



# AGENDA

## ORDINARY COUNCIL MEETING

### 21 MARCH 2024

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

The meeting is scheduled to commence at 5.30 pm.

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#### PRAYER:

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

#### ACKNOWLEDGEMENT OF COUNTRY:

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

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**CCL24/37 LEAVE OF ABSENCE (ID24/53)**

**CCL24/38 CONFLICTS OF INTEREST (ID24/54)**

**CCL24/39 PUBLIC FORUM (ID24/55)**

<b>CCL24/40</b>	<b>CONFIRMATION OF MINUTES (ID24/419)</b>	8
	Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 15 February 2024.	

#### INFORMATION ONLY MATTERS:

<b>CCL24/41</b>	<b>MAYORAL APPOINTMENTS AND MEETINGS (ID24/386)</b>	32
	The Council had before it the report dated 22 February 2024 from the Chief Executive Officer regarding Mayoral Appointments and Meetings.	

<b>CCL24/42</b>	<b>MONTHLY REPORTING SNAPSHOT FOR COUNCILLORS - FEBRUARY 2024 (ID23/2978)</b>	<b>39</b>
	The Council had before it the report dated 4 March 2024 from the Corporate Strategy Performance Coordinator regarding Monthly Reporting Snapshot for Councillors - February 2024.	
<b>CCL24/43</b>	<b>INVESTMENT UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - FEBRUARY 2024 (ID24/411)</b>	<b>52</b>
	The Council had before it the report dated 8 March 2024 from the Revenue Accountant regarding Investment Under Section 625 of the Local Government Act - February 2024.	
 <b>MATTERS CONSIDERED BY COMMITTEES:</b>		
<b>CCL24/44</b>	<b>REPORT OF THE INFRASTRUCTURE, PLANNING AND ENVIRONMENT COMMITTEE - MEETING 7 MARCH 2024 (ID24/503)</b>	<b>68</b>
	The Council had before it the report of the Infrastructure, Planning and Environment Committee meeting held 7 March 2024.	
<b>CCL24/45</b>	<b>REPORT OF THE CULTURE AND COMMUNITY COMMITTEE - MEETING 7 MARCH 2024 (ID24/504)</b>	<b>76</b>
	The Council had before it the report of the Culture and Community Committee meeting held 7 March 2024.	
<b>CCL24/46</b>	<b>REPORT OF THE CORPORATE SERVICES COMMITTEE - MEETING 7 MARCH 2024 (ID24/505)</b>	<b>87</b>
	The Council had before it the report of the Corporate Services Committee meeting held 7 March 2024.	
<b>CCL24/47</b>	<b>REPORT OF THE WELLINGTON TOWN COMMITTEE - MEETING 26 FEBRUARY 2024 (ID24/474)</b>	<b>93</b>
	The Council had before it the report of the Wellington Town Committee meeting held 26 February 2024.	
<b>CCL24/48</b>	<b>REPORT OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE - MEETING 4 MARCH 2024 (ID24/468)</b>	<b>98</b>
	The Council had before it the report of the Audit, Risk and Improvement Committee meeting held 4 March 2024.	

- CCL24/49      REPORT OF THE DUBBO REGIONAL LIVESTOCK MARKETS  
ADVISORY COMMITTEE - MEETING 5 MARCH 2024 (ID24/502)** 105
- The Council had before it the report of the Dubbo Regional Livestock Markets Advisory Committee meeting held 5 March 2024.

**NOTICES OF MOTION:**

- CCL24/50      NARROMINE NARWONAH WASTE-TO-ENERGY PLANT UPDATE  
(ID24/494)** 109
- Council had before it a Notice of Motion dated 11 March 2024 from Councillor J Black regarding the Narromine Narwonah Waste-To-Energy Plant Update.
- CCL24/51      WIRADJURI TOURISM CENTRE FUNDING PROPOSAL (ID24/492)** 111
- Council had before it a Notice of Motion dated 11 March 2024 from Councillor J Black regarding the Wiradjuri Tourism Centre Funding Proposal.

**REPORTS FROM STAFF:**

- CCL24/52      PROPOSED BUS ZONE - SWIFT STREET, WELLINGTON (ID24/501)** 114
- The Council had before it the report dated 12 March 2024 from the Senior Traffic Engineer regarding Proposed Bus Zone - Swift Street, Wellington.
- CCL24/53      PROPOSED 'KEEP CLEAR' ZONE - POLICE STATION - BRISBANE  
STREET DUBBO (ID24/500)** 120
- The Council had before it the report dated 12 March 2024 from the Senior Traffic Engineer regarding Proposed 'Keep Clear' Zone - Police Station - Brisbane Street Dubbo.
- CCL24/54      PROPOSED BUS ZONE RELOCATION - BOUNDARY ROAD, DUBBO  
(ID24/498)** 125
- The Council had before it the report dated 12 March 2024 from the Senior Traffic Engineer regarding Proposed Bus Zone Relocation - Boundary Road, Dubbo.

<b>CCL24/55</b>	<b>PROPOSED PART TIME TAXI ZONE REINSTALMENT - TALBRAGAR STREET, DUBBO (ID24/497)</b>	130
	The Council had before it the report dated 12 March 2024 from the Senior Traffic Engineer regarding Proposed Part Time Taxi Zone Reinstalment - Talbragar Street, Dubbo.	
<b>CCL24/56</b>	<b>2024 WELLINGTON BOOT - TRAFFIC MANAGEMENT FOR BUSHRANGERS CREEK ROAD WELLINGTON (ID24/499)</b>	133
	The Council had before it the report dated 12 March 2024 from the Senior Traffic Engineer regarding 2024 Wellington Boot - Traffic Management for Bushrangers Creek Road Wellington.	
<b>CCL24/57</b>	<b>PROPOSED ON STREET PARKING MANAGEMENT - NORTH STREET, DUBBO - ST PIUS PRIMARY SCHOOL (ID24/496)</b>	138
	The Council had before it the report dated 12 March 2024 from the Senior Traffic Engineer regarding Proposed On Street Parking Management - North Street, Dubbo - St Pius Primary School.	
<b>CCL24/58</b>	<b>DRAFT FOREST GLEN SOLAR FARM PLANNING AGREEMENT - RESULTS OF PUBLIC EXHIBITION (ID24/233)</b>	154
	The Council had before it the report dated 5 March 2024 from the Team Leader Growth Planning Projects regarding Draft Forest Glen Solar Farm Planning Agreement - Results of Public Exhibition.	
<b>CCL24/59</b>	<b>DRAFT BUNGLEGUMBIE ROAD DEVELOPMENT CONTROL PLAN - RESULTS OF PUBLIC EXHIBITION (ID23/2765)</b>	188
	The Council had before it the report dated 7 March 2024 from the Senior Growth Planner regarding Draft Bunglegumbie Road Development Control Plan - Results of Public Exhibition.	
<b>CCL24/60</b>	<b>DEVELOPMENT APPLICATION D23-260 - COMMERCIAL DEVELOPMENT LOT 10 DP 1075057, 99-103 MACQUARIE STREET DUBBO APPLICANT: ICANSO PTY LTD OWNER: ICANSO PTY LTD AND GH DUBBO PTY LTD (ID24/190)</b>	259
	The Council had before it the report dated 7 March 2024 from the Senior Planner regarding Development Application D23-260 - Commercial Development.	

<b>CCL24/61</b>	<b>COMMUNITY SERVICES FUND 2023/2024 - ROUND 2 - IN ACCORDANCE WITH SECTION 356 LOCAL GOVERNMENT ACT 1993 (ID24/230)</b>	320
	The Council had before it the report dated 5 February 2024 from the Manager Community Services regarding Community Services Fund 2023/2024 - Round 2 - in Accordance with Section 356 Local Government Act 1993.	
<b>CCL24/62</b>	<b>BODANGORA WIND FARM COMMUNITY BENEFIT FUND 2024 (ID24/231)</b>	336
	The Council had before it the report dated 5 February 2024 from the Manager Community Services regarding Bodangora Wind Farm Community Benefit Fund 2024.	
<b>CCL24/63</b>	<b>DUBBO REGIONAL AIRPORT AIRLINE REGULAR PASSENGER TRANSPORT (RPT) FEES AND CHARGES 2024/2025 (ID24/418)</b>	354
	The Council had before it the report dated 27 February 2024 from the Manager Commercial Strategy regarding Dubbo Regional Airport Airline Regular Passenger Transport (RPT) Fees and Charges 2024/2025.	
<b>CCL24/64</b>	<b>CHANGE OF VENUE FOR ORDINARY MEETING OF COUNCIL - APRIL 2024 (ID24/456)</b>	359
	The Council had before it the report dated 1 March 2024 from the Governance Team Leader regarding Change of Venue for Ordinary Meeting of Council - April 2024.	
<b>CCL24/65</b>	<b>INVESTMENT POLICY AND STRATEGY REVIEW - 2024 (ID24/477)</b>	362
	The Council had before it the report dated 8 March 2024 from the Chief Financial Officer regarding Investment Policy and Strategy Review - 2024.	
<b>CCL24/66</b>	<b>QUESTION ON NOTICE - DUBBO RESCUE SQUAD BUILDING (ID24/495)</b>	384
	The Council had before it the report dated 12 March 2024 from Councillor J Black regarding Question on Notice - Dubbo Rescue Squad Building.	
<b>CCL24/67</b>	<b>COMMENTS AND MATTERS OF URGENCY (ID24/475)</b>	

**CONFIDENTIAL:**

**CCL24/68      QUOTATION FOR THE SUPPLY OF NETWORK SERVER AND STORAGE INFRASTRUCTURE (ID24/461)**

The Council had before it the report dated 5 March 2024 from the Chief Information Officer regarding Quotation for the supply of Network Server and Storage Infrastructure.

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

**CCL24/69      DUBBO REGIONAL COUNCIL ANIMAL SHELTER - TENDER FOR CONSTRUCTION (ID24/460)**

The Council had before it the report dated 6 March 2024 from the Manager Environmental Compliance regarding Dubbo Regional Council Animal Shelter - Tender for Construction.

*In accordance with the provisions of Section 9 (2A) of the Local Government Act 1993 the Chief Executive Officer is of the opinion that consideration of this item is likely to take place when the meeting is closed to the public for the following reason: information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c)).*

**CCL24/70      BELGRAVIA LEISURE CONTRACT FOR THE MANAGEMENT OF DUBBO'S AQUATIC LEISURE CENTRES (ID24/478)**

The Council had before it the report dated 8 March 2024 from the Manager Recreation and Open Spaces regarding Belgravia Leisure Contract for the Management of Dubbo's Aquatic Leisure Centres.

*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: advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege (Section 10A(2)(g)).*

**CCL24/71      DUBBO REGIONAL LIVESTOCK MARKETS BUSINESS STRUCTURE  
SERVICE REVIEW (ID24/413)**

The Council had before it the report dated 27 February 2024 from the Manager Commercial Strategy regarding Dubbo Regional Livestock Markets Business Structure Service Review.

*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)).*



## Confirmation of Minutes

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 15 February 2024.

### RECOMMENDATION

That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council meeting held on 15 February 2024 comprising pages 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23 of the series be taken as read, confirmed as correct minutes and signed by the Mayor and the Chief Executive Officer.

### APPENDICES:

- 1 [↓](#) Minutes - Ordinary Council Meeting - 15 February 2024



## REPORT ORDINARY COUNCIL MEETING 15 FEBRUARY 2024

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

**ALSO IN ATTENDANCE:**

The Chief Executive Officer, the Manager People Culture and Safety, the Director Organisational Performance, the Manager Corporate Governance, the Governance Team Leader, the Administration Officer Governance, the Manager Property Land Development, the Director Strategy, Partnerships and Engagement, the IT Infrastructure Specialist, the IT Support Officer Wellington, the Communications Services Team Leader, the Communications Partner, the Director Development and Environment, the Manager Growth Planning, the Manager Environmental Compliance, the Director Infrastructure, the Manager Strategy Water Supply and Sewerage, the Director Community, Culture and Places and the Manager Recreation and Open Spaces.

Councillor M Dickerson assumed the Chair of the meeting.

The proceedings of the meeting commenced at 5.30 pm at the Dubbo Civic Administration Building, Council Chamber, with a prayer for Divine Guidance to the Council in its deliberations and activities read by Councillor M Wright. The acknowledgement of country was also read by Councillor L Burns.

**CCL24/1 LEAVE OF ABSENCE (ID24/32)**

There were no leave of absence received.

**CCL24/2 CONFLICTS OF INTEREST (ID24/33)**

The following conflicts of interest were declared:

- Councillor J Black – pecuniary item CCL24/19
- Councillor D Mahon – non pecuniary interest item CCL24/26

At this juncture time being 5.34pm the Mayor and Deputy Mayor presented the Wellington Australia Day 2024 Young Sportsperson Award to Samantha Thompson.

**ORDINARY COUNCIL MEETING - 15 FEBRUARY 2024  
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**CCL24/3 PUBLIC FORUM (ID24/34)**

The Council reports having met with the following persons during Public Forum:

- Mr Will Martel – regarding CCL24/20 – Draft Spicers Creek Wind Farm Planning Agreement – Results of Public Exhibition.
- Mrs Mary-Anne Dean – regarding the relocation of Mookerawa Waters Holiday Cabins.

**CCL24/4 CONFIRMATION OF MINUTES (ID24/35)**

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 14 December 2023.

Moved by Councillor S Chowdhury and seconded by Councillor M Wright

**MOTION**

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

**CARRIED**

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

**Against:** Nil

**INFORMATION ONLY MATTERS:**

**CCL24/5 MAYORAL APPOINTMENTS AND MEETINGS (ID24/6)**

The Council had before it the report dated 10 January 2024 from the Chief Executive Officer regarding Mayoral Appointments and Meetings.

Moved by Councillor M Wright and seconded by Councillor V Etheridge

**MOTION**

**That the information contained in the report be noted.**

**CARRIED**

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

**Against:** Nil.

**ORDINARY COUNCIL MEETING - 15 FEBRUARY 2024  
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**CCL24/6 BUILDING SUMMARY - DECEMBER 2023 AND JANUARY 2024 (ID24/143)**

The Council had before it the report dated 31 January 2024 from the Director Development and Environment regarding Building Summary - December 2023 and January 2024.

Moved by Councillor M Wright and seconded by Councillor L Burns

**MOTION**

**That the report of the Director Development and Environment, dated 31 January 2024, be noted.**

**CARRIED**

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

**Against:** Nil.

**CCL24/7 STATUS OF NOTICES OF MOTION - QUARTERLY UPDATE (ID23/2682)**

The Council had before it the report dated 5 February 2024 from the Manager Corporate Governance regarding Status of Notices of Motion - Quarterly Update.

Moved by Councillor S Chowdhury and seconded by Councillor V Etheridge

**MOTION**

**That the report prepared by the Manager Corporate Governance be noted.**

**CARRIED**

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

**Against:** Nil.

**CCL24/8 INVESTMENT UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - DECEMBER 2023 (ID24/3)**

The Council had before it the report dated 5 February 2024 from the Revenue Accountant regarding Investment Under Section 625 of the Local Government Act - December 2023.

Moved by Councillor D Mahon and seconded by Councillor L Burns

**MOTION**

**That the information contained within the Investment under Section 625 of the Local Government Act Report, dated 5 February 2024, be noted.**

**CARRIED**

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

**Against:** Nil

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**CCL24/9 INVESTMENT UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - JANUARY 2024 (ID24/220)**

The Council had before it the report dated 5 February 2024 from the Revenue Accountant regarding Investment Under Section 625 of the Local Government Act - January 2024.

Moved by Councillor S Chowdhury and seconded by Councillor L Burns

**MOTION**

**That the information contained within the Investment under Section 625 of the Local Government Act Report, dated 5 February 2024, be noted.**

**CARRIED**

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

**Against:** Nil.

**CCL24/10 UPDATE ON INVESTIGATIONS ON POTENTIAL BOUNDARY ALTERATION: NORTH YEOVAL (ID24/164)**

The Council had before it the report dated 25 January 2024 from the Director Strategy, Partnership and Engagement regarding Update on investigations on potential boundary alteration: North Yeoval.

Moved by Councillor R Ivey and seconded by Councillor P Wells

**MOTION**

- 1. That the information in the report of the Chief Executive Officer, dated 25 January 2024 be noted.**
- 2. That a further report on a potential LGA boundary adjustment at North Yeoval be provided to Council in May 2024.**

**CARRIED**

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

**Against:** Nil.

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**CCL24/11 MONTHLY REPORTING SNAPSHOT FOR COUNCILLORS - DECEMBER 2023 AND JANUARY 2024 (ID23/2921)**

The Council had before it the report dated 25 January 2024 from the Corporate Strategy and Performance Coordinator regarding the Monthly Reporting

Moved by Councillor S Chowdhury and seconded by Councillor M Wright

**MOTION**

**That the item be deferred to the Corporate Services Committee to be held on 7 March 2024 in order to allow relevant amendments to be made.**

**CARRIED**

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

**Against:** Nil.

**NOTICES OF MOTION:**

**CCL24/12 CAMERON PARK TOILETS (ID24/168)**

Council had before it a Notice of Motion dated 29 January 2024 from Councillor R Ivey regarding the Cameron Park Toilets as follows:

1. That the CEO provide a report to Council as part of the budget development process on the options to provide more toilet amenities in Cameron Park precinct.
2. That this report also include evidence as to the current constraints for use.

Moved by Councillor R Ivey and seconded by Councillor J Gough

**MOTION**

1. **That the CEO provide a report to Council as part of the budget development process on the options to provide more toilet amenities in the Cameron Park precinct.**
2. **That this report also include evidence as to the current constraints for use.**

**CARRIED**

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

**Against:** Nil.

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**CCL24/13 COUNCIL POOL PRIVATE MANAGEMENT - CONTRACT ADVICE - OPTIONS TO DE-PRIVATESE POOL MANAGEMENT (ID24/234)**

Council had before it a Notice of Motion dated 6 February 2024 from Councillor J Black regarding the Council Pool Private Management - Contract Advice - Options to de-Privatise Pool Management.

Moved by Councillor J Black and seconded by Councillor V Etheridge

**MOTION**

That in light of service, communication, labour and other operational problems with the management of the DRC Aquatic Leisure Centres (pools), the CEO seek urgent advice on whether the privatised management contract has been complied with by the operator, on whether the management of the three council pools can be brought back in house in a way that ensures the facilities are properly available to the community, and an outline of the cost of exiting the private management contract, and provide a report back to Council at the March Ordinary Council Meeting.

**CARRIED**

**For:** Councillors J Black, S Chowdhury, V Etheridge, J Gough, D Mahon, P Wells and M Wright.

**Against:** L Burns, M Dickerson, R Ivey,

**CCL24/14 DEVELOPING A PUBLIC TOILET POLICY/STRATEGY (ID24/235)**

Council had before it a Notice of Motion dated 5 February 2024 from Councillor J Black regarding the Developing a Public Toilet Policy/Strategy as follows:

1. That, just as many other councils have done, Dubbo Regional Council develop a Public Toilet Policy/Strategy for adoption.
2. That the CEO provide a report to council with a draft policy, addressing the areas that the policy would cover; to be broad and include those to do with the provision of toilets, design, style, fitting out and all other associated categories, as per similar policies.

Moved by Councillor J Black and seconded by Councillor V Etheridge

**MOTION**

1. That, just as many other councils have done, Dubbo Regional Council develop a Public Toilet Policy/Strategy for adoption.
2. That the CEO provide a report to council with a draft policy, addressing the areas that the policy would cover; to be broad and include those to do with the provision of toilets, design, style, fitting out and all other associated categories, as per similar policies.

**LOST**

**For:** Councillors J Black, L Burns, V Etheridge, and P Wells.

**Against:** S Chowdhury, M Dickerson, J Gough, R Ivey, D Mahon and M Wright.

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**REPORTS FROM STAFF:**

**CCL24/15 DECEMBER 2023 QUARTERLY BUDGET REVIEW STATEMENT (ID24/208)**

The Council had before it the report dated 1 February 2024 from the Chief Financial Officer regarding December 2023 Quarterly Budget Review Statement.

Moved by Councillor J Gough and seconded by Councillor M Wright

**MOTION**

1. That the Quarterly Budget Review Statements as at 31 December 2023, as attached to the report of the Chief Executive Officer dated 1 February 2024, be adopted and such sums voted for such purpose.
2. That the Statement of the Responsible Accounting Officer that Council is in a satisfactory financial position having regard to the changes herewith to the original budget, be noted.

**CARRIED**

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

**Against:** Nil.

**CCL24/16 2024 WELLINGTON VINTAGE FAIR - WELLINGTON SHOWGROUND (ID24/205)**

The Council had before it the report dated 1 February 2024 from the Senior Traffic Engineer regarding 2024 Wellington Vintage Fair - Wellington Showground.

Moved by Councillor D Mahon and seconded by Councillor P Wells

**MOTION**

That Council approval be granted to the Rotary Club of Wellington Vintage Fair Committee to implement the Wellington Vintage Fair Traffic Management Plan "Dubbo Traffic Control - Vintage Fair 210124" to facilitate the traffic and pedestrian environment in Showground Road, Bushrangers Creek Road and Renshaw McGirr Way associated with the Wellington Vintage Fair to be held in the Wellington showground/racecourse on Saturday 2 and Sunday 3 March 2024 subject to Transport for NSW (TfNSW) approval and conditions of Dubbo Regional Council and NSW Police as considered necessary:

- a. The Traffic Management will be implemented on Saturday 2 and Sunday 3 March 2024 between the periods from 6 am to 6 pm.
- b. The submission of a Traffic Management Plan and Traffic Control Plan to Council and NSW Police Service prior to the event date. All traffic control measures contained in the Plan are to be in accordance with the Australian Standard (AS 1742.3:2019) and TfNSW's 'Guide to Traffic Control at Worksites and approved by an accredited person. Council Traffic Control Plan TM 7241 is to be implemented for the event.
- c. The organiser is to provide Council's relevant appointed officer with a copy of the

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Public Liability Insurance Policy for the amount of at least \$20 million. Such policy is to note that Council, TfNSW and the NSW Police are indemnified against any possible action as a result of the Parade.

- d. The implementation of the traffic management and traffic control is to be undertaken by an accredited traffic control company with personnel required to have current TfNSW certification.
- e. The applicant is responsible for all traffic control required for the event in accordance with the approved Traffic Control Plan.
- f. The applicant is to provide Council with a formal letter of acceptance of the conditions prior to final approval.
- g. All costs associated with implementing the event are to be met by the event organiser.

CARRIED

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

Against: Nil.

**CCL24/17 2024 ANZAC DAY CEREMONIES - DUBBO LOCAL GOVERNMENT AREA (ID24/204)**

The Council had before it the report dated 1 February 2024 from the Senior Traffic Engineer regarding 2024 Anzac Day Ceremonies - Dubbo Local Government Area.

