



AGENDA

INFRASTRUCTURE, PLANNING AND ENVIRONMENT COMMITTEE

10 JUNE 2025

MEMBERSHIP: Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, A Ryan, P Toynton, P Wells and M Wright.

The meeting is scheduled to commence at 5:30 PM.

ACKNOWLEDGEMENT OF COUNTRY:

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

Page

IPEC25/33 LEAVE OF ABSENCE (ID25/469)

IPEC25/34 CONFLICTS OF INTEREST (ID25/470)

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

IPEC25/35 REPORT OF THE RENEWABLE ENERGY ZONE BENEFIT COMMITTEE - MEETING 12 MAY 2025 (ID25/1032)

3

The Committee had before it the report of the Renewable Energy Zone Benefit Committee meeting held 12 May 2025.

IPEC25/36 DEVELOPMENT ACTIVITY SUMMARY (ID25/1036)

8

The Committee had before it the report dated 30 May 2025 from the Manager Building and Development Services regarding Development Activity Summary.

- | | | |
|------------------|--|----|
| IPEC25/37 | PLANNING PROPOSAL POLICY REVIEW (ID25/830)
The Committee had before it the report dated 30 April 2025 from the Team Leader Growth Planning Projects regarding Planning Proposal Policy Review. | 16 |
| IPEC25/38 | D22-210 - SUBDIVISION (631 ALLOTMENTS)
PROPERTY: LOT 4325 DP 1303918, LOT 3724 DP 1293647, LOT 103 DP 129995, LOT 3317 DP 1259756 AND LOT 1 DP 1272474
APPLICANT: MAAS GROUP PROPERTIES SOUTHLAKES PTY LTD
OWNER: MAAS GROUP PROPERTIES DURHAM PARK PTY LTD (ID25/971)
The Committee had before it the report dated 2 June 2025 from the Senior Planner regarding D22-210 - Subdivision (631 Allotments)
Property: Lot 4325 DP 1303918, Lot 3724 DP 1293647, Lot 103 DP 129995, Lot 3317 DP 1259756 and Lot 1 DP 1272474
Applicant: Maas Group Properties Southlakes Pty Ltd
Owner: Maas Group Properties Durham Park Pty Ltd. | 29 |
| IPEC25/39 | FOREST GLEN SOLAR FARM - COMMUNITY HOUSING FUND GUIDELINES (ID25/444)
The Committee had before it the report dated 18 March 2025 from the Development Contributions Administrator regarding Forest Glen Solar Farm - Community Housing Fund Guidelines. | 85 |
| IPEC25/40 | CD25-3031 - TENDER FOR EXTERNAL PLANT HIRE - LIGHT VEHICLES, PLANT AND EQUIPMENT (ID25/987)
The Committee had before it the report dated 23 May 2025 from the Manager Fleet and Depot Services regarding CD25-3031 - Tender for External Plant Hire - Light Vehicles, Plant and Equipment.

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



**DUBBO REGIONAL
COUNCIL**

Report of the Renewable Energy Zone Benefit Committee - meeting 12 May 2025

AUTHOR: Governance Officer
REPORT DATE: 29 May 2025

The Council had before it the report of the Renewable Energy Zone Benefit Committee meeting held 12 May 2025.

RECOMMENDATION

That the report of the Renewable Energy Zone Benefit Committee meeting held on 12 May 2025, be noted.



**REPORT
RENEWABLE ENERGY ZONE BENEFIT
COMMITTEE
12 MAY 2025**

PRESENT: Councillors J Black and R Ivey, T Doherty (Community Representative), E Craft (Community Representative), C Gadsby (Community Representative), L Hennessy (Community Representative), J Holland (Community Representative), J Kinsey (Community Representative), R Mac Smith (Committee Representative), W Martel (Community Representative), P Smith (Community Representative), R Whiteley (Community Representative), D Mitchell (Community Representative) and T Williamson (Community Representative).

ALSO IN ATTENDANCE:

The Chief Executive Officer, Councillors P Toynton, M Wright and J Cowley, the Director Development and Environment, the Manager Growth Planning, the Director Strategy, Partnerships and Engagement, Corporate Strategy and Performance Coordinator, the Governance Team Leader and the Executive Officer Development and Environment.

The Director Development and Environment assumed the Chair of the meeting.

The proceedings of the meeting commenced at 5:33pm.

The acknowledgement of country was delivered by Director Development and Environment.

REZ25/1 APOLOGIES (ID25/862)

The Committee received apologies from S O'Leary (Community Representative) and K Charlton (Community Representative).

L Garland (Community Representative) and Councillors J Cowley and M Wright attended the meeting via Audio-Visual Link. Councillor J Cowley left the meeting at 7:20pm and L Garland left the meeting at 7:32pm.

REZ25/2 CONFLICTS OF INTEREST (ID25/863)

There were no conflicts of interest declared.

**REZ25/3 INDUCTION – COUNCIL COMMUNITY COMMITTEES PRESENTATION
(ID25/864)**

The Committee was addressed by the Governance Team Leader regarding this item.

OUTCOME

1. That the presentation by the Governance Team Leader be noted.
2. That a copy of the presentation be distributed to the Committee.

RENEWABLE ENERGY CONTEXT INTRODUCTION PRESENTATION

The Committee was addressed by the Manager Growth Planning regarding this item.

OUTCOME

1. That the presentation by the Manager Growth Planning be noted.
2. That a copy of the presentation be distributed to the Committee.
3. That a link be forwarded to the Committee for the following:
 - Business papers, meeting minutes and the relevant link to the quarterly Renewable Projects Update Report - Council website.
 - State Significant Projects – NSW Department of Planning, Housing and Infrastructure website.
 - Planning Agreements – Council website.
 - Renewable Energy Benefit Framework – Council website.
 - Locality map of current projects – EnergyCo website.
4. That a more accessible approach be investigated to access the above information rather than a link to a website.

**REZ25/4 ADOPTION OF TERMS OF REFERENCE AND CODE OF MEETING PRACTICE
(ID25/870)**

The Committee had before it the report dated 5 May 2025 from the Senior Administration Officer - Development and Environment regarding Adoption of Terms of Reference and Code of Meeting Practice.

OUTCOME

1. That the Terms of Reference and Code of Meeting Practice – Renewable Energy Zone Benefit Committee as attached at Appendix 1, were discussed by the Committee.
2. That the Terms of Reference and Code of Meeting Practice – Renewable Energy Zone Benefit Committee be further considered by the Committee at the next meeting.

REZ25/5 ELECTION OF CHAIRPERSON (ID25/866)

At this juncture, the Director Development and Environment called for nominations for Chairperson of the Renewable Energy Zone Benefit Committee.

Councillor R Ivey was nominated by Councillor J Black.

Councillor J Black was nominated by T Doherty (Community Representative).

Councillor R Ivey was successful after a show of hands.

Councillor R Ivey accepted the nomination and was elected Chairperson of the Renewable Energy Zone Benefit Committee.

OUTCOME

That Councillor R Ivey was elected chairperson of the Renewable Energy Zone Benefit Committee for the Mayoral term and assumed Chair of the meeting following agenda item REZ25/5.

REZ25/6 DETERMINATION OF MEETING DATES AND TIMES (ID25/867)

The Committee was addressed by the Chair regarding this item.

OUTCOME

- 1. That meetings be held on the third Thursday of each month at 5:30pm, for the next three months.**
- 2. That after the three months the Committee are to decide meeting frequency going forward.**
- 3. That the meeting dates for the next three months being 19 June, 17 July and 21 August 2025 be held at the Wellington Civic Administration Building.**
- 4. That the next meeting be held in Wellington at 5.30pm on Thursday 19 June 2025.**

REZ25/7 STANDING AGENDA ITEMS AND COMMITTEE GOALS (ID25/868)

The Committee was addressed by the Chair regarding this item.

OUTCOME

- 1. That the Planning Table (all projects proposed for the LGA) be circulated to the Committee.**
- 2. That regular updates are given to the Committee on the following items:**
 - Renewable Energy Awareness Career Training Centre project (REACT).**
 - Housing and accommodation projects, including the Squadron Energy Temporary Workers Accommodation project in Dubbo.**
 - Advanced Wastewater treatment project.**
 - Strategic projects in the community.**
 - Government policy and any policy changes for renewable energy projects.**
 - The Committee members provide an update of issues and concerns from the area they represent.**

3. That information be sought, if available from the relevant organisation on the overall capacity of electricity infrastructure in the Renewable Energy Zone and provided to the Committee at a future meeting.
4. That a Report be provided to the Committee regarding income Council has received from any Planning Agreements and how this income has been allocated.
5. That the Committee seek to develop a running spreadsheet of community projects across the Renewable Energy Zone.

REZ25/8 GENERAL BUSINESS (ID25/869)

The following items of General Business were discussed:

1. Questions on Notice – to be sent through 14 days prior to the meeting to Executive Support Administration, Development and Environment de.admin@dubbo.nsw.gov.au
2. Council will investigate whether mobile microphones can be supplied for future meetings of the Committee.
3. The Director Development and Environment raised with the Committee the need for further representatives for the Committee across a number of localities.

The meeting closed at 7:34pm

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CHAIRPERSON



REPORT: Development Activity Summary

DIVISION: Development and Environment
REPORT DATE: 30 May 2025
TRIM REFERENCE: ID25/1036

EXECUTIVE SUMMARY

Purpose	<ul style="list-style-type: none">• Provide review or update.	
Issue	<ul style="list-style-type: none">• The monthly report is presented to Council which shows development activity.• The report includes a statistical overview of the number and type of development approvals for the Dubbo Regional Local Government Area (LGA) on a monthly basis.• The 'total number of dwellings' approved in April was 21, including 11 single dwellings and 10 other dwellings.• The NSW Department of Planning, Housing and Infrastructure publishes 'League Table' data which includes Development Application processing times for all Councils. This report provides the latest monthly snapshot of Council's processing times for Development Applications.	
Reasoning	<ul style="list-style-type: none">• Provide data relating to approved Development Applications.• Provide specific statistics of the number of dwellings and other residential development approved.• Provide comparative data for corresponding period.	
Financial Implications	Budget Area	There are no financial implications arising from this report.
Policy Implications	Policy Title	There are no policy implications arising from this report.

STRATEGIC DIRECTION

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

Theme: 1 Housing

CSP Objective: 1.1 Housing meets the current and future needs of our community

Delivery Program Strategy: 1.1.1 A variety of housing types and densities are located close to appropriate services and facilities

Theme: 3 Economy

CSP Objective: 3.3 A strategic framework is in place to maximise the

realisation of economic development opportunities for the region

Delivery Program Strategy: 3.3.1 Land is suitably zoned, sized and located to facilitate a variety of development and employment generating activities

RECOMMENDATION

That the report of the Manager Building and Development Services dated 30 May 2025 be noted.

Steven Jennings
Director Development and Environment

DQ
Manager Building and
Development Services

REPORT

1. Development Applications

Council is required to undertake the assessment and consideration of Development Applications and other associated approvals in accordance with the Environmental Planning and Assessment Act, 1979.

Council undertakes the assessment and consideration of Development Applications in accordance with Section 4.15 of the Environmental Planning and Assessment Act, 1979 and consults with community on Development Applications in accordance with Council's adopted Community Participation Plan.

The development approvals environment is regulated by the NSW State Government through a range of subsidiary acts and requirements in respect of, but not limited to:

- Traffic and transport;
- Heritage;
- Infrastructure;
- Environment;
- Biodiversity;
- Impacts on agriculture;
- Impacts on water resources including groundwater.

Council in the 2023/2024 financial year approved a total of 593 Development Applications.

2. Online Application Tracking

All Development Applications, Construction Certificates and Complying Development Certificates are tracked online and can be accessed at any time. A link to Council's Application Tracker is as follows: (<https://planning.dubbo.nsw.gov.au/Home/Disclaimer>).

Information available on Council's Application Tracker includes the following:

- All Development Applications, Construction Certificates and Complying Development Certificates submitted from 1 November 2015, including access to submitted plans and supporting documents as well as tracking details of the progress of an application;
- Limited information is provided for applications submitted from 1 January 2001 to 31 October 2015; and
- Occupation Certificates (where issued) are provided from 2010.

What information is not available:

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

3. Development Activity Building Summary

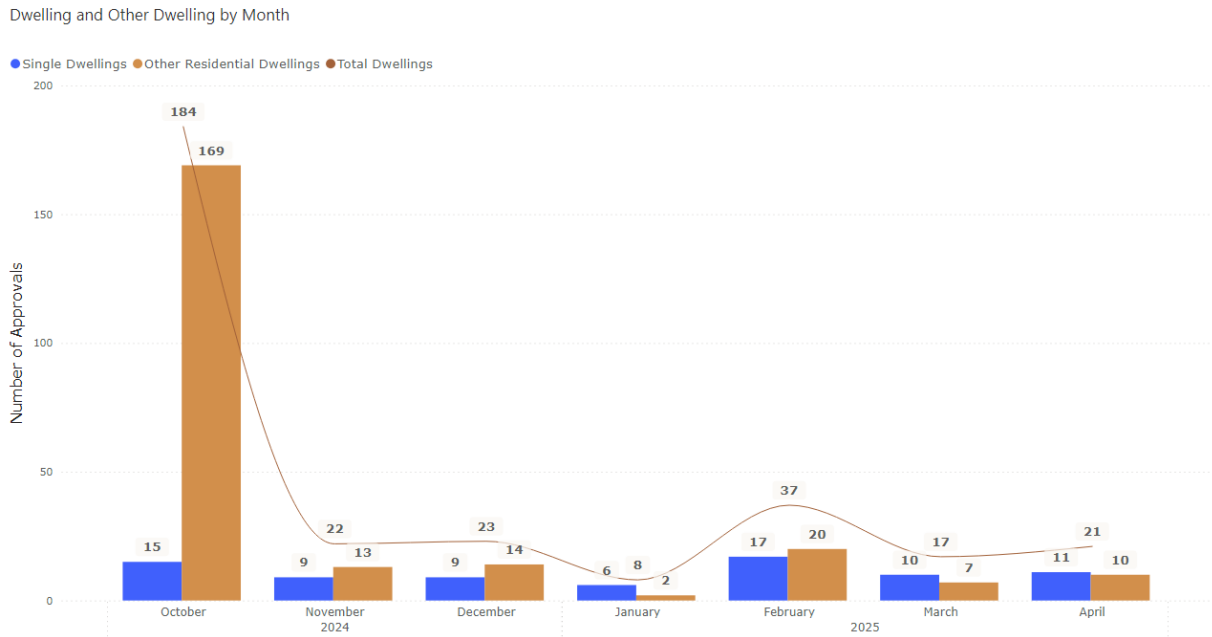
Provided, for information, are the latest statistics (as at the time of production of this report) for Development Applications and Complying Development approvals for Council.

(a) Residential Activity Summary

Dwellings and other residential developments approved most recently for April 2025, and for comparative purposes, the six months prior are shown in **Graph 1**.

For consistency with land use definitions included in the Dubbo Regional Local Environmental Plan 2022, residential development has been separated into ‘Single dwellings’ (LEP definition of dwelling house) and ‘Other residential development’ (LEP definitions include dual occupancies, secondary dwellings, multi dwelling housing, seniors housing, shop top housing and residential flat buildings).

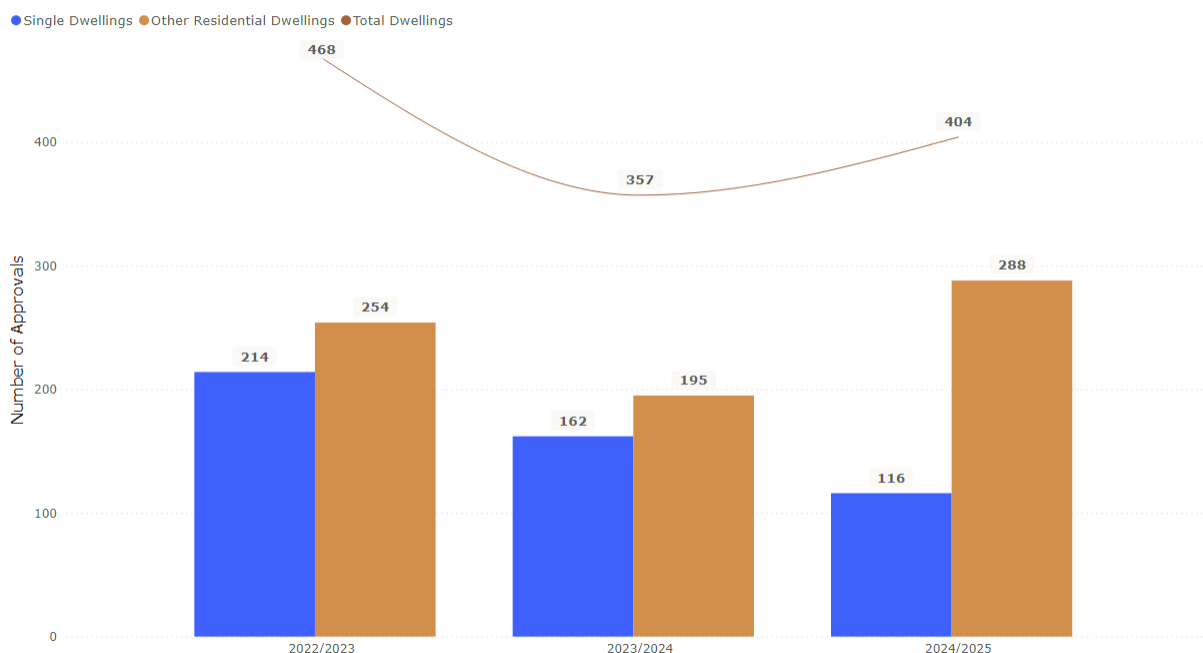
It should be noted that the increase in the number of ‘other residential dwellings’ approved in October was as a result of the approval of Development Application D23-663 for Seniors Housing (164 units and village club house) at 2 Capstan Drive, Dubbo.



Graph 1: Residential Approvals Summary – October 2024 to April 2025

A summary of residential approvals for financial years 2022/2023 and 2023/2024 are shown in **Graph 2**. The graph also includes the approval numbers for the financial year 2024/2025 to date.

Dwelling and Other Dwelling by Financial Year



Graph 2: Residential Approvals Summary – Comparison of Financial Years

These figures include Development Applications approved by Private Certifying Authorities (in the form of Complying Development Certificates).

(b) Approved Development Applications

Council approved 45 Development Applications in April 2024, the previous year.

Council approved 39 Development Applications in the month of April 2025.

In respect of the overall value of Development Applications approved, for the month of April in the 2023/2024 Financial Year the value was \$12,957,527.

For the month of April for the current Financial Year 2024/2025, the value was \$17,376,015.

The following Development Applications of interest have also been recently approved as below:

- D23-140 Mixed Use Development (Health Services Facilities) – 40 Cobbora Road Dubbo, valued at \$30M, was approved at the Western Regional Planning Panel (WRPP) meeting held on 13 May 2025.
- D24-542 Hotel Accommodation (Change of use) – 32-36 Church Street Dubbo (Oliver House), valued at \$5M, was approved under delegated authority on 21 May 2025.

- D24-507 Registered Club and Sporting Field – 180 Boundary Road, Dubbo, valued at \$39M, was approved at the Western Regional Planning Panel (WRPP) meeting held on 27 May 2025.

Each of the three complex Development Applications above were approved above Council's Development Application League Table assessment time and as such these assessment times will be reflected in the next update to the League Table.

In addition, D22-120 for a 631 lot residential subdivision at 24R Sheraton Road, Dubbo is in the final stages of assessment following good traction made on the complex Development Application between Council and the Applicant. Once approved, this Application will also impact Council's current processing times for Development Applications.

(c) Development Applications Under Assessment

As of 16 May 2025, a total of 94 Development Applications were under consideration. This includes the following new residential developments:

- Single dwellings 11
- Dual occupancy 2 (4 units)
- Secondary dwellings 2
- Other residential development 2 (5 units)

In addition, the following Development Applications are under consideration:

Number	Proposal	Address	Value	Consent Authority
D22-210	631 lot residential subdivision	24R Sheraton Road, Dubbo	\$32M	Council (meeting)
D23-647	571 lot residential subdivision	13L Narromine Road, Dubbo	\$15M	Council (meeting)
D25-119	Temporary Worker's Accommodation	Boundary Road corner Sheraton Road, Dubbo	\$51M	WRPP
D25-167	Shop (Alterations and additions) – Aldi Supermarket	56 Windsor Parade, Dubbo (Orana Mall Marketplace)	\$7.1M	Council (meeting)
D25-211	Health Services Facility (Residential rehabilitation centre) – Stage 2	58 Spears Drive Dubbo	\$3.7M	Council (delegated authority)

The table also identifies the relevant Consent Authority for the Development Applications, which also includes the Western Regional Planning Panel (WRPP). The WRPP is the Consent Authority for regionally significant development, which is defined as the following:

- Development that has an estimated development cost of more than \$30 million.
- Council related development over \$5 million.

Development that has an estimated development cost of more than \$5 million if:

- (a) Council is the Applicant for the Development Application.
 - (b) Council is the owner of the land where the development is proposed to be carried out.
 - (c) The development is proposed to be undertaken by Council.
 - (d) If there is any agreement in place with Council for the development.
- Development proposed by the Crown with a value over \$5 million.
 - Development for the purposes of community facilities and private infrastructure over \$5 million in value.

However, it should be noted that for the purposes of regionally significant development, the Capital Investment Value of a project does not include GST.

