposed to as a result of new development on the floodplain.</p> <p><b>continuing flood risk:</b> the risk a community is exposed to after floodplain risk management measures have been implemented. For a town protected by levees, the continuing flood risk is the consequences of the levees being overtopped. For an area without any floodplain risk management measures, the continuing flood risk is simply the existence of its flood exposure.</p>

flood storage areas	those parts of the floodplain that are important for the temporary storage of floodwaters during the passage of a flood. The extent and behaviour of flood storage areas may change with flood severity, and loss of flood storage can increase the severity of flood impacts by reducing natural flood attenuation. Hence, it is necessary to investigate a range of flood sizes before defining flood storage areas.
floodway areas	those areas of the floodplain where a significant discharge of water occurs during floods. They are often aligned with naturally defined channels. Floodways are areas that, even if only partially blocked, would cause a significant redistribution of flood flow, or a significant increase in flood levels.
freeboard	provides reasonable certainty that the risk exposure selected in deciding on a particular flood chosen as the basis for the FPL is actually provided. It is a factor of safety typically used in relation to the setting of floor levels, levee crest levels, etc. Freeboard is included in the flood planning level.
hazard	a source of potential harm or a situation with a potential to cause loss. In relation to this study the hazard is flooding which has the potential to cause damage to the community. Definitions of high and low hazard categories are provided in Appendix L of the Floodplain Development Manual (2005).
historical flood	a flood which has actually occurred.
hydraulics	term given to the study of water flow in waterways; in particular, the evaluation of flow parameters such as water level and velocity.
hydrograph	a graph which shows how the discharge or stage/flood level at any particular location varies with time during a flood.
hydrology	term given to the study of the rainfall and runoff process; in particular, the evaluation of peak flows, flow volumes and the derivation of hydrographs for a range of floods.
mathematical / computer models	the mathematical representation of the physical processes involved in runoff generation and stream flow. These models are often run on computers due to the complexity of the mathematical relationships between runoff, stream flow and the distribution of flows across the floodplain.
peak discharge	the maximum discharge occurring during a flood event.
probable maximum flood (PMF)	the largest flood that could conceivably occur at a particular location, usually estimated from probable maximum precipitation, and where applicable, snow melt, coupled with the worst flood producing catchment conditions. Generally, it is not physically or economically possible to provide complete protection against this event.
probable maximum precipitation (PMP)	the greatest depth of precipitation for a given duration meteorologically possible over a given size storm area at a particular location at a particular time of the year, with no allowance made for long-term climatic trends (World Meteorological Organisation, 1986). It is the primary input to PMF estimation.

probability	a statistical measure of the expected chance of flooding (see annual exceedance probability).
risk	chance of something happening that will have an impact. It is measured in terms of consequences and likelihood. In the context of the manual it is the likelihood of consequences arising from the interaction of floods, communities and the environment.
runoff	the amount of rainfall which actually ends up as streamflow, also known as rainfall excess.
stage	equivalent to water level (both measured with reference to a specified datum).
stage hydrograph	a graph that shows how the water level at a particular location changes with time during a flood. It must be referenced to a particular datum.
MIKE-FLOOD	a 1-dimensional and 2-dimensional flood simulation software. It simulates the complex movement of floodwaters across a particular area of interest using mathematical approximations to derive information on floodwater depths, velocities and levels.
velocity	the speed or rate of motion (distance per unit of time, e.g., metres per second) in a specific direction at which the flood waters are moving
water surface profile	a graph showing the flood stage at any given location along a watercourse at a particular time

## 10 References

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- ABS (2013) *'Australian and New Zealand Standard Industrial Classification (ANZSIC)' (Revision 2)* prepared by Brian Pink Australian Bureau of Statistics and Dallas Welch Statistics New Zealand ABS catalogue No. 1292.
- AIDR (2017) *'Australian Disaster Resilience Handbook 7 Managing the Floodplain: A Guide to Best Practice in Flood Risk Management in Australia.'* Commonwealth of Australia 2017 third edition.
- Ball et al. (2019) *'Australian Rainfall and Runoff: A Guide to Flood Estimation'*, Ball J, Babister M, Nathan R, Weeks W, Weinmann E, Retallick M, Testoni I, (Editors), Commonwealth of Australia, 2019
- CRES (1992) *'ANUFLOOD: A Field Guide'*, Prepared by the Centre for Resources & Environment, Australian National University, Prepared by Smith, D.I. and Greenaway, M.A., 1992.
- Merz et al. (2010) *'Assessment of economic flood damage'*, Merz, B, Kreibich, H, Schwarze, R, Thieken, A, Natural Hazards and Earth Systems Sciences, vol. 10, pp. 1697-1724.
- Molino Stewart (2014) *'Moree House Raising Scheme: Final Report'*, Molino Stewart, Parramatta, NSW, May 2014.
- NSW Government (2005) *'Floodplain Development Manual - the management of flood liable land'*, New South Wales Government, Department of Infrastructure, Planning and Natural Resources, April 2005.
- NSW Government (2007) *'Floodplain Risk Management Guideline - Practical Consideration of Climate Change'*, New South Wales Government, Department of Environment and Climate Change, October 2007.
- PPK (1995) *'Eumungerie Flood Study'*, report prepared for Dubbo City Council by PPK Consultants Pty Ltd, 1995
- Rawlinsons (2020) *'Australian Construction Handbook'*, Rawlinsons Publishing, Perth, Western Australia, Edition 38, 2020.
- VDNRE (2000) *'Rapid Appraisal Method (RAM) for Floodplain Management'*, Victorian Government, Department of Natural Resources and Environment, VIC, May 2000.
- WMA Water (2019) *'Review of ARR design Inputs for NSW Final Report'*, Report prepared for the NSW Office of Environment and Heritage by WMA Water, February 2019
- WRM, 2020 *'Eumungerie Floodplain Risk Management Study - Flood Study Update'* Report prepared for Dubbo Regional Council by WRM Water & Environment Pty Ltd, August 2020

## Eumungerie Floodplain Risk Management Study DRAFT Study and Plan

### Appendix A- Hazard category mapping

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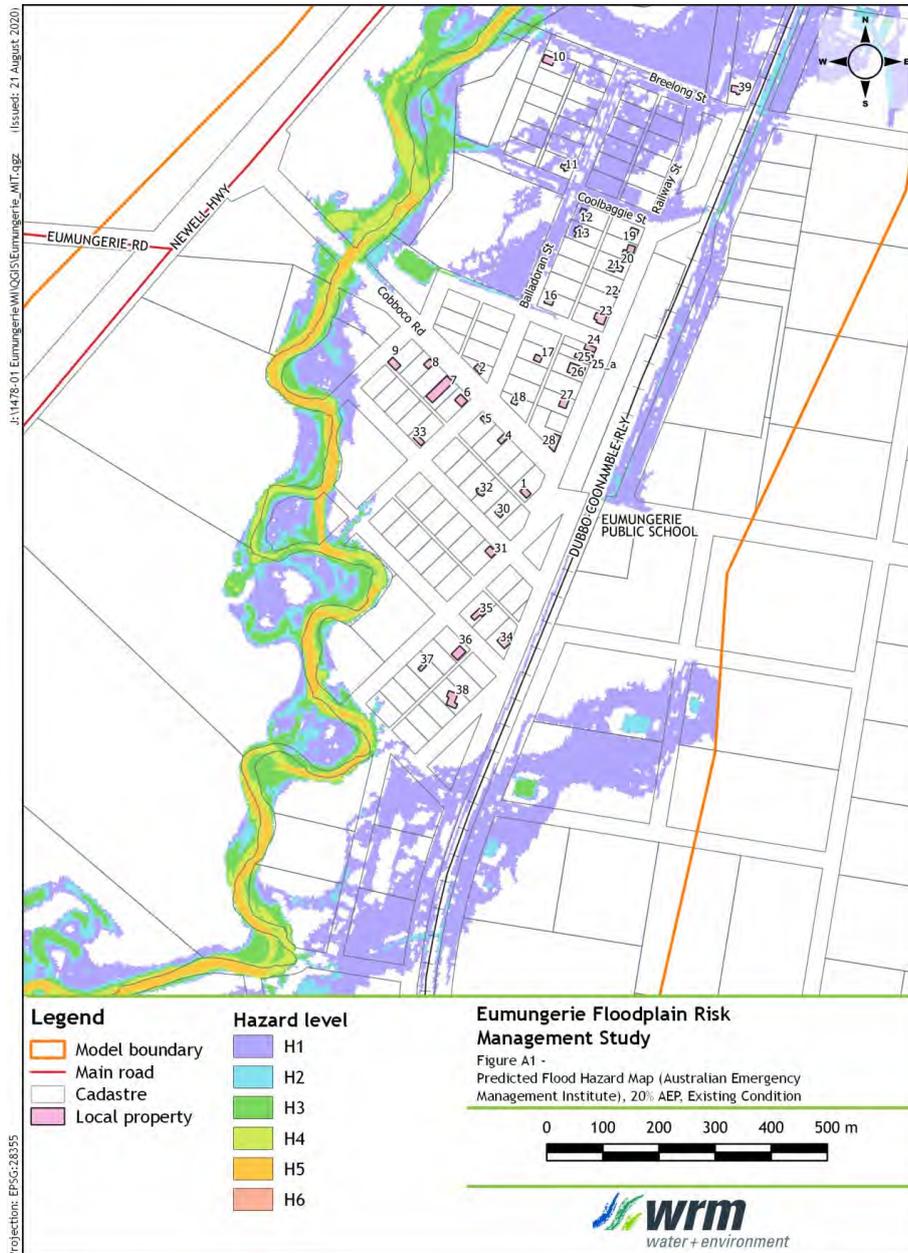