Moved by Councillor D Mahon and seconded by Councillor P Wells

**MOTION**

That Council approval be granted to the Returned and Services League Sub-branches in Dubbo and Wellington and the Stuart Town Anzac Committee to undertake their respective Anzac Day Marches on Thursday 25 April 2024 and implement road closures and detours as conditioned by Transport for NSW (TfNSW), NSW Police and Council's following conditions of consent:

1. Dubbo:
  - a. For the Dawn Service and Anzac Day March, temporary road closures are to be provided:
    - Dawn Service in Darling Street between Talbragar and Wingewarra streets from 5 am to 6.30 am.
    - Anzac Day March in Brisbane Street between Wingewarra and Serisier streets and Wingewarra Street between Darling and Brisbane streets from 9 am to 10.45 am.
    - Wingewarra Street from Brisbane to Macquarie streets and Macquarie Street from Wingewarra to Talbragar streets from 10.15 am to 11 am.
    - Talbragar Street from Macquarie Street to Memorial Drive, Victoria Park, from 10.45 am to 11.15 am, Darling Street from Talbragar to Wingewarra streets from 10.15 am.
    - Wingewarra Street between Darling and Brisbane streets as directed by the

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NSW Police at the conclusion of the Cenotaph service at approximately 12 noon to 12.30 pm.

- Council's Traffic Control Plan TM 7048 (attached as Appendix 1) is to be used for the event.
  - b. Submission of a Traffic Management Plan and Traffic Control Plan to Council for approval with the Traffic Control Plan submitted a minimum three weeks prior to the event. All traffic control measures contained in the Plan are to be in accordance with Australian Standard AS1742.3 and the TfNSW 'Traffic Control at Worksites Manual' prepared by an accredited person.
  - c. Traffic controllers and/or trained Marshalls are to be provided at all road closure points, and other locations as identified in the Traffic Control Plan (attached as Appendix 1).
  - d. Council's Governance Team Leader must sight a copy of the Public Liability Insurance Policy for a minimum amount of \$20 million on which Dubbo Regional Council and NSW Police are specifically noted to be indemnified against any action resulting from the event.
  - e. The applicant is responsible for the provision of all traffic controls required for the event (i.e., Marshalls, traffic barriers and signs).
  - f. A public notification is required for the Anzac Day March a minimum of seven days prior to the event.
  - g. The applicant is to forward a letter to Council with all the required documentation accepting the above conditions before final approval will be granted.
2. Wellington:
- a. For the Anzac Day March, a temporary road closure is to be provided on the Mitchell Highway, being Nanima Crescent and Lee Street, between Maughan and Whiteley streets from 10.45 am to 11 am, with the detour via Arthur, Warne, Percy and Whiteley streets. Council's Traffic Control Plan Wellington Anzac Detour TM 7270 (attached as Appendix 2) is to be used for this event.
  - b. The applicant is to gain approval from TfNSW for the closure and detour of the Mitchell Highway and Road Occupancy Licence with evidence provided to Council of such approval and conditions as warranted.
  - c. Submission of a Traffic Management Plan and Traffic Control Plan to Council for approval, with the Traffic Control Plan submitted a minimum three weeks prior to the event. All traffic control measures contained in the Plan are to be in accordance with Australian Standard AS 1742.3 and the TfNSW 'Traffic Control at Worksites Manual' prepared by an accredited person.
  - d. Traffic controllers and/or trained Marshalls are to be provided at all road closure points, and other locations as identified in the Traffic Control Plan (attached as Appendix 2).
  - e. Council's Governance Team Leader must sight a copy of the Public Liability Insurance Policy for a minimum amount of \$20 million on which Dubbo Regional Council, TfNSW and NSW Police are specifically noted to be indemnified against any action resulting from the event.
  - f. The applicant is responsible for the provision of all traffic controls required for the event (i.e., Marshalls, traffic barriers and signs).
  - g. A public notification is required for the Anzac Day March a minimum of seven

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- days prior to the event.
- h. The applicant is to forward a letter to Council with all the required documentation accepting the above conditions before final approval will be granted.
3. Stuart Town:
- a. For the Anzac Day Ceremony, a temporary road closure is to be provided in Molong Street, between the Burrendong Way (Alexander Street) and Bell Street from 8 am to 2.30 pm, with a detour of Molong Street via Burrendong Way and Bell Street. Council's Traffic Control Plan TM 7175 (attached as Appendix 3) is to be used for the event.
- b. Concurrence is required from the TfNSW for the event to utilise part of Burrendong Way between Molong and Bell streets as a detour with advice provided to Council.
- c. Submission of a Traffic Management Plan and Traffic Control Plan to Council for approval with the Traffic Control Plan to be submitted a minimum of three weeks prior to the event. All traffic control measures contained in the Plan are to be in accordance with Australian Standard AS1742.3 and the TfNSW 'Traffic Control at Worksites Manual' prepared by an accredited person.
- d. Traffic controllers and/or trained Marshalls are to be provided at all road closure points, and other locations, as identified in the Traffic Control Plan (attached as Appendix 3).
- e. Council's Governance Team Leader must sight a copy of the Public Liability Insurance Policy for a minimum amount of \$20 million on which Dubbo Regional Council, TfNSW and NSW Police are specifically noted to be indemnified against any action resulting from the event.
- f. The applicant is responsible for the provision of all traffic controls required for the event (i.e., Marshalls, traffic barriers and signs).
- g. A public notification is required for the Anzac Day March a minimum of seven days prior to the event, with notification letters to be delivered to the affected residents within the road closure areas in the village.
- h. The applicant is to forward a letter to Council with all the required documentation accepting the above conditions before final approval will be granted.

CARRIED

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

**Against:** Nil.

**CCL24/18 AMENDMENTS TO THE RENEWABLE ENERGY BENEFIT FRAMEWORK (ID23/1003)**

The Council had before it the report dated 24 January 2024 from the Team Leader Growth Planning Projects regarding Amendments to the Renewable Energy Benefit Framework.

Moved by Councillor J Gough and seconded by Councillor L Burns

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MOTION

1. That Council adopt the amended Renewable Energy Benefit Framework (attached in Appendix 1) that includes the following amendments:
  - a. Electricity Generating Works (includes solar energy farms, wind energy farms, pumped hydro, hydrogen energy developments and any other developments that meet the definition of Electricity Generating Works):
    - Funding target equivalent to 1.5% of Capital Investment Value of the project, with payment of all funds as annual payments.
  - b. Battery Energy Storage Systems:
    - Funding target equivalent to 0.50% of Capital Investment Value of the project, with payment of all funds prior to the commencement of the development, or
    - Funding target equivalent to 0.75% of Capital Investment Value of the project, with payment of funds as annual payments over the life of the project.
2. That:
  - a. Council note the draft NSW Government Department of Planning and Environment Energy Policy Framework (attached in Appendix 2).
  - b. In the absence of detailed analysis from the NSW Government Department of Planning and Environment that the following per megawatt rates are considered acceptable to Council as they are more aligned to 1.5% of Capital Investment Value of a project:
    - \$1,050 per megawatt per annum for solar energy development; and
    - \$1,250 per megawatt per annum wind energy development.
3. That Council establish a Renewable Energy Committee, with the aim to provide a consultation link between Council, the community and developers of renewable energy projects.

CARRIED

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

**Against:** Nil.

**CCL24/19 PLANNING PROPOSAL R23-007 - MINIMUM LOT SIZE AREA AMENDMENTS AT 20L ROCKY ROAD, DUBBO (ID23/2545)**

The Council had before it the report dated 8 January 2024 from the Growth Planner regarding Planning Proposal R23-007 - Minimum Lot Size Area Amendments at 20L Rocky Road, Dubbo.

Moved by Councillor S Chowdhury and seconded by Councillor P Wells

MOTION

1. That Council endorse the Planning Proposal (attached in Appendix 1) to amend the Dubbo Regional Local Environmental Plan 2022 by changing the minimum lot size area at part of 20L Rocky Road, Dubbo (Lot 13 DP258406) from 20ha to 8ha.
2. That Council submit the Planning Proposal to the NSW Department of Planning and

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Environment for a Gateway Determination.

3. That Council request the Chief Executive Officer or delegate be authorised as the Local Plan Making Authority under Section 3.36 of the Environmental Planning and Assessment Act 1979.
4. That Council support a minimum 28 days public exhibition period for the Planning Proposal, subject to the conditions of a Gateway Determination.
5. That following the completion of the public exhibition period, a further report be presented to Council for consideration, including the results of public exhibition.

**CARRIED**

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

**Against:** Nil.

*Councillor J Black declared a pecuniary significant interest in the matter now before the Council and left the room and was out of sight during the Council's consideration of this matter. The reason for such interest is that Councillor J Black owns a block of land near the subject holding and in order to maintain public confidence he will leave the room while this matter is considered.*

**CCL24/20 DRAFT SPICERS CREEK WIND FARM PLANNING AGREEMENT - RESULTS OF PUBLIC EXHIBITION (ID23/1798)**

The Council had before it the report dated 1 February 2024 from the Development Contributions Planner regarding Draft Spicers Creek Wind Farm Planning Agreement - Results of Public Exhibition.

Moved by Councillor R Ivey and seconded by Councillor M Wright

**MOTION**

1. That Council enter into a Planning Agreement (attached in Appendix 1) with Squadron Energy Pty Ltd.
2. That Council execute the Planning Agreement by affixing the Common Seal.
3. That Council note the submissions received during the public exhibition periods (attached in Appendix 2 and 3).
4. That Council establish a Renewable Energy Committee, with the aim to provide a consultation link between Council, the community and developers of renewable energy projects.

**CARRIED**

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

**Against:** Nil.

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**CCL24/21 RECOMMENDATION FOR COUNCIL ON POLICY SETTING IN RELATION TO  
OVERGROWN BLOCKS IN THE DUBBO REGIONAL LOCAL GOVERNMENT AREA  
(ID23/2646)**

The Council had before it the report dated 24 January 2024 from the Manager Environmental Compliance regarding Recommendation for Council on Policy setting in relation to Overgrown Blocks in the Dubbo Regional Local Government Area.

Moved by Councillor R Ivey and seconded by Councillor S Chowdhury

**MOTION**

1. That the CEO develop a Policy on 'Enforcing Compliance of Overgrown Blocks of Private Land' for Council's consideration.
2. That the policy enforcement methodology allows for three consecutive Orders and Fines to be issued to achieve compliance, before giving consideration to arranging to carry out the work to give effect to the terms of the Order and seeking to recover costs through the Court.

**CARRIED**

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

**Against:** Nil.

**CCL24/22 TREE PLANTING OPPORTUNITIES FOR COMMUNITY GROUPS 2023 - 2024  
(ID23/2687)**

The Council had before it the report dated 23 January 2024 from the Manager Recreation and Open Space regarding Tree Planting Opportunities for Community Groups 2023 - 2024.

Moved by Councillor S Chowdhury and seconded by Councillor J Black

**MOTION**

1. That this report be noted.
2. That Council does not support a free tree giveaway to residents due to the risks associated with the program, including planting in poor locations, future implications to public infrastructure and safety concerns.
3. That Council continues to support small scale community tree plants at targeted sites, associated with environmental restoration and rehabilitation sites and funding.
4. That Council considers providing an appropriate tree at a nominated site to persons being conferred Australian Citizenship, with this being limited to one tree/individual/family.
5. That as part of the 2024/2025 budget preparation and considerations, a 10% increase for tree maintenance be considered for the Greenspace Operations budget to offset the additional costs in establishment and maintenance of urban trees.

**CARRIED**

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

**Against:** Nil.

**CCL24/23 DRAFT 2023-2027 COMMUNITY ENGAGEMENT STRATEGY (INCLUDING COMMUNITY PARTICIPATION PLAN) (ID23/2802)**

The Council had before it the report dated 28 November 2023 from the Manager Customer Experience and Engagement regarding Draft 2023-2027 Community Engagement Strategy (including Community Participation Plan).

Moved by Councillor P Wells and seconded by Councillor L Burns

**MOTION**

**That the 2023-2027 Community Engagement Strategy (including Community Participation Plan), attached as Appendix 1, be adopted.**

**CARRIED**

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

**Against:** Nil.

**CCL24/24 DELIVERY PROGRAM AND OPERATIONAL PLAN - PROGRESS REPORT - JULY TO DECEMBER 2023 (ID24/119)**

The Council had before it the report dated 14 January 2024 from the Corporate Strategy Performance Coordinator regarding Delivery Program and Operational Plan - Progress Report - July to December 2023.

Moved by Councillor M Wright and seconded by Councillor D Mahon

**MOTION**

- 1. That the 2023/2024 Delivery Program and Operational Plan – Progress Report – July to December 2023 (attached as Appendix 1) be noted.**
- 2. That the actions that are listed as cancelled/deferred for reasons outlined in this report be noted.**

**CARRIED**

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

**Against:** Nil.

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**CCL24/25 AUDIT OF SIGNS ACROSS THE URBAN AREAS OF THE LGA (ID23/2934)**

The Council had before it the report dated 19 December 2023 from the Executive Officer Strategy Partnerships and Engagement regarding Audit of Signs across the Urban Areas of the LGA.

Moved by Councillor V Etheridge and seconded by Councillor L Burns

**MOTION**

1. That the report of the Executive Officer Strategy, Partnerships and Engagement, dated 19 December 2023, be noted.
2. That investment in signage renewal program be considered as part of the budget development process.
3. That the Chief Executive Officer develop internal policy and guidelines to support standardised signage across the Local Government Area.

**CARRIED**

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

**Against:** Nil.

**CCL24/26 REGIONAL PRECINCTS AND PARTNERSHIPS PROGRAM (ID24/57)**

The Council had before it the report dated 11 January 2024 from the Executive Officer Strategy Partnerships and Engagement regarding Regional Precincts and Partnerships Program.

Moved by Councillor M Wright and seconded by Councillor L Burns

**MOTION**

1. That the Chief Executive Officer submit an application for Dubbo South West Housing Precinct Plan for Stream one of the Regional Precincts and Partnerships Program.
2. That the Chief Executive Officer submit an application for Blueridge Net Zero Business Park for stream two of the Regional Precincts and Partnerships Program.
3. That Councillors be advised as to the status of applications as the information becomes available.

**CARRIED**

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

**Against:** Nil.

*Councillor D Mahon declared a non-pecuniary, less than significant interest in the matter now before the Council and remained in the room during the Council's consideration of this matter. The reason for such interest is that Councillor D Mahon owns property in Blue Ridge Business Park.*

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**CCL24/27 QUESTION ON NOTICE - UPDATE TO ROADWORKS TAMWORTH STREET  
PRECINCT DUBBO - COUNCILLOR JOSH BLACK (ID24/237)**

The Council had before it the report dated 7 February 2024 from the Councillor regarding Question on Notice - Update to Roadworks Tamworth Street precinct Dubbo - Councillor Josh Black.

Moved by Councillor J Black and seconded by Councillor V Etheridge

**MOTION**

**That the information contained in the report be noted.**

**CARRIED**

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

**Against:** Nil.

**CCL24/28 QUESTION ON NOTICE - LIONS PARK WEST DUBBO - 3D PRINTED TOILET  
DESIGN METHODOLOGY - COUNCILLOR JOSH BLACK (ID24/241)**

The Council had before it the report dated 7 February 2024 from the Councillor regarding Question on Notice - Lions Park West Dubbo - 3D Printed Toilet Design Methodology - Councillor Josh Black.

Moved by Councillor J Black and seconded by Councillor L Burns

**MOTION**

**That the information contained in the report be noted.**

**CARRIED**

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

**Against:** Nil.

**CCL24/29 COMMENTS AND MATTERS OF URGENCY (ID24/107)**

There were no matters recorded under this clause.

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

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

- *CCL24/30 – Modification of the Geurie Raw Water Pump Station* (Section 10A(2)(c)) - information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposed to conduct) business.
- *CCL24/31– Undertaking of Sewer Rehabilitation Works* (Section 10A(2)(c)) - information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposed to conduct) business.
- *CCL24/32 – Mumbil Raw Water Pipeline Rehabilitation* (Section 10A(2)(c)) - information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.
- *CCL24/33 – Long Term Lease or Sale of Mill's Pit (93L Railway Lane)* (Section 10A(2)(c)) - information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposed to conduct) business.
- *CCL24/34– Proposed Agreement to Lease Part of Council-Owned Operational Land* (Section 10A(2)(c)) - information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposed to conduct) business.
- *CCL24/35 – Proposed Acquisitions of Parts of Land for Road Purposes* - (Section 10A(2)(c)) - information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposed to conduct) business.
- *CCL24/36 – People Culture and Safety Quarterly Metrics Report* - (Section 10A(2)(a)) - the reason being that the matter concerned personnel matters concerning particular individuals.

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

At this juncture it was moved by Councillor S Chowdhury and seconded by Councillor V Etheridge that the Council resolves into closed session, the time being 7.32 pm.

The open session resumed at 7.56 pm.

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

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**CCL24/30 MODIFICATION OF THE GEURIE RAW WATER PUMP STATION (ID24/176)**

The Council had before it the report dated 30 January 2024 from the Manager Strategy Water Supply and Sewerage regarding Modification of the Geurie Raw Water Pump Station.

Moved by Councillor S Chowdhury and seconded by Councillor V Etheridge

**MOTION**

The Council recommends that members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c)).

**CARRIED**

Moved by Councillor D Mahon and seconded by Councillor V Etheridge

**MOTION**

1. That Council engage TWS Evolution Pty Ltd to undertake modification works on the Geurie Raw Water Pump Station for the quoted price of \$704,000 including GST, and in accordance with the pre-qualified LGP420 procurement panel.
2. That the scope of works provided by TWS Evolution Pty Ltd in relation to the proposed modification of the Geurie Raw Water Pump Station be treated as commercial in confidence.
3. That Council delegate the Chief Executive Officer to approve the extension options for this contract if required.
4. That Council delegate the Chief Executive Officer to approve contract variations for this contract subject to budget limitations.
5. That all documentation in relation to this matter remain confidential to Council.
6. That all documentation in relation to this matter be signed under the Common Seal of Council.

**CARRIED**

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

**Against:** Nil.

**CCL24/31 UNDERTAKING OF SEWER REHABILITATION WORKS (ID24/174)**

The Council had before it the report dated 30 January 2024 from the Capital Programs Coordinator regarding Undertaking of Sewer Rehabilitation Works.

Moved by Councillor S Chowdhury and seconded by Councillor V Etheridge

**MOTION**

The Council recommends that members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned

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

**CARRIED**

Moved by Councillor P Wells and seconded by Councillor L Burns

**MOTION**

1. That Interflow Pty Limited be engaged for the 2023/2024 financial year utilising the LGP420 schedule of rates.
2. That Council delegate the Chief Executive Officer to approve the extension options for this contract if required.
3. That Council delegate the Chief Executive Officer to approve contract variations for this contract subject to budget limitations.
4. That all documentation in relation to this matter remain confidential to Council.
5. That all documentation in relation to this matter be signed under the Common Seal of Council.

**CARRIED**

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

**Against:** Nil.

**CCL24/32 MUMBIL RAW WATER PIPELINE REHABILITATION (ID24/175)**

The Council had before it the report dated 30 January 2024 from the Capital Programs Coordinator regarding Mumbil Raw Water Pipeline Rehabilitation.

Moved by Councillor S Chowdhury and seconded by Councillor V Etheridge

**MOTION**

The Council recommends that members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c)).

**CARRIED**

Moved by Councillor J Gough and seconded by Councillor S Chowdhury

**MOTION**

1. That Council directly engage Interflow Pty Limited as per the pre-qualified panel LGP420 in an amount of \$1,009,162.11 including GST.
2. That Council delegate the Chief Executive Officer to approve the extension options for this contract if required.
3. That Council delegate the Chief Executive Officer to approve contract variations for this contract subject to budget limitations.
4. That all documentation in relation to this matter remain confidential to Council.
5. That all documentation in relation to this matter be signed under the Common Seal of

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**Council.**

**CARRIED**

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

**Against:** Nil.

**CCL24/33 LONG TERM LEASE OR SALE OF MILL'S PIT (93L RAILWAY LANE) (ID23/2768)**

The Council had before it the report dated 23 January 2024 from the Manager Recreation and Open Space regarding Long Term Lease or Sale of Mill's Pit (93L Railway Lane).

Moved by Councillor S Chowdhury and seconded by Councillor V Etheridge

**MOTION**

The Council recommends that members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c)).

**CARRIED**

Moved by Councillor J Gough and seconded by Councillor S Chowdhury

**MOTION**

1. That this report be noted.
2. That Council proceeds with issuing an Expression of Interest to identify the potential of entering either a long-term lease or sale of the parcel of land (Lot 1 DP263339).
3. That proceeds of the lease or sale is used for community priorities identified in community strategic documents.
4. That all documentation in relation to this matter remain confidential to Council.

**CARRIED**

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

**Against:** J Black.

**CCL24/34 PROPOSED AGREEMENT TO LEASE PART OF COUNCIL-OWNED OPERATIONAL LAND (ID24/193)**

The Council had before it the report dated 31 January 2024 from the Manager Property and Land Development regarding Proposed agreement to lease part of Council-owned operational land.

Moved by Councillor S Chowdhury and seconded by Councillor V Etheridge

**MOTION**

The Council recommends that members of the press and public be excluded from the

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meeting during consideration of this item, the reason being that the matter concerned information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c)).

**CARRIED**

Moved by Councillor M Wright and seconded by Councillor L Burns

**MOTION**

1. That Council agree to enter into an agreement to lease land to Squadron Energy or an associated entity of same:
  - a. for the property
  - b. on the key termsgenerally, as described within the body of the report.
2. That Council delegate to the Chief Executive Officer the power to negotiate the other terms of the agreement to lease, provided that all key terms must generally be in accordance with the terms as outlined in this report.
3. That it be noted that a subsequent report shall be provided to Council for consideration of the negotiated terms of the agreement to lease.
4. That all information in relation to this matter is kept confidential.
5. That any documents requiring execution by Council relating to this report be executed under the Common Seal of Council.

**CARRIED**

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

**Against:** Nil.

**CCL24/35 PROPOSED ACQUISITIONS OF PARTS OF LAND FOR ROAD PURPOSES (ID24/213)**

The Council had before it the report dated 1 February 2024 from the Manager Property and Land Development regarding Proposed acquisitions of parts of land for road purposes.

Moved by Councillor S Chowdhury and seconded by Councillor V Etheridge

**MOTION**

The Council recommends that members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c)).