4. Council League Table

The NSW State Government Department of Planning, Housing and Infrastructure (DPHI) has recently been providing development assessment data for all Local Government Areas. The data is obtained from the NSW Planning Portal and is updated monthly.

The Council League tables show:

- Average assessment days;
- Number of DAs assessed;
- Total development cost; and
- Lodgement days.

DPHI encourages all councils to lodge Development Applications within an average of:

- 14 days of submission between 1 July 2024 to 30 June 2025.
- 7 days of submission from 1 July 2025 onwards.

DPHI encourages all councils to determine Development Applications whichever is the lesser of Council's previous financial year average (49 days), or within an average of:

- 115 days of lodgement between 1 July 2024 to 30 June 2025
- 105 days of lodgement between 1 July 2025 to 30 June 2026
- 95 days of lodgement between 1 July 2026 to 30 June 2027
- 85 days of lodgement from 1 July 2027 onwards.

The data displayed includes comparable inland regional cities:

Council League Table – valid 30 April 2025

Regional Council	Average Assessment Days	DAs Assessed	Total Development Cost (million)	Lodgement Days
1. Dubbo	52	435	\$165.1	11
2. Armidale	52	146	\$41.7	9
3. Wagga Wagga	69	426	\$234.5	8
4. Bathurst	72	282	\$129.8	4
5. Orange	83	224	\$145.1	10
6. Albury	94	434	\$190.2	10
7. Tamworth	140	302	\$181.9	11



REPORT: Planning Proposal Policy Review

DIVISION: Development and Environment
REPORT DATE: 30 April 2025
TRIM REFERENCE: ID25/830

EXECUTIVE SUMMARY

Purpose	<ul style="list-style-type: none">• Seek endorsement.	
Issue	<ul style="list-style-type: none">• Council at its meeting on 27 October 2022 adopted a Planning Proposal Policy.• The Policy provides advice to the community on Planning Proposal categories and the application of Council's tiered fee structure.• The Policy has been reviewed after 2 years and is being updated to ensure it still complies with current legislation, policies and guidelines.• The draft updated Policy was publicly exhibited between 24 March 2025 to 28 April 2025, with no submissions being received. No changes to the draft Planning Proposal Policy are required.• Subject to adoption by Council, the Planning Proposal Policy will apply to any future Planning Proposal submitted to Council for consideration.	
Reasoning	<ul style="list-style-type: none">• Environmental Planning and Assessment Act, 1979.• NSW Government – Local Plan Making Guideline.	
Financial Implications	Budget Area	There are no financial implications arising from this report.
Policy Implications	Policy Title	Planning Proposal Policy.
	Impact on Policy	Minor wording and format changes have been updated that do not change intent of the Policy. Upon adoption the Policy will come into effect.

STRATEGIC DIRECTION

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

Theme: 4 Leadership

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

Delivery Program Strategy: 4.1.1 Council encourages and facilitates two-way communication with and between stakeholders and the

community

Theme: 4 Leadership

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

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

RECOMMENDATION

1. That Council adopt the draft updated Planning Proposal Policy as attached in Appendix 1.
2. That Council note that no submissions were received during the public exhibition period.

Steven Jennings
Director Development and Environment

TS
Team Leader Growth
Planning Projects

BACKGROUND

1. Previous Resolutions of Council

25 August 2022 Ordinary Council Meeting (CCL22/204)	<i>In part: That the report of the Infrastructure, Planning and Environment Committee meeting held on 11 August 2022, be adopted.</i>
11 February 2025 Infrastructure, Planning and Environment Committee (IPEC25/5)	<i>2. That the draft Planning Proposal Policy (attached in Appendix 1) be adopted for the purposes of public exhibition. 3. That the draft Planning Proposal Policy be placed on public exhibition for a period of not less than 28 days in accordance with the requirements of the Environmental Planning and Assessment Act, 1979. 4. That following the completion of the public exhibition period, a further report be presented to Council for consideration, including the results of public exhibition.</i>
25 February 2025 Ordinary Council Meeting (CCL25/26)	<i>That the report of the Infrastructure, Planning and Environment Committee meeting held on 11 February 2025, be adopted.</i>

2. Draft Planning Proposal Policy

The draft Planning Proposal Policy has been updated and amended as part of Council's regular review process to ensure it is up to date with current legislation, policies and guidelines. A copy of the draft updated Policy is provided here in **Appendix 1**.

REPORT

Public Exhibition and Submissions

The draft Planning Proposal Policy was placed on public exhibition from Monday 24 March 2025 to Monday 28 April 2025. Council received no submissions during the public exhibition period. The draft updated Policy was publicly notified in the following ways:

- Council's YourSay page
- Dubbo Regional Council Customer Experience Centre and Macquarie Regional Library Branches
- Daily Liberal Council Column

There were no submissions received in relation to the draft Planning Proposal Policy and no amendments to the draft Policy are required.

Next Steps

Should Council adopt the draft Planning Proposal Policy it will come in force on 1 July 2025 and will guide proponents in the preparation and lodgement of Planning Proposals with Council.

APPENDICES:

1 [↓](#) Draft Planning Proposal Policy



Council Policy

Planning Proposal Policy

ED25/11693

Document Overview

Document Category	Council Policy
Policy Title	Planning Proposal Policy
Policy Statement	Provide guidance to the community on the categories of a Planning Proposal and the application of Council's three-tiered fee structure
Date	TBC
Resolution Date	TBC
Clause Number	TBC
Responsible Position	Manager Growth Planning
Branch	Growth Planning
Division	Development and Environment
CM Reference Number	ED25/11693
Version	1 – Draft
Review Period	Change in legislation
Review Date	Change in legislation
Consultation	Ordinary Council – TBC Public Exhibition – TBC Ordinary Council - TBC
Document Revision History	Date
Version 1 – 2 Year Review and update	

ED25/11693

Contents

Document Overview	2
Contents	3
Purpose.....	4
Related Legislation.....	4
Scope	4
Policy.....	4
Responsibilities.....	7
Acronyms.....	7
Appendix 1.....	8

ED25/11693

Purpose

The purpose of this Policy is to provide guidance to the community on the categories of a Planning Proposal and the application of Council's three-tiered fee structure, and ensure they are delivered in a clear and transparent manner which can be easily interpreted and understood.

Related Legislation

This Policy should be read in conjunction with:

- Environmental Planning and Assessment Act 1979
- NSW Government's "*Local Environmental Plan Making Guideline*" (as amended from time to time)

Scope

This Policy applies to any Planning Proposal lodged with Council which seeks to amend the Dubbo Regional Local Environmental Plan 2022 (DLEP 2022).

Policy

A Planning Proposal is the document that explains the intended effect of, and justification for, a proposed amendment to a Local Environmental Plan (LEP). A Planning Proposal can be prepared by an applicant, however it must be endorsed by Council and the NSW Government Department of Planning, Housing and Infrastructure (DPHI) in order to take effect. This process must be undertaken in accordance with Division 3.4 of the Environmental Planning and Assessment Act 1979.

The six key stages related to amending a LEP are (attached in **Appendix 1**):

- Stage 1 – Pre-lodgement
- Stage 2 – Lodgement and assessment
- Stage 3 – Gateway determination
- Stage 4 – Post Gateway
- Stage 5 – Public exhibition and assessment
- Stage 6 – Finalisation

Pre-lodgement is not a legislative requirement, however Council encourages it to be undertaken.

ED25/11693



Fee structure and timing of payment

To cover the costs associated with the assessment and processing of a Planning Proposal, Council has adopted a three-tiered fee structure. Each Planning Proposal requires three separate payments:

- Payment 1 is to be made at the pre-lodgement stage and prior to the release of the scoping report (Stage 1)
- Payment 2 is to be made at lodgement of the Planning Proposal (Stage 2)
- Payment 3 is to be made following the issue of a Gateway Determination from DPHI (prior to commencing Stage 4)

If proceeding straight to lodgement of a Planning Proposal, Payment 1 and Payment 2 will be required concurrently at the time of lodgement.

Applicable fees and charges will be specified in Council's adopted Fees and Charges at the time of submission of a Planning Proposal to Council. The Planning Proposal category will determine the appropriate fee.

Planning Proposal categories

Depending on the complexity of the proposed changes to the LEP, the Planning Proposal will be categorised as Minor, Standard or Complex.

The pre-lodgement meeting will confirm the Planning Proposal category. Should a pre-lodgement meeting not be undertaken, Council will identify the Planning Proposal category prior to requesting payment.

i) Minor Planning Proposal

A minor Planning Proposal request consists of an amendment that:

- Corrects an administrative error
- Is a "housekeeping" amendment with the intent of correcting minor errors or inconsistencies, including spelling, mapping, labelling or administrative errors which do not alter planning controls or principal development standards
- Is an expedited amendment in accordance with Division 3.4 of the Environmental Planning and Assessment Act 1979
- Relates to the classification or reclassification of public land where the Governor's approval is not required

ED25/11693

**ii) Standard Planning Proposal**

A standard Planning Proposal request consists of an amendment that:

- Changes the land use zone and/or minimum lot size of an area
- Relates to the addition of a permissible land use and/or any conditional arrangements under Schedule 1 Additional Permitted Uses of the LEP
- Alters the principal development standards of the LEP
- Relates to the classification or reclassification of public land through the LEP where the Governor's approval is required
- Is consistent with an endorsed/approved regional Strategic Plan and the Dubbo Local Strategic Planning Statement
- Any other amendment/s considered by Council to be standard

A standard Planning Proposal request may require additional resources to assess the greater number of planning considerations presented to Council. A standard Planning Proposal request must clearly demonstrate strategic merit by giving effect to the Dubbo Regional Local Strategic Planning Statement or other local land use strategy.

iii) Complex Planning Proposal

A complex Planning Proposal request consists of an amendment that:

- Changes the land use zone and/or minimum lot size of an area, addition of a permissible land use, or principal development standards of the LEP, which would result in a significant increase in demand for supporting infrastructure and/or infrastructure funding
- Any other amendment/s not categorised as basic or standard planning proposal

A complex Planning Proposal request may not directly align with the strategic direction of an endorsed/approved strategy or the Dubbo Local Strategic Planning Statement or other local land use strategy, however, this request may offer alternative opportunities for the Local Government Area. This type of request would require Council to prioritise a concurrent review of relevant strategic land use plans.

Additional considerations

The applicant is liable for all costs associated with preparing a Planning Proposal, including any technical study. It should be noted that lodgement of a Planning Proposal with Council does not guarantee in an amendment to a LEP. Early engagement with Council is essential and it is recommended that the applicant seek professional land use planning advice.

ED25/11693

Responsibilities

Position	Responsibility
Users	Compliance with this Policy
Managers	Implementation of this Policy Ongoing review of this Policy

Acronyms

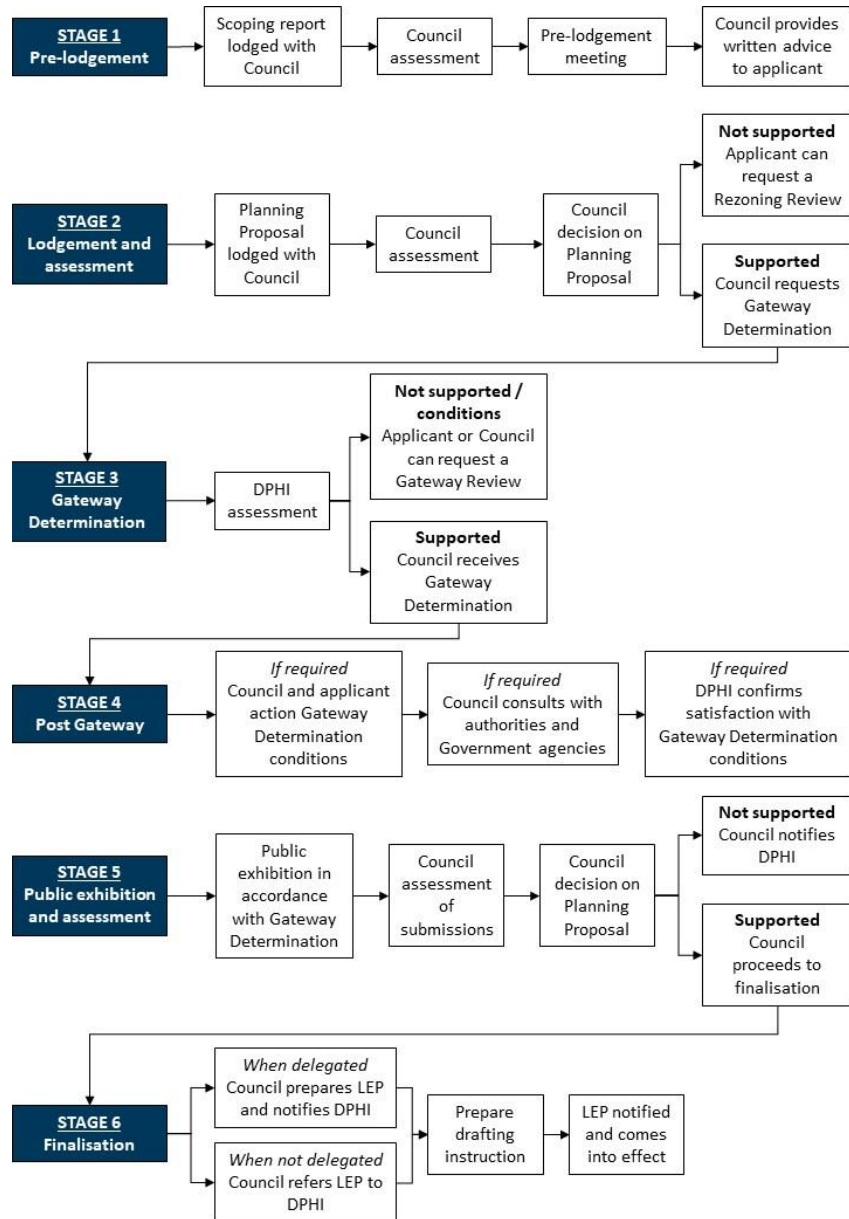
To assist in interpretation, the following acronyms apply:

Term	Definition
DLEP	Dubbo Regional Local Environmental Plan
DPHI	NSW Government Department of Planning, Housing and Infrastructure
LEP	Local Environmental Plan

ED25/11693

Appendix 1

Local Environmental Plan Making Process



ED25/11693

Document Control

Responsible Officer:	Manager Growth Planning
Division:	Development and Environment
Prepared by:	Growth Planner
Version:	1
Revision:	1
Document Date:	TBC
Effective:	TBC

Cnr Church and Darling streets, Dubbo
Cnr Nanima Crescent and Warne Street, Wellington
Ph: (02) 6801 4000
dubbo.nsw.gov.au





REPORT: D22-210 - Subdivision (631 Allotments)

Property: Lot 4325 DP 1303918, Lot 3724 DP 1293647, Lot 103 DP 129995, Lot 3317 DP 1259756 and Lot 1 DP 1272474

Applicant: Maas Group Properties Southlakes Pty Ltd

Owner: Maas Group Properties Durham Park Pty Ltd

DIVISION: Development and Environment
REPORT DATE: 2 June 2025
TRIM REFERENCE: ID25/971

EXECUTIVE SUMMARY

Purpose	<ul style="list-style-type: none">• Provide planning approval.	
Issue	<ul style="list-style-type: none">• The Development Application is required to be considered by Council at a Council meeting as the project has a value in excess of \$5M.• The Development Application was placed on public exhibition, no submissions were received.	
Reasoning	<ul style="list-style-type: none">• The development is for subdivision of the land into 631 lots.• Consultation has been undertaken with the Proponent in respect of the construction of a section of the Southern Distributor Road as part of the Development Application, which will effectively allow a portion of traffic from the Southlakes Estate to directly utilise Hennessy Drive to the south.• The proposal is a permitted use in the Dubbo Regional Local Environmental Plan 2022.• The proposal is compliant with the provisions of the Dubbo Development Control Plan (DCP) 2013 and Southlakes Estate DCP 2023.• The proposal incorporates adequate measures to ensure the development will not result in any adverse impacts on the natural and built environment.• It is recommended that the Development Application be approved.	
Financial Implications	Budget Area	There are no financial implications arising from this report.

Policy Implications	Policy Title	<ul style="list-style-type: none"> Dubbo Regional Local Environmental Plan 2022 Dubbo Development Control Plan 2013 including Southlakes Estate DCP 2023 State Environmental Planning (Resilience and Hazards) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 Amended Section 94 Contributions Plan - Roads, Traffic Management and Car Parking 2016 Section 94 Development Contributions Plan for Open Space and Recreation Facilities 2016-2026 Water and Sewerage Contributions Policy 2002
	Impact on Policy	The proposal is consistent with these policies.

STRATEGIC DIRECTION

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

Theme:	1 Housing
CSP Objective:	1.2 An adequate supply of land is located close to community services and facilities
Delivery Program Strategy:	1.2.1 Land is suitably zoned, sized and located to facilitate a variety of housing types and densities
Theme:	2 Infrastructure
CSP Objective:	2.1 The road transportation network is safe, convenient and efficient
Delivery Program Strategy:	2.1.5 Council works collaboratively with the government and stakeholders on transport-related issues
Theme:	2 Infrastructure
CSP Objective:	2.1 The road transportation network is safe, convenient and efficient
Delivery Program Strategy:	2.1.1 Traffic management facilities enhance the safety and efficiency of the road network

RECOMMENDATION

- 1. That Development Application D22-210 for Demolition, 617 Residential Lots, 4 Development Lots, 7 Drainage Reserves and 3 Residue Lots at Lot 4325 DP 1303918; Lot 3724 DP 1293647; Lot 103 DP 129995; Lot 3317 DP 1259756; and Lot 1 DP 1272474, Boundary Road and 24R Sheraton Road, Dubbo be approved subject to the conditions of development consent provided here in Appendix 1.**
- 2. That all documentation in relation to this matter be executed under Power of Attorney.**

Steven Jennings
Director Development and Environment

BM
Senior Planner

BACKGROUND

The Application was initially lodged on 13 May 2022. The Development Application was also publicly exhibited twice.

A chronology for the Development Application is outlined in **Table 1**.

Date	Event
13 May 2022	Development Application lodged for 658 Residential Lots, 7 Drainage Reserves and 3 Residue Lots
17 May 2022	Public exhibition of Application
17 May 2022	External Referrals: <ul style="list-style-type: none"> • Department of Planning and Environment - Water • Transport for NSW • Department of Planning and Environment - Heritage NSW (NPWS) • Essential Energy
17 May 2022	Internal Council Referrals
14 June 2022	Response - Essential Energy
23 November 2022	Aboriginal Cultural Heritage Assessment Report submitted
6 December 2022	Request for further information (RFI) from Council to Applicant seeking clarification regarding: <ul style="list-style-type: none"> • Development Site • Southlakes Estate DCP • Lot Layout • Traffic • Stormwater • Infrastructure <ul style="list-style-type: none"> ○ Water ○ Sewer • Water Activity Approval • Aboriginal Cultural Heritage Assessment
19 December 2022	Department of Planning and Environment - Water issue GTA
2 March 2023	Department of Planning and Environment – NSW Heritage issue GTA
26 June 2023	Development Control Plan - Southlakes Estate adopted
19 September 2023	Request for further information (RFI) seeking clarification regarding: <ul style="list-style-type: none"> • Development Site • Southlakes Estate DCP <ul style="list-style-type: none"> ○ Flooding ○ Noise • Lot Layout • Traffic • Stormwater

	<ul style="list-style-type: none"> • Infrastructure • Water Activity Approval • Aboriginal Cultural Heritage Assessment
30 October 2023	Follow up request for Further Information (RFI)
21 November 2023	Extension request granted to 18 December 2023
5 March 2024	Applicant responds to RFI
6 March 2024	Internal Council Referrals – Amended Subdivision Layout
10 April 2024	Request for Further Information (RFI) seeking clarification regarding: <ul style="list-style-type: none"> • Development Site • Lot Layout and Numbering • Southlakes Estate DCP <ul style="list-style-type: none"> ○ Flooding
8 May 2024	External Referral - TfNSW
28 May 2024	Meeting discussing flooding/stormwater matters
19 June 2024	Response - TfNSW
12 July 2024	Request for Further Information (RFI) seeking clarification regarding: <ul style="list-style-type: none"> • Noise
3 October 2024	Request for Further Information (RFI) seeking clarification regarding: <ul style="list-style-type: none"> • Development Site • Lot Layout and Numbering • Lot Layout • Traffic • Southern Distributor Road (SDR) • Stormwater • Infrastructure – Retaining Walls • Water Activity Approval • Bushfire • Contamination
19 December 2024	External Referral - TfNSW
9 January 2025	Applicant responds to RFI - Amended Subdivision Layout (Rev L): 617 Residential Lots, 4 Development Lots, 7 Drainage Reserves and 3 Residue Lots
15 January 2025	Internal Referrals – Amended Subdivision Layout (Rev L):
16 January 2025	Re-exhibition of Application to 23 February 2025
17 January 2025	External Referrals – Amended Subdivision Layout (Rev L): <ul style="list-style-type: none"> • Department of Planning and Environment - Water • Transport for NSW • Department of Planning and Environment - Heritage NSW (NPWS) • NSW Rural Fire Service

13 February 2025	Response - TfNSW
17 February 2025	Meeting discussing traffic/stormwater matters
27 February 2025	Integrated approval bodies notified no submissions under Clause 45(1)(b)(i) of the Environmental Planning and Assessment Regulation 2021
21 March 2025	GTA received from NSW Rural Fire Service
8 April 2025	Amended Subdivision Layout (Rev M): 617 Residential Lots, 4 Development Lots, 7 Drainage Reserves and 3 Residue Lots incorporating the removal of two lots adjacent to Azure Avenue
14 April 2025	GTA received from Department of Planning and Environment - Water

REPORT

1. Proposed Development

Council is in receipt of a Development Application for Subdivision at Lot 4325 DP 1303918; Lot 3724 DP 1293647; Lot 103 DP 129995; Lot 3317 DP 1259756; Lot 1 DP 1272474, Boundary Road and 24R Sheraton Road, Dubbo.