Figure A 1 - AIDR (2017) hydraulic hazard, 20% AEP design flood

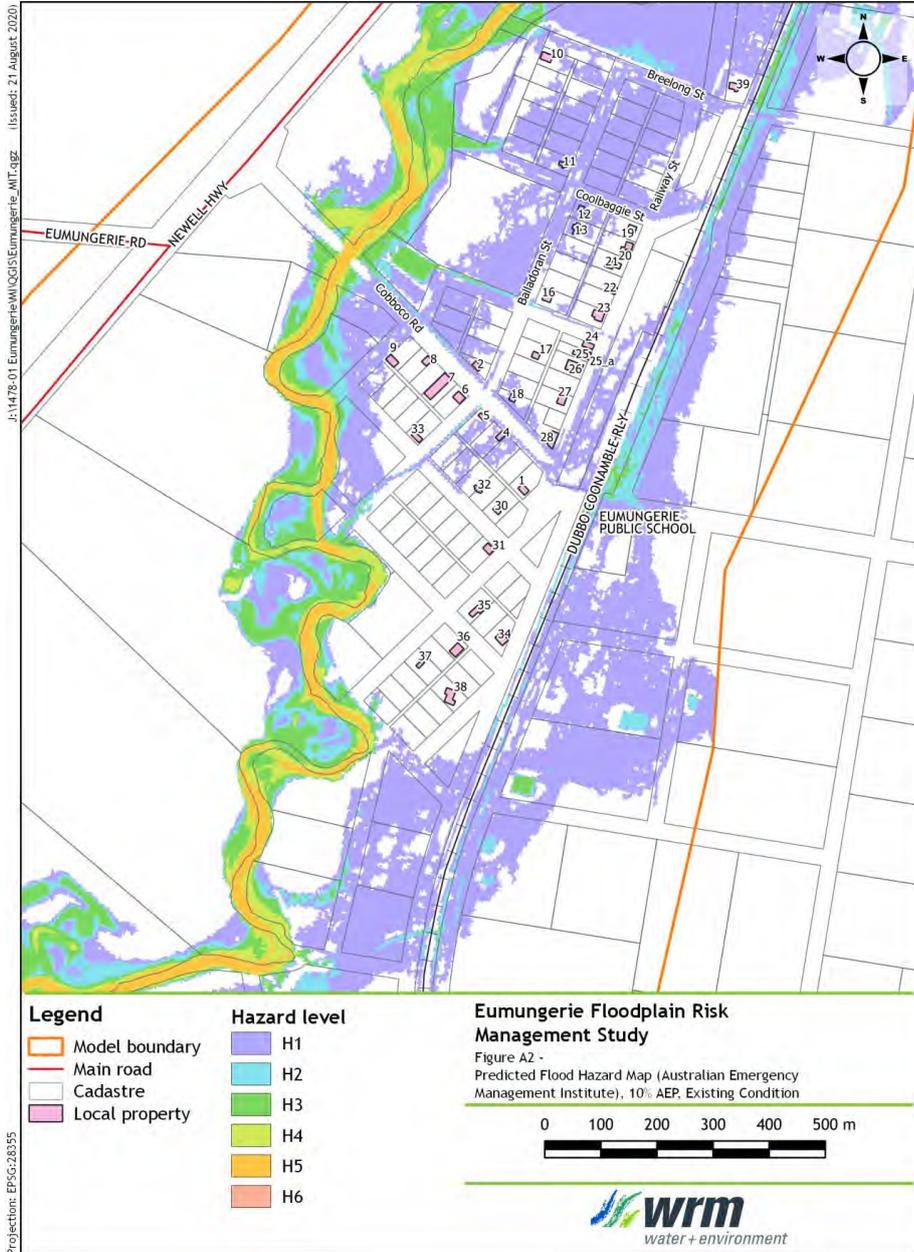


Figure A 2 - AIDR (2017) hydraulic hazard, 10% AEP design flood

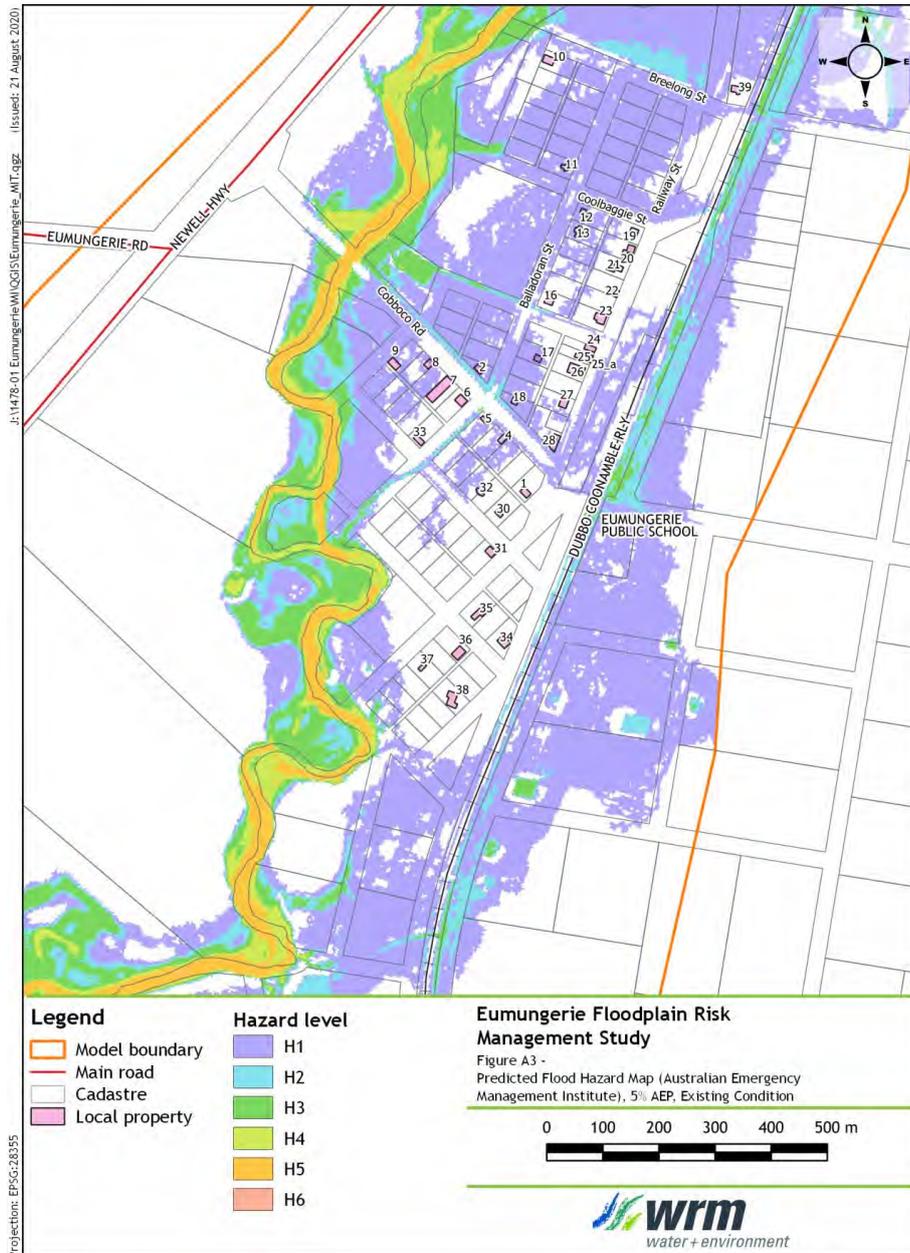


Figure A 3 - AIDR (2017) hydraulic hazard, 5% AEP design flood

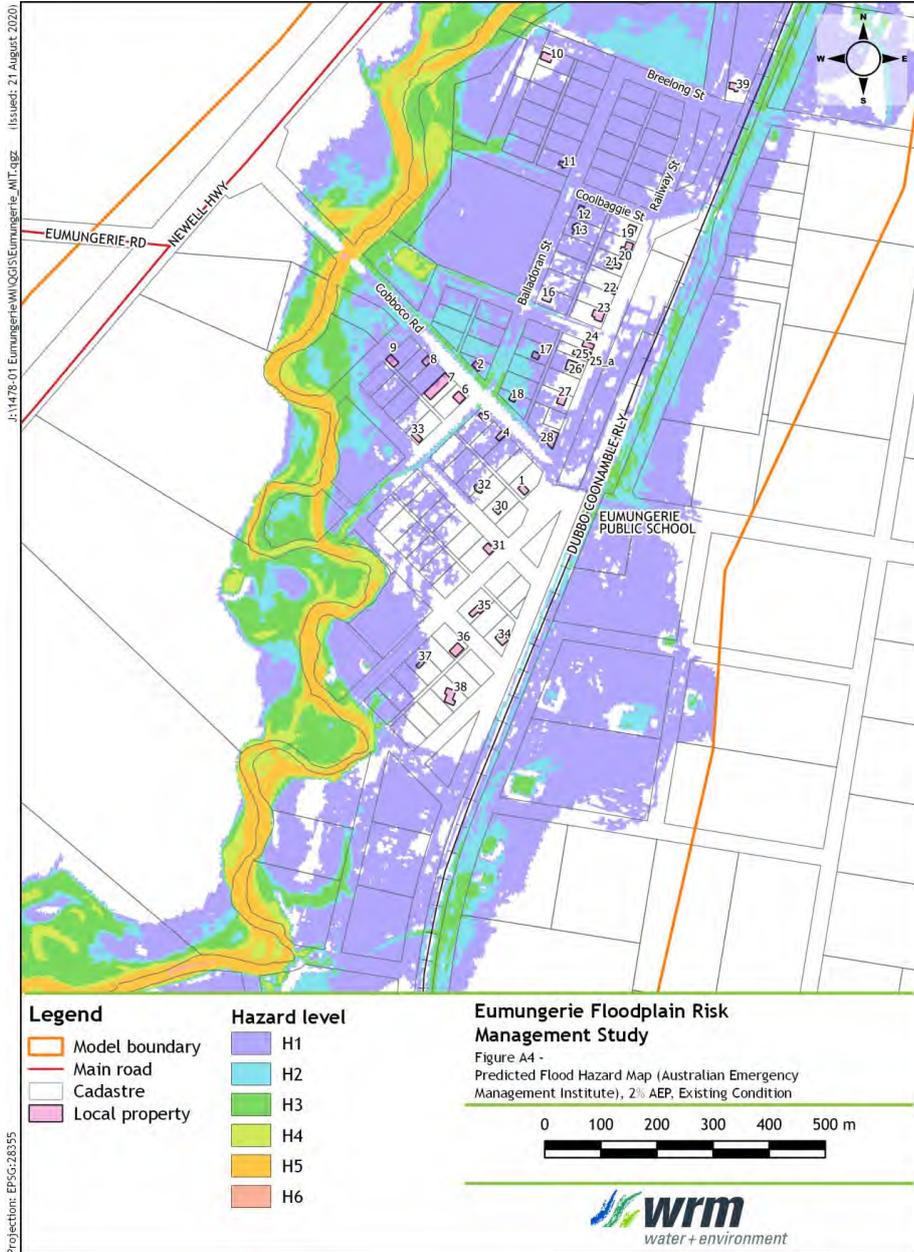


Figure A 4 - AIDR (2017) hydraulic hazard, 2% AEP design flood

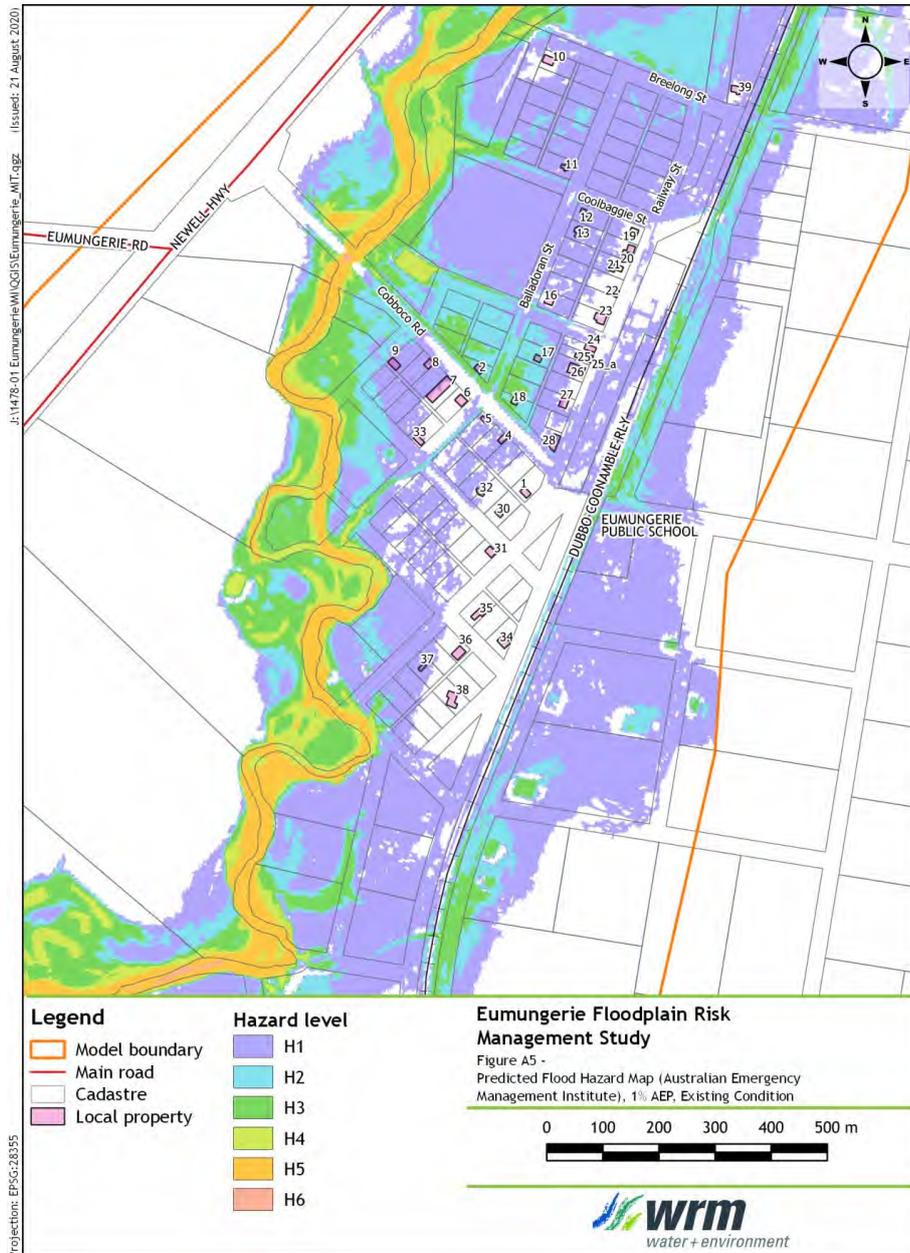


Figure A 5 - AIDR (2017) hydraulic hazard, 1% AEP design flood

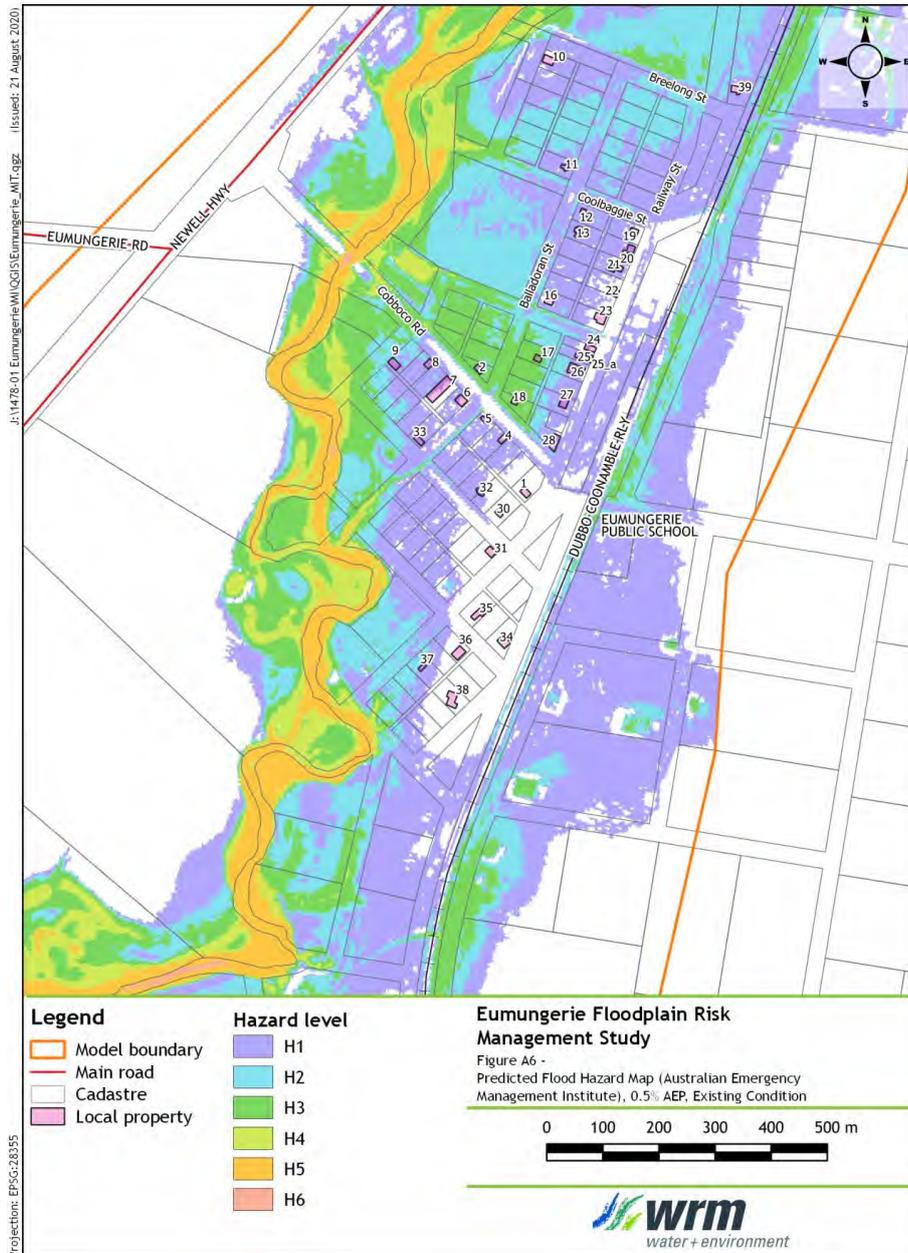


Figure A 6 - AIDR (2017) hydraulic hazard, 0.5% AEP design flood

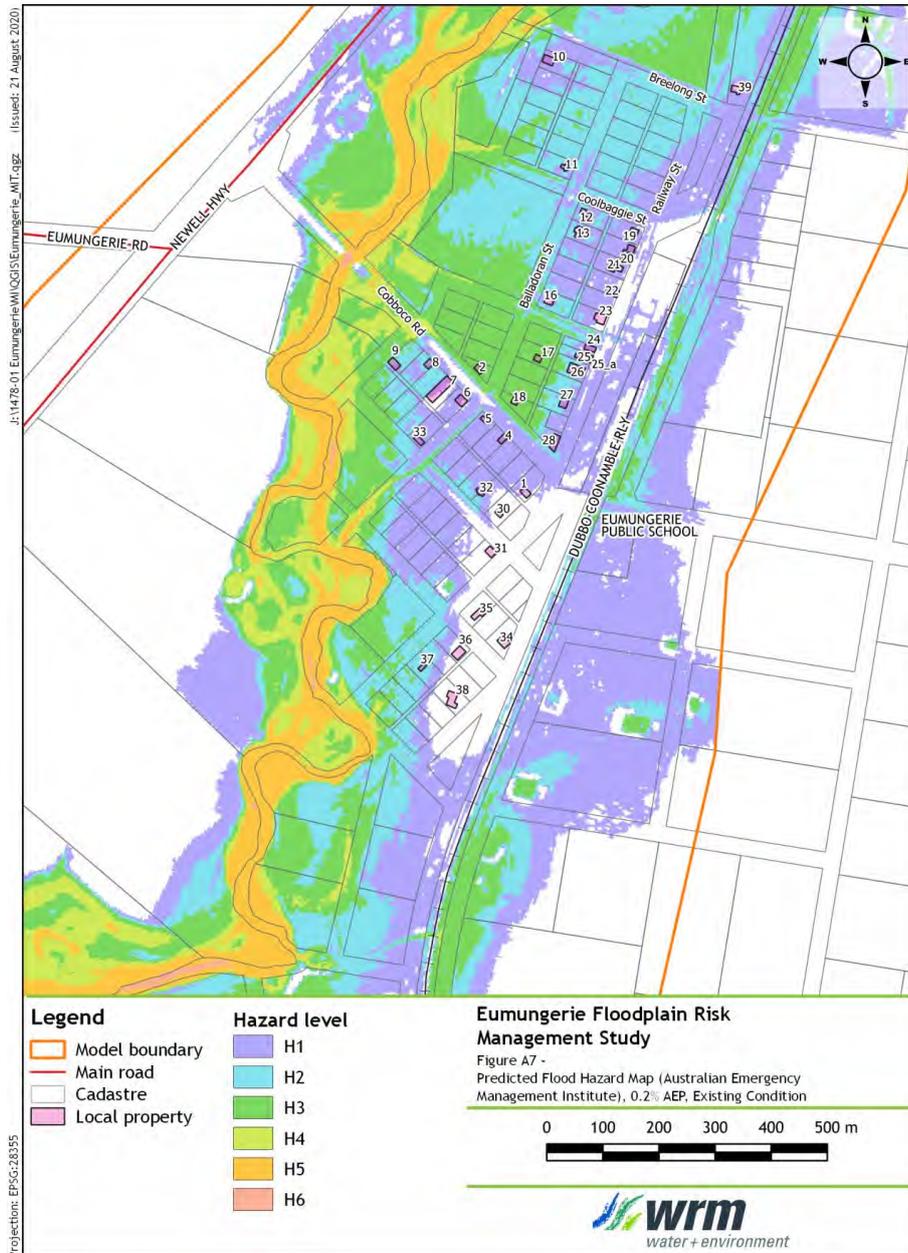