**CARRIED**

Moved by Councillor J Black and seconded by Councillor L Burns

**MOTION**

1. That Council approve the compulsory acquisition of approximately:
  - a. 30,285m<sup>2</sup> from Lot 11 on DP1293863;

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- b. 16,837m2 from Lot 51 on DP612578; and
- c. 27,445m2 from Lot 2 on DP1246347, pursuant to s177 and s178 of the *Roads Act 1993* (NSW), and upon acquisition, classify the land as operational land.
2. That Council register acquisition plans against Lot 11 on DP1293863, Lot 51 on DP612578 and Lot 2 on DP1246347.
3. That Council approve the making of an application to the Minister for Local Government to issue a Proposed Acquisition Notice under the *Land Acquisition (Just Terms Compensation) Act 1991* (NSW) for Council to compulsorily acquire part of Lot 11 on DP1293863, Lot 51 on DP612578 and Lot 2 on DP1246347.
4. That Council approve the making of an application to the Governor of NSW for the publication of an Acquisition Notice in the NSW Government Gazette under the *Land Acquisition (Just Terms Compensation) Act 1991* (NSW) for Council to compulsorily acquire part of Lot 11 on DP1293863, Lot 51 on DP612578 and Lot 2 on DP1246347.
5. That Council delegate to the Chief Executive Officer the power to negotiate, finalise and execute any applications, notices, documents and compensation claims required to be executed as part of the process for Council to compulsorily acquire part of Lot 11 on DP1293863, Lot 51 on DP612578 and Lot 2 on DP1246347.
6. That any documents which may not be executed by the Chief Executive Officer under delegation be executed under the Common Seal of Council.
7. That all documentation in relation to this matter remain confidential to Council.

**CARRIED**

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

**Against:** Nil.

**CCL24/36 PEOPLE CULTURE AND SAFETY QUARTERLY METRICS REPORT (ID24/212)**

The Council had before it the report dated 2 February 2024 from the Manager People Culture and Safety regarding People Culture and Safety Quarterly Metrics Report.

Moved by Councillor S Chowdhury and seconded by Councillor V Etheridge

**MOTION**

The Council recommends that members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned personnel matters concerning particular individuals (other than Councillors) (Section 10A(2)(a)).

**CARRIED**

Moved by Councillor P Wells and seconded by Councillor V Etheridge

**MOTION**

1. That the information contained within the report of the Manager People Culture and Safety dated 2 February 2024 be noted.
2. That all documentation in relation to this matter remain confidential to Council.

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**CARRIED**

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

**Against:** Nil.

The meeting closed at 8.01pm

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CHAIRPERSON



## REPORT: Mayoral Appointments and Meetings

**DIVISION:** Chief Executive Officer  
**REPORT DATE:** 22 February 2024  
**TRIM REFERENCE:** ID24/386

### EXECUTIVE SUMMARY

<b>Purpose</b>	Provide review or update	
<b>Issue</b>	Details of Mayoral appointments and meetings for the period 29 January 2024 through to 3 March 2024.	
<b>Reasoning</b>	To ensure transparency of Mayoral appointments and meetings.	
<b>Financial Implications</b>	Budget Area	There are no financial implications arising from this report.
<b>Policy Implications</b>	Policy Title	There are no policy implications arising from this report.

### STRATEGIC DIRECTION

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

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

### RECOMMENDATION

**That the information contained within the report be noted.**

*MW*  
Chief Executive Officer

## REPORT

### Consultation

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

### Resourcing Implications

Nil

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

#### Monday, 29 January 2024

- Attended radio interview with 2BS.
- Attended radio interview with 2WEB.
- Attended the Star Club Dubbo open day event.
- Attended along with Council's Chief Executive Officer, Murray Wood a Dubbo Rural Fire Service Dubbo District Liaison Committee meeting.

#### Tuesday, 30 January 2024

- Submitted Mayoral Memo to the Daily Liberal.
- Submitted Mayoral Memo to the Wellington and District Leader.
- Attended a meeting with Josh Hogan from Qantas.
- Attended along with Director Community, Culture and Places Craig Arms, Manager Recreation and Open Space Ian McAlister a meet and greet with Belgravia State Operations Manager.
- Attended along with Councillors Shibli Chowdhury, Jess Gough, Richard Ivey, Matt Wright and Council's Chief Executive Officer, Murray Wood a meeting with residents regarding community benefits and Kerrs Creek Windfarm at Euchareena.

#### Wednesday, 31 January 2024

- Attended radio interview with Triple M.

#### Thursday, 1 February 2024

- Attended a phone meeting with Chris Doolan from the Ash Group.
- Attended a meeting with Chris Vanneste from GoGet.
- Attended along with Councillors Josh Black; Shibli Chowdhury; Jess Gough; Richard Ivey and Damien Mahon a Councillor Workshop regarding DREAM Festival and Overgrown Blocks.

**Friday, 2 February 2024**

- Attended a radio interview with 2DU.
- Attended along with Council's Chief Executive Officer, Murray Wood a CWO REACT Centre and Housing meeting with Jason Willoughby from Squadron Energy.

**Saturday, 3 February 2024**

- Recorded 'Straight From the Mayor's Mouth'.
- Attended the commissioning of the Rev. Andrew Thornhill at the Holy Trinity Anglican Church Dubbo.

**Sunday, 4 February 2024**

- Attended the Dubbo Pickleball Centre to officially open their outdoor courts.

**Monday, 5 February 2024**

- Attended radio interview with Zoo FM.
- Attended a meeting with Councillor Lewis Burns.
- Attended the opening of the 2024 Law Term at Dubbo Court House.

**Tuesday, 6 February 2024**

- Submitted Mayoral Memo to the Daily Liberal.
- Submitted Mayoral Memo to the Wellington and District Leader.
- Attended along with Councillors Matt Wright and Richard Ivey (via MS Teams) and Council's Chief Executive Officer, Murray Wood the Financial Performance Committee Meeting.
- Attended a meeting with Kate Hook regarding regional leaders' network and Energy Co engagement.
- Attended a Workshop on Community and Employment Benefits Program.
- Attended a meeting with Cassandra Sullivan.
- Attended a phone meeting with Luke Costin from AAP.
- Attended along with Councillors Shibli Chowdhury, Richard Ivey and Council's Chief Executive Officer, Murray Wood the GP Registrar Night event.

**Wednesday, 7 February 2024**

- Attended the "Bring Your Bills Day" event.
- Attended an online meeting with Anthony Dodd from WIN News Canberra.
- Attended the DEVIOUS meeting.
- Attended a phone meeting with Mayor Kevin Beatty from Cabonne Council.
- Attended the School of Rural Health Welcome Event for Students.

**Thursday, 8 February 2024**

- Attended an interview with Catherine Taylor from the Sydney Morning Herald.
- Attended along with Councillors Jess Gough and Richard Ivey a Wellington Australia Day debrief meeting.
- Attended a phone meeting with Member for Orange Phil Donato.
- Attended along with Councillors Damien Mahon; Josh Black; Jess Gough; Richard Ivey; Shibli Chowdhury; Vicki Etheridge; Pam Wells and Matt Wright a Councillor Workshop on Organisational Sustainability Review and Improvement Plan and Community Needs Survey.

**Friday, 9 February 2024**

- Attended radio interview with 2DU.
- Attended Dubbo City Toyota Tour de OROC 2024 launch.
- Attended a meeting with James McKechnie from Charles Sturt University.
- Attended a phone meeting with Mayor Jason Hamling from Orange City Council.
- Attended the Grand opening of Don Cameron and Associates.

**Saturday, 10 February 2024**

- Attended along with Council Shibli Chowdhury the National Gallery of Australia Touring Exhibition – Ceremony: 4<sup>th</sup> Indigenous Art Triennial.
- Recorded ‘Straight From the Mayor’s Mouth’.

**Monday, 12 February 2024**

- Attended radio interview with 2BS.
- Attended radio interview with 2WEB.
- Attended a meeting with Sarah Falson from ACM.
- Attended the City of Dubbo Eisteddfod 2024 AGM.

**Tuesday, 13 February 2024**

- Submitted Mayoral Memo to the Daily Liberal.
- Submitted Mayoral Memo to the Wellington and District Leader.
- Attended along with Councillors Josh Black; Richard Ivey; Matt Wright; Council’s Chief Executive Officer, Murray Wood; the Hon. Penny Sharpe, MLC, Minister for the Environment and the Hon. Daniel Mookhey, MLC, Treasurer the official opening of the Platypus Rescue Headquarters at Taronga Western Plains Zoo.
- Attended the Dubbo Australia Day debrief meeting.
- Attended a phone meeting with Mayor, Doug Curran from Griffith Council.
- Attended along with Council’s Chief Executive Officer, Murray Wood a meeting with Energy Co.

**Wednesday, 14 February 2024**

- Attended along with Council's Chief Executive Officer, Murray Wood a meeting with Chris Doolan and Brad Draper from the Ash Group

**Thursday, 15 February 2024**

- Attended a meeting with Council's Chief Executive Officer, Murray Wood.
- Attended Council Briefing.
- Attended Ordinary Council Meeting.

**Friday, 16 February 2024**

- Attended radio interview with ABC Radio.
- Attended radio interview with 2DU.
- Attended a meeting with Councillor Matt Wright.
- Attended radio interview with DC FM.
- Attended radio interview with Binjang.
- Attended a meeting with Councillor Damien Mahon.
- Attended radio interview with ABC Western Plains.

**Saturday, 17 February 2024**

- Recorded 'Straight From the Mayor's Mouth'.
- Attended a meeting with Councillor Shibli Chowdhury.

**Monday, 19 February 2024**

- Attended radio interview with Zoo FM.
- Attended the Peer Exchange Group meeting to give a welcome address.
- Attended the U3A AGM.
- Attended a meeting with James Button from Good Weekend magazine.
- Attended the National Anti-Racism Framework Dubbo Multicultural Communities Consultation.

**Tuesday, 20 February 2024**

- Submitted Mayoral Memo to the Daily Liberal.
- Submitted Mayoral Memo to the Wellington and District Leader.
- Attended a meeting with Errin Williamson and Mick McKenna from Dubbo Business Chamber.
- Attended a meeting with Erica Tudor from NBN Local Western NSW Team.
- Attended a meeting with Bob Berry.
- Attended radio interview with Triple M.

**Wednesday, 21 February 2024**

- Attended radio interview with Triple M.
- Attended an online meeting with Josh Hogan from Qantas.

**Thursday, 22 February 2024**

- Attended along with Council's Chief Executive Office, Murray Wood a Media Launch for the NSW Touch Junior State Cup Northern Conference.
- Attended the Telehealth Show and tell at the Dubbo RFBI Masonic Village.
- Attended along with Councillors Josh Black; Jess Gough (online); Vicki Etheridge; Damien Mahon (online); Pam Wells (online) a Councillor Workshop on Wellington Caves Service Review, Draft Bunglegumby Road Development Control Plan and Livestock Market Legal Advice – Finalisation.

**Friday, 23 February 2024**

- Attended a radio interview with 2DU.
- Attended the NSW Touch Junior State Cup Northern Conference.

**Saturday, 24 February 2024**

- Recorded 'Straight From the Mayor's Mouth'.

**Sunday, 25 February 2024**

- Attended along with Councillor Richard Ivey the Bathurst 500 Mayoral Luncheon as guests of the Mayor of Bathurst, Dr Jess Jennings.

**Monday, 26 February 2024**

- Attended radio interview with 2BS.
- Attended radio interview with 2WEB.
- Attended the Charles Sturt University Orientation Welcome Event.

**Tuesday, 27 February 2024**

- Submitted Mayoral Memo to the Daily Liberal.
- Submitted Mayoral Memo to the Wellington and District Leader.
- Attended along with Member for Dubbo, Dugald Saunders, MP, Bracken House to celebrate their 35th anniversary.

**Wednesday, 28 February 2024**

- Attended along with Council's Chief Executive Officer, Murray Wood a Regional Capitals Australia meeting.
  - Attended a meeting with Assistant Minister Anthony Chisholm, Assistant Minister for Education, Assistant Minister for Regional Development, Deputy Manager of Government Business in the Senate, Senator for QLD.
  - Attended a meeting with Minister Catherine King MP – Minister for Infrastructure, Transport, Regional Development and Local Government.
  - Attended a meeting with Assistant Minister Carol Brown – Assistant Minister for Infrastructure and Transport, Senator for TAS.
  - Attended a meeting with Minister Kristy McBain – Minister for Regional Development, Local Government and the Territories.
- Attended a meeting with Rosie Gilbert from Minister Chris Bowen's Office.
- *The Deputy Mayor, Councillor Richard Ivey attended the Navy Week Catafalque Ceremony in lieu of the Mayor.*

**Thursday, 29 February 2024**

- Attended a phone meeting with Kate Hook from Re-Alliance.

**Friday, 1 March 2024**

- Attended radio interview with 2DU.
- Attended along with Councillors Richard Ivey and Matt Wright a meeting with former DREAM committee members regarding the DREAM Festival.

**Saturday, 2 March 2024**

- Recorded 'Straight From the Mayor's Mouth'.



## REPORT: Monthly Reporting Snapshot for Councillors - February 2024

**DIVISION:** Strategy, Partnerships and Engagement  
**REPORT DATE:** 4 March 2024  
**TRIM REFERENCE:** ID23/2978

### EXECUTIVE SUMMARY

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

### STRATEGIC DIRECTION

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

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

### RECOMMENDATION

**That the information contained within the report of the Corporate Strategy and Performance Coordinator, dated 4 March 2024, be noted.**

*Natasha Comber*  
Director Strategy, Partnership and Engagement

*ZJ*  
Corporate Strategy  
Performance Coordinator

## BACKGROUND

### Previous Resolutions of Council

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

## REPORT

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

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

Comments relating to the February 2024 data has been provided within **Appendix 1** under the relevant charts.

Major Projects: As at the end of February 2024, Council's YourSay platform was showcasing 61 Community consultation or engagement projects, with 20 of these being active capital works projects.

## APPENDICES:

[1](#) [↓](#) Dashboard Snapshots - February 2024

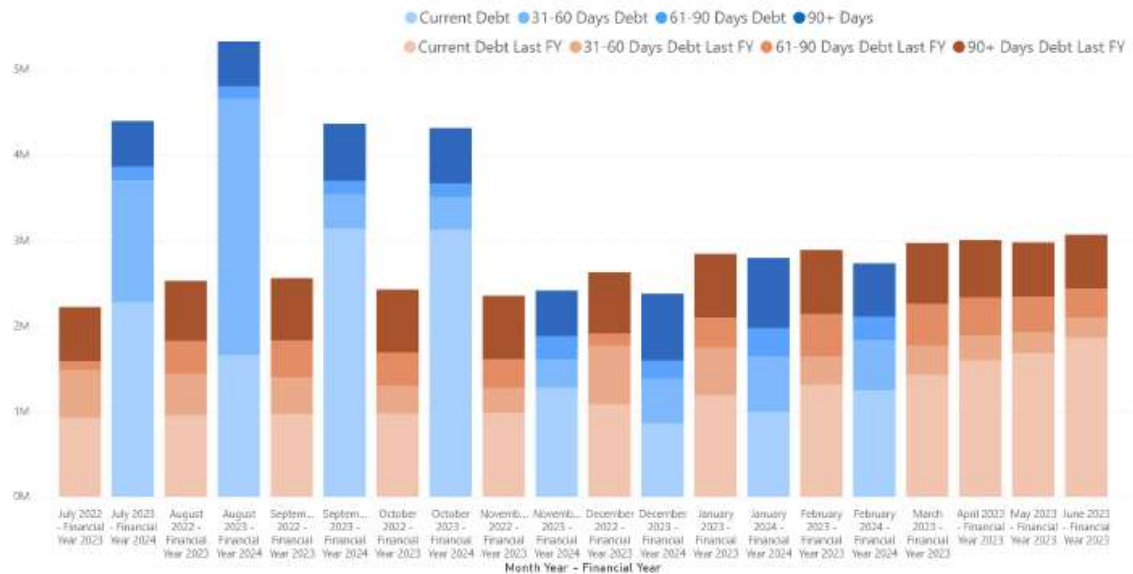


## FINANCIAL PERFORMANCE DASHBOARD

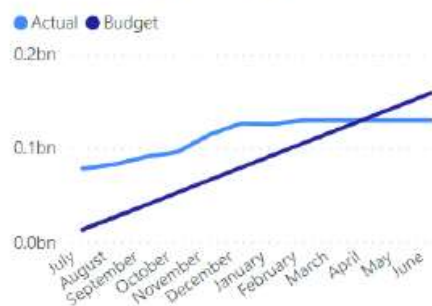
REPORT PRINT DATE: 08/03/2024

Associated fees are outline in Council's Fees and Charges document; however the overdue balances below do not include rates, annual charges or capital grants.

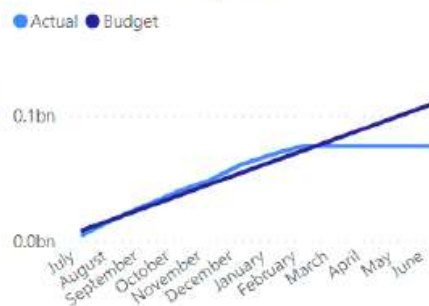
### Current and last Financial Year Overdue Debt



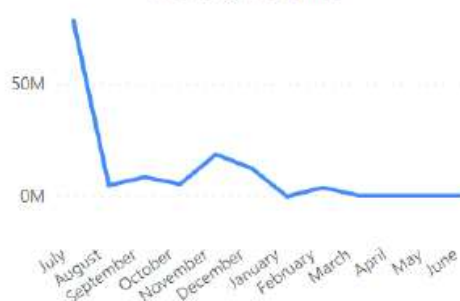
### YTD Revenue



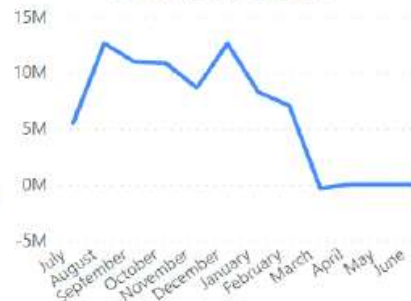
### YTD Expenditure



### Monthly Revenue



### Monthly Expenditure





# FACILITY AND SERVICE PERFORMANCE DASHBOARD

REPORT PRINT DATE: 08/03/2024

## SERVICES PERFORMANCE

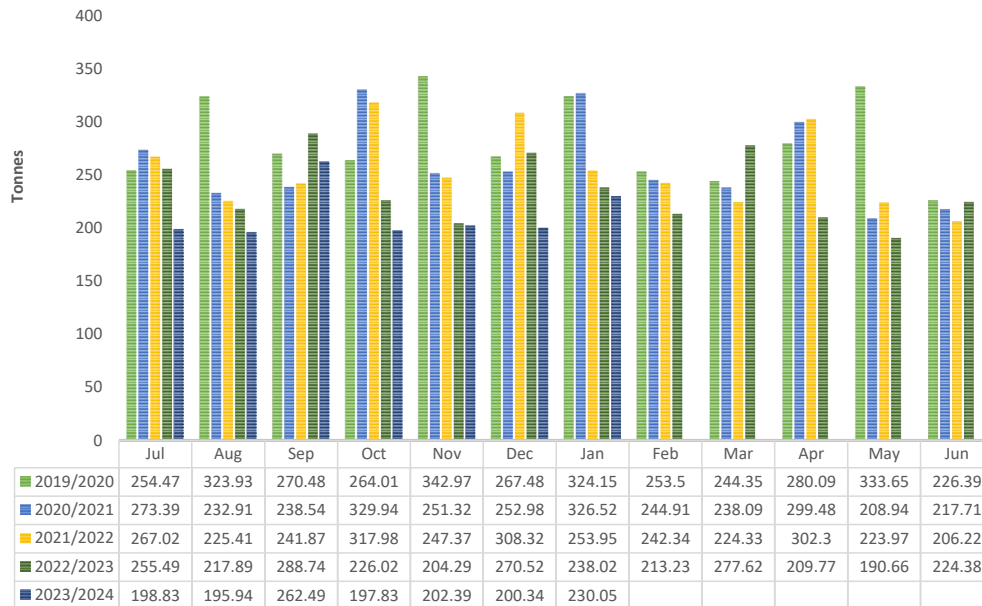




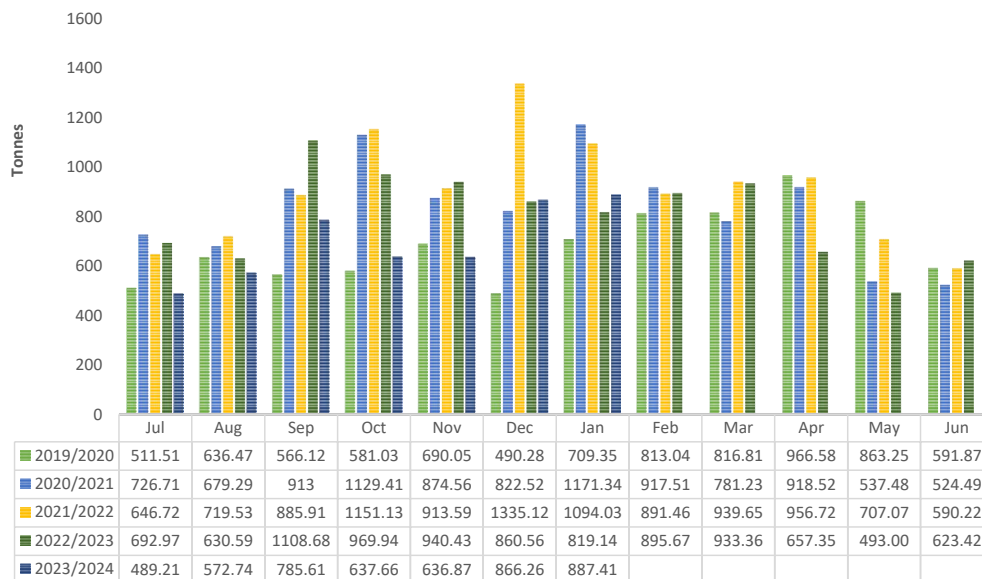
# FACILITY AND SERVICE PERFORMANCE DASHBOARD