The proposed development comprises:

- Demolition of existing structures;
- 631 lot subdivision, made up of the following:
 - 617 residential allotments (Lots 1 to 41, 43 to 111, 113 to 355, 357 to 605, 607 to 621);
 - 4 residential development lots (Lots 42, 112, 356, 606);
 - 3 residential residue allotments (Lots 622, 623, 624); and
 - 7 seven drainage reserves (Lots 625, 626, 627, 628, 629, 630, 631).

The proposed development also includes urban utilities and infrastructure, stormwater management infrastructure and an open space network.

The proposed development is to be undertaken over a number of stages. However, consent is sought for the entire development via this Application.

The proposed subdivision plan is provided in **Figure 1**. A full suite of plans is provided in **Appendix 2**.

2. The Site

The proposed development site is made up of the following allotments:

- Lot 4325 DP 1303918 (resulted from the subdivision of Lot 102 DP1302321);
- Lot 3724 DP 1293647 (resulted from the subdivision of Lot 3700 DP 1276335 and Lot 104 DP 129995);

- Lot 103 DP 1299995 (resulted from the subdivision of Lot 3699 DP1276335 and Lot 2 DP 1272474);
- Lot 3317 DP 1259756 (resulted from the subdivision of Lot 500 DP1255115 and Lot 400 DP 1244669); and
- Lot 1 DP 1272474 (resulted from the subdivision of Lot 403 DP 1244669, Lot 2 DP 80413 and Lot 500 DP 1260295).

The land is open grasslands bounded by the future extension of Boundary Road to the north, Hennessy Road and its future extension to the south.

The existing dwelling house located on Lot 103 DP 1299995 is to be retained and incorporated into the proposed development as Lot 356. Several of the ancillary structures will require demolition to facilitate the proposed subdivision.

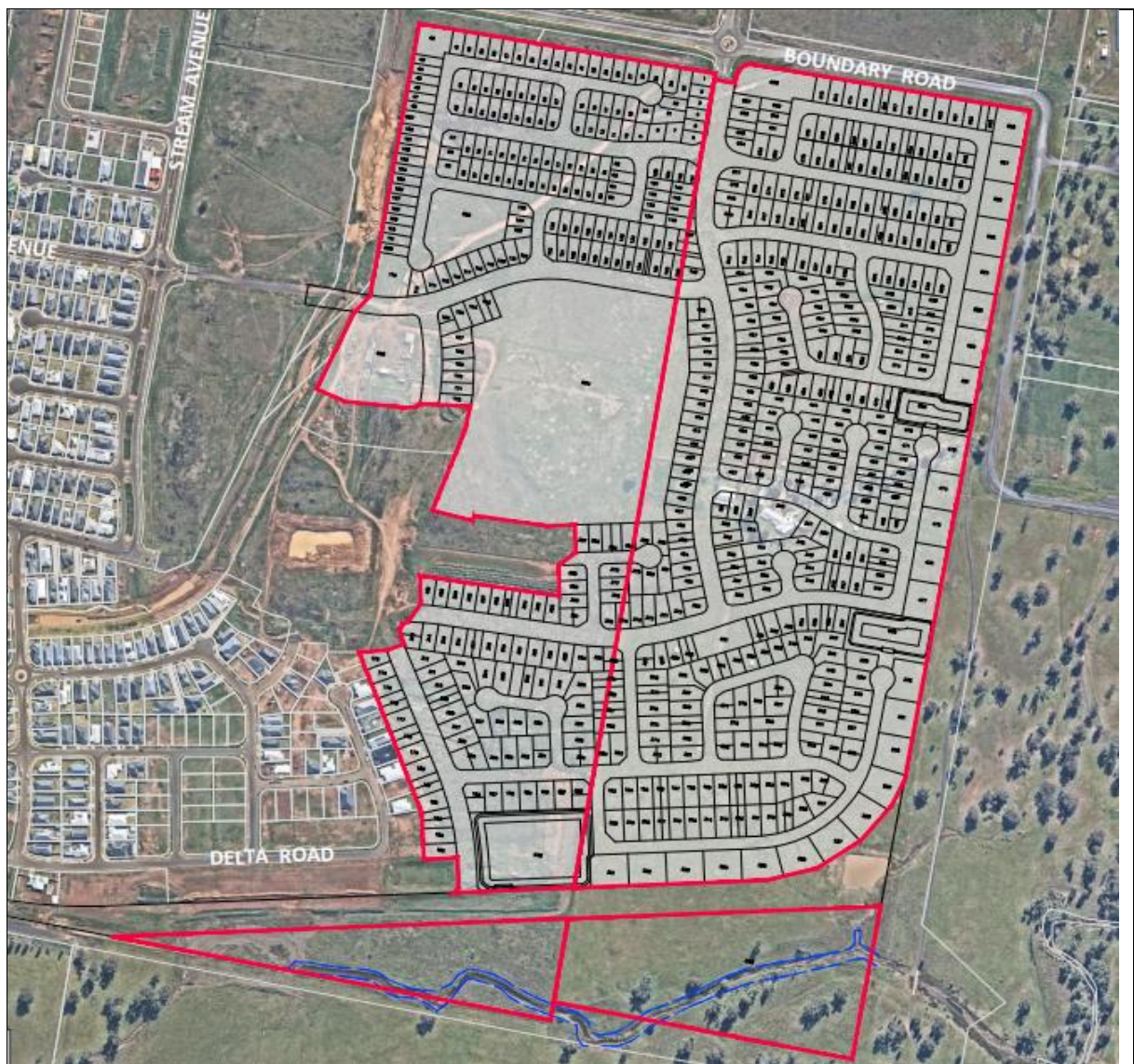


Figure 1: Proposed subdivision layout

The development site features open gently sloping grasslands modified through Bulk Earthworks approved under D19-299 – for bulk earthworks.

The development site is an extension of the Southlakes Urban Release Area (URA) and integrates with adjoining existing and future residential development in this area. This includes Stage 43, approved under D21-289 for 85 lots, and Stage 44, approved under D21-822 for 81 lots located to the southwest and west of the development site respectively.

3. Legislative Assessment, Integrated Development

(a) Section 4.46 Integrated Development

This proposal is Integrated Development under Section 4.46 of the Environmental Planning and Assessment Act, 1979 as the Application seeks General Terms of Approval (GTA) under Section 90 of the National Parks and Wildlife Act 1974, Section 100B of the Rural Fires Act 1997, and Section 91 of the Water Management Act 2000.

The Application was referred to the Department of Planning and Environment (DPE) and the Department of Planning and Environment—Water (DPE - Water) on 17 May 2022. The DPE (as Delegate under National Parks and Wildlife Act 1974) issued General Terms of Approval on 2 March 2023 and DPE - Water issued General Terms of Approval on 9 December 2022 respectively.

With adoption of updated Bushfire Prone Land Maps in the Dubbo Local Government Area on 13 June 2024, the development site was identified as bush fire prone land Vegetation Category 3. In relation to this, the NSW Rural Fire Service confirmed, irrespective of when a Development Application was lodged, that assessment should be undertaken in accordance with the current bushfire prone land mapping.

Noting this advice, the proposal is Integrated Development in accordance with S100B of the Rural Fires Act 1997. As such, a Bushfire Assessment Report was submitted and concurrence obtained from the NSW Rural Fire Service.

The Development Application was re-exhibited as an Integrated Development Application, noting the NSW Rural Fire Service as an additional Integrated Approval body.

The proposed development was again provided to the NSW RFS, Department of Planning and Environment (DPE) and the Department of Planning and Environment—Water (DPE - Water) on 17 January 2025. The NSW RFS issued General Terms of Approval on 21 March 2025 and DPE - Water issued General Terms of Approval on 14 April 2025. DPE (as Delegate under National Parks and Wildlife Act 1974) confirmed the GTA issued 2 March 2023 remains valid.

4. Planning Assessment, Section 4.15(1)

The following section details assessment of the Development Application in accordance with the provisions of Section 4.15 of the Environmental Planning and Assessment Act, 1979. Only matters considered of relevance in the assessment process are discussed in this section.

(a) (i) Environmental Planning Instruments

SEPP (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

Under Clause 4.6 of the SEPP, Council must consider whether the land is contaminated and whether the land is suitable for the proposed use.

The development site is not listed on Council's register of potentially contaminated land. However, the historical use of site for agriculture raises the potential for unknown contamination through farming.

To address the requirements of the SEPP and ensure the development site is suitable for residential purposes, the Proponent will be required to provide a Preliminary Site Contamination Report. Any recommended remediation works (if any) will also be required to be undertaken prior to release of the relevant Subdivision Works Certificate.

SEPP (Transport and Infrastructure) 2021

Chapter 2- Infrastructure

Division 5: Electricity transmission or distribution

The Application was referred to Essential Energy in accordance with the requirements of the SEPP. No objections were provided to the development.

Division 17: Roads and traffic

Clause 2.12 – Traffic Generating Development

The Application was referred to Transport for NSW for consideration. Transport for NSW provided comments on 13 February 2025 in respect of the road network, traffic, and broader transport issues. In particular, the efficiency and safety of the classified road network (HW7), the security of property assets and the integration of land use and transport.

The correspondence from Transport for NSW has been considered by Council's Infrastructure Division and is considered that no further information or actions are required. Issues in respect of vehicular traffic are further discussed in the report.

Dubbo Regional Local Environmental Plan 2022

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

	Comply
Clause 1.4 Definitions	
<p>Subdivision of land is not a defined land use term in the LEP. However, for the purposes of the Environmental Planning and Assessment Act, subdivision means ... <i>“the division of land into 2 or more parts that, after the division, would be obviously adapted for separate occupation, use or disposition. The division may (but need not) be effected:</i></p> <p><i>(a) by conveyance, transfer or partition, or</i> <i>by any agreement, dealing, plan or instrument rendering different parts of the land available for separate occupation, use or disposition.”</i></p>	Yes
Clause 2.2 Zoning of land to which Plan applies	
<p>Subdivision is proposed over the areas of the land zoned R1 General Residential and R2 Low Density Residential. The southern portion zoned RU2 will be subdivided along zoning lines as a residue allotment. No subdivision is proposed in the RE1 Public Recreation zoned areas, except with the extension of Azure Avenue, requiring approval and construction for access.</p>	Yes
Clause 2.3 Zone objectives and Land Use Table	
<p>The proposed development is considered to be consistent with the objectives of the R1 General Residential zone and the R2 Low Density Residential zone.</p> <p>The proposed development is not contrary to the objectives of the RU2 zone to:</p> <ul style="list-style-type: none"> maintain the rural landscape character of the land. <p>The proposed development is not contrary to the objectives of the RE1 zone to:</p> <ul style="list-style-type: none"> provide a range of recreational settings and activities and compatible land uses 	Yes

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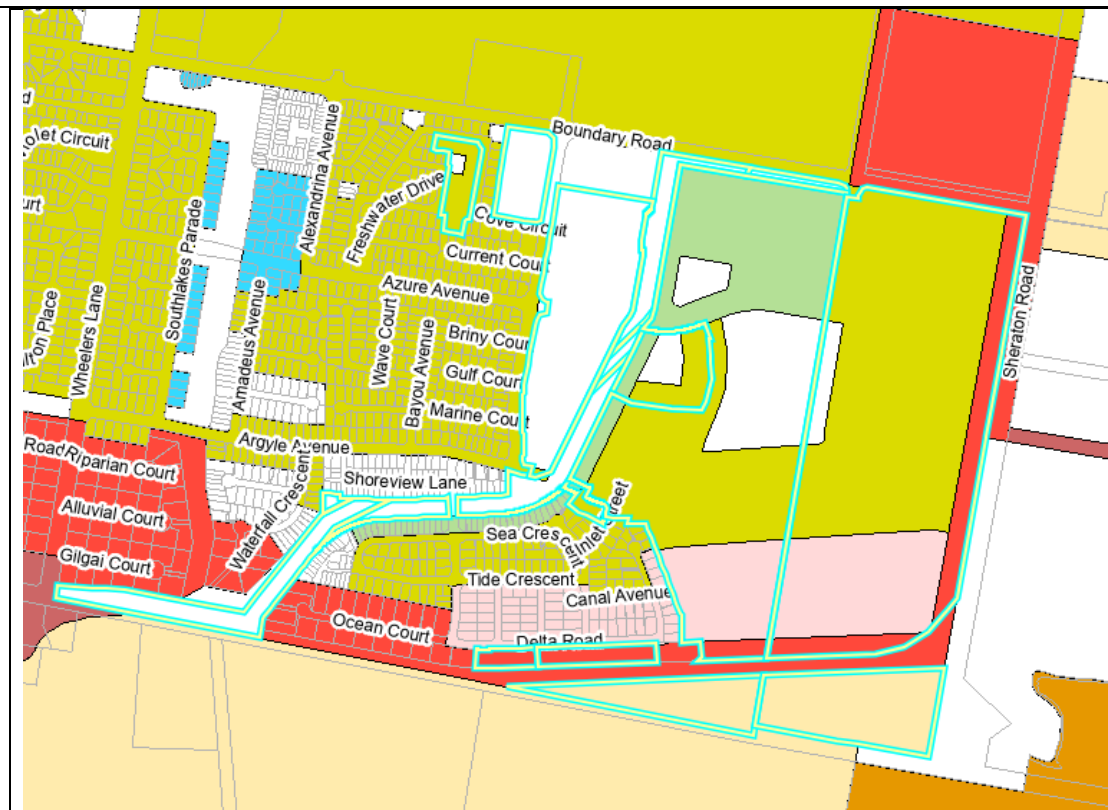


Figure 3: Lot size

The proposed residential allotments will range from 450m² to 2034m².

There are 3 areas within the development area that are not mapped as having an applicable minimum lot size. These areas correspond with the R1 - General Residential zone and comprise Lot 622, Lot 623 and Lot 624, all of which will be subject to future development approvals.

Clause 4.2 Rural Subdivision

The proposal would result in an RU2 zoned lot of 14.95Ha, which is under the minimum lot size of 100Ha. Although resulting in an undersized lot, the proposal does not reduce the land area associated with the existing RU2 zoned portion of the development site.

No existing dwelling is present, nor would the proposed lot support a future dwelling, with the 14.95Ha allotment to be dedicated to Council for the purpose of ongoing management of stormwater.

Yes

Part 5 Miscellaneous provisions

Clause 5.10 Heritage conservation

European Heritage

While the site is not identified as a heritage item, the development site is in the vicinity of Heritage Item 191, being the 'Old Dubbo Homestead'. However, it is considered that the proposed development will not compromise the heritage

Yes

<p>integrity of this item.</p> <p><i>Aboriginal Heritage</i></p> <p>An Aboriginal Cultural Heritage Assessment Report was prepared for the development. This Report found that the site contained four Aboriginal Heritage sites, Hillview-IF1 (AHIMS ID 36-1- 0707), Southlakes IF 01 (AHIMS ID 36-1-0786), K-OS-3 (AHIMS ID 36-1-0188) and Southlakes AS 01 (AHIMS Pending). An Aboriginal Heritage Impact Permit will be required to allow each of those sites to be removed or otherwise impacted as permitted.</p> <p>The DPE (as Delegate under National Parks and Wildlife Act 1974) issued General Terms of Approval (GTA) on 2 March 2023.</p>	<p>Yes</p>
Clause 5.14 Siding Spring Observatory – maintaining dark sky	
<p>The development site is located on land in excess of 18 km from the Siding Spring Observatory. In specific relation to Subclause (2) and Subclause (7), the proposed development is not likely to adversely affect observing conditions at the Siding Spring Observatory, nor would the development result in the emission of light of 1,000,000 lumens or more.</p>	<p>Yes</p>
Clause 5.21 Flood planning	
<p>The southern part of the property is located within the extreme flood level. The development however does not contain/propose emergency service infrastructure and as such, no further assessment is required into the effect of flood waters in an extreme flood event.</p> <p>However, a previous Development Application was approved for Bulk Earthworks (D19-299) across the larger area, inclusive of the area subject of this application, with the development area itself not affected and is above the 1 in 100-year (1% AEP) flood level.</p>	<p>Yes</p>
Part 6 Urban Release Areas	
Clause 6.1 Arrangements for Designated State Public Infrastructure	
<p>The land is located within an Urban Release Area. Under the provisions of this clause, the Director-General is required to certify that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to the land.</p> <p>Correspondence dated 14 December 2012 from the NSW Department of Planning, the Director-General's Certificate states the following in respect of South-East Dubbo:</p> <p><i>"I certify that satisfactory arrangements are in place for the provision of State public infrastructure in respect of the areas shown on the attached</i></p>	<p>Yes</p>

<p><i>map titled 'Areas of Land of Director General's Satisfactory Arrangement Certification – South East Dubbo'."</i></p> <p>This map highlights all the Urban Release Areas in the south-east sector of Dubbo, which includes the subject land.</p>	
Clause 6.2 Public Utility Infrastructure	
<p>The proposed subdivision meets the objectives of this clause as all infrastructure and utility services (i.e. roads, potable water, sewer, telecommunications and stormwater) are provided and are available to service the land as required.</p>	Yes
Clause 6.3 Development Control Plan	
<p>Given the subject site is located within the south-east Urban Release Area (URA), the objective of this clause requires that a Development Control Plan (DCP), with specific controls, be prepared to accompany such development.</p> <p>Consideration against the provisions of this DCP has been undertaken for the proposed subdivision and is provided under Section a(iii) Development Control Plan of this report.</p>	Yes
Part 7 Additional local provisions	
Clause 7.1 Terrestrial Biodiversity	
<p>Part of the development site along the eastern property boundary is included on the Terrestrial Biodiversity Map as having biodiversity value.</p> <p>A Biodiversity Development Assessment Report (BDAR) was prepared for the development. The report assessed that the Proponent will be required to retire a total credit liability of 18 PCT 437 credits. PCT 437 is also known as Yellow Box grassy woodland on the lower hillslopes and valley flats of the southern NSW Brigalow Belt.</p> <p>Retirement of the credits is required prior to the commencement of any on-ground works. Evidence of credit requirement will be conditioned.</p>	Yes
Clause 7.2 Earthworks	
<p>The proposed development will require earthworks to be undertaken upon the site. Erosion and sediment control measures are required before any earthworks commence.</p>	Yes
Clause 7.3 Natural resource – riparian land and waterways	
<p>Part of the land, around Eulomogo Creek, is mapped as having riparian vegetation</p> <p>A centralised drainage reserve is proposed along the southern side property boundary before heading south-west across the site. It is proposed that this drainage reserve will host a constructed streamline similar in design and scale with other structures already in place across the existing Southlakes Estate.</p>	Yes

Stormwater detention basins are also identified to be provided along Sheraton Road and the Southern Distributor Road extension to the south. It is proposed that this drainage line will feed into Eulomogo Creek prior to its waters entering the Macquarie River downstream of Dubbo.	
Clause 7.5 Groundwater vulnerability	
<p>The development site is identified as having a risk of groundwater vulnerability.</p> <p>The groundwater and salinity study for the site found no dryland salinity discharge was evident and the proposed development would reduce infiltration to groundwater through impervious surfaces across the site (house and shed rooves, roads, footpaths etc), water from which would be directed to stormwater systems and therefore away from local groundwater.</p> <p>A series of recommendations specifically in relation to the proposed development are noted and should be incorporated into the final subdivision design through a Groundwater Management Plan.</p>	Yes

(a) (ii) Draft Environmental Planning Instruments

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

(a) (iii) Development Control Plans

Dubbo Development Control Plan 2013

An assessment is made of the relevant chapters and sections of the Dubbo DCP 2013 and the Southlakes DCP. The chapters or sections not discussed are considered not specifically applicable to this Application or are discussed elsewhere in this report.

Southlakes Estate Development Control Plan

Part 2 – Residential Development and Subdivision

Section 2.1 – Residential Subdivision Controls

Element 1: Staging

To allow for the timely and efficient release of urban land and associated infrastructure, and to ensure development will not adversely impact the construction of future stages, a staging plan is to be included with the development application. Overall staging is to be undertaken in accordance with **Figure 4**, and must identify proposed sequencing, layouts, lot sizes, shapes, development densities and required infrastructure.

The development servicing strategy submitted in support of the proposed development is to be undertaken in a number of stages; averaging, but not limited to 50 lots to ensure development is provided in a logical and sequenced manner.