Figure A 7 - AIDR (2017) hydraulic hazard, 0.2% AEP design flood

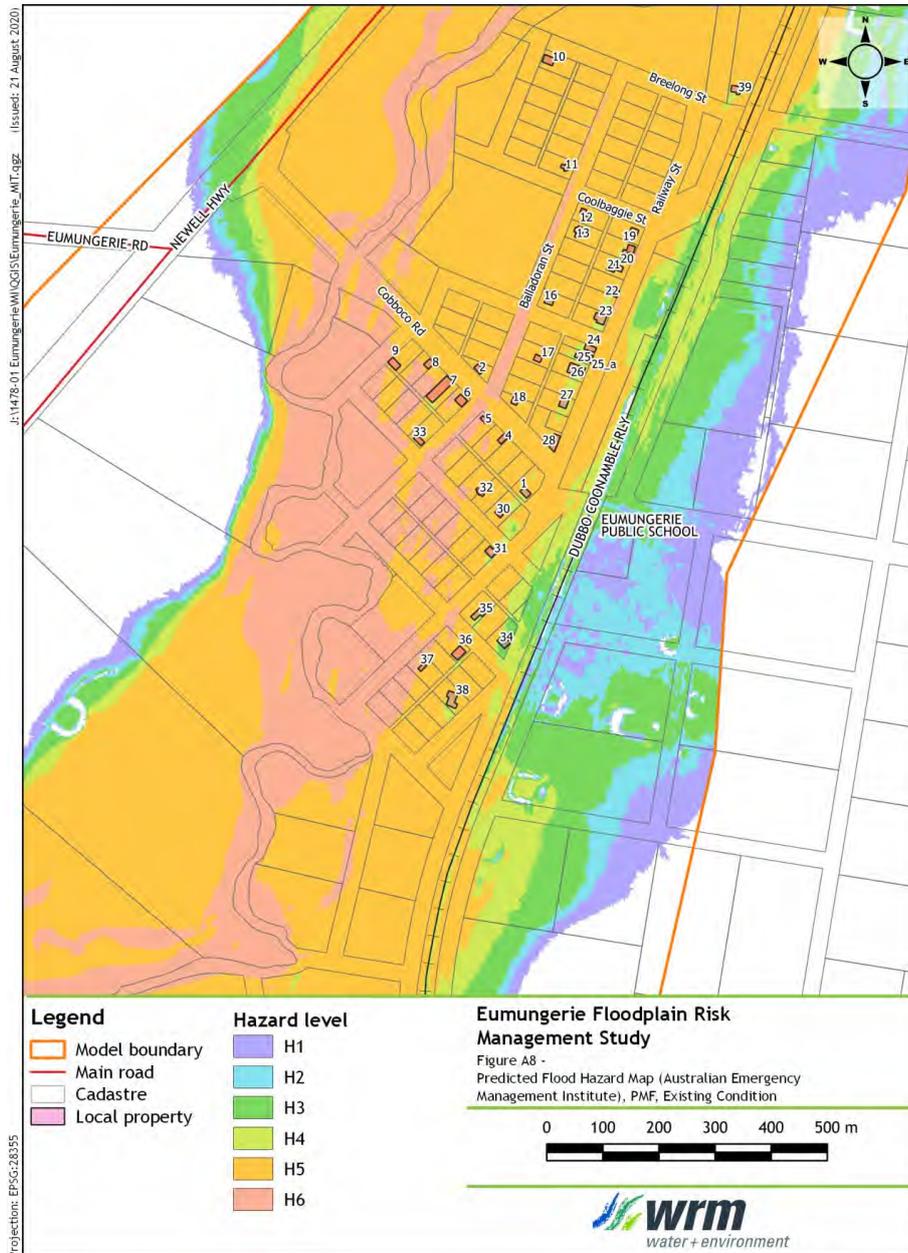


Figure A 8 - AIDR (2017) hydraulic hazard, PMF design flood

## Eumungerie Floodplain Risk Management Study DRAFT Study and Plan

# Appendix B - Levee and channel scheme flood impact mapping

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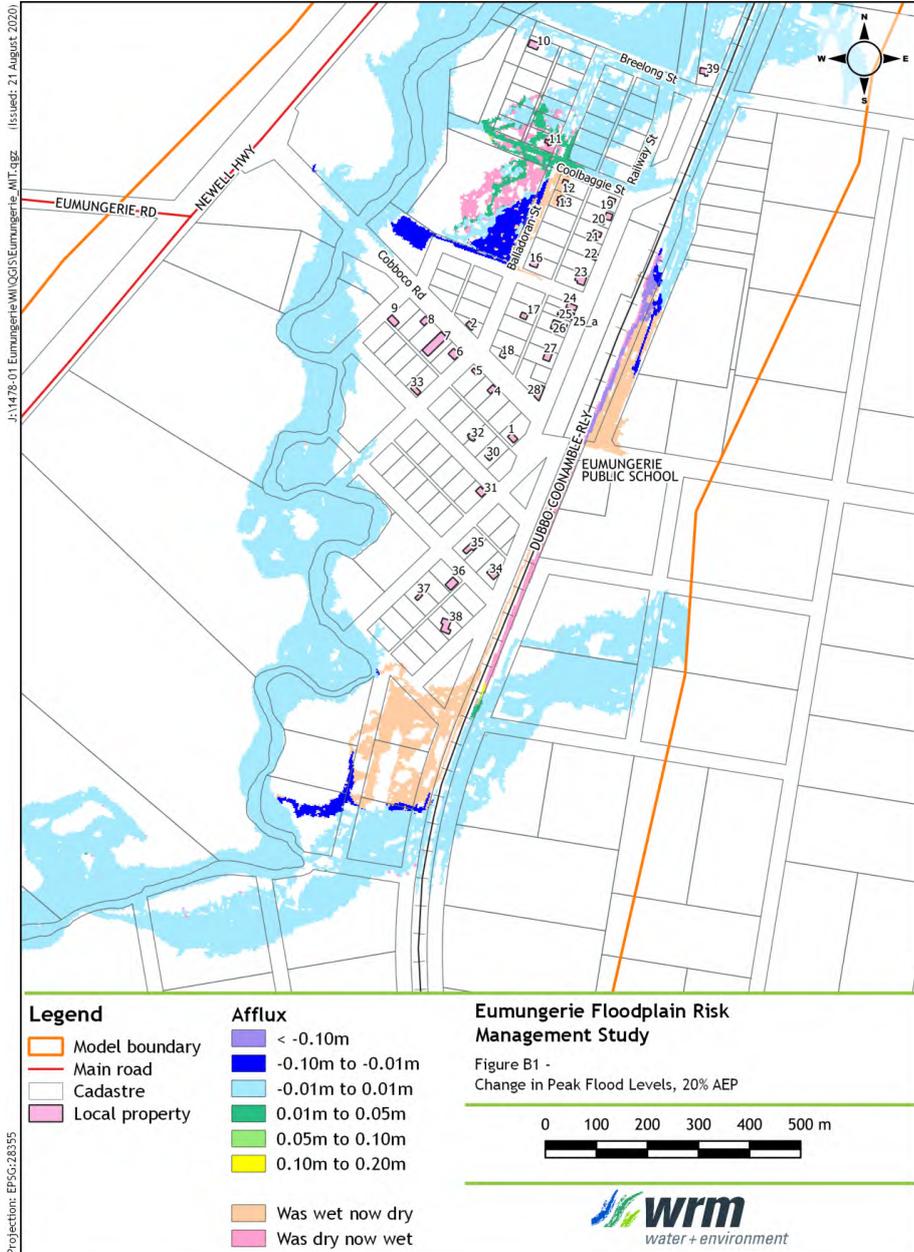


Figure B 1 - Proposed levee and channel scheme flood level impacts, 20% AEP flood

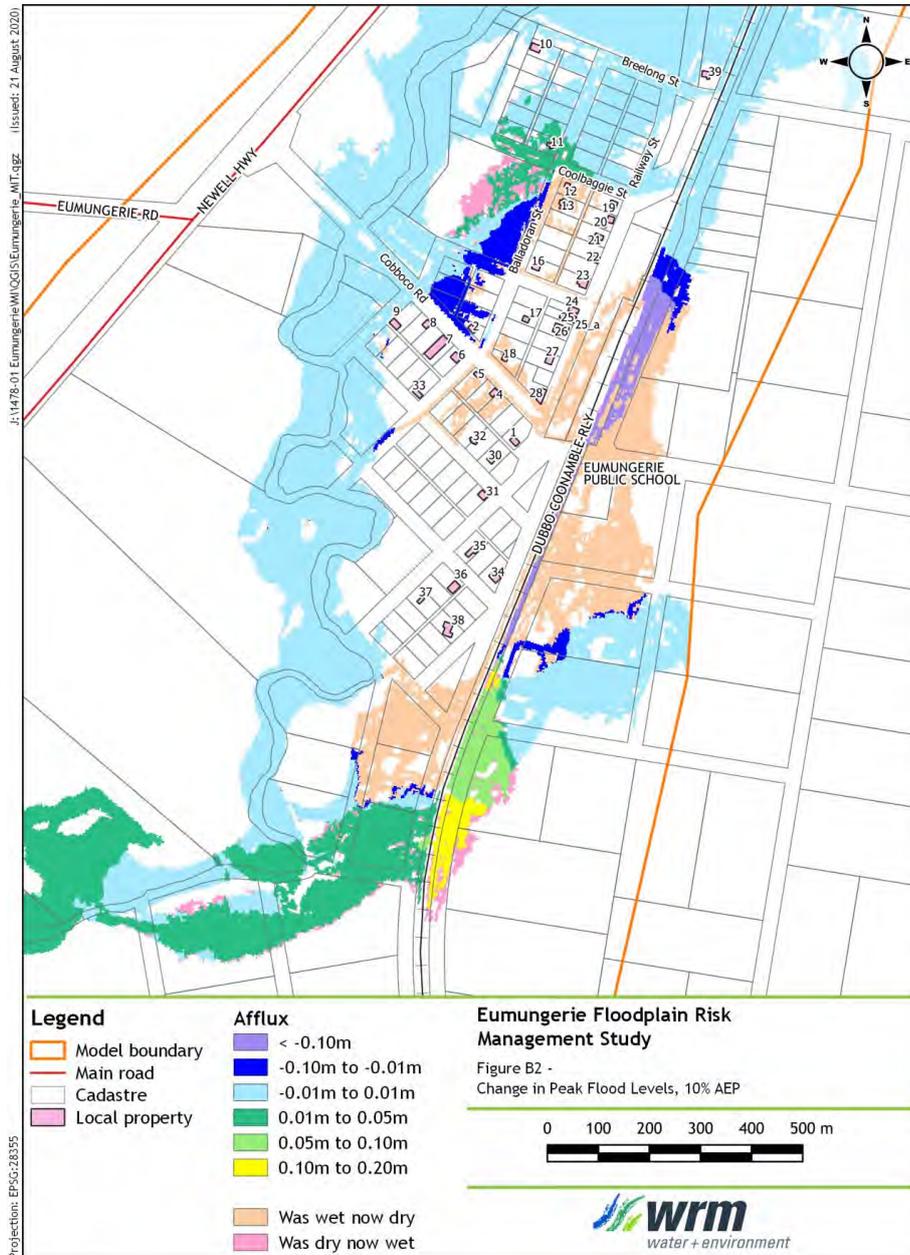


Figure B 2 - Proposed levee and channel scheme flood level impacts, 10% AEP flood