REPORT PRINT DATE: 08/03/2024

## DOMESTIC WASTE - RECYCLING TONNES PER MONTH



## DOMESTIC WASTE - DIVERTED FROM LANDFILL TONNES PER MONTH

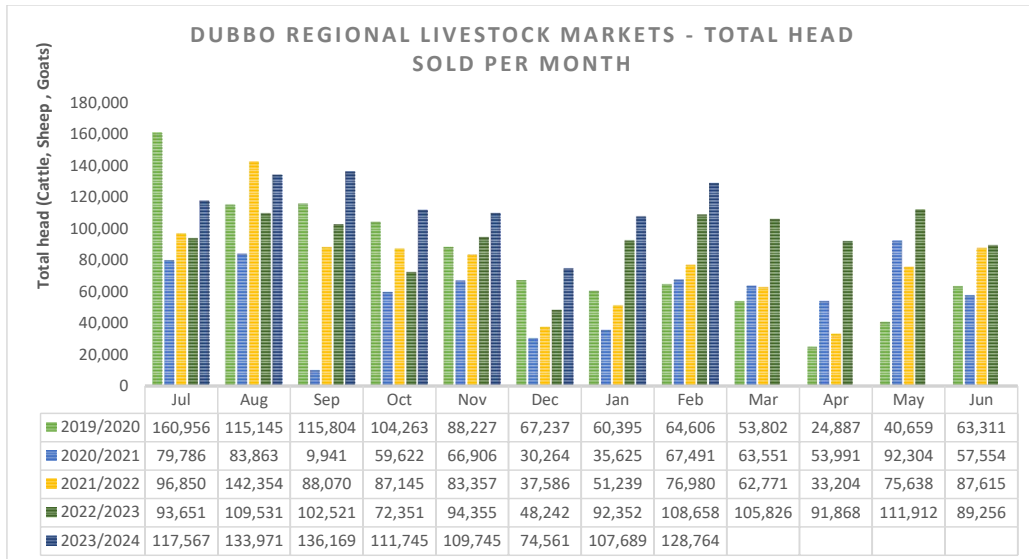
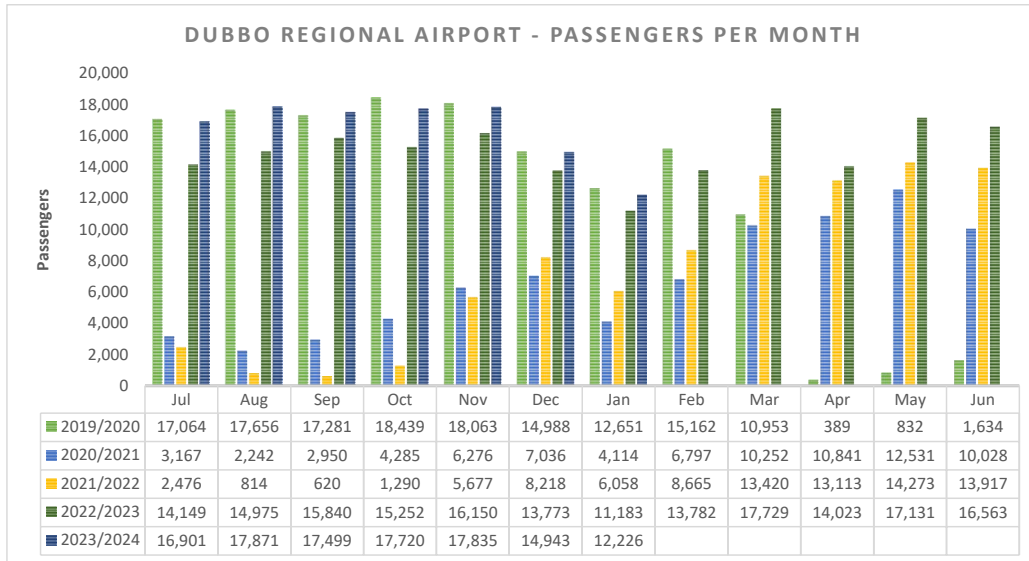




## FACILITY AND SERVICE PERFORMANCE DASHBOARD

REPORT PRINT DATE: 08/03/2024

### PASSENGERS & VOLUME – COMMERCIAL

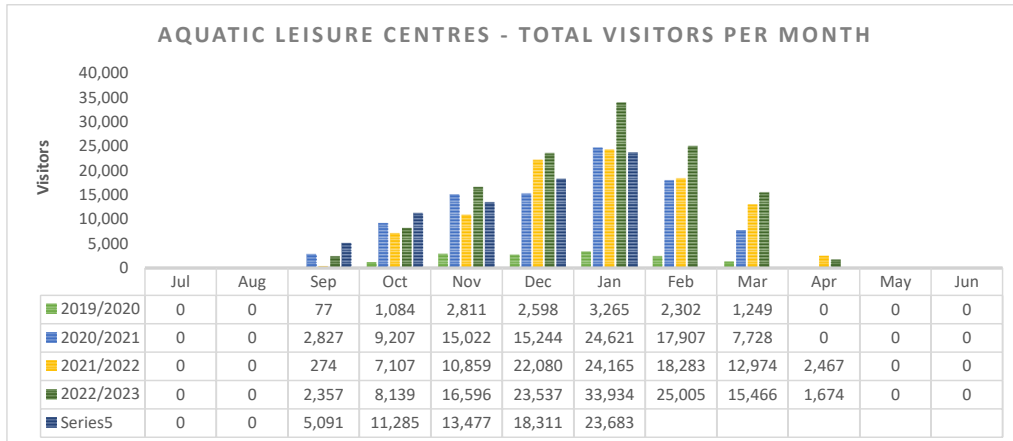




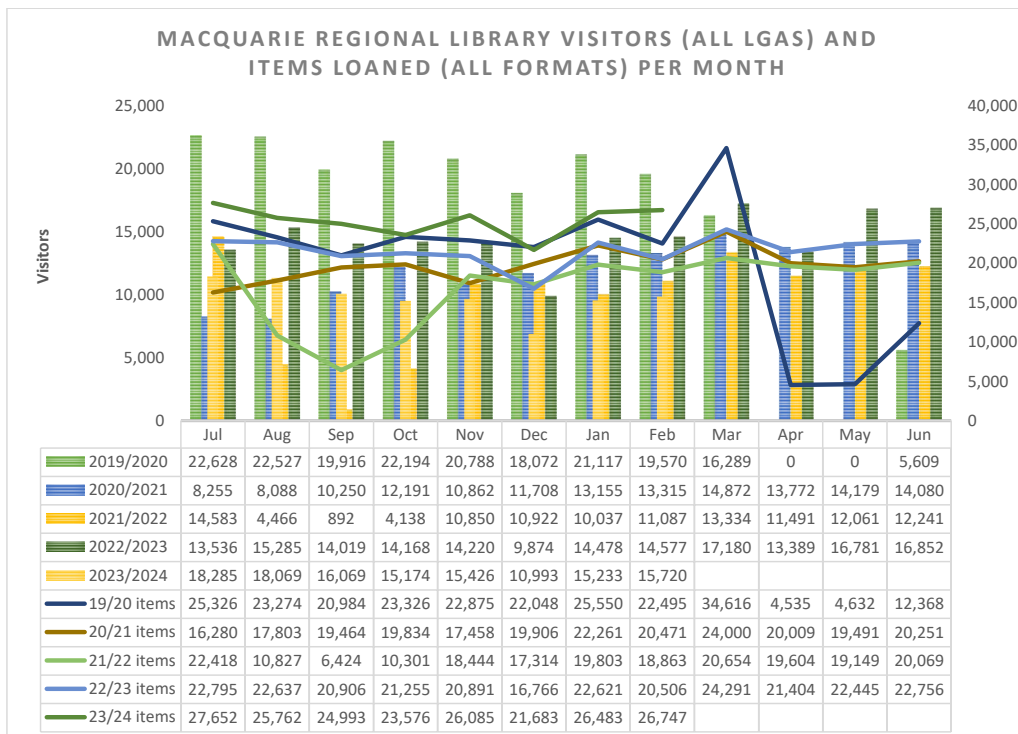
## FACILITY AND SERVICE PERFORMANCE DASHBOARD

REPORT PRINT DATE: 08/03/2024

### VISITORS & CUSTOMERS – COMMUNITY



### VISITORS & CUSTOMERS – TOURISM & CULTURAL

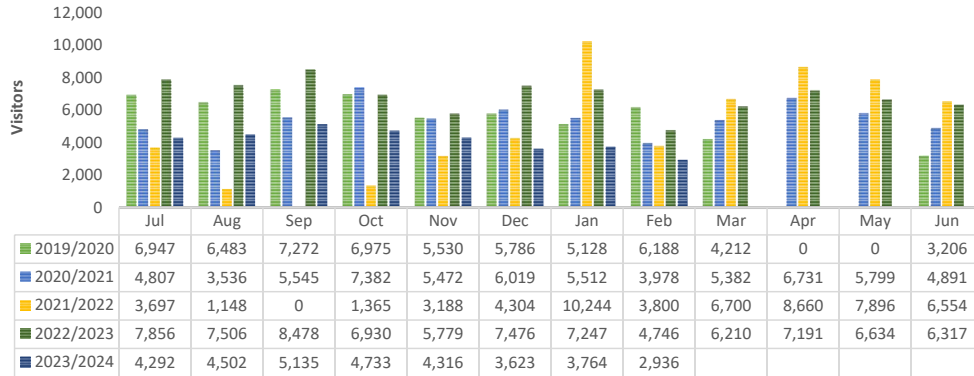




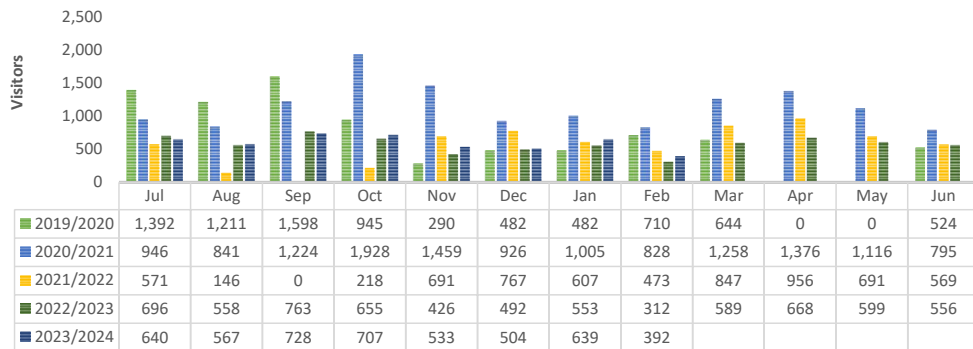
## FACILITY AND SERVICE PERFORMANCE DASHBOARD

REPORT PRINT DATE: 08/03/2024

### DUBBO VISITOR INFORMATION CENTRE - VISITORS PER MONTH



### WELLINGTON VISITOR INFORMATION CENTRE - VISITORS PER MONTH



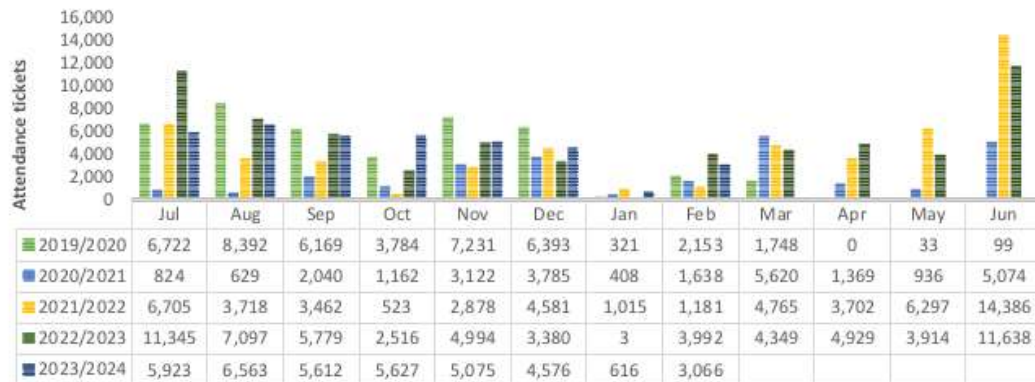
February is typically a quieter month, there was little to no foot traffic from the NSW Touch Football 2024 Junior State Cup .



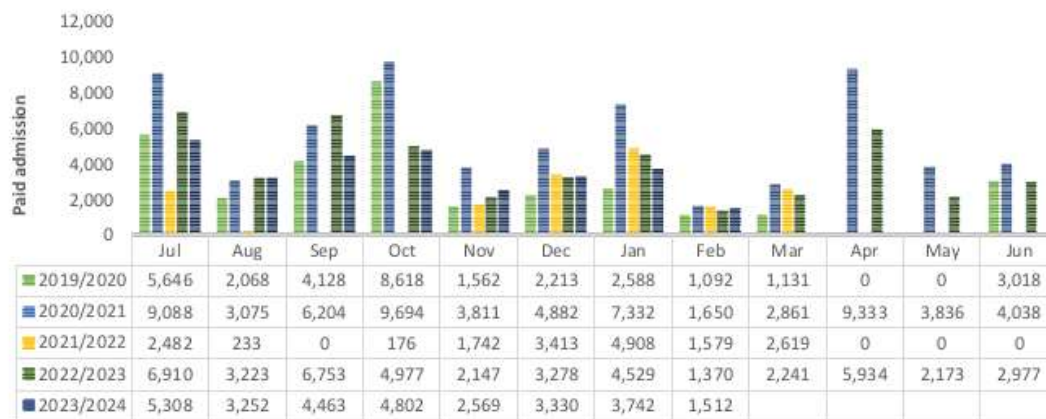
# FACILITY AND SERVICE PERFORMANCE DASHBOARD

REPORT PRINT DATE: 08/03/2024

## DUBBO REGIONAL THEATRE AND CONVENTION CENTRE - VISITORS PER MONTH



## OLD DUBBO GAOL - VISITORS PER MONTH



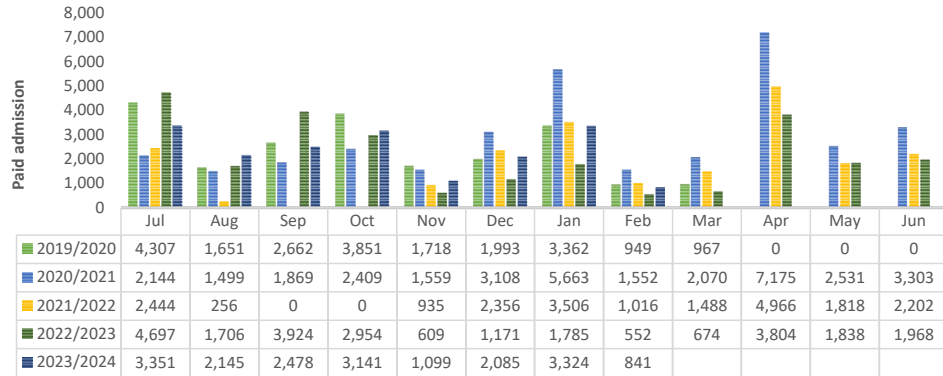
Whilst visitors were slightly up on 2023 results, visitation is consistent with 4yr average.



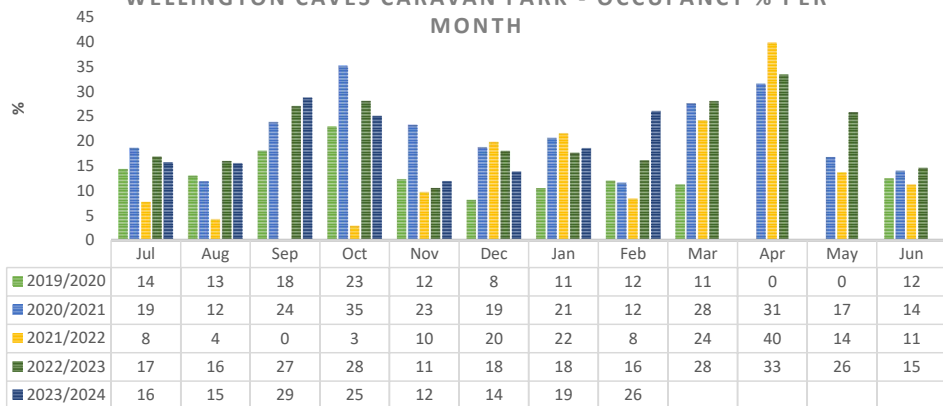
# FACILITY AND SERVICE PERFORMANCE DASHBOARD

REPORT PRINT DATE: 08/03/2024

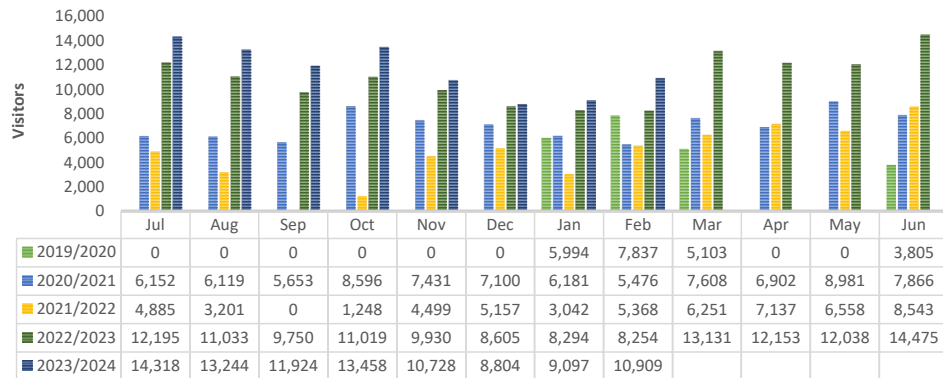
## WELLINGTON CAVES - PAID ADMISSION PER MONTH



## WELLINGTON CAVES CARAVAN PARK - OCCUPANCY % PER MONTH



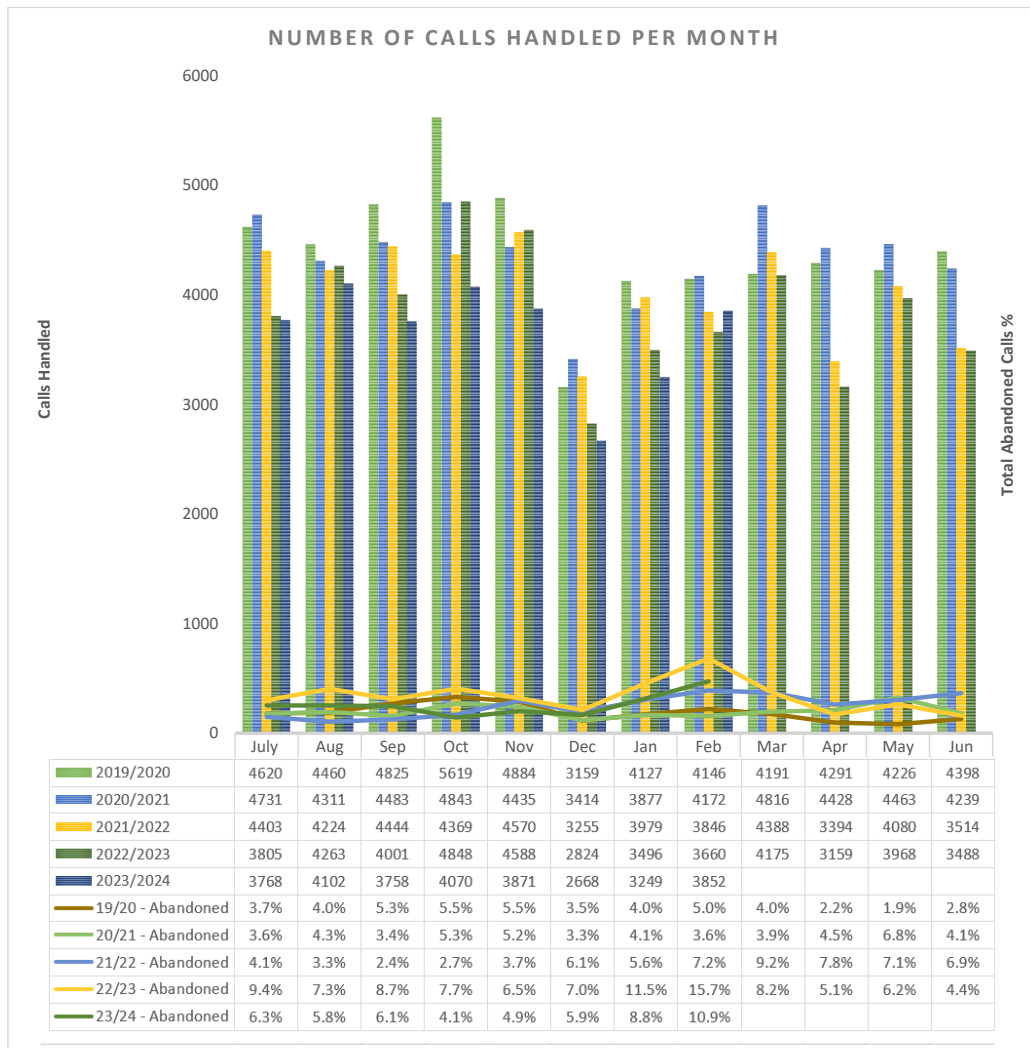
## WESTERN PLAINS CULTURAL CENTRE - VISITORS PER MONTH