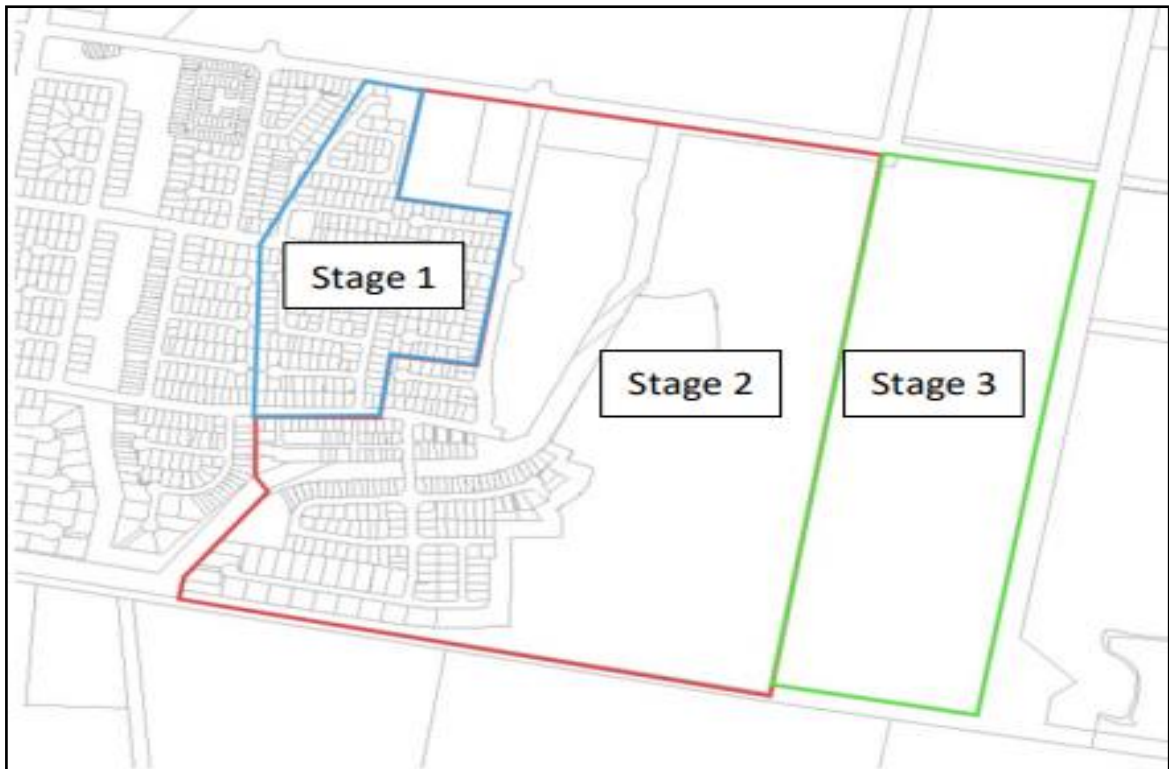


Figure 4: Staging of Development

Element 2: Neighbourhood Design

The subdivision design has been established based on the existing topography and provides for good external connections with adjoining residential development within the Southlakes Estate as well as promoting pedestrian and cycle movements.

The subdivision layout will facilitate a mix of housing types and densities as well as provide for services within the road reserve or along property boundaries.

Element 3: Lot layout

The subdivision layout provides for a range of lot sizes to suit a variety of household types and requirements whilst considering the surrounding established area. The development has been updated to reduce the number of battle-axe lots to locations where topography and development orientation prevents a regular subdivision layout from being able to be achieved.

Element 4: Flooding

The development is proposed adjacent to Eulomogo Creek. The development does not extend below the location of the future Southern Distributor Road, which is proposed to the north of Eulomogo Creek. No development is proposed on flood prone land.

Element 5: Landscaping

The Open Space Masterplan 2018 sets a framework for forward planning for recreational facilities and open space requirements in Council's Urban Release Areas (URA)

The South-East URA provides for staged urban development to ensure that supply is adequate and provides best outcomes for the local community.

No additional public open space is identified as part of the proposed development area. However, the Open Space Masterplan notes public open space is available as part of the broader estate and within the drainage reserves to the east and west of the development site previously approved within the established portions of the Southlakes Estate.

Landscaping is shown under the landscape masterplan for the site and includes a variety of street tree plantings. In addition, the shared driveways servicing the battle-axe allotments have landscaping on either side of the carriageway

Element 6: Infrastructure

The Applicant has submitted a servicing plan showing provision for reticulated water and sewerage infrastructure to each allotment. Such services will be extended from adjoining stages.

Element 7: Street Design and Road Hierarchy

The proposed road layout promotes connectivity and integrates with adjoining stages in the Southlakes Urban Release Area. Council's Infrastructure Division has reviewed the proposed development and identified that the Traffic Impact Assessment report underestimated the impact of the proposed development on the road network, including:

- Changes to surrounding land use;
- Surrounding developments and their impact on traffic distribution;
- Changes to the surrounding road infrastructure; and
- Forecast subdivision delivery timeframe.

Given the data used and noting its current limitations, to manage the impact of the proposed development on the traffic in the locality, a section of the Southern Distributor Road should be constructed. In this regard, prior to release of the 351 residential allotments included in this subdivision, that the Southern Distributor Road between Wheelers Lane and the proposed Reservoir Avenue is required to be designed and constructed.

Appropriate conditions are included in the conditions of development consent provided here in **Appendix 1** also recognise that Council and the Applicant may seek to negotiate a Voluntary Planning Agreement for this element of the project. Any Voluntary Planning Agreement is required to be considered by Council at a Council meeting, prior to public consultation being undertaken.

In addition, a portion of the land located at the north-eastern corner of proposed Lot 526 is to be dedicated as road reserve to Council prior to issue of the relevant Subdivision Certificate for this lot.

Element 8: Pedestrian and Cycle Links

Footpath widths vary throughout the proposed subdivision layout. Major roads (i.e. Tyrell Drive, Azure Avenue) would be provided with 2m concrete footpath. Other roads are provided with a 1.5m footpath, which will be key connections to the broader Southlakes Estate and drainage channel.

Element 9: Stormwater Management

A “Stormwater Management Strategy” and “Proposed Stormwater Layout Plan” has been prepared and feature roll form kerb and gutter system, which would feature surface inlet pits for stormwater to drain into the stormwater mains system. Stormwater drainage will be collected via an in-ground pit and pipe network throughout all proposed new roads, and inter-allotment drainage. Stormwater flows are directed through the subdivision to one of the stormwater basins proposed to be located within the subdivision.

Element 10: Water Quality Management

In addition to the installation of gross pollution traps, an Erosion and Sediment Control Plan is to be prepared and provided to Council.

Element 11: Heritage

It is considered that the proposed development does not impact items of European Heritage.

(a) Planning Agreements

Planning Agreements have been previously discussed in the report.

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

There will be minimal removal of any vegetation and as such negligible impact on the natural or built environment. It is considered that there will be beneficial social and economic impacts resulting from the proposed development.

(c) Suitability of the site

Context, setting and public domain

Having regard to the (amended) subdivision layout and the subdivision elements outlined in the Dubbo Regional LEP 2022 and Dubbo DCP 2013, including the Southlakes Estate - DCP, it is considered that the site is suitable for the proposed development.

Environmental considerations

The Noise Assessment Review supporting the proposed development found that the development as proposed will comply with the noise goals of the Sleep Disturbance Criteria and Environmental Criteria for Road Traffic Noise provided mitigation measures are implemented. This report states:

“Road traffic noise predictions identified that several lots near the Southern Distributor will experience road noise levels that would exceed recommended internal noise criteria. Hence, future dwellings within the vicinity of the southern project boundary would be required to be constructed using glazing materials equivalent up to Category 2 of the guideline.

It is recommended that a more detailed assessment be completed when more contemporary data for the Southern Distributor is available. Notwithstanding, the development of the Southlakes Estate is a feasible option with respect to traffic noise emissions albeit with the inclusion of several noise control measures outlined in this report.

In regard to cumulative noise levels from road traffic and industrial sources, the NAR found that at residential allotments in close proximity to the Southern Distributor alignment, industrial noise sources would not contribute to an increase in total noise levels. At setback distances from the Southern Distributor alignment where industrial noise sources would contribute to cumulative noise levels, internal noise levels are anticipated to remain below the recommended design sound levels as per AS2107.

Therefore, based on the findings of this report, with the inclusion of several noise control measures, there are no noise related issues which would prevent Council approving the proposed project.”

Noting the above and the extended time period, this is a large subdivision that will be undertaken over a number of stages, an appropriate condition is included in the conditions of development consent provided here in **Appendix 1**, which will require an updated Noise Assessment Report to be submitted to Council prior to each Subdivision Work Certificate being issued.

Access, transport and traffic

Prior to release of the 351st residential allotment, the Southern Distributor Road (SDR) between Wheelers Lane and the proposed Reservoir Avenue will need to be designed and constructed.

To allow the Applicant sufficient time to construct the roadway prior to the release of the 351 lot, the design of this road section is to be completed by Council and provided to the Applicant prior to the release of the 150 lot or within two and half years of the issue of the Development Consent.

As previously discussed in the report, the Applicant may wish to enter into a Planning Agreement with Council.

5. Developer Contributions

The following Developer Contributions Plans are applicable to the proposed development:

- Water and Sewerage Headworks
- Roads, Traffic Management and Car Parking
- Dubbo South-East Stormwater Drainage Headworks Contributions
- Dubbo Open Space and Recreation Facilities

The following Developer Contributions will be levied as part of the Development Consent:

- Water Headworks \$4,338,497.20
- Sewerage Headworks \$4,338,497.20
- Roads, Traffic Management and Car Parking \$4,797,730.30
- Dubbo South-East Stormwater Drainage Headworks Contributions \$959,138.84
- Dubbo Open Space and Recreation Facilities \$3,567,419.82

6. Consultation

The Development Application was publicly notified to adjoining and adjacent property owners twice. This included when the Development Application was first lodged with Council and again in 2025.

Council received no submissions from members of the public during the notification periods.

7. 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.

APPENDICES:

- [1](#) Draft Conditions and Notations
- [2](#) Subdivision Plan (Rev M)

GENERAL CONDITIONS

Condition	
(1)	<p>The development shall be undertaken generally in accordance with the Statement of Environmental Effects and stamped approved plans detailed as follows except where modified by any of the following conditions:</p> <p>Drawing Title: Title Sheet and Site Locality Drawing Number: TP01 - 114135_175 Revision: M Dated: 4/4/2025</p> <p>Drawing Title: Detail Sheet 1 of 8 Drawing Number: TP03 - 114135_175 Revision: M Dated: 4/4/2025</p> <p>Drawing Title: Detail Sheet 2 of 8 Drawing Number: TP04 - 114135_175 Revision: M Dated: 4/4/2025</p> <p>Drawing Title: Detail Sheet 3 of 8 Drawing Number: TP05 - 114135_175 Revision: M Dated: 4/4/2025</p> <p>Drawing Title: Detail Sheet 4 of 8 Drawing Number: TP06 - 114135_175 Revision: M Dated: 4/4/2025</p> <p>Drawing Title: Detail Sheet 5 of 8 Drawing Number: TP07 - 114135_175 Revision: M Dated: 4/4/2025</p> <p>Drawing Title: Detail Sheet 6 of 8 Drawing Number: TP08 - 114135_175 Revision: M Dated: 4/4/2025</p> <p>Drawing Title: Detail Sheet 7 of 8 Drawing Number: TP09 - 114135_175 Revision: M Dated: 4/4/2025</p>

Drawing Title: Detail Sheet 8 of 8
 Drawing Number: TP10 - 114135_175
 Revision: M
 Dated: 4/4/2025

Drawing Title: Proposed Demolition Plan
 Drawing Number: TP12 - 114135_175
 Revision: M
 Dated: 4/4/2025

{Reason: To ensure that the development is undertaken in accordance with that assessed}

- (2) Any Excavated Natural Material (ENM) or Virgin Excavated Natural Material (VENM) being imported to development sites shall be tested to demonstrate the material does not have a high salinity content and is compliant with the parameters set by the NSW EPA's Waste Regulation Guidelines. Copies of the test results shall be provided to Council prior to any Subdivision Certificate being issued.
 {Reason: To ensure no contaminated material is brought on to the site}
- (3) The applicant/proponent shall comply with the 'General Terms of Approval', dated 2 March 2023 from Department of Planning and Environment (as Delegate under National Parks and Wildlife Act 1974) (copy attached).
 {Reason: To ensure compliance with the requirements of Department of Planning and Environment and Section 4.46 of the Environmental Planning and Assessment Act 1979}
- (4) The applicant/proponent shall comply with the 'General Terms of Approval', dated 14 April 2025 from Department of Planning and Environment – Water (copy attached).
 {Reason: To ensure compliance with the requirements of Department of Planning and Environment -Water and Section 4.46 of the Environmental Planning and Assessment Act 1979}
- (5) The applicant/proponent shall comply with the 'General Terms of Approval', dated 21 March 2025 from the NSW Rural Fire Service (copy attached).
 {Reason: To ensure compliance with the requirements of the NSW Rural Fire Service and Section 4.46 of the Environmental Planning and Assessment Act 1979}
- (6) All waste materials are to be taken to a licenced waste facility and receipts kept with the stockpile register.
 {Reason: To ensure lawful disposal of onsite waste materials.}
- (7) During periods of extended dry weather the site manager will be responsible for monitoring the site for dust generation. In the event that dust is being generated by truck movements the site manager will be required to provide measures to suppress dust. Suppression and mitigation of dust must be employed at all times including when no activities are taking place on the site.
 {Reason: To prevent nuisance dust}

DEMOLITION WORK BEFORE DEMOLITION WORK COMMENCES

Condition	
(1)	The demolition contractor shall be given a copy of Council's conditions of Development Consent. {Reason: To ensure compliance with Council's Approval}
(2)	Prior to the commencement of any demolition works, an Erosion and Sediment Control Plan shall be prepared in accordance with Council's Urban Stormwater Management Guidelines, Volume 2 - Erosion and Sedimentation. Such Plan shall be implemented prior to, during and after the demolition phase of the development. {Reason: To mitigate against the sedimentation and pollution of watercourses}
(3)	The demolition of the associated structures on site shall be carried out in accordance with the applicable provisions of AS 2601 – 2001 – The Demolition of Structures. {Reason: To ensure the demolition works are undertaken in an appropriate manner}

DURING DEMOLITION WORK

Condition	
(1)	Should any contaminated, scheduled, hazardous or asbestos material be discovered before or during construction works, the applicant and contractor shall ensure the appropriate regulatory authority (eg Environment Protection Authority, SafeWork NSW, Council, Fire & 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 particular facilities are licensed to receive that type and class of waste. {Reason: To ensure contamination of the environment is prevented}
(2)	The applicant shall ensure all practicable measures are taken to minimise the release of dust into the atmosphere from the demolition site and from vehicles transporting material off-site. {Reason: To prevent dust nuisance}
(3)	Demolition work shall only be carried out within the following times: <div style="display: flex; justify-content: space-between;"> <div>Monday to Friday:</div> <div>7 am to 6 pm</div> </div> <div style="display: flex; justify-content: space-between;"> <div>Saturday:</div> <div>8 am to 1 pm</div> </div> <div style="display: flex; justify-content: space-between;"> <div>Sunday or public holidays:</div> <div>No demolition work permitted</div> </div> {Reason: To reduce likelihood of noise nuisance}
(4)	The deliberate burning of the building and/or demolition material is prohibited. {Reason: To prevent emission of air pollutants}
(5)	All solid waste from demolition 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 must be undertaken as required under the Protection of the Environment Operations Regulation 2014.

{Reason: To ensure waste is disposed of in an appropriate manner}

ON COMPLETION OF DEMOLITION WORK

Condition	
(1)	<p>At the conclusion of the demolition works the following matters/works must be undertaken, completed and maintained:</p> <ul style="list-style-type: none"> Any existing sanitary drainage pipework is to be disconnected from Council's sewer, and the sewer main junction capped to Council's satisfaction. In this regard an inspection by an officer of Council's Infrastructure Division of the capped sewer junction is required prior to backfilling; The site of the demolition work is to be appropriately levelled and graded, ensuring no depressions are left in which rainwater may accumulate and stagnate; and The cleared site is maintained free of nuisance (ie dust, litter, overgrowth, ponding water). <p>{Reason: To protect utilities and the public amenity}</p>

SUBDIVISION WORK

BEFORE ISSUE OF A SUBDIVISION WORKS CERTIFICATE

Condition	
(1)	<p>A Landscaping Plan detailing planting procedure and maintenance in addition to plant schedule, which includes proposed species listed by botanical (genus and species) and common names, quantities of each species, pot sizes and the estimated size at maturity shall be submitted to and approved by Council's Manager Recreation and Open Space.</p> <p>{Reason: Tree preservation and environmental amenity}</p>
(2)	<p>The applicant shall prepare and submit a Construction Environmental Management Plan (CEMP) to Council. The CEMP shall detail acceptable methods for the adequate control and management of the following:</p> <ul style="list-style-type: none"> Noise and Vibration impacts – Detailing the implementation of noise mitigation measures to minimise noise and to limit the impact on adjoining development for each relevant stage; Dust Suppression and Mitigation – detailing dust suppression and mitigation measures to be employed during works on the site to ensure dust is not emitted from the site at all times including when no activities are taking place on the site; Erosion and Sedimentation Control Plan – detailing the methods to be employed to

- ensure the adequate management of the surface and stormwater associated with subdivision activities. This Plan is to be prepared according to current best practise as articulated in the NSW Governments "Managing Urban Stormwater" guidelines;
- Waste Management Plan – detailing the reuse or relocation of spoil and disposal of solid and liquid wastes; and
 - Groundwater Management Plan – detailing actions to be taken in support of the ongoing health of the underlying groundwater aquifer and as dryland salinity mitigation measures.

The CEMP shall be approved by Council's Environmental Compliance Branch prior to any works being commenced and shall be implemented at all times during the operation of this consent.

{Reason: To ensure the amenity of the locality is protected during construction}

- (3) The applicant shall prepare and submit a preliminary Site Contamination Report and any Site Remediation Plan which the Report identifies that may be required. Any recommended site remediation works must be completed prior to the release of the relevant Subdivision Works Certificate.
{Reason: To prevent the contamination of the environment}
- (4) An updated Contamination Investigation Report shall be submitted to and approved by Council. Such report shall demonstrate that the site of the subject subdivision works is suitable for residential use.
{Reason: To ensure the site is suitable for the proposed use}
- (5) The class and number of ecosystem credits in **Table 1** must be retired to offset the residual biodiversity impacts of the development.

Table 1 – ecosystem credits to be retired – like for like

Impacted PCT	Number of Ecosystem credits	IBRA subregion
Name and PCT Number of Impacted plant community	No. of credits for the impacted PCT	Identify IBRA subregions within 100km of impact site
<i>PCT437 – Yellow Box grassy woodland of the lower hillslopes and valley flats of the southern NSW Brigalow Belt</i>	<i>18</i>	<i>Talbragar Valley, Inland Slopes and Pilliga. or Any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site.</i>

The requirement to retire credits may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem credits, as calculated by the BAM Credit Calculator (BAM-C).

Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of this condition must be provided to Council prior to the issue of Subdivision

Works Certificate.

{Reason: Ensuring identified Biodiversity Ecosystem Impact Offsetting requirements are complied with}

- (6) The developer shall implement as part of each Subdivision Works Certificate where necessary, temporary diversion works to prevent surface water from the undeveloped residue land of future stages initially flowing onto the adjoining downstream allotments of stages which have been developed and/or are under development. In this regard, details of such temporary works shall be submitted with the Subdivision Works Certificate application of each relevant stage.

{Reason: To prevent surface water adversely affecting residents of downstream properties}

- (7) Prior to the issue of the Subdivision Works Certificate, a Soil and Water Management Plan, prepared by a suitably accredited person, shall be submitted in accordance with Landcom, Managing Urban Stormwater, Soils and Construction, Volume 1, dated March 2004 ('The Blue Book').

Such plan shall then be implemented pre, during and after construction of the proposed subdivision works. The approved erosion and sediment control measures are to remain (and be maintained) in place until such time as all ground disturbed by the subdivision construction works have been stabilised, revegetated and rehabilitated so that they no longer act as a source of sediment.

{Reason: To manage/reduce erosion and sedimentation}

- (8) Prior to the issue of the Subdivision Works Certificate (SWC), payment by the Developer of an engineering fee based on a per lot calculation, in accordance with Council's adopted Annual Revenue Policy. This engineering fee, per lot, is adjusted annually becoming effective from 1 July each year and as adopted in Council's Annual Revenue Policy.

Note 1: Council's adopted 2024/2025 financial year rate is \$2,392.00 per lot.

Note 2: As the above fee is reviewed annually the 'current rate' is to be confirmed prior to payment.

{Reason: To ensure assessment and determination of the application}

- (9) Prior to issue of the Subdivision Works Certificate (SWC), detailed engineering design plans are to be submitted to, and approved by Council, for construction by the Developer at their own expense and to the satisfaction of Council of all road works generally in accordance with Premise Plan reference 114135_175, sheet C003, rev J, 07.04.2025 including the construction of Reservoir Avenue up to the intersection of the future Southern Distributor Road.