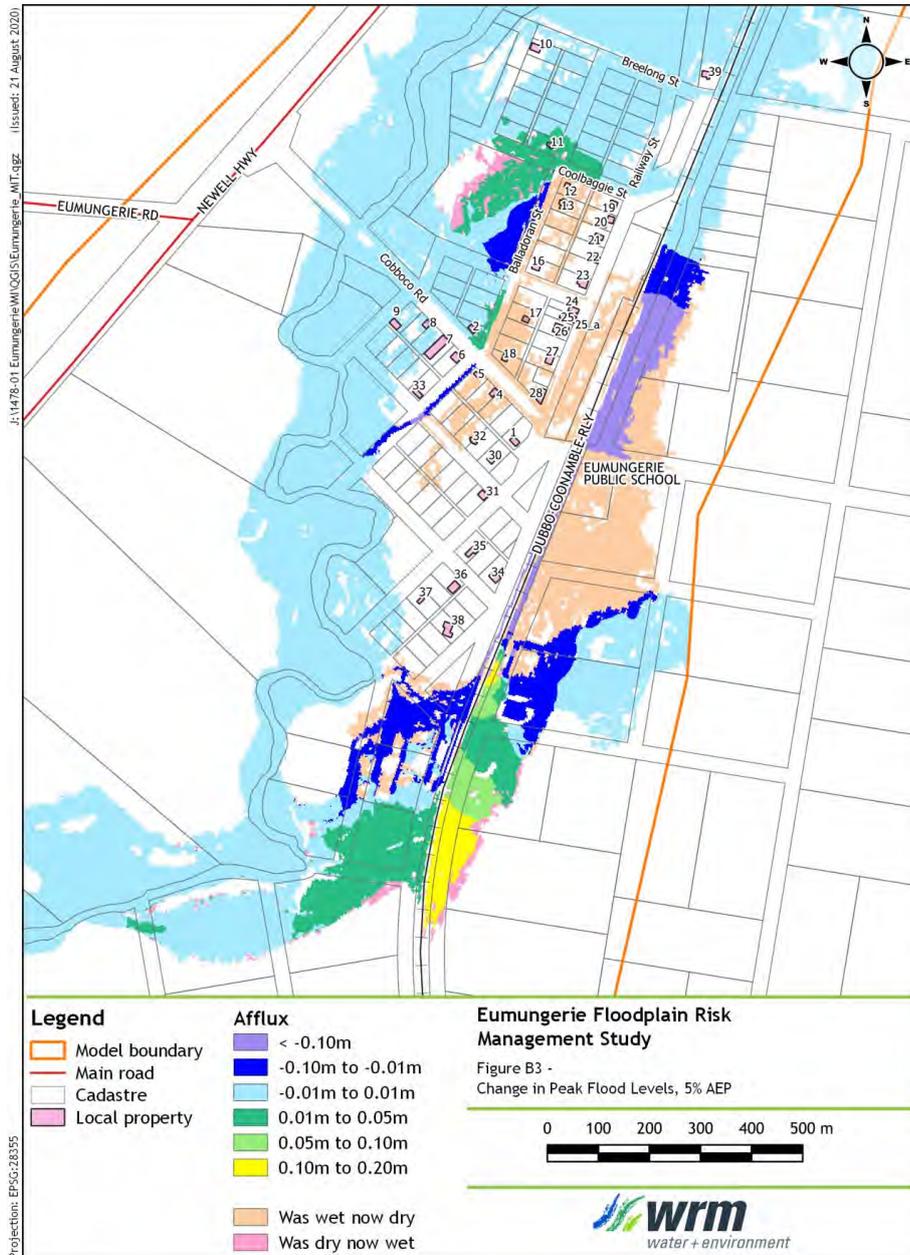


Figure B 3 - Proposed levee and channel scheme flood level impacts, 5% AEP flood

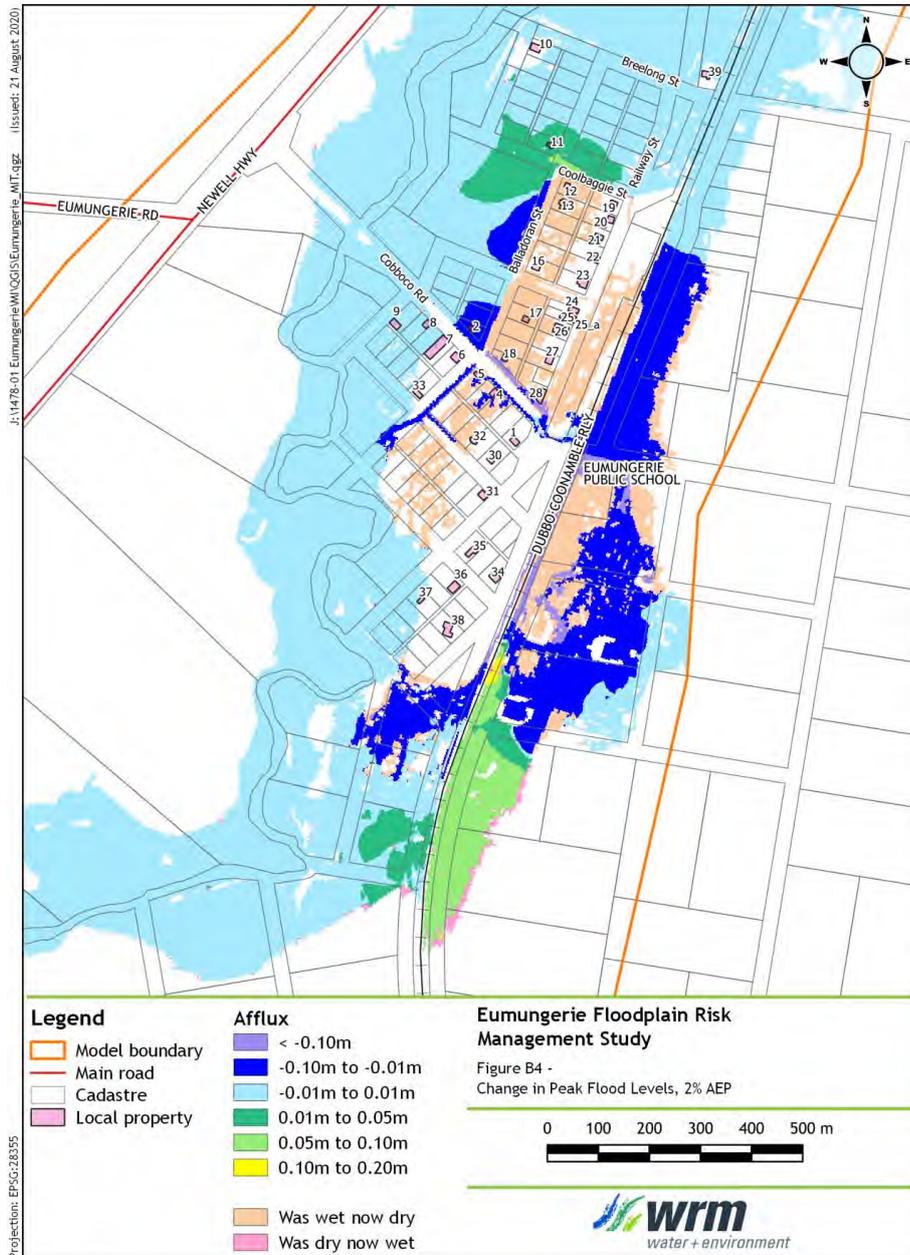


Figure B 4 - Proposed levee and channel scheme flood level impacts, 2% AEP flood

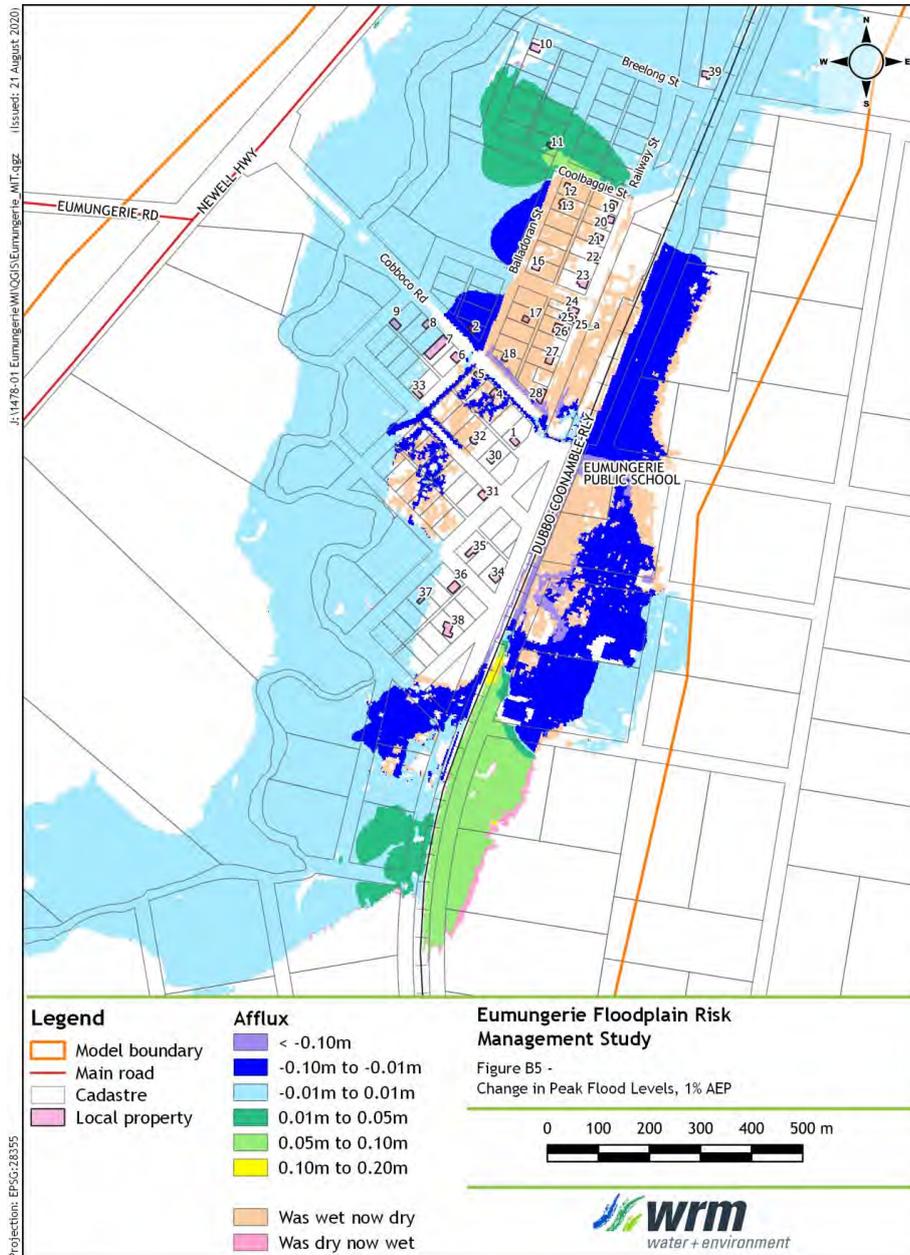


Figure B 5 - Proposed levee and channel scheme flood level impacts, 1% AEP flood

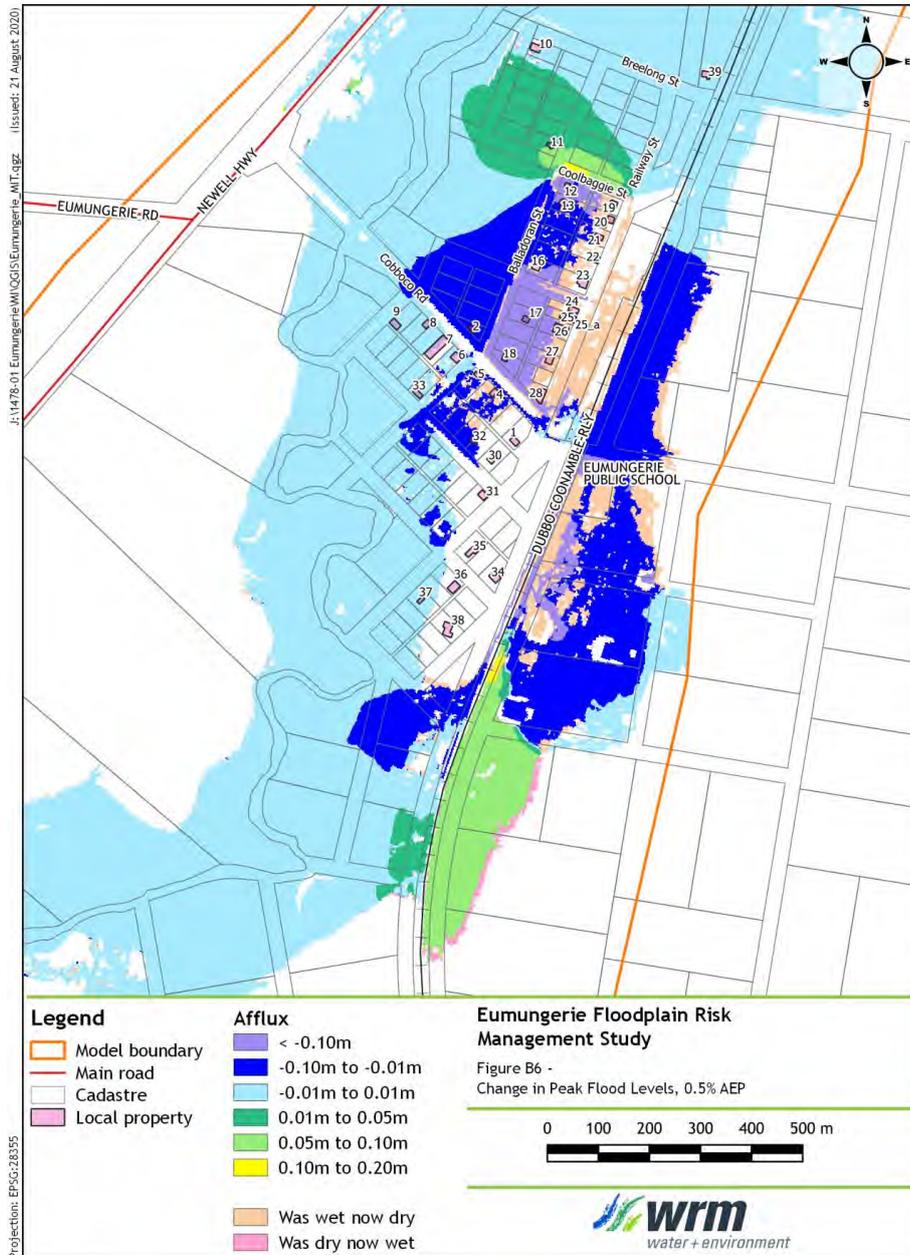


Figure B 6 - Proposed levee and channel scheme flood level impacts, 0.5% AEP flood

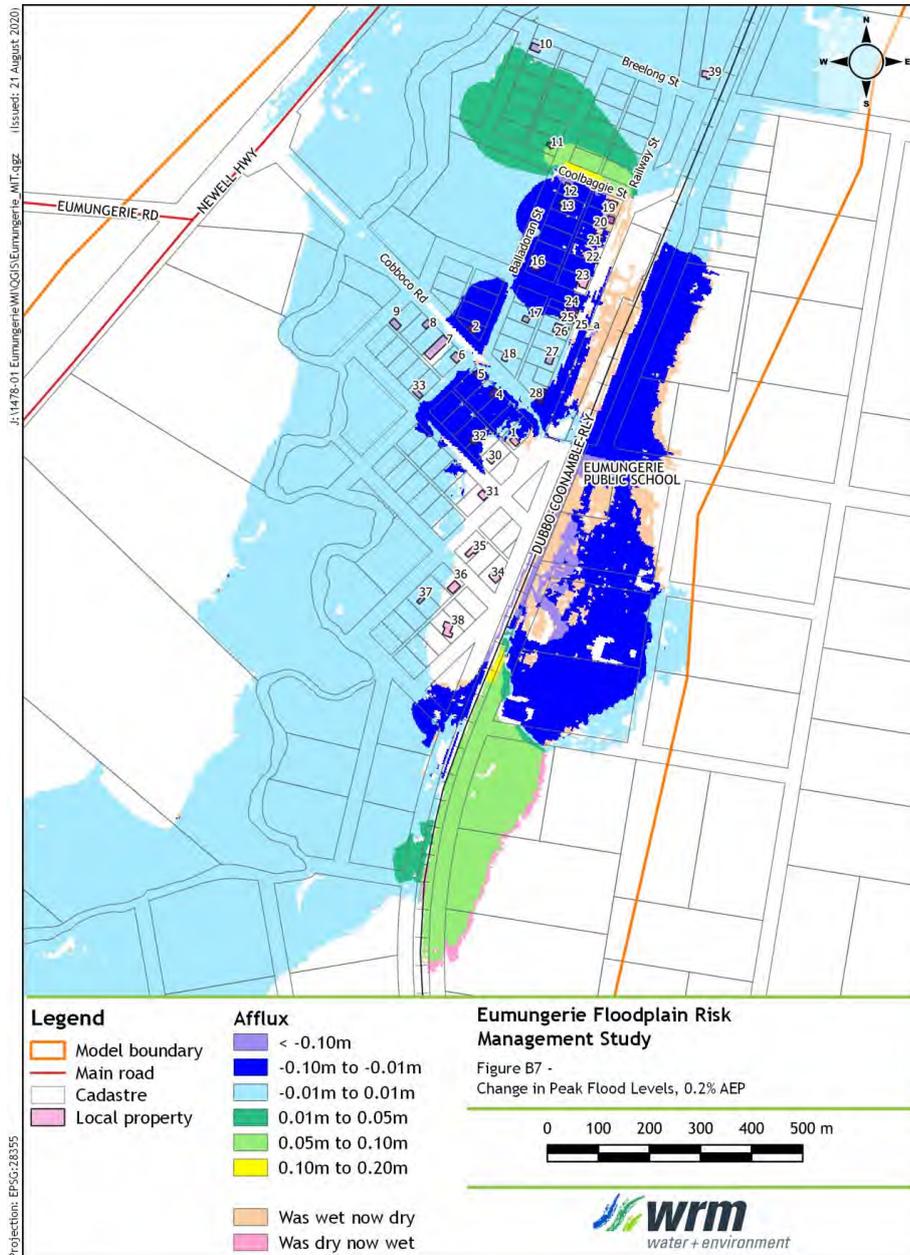


Figure B 7 - Proposed levee and channel scheme flood level impacts, 0.2% AEP flood

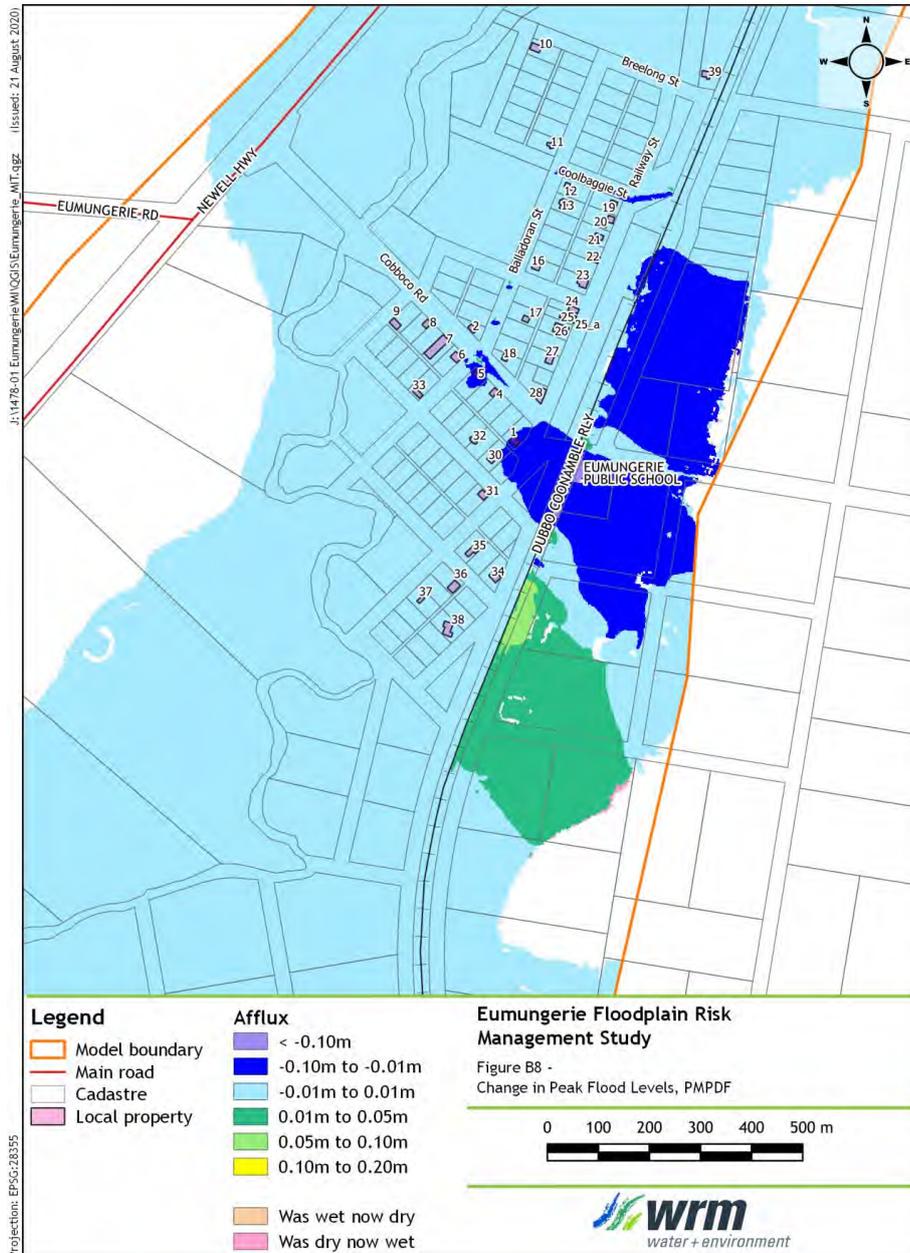


Figure B 8 - Proposed levee and channel scheme flood level impacts, PMF

**CCL22/50      2022 Dubbo Cycle Club Season**

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## APPLICATION BY DUBBO CYCLE CLUB TO CONDUCT CYCLE RACES IN THE WESTERN PLAINS REGIONAL COUNCIL AREA DURING 2022.