# CUSTOMER EXPERIENCE CHARTER DASHBOARD

REPORT PRINT DATE: 08/03/2024

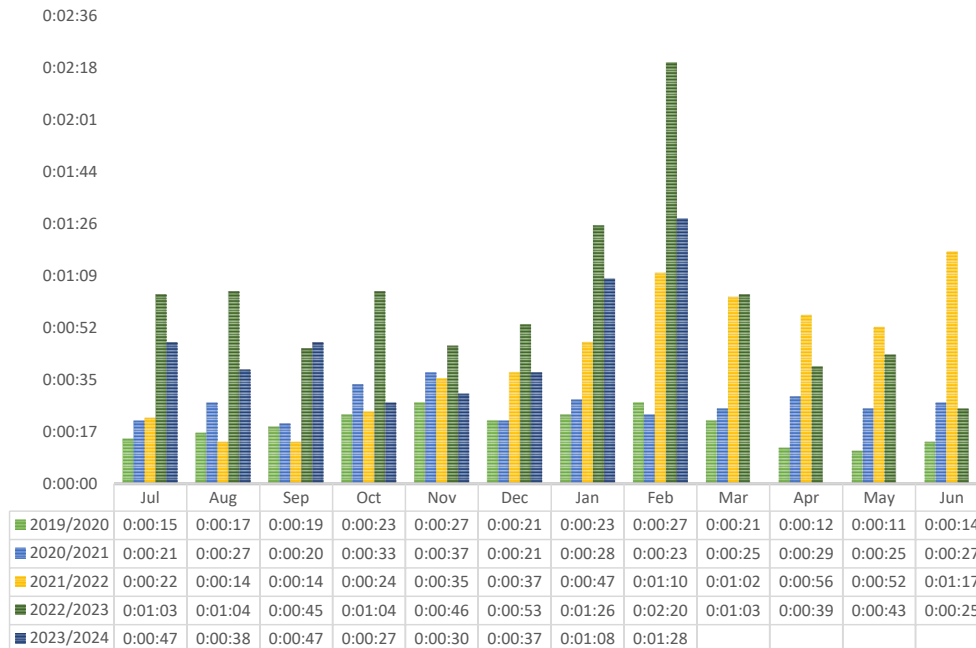




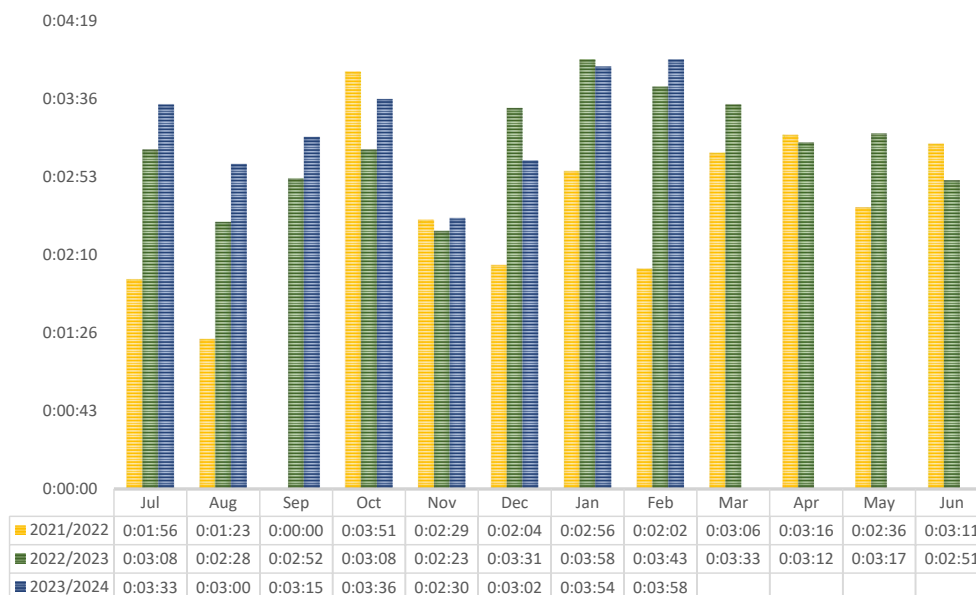
# CUSTOMER EXPERIENCE CHARTER DASHBOARD

REPORT PRINT DATE: 08/03/2024

## AVERAGE WAIT TIME IN CALL CENTRE QUEUE



## AVERAGE WAIT TIME IN COUNTER QUEUE

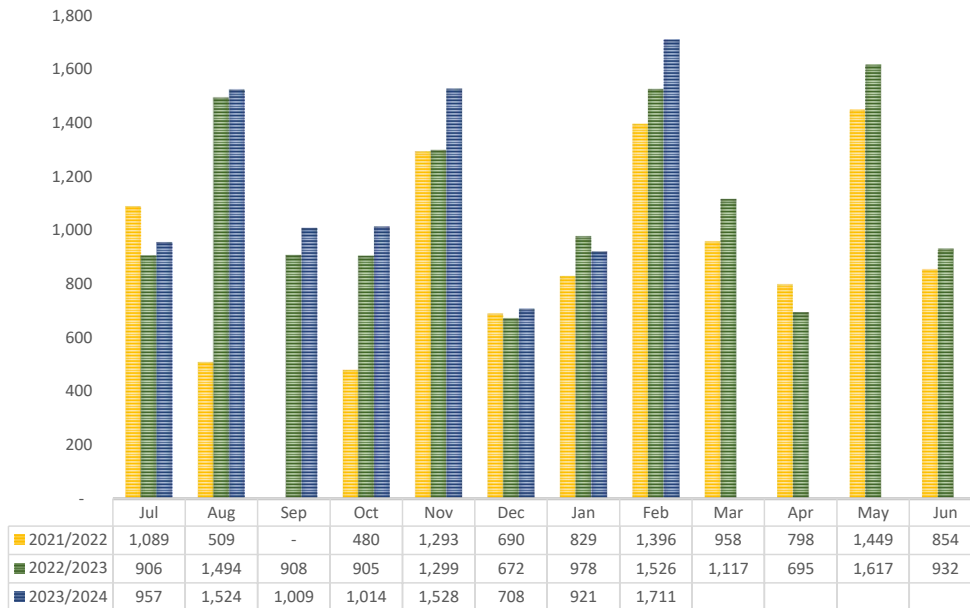




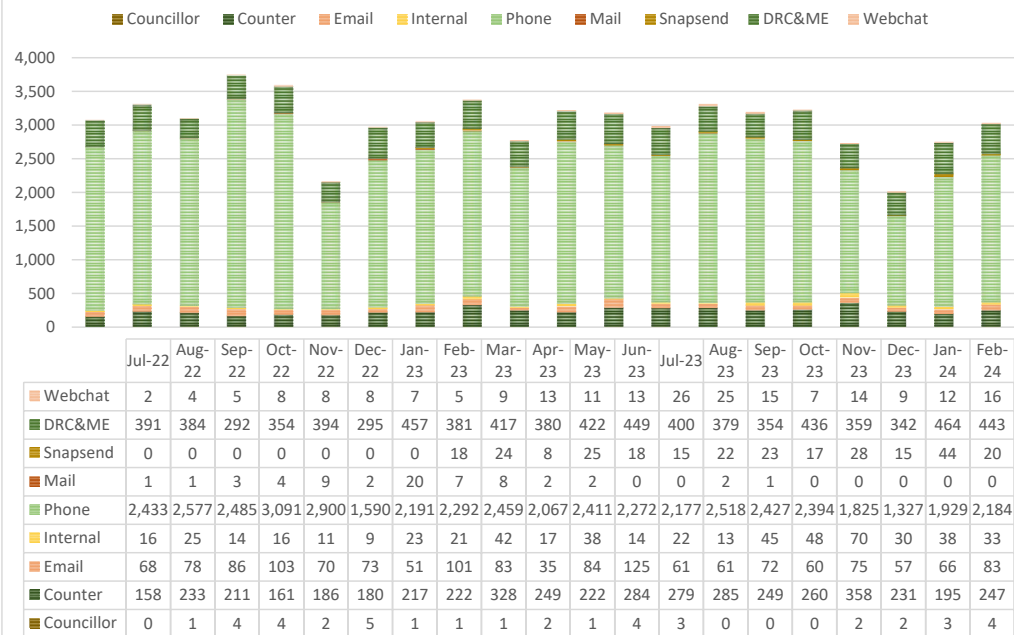
## CUSTOMER EXPERIENCE CHARTER DASHBOARD

REPORT PRINT DATE: 08/03/2024

### NUMBER OF COUNTER TRANSACTIONS PER MONTH



### CUSTOMER SERVICE REQUEST TOTAL PER MONTH BY CATEGORY





## REPORT: Investment Under Section 625 of the Local Government Act - February 2024

**DIVISION:** Organisational Performance  
**REPORT DATE:** 8 March 2024  
**TRIM REFERENCE:** ID24/411

### EXECUTIVE SUMMARY

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

### STRATEGIC DIRECTION

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

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

### RECOMMENDATION

**That the information contained within the Investment under Section 625 of the Local Government Act Report, dated 8 March 2024, be noted.**

*Jane Bassingthwaite*  
Director Organisational Performance

*BM*  
Revenue Accountant

## BACKGROUND

As required by Section 212 of the *Local Government (General) Regulation 2021*, this report contains the details of all monies that Council has invested under Section 625 of the *Local Government Act 1993* dated as at the last day of the reporting month.

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

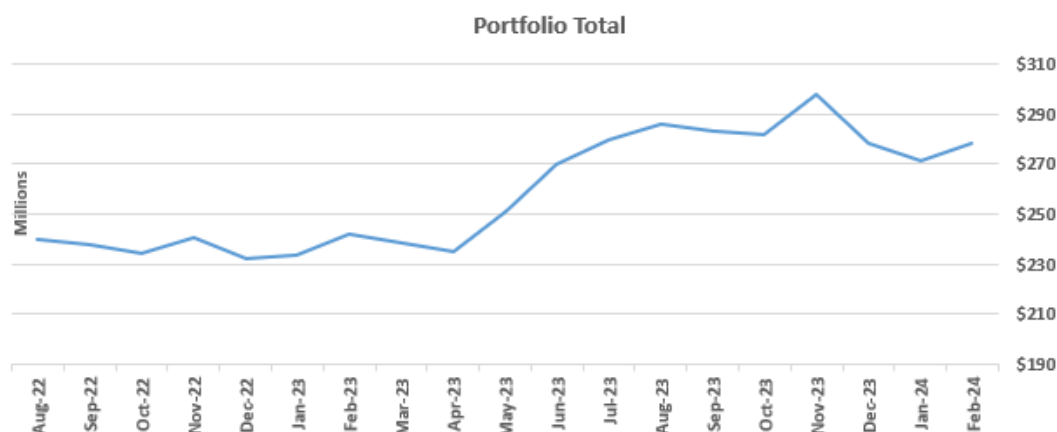
- a. any public funds or securities issued by or guaranteed by the Commonwealth, any State of the Commonwealth or a Territory;
- b. any debentures or securities issued by a council (within the meaning of the *Local Government Act 1993* (NSW));
- c. interest bearing deposits with, or any debentures or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

Investments, when placed, have been done so in accordance with the *Local Government Act*, *Local Government (General) Regulations 2021* and Council's Investment Policy and Strategy. Interest on investment has been accounted for on an accrual basis. This report details investments and annualised returns for the reporting month. Attachment 1 provides more detailed information on Council's investment portfolio for this period.

## REPORT

### Portfolio Overview

As of 29 February 2024, Council had a total investment Portfolio Face Value of \$278,512,443.81. This is inclusive of Councils Cash at bank consisting of General Funds, Sewer Funds, Water Funds, and restricted Grant Funding. Laminar Capital have provided a Market Value of \$282,732,704.72 for Council's Total Investment Portfolio.



### Portfolio Fund Breakdown

Portfolio Breakdown – Current Month			
Fund	Total Amount Invested	PFA Bank Account Balance	Total
General	\$106,750,000.00	\$31,313,750.80	\$138,063,750.80
Water	\$54,000,000.00	\$5,645,791.29	\$59,645,791.29
Sewer	\$73,000,000.00	\$7,802,901.72	\$80,802,901.72
<b>Total</b>	<b>\$233,750,000.00</b>	<b>\$44,762,443.81</b>	<b>\$278,512,443.81</b>

Portfolio Breakdown – Previous Month			
Fund	Total Amount Invested	PFA Bank Account Balance	Total
General	\$103,250,000.00	\$32,014,609.46	\$135,264,609.46
Water	\$48,000,000.00	\$8,607,468.25	\$56,607,468.25
Sewer	\$73,000,000.00	\$6,398,199.16	\$79,398,199.16
<b>Total</b>	<b>\$224,250,000.00</b>	<b>\$47,020,276.87</b>	<b>\$271,270,276.87</b>

### Key Movements

Investment Activity during the month was as follows:

- Investment Maturities – Funds Returned to Council:

ADI	Instrument	Amount	Funded by
CBA	Term Deposit	\$5,000,000.00	Water Fund
CBA	Term Deposit	\$1,500,000.00	General Fund
CBA	Term Deposit	\$1,500,000.00	Sewer Fund
CBA	Term Deposit	\$5,000,000.00	Water Fund
Macquarie Credit Union	Term Deposit	\$2,000,000.00	Water Fund
CBA	Term Deposit	\$5,000,000.00	Water Fund

- New Investments Purchased – Funds Paid Out by Council:

ADI	Instrument	Amount	Funded by
Suncorp	Term Deposit	\$3,000,000.00	Water Fund
Suncorp	Term Deposit	\$1,500,000.00	Sewer Fund
Macquarie Credit Union	Term Deposit	\$2,000,000.00	Water Fund
Suncorp	Term Deposit	\$5,000,000.00	Water Fund
Westpac	Term Deposit	\$5,000,000.00	Water Fund
Suncorp	Term Deposit	\$5,000,000.00	Water Fund
NAB	Term Deposit	\$5,000,000.00	General Fund
NAB	Term Deposit	\$3,000,000.00	Water Fund

**Notable Bank Account Activity during the month was as follows:**

- Notable Extraordinary Income – Funds Received by Council:

Reason for Expense	Amount	Funded by
Payment of Grant Funds	\$1,744,777.77	General Fund

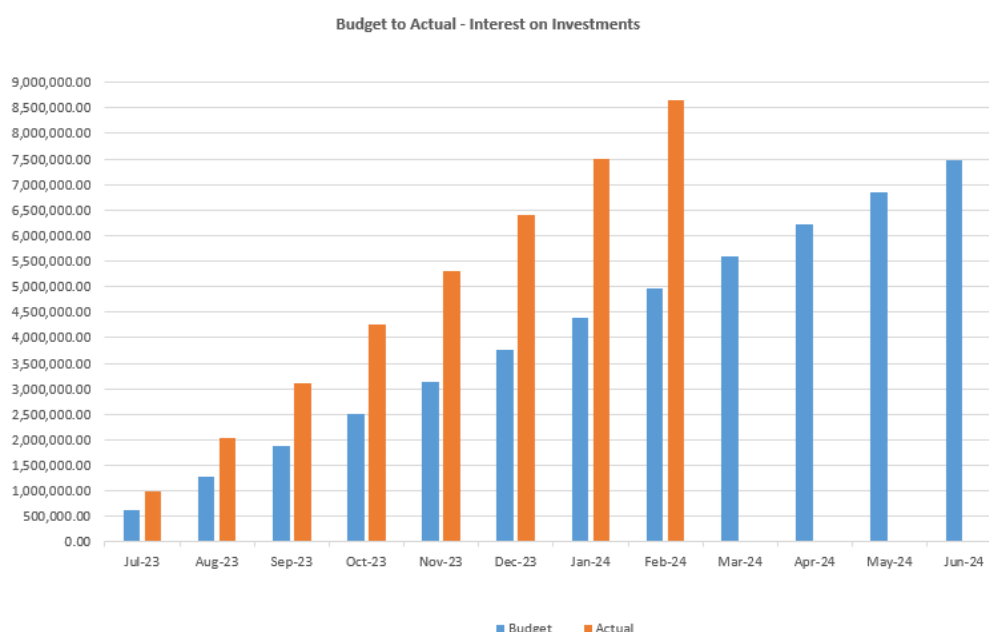
It is to be noted that the quarterly instalment of Council rates was due at the end of February, resulting in an increase in the total portfolio value.

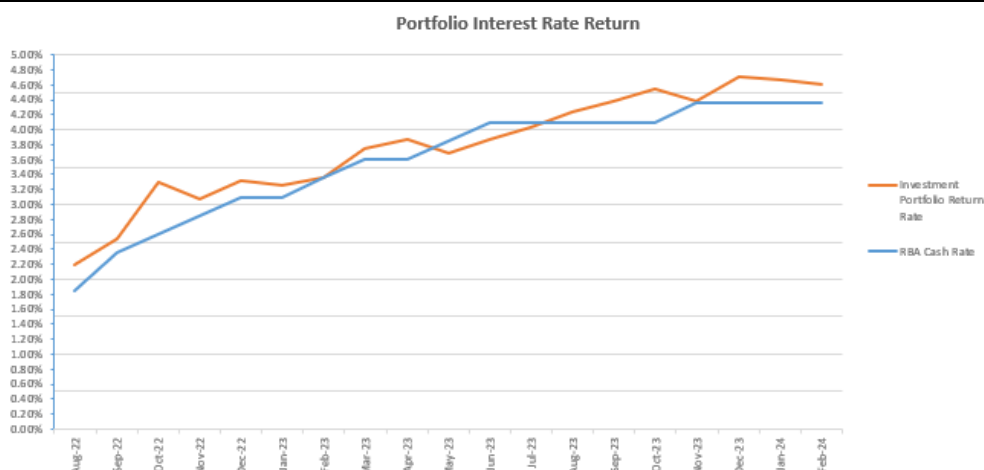
- Notable Expenditure – Funds Paid Out by Council

Reason for Expense	Amount	Funded by
Payment of Project	\$1,677,990.35	General Fund

**Investment Interest Overview:**

Interest earned on investments has been included within Council's 2023/2024 Operational Plan, with total income generated from the Investment Portfolio forecast to be in excess of \$7,463,425.00. The budget adjustment for the additional income generated will be made as part of the March quarterly review process.





Council has investments totalling \$34,000,000 Face Value which were invested with fixed interest rates below the current Official Cash Rate of 4.35%. There is one remaining investment of \$3,000,000 which will mature in the financial year ending 30 June 2024 that has an interest rate of 0.80%. Longer term investments beyond 30 June 2024 totalling \$31,000,000 were invested with interest rates ranging from 0.90% to 4.25%. These investments were placed with competitive interest rates at the time the investments were made.

## Summary

### Cash Account

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

### Investment Portfolio

Council outperformed the one-month Bloomberg AusBond Bank Bill Index of 0.37%, with an average return of 4.60% for its overall portfolio return.

## Consultation

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

## Resourcing Implications

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

## APPENDICES:

- 1 [Laminar Investment Reporting Pack - Attachment - February 2024](#)

## Dubbo Regional Council

### Investment Report

1 February to 29 February 2024



**Investment Report Pack**  
**Dubbo Regional Council**  
**1 February 2024 to 29 February 2024**

## Portfolio Valuation

Security	Security Rating	Face Value Original	Face Value Current	FI Cap Price/ Unit Price/ Share Price	Unit Count/ Share Count	Accrued Interest Price	Market Value	% Total Value	Running Yield	Weighted Running Yield
<b>At Call Investment</b>										
NAB At Call In	S&P ST A1+	44,762,443.81	44,762,443.81	100.000		0.000	<b>44,762,443.81</b>	15.83%	0.50%	
		44,762,443.81	44,762,443.81				<b>44,762,443.81</b>	15.83%		0.50%
<b>Covered Fixed Bond</b>										
SunBank 3.25 24 Aug 2026 COVEREDFIX	Moodys Aaa	5,000,000.00	5,000,000.00	96.644		0.045	<b>4,834,450.00</b>	1.71%	2.95%	
		5,000,000.00	5,000,000.00				<b>4,834,450.00</b>	1.71%		2.95%
<b>Fixed Rate Bond</b>										
MACQ 1.7 12 Feb 2025 Fixed	S&P A+	8,000,000.00	8,000,000.00	97.157		0.079	<b>7,778,880.00</b>	2.75%	1.65%	
NTTC 0.8 15 Jun 2024 - Issued 8 Mar 2021 - Dubbo Regional Council Fixed	Moodys Aa3	3,000,000.00	3,000,000.00	100.000		0.568	<b>3,017,040.00</b>	1.07%	0.80%	
NTTC 0.9 15 Jun 2025 - Issued 04 Feb 2021 - Dubbo Regional Council Fixed	Moodys Aa3	5,000,000.00	5,000,000.00	100.000		0.639	<b>5,031,950.00</b>	1.78%	0.90%	
NTTC 0.9 15 Jun 2025 - Issued 10 Feb 2021 - Dubbo Regional Council Fixed	Moodys Aa3	5,000,000.00	5,000,000.00	100.000		0.639	<b>5,031,950.00</b>	1.78%	0.90%	
RABOBK 4.25 12 May 2026 Fixed	Moodys Aa2	5,000,000.00	5,000,000.00	98.906		1.273	<b>5,008,950.00</b>	1.77%	3.71%	
		26,000,000.00	26,000,000.00				<b>25,868,770.00</b>	9.15%		1.72%
<b>Floating Rate Note</b>										
Auswide 0.9 17 Mar 2025 FRN	Moodys Baa2	5,000,000.00	5,000,000.00	100.090		1.053	<b>5,057,150.00</b>	1.79%	5.26%	
Auswide 1.3 10 Jun 2025 FRN	Moodys Baa2	5,000,000.00	5,000,000.00	100.393		1.241	<b>5,081,700.00</b>	1.80%	5.66%	
Auswide 1.5 07 Nov 2025 FRN	Moodys Baa2	3,500,000.00	3,500,000.00	100.538		0.353	<b>3,531,185.00</b>	1.25%	5.85%	
BOCSYD 0.57 28 Apr 2024 FRN	Moodys A1	3,000,000.00	3,000,000.00	99.946		0.418	<b>3,010,920.00</b>	1.06%	4.93%	
BOQ 0.63 06 May 2026 FRN	S&P BBB+	5,000,000.00	5,000,000.00	99.260		0.314	<b>4,978,700.00</b>	1.76%	4.98%	
MYS 0.65 16 Jun 2025 FRN	Moodys Baa2	8,000,000.00	8,000,000.00	99.637		1.003	<b>8,051,200.00</b>	2.85%	5.01%	
MYS 1.3 13 Oct 2025 FRN	Moodys Baa2	8,000,000.00	8,000,000.00	100.450		0.697	<b>8,091,760.00</b>	2.86%	5.65%	
UBS Aust 0.5 26 Feb 2026 FRN	Moodys Aa3	4,500,000.00	4,500,000.00	99.283		0.040	<b>4,469,535.00</b>	1.58%	4.84%	
		42,000,000.00	42,000,000.00				<b>42,272,150.00</b>	14.95%		5.28%
<b>Term Deposit</b>										
AMP 4.9 18 Mar 2024 353DAY TD	S&P ST A2	3,000,000.00	3,000,000.00	100.000		4.497	<b>3,134,917.80</b>	1.11%	4.90%	
BOQ 4.95 23 May 2024 365DAY TD	Moodys ST P-2	3,750,000.00	3,750,000.00	100.000		3.811	<b>3,892,905.83</b>	1.38%	4.95%	
BOQ 5.55 22 Jul 2024 396DAY TD	Moodys ST P-2	6,000,000.00	6,000,000.00	100.000		3.832	<b>6,229,906.86</b>	2.20%	5.55%	
BOQ 5.42 29 Nov 2024 365DAY TD	Moodys ST P-2	4,000,000.00	4,000,000.00	100.000		1.351	<b>4,054,051.52</b>	1.43%	5.42%	

Investment Report Pack  
Dubbo Regional Council  
1 February 2024 to 29 February 2024