All roads shall be designed in accordance with the following minimum requirements:

STREET	MINIMUM ROAD RESERVE WIDTH (m)	MINIMUM CARRIAGEWAY WIDTH (m)
Azure Avenue	23.5 with 1.5m landscaped median	2 x 6.5 m Pavement
Argyle Avenue		2 x 4.0m Reserve

Reservoir Avenue Tyrell Drive		
Azure Avenue Argyle Avenue Reservoir Avenue Tyrell Drive	23.5	2 x 7.25 m Pavement 1 x 5.0m Reserve 1 x 4.0m Reserve
Barrine Avenue	21	2 x 6.5 m Pavement 2 x 4.0m Reserve
Billabong Court Mulwala Avenue Wetland Avenue	18	2 x 5.0 m Pavement 2 x 4.0m Reserve
Albina Way Argyle Avenue Barlee Circuit Cardina Court Carey Way Channel Court Estuary Way Gairdner Place Harbour Way Mist Place Menindee Court Pedder Court Peninsular Court Rain Circuit Torrens Way Tinaroo Avenue Road 1 Road 2	16	2 x 4.0 m Pavement 2 x 4.0m Reserve

For the design of all roadways, due consideration is to be given to the swept paths generated by turning vehicles, in particular to curve alignments and intersections and along the proposed bus route to ensure a bus can safely and efficiently negotiate the carriageway alignment and kerbside with detailed design plans provided for Azure Avenue, Argyle Avenue, Reservoir Avenue and Tyrell Drive. The roadways should accommodate a single unit truck/bus 12.5 metres in length. The current design template (utilising the design templates Austroads) for a single unit truck/bus comprises a vehicle 12.5 metres in length. The recommended turning radius for such a vehicle with a criteria travel speed 5km/hr is 12.5 metres.

Turning paths are to be shown for each lot including from all directions without crossing the centre line of the proposed roads with two vehicles being able to pass each other at the property boundary lines (turning path design criteria including turning radius and travel speed are to be shown).

All roadworks are to be undertaken in accordance with Council's adopted AUS-SPEC #1

Development Specification Series - Design and Construction including Austroads Guide to Road Design.

Any landscaping proposed within the 'Estate area' must not impair the desired sight lines of motorists, with particular attention being paid to locations in the vicinity of all curves, intersections, roundabouts, pedestrian facilities, bus stops, etc.

{Reason: To ensure roadworks are suitably constructed}

- (10) Prior to issue of the Subdivision Works Certificate, the final design plans for all traffic control signs, chevron barriers, boards, guideposts and line marking are required to be submitted to Council for approval with the installation of such traffic control facilities and all roadworks at full cost to the Developer to Council's satisfaction.

{Reason: To ensure appropriate traffic control signs}

- (11) Prior to the issue of the Subdivision Works Certificate (SWC), detailed engineering plans shall be submitted to Council, for construction by the Developer of all sewerage junctions, main extensions and alterations, necessary to provide separate sewerage connections to each proposed lot at full cost to the Developer to Council's satisfaction including the extension of Trunk Sewer up to the existing sewer manhole located at Boundary Road beside Lot 3317 DP 1259756 with the following:

- a. Installed gravity sewer mains within easements at either the front or rear of private properties. Such an arrangement facilitates future ease of access to junctions for maintenance purposes should the need ever arise.
- b. The minimum pipe size for all property connections is to be DN150.
- c. Gravity sewer manholes are to be spaced at a maximum interval of 60m.
- d. The position of each riser, junction or end of sideline shall be clearly marked by the developer/contractor prior to backfilling. The marking shall be made by a 150mm dia sewer pipe and left minimum 300 mm above the surface of the surrounding ground with the cap glued to the end.
- e. Prior to issue of the Subdivision Certificate, CCTV Reports of all the sewer mains and manholes shall be submitted to Council including digital copies.

All works are to be undertaken in accordance with Council's adopted AUS-SPEC 1 Development Specification Series - Design and Construction and WSA Code.

Note: In accordance with Council's adopted policy requirements, any construction works required to be undertaken on 'live' sewerage main(s) must be undertaken by Council at full cost to the Developer.

{Reason: To ensure sewerage connections are provided in each lot}

- (12) Prior to the issue of the Subdivision Works Certificate (SWC), detailed engineering plans shall be submitted to Council, for construction by the Developer of all water main, main extensions so as to provide each allotment with the availability to connect to Council's water reticulation network at full cost to the Developer to Council's satisfaction including

the followings:

- In accordance with requirements specified in clause D11.26 of Council's adopted AUS-SPEC #1 Design, Water Reticulation - D11, prior to SWC, a water reticulation model, ('WS Pro', or an approved equivalent flow modelling computer program) must be undertaken by the Developer, submitted to and approved by Council covering the whole of the proposed subdivision area.
- No water main will be allowed under any concrete footpath and
- Detectable metallic tape must be provided in water trenches wherever non-metallic water mains are installed.

All works are to be undertaken in accordance with Council's adopted AUS-SPEC 1 Development Specification Series - Design and Construction and WSA Code.

{Reason: To ensure metered water connection to each lot}

- (13) Prior to the issue of the Subdivision Works Certificate, a separate application is to be made to Council for connection with live water main with the appropriate fee being paid for cross connection(s) of the proposed new internal water main extension(s) with Council's existing water main(s) will be required to be undertaken by Council .

{Reason: To protect Council's water main}

- (14) Prior to the issue of the Subdivision Works Certificate, final design plans for Street Lights are required to be submitted to Council for approval including with the satisfactory arrangements with the appropriate authorities for the construction of underground electricity including house services to allotment boundaries, street lighting (as per Australian Standard AS/NZS 1158.1.1) within the subdivision and at all the proposed intersections V3 category LED lighting, and trunk mains, transformers and any other ancillary equipment together with the connection of telephone services and underground reticulated natural gas, to each allotment, noting that adequate ducting for all road crossings required shall be installed prior to construction of the road surface at full cost to the Developer to the satisfaction of Council.

Note. Adequate ducting for all road crossings is required and shall be installed prior to construction of the road surface. The Developer shall contribute the difference between the contribution (if any) by the utility authority and the cost of the underground supply.

Reason: To ensure street lights, electricity connections within subdivision}

- (15) Prior to issue of the Subdivision Works Certificate, the details of the streets sign shall be provided for Council approval for the installation by the developer at their own expense to the satisfaction of Council of street name signs to a design standard approved by Council.

Note: The naming of all roads shall be submitted to Council for consideration and approval by NSW Geographical Names Board with payment of the appropriate fee in accordance with Council's adopted Revenue Policy.

{Reason: To ensure properties can be readily located}

- (16) Prior to issue of the relevant Subdivision Works Certificate (SWC), detailed design plans of any proposed retaining wall systems shall be provided to Council's Infrastructure Strategy and Design branch for approval. Retaining walls shall be no higher than 1m, unless otherwise approved by Council. Constrained sites shall consider tiered retaining wall systems to avoid the introduction of walls higher than 1m. If approved by Council, walls greater than 1m high shall include the following requirements:
- a. A positive covenant for support shall be created under Section 88BA of the Conveyancing Act over the proposed retaining wall benefitting the adjoining lots containing the fill which is being retained by such retaining wall.
The positive covenant is required to address the potential impact on adjacent lots to ensure the ongoing maintenance and structural integrity of the retaining wall, protecting both the development and neighbouring properties. The positive covenant shall include details of ongoing responsibilities, access rights, and any associated conditions.
 - b. An Easement for support shall be created under Section 88B of the Conveyancing Act over the proposed retaining wall burdening and benefitting the adjoining lots containing the retaining wall and its associated back-fill which is being retained by such retaining wall.
The easement is required to permit either of the adjoining owners the right of access to the other party's land for the purpose of undertaking repairs and maintenance to the retaining wall. The width of such easement will need to have consideration to not only the retaining wall structure itself, but also define the extent where excavation activities and any adjoining buildings need to be excluded to maintain the structural integrity of the retaining wall.
 - c. A structural engineer must certify the design and provide a report which shall comply with Australian Standards (AS 4678:2002 – Earth-retaining Structures).
 - d. A Structural engineer shall certify the construction of the wall, as well as the materials used are in accordance with the certified design.
{Reason: Implementation of Council policy}
- (17) Prior to issue of the relevant Subdivision Works Certificate (SWC), detailed plans of all pedestrian footpaths and shared paths shall be submitted to Council for approval and be constructed by the developer. Plans for review shall include detail of the location of telecommunication pits and water main hydrants in relation to the footpath alignments. Connection shall be made between the proposed footpath network and the existing footpath network.
- All works are to be undertaken in accordance with Council's adopted AUS-SPEC #1 document and to Council's standard drawing STD 5251 & STD 5166.
{Reason: To provide pedestrian and cycleway linkages}
- (18) Prior to the issue of the relevant Subdivision Works Certificate, the design of the stormwater drainage system shall be provided by the Developer at their own expense, in

accordance with DRC Aus-Spec 1999 and stormwater guidelines provided by Council issued in correspondence dated 30 May 2025 (attached).

The design of the stormwater drainage system to be undertaken generally in accordance with the design principles submitted with the Development Application 2022/210 – refer to the “Stormwater Management Strategy” prepared by Premise dated 22 January 2025 and Premise Plan reference 114135_164 “Stormwater Layout Plan”, sheet C015-C024, rev J, dated 07.04.2025.

Such system is to incorporate the following:

- Basin EUL-3B (as defined in the stormwater management plan) shall have a landscaped buffer area from dwellings (including park furniture and significant tree canopy) - landscaping to be approved by Council. It shall also include a wetland system as required in the Development Control Plan (DCP) to treat stormwater, preferably where possible to Council’s pollutant reduction targets. To control mosquitoes, eliminate shallows with a robust wall system such as large sandstone blocks. The design of the basin and wetland shall be approved by Council’s Infrastructure Strategy and Design branch.
- Prior to issue of the first Subdivision Works Certificate (SWC) for this development, the applicant shall submit to Council a staging plan for the construction of the Eastern Drainage Channel as approved under D2017-57, including the northern section of the channel along Boundary Road, as referenced by plan title “Overall Drainage Channel Layout, sheet number C003 of C036 revision A, dated 06/09/2016”. The staging plan shall be approved by Council prior to the issue of any Subdivision Works Certificate for this development. The relevant sections of the Eastern Drainage Channel shall be constructed by the developer for each stage of development, as per the requirements of the approved staging plan.
- The developer is responsible for all costs associated with the ongoing maintenance of the stormwater channels and ponds associated with development approval D2017-57 for a period of 10 years from the point of sale of the last block of land within this subdivision. This includes the remediation of any erosion, damage to drainage structures and desilting of channels and ponds to the satisfaction of Dubbo Regional Council (DRC). Prior to handover of maintenance to Council, an inspection by Dubbo Regional Council shall be required, and any defects or works identified at the time of inspection shall be undertaken by the developer.
- The footpath along the eastern drainage channel shall connect with the existing footpath on Boundary Road to Council’s satisfaction. This shall be completed with the relevant section of the channel.
- Any pedestrian footbridge crossing the eastern drainage channel shall be designed and modelled for the 1% AEP to demonstrate to Council’s satisfaction that it is able to resist forces, does not cause undue afflux and risk of flooding to private property, or unduly increase risk of erosion.
- Location and details of proposed Gross pollutant trap (GPT) need to be negotiated and agreed with Council’s Infrastructure Division prior to approval of Subdivision Works Certificate. Council favours high efficiency continuous deflection type GPTs with no

moving parts and large storage capacity. Access provisions for maintenance must be detailed.

Prior to issue of Subdivision Certificate

- The developer shall create appropriate easements under Section 88 of the Conveyancing Act to Council's satisfaction.
- Provide Work as Executed (WAE) plans which accurately reflect data for any new or modified stormwater assets that will be handed over to Council's care and control.
- Provide WAE for final finished surface showing spot heights and contours which show satisfactory management of surface stormwater flows has been achieved.
- A CCTV Survey and Report for Council's Stormwater Asset is required for any stormwater infrastructure that will be handed over to Council's care and control. CCTV to be submitted by the developer and approved by Council prior to issue of the Subdivision Certificate. Defects, if any, to be rectified to the satisfaction of Council. The CCTV survey is to be undertaken in accordance with Council's Technical Specification for CCTV including full 360 degree panning at every joint or junction with a pit, and inspection of every defect or unusual feature. Prior to CCTV, pipes are to be inspected for sediment and debris and/or jetted & vacuumed with downstream pit boarded up or sandbagged - sediment shall not be released downstream. CCTV with sediment covering the invert of the pipe will be rejected.
- The developer to make good any erosion and sedimentation that has occurred during construction with appropriate grass/turf/vegetation/landscaping provided.
- Each individual lot must have appropriate well-established erosion and sediment control to prevent sediment runoff into nearby lots or road; and
- Subdivision must have appropriate erosion and sediment control. Road reserve areas to have established dense well-knit ground cover, free of weeds.

Prior to Handover

- The developer to make good any erosion that has occurred during construction and during the handover period due to their subdivision works. Turf and vegetation areas to be well established and maintained;
- Permanent erosion and sediment control to be effective. Temporary erosion and sediment control measures to be removed, unless otherwise agreed with Council; and
- Verify that all components of the stormwater system have been constructed, maintained and have been reinspected for functionality, reliability, and safety.

All works as approved are to be undertaken in accordance with Council's adopted AUS-SPEC #1 Development Specification Series – Design and Construction.

{Reason: To achieve satisfactory stormwater drainage}

- (19) Prior to issue of the first Subdivision Works Certificate (SWC), the updated Traffic Impact Assessment for this development is to be submitted to Council and approved.

{Reason: Implementation of Council Policy}

- (20) Prior to the issue of the relevant Subdivision Works Certificate, the applicant/developer is required to make a separate 'Road Opening Application' (Section 138 Application under

the Roads Act, 1993) with Council's Infrastructure Division, plus payment of any appropriate fee(s).

In conjunction with the Section 138 Application, a Traffic Management Plan showing all activities for controlling pedestrian and vehicular traffic shall be prepared by a suitably accredited person, submitted to, and approved by Council's Traffic Engineer, demonstrating that the proposed works can be undertaken in a safe manner minimising disruption to pedestrian and vehicular traffic movement(s).

The Traffic Management Plan shall include layout plans showing temporary detours, details of arrangements for demolition work under traffic and the location, size and legend of all temporary signs and other traffic control devices and be in accordance with the WorkCover Authority requirements.

{Reason: To ensure adequate safety measures are in place}

- (21) Prior to issue of the first Subdivision Works Certificate (SWC) for this development, the applicant shall submit to Council a staging plan for the construction of the trunk drainage sewer main as approved under C2021-147 Part 1 Plan no. 114135_140 Sheet C001 – C0014 Rev. E, including details of timing with respect to this subdivision. The staging plan shall be approved by Council prior to the issue of any Subdivision Works Certificate for this development. The construction of the trunk sewer main shall be carried out by the developer, as per the staging and timing requirements detailed in the approved staging plan.

BEFORE SUBDIVISION WORK COMMENCES

Condition	
(1)	A single stabilised vehicular access shall be provided to the construction site in accordance with the design described in the attachment titled 'Stabilised Site Access' to Council's advisory document Fact Sheet No. 6 - Erosion and Sediment Control. {Reason: To reduce sediment pollution}
(2)	An Aboriginal Heritage Impact Permit (AHIP) is required to be obtained which will allow both surface salvage of artefacts from the site and/or a salvage excavation program to be conducted as required in order to meet conditions applied for the protection of the following sites - Hillview-IF1 (AHIMS ID 36-1- 0707), Southlakes IF 01 (AHIMS ID 36-1-0786), K-OS-3 (AHIMS ID 36-1-0188) and Southlakes AS 01 (AHIMS Pending). Any changes to the current identified impact footprint may require additional consent. {Reason: To protect Aboriginal heritage}
(3)	Prior to issue of the relevant Subdivision Certificate, a portion of the land located at the north-eastern corner of proposed Lot 526 on Sheraton Road is required to be dedicated to Dubbo Regional Council as road corridor at full cost to the Developer for the purpose of providing a sufficient intersection chamfer to accommodate a future roundabout on Sheraton Road. The size and dimensions of the chamfer shall be approved by Council's

Infrastructure Strategy and Design branch prior to dedication as road reserve.
{Reason: Implementation of Council policy}

- (4) Prior to release of the 351st lot approved by this subdivision, the Southern Distributor Road between Wheelers Lane and the proposed Reservoir Avenue is to be designed by Dubbo Regional Council and constructed by the Applicant.

Detailed design and construction of the southern distributor from chainage 0 to 1,680m, including associated box culverts and drainage, shall be carried out generally in accordance with the Dubbo Regional Council Concept plan no. RCD 7476 Rev. B (attached) and to the following requirements:

- Road pavement width includes 2 x 3.5m travel lanes, 2 x 1.5m bike lanes, 2 x 1.0m sealed shoulders and 2 x 0.5m unsealed shoulders – total formation width 13m
- V3 category street lighting at the two intersections only
- Pavement design to 2 x 10⁶ ESAs
- Geometric road design for design speed of 80 km/hr (posted 70km/hr)

Design and construction of the southern distributor shall incorporate the construction and extension of pipes and culverts discharging flows up to and including the 1% AEP from this subdivision. Pipes and culverts shall be extended beyond the southern road boundary of the Southern Distributor Road and include an appropriately designed level spreader to reduce velocity and manage erosion from flows being discharged to the Eulomogo Creek.

The approved design shall be completed and issued to the Applicant prior to the release of the 150th lot or within 2.5 years of the issued consent, whichever is the greater time period.

{Reason: To allow the applicant sufficient time as to construct the roadway}

- (5) The Applicant may wish to enter into a Planning Agreement (PA) with Dubbo Regional Council (DRC) in respect of the requirements of this condition in accordance with Division 7.1 of Part 7 of the Environmental Planning and Assessment Act, 1979 to seek to offset developer contributions under the provisions of Council's Developer Contributions Plans, specifically including Council's Section 94 Developer Contributions Plans for Roads, Traffic and Car Parking.

In this regard, Council and the proponent shall consider the value of the potential contributions offset following completion of design and project costings.

{Reason: To manage the impact of the proposed development on the traffic in the locality}

DURING SUBDIVISION WORK

Condition	
(1)	Erosion and sedimentation control measures 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: To reduce sediment pollution}

- (2) Should any contaminated, scheduled, hazardous or asbestos material be discovered before or during construction works, the applicant and contractor shall ensure the appropriate regulatory authority (eg Department of Planning, Industry and Environment (DPIE), 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 Environment Protection Authority (EPA) to receive that type of waste.

{Reason: To prevent the contamination of the environment}

- (3) Waste constructions materials, including soil arising from the development, must be disposed of at an appropriately licensed waste facility and a receipt document or similar record of disposal at a Council approved alternative site must be provided to Council's Development and Environment Division prior to the release of the relevant Subdivision Certificate.

{Reason: To ensure environmentally safe disposal}

- (4) Construction work shall only be carried out within the following time:

Monday to Friday: 7 am to 6 pm

Saturday: 8 am to 1 pm

Sunday and public holidays: No construction work permitted

{Reason: To reduce the likelihood of noise nuisance}

- (5) In the event of any Aboriginal archaeological material being discovered during earthmoving / construction works, all work in that area shall cease immediately and the Heritage NSW notified of the discovery as soon as practicable. Work shall only recommence upon the authorisation of the Heritage NSW.

{Reason: To protect Aboriginal heritage}

- (6) Bushfire protection is to be provided to the site through application of all requirements outlined in the "Bushfire Threat Assessment Report for a Proposed Residential Subdivision at 'Southlakes Estate', Dubbo, NSW 2830" prepared by Firebird ecoSultants, dated 23 January 2025.

{Reason: To protect lives, property and other assets against threat from Bushfire}

- (7) The requirements of the Protection of Environment Operations Act, 1997 shall be strictly complied with. The operation shall contain all waste to prevent pollution.

{Reason: Environmental Protection}

BEFORE ISSUE OF A SUBDIVISION CERTIFICATE

Condition	
(1)	Prior to the issue of a Subdivision Certificate, payment is required in accordance with the following contributions plans:

PLAN	CALCULATION	TOTAL
Dubbo Regional Councils Water and Sewerage Contribution Plan 2002	Per ET basis (617 Lots) - pursuant to Sec 64 of the Local Government Act 1993 (Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000). Current rate for water supply is \$7,031.60 per ET	
	Contribution Payable WATER	\$4,338,497.20
Dubbo Regional Councils Water and Sewerage Contribution Plan 2002	Per ET basis (617 Lots) - pursuant to Sec 64 of the Local Government Act 1993 (Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000). Current rate for sewerage supply is \$7,031.60 per ET	
	Contribution payable SEWER	\$4,338,497.20
	Total Section 64 Contributions Payable for this application	\$8,676,994.40
	Note: This amount includes all applicable contributions payable under Council's adopted Combined Water Supply and Sewerage Contributions Policy, November 2002, operating from 1 January 2003.	

Note 1: Contribution rates are subject to CPI and adjusted annually from 1 July each year in accordance with Councils adopted fees and charges. The current rates are to be confirmed with Council prior to payment being made.

Note 2: No contributions have been levied on the four (4) development allotments (Lots 42, 112, 356, 606); the three (3) residue allotments (Lots 622, 623, 624) (which will be appropriately levied when developed) and the seven (7) drainage reserves (Lots 625, 626, 627, 628, 629, 630, 631).

Note 3: This approval is subject to a Works-in-Kind (WIK) Agreement between Dubbo Regional Council and MAAS Group Properties No. 2 with respect to the provision of water and sewerage supply infrastructure. Any payment sought under this WIK Agreement should be confirmed by Council prior to payment.