### 1. INTRODUCTION

The Dubbo Cycle Club is an incorporated club and seeks approval to conduct **Class 2** Club level cycling events on various roads in the Dubbo Regional Council area.

#### EVENTS

The events would be conducted on **Saturday afternoons between the hours of 1.00pm and 5.00pm or Sunday mornings between the hours of 8.00am and 4.00pm** from 1<sup>st</sup> January to 23<sup>rd</sup> December 2022 (inclusive). These events would take place on the roads nominated on the days listed as per forwarded calendar table,

#### **Junior course at Sheraton Road on Sunday's 1.00pm to 4.30pm.**

##### **Mogriguy Time Trial course**

10.5 km from start line to the turn point. Start and finish line is 650m north on Mogriguy road from the intersection with Mendooran road. The turn point is 180m south on Mogriguy road from the intersection with Moonul street Mogriguy.

##### **Mogriguy course**

19 km from start line to the turn point. Start and finish line is 650m north on Mogriguy road from the intersection with Mendooran road. Turn point closest intersection is 5.1 km north of turn point which is Mogriguy road and Coobaggi Forrest road.

##### **Burroway course**

17.5 km from start line to turn point. Start line and finish line is on the Burroway road 500m west of the intersection with the Newell Hwy. The turn point is 200m east on Burroway from the intersection with Rawsonville Bridge road.

##### **Benalong road sprint course**

10.5 km from start line to the turn point. Start line and finish line is on Nubingerie road adjacent to the Benalong Rural Fire Brigade shed 1.2km south of the intersection with Benalong road and Terrabella road. Turn point is 300m east of Wambangalong Creek bridge on Benalong road.

##### **Wongarbon short course**

15km from start line to the turn point. Start line is 100m north on Barbical street from the intersection with Derribong street, with the finish line 300m north on Barbical street from the intersection with Derribong street. The turn point is 175m east of the T intersection on Westella road.

##### **Wongarbon long course**

25 km from start line to the turn point. Start line is 100m north on Barbical street from the intersection with Derribong street, with the finish line 300m north on Barbical street from the intersection with Derribong street. The turn point is 550m south on the Westella road from the intersection with Golden Hwy (Cobbora road).

**South Geurie short course.**

15 km from start line to turn point. Start line and finish line is 400m south of the bridge over the Macquarie river on the Arthurville road and 2.8 km north of the intersection with Terrabella road. The turn point is 600m north east of the intersection of Arthurville road and Hermitage road.

**South Geurie middle course**

21 km from start line to turn point. Start line and finish line is 400m south of the bridge over the Macquarie river on the Arthurville road and 2.8 km north of the intersection with Terrabella road. The turn point is 3.2 km on the Suntop road east of the intersection with Arthurville road.

**South Geurie long course**

30 km from start line to the turn point.

Start line and finish line is 400m south of the bridge over the Macquarie river on the Arthurville road and 2.8 km north of the intersection with Terrabella road. Turn point is 3.8 km on the Suntop road west of the intersection with Renshaw-McGirr way.

**South Geurie ( Terrabella Road ) Individual Time Trial Course**

6.4 km from start line to the turn point. Start line and finish line is 2.1 km west of the intersection of Terrabella road and Arthurville road. The turn point is 1.3 km east of the bridge over the Little River on Terrabella road.

**South Geurie strada loop (long) 50.3klms**

Start line and finish line is 400m south of the bridge over the Macquarie river on the Arthurville road and 2.8 km north of the intersection with Terrabella road. The loop turns left onto River Road at 4.3klms from the start line and travels river road for 10.6klm to the intersection with Zaias lane, tuning right on to Zaias Lane and travel 3klms to the intersection with Bennetts Road, turning left on to Bennett's Road and travelling 6.5klm to the intersection of Suntop Road and turning right and travel 9klms to the intersection with Arthurville Road and turn right onto Arthurville Road and travel 2.2klms to the cross roads of Arthurville, Little River and Hermitage Roads, continuing onto Hermitage Road and travel 11.9klm to Terrabella Road and turn right and travel 350 metres to the Arthurville Road and turn left and travel 2.9klm to the finish line on Arthurville Road 400metres before the Macquarie river on the Arthurville Road.

**South Geurie strada loop (short) 42klm**

Start line and finish line is 400m south of the bridge over the Macquarie river on the Arthurville road and 2.8 km north of the intersection with Terrabella road. The loop turns left onto River Road at 4.3klms from the start line and travels river road for 10.6klm to the intersection with Zaias lane, tuning right on to Zaias Lane and travel 8.1klm to the intersection of Arthurville Road turn left on to Arthurville Road and travel 4.5klm to the cross roads of Arthurville, Little River and Hermitage Roads, continuing onto Hermitage Road and travel 11.9klm to Terrabella Road and turn right and travel 350 metres to the Arthurville Road and turn left and travel 2.9klm to the finish line on Arthurville Road 400metres before the Macquarie river on the Arthurville Road.

**North Geurie**

13 km from start line to the turn point. Start line is 250m north from the intersection of Paxton street and Fitzroy street, with the finish line 500m north of Paxton street and Fitzroy street Geurie. The turn point is 150m on the Commabella road west of the intersection with Cobbora road.

It should be noted that the roads used during Eastern Standard Time are quiet rural roads with very little vehicular traffic on Saturday afternoons and Sunday mornings at the times indicated. A calendar has not been included at this stage. However, the Club will provide Council with a calendar at two (2) monthly intervals and before the first event. A full calendar will be ready by January 1st at <http://www.dubbocycleclub.com.au/Calendar.html>



## 2. NATIONAL TRANSPORT REGULATIONS

The Club is aware of the need to comply with the National transport regulations. In particular, we are cognisant of the requirement for consideration of public safety, convenience and consultation when conducting cycling events on public roads. In this regard, the Club believes that from experience gained over a number of years in conducting road events, combined with the process of consultation with State and Local Government authorities and the Police, we have sufficiently considered all potential risks and control measures when conducting cycle events.

## 3. PUBLIC SAFETY AND CONVENIENCE

**The Club has comprehensive Insurance Cover of which will be provided.**

- a) Safety for both cyclists and road users are the paramount criteria when choosing venues and when conducting events. The proposed courses have been designed to minimise the number of intersections and turning points involved. There are no crossroads. Start/finish and turn points have been chosen to ensure minimum sight lines of 200m for other road users.
- b) There are no road closures required nor crossroads involved, and as noted above, the courses are on roads through rural areas carrying minimal traffic and cycling will not impinge upon residential amenity.
- c) The Club's commitment to rider safety is evidenced by the use of instructions read to riders prior to the start of an event to ensure all possible action is taken to maintain rider and public safety.
- d) RTA standard approved road signs displaying the words "CYCLISTS RACE IN PROGRESS" will be placed at strategic locations on the course to warn motorists approaching from either direction of the work site areas of start/finish and at the turn around point.

*There will be work site traffic signs appropriate for the event being held placed at the start/finish area and turn point to inform approaching traffic of the event and reduced speed limits in place for the mentioned areas, the signs will be set out as per the TCP supplied by Dubbo Traffic Control and implemented by suitably qualified persons, there is also provisions to have traffic controllers in place if the need arises due to unexpected high traffic movements at the locations being used. Each location will have a SWMS for Erecting Temporary Traffic Control and if needed Traffic Control plus Site Specific Risk Assessment carried out by suitably qualified persons.*

Signs will be placed at other points on the course. Escort vehicles, with signage, 2 flashing amber dome lights and UHF radio communication between vehicles, will precede and follow the riders.

- e) One qualified club member will be rostered as Commissaire (Referee), and another club member will be rostered as race Marshal or race director for each event to ensure all requirements are carried out prior to and during the event. A senior and experienced club member who holds a current driver's licence will be stationed at the Start/Finish line, and at the turn around point to ensure cyclists are stopped if there is the likelihood of a rider interfering with vehicular traffic.



- f) Commissaire, Marshals and cyclist Controllers will be people with detailed knowledge and experience regarding the venue.
- g) The Commissaire will not permit any event to commence unless the required vehicles and signs are in place. The turn-around Controller will be in place well before cyclists reach the point.
- h) The Commissaire, Marshal and cyclist Controllers will wear identifiable safety vests and have a red flag to warn cyclists to stop if deemed necessary.
- i) Marshals clearly understand the road rules and if necessary, will slow down and/or stop cyclists to give priority to other road users at turning points or Start/Finish lines.
- j) UHF radios are to be used for communication between lead and follow cars.
- k) Our cyclists and officials are all experienced in riding on open roads for both racing and recreation and have developed considerable bike handling skills and a keen sense of road traffic awareness when turning or when being overtaken by vehicles.
- l) All cyclists will be instructed to stay on the left-hand side of the left hand carriage-way on all roads to enable vehicles to overtake in a safe manner. Any cyclist who crosses the road centre-line is automatically disqualified from the event and the Club officials may take further disciplinary action.
- m) The venues have been chosen to provide off-road parking at the Start/Finish area to ensure unhindered progress of other road users.
- n) Club members are aware of their responsibilities to avoid damage to local flora and fauna and the need to preserve the area as per government requirements.
- o) Any rubbish will be removed from the Start/Finish area and riders are forbidden to litter roadways during events.

#### 4. SUMMARY

We endeavour at all times to foster a positive response to cycling in general from the local community, and we are willing to participate in any proposal that will further this cause. The Club requests that you give a favourable response to this submission.

The Locality maps together with start/finish and turnaround point diagrams, List of equipment, Traffic management plan, SWMS for Erecting Temporary Traffic Control and if needed Traffic Control. Site Risk Assessment Guidelines. Chief Marshal/Duty Official, Marshal's duties, Instructions to riders, and Insurance Certificate of Currency are in the attachments with this application.



## LIST OF ATTACHMENTS

Attachments other than this application.

- Safe Work Method Statement
- Site Specific Risk Assessment and Site Record Sheet.
- Generic TCP Traffic Control Plan.
- Site Specific TCP Traffic Control Plan.
- Locality Maps of 2022 courses.
- Special Event Transport Management Plan Template.
- 2022 Road Risk Management Plan.
- Emergency and/or Accident Procedure (Non-First Aid)
- List of Equipment.
- Certificate of currency Insurance.



## TRAFFIC MANAGEMENT PLAN

### Courses

Mogriguy/Eumungerie Road, Burraway Road, Benolong Road and Wongarbon/Westella Road, Benolong Road, Geurie South, Geurie North and Terrabella Road & South Geurie Strada loop (long and short).

### Locations.

As per locality maps attached. Appropriate signage will be put in place at strategic points on the courses. These are indicated on the Start/Finish and Turn Around Point diagrams, to warn other road users of the presence of cyclists.

### Car Parking

Competitors will park on the verge in the vicinity of, but well clear of the Start/Finish line. The road at each location has plenty of parking area, clear of the roadway. There are sight lines in excess of 150m in each direction.

### Times

The events on the Mogriguy/Eumungerie Road, Burraway Road, and Wongarbon/Westella, Benolong Road, Sheraton Road, Geurie South, Geurie North, Terrabella Road, South Geurie Strada loop (long and short).Roads, will be on Saturdays between 1.00pm and 5.00pm Sunday mornings 7.30am to 1.00pm or Sunday afternoons 2.00pm to 5.00pm.

### Traffic Management.

SEE ATTACHED DOCUMENTS OF

- **Traffic Control Plans (TCP's)**
- **Site Specific Risk Assessment and Site Record Sheet**
- **Safe Work Method Statement (SWMS)**
- **For: Erecting temporary traffic control and Traffic control.**



### The Riders.

*The riders will be briefed on the start line to:*

- (a) Adhere to the general road rules. In particular NOT to cross the centre line.
- (b) Ride no more than two abreast, stay in the LEFT lane and generally keep left.
- (c) To alert the group of any vehicles approaching from the rear.
- (d) To give way to other vehicular traffic and allow it to pass safely.

### Escort Vehicles.

Escort vehicles with signage, flashing hazard lights and 2 rotating amber lights, UHF radio, mobile 'phone and First Aid kit will lead and follow riders.

### GUIDE LINES FOR CHIEF MARSHAL/DUTY OFFICIALS and Traffic Control Persons

#### Your Priorities.

- a) Safely and effectively run events for riders.
- b) Cause minimum inconvenience to other road users.
- c) Comply with the Road Traffic legislation.

#### Prior to each Event.

- (a) Confirm which course is to be used.
- (b) Familiarise yourself with the NSW POLICE CONDITIONS for cycling events and the relevant Traffic Management Plans and ensure they are in place and ready before hand.
- (c) Familiarise yourself with the Emergency Procedures which layout exactly what you should do in the event of an accident at your event.
- (d) Ensure that the grading/handicap details have been updated and will be available at Sign On table.
- (e) Confirm that all signs, UHF radios, etc., as per Equipment List attached, will be at the event. Ensure any batteries are charged.

#### Prior to Event Start.

- (a) Confirm course length.
- (b) Confirm starting order and times from the handicapper.
- (c) If there is any doubt that the event will continue safely e.g., inclement weather, road works, traffic conditions, lack of marshals, etc., - discuss with committee members.
- (d) Brief Marshals and Traffic Controllers on their locations, communication ('phone, radio use), positioning of warning signs, Accident Management guidelines.
- (e) Ensure escort vehicles are equipped with radios, signs, and flashing beacons, and that the drivers know the procedure

#### NOTE:

Only club members who hold a current driver's licence can act as Marshals. If the minimum numbers of marshals or traffic control personnel are not available the event is to be cancelled.



- (a) Ensure all marshals are familiar with Marshal's Duties. Marshals' musts have read a copy of the NSW Police Conditions.
- (b) Besides the UHF radios, ensure officials have road worker's safety vests, red flags, TCP's are in place traffic cones and cyclist race signs to be positioned along the course.
- (c) Assign a location to each Marshal and explain particular responsibilities associated with that location, e.g., positioning of warning signs.
- (d) Brief all Marshals on limits of responsibility. Stress that if necessary, they are to stop riders to ensure other road are safe while using the roads.
- (e) Instruct the Marshal at the turn around point not to leave the location until the last rider has passed that point and to follow that rider back to the Start/Finish point, picking up, if necessary, any riders who have pulled out, or are unable to continue.

#### **Communications.**

Issue UHF radios to drivers and brief them on its operation.

#### **Sign on Table Procedures.**

- (a) Ensure the following are available: Rider numbers (if necessary), Sign-on sheet, visitor's book, cash tin/bag.
- (b) Ensure all riders are financial Dubbo Cycle Club members and/or hold a current Cycling Australia race licence. This is particularly important for insurance purposes, especially at the start of each year. NO LICENCE, NO RIDE.
- (c) Ensure any visiting riders are registered in the Visitor's Book, so they can be followed up after the event.



## **Guidelines for Marshalls.**

### **Start line procedure.**

- (a) Call grades/handicap groups to the starting line in agreed starting order.
- (b) Remind all riders waiting start to stay off the road. Ensure other traffic is safely managed and not inconvenienced.
- (c) Conduct a roll call of all riders for each grade/handicap group to ensure all are present at start to hear briefing and introduce any visitors to the bunch.
- (d) Brief each grade/group of riders on course details and safety issues, i.e:-  
Total distance.

Crossing of centre line, if observed or reported, will result in DISQUALIFICATION. Urge riders to remind each other of this beforehand in a briefing and during the event.

Location of turn around point.

Location of any known hazards – road works, gravel/sand patches, bad potholes, causeways, etc.

Keep to the left-hand side of the left-hand carriageway to enable any following vehicle to overtake the group safely. Riders at the rear of a group/bunch are to warn riders ahead of vehicles approaching from behind.

### **After the Event.**

- (a) Ensure all road signs and traffic cones have been retrieved from the course.
- (b) Ensure site is left in a clean and tidy state. All rubbish to be properly disposed of in public rubbish bins (if available at site), or else returned to Club members' homes and disposed of there.



## **MARSHALS' DUTIES.**

*The SAFETY of riders and other road users is your primary concern.*

### **Equipment.**

Work site traffic control signs for TCP implementation

Reflective "Road Worker" & "Traffic Controller" vests.