BOQ 5.2 02 Dec 2024 549DAY TD	Moodys ST P-2	2,000,000.00	2,000,000.00	100.000	3.875	2,077,501.36	0.73%	5.20%
BOQ 5.2 02 Dec 2024 549DAY TD	Moodys ST P-2	3,000,000.00	3,000,000.00	100.000	3.875	3,116,252.04	1.10%	5.20%
BOQ 5.42 30 Jan 2025 427DAY TD	Moodys ST P-2	8,000,000.00	8,000,000.00	100.000	1.351	8,108,103.04	2.87%	5.42%
BOQ 4.95 10 Apr 2025 762DAY TD	Moodys A3	5,000,000.00	5,000,000.00	100.000	4.828	5,241,397.25	1.85%	4.95%
BOQ 4.76 21 Sep 2026 1461DAY TD	Moodys A3	5,000,000.00	5,000,000.00	100.000	2.100	5,104,980.80	1.81%	4.76%
BOQ 4.91 23 Sep 2027 1826DAY TD	Moodys A3	4,000,000.00	4,000,000.00	100.000	2.112	4,084,478.92	1.44%	4.91%
BOQ 5.15 03 Mar 2028 1827DAY TD	Moodys A3	3,000,000.00	3,000,000.00	100.000	5.122	3,153,653.43	1.12%	5.15%
BOQ 5.15 03 Mar 2028 1827DAY TD	Moodys A3	2,000,000.00	2,000,000.00	100.000	5.122	2,102,435.62	0.74%	5.15%
BOQ 5.15 03 Mar 2028 1827DAY TD	Moodys A3	2,000,000.00	2,000,000.00	100.000	5.122	2,102,435.62	0.74%	5.15%
CBA 5.56 14 Jun 2024 366DAY TD	S&P ST A1+	4,000,000.00	4,000,000.00	100.000	3.961	4,158,421.92	1.47%	5.56%
CBA 5.75 05 Jul 2024 366DAY TD	S&P ST A1+	5,000,000.00	5,000,000.00	100.000	3.765	5,188,253.40	1.84%	5.75%
CBA 5.75 05 Jul 2024 366DAY TD	S&P ST A1+	2,000,000.00	2,000,000.00	100.000	3.765	2,075,301.36	0.73%	5.75%
CBA 5.54 02 Aug 2024 364DAY TD	S&P ST A1+	11,500,000.00	11,500,000.00	100.000	3.172	11,864,805.19	4.20%	5.54%
CBA 5.55 07 Aug 2024 365DAY TD	S&P ST A1+	1,500,000.00	1,500,000.00	100.000	3.117	1,546,756.85	0.55%	5.55%
CBA 5.46 23 Aug 2024 364DAY TD	S&P ST A1+	2,500,000.00	2,500,000.00	100.000	2.812	2,570,306.85	0.91%	5.46%
CBA 5.37 21 Oct 2024 332DAY TD	S&P ST A1+	4,000,000.00	4,000,000.00	100.000	1.427	4,057,083.84	1.43%	5.37%
CBA 5.39 22 Nov 2024 364DAY TD	S&P ST A1+	4,000,000.00	4,000,000.00	100.000	1.432	4,057,296.44	1.44%	5.39%
CBA 4.78 20 Dec 2024 731DAY TD	S&P ST A1+	5,000,000.00	5,000,000.00	100.000	0.773	5,038,632.90	1.78%	4.78%
PCCU 5.7 13 Jun 2024 336DAY TD	S&P ST A2	5,000,000.00	5,000,000.00	100.000	3.607	5,180,369.85	1.83%	5.70%
PCCU 5.8 12 Jul 2024 365DAY TD	S&P ST A2	5,000,000.00	5,000,000.00	100.000	3.671	5,183,534.25	1.83%	5.80%
JUDO 4.75 18 Mar 2024 353DAY TD	S&P ST A3	7,000,000.00	7,000,000.00	100.000	4.360	7,305,171.23	2.58%	4.75%
JUDO 4.75 18 Mar 2024 353DAY TD	S&P ST A3	2,000,000.00	2,000,000.00	100.000	4.360	2,087,191.78	0.74%	4.75%
JUDO 5.04 17 May 2024 364DAY TD	S&P ST A3	4,000,000.00	4,000,000.00	100.000	3.949	4,157,966.04	1.47%	5.04%
JUDO 1.7 16 Sep 2026 1826DAY TD	S&P BBB-	3,000,000.00	3,000,000.00	100.000	0.764	3,022,915.08	1.07%	1.70%
MACQCU 5.12 18 Feb 2025 365DAY TD	Unrated ST UR	2,000,000.00	2,000,000.00	100.000	0.140	2,002,805.48	0.71%	5.12%
ME Bank 4.6 21 Jun 2024 731DAY TD	Moodys ST P-2	5,000,000.00	5,000,000.00	100.000	7.788	5,389,424.65	1.91%	4.60%
NAB 5.07 08 Apr 2024 182DAY TD	S&P ST A1+	3,000,000.00	3,000,000.00	100.000	1.986	3,059,589.87	1.08%	5.07%
NAB 5.17 03 Sep 2024 330DAY TD	S&P ST A1+	4,000,000.00	4,000,000.00	100.000	2.026	4,081,020.28	1.44%	5.17%
NAB 5.13 11 Sep 2024 240DAY TD	S&P ST A1+	3,000,000.00	3,000,000.00	100.000	0.632	3,018,973.98	1.07%	5.13%
NAB 5.07 28 Feb 2025 365DAY TD	S&P AA-	5,000,000.00	5,000,000.00	100.000	0.000	5,000,000.00	1.77%	5.07%
NAB 5.07 28 Feb 2025 365DAY TD	S&P AA-	3,000,000.00	3,000,000.00	100.000	0.000	3,000,000.00	1.06%	5.07%
SuncorpGp 5.11 13 Aug 2025 547DAY TD	S&P A+	5,000,000.00	5,000,000.00	100.000	0.224	5,011,200.00	1.77%	5.11%

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SunBank 5.15 03 Oct 2024 240DAY TD	S&P ST A1	3,000,000.00	3,000,000.00	100.000	0.325	3,009,735.63	1.06%	5.15%
SunBank 5.18 05 Feb 2025 365DAY TD	S&P ST A1	1,500,000.00	1,500,000.00	100.000	0.326	1,504,896.17	0.53%	5.18%
SunBank 5.11 06 May 2025 455DAY TD	S&P A+	5,000,000.00	5,000,000.00	100.000	0.322	5,016,100.00	1.77%	5.11%
Westpac 5.01 23 Jul 2025 516DAY TD	S&P AA-	5,000,000.00	5,000,000.00	100.000	0.082	5,004,117.80	1.77%	5.01%
		160,750,000.00	160,750,000.00			164,994,890.91	58.36%	5.14%
Total Portfolio		278,512,443.81	278,512,443.81			282,732,704.72	100.00%	4.05%

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1 February 2024 to 29 February 2024

## Portfolio Valuation By Categories

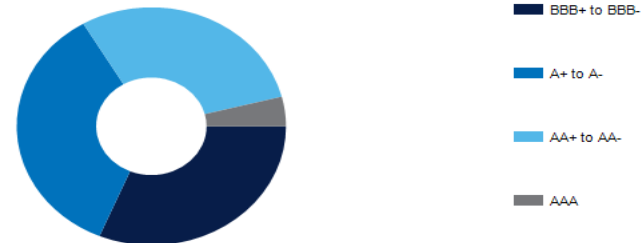
N/R	2,002,805.48	0.71%
A3	13,550,329.05	4.79%
A2	46,366,967.20	16.40%
A1	4,514,631.80	1.60%
A1+	95,478,886.68	33.77%
Portfolio Total	161,913,620.20	57.27%

Market Value by Security Rating Group (Short Term)



Long Term Issuer/Security Rating Group	Market Value	% Total Value
BBB+ to BBB-	37,814,610.08	13.37%
A+ to A-	42,606,481.64	15.07%
AA+ to AA-	35,563,542.80	12.58%
AAA	4,834,450.00	1.71%
Portfolio Total	120,819,084.52	42.73%

Market Value by Security Rating Group (Long Term)

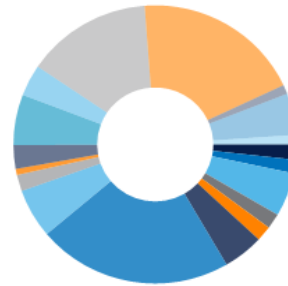


Investment Report Pack  
Dubbo Regional Council  
1 February 2024 to 29 February 2024

## Market Value by Issuer

Issuer	Market Value	% Total Value
AMP Bank Ltd	3,134,917.80	1.11%
Auswide Bank Limited	13,670,035.00	4.83%
Bank of China Limited, Sydney Branch	3,010,920.00	1.06%
Bank of Queensland Ltd	54,246,802.29	19.19%
Commonwealth Bank of Australia Ltd	40,556,858.74	14.34%
People's Choice Credit Union	10,363,904.10	3.67%
Judo Bank	16,573,244.13	5.86%
Macquarie Bank Ltd	7,778,880.00	2.75%
Macquarie Credit Union Limited	2,002,805.48	0.71%
Ltd	5,389,424.65	1.91%
MyState Bank Ltd	16,142,960.00	5.71%
National Australia Bank Ltd	62,922,027.94	22.25%
Northern Territory Treasury Corporation	13,080,940.00	4.63%
Rabobank Nederland Australia Branch	5,008,950.00	1.77%
Suncorp Group Ltd	5,011,200.00	1.77%
Suncorp-Metway Ltd	14,365,181.80	5.08%
UBS Australia Ltd	4,469,535.00	1.58%
Westpac Banking Corporation Ltd	5,004,117.80	1.77%
Portfolio Total	282,732,704.72	100.00%

Market Value by Issuer

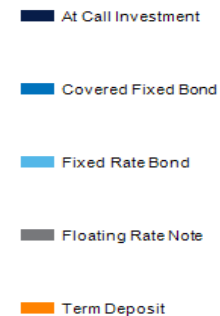


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## Market Value by Security Type

Security Type	Market Value	% Total Value
At Call Investment	44,762,443.81	15.83%
Covered Fixed Bond	4,834,450.00	1.71%
Fixed Rate Bond	25,868,770.00	9.15%
Floating Rate Note	42,272,150.00	14.95%
Term Deposit	164,994,890.91	58.36%
Portfolio Total	282,732,704.72	100.00%

Market Value by Security Type



Investment Report Pack  
Dubbo Regional Council  
1 February 2024 to 29 February 2024

## Market Value by Term Remaining

Term Remaining	Market Value	% Total Value
0 to < 1 Year	175,720,460.20	62.15%
1 to < 3 Years	95,569,240.93	33.80%
3 to < 5 Years	11,443,003.59	4.05%
Portfolio Total	282,732,704.72	100.00%

Note: Term Remaining is calculated  
using a weighted average life date (WAL)  
where appropriate and available

Market Value by Term Remaining



**Investment Report Pack**  
**Dubbo Regional Council**  
**1 February 2024 to 29 February 2024**

## Performance Statistics

Trading Book	1 Month	3 Month	12 Month	Since Inception
Dubbo Regional Council				
Portfolio Return (1)	0.33%	1.27%	4.60%	2.34%
Performance Index (2)	0.34%	1.09%	4.10%	1.76%
Excess Performance (3)	-0.01%	0.18%	0.50%	0.58%

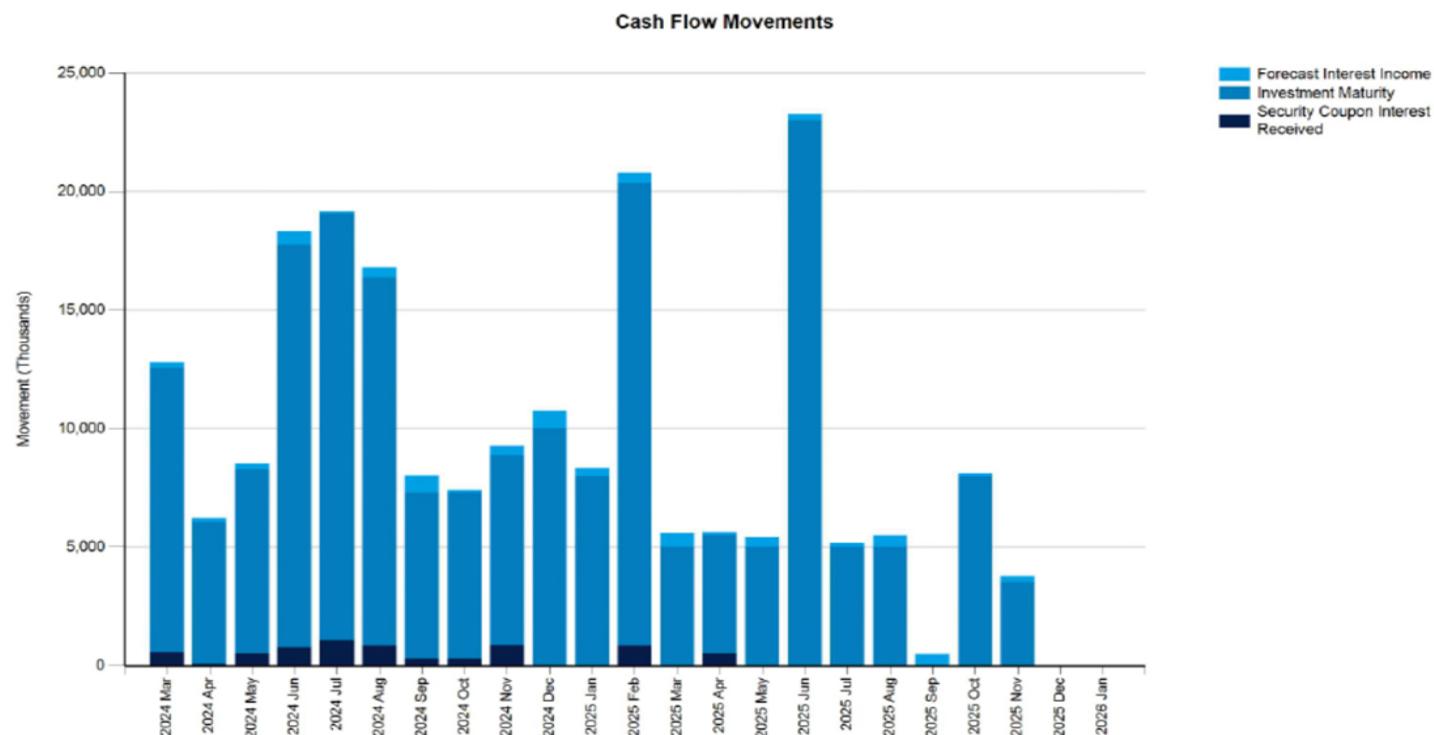
### Notes

- 1 Portfolio performance is the rate of return of the portfolio over the specified period
- 2 The Performance Index is the Bloomberg AusBond Bank Bill Index (Bloomberg Page BAUBIL)
- 3 Excess performance is the rate of return of the portfolio in excess of the Performance Index

Trading Book	Weighted Average Running Yield
Dubbo Regional Council	4.05

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## Cash Flow Movements



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## Issuer Trading Limits





**DUBBO REGIONAL  
COUNCIL**

## **Report of the Infrastructure, Planning and Environment Committee - meeting 7 March 2024**

**AUTHOR:** Administration Officer  
**REPORT DATE:** 12 March 2024

The Council had before it the report of the Infrastructure, Planning and Environment Committee meeting held 7 March 2024.

### **RECOMMENDATION**

**That the report of the Infrastructure, Planning and Environment Committee meeting held on 7 March 2024, be adopted.**



## REPORT INFRASTRUCTURE, PLANNING AND ENVIRONMENT COMMITTEE 7 MARCH 2024

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

**ALSO IN ATTENDANCE:** The Chief Executive Officer, the Executive Assistant to CEO, the Director Organisational Performance, the Manager Corporate Governance, the Corporate Governance Officers, the Director Strategy Partnership and Engagement, the IT Infrastructure Specialist, the IT Support Officer, the Communications Partner, the Director Infrastructure, the Manager Operations Water Supply and Sewerage, the Manager Strategy Water Supply and Sewerage, the Director Community Culture and Places, the Manager Macquarie Regional Library, the Manager Recreation and Open Spaces, the Manager Regional Events, the Events and Partnerships Team Leader, the Director Development and Environment, the Manager Environmental Compliance, the Manager Resource Recovery and Efficiency and the Organisational Sustainability Coordinator.

Councillor M Wright assumed the Chair of the meeting.

The proceedings of the meeting commenced at 5:30 pm.

### **IPEC24/1      ACKNOWLEDGEMENT OF COUNTRY (ID24/46)**

Councillor L Burns delivered an Acknowledgement of Country.

### **IPEC24/2      LEAVE OF ABSENCE (ID24/47)**

A request for Leave of Absence was received from Councillor D Mahon who was absent from the meeting due to personal reasons.

Moved by Councillor L Burns and seconded by Councillor S Chowdhury.

### **MOTION**

**That such request for Leave of Absence be accepted and Councillor D Mahon be granted leave of absence from this meeting.**

**CARRIED**

Councillors M Dickerson, R Ivey and P Wells, and the Chief Executive Officer attended via audio-visual link.

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

**Against:** Nil.

**IPEC24/3      CONFLICTS OF INTEREST (ID24/48)**

There were no Conflicts of Interest declared.

**IPEC24/4      REPORT OF THE CLIMATE CHANGE AND RESILIENCE COMMITTEE - MEETING  
27 FEBRUARY 2024 (ID24/430)**

The Committee had before it the report of the Climate Change and Resilience Committee meeting held 27 February 2024.

Moved by Councillor R Ivey and seconded by Councillor L Burns.

**MOTION**

**That the report of the Climate Change and Resilience Committee meeting held on 27 February 2024, be adopted.**

**CARRIED**

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

**Against:** Nil.

**IPEC24/5      BUILDING SUMMARY - FEBRUARY 2024 (ID24/251)**

The Committee had before it the report dated 23 February 2024 from the Director Development and Environment regarding Building Summary - February 2024.

Moved by Councillor J Gough and seconded by Councillor V Etheridge.

**MOTION**

**That the report of the Director Development and Environment dated 23 February 2024, be noted.**

**CARRIED**

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

**Against:** Nil.

**IPEC24/6      REPLACEMENT OF FLUORIDE DOSING SYSTEM AT JOHN GILBERT WATER TREATMENT PLANT (JGWTP) - PROJECT UPDATE (ID24/306)**

The Committee had before it the report dated 19 February 2024 from the Manager Strategy Water Supply and Sewerage regarding Replacement of Fluoride Dosing System at John Gilbert Water Treatment Plant (JGWTP) - Project Update.

Moved by Councillor S Chowdhury and seconded by Councillor J Black.

**MOTION**

**That the report of the Manager Strategy Water Supply and Sewerage be noted.**

**CARRIED**

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

**Against:** Nil.

**IPEC24/7      WATER QUALITY ACTION PLAN UPDATE - ANNUAL REPORT (ID24/262)**

The Committee had before it the report dated 13 February 2024 from the Manager Operations Water and Sewer regarding Water Quality Action Plan Update - Annual Report.

Moved by Councillor L Burns and seconded by Councillor J Gough.

**MOTION**

**That the report of the Manager Operations Water Supply and Sewerage dated 13 February 2024 be noted.**

**CARRIED**

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

**Against:** Nil.

**IPEC24/8      ANNUAL REVIEW OF ENERGY STRATEGY AND IMPLEMENTATION PLAN  
(ID24/377)**

The Committee had before it the report dated 22 February 2024 from the Organisational Sustainability Coordinator regarding Annual Review of Energy Strategy and Implementation Plan.

Moved by Councillor J Black and seconded by Councillor V Etheridge.

**MOTION**

**That the Report of the Organisational Sustainability Coordinator dated 22 February 2024, be noted.**

**CARRIED**

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

**Against:** Nil.

**IPEC24/9      RESULTS OF INGROUND PARKING SENSOR AND LICENSE PLATE RECOGNITION  
CAMERA TRIALS (ID23/2645)**

The Committee had before it the report dated 21 February 2024 from the Manager Environmental Compliance regarding Results of Inground Parking Sensor and License Plate Recognition Camera Trials.

Moved by Councillor V Etheridge and seconded by Councillor J Gough.

**MOTION**

**That Council note the initial results of the Inground Parking Sensor and License Plate Recognition Camera Trials.**

Moved by Councillor J Black and seconded by Councillor V Etheridge.

**AMENDMENT**

- 1. That Council note the initial results of the Inground Parking Sensor and License Plate Recognition Camera Trials.**
- 2. That prior to any further expansion of the Inground Parking Sensor and Licence Plate Recognition Programme, a report be brought to Council for consideration.**

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

**CARRIED**

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

**CARRIED**

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

**Against:** Councillor M Dickerson.

**IPEC24/10 NAMING OF ROAD IN SUBDIVISION - 2 SPITFIRE DRIVE, DUBBO - LOT 6 DP 1267441 (ID24/294)**

The Committee had before it the report dated 21 February 2024 from the Land & Information Services Officer regarding Naming of Road in Subdivision - 2 Spitfire Drive, Dubbo - Lot 6 DP 1267441.

Moved by Councillor S Chowdhury and seconded by Councillor V Etheridge.

**MOTION**

1. That the proposed road name, Woomera Circuit, be approved by Council as per the road layout plan.
2. That the proposed name be notified in the local newspaper and Government Authorities notified in accordance with Section 162 of the Roads Act 1993 and Section 7 of the Roads Regulation 2018.
3. That the developer be advised accordingly, once approval under the Roads Regulation 2018 has been given and the name gazetted.

**CARRIED**

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

**Against:** Nil.

**CONFIDENTIAL**

Moved by Councillor V Etheridge and seconded by Councillor L Burns.

**MOTION**

**That confidential item IPEC24/11 be deferred to the conclusion of the Corporate Services Committee.**

**CARRIED**

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

**Against:** Nil.

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

The item listed comes within the following provisions of the Act:

- *IPEC24/11 – Tender for the Design and Construction of Saxa Road Comobella Causeway* (Section 10A(2)(c)) - information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposed to conduct) business.

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

The closed session was held from 7.33 pm to 8.07 pm during the Corporate Services Committee meeting, where item IPEC24/11 was considered. During the open session at 8.08pm, the Manager Corporate Governance read out the following resolutions:

**IPEC24/11 TENDER FOR THE DESIGN AND CONSTRUCTION OF SAXA ROAD COMOBELLA CAUSEWAY BRIDGE (ID24/5)**

The Committee had before it the report dated 9 January 2024 from the Manager Infrastructure Delivery regarding Tender for the Design and Construction of Saxa Road Comobella Causeway Bridge.

Moved by Councillor L Burns and seconded by Councillor J Black.

**MOTION**

**That members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c)).**

**CARRIED**

Moved by Councillor M Wright and seconded by Councillor R Ivey.

**MOTION**

1. **That a contract for the Design and Construction of the Saxa Road Comobella Crossing Bridge be awarded to Bridge and Marine Engineering Pty Ltd in accordance with Clause 178 (3) of the Local Government (General) Regulation 2021 for the amount of \$1,702,910 (incl GST).**
2. **That Council delegate the Chief Executive Officer to approve the extension options for this contract if required.**
3. **That Council delegate the Chief Executive Officer to approve contract variations for this contract subject to budget limitations.**
4. **That all documentation in relation to this matter remain confidential to Council.**

5. That all documentation in relation to this matter be signed under the Common Seal of Council.

CARRIED

**For:** Councillors L Burns, S Chowdhury, M Dickerson, J Gough, and R Ivey.

**Against:** Councillors J Black, P Wells, M Wright.

The meeting closed at 6:08 pm

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CHAIRPERSON



**DUBBO REGIONAL  
COUNCIL**

## **Report of the Culture and Community Committee - meeting 7 March 2024**

**AUTHOR: Administration Officer**  
**REPORT DATE: 12 March 2024**

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The Council had before it the report of the Culture and Community Committee meeting held 7 March 2024.