{Reason: Implementation of Council's adopted Combined Water Supply and Sewerage Contributions Policy, November 2002, operating from 1 January 2003}

- (2) Prior to the issue of a Subdivision Certificate, payment is required in accordance with the following contributions plans:

PLAN	CALCULATION	TOTAL
Sec 94 Development Contributions Plan -	Contribution Rate:	

Open Space and Recreation Facilities 2016-2026	City Wide = \$707.85	
	East (South) = \$1,485.85	
	Admin = \$30.10	
	Calculation based on 617 lots and 2.6 persons:	
	City Wide	\$1,135,532.90
	East (South)	\$2,383,600.50
	Plan Administration	\$48,286.42
	Total	\$3,567,419.82
Sec 7.11 Development Contributions Plan – Dubbo South East Stormwater Drainage and Headworks 2019	Calculation is based on 617 lots - draining into catchment ‘Southlakes’ Drainage Scheme.	
	Current rate per Lot is \$1,554.52	
	Total	\$959,138.84
Sec 94 Development Contributions Plan - Roads, Traffic Management and car parking 2016	Contribution Rate:	
	Residential trip = \$700.20	
	Plan Administration = \$6.70	
	Calculation based on 11 trips per lot.	
	Urban Roads contributions	\$4,752,257.40
	Plan Administration	\$45,472.90
	Total	\$4,797,730.30
	Total Section 7.11/94 Contributions Payable for this application	\$9,324,288.96
	Note: This amount includes all applicable contributions payable under Councils Sec 94/7.11 Development Contributions Plans.	

Note 1: Contribution rates are subject to CPI and adjusted annually from 1 July each year in accordance with Councils adopted fees and charges. The current rates are to be confirmed with Council prior to payment being made.

Note 2: No contributions have been levied on the four (4) development allotments (Lots 42, 112, 356, 606); the three (3) residue allotments (Lots 622, 623, 624) (which will be appropriately levied when developed) and the seven (7) drainage reserves (Lots 625, 626, 627, 628, 629, 630, 631).

Note 3: This approval is subject to a Works-in-Kind (WIK) Agreement between Dubbo Regional Council and MAAS Group Properties No. 2 with respect to the provision of open space and recreational facilities. Any payment sought under this WIK Agreement should be confirmed by Council prior to payment.

Note 4: This approval is subject to a Works-in-Kind (WIK) Agreement between Dubbo Regional Council and MAAS Group Properties Southlakes with respect to the provision of stormwater supply requirements. Any payment sought under this WIK Agreement should be confirmed by Council prior to payment.

{Reason: Implementation of Council's respective Section 7.11/94 Contributions Plan}

- (3) Prior to release of the relevant Subdivision Certificate the developer shall, where applicable:

- (a) Submit to Council a detailed plan showing the location of any filled areas affecting the proposed residential allotments; and
- (b) Where filling has occurred on any of the proposed residential allotments, including those areas the subject of the proposed building demolitions, tank and tree removals, submit to Council documentary evidence sufficient to satisfy Council that such filled sites have been compacted to AS 3798-2007 to achieve a minimum compaction of 95% standard density to facilitate the future erection of residential buildings thereon.

Note: such documentation is to clearly identify and relate back to the particular lot(s) as numbered on the subdivision linen for that particular stage.

{Reason: To ensure any fill will not adversely affect the future erection of residential buildings}

- (4) The developer shall create under Section 88B of the Conveyancing Act, a restriction as to user burdening the proposed residential allotments, giving effect to the following requirement:

- (a) That no residential building shall be erected on the lot so burdened unless the footings of such building have been assessed and designed by a properly qualified geotechnical or structural engineer;
- (b) A geotechnical investigation report shall be undertaken for the erection of any proposed dwelling on the site and in addition to determining the site's reactivity classification, assess its soil salinity (particularly at a depth of 1m and greater) and advise appropriate design and mitigation recommendations for the dwelling's footing design appropriate to its findings;
- (c) That no domestic water supply bore may be constructed onsite, without the prior approval of Dubbo Regional Council;
- (d) That no domestic greywater effluent disposal system may be installed and discharge effluent onto the allotment, without the prior approval of Dubbo Regional Council; and
- (e) That Dubbo Regional Council is made the benefitted party of such restriction as to user.

Details of compliance with the above requirements shall be provided with each Subdivision

Certificate application.

{Reason: To ensure the foundations for any proposed residential building to be erected on the affected lots will be properly assessed; and to protect the supply and quality of Dubbo's main water supply aquifer}

- (5) An easement for support shall be created under Section 88B of the conveyancing Act over any proposed retaining walls benefitting the adjoining lots containing the fill which is being retained by such retaining walls.
{Reason: To ensure the owners of lots benefited by the retaining wall can such wall}
- (6) The existing dwelling which is proposed to be retained must maintain compliance with the Deemed-to-satisfy (Dts) provisions of the Building Code of Australia (BCA) with respect to its clearances from the boundaries of its new allotment. In this regard, the developer shall submit with the relevant Subdivision Certificate application, documentation demonstrating conformity with the above provision.
{Reason: To ensure conformity with the Dts BCA}
- (7) The applicant shall submit with the relevant Subdivision Certificate application, certification that-
- the existing dwelling's sanitary drainage and pool backwash has been connected into Council's reticulated sewage system; and
 - the dwelling has been connected to Council's reticulated water system; and
 - the dwelling's roofwater has been piped to the street gutter or if provided, the allotment's inter-allotment stormwater pit; and
 - such services are contained wholly within the subject dwelling's own new allotment; and
 - That the existing dwelling's septic tank(s) and absorption trench have been decommissioned and removed.
- {Reason: To ensure the existing dwelling is provided with Council's services and the dwelling's septic tank(s) and absorption trench have been removed}
- (8) Prior to issue of the Subdivision Works Certificate (SWC), detailed engineering design plans are to be submitted to, and approved by Council for construction of all roads to the following minimum standards to the Council's satisfaction at full cost to the Developer:
- a. Having a finished wearing surface of a minimum 30 mm thick layer of asphaltic concrete (LT10) for Albina Way, Argyle Avenue, Barlee Circuit, Cardina Court, Carey Way, Channel Court, Estuary Way, Gairdner Place, Harbour Way, Mist Place, Menindee Court, Pedder Court, Peninsular Court, Rain Circuit, Torrens Way, Tinaroo Avenue, Road 1 and Road 2.
 - b. Having a finished wearing surface of a minimum 40 mm thick layer of asphaltic concrete (LT10) for Azure Avenue, Argyle Avenue, Tyrell Drive, Reservoir Avenue, Barrine Avenue, Billabong Court, Mulwala Avenue and Wetland Avenue.
Note: In accordance with Council's adopted AUS-SPEC #1 Construction specification, a primer seal must fully cover the road pavement area prior to the placement of the wearing surface.
 - c. Roll form type concrete kerb and gutter shall be constructed on both sides of the

- proposed roadways fronting residential lots with "upright" concrete kerb and gutter adjacent to all public reserves.
- d. Dead end cul-de-sacs will be required to have a minimum diameter of 24 m between kerb lines.
 - e. Raised Pavement Markers are to be installed to the pavement around the low-profile concrete median islands and along the Type BB Barrier Lines. Rubber rumble strips are no longer supported.
 - f. Turning Paths for a 12.5m bus are to be provided along Azure Avenue, Argyle Avenue, Reservoir Avenue and Tyrell Drive including an 8.8m truck and 5.6m passenger vehicle to all roads and to those development allotments on curves and in cul-de-sacs.
 - g. Discussions are to be undertaken with the Manger Dubbo Bus Lines to determine the potential future bus routes through the development and location of bus stops.
 - h. Access gaps are to be provided for all footpaths at intersections where there are median islands.
 - i. Access details are to be provided to all the proposed residue allotments to ensure safe and convenient access can be achieved including the potential for additional traffic management as required.
 - j. To enable pedestrians to cross Tyrell Drive, a pedestrian refuge and associated pram ramps are to be provided on Tyrell Drive, the location of which is to be between the intersections of Tinaroo Avenue and Azure Avenue.
 - k. Tactile Ground Surface Indicators (TGSIs) are to be integrated into proposed pram ramps per the requirements of AS/NZS 1428.4.1 and Dubbo Regional Council Standard Drawing STD 5166.
 - l. Delineation is required on Road 1 to ensure drivers continue around the eastern curve and are aware of the isolated island.
 - m. Finished design levels of the northern boundary of the Southern Distributor Road are to be confirmed with Council's Infrastructure Strategy and Design Branch to ensure that finished lot filling levels on the southern allotment boundaries (adjacent to Southern Distributor Road) match future road/footpath levels.

All roadworks are to be undertaken in accordance with Council's adopted AUS-SPEC #1 Development Specification Series - Design and Construction including Austroads Guide to Road Design.

{Reason: To ensure roadworks are suitably constructed}

- (9) Prior to the issue of the Subdivision Works Certificate (SWC), detailed engineering design plans are to be submitted to, and approved by Council for construction of standard kerb and gutter, footpath, v3 category street lighting and adequate pipe and pit drainage to drain the road and kerb along the southern side of Sheraton Road from the intersection of Boundary Road and Sheraton Road to the 90 degree bend (future intersection).

Construction shall be carried out at full cost to the Developer to Council's satisfaction.

All roadworks are to be undertaken in accordance with Council's adopted AUS-SPEC #1 Development Specification Series - Design and Construction including Austroads Guide to Road Design.

{Reason: To ensure safe and functioning road works}

- (10) Prior to the release of the Subdivision Certificate, the following erosion and sedimentation control measures shall be in place:

- A minimum 0.5 m wide strip of turf is to be placed immediately adjacent to the back of the kerb and gutter (and for the full length(s) of the kerb and gutter) to prevent soil erosion. The turf strip is to be watered and maintained until established.
Note: In the presence of the footpath, turfing shall be provided from the edge of kerb and gutter to the edge of footpath.
- In accordance with the approved Soil and Water Management Plan, all stormwater pits including inter-allotment pits shall be protected from any erosion and sediment.

{Reason: To manage/reduce erosion and sedimentation}

- (11) Prior to release of the Subdivision Certificate, payment by the Developer of house water service connection fee(s), based on a per lot calculation. The house water service connection fee, per lot, is adjusted annually becoming effective from 1 July each year and as adopted in Council's Annual Revenue Policy.

Note 1: Council's adopted 2024/2025 financial year rate(s) are:

- (a) Where the Developer has already constructed the water service 'lead-in' connection, payment of a fee of \$522.62 per connection (to cover the installation by Council of the water meter and commissioning of the water service).
- (b) Where the Developer requests Council to fully construct the water service connection(s):

- For a one or more house service connection - Actual Cost;

Note 2: Council will not undertake the provision of the house water service connections until such a time as the Developer has paid Council for the provision of these service connections.

Note 3: As the above rates are reviewed annually, the 'current rate(s)' are to be confirmed prior to payment.

{Reason: To ensure services connected}

- (12) Prior to the issue of the Subdivision Certificate, the creation by the developer, under Section 88B of the Conveyancing Act, of a minimum 2 m wide easement in favour of Council, to be centrally located over all Council sewerage mains. Where proposed sewer depths are such that the minimum 2 metre easement is impractical, the easement width is to be amended to take into consideration the zone of influence created by the depth of the sewer main.

{Reason: To ensure legal access to Council's infrastructure}

- (13) Prior to issue of the Subdivision Certificate, Pit and Conduit' construction is to be installed to carry the National Broadband Network (NBN) and it is required to be installed in

accordance with the NBN Standards " New Developments – Deployment of nbn Pit and Conduit Network" dated 22 February 2024.

Council will require written advice from NBN/Telstra or its Contractor to state that the NBN pit and conduit requirements have been met.

{Reason: To ensure NBN connections to each lot}

- (14) Prior to issue of the Subdivision Certificate, the submission to Council of evidence that an electricity supply has been provided to each lot within the proposed subdivision by way of a Notice of Arrangement as issued by the electricity supply authority (Essential Energy).

{Reason: To ensure the electricity connections in each lot}

- (15) Prior to issue of the Subdivision Certificate, the provision by the developer of all Work-As-Executed engineering plans of digital copies in Civilcad, Microstation or DWG format, projection to be GDA 2020 including hard copies shall be submitted.

{Reason: To ensure details are provided for asset management}

- (16) Prior to issue of the Subdivision Certificate, the 'easement(s) to drain sewage' created under DP 1259756, 1272474 and 1282437 over the subject land shall remain in force with this current development application to subdivide land.

{Reason: To ensure legal access to Council's infrastructure}

- (17) Prior to issue of the Subdivision Certificate, the creation by the developer, under Section 88B of the Conveyancing Act, of a restrictive covenant over proposed Lots 230 to 232, 473 to 477, 521 to 528 and 612 to 623 inclusive denying direct vehicle access from/to these subject lots onto Sheraton Road.

In addition, prior to issue of the Subdivision Certificate, the creation by the Developer, under Section 88B of the Conveyancing Act, of a restrictive covenant over proposed Lots 219 to 229 inclusive denying direct vehicle access from/to these subject lots onto Southern Distributor Road.

{Reason: To prevent vehicles from gaining direct access onto Sheraton Road and Southern Distributor Road}

- (18) Any damage incurred to the footpath, kerbing and guttering, road or road shoulder, or any other utility services, shall be repaired/restored at full cost to the developer to Council's satisfaction and in accordance with Council's adopted AUS-SPEC 1 Development Specification Series - Construction standards. Should the developer not complete repairs as necessary, and/or as directed by Council, Council will undertake such repair work(s) and recover the cost(s) from the developer.

Note: It is recommended that the Applicant record the existing conditions of all footpaths, road and other Council property adjoining the subject site prior to the Contractor taking possession of the site).

{Reason: To protect Council's infrastructure assets}

- (19) Prior to issue of the relevant Subdivision Certificate, a Compliance certification from a Structural Engineer is required for all retaining walls constructed by this development.

{Reason: Implementation of Council policy}

ONGOING USE**Condition**

- (1) All stockpiled material must be kept in a single designated stockpile area with appropriate sediment control and signage. All materials being stockpiled must be tracked and kept in a stockpile register which is available for assessment by authorised officers upon request. All materials brought onto and moved around the site must be documented. Records of the fate of each excavation cell and stockpile must be kept.

Truck movements and weighbridge receipts from transport companies and destination to landfill or a treatment facility and reused of soils onsite must be verifiable.

Photographs of stockpiled materials must be taken and must have a time/date/location stamp added in order to ensure that the origin of all materials on site can be traced.

{Reason: To ensure no contaminated material is brought on to the site}

NOTES

- (1) A separate application is required to be submitted to Council to obtain a Subdivision Works Certificate to permit the proposed civil works.
- (2) Following compliance with all the relevant conditions of this Development Consent, the applicant should apply to Council, with lodgement of the Subdivision Certificate application and payment of the prescribed fee.
- (3) Upon completion of subdivision works, a defects liability period of 12 months shall apply. Council will require the Developer to make good any defects in the works at the Developer's own cost during this period including settlement of trenches. Bonds and bank guarantees will not be released until the expiration of this defects liability period, such bonds and guarantees to total not more than ten percent (10%) of the total estimated costs.
- At the expiration of this defects liability period Council will become responsible for the maintenance and insurance of water supply, sewerage, stormwater, roads, parks and other assets.
- (4) Fees and contributions in respect to this application will be those applicable at the date of release of the Subdivision Certificate.
- (5) 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

- (6) The activity must not be carried out in an environmentally unsatisfactory manner where:
 1. It contravenes, or is likely to contravene the Protection of the Environment Operations Act 1997, or
 2. It causes, or is likely to cause a pollution incident, or
 3. It prevents to control or minimise pollution, or the emission of any noise or the generation of waste, or
 4. It is not carried on in accordance with good environmental practice.
- (7) The development shall be carried out in accordance with Essential Energy's correspondence uploaded to the NSW Planning Portal on 14 June 2022 (copy attached).
- (8) It is brought to the developer's attention that it is the responsibility of the owner of the allotment on which the existing swimming pool is situated, to ensure it is provided with a compliant swimming pool barrier and resuscitation sign in conformity with the Swimming Pools Act, 1992.
- (9) The house numbering will be issued on lodgement of Subdivision Certificates. For further information in this regard, please do not hesitate to contact Council's LIS & E-Services Coordinator on 6801 4000.

SOUTHLAKES ESTATE SUPER DEVELOPMENT APPLICATION

PROPOSED RESIDENTIAL SUBDIVISION

SOUTHLAKES ESTATE, DUBBO

MAAS GROUP PROPERTIES SOUTHLAKES PTY LTD

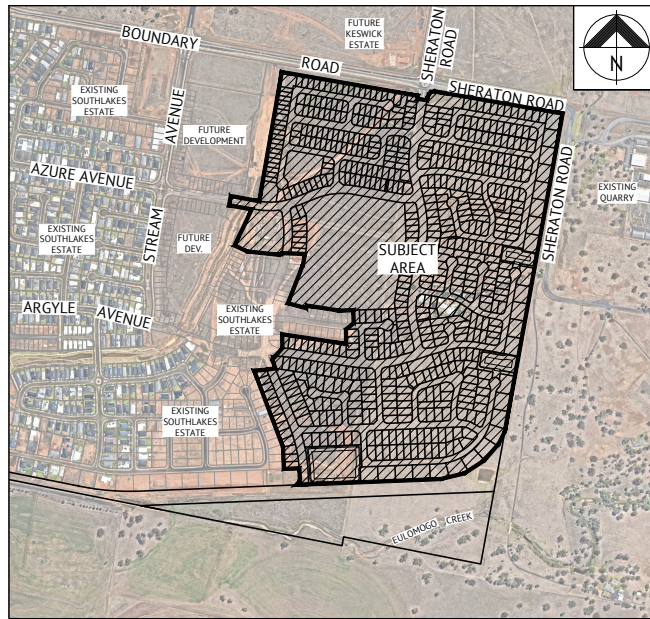



IMAGE SOURCE: NEARMAP (17/12/2023)

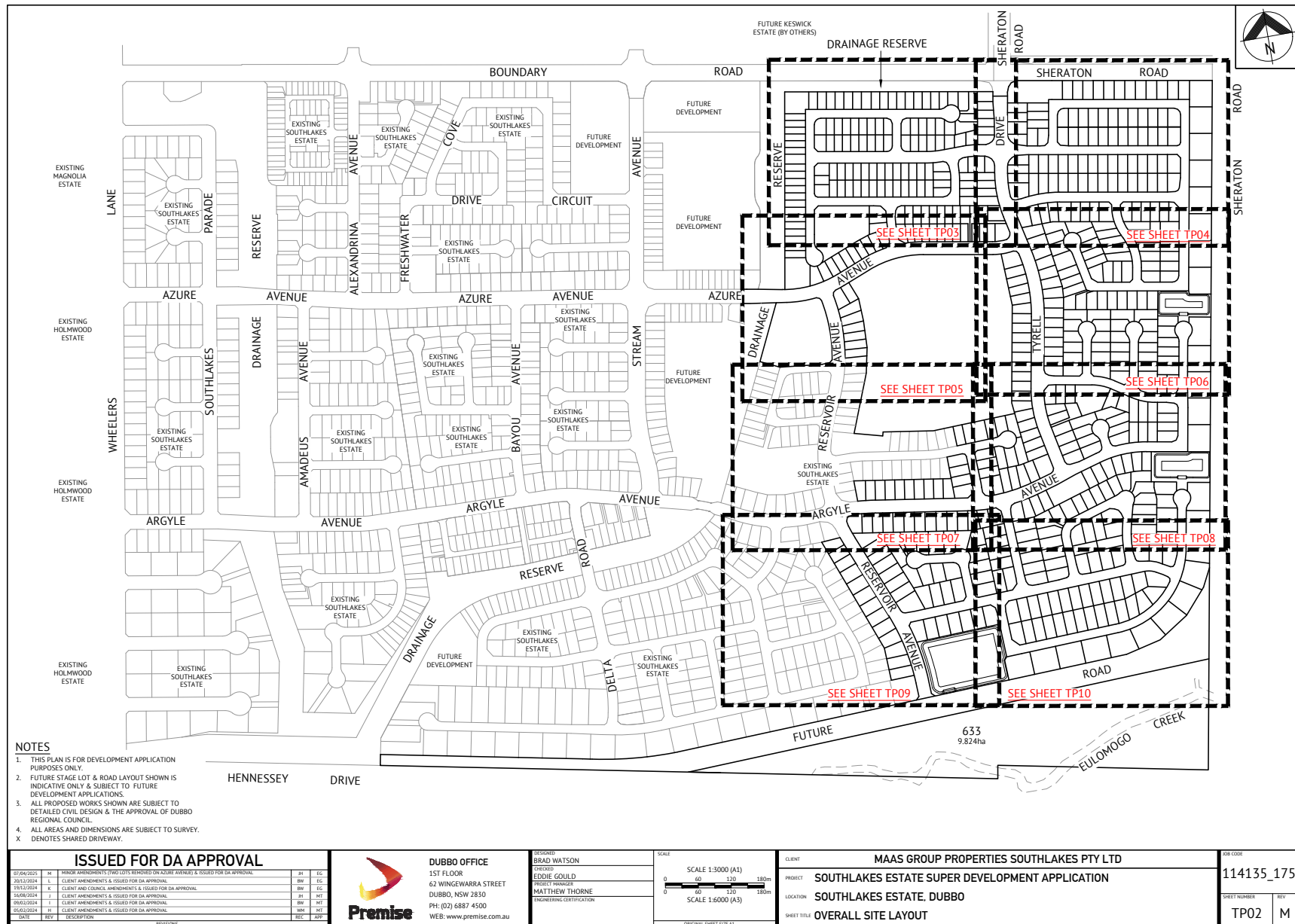
SITE LOCALITY

NOT TO SCALE

SCHEDULE OF DRAWINGS	
Sheet Number	Sheet Title
TP01	TITLE SHEET AND SITE LOCALITY
TP02	OVERALL SITE LAYOUT
TP03	DETAIL SHEET 1 OF 8
TP04	DETAIL SHEET 2 OF 8
TP05	DETAIL SHEET 3 OF 8
TP06	DETAIL SHEET 4 OF 8
TP07	DETAIL SHEET 5 OF 8
TP08	DETAIL SHEET 6 OF 8
TP09	DETAIL SHEET 7 OF 8
TP10	DETAIL SHEET 8 OF 8
TP11	EXISTING LAND ZONES
TP12	PROPOSED DEMOLITION PLAN