Traffic Cones.

Vehicle signs, amber beacons

Red flag,

Warning Signs "warning cyclists ahead"

UHF radio and/or mobile phone.

### **Obtain briefing from Chief Marshal/Duty Official.**

Safety, locations, warning signs, timing, radio use, emergency procedures per the **Accident Management Guidelines.**



#### INSTRUCTIONS TO RIDERS BEFORE EACH EVENT.

- TODAY'S RACE WILL BE RUN IN ACCORDANCE WITH DUBBO CYCLE CLUB RULES, AND THE REQUIREMENTS OF OUR RACE PERMITS.
- YOU ARE REMINDED THAT WE ARE RACING ON OPEN ROADS, AND THAT CROSSING THE CENTRE OF THE ROAD WILL NOT BE TOLERATED.
- RIDE NO MORE THAN TWO AHEAD, STAY IN LEFT LANE AND GENERALLY KEEP LEFT.
- ALERT THE GROUP OF ANY VEHICLES APPROACHING FROM THE REAR.
- GIVE WAY TO OTHER VEHICULAR TRAFFIC, AND ALLOW IT TO PASS SAFELY.
- YOU MUST OBEY THE INSTRUCTIONS OF THE REFEREE, MARSHALS AND OFFICIALS, AND IF ASKED TO STOP, YOU MUST DO SO.
- UNOFFICIAL PRIVATE VEHICLES ARE NOT PERMITTED TO FOLLOW, AND ANY VIOLATION WILL RESULT IN THE RIDER BEING PENALISED.
- PUBLIC URINATION WILL NOT BE TOLERATED, AND OFFENDERS WILL BE PENALISED.
- ANY RIDER WITHDRAWING FROM THE RACE IS ASKED TO ADVISE AN OFFICIAL SO WE CAN ACCOUNT FOR ALL RIDERS AT THE FINISH.
- RIDERS ARE REMINDED TO CLAIM PLACINGS.
- FOLLOWING THE ABOVE, GIVE DETAILS OF ANY DANGER SPOTS, ETC TO THE RIDERS IN EACH GROUP.

Regards,  
**Ben O'Brien**  
President  
Ph: 0409 697 860  
[president@dubbocycleclub.com.au](mailto:president@dubbocycleclub.com.au)  
[www.dubbocycleclub.com.au](http://www.dubbocycleclub.com.au)

## Special Event Resources

### Special Event Transport Management Plan

Refer to [Chapter 7](#) of the Guide for a complete description of the Transport Management Plan

#### 1. EVENT DETAIL

##### 1.1. Event Summary

Event Name: Dubbo Cycle Club Road Racing

Event Location: As per attachment locality maps

Event Date: As per Calendar Avail 1/1/22 Event Start Time: Sat 1pm Event Finish Time: Sat 5pm

Event Setup Time: 2.5hrs prior Event Pack down Finish Time: 30min after

Event is  off-street  on-street moving  on-street non-moving

Event is  held regularly throughout the year (calendar attached)

##### 1.2. Event Summary

Event Organiser\*: Dubbo Cycle Club

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Mobile: 0409 697 860

Email: president@dubbocycleclub.com.au

Event Management Company (if applicable): \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Mobile: \_\_\_\_\_

Email: \_\_\_\_\_

Police: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Mobile: \_\_\_\_\_

Email: \_\_\_\_\_

Council: DUBBO REGIONAL COUNCIL

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Mobile: \_\_\_\_\_

Email: \_\_\_\_\_

Transport Management Centre  
(if Class 1 – Sydney Metropolitan Area): \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Mobile: \_\_\_\_\_

Email: \_\_\_\_\_

Roads & Maritime Service  
(if Class 1 – regional NSW and Class 2 event): \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Mobile: \_\_\_\_\_

Email: \_\_\_\_\_

\*Note: The Event Organiser is the person or organisation in whose name the Public Liability Insurance is taken out.

**1.3. Brief description of the event (one paragraph)**

To undertake Cycle Racing on the roads listed on the locality maps as per calendar that will be provided in a minimum of 2 months blocks if changed and available on January 1st.

Either on Saturday afternoons Sunday afternoons from 1st of January 2022 to December 31st 2022

**2. RISK MANAGEMENT TRAFFIC**

Class 1	Class 2	Class 3	<b>2.1. Occupational Health &amp; Safety – Traffic Control</b>
			<input type="checkbox"/> Risk assessment plan (or plans) attached
			<b>2.2. Public Liability Insurance</b>
			<input type="checkbox"/> Public liability insurance arranged. Certificate of currency attached.
			<b>2.3. Police</b>
			<input type="checkbox"/> Police written approval obtained
			<b>2.4. Fire Brigades and Ambulance</b>
			<input type="checkbox"/> Fire brigades notified
			<input type="checkbox"/> Ambulance notified

**3. TRAFFIC & TRANSPORT MANAGEMENT**

Class 1	Class 2	Class 3	<b>3.1. The route or location</b>
			<input type="checkbox"/> Map attached
			<b>3.2. Parking</b>
			<input type="checkbox"/> Parking organised – details attached
			<input type="checkbox"/> Parking not required
			<b>3.3. Construction, traffic calming and traffic generating developments</b>
			<input type="checkbox"/> Plans to minimise impact of construction activities, traffic calming devices or traffic-generating developments attached
			<input type="checkbox"/> There are no construction activities, traffic calming devices or traffic-generating developments at the location/route or on the detour routes
			<b>3.4. Trusts, authorities or Government enterprises</b>
			<input type="checkbox"/> This event uses a facility managed by a trust, authority or enterprise; written approval attached
			<input type="checkbox"/> This event does not use a facility managed by a trust, authority or enterprise
			<b>3.5. Impact on/or Public Transport</b>
			<input type="checkbox"/> Public transport plans created - details attached
			<input type="checkbox"/> Public transport not impacted or will not impact event
			<b>3.6. Reopening roads after moving events</b>
			<input type="checkbox"/> This is a moving event - details attached.
			<input type="checkbox"/> This is a non-moving event. (Fixed points at either end of moving points.)
			<b>3.7. Traffic management requirements unique to this event</b>
			<input type="checkbox"/> Description of unique traffic management requirements attached
			<input type="checkbox"/> There are no unique traffic requirements for this event
			<b>3.8. Contingency plans</b>
			<input type="checkbox"/> Contingency plans attached



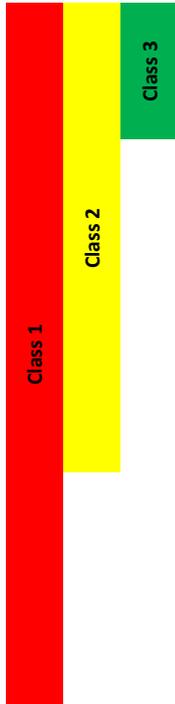
**3.9. Heavy vehicle impacts**

- Impacts heavy vehicles – RMS/TMC to manage
- Does not impact heavy vehicles

**3.10. Special event clearways**

- Special event clearways required - RMSTMC to arrange
- Special event clearways not required

**4. MINIMISING IMPACT ON NON-EVENT COMMUNITY & EMERGENCY SERVICES**



**4.1. Access for local residents, businesses, hospitals and emergency vehicles**

- Plans to minimise impact on non-event community attached
- This event does not impact the non-event community either on the main route (or location) or detour routes

**4.2. Advertise traffic management arrangement**

- Road closures or restrictions - advertising medium and copy of proposed advertisements attached
- No road closures or restrictions but special event clearways in place - advertising medium and copy of proposed advertisements attached
- No road closures, restrictions or special event clearways - advertising not required

**4.3. Special event warning signs**

- Special event information signs are described in the Traffic Control Plan/s
- This event does not require special event warning signs

**4.4. Permanent Variable Message Signs**

- Messages, locations and times attached
- This event does not use permanent Variable Message Signs

**4.5. Portable Variable Message Signs**

- The proposed messages and locations for portable VMS are attached
- This event does not use portable VMS

## 5. PRIVACY NOTICE

The "Personal Information" contained in the completed Transport Management Plan may be collected and held by the NSW Police, the NSW Roads & Maritime Services (RMS), Transport Management Centre (TMC) or Local Government.

I declare that the details in this application are true and complete. I understand that:

- The "personal information" is being collected for submission of the Transport Management Plan for the event described in Section 1 of this document.
- I must supply the information under the Road Transport Legislation (as defined in the *Road Transport (General) Act 1999*) and the *Roads Act 1993*.
- Failure to supply full details and to sign or confirm this declaration can result in the event not proceeding.
- The "personal information" being supplied is either my own or I have the approval of the person concerned to provide his/her "personal information".
- The "personal information" held by the Police, RMS/TMC or Local Government may be disclosed inside and outside of NSW to event managers or any other person or organisation required to manage or provide resources required to conduct the event or to any business, road user or resident who may be impacted by the event.
- The person to whom the "personal information" relates has a right to access or correct it in accordance with the provisions of the relevant privacy legislation.
- 

## 6. APPROVAL

TMP Approved by: \_\_\_\_\_ Event Organiser \_\_\_\_\_, Date \_\_\_\_\_

## 7. AUTHORISATION TO \*REGULATE TRAFFIC

Council's traffic management requirements have been met. Regulation of traffic is therefore authorised for all non-classified roads described in the risk management plans attached to this TMP.

Regulation of traffic authorised by: \_\_\_\_\_ Council \_\_\_\_\_, Date \_\_\_\_\_

The RMS/TMC's traffic management requirements have been met. Regulation of traffic is therefore authorised for all classified roads described in the risk management plans attached to this TMP.

Regulation of traffic authorised by: \_\_\_\_\_ RMS/TMC \_\_\_\_\_, Date \_\_\_\_\_

*\* "Regulate traffic" means restrict or prohibit the passage along a road of persons, vehicles or animals (Roads Act, 1993). Council and RMS/TMC require traffic to be regulated as described in the risk management plans with the layouts installed under the direction of a qualified person.*

**Schedule 1 Form – Notice of Intention to Hold a Public Assembly**

Taken from NSW Police website:

[https://www.police.nsw.gov.au/data/assets/pdf\\_file/0007/275560/Notice\\_of\\_Intention\\_to\\_Hold\\_a\\_Public\\_Assembly.pdf](https://www.police.nsw.gov.au/data/assets/pdf_file/0007/275560/Notice_of_Intention_to_Hold_a_Public_Assembly.pdf)

**Summary Offences Act 1988**

To the Commissioner of Police

1 I, Ben O'Brien  
Name  
of 88 River St Dubbo  
Address  
on behalf of DUBBO CYCLE CLUB  
Organisation  
notify the Commissioner of Police that on the From 1/1/2022 to 23/12/2022  
Day  
of Saturday Afternoon & Sunday Afternoons  
Month/Year

it is intended to hold:

either:

(a) a public assembly, not being a procession, of approximately  
30-60  
Number persons which will assemble  
at The listed locations on locality maps  
Place Saturday's 1pm  
at approximate Sunday's 1pm .....am/pm  
Time Saturday's 5pm  
and disperse at approximately Sunday's 5pm .....am/pm  
Time

or

~~(b) a public assembly, being a procession of approximately .....  
Number  
persons which will assemble at .....  
Place  
at approximately .....am/pm  
Time  
and at approximately .....am/pm the procession will  
commence and shall proceed .....  
.....  
.....  
Specify route, any stopping places and the approximate duration of any stop: and the  
approximate time of termination. A diagram may be attached.~~

2 The purpose of the proposed assembly is.....  
Marshalling of start and finish area for Cycle racing.

State purpose

3 The following special characteristics associated with the assembly would be useful for the Commissioner of Police to be aware of in regulating the flow of traffic or in regulating the assembly:

\* (i) There will be <sup>4</sup>.....(number) of vehicles and/or\* floats involved and their type and dimensions are as follows:

Domestic Motor Car or/and Motorcycle, Lead vehicle  
Commissaries, First Aid, vehicle & follow vehicle.

~~\* (ii) There will be ..... (number) of bands, musicians, entertainers etc entertaining or addressing the assembly~~

~~\* (iii) The following number and type of animals will be involved in the assembly~~

~~\* (iv) Other special characteristics of the proposed assembly are as follows:~~

4 I take responsibility for organising and conducting the proposed public assembly.

5 Notices for the purposes of the *Summary Offences Act 1988* may be served on me at the following:

Address: 88 RIVER ST DUBBO.

Post Code.....2830

Telephone: 0409 697 860

Signed: 

Capacity/Title CLUB PRESIDENT

Date 5/10/2022

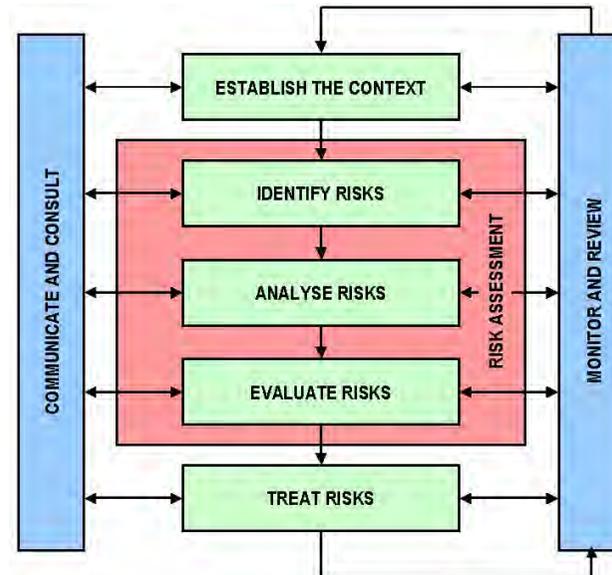
Delete as applicable



**Instructions:**

The purpose of this guide is to outline the Australian/New Zealand Risk Management Standard ISO 31000:2009. Your identification of risks and the recommendation of control measures to reduce the level of risk to an acceptable or tolerable level are therefore crucial in the planning process for your on road event

The risk management process consists of a series of steps that, when undertaken in sequence, enable continual improvement in decision-making. The elements of the risk management process are summarised in the following diagram;



What is risk? The Australian/New Zealand Risk Management Standard ISO 31000:2009 describes risk as follows;

**Risk is the chance of something happening that will affect objectives – it is measured in terms of event likelihood and consequences.**

Risk is measured in terms of;

- Vulnerability (weakness that can be exploited)
- Event Likelihood (frequency)
- Event Consequences (outcome possibilities)

Ask yourself:

- What could happen?
- How could it happen?
- Who could be harmed?
- What could be harmed?
- When could it happen?

The level of risk is determined by considering:

**LIKELIHOOD and CONSEQUENCE**

The purpose of risk evaluation is to make decisions, based on the outcomes of risk analysis, about which risks need treatment and treatment priorities.

Risks deemed 'tolerable' are monitored in accordance with the risk management plan until treatment measures have been implemented.

Once the risks have been identified and rated (Initial Risk level) Treatments (counter measures, Control Measures, Proposed Controls) need to be considered. Treatments must be appropriate to the level and type of risk. A risk treatment plan (Proposed controls) documents the actions that are proposed to treat the risk. It usually lists the following information:

- Actions to be taken and the risks they address.
- Responsibilities for implementing the plan.
- Resources to be utilised.
- Timetable for implementation.

- Mechanism and Frequency of review.

The design of the risk treatment measures should be based on a comprehensive understanding of the risks concerned; this understanding comes from an appropriate level of risk analysis.

**REMEMBER RISK IS IDENTIFIED AS FOLLOWS**

$$\text{LIKELIHOOD X CONSEQUENCE} = \text{RISK}$$

***PROPOSED CONTROLS – What will be put in place***

The risk table will provide you with a Risk Rating. This risk rating could be anything from Very Low to Extreme. The proposed controls section of your risk register is where you will outline your recommendations and plans to reduce the risk level if that is possible.

To change the risk level you want to come up with control measures which may do the following in relation to your identified risks;

- **REDUCE THE LIKELIHOOD**
- **REDUCE THE CONSEQUENCES**

**Remember that it may not always be possible to reduce the consequences of a risk. Sometimes you can do both. But depending on the risk you have identified you may be only able to implement control measures that will reduce the likelihood.**

**The following scenario is a good way to think about this concept.**

**The risk: Death or Serious Injury as a result of crossing a roadway.**

A group of 10 people want to cross a roadway. They plan to walk together slowly in a group during afternoon peak when the roadway is very busy. The consequences of this action would mean that most of the group would be killed or seriously injured.