### **RECOMMENDATION**

**That the report of the Culture and Community Committee meeting held on 7 March 2024, be adopted.**



## REPORT CULTURE AND COMMUNITY COMMITTEE 7 MARCH 2024

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

**ALSO IN ATTENDANCE:** The Chief Executive Officer, the Executive Assistant to CEO, the Director Organisational Performance, the Manager Corporate Governance, the Corporate Governance Officers, the Director Strategy Partnership and Engagement, the IT Infrastructure Specialist, the IT Support Officer, the Communications Partner, the Director Infrastructure, the Manager Operations Water Supply and Sewerage, the Manager Strategy Water Supply and Sewerage, the Director Community Culture and Places, the Manager Macquarie Regional Library, the Manager Recreation and Open Spaces, the Manager Regional Events, the Events and Partnerships Team Leader, the Director Development and Environment, the Manager Environmental Compliance, the Manager Resource Recovery and Efficiency and the Organisational Sustainability Coordinator.

Councillor J Gough assumed the Chair of the meeting.

The proceedings of the meeting commenced at 6:09 pm.

### **CCC24/1 LEAVE OF ABSENCE (ID24/49)**

A request for Leave of Absence was received from Councillor D Mahon who was absent from the meeting due to personal reasons.

Moved by Councillor S Chowdhury and seconded by Councillor V Etheridge.

### **MOTION**

**That such request for Leave of Absence be accepted and Councillor D Mahon be granted leave of absence from this meeting.**

**CARRIED**

Councillors M Dickerson, R Ivey and P Wells and the Chief Executive Officer attended via audio-visual link.

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

**Against:** Nil.

**CCC24/2 CONFLICTS OF INTEREST (ID24/50)**

The following Conflicts of Interest were declared:

- Councillor S Chowdhury – Non-pecuniary, Less than Significant – CCC24/3.
- Councillor J Gough – Non-pecuniary, Less than Significant – CCC24/3.

**CCC24/3 DREAM FESTIVAL 2023 AND BEYOND (ID24/214)**

The Committee had before it the report dated 2 February 2024 from the Events and Partnerships Team Leader regarding DREAM Festival 2023 and Beyond. The Committee reports having met with K Jennar, J Randell and the Manager Regional Events regarding this matter.

Moved by Councillor L Burns and seconded by Councillor S Chowdhury.

**MOTION**

That Council determine the pathway forward for the Dream Festival.

LOST

**FOR:** Nil

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

Moved by Councillor S Chowdhury and seconded by Councillor M Wright.

**ALTERNATIVE MOTION**

1. That the Chief Executive Officer facilitate an Expression of Interest (EOI) process to determine a community group or other body to deliver the DREAM festival.
2. That Council provide funding support a maximum of \$40,000, to the community group or body for the organisation, planning and delivery of the DREAM festival based on Council's procurement practice and appropriate funding conditions set by Council.
3. That Council provide event support in line with standard practices, in addition to the \$40,000 funding.

CARRIED

**For:** Councillors L Burns, S Chowdhury, M Dickerson, V Etheridge, J Gough, and M Wright.

**Against:** Councillors J Black, L Burns and P Wells

*Councillor J Gough declared a non-pecuniary, less than significant interest in the matter now before the Committee and remained in the room during the Committee's consideration of this matter. The reason for such interest is that Councillor Gough owns a business that is involved with the DREAM Festival.*

*Councillor S Chowdhury declared a non-pecuniary, less than significant interest in the matter now before the Committee and remained in the room during the Committee's consideration of this matter. The reason for such interest is that Councillor Chowdhury is a volunteer for the Cross Cultural Carnival and Multicultural event in Wellington.*

**CCC24/4      REPORT OF THE PUBLIC SPACES TREE COMMITTEE - MEETING 1 NOVEMBER 2023 (ID24/114)**

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

Moved by Councillor J Black and seconded by Councillor L Burns.

**MOTION**

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

**CARRIED**

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

**Against:** Nil.

**CCC24/5      REPORT OF THE MULTICULTURAL ADVISORY COMMITTEE - MEETING 21 NOVEMBER 2023 (ID24/452)**

The Committee had before it the report of the Multicultural Advisory Committee meeting held 21 November 2023.

Moved by Councillor S Chowdhury and seconded by Councillor V Etheridge.

**MOTION**

**That the report of the Multicultural Advisory Committee meeting held on 21 November 2023, be noted.**

**CARRIED**

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

**Against:** Nil.

**CCC24/6      REPORT OF THE DISABILITY ACCESS AND INCLUSION ADVISORY COMMITTEE -  
MEETING 12 DECEMBER 2023 (ID24/446)**

The Committee had before it the report of the Disability Access and Inclusion Advisory Committee meeting held 12 December 2023.

Moved by Councillor S Chowdhury and seconded by Councillor J Black.

**MOTION**

**That the report of the Disability Access and Inclusion Advisory Committee meeting held on 12 December 2023, be noted.**

**CARRIED**

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

**Against:** Nil.

**CCC24/7      REPORT OF THE RECONCILIATION ACTION PLAN WORKING GROUP - MEETING  
5 FEBRUARY 2024 (ID24/286)**

The Committee had before it the report of the Reconciliation Action Plan Working Group meeting held 5 February 2024.

Moved by Councillor L Burns and seconded by Councillor S Chowdhury.

**MOTION**

**That the report of the Reconciliation Action Plan Working Group meeting held on 5 February 2024, be noted.**

**CARRIED**

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

**Against:** Nil.

*At this juncture, Councillor V Etheridge left the meeting, the time being 7.00 pm.*

**CCC24/8      REPORT OF THE SOCIAL JUSTICE ADVISORY COMMITTEE - MEETING 6  
FEBRUARY 2024 (ID24/433)**

The Committee had before it the report of the Social Justice Advisory Committee meeting held 6 February 2024.

Moved by Councillor P Wells and seconded by Councillor S Chowdhury.

**MOTION**

**That the report of the Social Justice Advisory Committee meeting held on 6 February 2024, be adopted.**

**CARRIED**

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

**Against:** Nil.

**CCC24/9      REPORT OF THE MULTICULTURAL ADVISORY COMMITTEE - MEETING 12  
FEBRUARY 2024 (ID24/434)**

The Committee had before it the report of the Multicultural Advisory Committee meeting held 12 February 2024.

Moved by Councillor S Chowdhury and seconded by Councillor M Wright.

**MOTION**

**That the report of the Multicultural Advisory Committee meeting held on 12 February 2024, be adopted.**

**CARRIED**

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

**Against:** Nil.

**CCC24/10      REPORT OF THE SISTER CITY COMMITTEE - MEETING 13 FEBRUARY 2024  
(ID24/287)**

The Committee had before it the report of the Sister City Committee meeting held 13 February 2024.

Moved by Councillor S Chowdhury and seconded by Councillor J Black.

**MOTION**

**That the report of the Sister City Committee meeting held on 13 February 2024, be noted.**

**CARRIED**

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

**Against:** Nil.

**CCC24/11      REPORT OF THE DISABILITY ACCESS AND INCLUSION ADVISORY COMMITTEE -  
MEETING 14 FEBRUARY 2024 (ID24/436)**

The Committee had before it the report of the Disability Access and Inclusion Advisory Committee meeting held 14 February 2024.

Moved by Councillor S Chowdhury and seconded by Councillor J Black.

**MOTION**

**That the report of the Disability Access and Inclusion Advisory Committee meeting held on 14 February 2024, be noted.**

**CARRIED**

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

**Against:** Nil.

**CCC24/12      REPORT OF THE SPARC COMMITTEE - MEETING 20 FEBRUARY 2024  
(ID24/435)**

The Committee had before it the report of the SPARC Committee meeting held 20 February 2024.

Moved by Councillor M Wright and seconded by Councillor S Chowdhury.

**MOTION**

**That the report of the SPARC Committee meeting held on 20 February 2024, be adopted.**

**CARRIED**

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

**Against:** Nil.

**CCC24/13      PROGRESS TOWARD A COMMUNITY SAFETY AND CRIME PREVENTION PLAN  
(ID24/259)**

The Committee had before it the report dated 10 February 2024 from the Director Community, Culture and Places regarding Progress Toward a Community Safety and Crime Prevention Plan.

Moved by Councillor P Wells and seconded by Councillor S Chowdhury.

**MOTION**

1. That the progress report provided by Director Community, Culture and Places be noted.
2. That it be noted that the Community Safety Plan will encompass 'Crime Prevention Priorities' and associated action plans.
3. That the Chief Executive Officer develop a 'Youth Strategy' in collaboration with the Youth Council and other key stakeholders.

**CARRIED**

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

**Against:** Nil.

*At this juncture, Councillor L Burns left the meeting, the time being 7.10 pm.*

*Councillor L Burns returned to the meeting at 7.12 pm.*

**CCC24/14      MACQUARIE REGIONAL LIBRARY PERFORMANCE REPORT OCTOBER TO  
DECEMBER 2023 (ID24/139)**

The Committee had before it the report dated 19 February 2024 from the Manager Macquarie Regional Library regarding Macquarie Regional Library Performance Report October to December 2023.

Moved by Councillor J Black and seconded by Councillor L Burns.

**MOTION**

**That the Macquarie Regional Library Performance Report for October to December 2023 be noted.**

**CARRIED**

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

**Against:** Nil.

**CCC24/15 DELROY PARKLANDS MASTER PLAN - RESULTS OF PUBLIC EXHIBITION  
(ID23/2689)**

The Committee had before it the report dated 11 November 2023 from the Manager Recreation and Open Space regarding Delroy Parklands Master Plan - Results of Public Exhibition.

Moved by Councillor S Chowdhury and seconded by Councillor M Wright.

**MOTION**

1. That the Delroy Parklands Master Plan – Results of Public Exhibition report be noted.
2. That the Delroy Parklands Master Plan 2023 be adopted and implemented as funding becomes available through Developer Contributions and external funding opportunities.
3. That as the Delroy Parklands Master Plan 2023 is progressively implemented the identified funds required (increased by CPI from 2024) to maintain the area/s are considered for inclusion in the budget formulation process.

**CARRIED**

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

**Against:** Nil.

**CONFIDENTIAL**

Moved by Councillor M Wright and seconded by Councillor S Chowdhury.

**MOTION**

**That confidential item CCC24/16 be deferred to the conclusion of the Corporate Services Committee.**

**CARRIED**

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

**Against:** Nil.

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

The item listed comes within the following provisions of the Act:

- *CCC24/16 – Reclassification and Rezoning of Alexander Bell Memorial Park* (Section 10A(2)(c)) - information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposed to conduct) business.

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

The closed session was held from 7.33 pm to 8.07 pm during the Corporate Services Committee meeting, where item CCC24/16 was considered. During the open session at 8.08pm, the Manager Corporate Governance read out the following resolutions:

**CCC24/16 RECLASSIFICATION AND REZONING OF ALEXANDER BELL MEMORIAL PARK (ID23/2688)**

The Committee had before it the report dated 20 February 2024 from the Manager Recreation and Open Space regarding Reclassification and Rezoning of Alexander Bell Memorial Park.

Moved by Councillor L Burns and seconded by Councillor J Black.

**MOTION**

**That members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c)).**

**CARRIED**

Moved by Councillor M Wright and seconded by Councillor J Gough.

**MOTION**

1. **That Lot 43 DP619578 is not required for the purposes of public open space.**
2. **That Council prepare a Planning Proposal to undertake reclassification of Alexander Bell Memorial Park from Community Land to Operational Land under the provisions of the Local Government Act 1993 and to rezone the land for the purposes of residential development under the provisions of the Dubbo Regional Local Environmental Plan 2022.**
3. **That it be noted, in accordance with the requirements of *the Environmental Planning and Assessment Act, 1979* and the *Local Government Act, 1993*, Council is required to undertake community consultation for a period of no less than 28 days and hold a Public Hearing.**
4. **That all documents in relation to this matter remain confidential to council.**

**CARRIED**

**For:** Councillor L Burns, S Chowdhury, M Dickerson, J Gough, R Ivey, P Wells and M Wright.

**Against:** Councillor J Black.

The meeting closed at 7:17pm.

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CHAIRPERSON



**DUBBO REGIONAL  
COUNCIL**

## **Report of the Corporate Services Committee - meeting 7 March 2024**

**AUTHOR:** Administration Officer  
**REPORT DATE:** 12 March 2024

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The Council had before it the report of the Corporate Services Committee meeting held 7 March 2024.

### **RECOMMENDATION**

**That the report of the Corporate Services Committee meeting held on 7 March 2024, be adopted.**



## REPORT CORPORATE SERVICES COMMITTEE 7 MARCH 2024

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

**ALSO IN ATTENDANCE:** The Chief Executive Officer, the Executive Assistant to CEO, the Director Organisational Performance, the Manager Corporate Governance, the Corporate Governance Officers, the Director Strategy Partnership and Engagement, the IT Infrastructure Specialist, the IT Support Officer, the Communications Partner, the Director Infrastructure, the Manager Operations Water Supply and Sewerage, the Manager Strategy Water Supply and Sewerage, the Director Community Culture and Places, the Manager Macquarie Regional Library, the Manager Recreation and Open Spaces, the Manager Regional Events, the Events and Partnerships Team Leader, the Director Development and Environment, the Manager Environmental Compliance, the Manager Resource Recovery and Efficiency and the Organisational Sustainability Coordinator.

Councillor S Chowdhury assumed the Chair of the meeting.

The proceedings of the meeting commenced at 7:18 pm.

### **CSC24/1 LEAVE OF ABSENCE (ID24/51)**

A request for Leave of Absence was received from Councillor D Mahon who was absent from the meeting due to personal reasons.

Moved by Councillor L Burns and seconded by Councillor M Wright.

### **MOTION**

**That such request for Leave of Absence be accepted and Councillor D Mahon be granted leave of absence from this meeting.**

**CARRIED**

Councillors M Dickerson, R Ivey and P Wells and the Chief Executive Officer attended via audio-visual link.

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

**Against:** Nil.

**CSC24/2      CONFLICTS OF INTEREST (ID24/52)**

There were no Conflicts of Interest declared.

**CSC24/3      REPORT OF THE FINANCIAL PERFORMANCE COMMITTEE - MEETING 16  
NOVEMBER 2023 (ID24/285)**

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

Moved by Councillor M Wright and seconded by Councillor L Burns.

**MOTION**

**That the report of the Financial Performance Committee meeting held on 16 November 2023, be noted.**

**CARRIED**

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

**Against:** Nil.

**CSC24/4      REPORT OF THE WELLINGTON TOWN COMMITTEE - MEETING 11 DECEMBER  
2023 (ID24/113)**

The Committee had before it the report of the Wellington Town Committee meeting held 11 December 2023.

Moved by Councillor R Ivey and seconded by Councillor J Gough.

**MOTION**

**That the report of the Wellington Town Committee meeting held on 11 December 2023, be noted.**

**CARRIED**

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

**Against:** Nil.

**CSC24/5      REPORT OF THE FINANCIAL PERFORMANCE COMMITTEE - MEETING 6  
FEBRUARY 2024 (ID24/432)**

The Committee had before it the report of the Financial Performance Committee meeting held 6 February 2024.

Moved by Councillor M Wright and seconded by Councillor R Ivey.

**MOTION**

**That the report of the Financial Performance Committee meeting held on 6 February 2024, be noted.**

**CARRIED**

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

**Against:** Nil.

**CSC24/6      MONTHLY REPORTING SNAPSHOT FOR COUNCILLORS - DECEMBER 2023 AND  
JANUARY 2024 (ID24/409)**

The Committee had before it the report dated 26 February 2024 from the Corporate Strategy Performance Coordinator regarding Monthly Reporting Snapshot for Councillors - December 2023 and January 2024.

Moved by Councillor J Gough and seconded by Councillor M Wright.

**MOTION**

**That the information contained within the report of the Corporate Strategy and Performance Coordinator, dated 26 February 2024, be noted.**

**CARRIED**

**For:** Councillors J Black, L Burns, S Chowdhury, M Dickerson, J Gough, P Wells and M Wright.

**Against:** Nil.

*Councillor R Ivey did not vote on the above item due to not being present via audio-visual link at the time.*

**CONFIDENTIAL**

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

The item listed comes within the following provisions of the Act:

- *CSC24/7 – Value to Negotiate with the Dubbo RSL for the Old Dubbo Bowling Club Update* (Section 10A(2)(d)(ii)) - information that would, if disclosed, confer a commercial advantage on a competitor of the Council.

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

At this juncture the Committee resolved into closed session, the time being 7.33 pm.

The open session resumed at 8.07 pm.

The Manager Corporate Governance read out the following resolutions made in the closed session:

**CSC24/7      VALUE TO NEGOTIATE WITH THE DUBBO RSL FOR THE OLD DUBBO BOWLING CLUB UPDATE (ID24/412)**

The Committee had before it the report dated 26 February 2024 from the Director Organisational Performance regarding Value to Negotiate with the Dubbo RSL for the Old Dubbo Bowling Club Update.

Moved by Councillor L Burns and seconded by Councillor J Black.

**MOTION**

**That members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned 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)).**

**CARRIED**

Moved by Councillor M Dickerson and seconded by Councillor M Wright

**MOTION**

- 1. That Council does not re submit an updated Expression of Interest for 74 Wingewarra Street, Dubbo.**
- 2. That all documentation in relation to this matter remain confidential to Council.**

**CARRIED**

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

**Against:** J Black.

The meeting closed at 8.10 pm.

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CHAIRPERSON



**DUBBO REGIONAL  
COUNCIL**

## **Report of the Wellington Town Committee - meeting 26 February 2024**

**AUTHOR: Administration Officer**  
**REPORT DATE: 7 March 2024**

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The Council had before it the report of the Wellington Town Committee meeting held 26 February 2024.

### **RECOMMENDATION**

**That the report of the Wellington Town Committee meeting held on 26 February 2024, be adopted.**



## REPORT WELLINGTON TOWN COMMITTEE 26 FEBRUARY 2024

**PRESENT:** Councillor R Ivey, the Chief Executive Officer, the Director Strategy, Partnerships and Engagement, the Manager Community Services, R Whiteley (Community Representative), E Holmes (Community Representative), D Ramsland (Community Representative), D Mitchell (Community Representative), T Kelly (Community Representative), I Parkes (Community Representative), M Griggs (Community Representative) and J Wykes (Community Representative).

**ALSO IN ATTENDANCE:**

The Director Infrastructure, the Manager Strategic Partnerships and Investment, the Corporate Strategy and Performance Coordinator and the Executive Officer Strategy, Partnerships and Engagement.

Councillor R Ivey assumed the Chair of the meeting.

The proceedings of the meeting commenced at 5.32 pm.

**WTC24/1 ACKNOWLEDGEMENT OF COUNTRY (ID24/365)**

The Manager Strategic Partnerships and Investment delivered an Acknowledgment of Country.

**WTC24/2 LEAVE OF ABSENCE (ID24/375)**

Requests for leave of absence were received from Councillor Gough and T Dray (Community Representative).

T Kelly attended via Audio-Visual link.

**WTC24/3 CONFLICTS OF INTEREST (ID24/376)**

The following conflict of interest was declared:

- I Parkes – Non-pecuniary, Less Than Significant in WTC24/5.

**WTC24/4      REPORT OF THE WELLINGTON TOWN COMMITTEE - MEETING 11 DECEMBER 2023 (ID24/378)**

The Committee had before it the report of the Wellington Town Committee meeting held 11 December 2023.

**OUTCOME**

1. That the report of the Wellington Town Committee meeting held on 11 December 2023, be noted.
2. That it be noted that E Holmes notified her apology for the meetings of 4 September 2023 and 11 December 2023.
3. That it be noted that the Committee will be included as a key stakeholder in the Drought Resilience Plan project.

**WTC24/5      OXLEY MUSEUM 37 WARNE STREET WELLINGTON - UPDATE TO BE PROVIDED ON BUILDINGS CURRENT USE (ID24/379)**

The Committee was addressed by I Parkes regarding this matter.

**OUTCOME**

1. That the address provided by I Parkes be noted.
2. That it be noted that I Parkes (as a member of the Historical Society) will explore grant funding opportunities that could support relocation of large objects.
3. That it be noted that the Chief Executive Officer will continue discussions with the Historical Society to discuss future planning.

*I Parkes (Community Representative) declared a non-pecuniary, less than significant interest in the matter now before the Committee and remained in the room during the Committee's consideration of this matter. The reason for such interest is that I Parkes is a member of the Historical Society.*

**WTC24/6      CENTRAL-WEST ORANA RENEWABLE ENERGY ZONE (ID24/380)**

The Committee was addressed by D Mitchell, R Whitley and the Chief Executive Officer regarding this matter.

**OUTCOME**

1. That the address provided by D Mitchell and R Whitley be noted and presentation notes be shared with the Committee.
2. That it be noted that the Chief Executive Officer, as a member of Central-West Orana REZ Steering Committee, will facilitate discussions regarding the concerns raised by the Wellington Town Committee regarding vegetation plantings around solar farms.

3. That it be noted that Committee members will explore potential funding opportunities to fund design and implementation tree planting around highway entry points and make formal submissions during the public exhibition period of the Draft 2024/2025 Delivery Program and Operational Plan, Budget and associated documents.
4. That the update provided by the Chief Executive Officer regarding the Voluntary Planning agreement and Renewable Energy Awareness and Career Training (REACT) Centre project, be noted.

At this juncture T Kelly left the meeting, the time being 6.30 pm.

**WTC24/7      UPDATE ON THE RHINO RENEWAL PROJECT & WELLINGTON CBD ANALYSIS  
(ID24/381)**

The Committee was addressed by the Manager Strategic Partnerships and Investment regarding this matter.

**OUTCOME**

1. That the address provided by the Manager Strategic Partnerships and Investment be noted.
2. That it be noted that the Committee supports the outcome of the community survey and is supportive of the allocation of funds to the sunken garden project.
3. That the Committee be updated on sunken garden project at future meetings.
4. That it be noted, as discussed during the meeting, a letter in the name of the Mayor and Deputy Mayor will be provided to CBD businesses and building owners regarding the outcomes of the CBD analysis.
5. That it be noted that the Committee requested that Council consider any other actions that could be taken in response to the CBD audit.

**WTC24/8      UPDATE ON OPERATIONAL PLAN ACTIONS (ID24/382)**

The Committee was addressed by the Corporate Strategy and Performance Coordinator, Director Infrastructure and Director Strategy, Partnerships and Engagement regarding this matter.

**OUTCOME**

1. That the address by the Corporate Strategy and Performance Coordinator, Director Infrastructure and Director Strategy, Partnerships and Engagement, be noted.
2. That it be noted that, as part of the December quarterly budget review, \$70,000 has been allocated to the temporary pedestrian crossing on the Duke of Wellington Bridge, further noting that works on the path will not provide disability access and Council is yet to be advised of the outcome of the application made to the Disaster Recovery Funding Arrangements (DRFA).