ISSUED FOR DA APPROVAL						DUBBO OFFICE 1ST FLOOR 62 WINGEMARRA STREET DUBBO, NSW 2830 PH: (02) 6887 4500 WEB: www.premise.com.au	DESIGNED BRAD WATSON CHECKED EDDIE GOULD PROJECT MANAGER MATTHEW THORNE ENGINEERING CERTIFICATION	SCALE	CLIENT MAAS GROUP PROPERTIES SOUTHLAKES PTY LTD			JOB CODE 114135_175
PROJECT SOUTHLAKES ESTATE SUPER DEVELOPMENT APPLICATION												
LOCATION SOUTHLAKES ESTATE, DUBBO												
SHEET TITLE TITLE SHEET AND SITE LOCALITY												
SHEET NUMBER TP01												
REV M												
ORIGINAL SHEET SIZE A3												
DATE												
REV												
DESCRIPTION												
REC												
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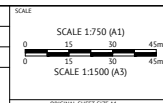


DATE	REV	DESCRIPTION
07/04/2025	M	MINOR AMENDMENTS (TWO LOTS REMOVED ON AZURE AVENUE) & ISSUED FOR DA APPROVAL
20/12/2024	L	CLIENT AMENDMENTS & ISSUED FOR DA APPROVAL
19/12/2024	K	CLIENT AND COUNCIL AMENDMENTS & ISSUED FOR DA APPROVAL
16/08/2024	J	CLIENT AMENDMENTS & ISSUED FOR DA APPROVAL
09/02/2024	I	CLIENT AMENDMENTS & ISSUED FOR DA APPROVAL
05/02/2024	H	CLIENT AMENDMENTS & ISSUED FOR DA APPROVAL



DUBBO OFFICE
1ST FLOOR
62 WINGEWARRA STREET
DUBBO, NSW 2830
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WEB: www.premise.com.au

DESIGNED	BRAD WATSON
CHECKED	EDDIE GOULD
PROJECT MANAGER	MATTHEW THORNE
ENGINEERING CERTIFICATIONS	



	CLIENT
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PROJECT	SOUTHLAKES ESTATE SUPER DEVELOPMENT APPLICATION
LOCATION	SOUTHLAKES ESTATE, DUBBO
SHEET TITLE	DETAIL SHEET 1 OF 8

JOB CODE

114135 175

SHEET NUMBER	REV
TP03	M



FUTURE DUAL OCCUPANCY LOTS

- * DENOTES POTENTIAL DUAL OCCUPANCY SITE BY THE DEVELOPER IN THE FUTURE. POTENTIAL DUAL OCCUPANCY SITES ARE SUBJECT TO SEPARATE FUTURE PLANNING APPROVALS FROM DUBBO REGIONAL COUNCIL. THE POTENTIAL DUAL OCCUPANCY SITES ARE TO BE PROVIDED WITH DUAL SERVICES TO ENABLE SUBDIVISION IN THE FUTURE.

- DENOTES FUTURE DUAL OCCUPANCY BOUNDARY AS ADVISED BY MAAS GROUP PROPERTIES PTY LTD TO PREMISE (SUBJECT TO SEPARATE PLANNING SUBMISSION & APPROVALS).

NOTES

- THIS PLAN IS FOR DEVELOPMENT APPLICATION PURPOSES ONLY.
- FUTURE STAGE LOT & ROAD LAYOUT SHOWN IS INDICATIVE ONLY & SUBJECT TO FUTURE DEVELOPMENT APPLICATIONS.
- ALL PROPOSED WORKS SHOWN ARE SUBJECT TO DETAILED CIVIL DESIGN & THE APPROVAL OF DUBBO REGIONAL COUNCIL.
- ALL AREAS AND DIMENSIONS ARE SUBJECT TO SURVEY.
- DENOTES SHARED DRIVEWAY.

LOCALITY KEY
NOT TO SCALE

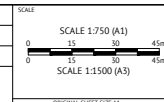
ISSUED FOR DA APPROVAL

DATE	REV	DESCRIPTION	BY	EC
07/04/2025	N1	PRELIMINARY TWO LOTS WITHIN SHERATON AVENUE & ISSUED FOR DA APPROVAL	BN	EC
05/12/2024	1	CLIENT AMENDMENTS & ISSUED FOR DA APPROVAL	BN	EC
19/12/2024	2	CLIENT AND COUNCIL AMENDMENTS & ISSUED FOR DA APPROVAL	BN	EC
16/08/2024	3	CLIENT AMENDMENTS & ISSUED FOR DA APPROVAL	BN	EC
09/02/2024	4	CLIENT AMENDMENTS & ISSUED FOR DA APPROVAL	BN	EC
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05/02/2024	99	CLIENT AMENDMENTS & ISSUED FOR DA APPROVAL	BN	EC
05/02/2024	100	CLIENT AMENDMENTS & ISSUED FOR DA APPROVAL	BN	EC



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DESIGNED
BRAD WATSON
CHECKED
EDDIE GOULD
PROJECT MANAGER
MATTHEW THORNE
ENGINEERING CERTIFICATION



CLIENT

MAAS GROUP PROPERTIES SOUTHLAKES PTY LTD

PRODUCT

SOUTHLAKES ESTATE SUPER DEVELOPMENT APPLICATION

LOCATION

SOUTHLAKES ESTATE, DUBBO

SHEET TITLE

DETAIL SHEET 2 OF 8

JOB CODE

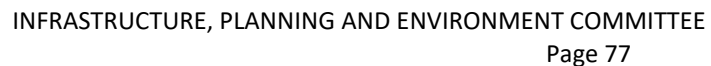
114135_175

SHEET NUMBER

TP04

REV

M





FUTURE DUAL OCCUPANCY LOTS

- * DENOTES POTENTIAL DUAL OCCUPANCY SITE BY THE DEVELOPER IN THE FUTURE. POTENTIAL DUAL OCCUPANCY SITES ARE SUBJECT TO SEPARATE FUTURE PLANNING APPROVALS FROM DUBBO REGIONAL COUNCIL. THE POTENTIAL DUAL OCCUPANCY SITES ARE TO BE PROVIDED WITH DUAL SERVICES TO ENABLE SUBDIVISION IN THE FUTURE.

- DENOTES FUTURE DUAL OCCUPANCY BOUNDARY AS ADVISED BY MAAS GROUP PROPERTIES PTY LTD TO PREMISE (SUBJECT TO SEPARATE PLANNING SUBMISSION & APPROVALS).

NOTES

- THIS PLAN IS FOR DEVELOPMENT APPLICATION PURPOSES ONLY.
- FUTURE STAGE LOT & ROAD LAYOUT SHOWN IS INDICATIVE ONLY & SUBJECT TO FUTURE DEVELOPMENT APPLICATIONS.
- ALL PROPOSED WORKS SHOWN ARE SUBJECT TO DETAILED CIVIL DESIGN & THE APPROVAL OF DUBBO REGIONAL COUNCIL.
- ALL AREAS AND DIMENSIONS ARE SUBJECT TO SURVEY.
- DENOTES SHARED DRIVEWAY.

LOCALITY KEY
NOT TO SCALE

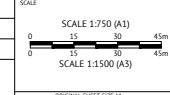
ISSUED FOR DA APPROVAL

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19/12/2024	2	CLIENT AND COUNCIL AMENDMENTS & ISSUED FOR DA APPROVAL	BN	EC
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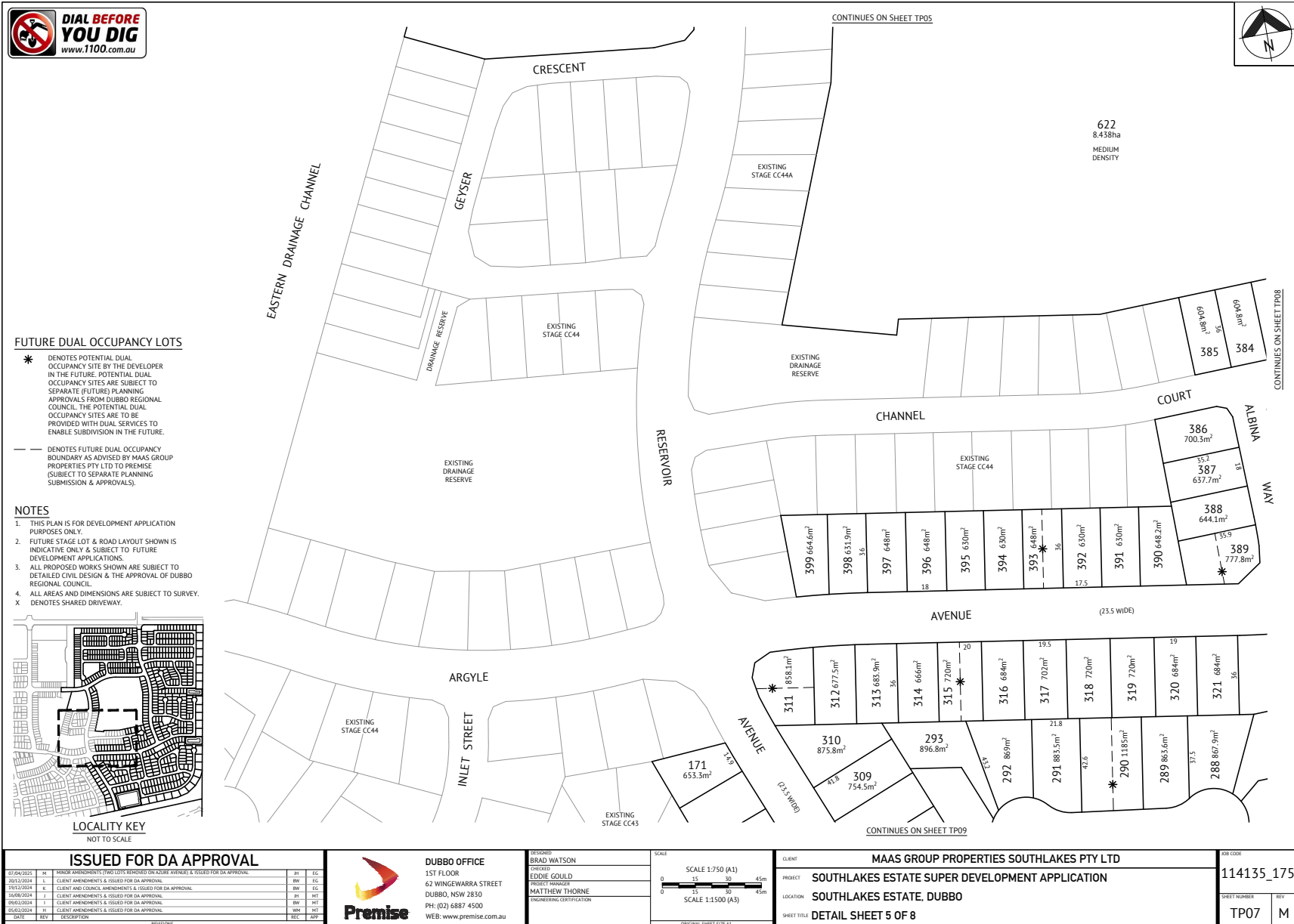
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DESIGNED
BRAD WATSON
CHECKED
EDDIE GOULD
PROJECT MANAGER
MATTHEW THORNE
ENGINEERING CERTIFICATION



CLIENT
MAAS GROUP PROPERTIES SOUTHLAKES PTY LTD
PROJECT
SOUTHLAKES ESTATE SUPER DEVELOPMENT APPLICATION
LOCATION
SOUTHLAKES ESTATE, DUBBO
SHEET TITLE
DETAIL SHEET 4 OF 8

JOB CODE
114135_175
SHEET NUMBER
TP06
REV
M





FUTURE DUAL OCCUPANCY LOTS

- * DENOTES POTENTIAL DUAL OCCUPANCY SITE BY THE DEVELOPER IN THE FUTURE. POTENTIAL DUAL OCCUPANCY SITES ARE SUBJECT TO SEPARATE FUTURE PLANNING APPROVALS FROM DUBBO REGIONAL COUNCIL. THE POTENTIAL DUAL OCCUPANCY SITES ARE TO BE PROVIDED WITH DUAL SERVICES TO ENABLE SUBDIVISION IN THE FUTURE.
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NOTES

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- DENOTES SHARED DRIVEWAY.

LOCALITY KEY
NOT TO SCALE

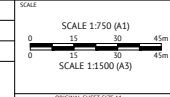
ISSUED FOR DA APPROVAL

DATE	REV	DESCRIPTION	BY	EC
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14/06/2024	3	CLIENT AMENDMENTS & ISSUED FOR DA APPROVAL	BN	MT
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10/02/2024	100	CLIENT AMENDMENTS & ISSUED FOR DA APPROVAL	BN	MT

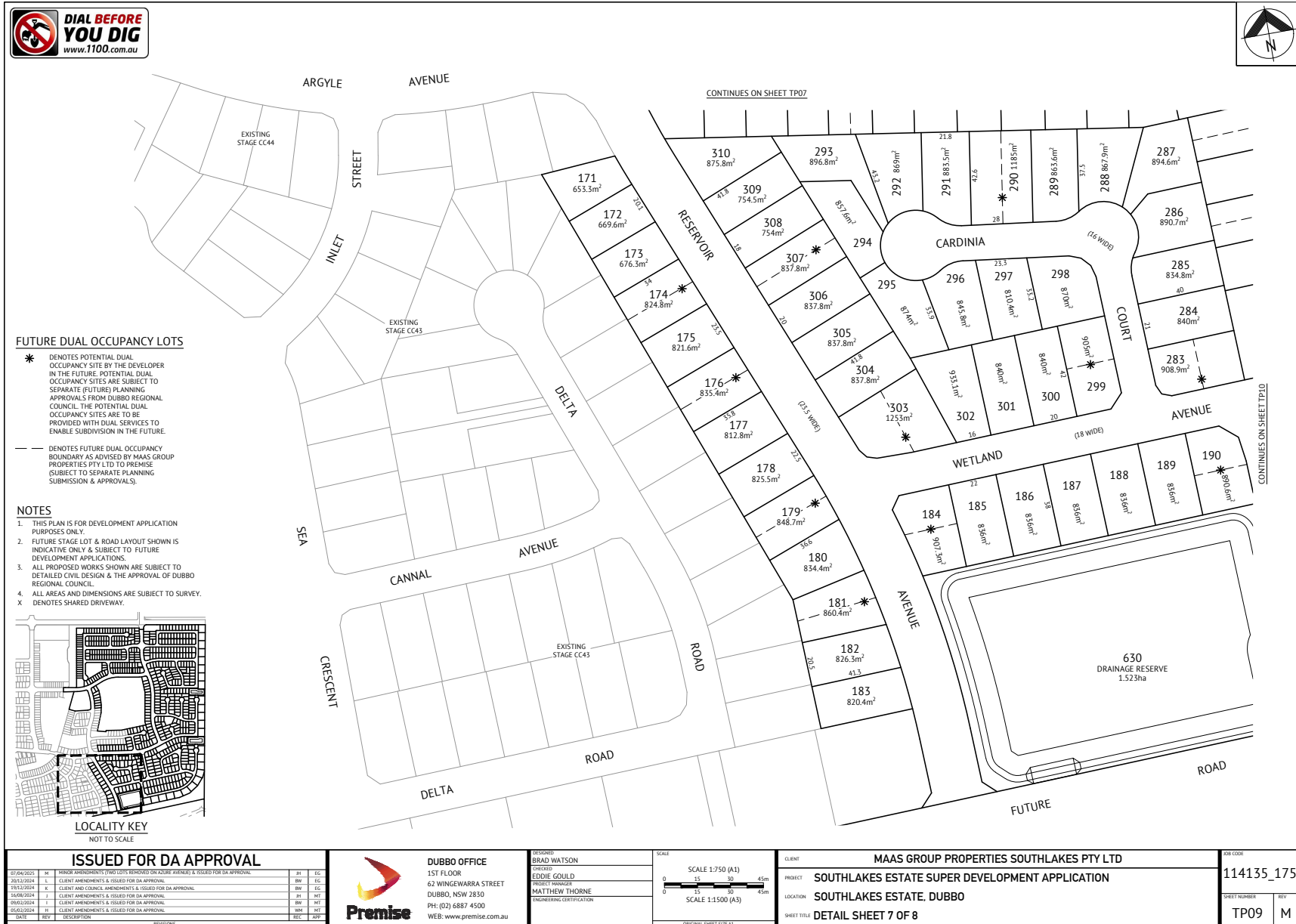


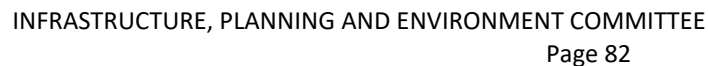
DUBBO OFFICE
1ST FLOOR
62 WINGENHARRA STREET
DUBBO, NSW 2830
PH: (02) 6887 4500
WEB: www.premise.com.au

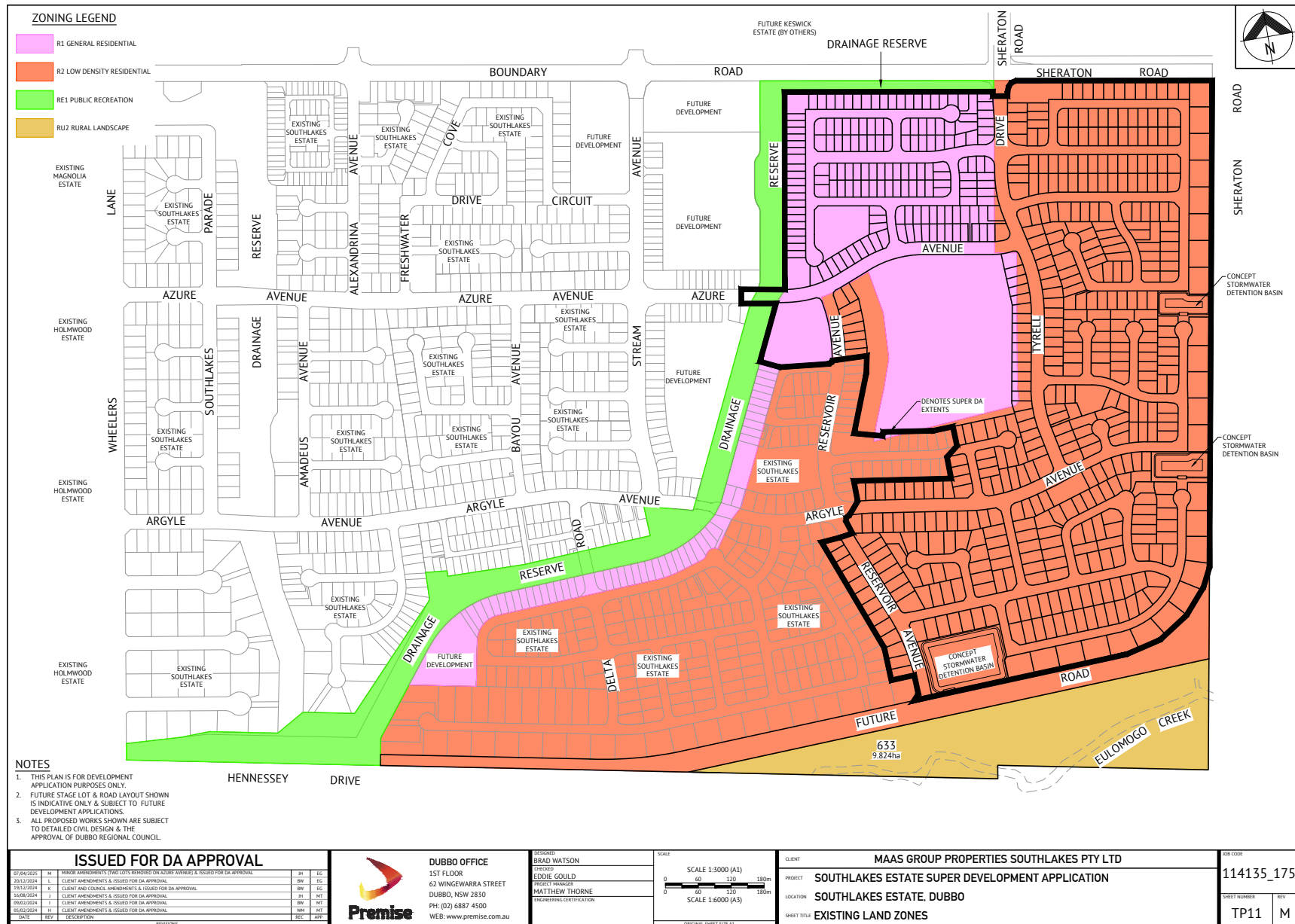
DESIGNED
BRAD WATSON
CHECKED
EDDIE GOULD
PROJECT MANAGER
MATTHEW THORNE
ENGINEERING CERTIFICATION



CLIENT	MAAS GROUP PROPERTIES SOUTHLAKES PTY LTD	JOB CODE	114135_175
PROJECT	SOUTHLAKES ESTATE SUPER DEVELOPMENT APPLICATION	SHEET NUMBER	TP08
LOCATION	SOUTHLAKES ESTATE, DUBBO	REV	M
SHEET TITLE	DETAIL SHEET 6 OF 8		









NOTES

1. THIS PLAN IS FOR DEVELOPMENT APPLICATION PURPOSES ONLY.
2. FUTURE STAGE LOT & ROAD LAYOUT SHOWN IS INDICATIVE ONLY & SUBJECT TO FUTURE DEVELOPMENT APPLICATIONS.
3. ALL PROPOSED WORKS SHOWN ARE SUBJECT TO DETAILED CIVIL DESIGN & THE APPROVAL OF DUBBO REGIONAL COUNCIL.
4. ALL AREAS AND DIMENSIONS ARE SUBJECT TO SURVEY.
- X DENOTES SHARED DRIVEWAY.