Likelihood: Likely  
Consequence: Major  
Risk Rating: Extreme

**Implementing control measures,**

A group of 10 people cross the roadway. They walk in single file with a few seconds space between them. They cross on a pedestrian crossing.  
The consequences of this action would mean that if a car doesn't stop, then perhaps only one person will be killed or seriously injured.

Likelihood: Possible  
Consequences: Minor  
Risk Rating: Low

In both outcomes the consequence is **DEATH or SERIOUS INJURY**. However the control measures have been able to reduce both likelihood and consequences.

**If this scenario was only one person wanting to cross the road, the consequences would be the same, it would only be the likelihood that you could change.**

### **Writing up Proposed Control Measures**

Control measures should be detailed. They should be specific to the identified risk and be actions that will either reduce the likelihood and/or the consequence of the identified risk. Remember that the risk register is a skeleton on which you are building your operational orders and venue operating plans. The treatment measures should avoid being generic statements. Where possible they should be clear and succinct and not lengthy. You can use dot points or short paragraphs in relation to your proposed controls. Avoid lengthy paragraphs that don't clearly articulate your proposed controls.

### **Key Risk Management Terms**

The following terms and ratings are used in risk management. It is recommended that readers become acquainted with them, to better understand the basis of comments and recommendations made.

**Likelihood** – A description of how likely a risk is to occur.

**Consequences** – The harm to, or impact on the organisation's goals.

**Controls** – The processes that are used to address the identified risks.

**Risk** – A harmful event that could occur, measured in terms of both its consequences and likelihood.

**Risk rating** – An overall assessment of a risk, achieved by combining the consequences and the likelihood ratings of a risk. Such rating enables risks of differing consequences and likelihood to be comparatively assessed in terms of the relative seriousness and priority of treatment.

**Risk consequence** – The outcome of an event. For example the loss, injury, disadvantage or gain. It can be expressed qualitatively or quantitatively.

**Risk level** – An overall assessment of a risk, achieved by combining the consequences and the likelihood ratings of a risk. Such rating enables risks of differing consequences and likelihood to be comparatively assessed in terms of the relative seriousness and priority of treatment.

**Risk likelihood** – The probability of a risk occurring.

**Risk treatments** – See Controls

**Qualitative Measure of Consequence**

Risk	Consequence	Description
1	Insignificant	No injury
2	Minor	Non lost time injury - disruption to working systems - financial loss - systems review
3	Moderate	Lost time injury - disruption to users - high financial loss-possible litigation, systems review - management concerns
4	<i>Major</i>	Permanent Injury - major loss of service to users - major financial loss - possible litigation and fines - systems review by external agency - possible industrial action - public concern, ministerial media attention
5	Catastrophic	Death - complete loss of service or output - huge financial loss - possible fine and compensation, likely litigation - systems reviewed by external agency - impact on morale - industrial intervention - loss of public support - media attention

**2. Qualitative Measure of Likelihood**

Risk	Likelihood	Description
A	Almost Certain	Is expected to occur in most circumstances
B	Likely	Will probably occur in most circumstances
C	Possible	Might occur at some time
D	Unlikely	Could occur at some time
E	Rare	May occur only in exceptional circumstances

**Level of Risk Tolerance**

E	Extreme Risk	Not tolerated IMMEDIATE action required to reduce risk
H	High Risk	If elimination is not possible the risk must be constantly monitored by Command staff
M	Moderate Risk	If acceptable monitor using standard operating procedures
L	Low Risk	Manage by routine procedures

**Risk Matrix**

Based on AS/NZS 4360:2004 and HB 436:2004

**Consequences**

		<b>Consequences</b>				
		Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)
<b>Likelihood</b>	Almost Certain (5)	<b>LOW</b> (5)	<b>MEDIUM</b> (10)	<b>HIGH</b> (15)	<b>EXTREME</b> (20)	<b>EXTREME</b> (25)
	Likely (4)	<b>LOW</b> (4)	<b>MEDIUM</b> (8)	<b>HIGH</b> (12)	<b>EXTREME</b> (16)	<b>EXTREME</b> (20)
	Possible (3)	<b>LOW</b> (3)	<b>LOW</b> (6)	<b>MEDIUM</b> (9)	<b>HIGH</b> (12)	<b>HIGH</b> (15)
	Unlikely (2)	<b>VERY LOW</b> (2)	<b>LOW</b> (4)	<b>LOW</b> (6)	<b>MEDIUM</b> (8)	<b>HIGH</b> (10)
	Rare (1)	<b>VERY LOW</b> (1)	<b>VERY LOW</b> (2)	<b>LOW</b> (3)	<b>MEDIUM</b> (4)	<b>MEDIUM</b> (5)

## ON ROAD EVENTS RISK REGISTER

RISK REGISTER AND CONTROL PLAN – ON ROAD EVENTS								
REF	HAZARD	L	C	INITIAL RISK	RISK CONTROL PLAN	L	C	RESIDUAL RISK
1	Vehicular Traffic	B	4/5	E	<ul style="list-style-type: none"> <li>• Use of the TCP</li> <li>• Marshall's,</li> <li>• Escorts vehicles</li> <li>• And possibly the riding formation (number of cyclists abreast) etc</li> <li>• Ensure all riders obey all the road rules.</li> <li>• Ensure riders have approved helmets.</li> <li>• Ensure both support vehicles have a first aid kit.</li> <li>• Call emergency services if needed.</li> <li>• Public Liability Insurance obtained</li> </ul>	C	4/5	H
2	Severe Weather Conditions eg Rain – Hail – Heavy Fog - Severe Winds – Excessive Heat encountered at the commencement/during event.	C	3	M	<ul style="list-style-type: none"> <li>• Check Weather forecasts.</li> <li>• Advise riders of any adverse weather conditions.</li> <li>• Keep riders up to date of weather conditions.</li> <li>• Have a guideline set out on what to do when extreme weather will delay or cancel the ride, and when and who will enact this.</li> </ul>	D	2	L

### RISK REGISTER AND CONTROL PLAN – ON ROAD EVENTS

REF	HAZARD	L	C	INITIAL RISK	RISK CONTROL PLAN	L	C	RESIDUAL RISK
3	Participant's health deteriorates during the event as a result of dehydration – sunburn – frostbite.	C	3	M	<ul style="list-style-type: none"> <li>• Ensure each rider has adequate water.</li> <li>• Ensure that the support vehicles have back up supplies of water.</li> <li>• Ensure adequate sunscreen is available.</li> <li>• Monitor riders during the ride for signs of fatigue or dehydration or stress at the rest points.</li> <li>• Ensure both support vehicles have a first aid kit.</li> </ul>	D	2	L
4	Participant involved in an incident during the event resulting in serious injury.	C	3	M	<ul style="list-style-type: none"> <li>• Utilise the support vehicles to warn oncoming motorists of an incident up ahead.</li> <li>• Ensure all participants are made aware of possible road conditions such as traffic, road debris, animals, pot holes etc.</li> <li>• Ensure all riders obey all the road rules.</li> <li>• Ensure riders have approved helmets.</li> <li>• Ensure both support vehicles have a first aid kit.</li> <li>• Call emergency services if needed.</li> <li>• Public Liability Insurance obtained.</li> <li>• Advise police of event.</li> </ul>	C	3	M

### RISK REGISTER AND CONTROL PLAN – ON ROAD EVENTS

REF	HAZARD	L	C	INITIAL RISK	RISK CONTROL PLAN	L	C	RESIDUAL RISK
5	Participant involved in an incident during the event resulting in a non serious injury that requires some degree of attention.	C	3	M	<ul style="list-style-type: none"> <li>• Utilise the support vehicles to warn oncoming motorists of an incident up ahead.</li> <li>• Ensure all participants are made aware of possible road conditions such as traffic, road debris, animals, pot holes etc.</li> <li>• Ensure all riders obey all the road rules.</li> <li>• Ensure riders have approved helmets.</li> <li>• Ensure both support vehicles have a first aid kit.</li> <li>• Utilise the support vehicle to carry the injured rider and bike if possible.</li> <li>• Call emergency services if needed.</li> <li>• Public Liability Insurance obtained.</li> <li>• Advise police of event.</li> </ul>	D	2	L

### RISK REGISTER AND CONTROL PLAN – ON ROAD EVENTS

REF	HAZARD	L	C	INITIAL RISK	RISK CONTROL PLAN	L	C	RESIDUAL RISK
6	Participants come across poor road conditions – road blocked/impassable during the event.	D	2	L	<ul style="list-style-type: none"> <li>• All riders to obey road rules.</li> <li>• All riders to be made aware of the road conditions by the support team.</li> <li>• Lead Riders to use standard calls to advise of road conditions.</li> <li>• The Support team to keep abreast of road conditions and road works or road incidents and communicate to the riders.</li> <li>• Support vehicles to assist with their flashing lights and warning signs and protect riders on tight bends etc.</li> <li>• Guideline in place as to what will stop, or delay the ride and who will enact it.</li> </ul>	E	1	L

### RISK REGISTER AND CONTROL PLAN – ON ROAD EVENTS

REF	HAZARD	L	C	INITIAL RISK	RISK CONTROL PLAN	L	C	RESIDUAL RISK
7	Participants come across severe accent/decent on the road network during the event.	D	2	L	<ul style="list-style-type: none"> <li>All riders obey road rules.</li> <li>All riders to be made aware of the road conditions by the support team.</li> <li>The Support team to keep abreast of road conditions and road works or road incidents and communicate to the riders.</li> <li>Support vehicles to assist with their flashing lights and warning signs and protect riders on tight bends etc.</li> <li>Guideline in place as to what will stop, or delay the ride and who will enact it.</li> </ul>	E	1	L
8	Participants have limited/no experience in participating in an event.	D	2	L	<ul style="list-style-type: none"> <li>All participants will be provided with the requirements and conditions likely to be expected during the ride.</li> <li>Riders encouraged to be realistic about their ability to continue.</li> </ul>	E	1	L
9	Participants loose their way during the event.	E	1	1	<ul style="list-style-type: none"> <li>Support vehicle is to be behind the last rider so if they have not caught up with the group, the support vehicle can pick them up and bring them in.</li> <li>Extra support vehicle provided during this event which will help manage this.</li> </ul>	E	1	L

<b>RISK REGISTER AND CONTROL PLAN – ON ROAD EVENTS</b>								
<b>REF</b>	<b>HAZARD</b>	<b>L</b>	<b>C</b>	<b>INITIAL RISK</b>	<b>RISK CONTROL PLAN</b>	<b>L</b>	<b>C</b>	<b>RESIDUAL RISK</b>
10	Participant’s equipment/vehicle becomes unserviceable or unroadworthy during the event.	D	2	L	<ul style="list-style-type: none"> <li>All riders are to provide a bike in appropriate condition</li> <li>Riders encouraged to service bike pre-event – clean and lubricate chain, derailleur, and other components. Ensure brakes and gearing in good working order and fitted correctly.</li> <li>Limited spares to be carried by the support team.</li> <li>Bikes in inadequate condition to be excluded from participation.</li> </ul>	D	2	L

### RISK REGISTER AND CONTROL PLAN – ON ROAD EVENTS

REF	HAZARD	L	C	INITIAL RISK	RISK CONTROL PLAN	L	C	RESIDUAL RISK
11	Participants suffer a mechanical/equipment breakdown/failure during the event.	D	2	L	<ul style="list-style-type: none"> <li>All riders are to provide a bike in appropriate condition</li> <li>Riders encouraged to service bike pre-event – clean and lubricate chain, derailleur, and other components. Ensure brakes and gearing in good working order and fitted correctly..</li> <li>Limited spares to be carried by the support team.</li> <li>Bikes in inadequate condition to be excluded from participation.</li> <li>Rider to pull off to a safe location to attend to the breakdown.</li> <li>If unable to repair on the side of the road, support vehicle to load the bike and rider and take to the next town.</li> </ul>	D	2	L
12	Pilot/rear escort vehicle/s suffers mechanical breakdown during the event.	D	3	M	<ul style="list-style-type: none"> <li>Communicate immediately to other support vehicles for back up.</li> <li>Spare vehicle to provide assistance and then take up the position of the vehicle that has broken down.</li> </ul>	D	2	L

### RISK REGISTER AND CONTROL PLAN – ON ROAD EVENTS

REF	HAZARD	L	C	INITIAL RISK	RISK CONTROL PLAN	L	C	RESIDUAL RISK
13	Support vehicle/s suffers mechanical breakdown during the event.	D	3	M	<ul style="list-style-type: none"> <li>Communicate immediately to other support vehicles for back up.</li> <li>Spare vehicle to provide assistance and then take up the position of the vehicle that has broken down.</li> <li>Have a list of all emergency services at each location and call for assistance if needed.</li> </ul>	D	2	L
14	Participant attempts/participates in event when not authorised/licensed to drive/ride a vehicle, motor bike or boat.	E	2	L	<ul style="list-style-type: none"> <li>All riders are to provide a bike in appropriate condition.</li> <li>All riders and support crew will have all appropriate licences and gear checked prior to riding in the event.</li> </ul>	E	2	L
15	Approved route unable to be travelled upon.	E	2	L	<ul style="list-style-type: none"> <li>Check the route prior to ride starting to ensure that there are no major roadworks or roads cut due to flooding etc.</li> <li>Seek alternate way around.</li> <li>If unable to go around the blockage, find out if it will only be for a short period of time and delay the ride.</li> <li>If for longer, ride will have to be called off.</li> </ul>	E	1	L

### RISK REGISTER AND CONTROL PLAN – ON ROAD EVENTS

REF	HAZARD	L	C	INITIAL RISK	RISK CONTROL PLAN	L	C	RESIDUAL RISK
16	Event cancelled prior/during the event.	E	2	L	<ul style="list-style-type: none"> <li>All participants, Police and Insurance will be advised of the cancellation and the reasons why.</li> </ul>	E	1	L

**L = LIKELIHOOD**  
**C = CONSEQUENCE**



## CURRENT AND PROPOSED DUBBO ROAD COURSES for 2022

### Locality links

<https://goo.gl/maps/iOLqt>

#### Wongarbon short course (Westella TCP's)

15km from start line to the turn point. Start line is 30m north on Barbical street from the intersection with Derribong street, with the finish line 30m north on Barbical street from the intersection with Derribong street. The turn point is 175m east of the T intersection on Westella road.

<https://goo.gl/maps/FSHvZw3kEm42>

#### Wongarbon long course (Westella TCP's)

25 km from start line to the turn point. Start line is 30m north on Barbical street from the intersection with Derribong street, with the finish line 30m north on Barbical street from the intersection with Derribong street. The turn point is 550m south on the Westella road from the intersection with Golden Hwy (Cobbora road).

<https://goo.gl/maps/r4bBu>

#### Mogriguy Time Trial course (Mogriguy TCP's)

10.5 km from start line to the turn point. Start and finish line is 650m north on Mogriguy road from the intersection with Mendooran road. The turn point is 180m south on Mogriguy road from the intersection with Moonul street Mogriguy.

<https://goo.gl/maps/OA4Ly>

#### Mogriguy course (Mogriguy TCP's)

19 km from start line to the turn point. Start and finish line is 650m north on Mogriguy road from the intersection with Mendooran road. Turn point closest intersection is 5.1 km north of turn point which is Mogriguy road and Coobaggi Forrest road.

<https://goo.gl/maps/f1ERDXR4zvA2>

#### Burroway course (Burroway TCP's)

17.5 km from start line to turn point. Start line and finish line is on the Burroway road 500m west of the intersection with the Newell Hwy. The turn point is 1000m east on Burroway road from the intersection with Rawsonville Bridge road.

<https://goo.gl/maps/Mwz5Ub75zy22>

#### Benalong road sprint course (Nubingerie and Benalong TCP's)

10.5 km from start line to the turn point. Start line and finish line is on Nubingerie road adjacent to the Benalong Rural Fire Brigade shed 1.2 km south of the intersection with Benalong road and Terrabella road. Turn point is 300m east of Wambalong Creek bridge on Benalong road.



<https://goo.gl/maps/uOMMo>

**South Geurie short course (Arthurville Road TCP's)**

15 km from start line to turn point. Start line and finish line is 400m south of the bridge over the Macquarie river on the Arthurville road and 2.8 km north of the intersection with Terrabella road. The turn point is 600m north east of the intersection of Arthurville road and Hermitage road.

<https://goo.gl/maps/p7Rlq>

**South Geurie middle course (Arthurville Road TCP's)**

21 km from start line to turn point. Start line and finish line is 400m south of the bridge over the Macquarie river on the Arthurville road and 2.8 km north of the intersection with Terrabella road. The turn point is 3.2 km on the Suntop road east of the intersection with Arthurville road.

<https://goo.gl/maps/AM2ZC>

**South Geurie long course (Arthurville Road TCP's)**

30 km from start line to the turn point. Start line and finish line is 400m south of the bridge over the Macquarie river on the Arthurville road and 2.8 km north of the intersection with Terrabella road. Turn point is 3.8 km on the Suntop road west of the intersection with Renshaw-McGirr way.

<https://goo.gl/maps/ajwMBqYxMst>

**South Geurie (Terrebella Road ) Individual Time Trial Course (Terrebella Road TCP's)**

6.4 km from start line to the turn point. Start line and finish line is 2.1 km west of the intersection of Terrabella road and Arthurville road. The turn point is 1.3 km east of the bridge over the Little River on Terrabella road.

<https://goo.gl/maps/knDgXpxxu382>

**North Geurie (Commabella/Paxton and Commabelle TCP's)**

12.1 km from start line to the turn point. Start line is 130m north from the intersection of Paxton street and Fitzroy street, with the finish line 500m north of Paxton street and Fitzroy street Geurie. The turn point is 1100m on the Commabella road west of the intersection with Cobbora road.



These 2 courses are loop type courses as there is no turn point as such.

<https://goo.gl/maps/vZ8ZcyVVjBz>

**South Geurie strada loop (long) 50.3klms (Arthurville Road start/finish TCP only)**

Start line and finish line is 400m south of the bridge over the Macquarie river on the Arthurville road and 2.8 km north of the intersection with Terrabella road. The loop turns left onto River Road at 4.3klms from the start line and travels river road for 10.6klm to the intersection with Zaias lane, tuning right on to Zaias Lane and travel 3klms to the intersection with Bennetts Road, turning left on to Bennetts Road and travelling 6.5klm to the intersection of Suntop Road and turning right and travel 9klms to the intersection with Arthurville Road and turn right onto Arthurville Road and travel 2.2klms to the cross roads of Arthurville, Little River and Hermitage Roads, continuing onto Hermitage Road and travel 11.9klm to Terrabella Road and turn right and travel 350 metres to the Arthurville Road and turn left and travel 2.9klm to the finish line on Arthurville Road 400metres before the Macquarie river on the Arthurville Road.

<https://goo.gl/maps/nPdX3NBbP3o>

**South Geurie strada loop (short) 42klm (Arthurville Road start/finish TCP only)**

Start line and finish line is 400m south of the bridge over the Macquarie river on the Arthurville road and 2.8 km north of the intersection with Terrabella road. The loop turns left onto River Road at 4.3klms from the start line and travels river road for 10.6klm to the intersection with Zaias lane, tuning right on to Zaias Lane and travel 8.1klm to the intersection of Arthurville Road turn left on to Arthurville Road and travel 4.5klm to the cross roads of Arthurville, Little River and Hermitage Roads, continuing onto Hermitage Road and travel 11.9klm to Terrabella Road and turn right and travel 350 metres to the Arthurville Road and turn left and travel 2.9klm to the finish line on Arthurville Road 400metres before the Macquarie river on the Arthurville Road.

Regards,  
**Ben O'Brien**  
President  
Ph: 0409 697 860  
[president@dubbocycleclub.com.au](mailto:president@dubbocycleclub.com.au)  
[www.dubbocycleclub.com.au](http://www.dubbocycleclub.com.au)



Site Specific Risk Assessment and Site Record Sheet.

NAME:

<b>Section 1: Job Site Details</b>			
Job Description: Setting Up Signs and Traffic Control		Location:	
<b>Section 2: Hazard Checklist</b>			
<b>Hazard</b>	Rating	<b>Control Measures</b>	
Manual Tasks	3	Team lifting when required	
Public	1	Stop if approach to ensure safety	
Weather Conditions	3	Dress as per the weather conditions	
Uneven Surfaces	4	Be aware of your footing	
Rubbish	6	Remove all rubbish before leaving the site	
Traffic	1	High Vis clothing, work with the flow of traffic	
Sharp Edges	4	Wear gloves	
High Vegetation	2	Knock down or trim any tall vegetation	
<b>Section 3: Are there any other Issues discussed</b>			<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>
<b>Section 5: All on site are aware of the Hazards on the site:</b>			
All personnel on site are notified of the hazards relevant to their work and the worksite.			
Signature: .....	.../.../20. ....._m	Signature: .....	.../.../20. ....._m
Name:		Name:	
Signature: .....	.../.../20. ....._m	Signature: .....	.../.../20. ....._m
Name:		Name:	
Signature: .....	.../.../20. ....._m	Signature: .....	.../.../20. ....._m
Name:		Name:	
<b>Section 6: All documentation completed to be maintained on file</b>			

**SAFE WORK METHOD STATEMENT**

**ACTIVITY: ERECTING TEMPORARY TRAFFIC CONTROL**

SWMS NUMBER: 001

DUBBO CYCLE CLUB

SIGNED OFF:   
 NAME/POSITION: PRESIDENT  
 DATE: 10 / 10 / 2022

PROCEDURE (IN STEPS):	POSSIBLE HAZARDS:	ASSESSED RISK RANKING	SAFETY CONTROLS:
1. Select a Traffic Control Plan (TCP)	Incorrect selection	1	Re-check TCP in TCP Master copy folder 2021, ask supervisor for assistance.
2. Gather signs and devices	Incorrect signs/devices	1	Re-check sign/ devices
	Manual Tasks	4	Two person lift when required
3. Conduct Site Specific Risk Assessments	No risk assessment	1	To be done on arrival before setting up signs
4. Mark distances as per TCP	Bends, intersections, driveways	1	Adjust marks for sign locations, mark and initial on TCP
5. Setting up signs	Traffic	1	Work with flow of traffic Two flashing lights on patrol vehicle <b>Use patrol vehicle as a buffer between staff and traffic</b> Start by setting up signs from outside working inwards <b>Never walk across road during this procedure</b>
6. Check signs at regular intervals	Blown over, removed, vandalised	1	Check signs regularly throughout day Use sand bags to hold signs in windy conditions

7. Pulling down signs	Traffic	1	Leave first "advance warning" sign until last Work with flow or traffic Two flashing lights on patrol vehicle Use patrol vehicle as a buffer between staff and traffic Never walk across road during this procedure Pick up the first "advance warning" sign
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PERSONAL QUALIFICATIONS AND EXPERIENCE:	TRAINING REQUIRED TO COMPLETE WORK:	DUTIES AND RESPONSIBILITIES:
Class C driver licence Implement Traffic Management Plans	RMS RMS Traffic Course	<p><b>CLUB MEMBERS:</b>                  Must follow this procedure and participate in Risk Assessments that are required for this activity.</p> <p><b>ON SITE SUPERVISORS:</b>                  Must ensure that club members follow this procedure and any Risk Assessments required workers are involved in.</p>
PERSONAL PROTECTIVE EQUIPMENT:	CODES OF PRACTICE, LEGISLATION:	
High Visibility Clothing Enclosed Footwear Hat / Gloves	WHS Act 2011; WHS Regulations 2011 RTA Traffic Control at Work Sites Manual, Version 4 - June 2010 A/NZS 1742.3	
PLANT/EQUIPMENT:	MAINTENANCE CHECKS:	
Traffic Control Plan Vehicle with 2 flashing Lights Signs/Devices Hand tools	Pre-start check of vehicle daily Regular cleaning of all signs and inspection of their condition.	
DEVELOPED IN CONSULTATION BY THE FOLLOWING STAFF:		
Craig Granger, Janette Eather, Jason Canobie, Lauren Fuller, Jodie Barber, Alex Russell, Tim Barnes, Samuel Peacocke, Tim Hines, Helen Hines, Mathew Gilbert, Michelle Fuller, Michael Mitchell, Julie Farr, Thomas Mannix, Michael Fuller, Kyrilee Canobie, Jason Farr, Ben O'Brien.		

**SAFE WORK METHOD STATEMENT**

**ACTIVITY: - TRAFFIC CONTROL**

SWMS NUMBER: 002

SIGNED OFF: \_\_\_\_\_

NAME/POSITION: \_\_\_\_\_

DATE: \_\_\_\_\_ / \_\_\_\_\_ /2022

**DUBBO CYCLE CLUB**

PROCEDURE (IN STEPS):	POSSIBLE HAZARDS:	ASSESSED RISK RANKING	SAFETY CONTROLS:
1. Loading and unloading equipment	Manual tasks	4	Team lifting when required
2. Set up traffic control signs and devices	Vehicular traffic	1	Certified personnel only to undertake traffic control and setting signs Conduct site specific risk assessment Work vehicle with flashing light(s) or flashing arrow should be positioned between the workers and approaching traffic during placement of traffic control devices Consider use of spotter NEVER cross the road whilst setting up signs High visibility clothing to be worn at all times
3. Controlling traffic	Vehicular traffic	1	Certified personnel only to undertake traffic control High visibility clothing worn at all times Stop/slow bats available on site for manual traffic control Ensure there are no undue delays at traffic lights (Irate motorists may speed through the work site after the lights change)
	Fatigue	2	Traffic controllers MUST be relieved after two hours work and may be either rested or placed on other duties for a period of at least 15 – 20 minutes before being returned to traffic control duties Drinking water to be available on site
	Out of control traffic OR traffic that ignores instructions to stop	1	ALWAYS have a clear and open escape route for your safe get away

DEVELOPED; APRIL 2019/UPDATED OCT2021

VERSION; 2.2

REVIEW DATE; APRIL 2022 1

**SAFE WORK METHOD STATEMENT**                      **ACTIVITY: - TRAFFIC CONTROL**                      **SWMS NUMBER: 002**

4. Remove traffic control	Vehicular traffic Manual tasks Rubbish	1 4 6	As per safety controls for "Set up traffic control signs and devices" Use team lifting when required Remove all rubbish from the site before leaving

PERSONAL QUALIFICATIONS AND EXPERIENCE:	TRAINING REQUIRED TO COMPLETE WORK:	DUTIES AND RESPONSIBILITIES:
Traffic Controllers Certificate	RMS Traffic Course	<p><b>CLUB VOLUNTEERS:</b> Must follow this procedure and participate in Risk Assessments that are required for this activity.</p> <p><b>ON SITE SUPERVISORS:</b> Must ensure that volunteers follow this procedure and any Risk Assessments required workers are involved in.</p>
PERSONAL PROTECTIVE EQUIPMENT:		
Gloves Hi visibility Clothing	WHS Act 2011; WHS Regulations 2011 RMS Traffic Control at Work Sites Manual A/NZS 1742.3	
PLANT/EQUIPMENT:		
Traffic Control Signs and Devices Stop/Slow bats	Conduct pre-start check on vehicle Clean and maintain signs and devices	
DEVELOPED IN CONSULTATION BY THE FOLLOWING MEMBERS:		
Craig Granger, Janette Eather, Jason Canobie, Lauren Fuller, Jodie Barber, Alex Russell, Tim Barnes, Samuel Peacocke, Tim Hines, Helen Hines, Mathew Gilbert, Michelle Fuller, Michael Mitchell, Julie Farr, Thomas Mannix, Michael Fuller, Kyrilee Canobie, Jason Farr, Ben O'Brien.		



## EMERGENCY AND/OR ACCIDENT PROCEDURES (non-first aid)

The below is a basic outline of what could be needed and used in the case of a racing accident, but it DOES not cover all or every possible scenarios that could possibly happen when conducting cycle road racing or group recreational riding.

Communication is key to seeking help and support for any incident so it would help if phones were carried and the emergency + app was installed.

<http://emergencyapp.triplezero.gov.au/>

At the scene check for any dangers to your self, bystanders, the casualty/s and remove any hazards such as bikes, equipment or any thing else wear possible that may cause further accidents including bystanders and competitors who are not assisting. But do not put your self in danger doing any of the above or any thing else.

If a First Aid person, or a person who is confident in helping is not at the scene first and you have a phone or two way radio call for assistance from a event official or in serious situations call 000 or phone app Emergency + when it would be needed.

Where possible have 2 people with the injured and 2 in opposite direction approx 200 meters from the injured to warn and slow traffic but be off the roads edge and not in danger of becoming a casualty

If the injured are able to move by them selves or with some assistance have them Move away from the road or road edge to be at a safe distance from the road. But still where possible have 2 people with the injured and 2 in opposite direction approx 200 meters from the injured to warn and slow traffic but be of the roads edge and not in danger of becoming a casualty.

Any extra bystanders or competitors should be well off the road and away from the casualty/s or competitors can continue on with the race or ride.

Your safety is most important you do not want to be a casualty from putting yourself in dangers way.

If you have witnessed and /or assisted at an accident during a race you will need to see the Chief Marshall and/or commissionaire to supply information about the incident to help with the reports that are needed to be fill in.



## FIRST AID SUPPORT

The car will need to have 2 amber flashing lights mounted on the roof and flashing while on the road during the race.

Collect a First Aid Kit for your car from the sign on area.

There will also need to be a sign on the rear of the car that says **CYCLIST AHEAD** and needs to be fully visible to approaching traffic from behind.

The car will also need to travel with the headlights on and hazards flashing, also carry a 2 way radio and mobile phone with other officials of the day contact numbers.

You will be on duty from the time sign on starts and ready to attend to any one who may need attention before the race proper starts.

You may drive out along the course but you will always need to be with in mobile reception if you park on the side along the way, so to be contacted if there is an incident **OR** follow a set group for a while or to the turn point etc. listen for any radio calls or phone calls/messages (**ONLY TAKE A CALL ON HANDS FREE OR WHILE PARKED AND MESSAGE WHILE PARKED.**)

If there is an incident or need to attend to a rider/s you will need to go to the incident in a safe manor to tend First Aid if possible make contact with the commissaire and/or start finish line to report a problem.

This is where the Accident and Emergency procedure will need to be enacted and followed. It is a guide and is there to help with creating safety in different and difficult situations to try and achieve the best out come for all.

Please read it this in conjunction with the Accident and Emergency procedure document.



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 Address: Level 25, 123 Pitt Street  
 Sydney NSW 2000

27 January 2022

To Whom It May Concern,

## CERTIFICATE OF INSURANCE

Dear Sir/Madam,

In our capacity as Insurance Broker to the Named Insured shown below, we confirm having arranged the following insurance, the details of which are correct as at the Issue Date:

<b>Named Insured:</b>	<b>AusCycling Limited and all affiliated Clubs</b>
<b>Affiliated Club:</b>	Dubbo Cycle Club
<b>Class of Insurance:</b>	Combined Liability Insurance
<b>Insurer:</b>	Certain Underwriters at Lloyds of London
<b>Policy Number:</b>	09014411
<b>Limit of Liability:</b>	
Professional Indemnity	\$500,000 each and every occurrence and in the aggregate
Public Liability	\$20,000,000 each and every occurrence
Products Liability	\$20,000,000 each and every occurrence and in the aggregate
<b>Policy Period:</b>	4.00pm, 31 January 2022 to 30 September 2022
<b>Excess:</b>	\$1,000
<b>Geographical Limit:</b>	Worldwide
<b>Interested Party:</b>	Dubbo Regional Council NSW Police

Noting the above as an interested party but limited to indemnity for Personal Injury and/or Property Damage which arises solely as a result of the negligence by the name insured. This indemnity will not apply where the interested party is held or alleged to have its own independent liability arising from its own negligence, breach of contract, breach of any statute, or other act/omission. The indemnity provided is subject to the conditions, limits and exclusions of the policy.

For full details regarding coverage, please refer to the policy documentation.

In all instances, cover afforded is subject to the policy terms, conditions and exclusions. Any queries concerning this insurance arrangement should be addressed to this office.

Yours sincerely,



**Rob Veale**  
Managing Director

**Disclaimer:**

This document has been prepared at the request of our client and does not represent an insurance policy, guarantee or warranty and cannot be relied upon as such. All coverage described is subject to the terms, conditions and limitations of the insurance policy and is issued as a matter of record only. This document does not alter or extend the coverage provided or assume continuity beyond the Expiry Date. It does not confer any rights under the insurance policy to any party. V-Insurance Group is under no obligation to inform any party if the insurance policy is cancelled, assigned or changed after the Issue Date.

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