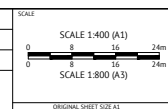
ISSUED FOR DA APPROVAL

DATE	REV	DESCRIPTION	BY	EC
12/04/2025	N1	PRELIMINARY TWO LOTS WITHIN DUBBO AVENUE & ISSUED FOR DA APPROVAL	BN	EC
05/12/2024	L1	CLIENT AMENDMENTS & ISSUED FOR DA APPROVAL	BN	EC
19/12/2024	R	CLIENT AND COUNCIL AMENDMENTS & ISSUED FOR DA APPROVAL	BN	EC
14/08/2024	L1	CLIENT AMENDMENTS & ISSUED FOR DA APPROVAL	BN	MT
09/02/2024	L1	CLIENT AMENDMENTS & ISSUED FOR DA APPROVAL	BN	MT
05/02/2024	N1	CLIENT AMENDMENTS & ISSUED FOR DA APPROVAL	BN	MT
10/02	REV	DESCRIPTION	BN	200



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DESIGNED
BRAD WATSON
CHECKED
EDDIE GOULD
PROJECT MANAGER
MATTHEW THORNE
ENGINEERING CERTIFICATION



CLIENT	MAAS GROUP PROPERTIES SOUTHLAKES PTY LTD	JOB CODE	114135_175
PROJECT	SOUTHLAKES ESTATE SUPER DEVELOPMENT APPLICATION	SHEET NUMBER	TP12
LOCATION	SOUTHLAKES ESTATE, DUBBO	REV	M
SHEET TITLE	PROPOSED DEMOLITION PLAN		



REPORT: Forest Glen Solar Farm - Community Housing Fund Guidelines

DIVISION: Development and Environment
REPORT DATE: 18 March 2025
TRIM REFERENCE: ID25/444

EXECUTIVE SUMMARY

Purpose	<ul style="list-style-type: none">Seek endorsement.	
Issue	<ul style="list-style-type: none">On 15 May 2024, Council entered into a Planning Agreement with X-Elio Roma Hub in relation to the Forest Glen Solar Farm.The Forest Glen Solar Farm is a State Significant Development Application (SSD-9451258) that was approved by the NSW Government Department of Planning, Housing and Infrastructure on 28 February 2023 for the construction and operation of a 90MW solar farm at 30L Delroy Road, Minore.The Planning Agreement requires X-Elio to pay Council \$200,000 per year for a five year period, which will be allocated towards social housing development schemes in the Dubbo Regional Local Government Area.Council and X-Elio have now prepared draft guidelines to govern the eligibility criteria and administration of these funds. Subject to endorsement by Council, the draft Guidelines will be placed on public exhibition for a minimum of 28 days.Following completion of the public exhibition period, a further report will be provided to Council for consideration.	
Reasoning	<ul style="list-style-type: none">Environmental Planning and Assessment Act, 1979.Dubbo Regional Council Renewable Energy Benefit Framework.	
Financial Implications	Budget Area	Growth Planning.
	Funding Source	Planning Agreement.
	Proposed Cost	There are no proposed costs arising from this report.
	Ongoing Costs	There are no ongoing costs arising from this report.
Policy Implications	Impact on Policy	The Guidelines are required by the Planning Agreement.

STRATEGIC DIRECTION

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

Theme: 1 Housing

CSP Objective: 1.1 Housing meets the current and future needs of our

	community
Delivery Program Strategy:	1.1.2 Housing is affordable and secure
Theme:	1 Housing
CSP Objective:	1.1 Housing meets the current and future needs of our community
Delivery Program Strategy:	1.1.4 Public and social housing are integrated into residential areas

RECOMMENDATION

1. That the draft Forest Glen Solar Farm Community Housing Fund Guidelines (attached in Appendix 1) be adopted for the purposes of public exhibition.
2. That the draft Guideline be placed on public exhibition for a period of not less than 28 days.
3. That following the completion of the public exhibition period, a further report be presented to Council for consideration, including the results of public exhibition.

Steven Jennings
Director Development and Environment

BM
Development
Contributions
Administrator

BACKGROUND

1. Previous Resolutions of Council

21 March 2024 CCL22/58	<i>In part: That Council enter into a Planning Agreement with X-Elio Roma Hub Solar Farm or an associated entity of the same.</i>
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On 28 February 2023, the NSW Government Department of Planning, Housing and Infrastructure approved SSD-9451258 for the construction, operation and decommissioning of a photovoltaic solar farm located approximately 16kms west of Dubbo.

Information about the project is available on the NSW Government's website at <https://www.planningportal.nsw.gov.au/major-projects/projects/forest-glen-solar-farm>

REPORT

1. Forest Glen Solar Farm Planning Agreement

On 15 May 2024, Council entered into a Planning Agreement with X-ELIO Roma Hub in relation to the Forest Glen Solar Farm. The Planning Agreement requires X-ELIO to pay Council \$200,000 per year over a five year period, with funds utilised in the following ways:

- Planning Agreement Component 1

Being for a social housing development scheme which aims to provide an innovative assistance solution to develop community housing in the Dubbo Regional Local Government Area.

- Planning Agreement Component 2

Being for a Community Benefit Fund for local projects across the Dubbo Regional Local Government Area including from community groups and not-for-profit organisations.

It is important to note Council will only utilise funds for Component 2 if no suitable expressions of interest are received for Component 1.

2. Draft Community Housing Fund Guidelines

The draft Forest Glen Solar Farm Community Housing Fund Guidelines (attached in **Appendix 1**) identifies how funds from the Planning Agreement will be utilised for Planning Agreement Component 1 as identified above.

Community Housing is housing that is appropriate for the needs of a range of Very Low to Moderate Income Households or for people with additional needs that is delivered by non-government organisations.

Funding from the Planning Agreement will be available to Community Housing Providers or Eligible Entities in the Dubbo Regional Local Government Area who deliver Community Housing through eligible projects.

There is one round of funding application per year. The notification of the application outcome will be issued approximately eight weeks after the closing date.

To be eligible, applications must increase Community Housing through one of the following:

- Construction of new dwelling/s that are required to be used for Community Housing.
- Purchase of newly built dwelling/s to be used for Community Housing.
- Renovation of existing residential dwellings that were otherwise uninhabitable, to be used for Community Housing.
- Conversion of a non-residential property to a residential dwelling that is used for Community Housing.

Funds of up to \$200,000 (GST inclusive) are available per application and per funding round. All grants are governed by Council's Financial Assistance Policy and X-Elío's Compliance Policies.

Dubbo Regional Council and X-ELIO will assess projects against the following criteria:

- The number of Community Housing properties that could be developed with the funding.
- The ability to deliver Community Housing properties to tenants within two years.
- How long each property will be held as Community Housing.
- Evidence of a robust tenant selection scheme in place, restricted to Very Low to Moderate Income Households, to people with additional needs, or to Aboriginal or Torres Strait Islander people.
- Evidence of suitable systems and programs being in place to manage the welfare of tenants.
- Evidence of a suitable property management system being in place.
- Evidence of the financial ability to deliver projects and provide the necessary tenant welfare and property management systems.
- The development of a long-term pathway for maintaining the properties for the purposes of Community Housing.
- The project has a clear beginning and demonstrates where practical that any ongoing or recurrent costs can be met by the Applicant once funding has been expended.
- The project budget is comprehensive and realistic, and that all co-contributions and required quotes are provided with value for money demonstrated.

It should be noted that the funding can also be used for the purposes of key worker housing as long as the housing development is undertaken by a Community Housing Provider.

The goal of the funding is for it to be utilised by a Community Housing Provider to further incentivise the delivery of housing projects in Dubbo. The funding would ultimately be 'stacked' with funding from other sources and Government to assist in the delivery of the project/s.

3. Consultation

Following Council's consideration, the draft Guidelines will be placed on public exhibition for a minimum period of 28 days.

The draft Guidelines will be notified in the following ways:

- A notice will be placed on Council's YourSay page;
- An advertisement will be placed in the Daily Liberal newspaper;
- A notice will be placed in Council's Customer Experience Centre and Macquarie Regional Library Branches; and
- Relevant Community Housing Providers and stakeholders will be notified via email.

Following completion of the public exhibition period, a further report will be provided to Council for consideration.

4. Resourcing Implications

The table below shows the financial operation of the Planning Agreement, which includes Council receiving \$200,000 per annum for 5 years.

Total Financial Implications	Current year (\$)	Current year + 1 (\$)	Current year + 2 (\$)	Current year + 3 (\$)	Current year + 4 (\$)	Ongoing (\$)
a. Operating revenue	200,000	200,000	200,000	200,000	200,000	
b. Operating expenses	200,000	200,000	200,000	200,000	200,000	
c. Operating budget impact (a – b)	0	0	0	0	0	0
d. Capital Expenditure	0	0	0	0	0	0
e. Total net impact (c – d)	0	0	0	0	0	0
Does the proposal require ongoing funding?			No			
What is the source of this funding?			Not Applicable			

Table 1. Ongoing Financial Implications

5. Timeframe

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

Key Date	Explanation
10 June 2025	Infrastructure, Planning and Environment Committee consideration
24 June 2025	Council consideration
July 2025	Public exhibition period
August 2025	Consideration of submissions
September 2025	Council consideration

APPENDICES:

1 [↓](#) Draft Forest Glen Solar Farm Community Housing Fund Guidelines

DRAFT

FOREST GLEN SOLAR FARM

COMMUNITY HOUSING FUND
GUIDELINES

X-ELIO+





Contents

1. What is the Forest Glen Solar Farm Community Housing Fund?	3
2. Definitions	3
3. Key Contacts	3
4. Key Dates	3
5. Who can apply?	4
6. Eligible Projects	4
7. Funding Available Per Application	4
8. Evaluation of Applications	4
9. Ineligible applications	5
10. How to Apply	5
11. Conditions of Funding	6
12. Notification and Payment	7
13. Insurances	7



1. What is the Forest Glen Solar Farm Community Housing Fund?

The Forest Glen Solar Farm Community Housing Fund has been created from Development Contributions arising from the Planning Agreement between Dubbo Regional Council and X-Elio Roma Hub Solar Farm Pty Ltd as trustee of the X-Elio Roma Hub Trust (ABN 84 919 412 940) (**X-Elio**).

This grant provides funding to Community Housing Providers or an Eligible Entity in the Dubbo Regional Local Government Area that delivers Community Housing.

2. Definitions

Community Housing means:

Housing that is appropriate for the needs of a range of Very Low to Moderate Income Households or for people with additional needs that is delivered by non-government organisations.

Community Housing Provider means:

An entity that provides Community Housing.

Eligible Entity means:

An entity that has the primary purpose of improving, directly or indirectly, housing outcomes for Aboriginal or Torres Strait Islander People, and is a registered charity.

Applicant means:

Any entity that has submitted an application in accordance with Section 10 of these Guidelines.

Funding Agreement means:

The agreement for funds between the Dubbo Regional Council and the Applicant.

Very Low to Moderate Income Household means:

A household that meets the criteria in the New South Wales State Environmental Planning Policy (Housing) 2021.

3. Key Contacts

Dubbo Regional Council, Growth Planning division

E: infrastructurecontributions@dubbo.nsw.gov.au

P: 02 6801 4000

X-ELIO ESG & PR Senior Manager

E: isabel.ruiz@x-elio.com

P: +34 696373229

X-ELIO Community and Government Manager

E: andrew.monaghan@e.x-elio.com

P: 0428 554 304

4. Key Dates

There is one round of funding per year or until funds are exhausted.

Applications are scheduled for endorsement at a Council meeting approximately two (2) months after the application deadline of each round. The notification of the application outcome will be issued approximately eight weeks after the closing date. Projects/programs must commence on or within 6 months from the notification date.



5. Who can apply?

Funding is available to Community Housing Providers or Eligible Entities in the Dubbo Regional local government area who deliver Community Housing through eligible projects.

6. Eligible Projects

To be eligible, applications must increase Community Housing through one of the following:

- i. Construction of new dwelling that is used for Community Housing.
- ii. Purchase of a newly built dwelling to be used for Community Housing.
- iii. Renovation of existing residential dwellings that were otherwise uninhabitable, to be used for Community Housing.
- iv. Conversion of a non-residential property to a residential dwelling that is used for Community Housing.

7. Funding Available Per Application

Applications for amounts up to \$200,000 (GST inclusive) are available per application and per funding round by the Forest Glen Solar Farm Community Housing Fund.

As funding is limited, not every application that meets the assessment criteria will necessarily be successful with being allocated funding or the full funding amount requested.

All grants are governed by Council's Financial Assistance Policy and X-Elío's Compliance Policies.

8. Evaluation of Applications

Dubbo Regional Council and X-ELIO will assess projects against the following criteria:

- i. The number of Community Housing properties that could be developed with the funding.
- ii. The ability to deliver Community Housing properties to tenants within two years.
- iii. How long each property will be held as Community Housing.
- iv. Evidence of a robust tenant selection scheme in place, restricted to Very Low to Moderate Income Households, to people with additional needs, or to Aboriginal or Torres Strait Islander people.
- v. Evidence of suitable systems and programs being in place to manage the welfare of tenants.
- vi. Evidence of a suitable property management system being in place.
- vii. Evidence of the financial ability to deliver projects and provide the necessary tenant welfare and property management systems.
- viii. The development of a long-term pathway for maintaining the properties for the purposes of Community Housing.
- ix. The project has a clear beginning and demonstrates where practical that any ongoing or recurrent costs can be met by the Applicant once funding has been expended.
- x. The project budget is comprehensive and realistic, and that all co-contributions and required quotes are provided with value for money demonstrated.

It should be noted that the funding can also be used for the purposes of key worker housing as long as the housing development is undertaken by a Community Housing Provider.

The goal of the funding is for it to be utilised by a Community Housing Provider to further incentivise the delivery of housing projects in Dubbo. The funding would ultimately be 'stacked' with funding from other sources and Government to assist in the delivery of the project/s.



Dubbo Regional Council and X-Elio warrant and represent that the evaluation process will be conducted objectively, impartially and in strict accordance with the criteria set forth in this Section 8, focusing on maximizing social benefit and positive impact on the community.

Consequently, Dubbo Regional Council and X-ELIO represent and warrant that there is no economic, personal, or any other type of relationship that could create a conflict of interest or affect and/or compromise the integrity and objectivity of the evaluation and selection process.

If Dubbo Regional Council or X-ELIO identifies a conflict of interest that could affect the objectivity or impartiality of the evaluation and selection process, they will promptly inform the other party so that appropriate measures can be taken to preserve the objectivity and transparency of the process.

9. Ineligible applications

The following applications are ineligible:

- i. Applicants with an overdue acquittal or who have failed to appropriately acquit a previous Council grant.
- ii. Applicants with outstanding projects due to extension or have not expended their prior funding within the allocated two years of provision.
- iii. Applicants who have already been provided by another funding stream within Dubbo Regional Council for the same project in the same financial year.
- iv. Late or incomplete applications.
- v. Applications seeking funds for existing salaried or waged positions.
- vi. Projects with a religious, political, or sectarian purpose.
- vii. Projects promoting gambling or games of chance.
- viii. Proposals that do not reflect community standards and denigrate, exclude or offend community groups.
- ix. Proposals that have safety and/or environmental hazards that are not addressed by acts under a Risk Management Plan to mitigate risk.
- x. Expenditure for equipment not related to the specific project proposed.
- xi. Applications seeking funds for retrospective projects commencing, or items purchased, prior to end of the grant closing date.
- xii. General fundraising appeals.
- xiii. Applicants in a position to self-fund the project.
- xiv. Applications seeking funds for prize money, prizes, trophies and gift cards/vouchers.
- xv. Applications seeking funds for payment of debt and/or insurance premiums.
- xvi. Applications seeking funds for personal benefit such as travel, meal or accommodation costs including costs to undertake projects outside of the region.
- xvii. Proposals that are for funding the core business of the organisation. This includes purchase of capital equipment.
- xviii. Routine maintenance or works to Council owned buildings that are a lease obligation.
- xix. A project which in the opinion of the assessment panel would be better funded by State or Federal Government, or by corporate sponsorship.

10. How to Apply

Council uses SmartyGrants administration software to manage its grants programs. Applications must be submitted via the Dubbo Regional Council SmartyGrants webpage. Hard copy applications are not accepted.

Documents may be uploaded to the application as required. Please include:

- i. Evidence of Community Housing Provider and/or charity status.
- ii. Current quotes to support the budget.



- iii. Details of the number and type of accommodation to be provided, their size and the number of people to be housed.
- iv. Relevant approvals, insurances and plans.

Other examples of supporting documents that may strengthen your application are:

- i. Location map.
- ii. Site plan and/or photos.
- iii. Letter(s) of support from organisations your application identifies as partners in your project / program.
- iv. A description of the project.

All applications will be assessed by Dubbo Regional Council and X-ELIO, and a recommendation report to identify the successful applicant(s) will be presented to Council for consideration and endorsement.

11. Conditions of Funding

Successful Applicants are required to comply with the following terms and conditions associated with Council's financial support:

- i. All recipients of funding are required to return to the Growth Planning division:
 - 1. A Progress Report within twelve months of funding payment.
 - 2. An Acquittal Report within two (2) months of the completion of the project as per the date listed on each application, or two years from date of funding payment, whichever arises first.
 - 3. Receipts for all purchases must be included.
- ii. Failure to do so without written request and approval for an extension from Dubbo Regional Council may result in the funding amount being reduced or cancelled requiring the return of funds to Council.
- iii. Failure to provide an Acquittal Report will prohibit future funding opportunities.
- iv. Applications include time frames and list of items identified for purchase from funding.
- v. Funds granted can only be used for the purpose as specified in the application, unless written permission for a variation is obtained from Dubbo Regional Council and X-ELIO.
- vi. Dubbo Regional Council must be advised in writing if there are any significant changes to the project as described in the application, or to the contact details of the recipient.
- vii. Should the project be cancelled, all funding received is to be repaid to Dubbo Regional Council for a new assignation to an Applicant that complies with the terms and conditions set forth in these guidelines.
- viii. All Dubbo Regional Council and other requisite permits, approvals, insurances etc. relating to the program or project must be obtained or funding may be withdrawn.
- ix. Where possible, the organisation will source goods and services for the project from within the Dubbo Regional Local Government Area.
- x. Dubbo Regional Council and/or X-ELIO reserves the right, as part of the assessment process, to request further information or documentation.
- xi. Dubbo Regional Council and/or X-ELIO reserves the right to conduct a financial audit of the funding either during the financial year or on completion of the financial year.
- xii. Dubbo Regional Council, X-ELIO and its officers, directors and employees, shall not be responsible for any liabilities incurred or entered into by the recipient organisation as a result of, or arising out of that organisations responsibilities under the Funding Agreement.
- xiii. The recipient organisation shall indemnify the Council, X-ELIO and its officers, directors and employees against any claim, demand, liability suit costs, expenses, action arising out of or in any way connected with the activities of the organisations or agents in consequence of the Funding Agreement except where the claim, demand, liability, costs or action are caused by Dubbo Regional Council and its officers.



- xiv. Unless agreed in writing at the time of funding approval, neither Dubbo Regional Council nor X-Elio has any obligations regarding ongoing funding, maintenance or renewal of assets created by the project.

12. Notification and Payment

- i. All Applicants will be notified of the outcome of their application.
- ii. Successful Applicants are required to adhere to any special conditions referred to in the letter of notification. Dubbo Regional Council reserves the right to withhold funding if stipulated conditions are not met.
- iii. Recipients of funding will be required to have a representative attend a civic ceremony at which novelty cheques will be presented for media and marketing purposes, or provide suitable advice to Dubbo Regional Council of inability to attend.
- iv. Applicants who do not have a current creditor account number will be required to complete and submit a Supplier Details Form prior to payment being made.
- v. Recipient organisations are required to recognize Council and X-Elio as the funding source on all media, promotional material and project signage. The text to be used is as follows: "Forest Glen Solar Farm Community Housing Fund: Dubbo Regional Council and X-Elio Roma Hub Solar Farm Pty Ltd as trustee of the X-Elio Roma Hub Trust (ABN 84 919 412 940)."
- vi. Requests for variations or extensions must be submitted in writing to Dubbo Regional Council for approval.

13. Insurances

All Applicants should conduct a risk assessment process for their proposed project to address any necessary insurance implications. Organisations should check their current insurance arrangements to determine if any extra cover is required. Applicants should ensure that all staff and volunteers associated with the project have the appropriate mandatory clearances.