**WTC24/9      GENERAL BUSINESS, CORRESPONDENCE AND QUESTIONS ON NOTICE  
(ID24/383)**

The Committee was addressed by the Chair and the Director Strategy, Partnerships and Engagement regarding this matter.

**OUTCOME**

1. That the address provided by the Chair and the Director Strategy, Partnerships and Engagement be noted.
2. That it be noted that the Director Infrastructure will examine seating within Bicentennial Park.
3. That it be noted that the Director Infrastructure will explore improvements in the presentation of Brennan’s Way pedestrian pathway.
4. That it be noted that the Committee will be provided with a copy of the of the information requested from the Wellington Battery Energy Storage System (BESS) upon its receipt.
5. That it be noted that the discussions regarding meeting minutes will be considered during the implementation of the Community Committees Service Review outcomes.

The meeting closed at 7.45pm.

.....  
CHAIRPERSON



**DUBBO REGIONAL  
COUNCIL**

## **Report of the Audit, Risk and Improvement Committee - meeting 4 March 2024**

**AUTHOR:** Administration Officer  
**REPORT DATE:** 6 March 2024

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The Council had before it the report of the Audit, Risk and Improvement Committee meeting held 4 March 2024.

### **RECOMMENDATION**

**That the report of the Audit, Risk and Improvement Committee meeting held on 4 March 2024, be adopted.**



**REPORT  
AUDIT, RISK AND IMPROVEMENT  
COMMITTEE  
4 MARCH 2024**

**PRESENT:** Mr J Walkom (Independent Member and Council Appointed Chair), Mr T Breen (Independent Member) and Mr G Matthews (Independent Member), Councillor S Chowdhury, Ms C Wu (Audit Office), Ms M Bartley (Audit Office).

**ALSO IN ATTENDANCE:**

Councillor M Dickerson, Councillor R Ivey, the Chief Executive Officer, the Director Organisational Performance, the Manager Corporate Governance, the Chief Financial Officer, the Director Strategy, Partnerships and Engagement, the Manager People Culture and Safety, the Chief Information Officer, the Corporate Strategy and Performance Coordinator and the Corporate Governance Officers.

John Walkom assumed the Chair of the meeting.

The proceedings of the meeting commenced at 4:02 pm.

**ARIC24/1 ACKNOWLEDGEMENT OF COUNTRY (ID24/123)**

Mr J Walkom delivered an Acknowledgement of Country.

**ARIC24/2 LEAVE OF ABSENCE (ID24/121)**

There were no requests for Leave of Absence received for this meeting.

Ms C Wu (Audit Office) and Ms M Bartley (Audit Office) attended via Audio-Visual link.

**ARIC24/3 CONFLICTS OF INTEREST (ID24/124)**

There were no Conflicts of Interest declared.

At this juncture, the Chair brought forward item ARIC24/8.

**ARIC24/8 CENTIUM AUDIT - IT GOVERNANCE (ID24/422)**

The Committee had before it the report dated 27 February 2024 from the Manager Corporate Governance regarding Centium Audit – IT Governance.

Moved by Mr T Breen (Independent Member) and seconded by Mr J Walkom (Independent Member and Council Appointed Chair)

**RECOMMENDATION**

The Committee recommends:

**That the report of the Manager Corporate Governance be moved to the confidential session in accordance with the provisions of Sections 9 (2A) and 10A(2)(f) of the Local Government Act 1993 as 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 reasons:**

- **Personnel matters concerning particular individuals (other than Councillors) (Section 10A(2)(a)); and**
- **Matters affecting the security of the Council, Councillors, Council Staff or Council Property (Section 10A(2)(f)).**

**CARRIED**

**ARIC24/4 REPORT OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE - MEETING 12 DECEMBER 2023 (ID24/122)**

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

Moved by Mr G Matthews (Independent Member) and seconded by Mr T Breen (Independent Member)

**RECOMMENDATION**

The Committee recommends:

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

**CARRIED**

**ARIC24/5      ANNUAL AUDIT ENGAGEMENT PLAN FOR DUBBO REGIONAL COUNCIL'S  
FINANCIAL STATEMENTS FOR YEAR ENDING 2024 (ID24/416)**

The Committee had before it the report dated 27 February 2024 from the Chief Financial Officer regarding Annual Audit Engagement Plan for Dubbo Regional Council's Financial Statements for Year Ending 2024.

Moved by Mr T Breen (Independent Member) and seconded by Mr G Matthews (Independent Member)

**RECOMMENDATION**

The Committee recommends:

**That the Annual Audit Engagement Plan of Dubbo Regional Council's Financial Statements for Year Ending 30 June 2024, from the NSW Audit Office, be accepted.**

**CARRIED**

**ARIC24/6      ANNUAL ENGAGEMENT PLAN 2024 - CATHY WU (ID24/428)**

The Committee received a presentation from Cathy Wu of Audit NSW regarding Annual Engagement Plan 2024.

**ARIC24/7      INTERNAL AUDIT PROGRAM (ID24/421)**

The Committee had before it the report dated 27 February 2024 from the Manager Corporate Governance regarding Internal Audit Program.

Moved by Mr T Breen (Independent Member) and seconded by Mr G Matthews (Independent Member)

**RECOMMENDATION**

The Committee recommends:

- 1. That it be noted that the Audit, Risk and Improvement Committee supports the proposal to engage Centium to complete the Assurance Mapping process and develop the four year Strategic Audit Plan and the one year Annual Work Plan for adoption.**
- 2. That the Heavy Vehicle Chain of Responsibility be commenced in accordance with this report.**
- 3. That the audit for Risk Management Framework be included in the next Audit Plan for adoption.**

**CARRIED**

**ARIC24/9 SERVICE REVIEW PROGRAM - UPDATE (ID24/159)**

The Committee had before it the report dated 21 February 2024 from the Director Strategy, Partnership and Engagement regarding Service Review Program - Update.

Moved by Mr G Matthews (Independent Member) and seconded by Mr T Breen (Independent Member)

**RECOMMENDATION**

The Committee recommends:

**That the report of the Director Strategy, Partnerships and Engagement, dated 21 February 2024, be noted.**

**CARRIED**

**ARIC24/10 ORGANISATIONAL SUSTAINABILITY AND IMPROVEMENT PLAN: PROJECT UPDATE (ID24/410)**

The Committee received a presentation from the Director Strategy, Partnerships and Engagement regarding Organisational Sustainability and Improvement Plan: Project Update.

**ARIC24/11 EXERCISING OPTION FOR THE CURRENT LEGAL PANEL (ID24/369)**

The Committee had before it the report dated 21 February 2024 from the Manager Corporate Governance regarding Exercising Option for the current Legal Panel.

Moved by Mr G Matthews (Independent Member) and seconded by Mr T Breen (Independent Member)

**RECOMMENDATION**

The Committee recommends:

**That it be noted that the Audit, Risk and Improvement Committee supports the decision to exercise the Options for the current provision of legal services, thereby taking the contracted term to 1 October 2026.**

**CARRIED**

**ARIC24/12 ARIC ACTION ITEMS UPDATE - MARCH 2024 (ID23/2933)**

The Committee had before it the report dated 19 December 2023 from the Manager Corporate Governance regarding ARIC Action Items Update - March 2024.

Moved by Mr T Breen (Independent Member) and seconded by Mr G Matthews (Independent Member)

**RECOMMENDATION**

The Committee recommends:

**That the Action Items report from the Manager Corporate Governance be accepted.**

**CARRIED**

**ARIC24/8 CENTIUM AUDIT – IT GOVERNANCE (ID24/422)**

The Committee had before it the report dated 27 February 2024 from the Manager Corporate Governance regarding Centium Audit – IT Governance.

Moved by Mr G Matthews (Independent Member) and seconded by Mr T Breen (Independent Member)

**RECOMMENDATION**

The Committee recommends:

- 1. That the Management responses to the IT Governance and Strategy Audit be accepted.**
- 2. That the audit recommendations be added to the quarterly action report.**

**CARRIED**

**ARIC24/13 UPDATE ON WHS ACTION PLAN AND PCS METRICS (ID24/265)**

The Committee had before it the report dated 13 February 2024 from the Manager People Culture and Safety regarding Update on WHS Action Plan and PCS Metrics.

Moved by G Matthews (Independent Member) and seconded by Mr T Breen (Independent Member)

**RECOMMENDATION**

The Committee recommends:

**That members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned personnel matters concerning particular individuals (other than Councillors) (Section 10A(2)(a)).**

Moved by Mr G Matthews (Independent Member) and seconded by Mr T Breen (Independent Member)

**RECOMMENDATION**

The Committee recommends:

1. That the information contained within the report of the Manager People Culture and Safety dated 13 February 2024, be noted.
2. That the presentation provided by the Manager People Culture and Safety to the Audit and Risk Committee Members dated 4 March 2024 be noted.
3. That all documentation in relation to this matter remain confidential.

**CARRIED**

The meeting closed at 5:30 pm.

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CHAIRPERSON



**DUBBO REGIONAL  
COUNCIL**

## **Report of the Dubbo Regional Livestock Markets Advisory Committee - meeting 5 March 2024**

**AUTHOR:** Administration Officer  
**REPORT DATE:** 12 March 2024

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The Council had before it the report of the Dubbo Regional Livestock Markets Advisory Committee meeting held 5 March 2024.

### **RECOMMENDATION**

**That the report of the Dubbo Regional Livestock Markets Advisory Committee meeting held on 5 March 2024, be adopted.**



## **REPORT DUBBO REGIONAL LIVESTOCK MARKETS ADVISORY COMMITTEE 5 MARCH 2024**

**PRESENT:** Councillor V Etheridge, the Director Organisational Performance, the Chief Executive Officer, the Manager Dubbo Regional Livestock Markets, the Manager Commercial Strategy, KP Parker (Independent Member), KH Hammond (Supply Chain), PB Baldwin (Supply Chain and MS Simmons (DSSA President).

**ALSO IN ATTENDANCE:**

The Executive Officer Organisational Performance and Nigel Boyce (Government (LLS)).

Councillor V Etheridge assumed the Chair of the meeting.

The proceedings of the meeting commenced at 4:03 pm.

**LMAC24/1 ACKNOWLEDGEMENT OF COUNTRY (ID24/36)**

Director Organisational Performance delivered an Acknowledgement of Country.

**LMAC24/2 LEAVE OF ABSENCE (ID24/37)**

Requests for leave of absence were received from Councillor Damien Mahon, RS Shanks (Supply Chain), PD Devenish (Supply Chain) and RP Plasto (DSSA Member) who were absent from the meeting due to personal reasons.

PB Baldwin and N Boyce attended via Audio-Visual link.

**LMAC24/3 CONFLICTS OF INTEREST (ID24/38)**

There were no Conflicts of Interest declared.

**LMAC24/4 REPORT OF THE DUBBO REGIONAL LIVESTOCK MARKETS ADVISORY COMMITTEE - MEETING 5 DECEMBER 2023 (ID24/117)**

The Committee had before it the report of the Dubbo Regional Livestock Markets Advisory Committee meeting held 5 December 2023.

**RECOMMENDATION**

**That the report of the Dubbo Regional Livestock Markets Advisory Committee meeting held on 5 December 2023, be noted.**

**LMAC24/10 DUBBO REGIONAL LIVESTOCK MARKETS - STAFFING UPDATE (ID24/232)**

The Committee had before it the report dated 5 February 2024 from the Manager Commercial Strategy regarding Dubbo Regional Livestock Markets - Staffing Update.

**RECOMMENDATION**

**That the report Dubbo Regional Livestock Markets Staffing Update be noted.**

**LMAC24/5 DUBBO REGIONAL LIVESTOCK MARKETS BUSINESS STRUCTURE SERVICE REVIEW (ID24/228)**

The Committee had before it the report dated 5 February 2024 from the Manager Commercial Strategy regarding Dubbo Regional Livestock Markets Business Structure Service Review.

**RECOMMENDATION**

**That the information contained within the report of the Manager Commercial Strategy dated 5 February 2024, be noted.**

**LMAC24/6 DUBBO REGIONAL LIVESTOCK MARKETS - SHEEP AND GOAT ELECTRONIC IDENTIFICATION IMPLEMENTATION PROGRAM (ID24/229)**

The Committee had before it the report dated 5 February 2024 from the Manager Commercial Strategy regarding Dubbo Regional Livestock Markets - Sheep and Goat Electronic Identification Implementation Program.

**RECOMMENDATION**

- 1. That the report Dubbo Regional Livestock Markets Sheep and Goat Electronic Identification Program be noted.**
- 2. That it be noted that the Manager Commercial Strategy, the Manager Dubbo Regional Livestock Markets and Martin Simmons will create a project and implementation plan, including communication to Key Stakeholders.**

**LMAC24/7 DUBBO REGIONAL LIVESTOCK MARKETS FEES AND CHARGES REVIEW (ID24/417)**

The Committee was addressed by the Director Organisational Performance regarding this matter.

**LMAC24/8 DUBBO REGIONAL LIVESTOCK MARKETS - TRANSIT FEE UPDATE (ID24/414)**

The Committee was addressed by the Manager Commercial Strategy regarding this matter.

**LMAC24/9 MARKETING STRATEGY (ID23/2923)**

The Committee was addressed by the Manager Commercial Strategy regarding this matter.

**RECOMMENDATION**

1. That it be noted that the Manager Dubbo Regional Livestock Markets will investigate budget possibility for advertising in The Land.
2. That it be noted that the Manager Dubbo Regional Livestock Markets will investigate advertising opportunities including DSSA collaboration.
3. That it be noted that the Manager Dubbo Regional Livestock Markets will investigate Market Activity social media posts with the Digital Marketing Team.

**LMAC24/11 GENERAL BUSINESS (ID23/2924)**

The Committee was addressed by the Manager Commercial Strategy regarding this matter.

The meeting closed at 5.08pm.

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CHAIRPERSON



DUBBO REGIONAL  
COUNCIL

## NOTICE OF MOTION: Narromine Narwonah Waste-To-Energy Plant Update

REPORT DATE: 11 March 2024

FILE: ID24/494

Council had before it a Notice of Motion dated 11 March 2024 from Councillor J Black regarding the Narromine Narwonah Waste-To-Energy Plant Update as follows:

1. *That the CEO bring a report to the May Ordinary Council meeting detailing where the proposal is currently up to with applications and approvals.*
2. *That report provides details about the project and its alignment to EPA Policy settings, and any potential impacts on the Dubbo LGA.*

### RECOMMENDATION

1. That the Chief Executive Officer bring a report to the May 2024 Ordinary Council meeting detailing where the proposal is currently up to with applications and approvals.
2. That report provides details about the project and its alignment to EPA Policy settings, and any potential impacts on the Dubbo LGA.

JB  
Councillor

### APPENDICES:

- 1 [↓](#) Report - Ordinary Council Meeting - Notice of Motion - Narromine Narwonah Waste-To-Energy Plant Update - J Black - Signed copy

**Councillor Joshua Black**

PO Box 81  
DUBBO NSW 2830

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11 March 2024

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

Dear CEO,

**NOTICE OF MOTION – NARROMINE NARWONAH WASTE-TO-ENERGY PLANT UPDATE**

1. *That the CEO bring a report to the May Ordinary Council meeting detailing where the proposal is currently up to with applications and approvals.*
2. *That report provides details about the project and its alignment to EPA Policy settings, and any potential impacts on the Dubbo LGA.*

Yours faithfully,



Josh Black  
Councillor



DUBBO REGIONAL  
COUNCIL

## NOTICE OF MOTION: Wiradjuri Tourism Centre Funding Proposal

REPORT DATE: 11 March 2024

FILE: ID24/492

Council had before it a Notice of Motion dated 11 March 2024 from Councillor J Black regarding the Wiradjuri Tourism Centre Funding Proposal as follows:

1. *That it be noted that the Create NSW grant contributing \$5 million to the construction of the Wiradjuri Tourism Centre must be spent by June 2026.*
2. *That it be noted that the estimate for ongoing operational expense is \$400,000 per annum as a starting point and this figure does not include depreciation which impacts on Council's financial sustainability.*
3. *That Council withdraw its application to the Growing Regions Round One which requires a 50/50 funding arrangement meaning a \$2.2 million payment by Dubbo Regional Council which is proposed to be funded via an internal loan.*
4. *That the Chief Executive Officer work with Aboriginal organisations to establish a First Nations led operating model for the Wiradjuri Tourism facility.*
5. *That it be noted that a First Nations led application would be able to apply for future rounds of the Growing Regions Fund that would be based on a 90% Australian Government and 10% 'other' financial contribution.*
6. *That it be noted that the Create NSW grant could be considered as the 10% contribution in the above First Nations led operating model negating the need for Council capital investment of \$2.2 million plus a presently unknown amount in forgone interest from an internal loan and that the project would focus on spending the Create NSW funding first as a priority within project expenditure phasing.*
7. *That Council prepares an Expression of Interest application for Round 2 of the Growing Regions Program when it opens, to fund up to 90% of the Wiradjuri Tourism Centre, utilising the Create NSW funds as Councils match funding contribution.*

### RECOMMENDATION

1. **That it be noted that the Create NSW grant contributing \$5 million to the construction of the Wiradjuri Tourism Centre must be spent by June 2026.**
2. **That it be noted that the estimate for ongoing operational expense is \$400,000 per annum as a starting point and this figure does not include depreciation which impacts on Council's financial sustainability.**
3. **That Council withdraw its application to the Growing Regions Round One which requires a 50/50 funding arrangement meaning a \$2.2 million payment by Dubbo Regional Council which is proposed to be funded via an internal loan.**
4. **That the Chief Executive Officer work with Aboriginal organisations to establish a First Nations led operating model for the Wiradjuri Tourism facility.**

5. That it be noted that a First Nations led application would be able to apply for future rounds of the Growing Regions Fund that would be based on a 90% Australian Government and 10% 'other' financial contribution.
6. That it be noted that the Create NSW grant could be considered as the 10% contribution in the above First Nations led operating model negating the need for Council capital investment of \$2.2 million plus a presently unknown amount in forgone interest from an internal loan and that the project would focus on spending the Create NSW funding first as a priority within project expenditure phasing.
7. That Council prepares an Expression of Interest application for Round 2 of the Growing Regions Program when it opens, to fund up to 90% of the Wiradjuri Tourism Centre, utilising the Create NSW funds as Councils match funding contribution.

*JB*  
Councillor

**APPENDICES:**

- 1 [!\[\]\(f5aca9440e3d6f72bf0add83f134b742\_img.jpg\)](#) Report - Ordinary Council Meeting - Notice of Motion - Wiradjuri Tourism Centre Funding Proposal - J Black - Signed copy

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

11 March 2024

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

Dear Murray

**NOTICE OF MOTION – WIRADJURI TOURISM CENTRE FUNDING PROPOSAL**

I would like to place the following notice of motion on the agenda for the March 2024 Ordinary meeting of Council.

1. *That it be noted that the Create NSW grant contributing \$5 million to the construction of the Wiradjuri Tourism Centre must be spent by June 2026.*
2. *That it be noted that the estimate for ongoing operational expense is \$400,000 per annum as a starting point and this figure does not include depreciation which impacts on Council's financial sustainability.*
3. *That Council withdraw its application to the Growing Regions Round One which requires a 50/50 funding arrangement meaning a \$2.2 million payment by Dubbo Regional Council which is proposed to be funded via an internal loan.*
4. *That the CEO work with Aboriginal organisations to establish a First Nations led operating model for the Wiradjuri Tourism facility.*
5. *That it be noted that a First Nations led application would be able to apply for future rounds of the Growing Regions Fund that would be based on a 90% Australian Government and 10% 'other' financial contribution.*
6. *That it be noted that the Create NSW grant could be considered as the 10% contribution in the above First Nations led operating model negating the need for Council capital investment of \$2.2 million plus a presently unknown amount in forgone interest from an internal loan and that the project would focus on spending the Create NSW funding first as a priority within project expenditure phasing.*
7. *That Council prepares an Expression of Interest application for Round 2 of the Growing Regions Program when it opens, to fund up to 90% of the Wiradjuri Tourism Centre, utilising the Create NSW funds as Councils match funding contribution.*

Yours faithfully



Josh Black  
Councillor



## REPORT: Proposed Bus Zone - Swift Street, Wellington

DIVISION: Infrastructure  
REPORT DATE: 12 March 2024  
TRIM REFERENCE: ID24/501

### EXECUTIVE SUMMARY

<b>Purpose</b>	Seek endorsement	Fulfil legislated requirement/Compliance
<b>Issue</b>	<ul style="list-style-type: none"> <li>This report deals with Council's consideration to the provision of two opposing bus zones in Swift Street, Wellington to facilitate close and convenient Townlink bus services between Dubbo, Narromine, Wongarbon, Geurie and Wellington services to the core retail area of the CBD.</li> </ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"> <li>The Townlink Bus Service has been operating for several years and has utilised Swift Street to access the Wellington Railway Station bus stop, where passengers would then have to walk from the station to the shopping precinct. The provision of time restricted bus zones to the lower Swift Street location will deliver passengers with close, efficient and safe access to the Nanima Crescent (Mitchell Highway) retail precinct (<b>Appendix 1</b>).</li> <li>Roads Act 1993 and Roads (General) Regulation 2018.</li> </ul>	
<b>Financial Implications</b>	Budget Area	Infrastructure Strategy and Design
	Funding Source	Traffic Management Function –Traffic Improvements Signs and Markings.
	Proposed Cost	\$3,800
	Ongoing Costs	N/A
<b>Policy Implications</b>	Policy Title	There are no policy implications arising from this report.
	Impact on Policy	N/A
<b>Consultation</b>		Consultation was undertaken with the adjacent property owners and business tenants via phone calls and correspondence with site plan showing bus zone locations.

## STRATEGIC DIRECTION

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

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

## RECOMMENDATION TO THE LOCAL TRAFFIC COMMITTEE

That Council approval be granted for the implementation of two bus zones in Swift Street Wellington (refer to Appendix 1) and time restricted from 6 am to 7 pm, Monday to Friday, in accordance with Council's plan TM 7611.

## LOCAL TRAFFIC COMMITTEE CONSIDERATION

This matter was considered by the Local Traffic Committee at its meeting held on Monday, 4 March 2024. The Committee had unanimous support in the adoption of the recommendation.

*It is noted that J Neill (Local State MP Representative) declared a conflict of interest in the matter, remained in the room and did not vote. The reason of such interest is that J Neill is employed by Ogdens Coaches Bus Services.*

## RECOMMENDATION

**That Council approval be granted for the implementation of two bus zones in Swift Street Wellington (refer to Appendix 1) and time restricted from 6 am to 7 pm, Monday to Friday, in accordance with Council's plan TM 7611.**

*Luke Ryan*  
Director Infrastructure

*DV*  
Senior Traffic Engineer

## REPORT

The existing Townlink Bus Service has been operating for several years between Wellington, Geurie, Dubbo and Narromine by Ogden Coaches with the recent introduction of Wongarbron.

In Wellington the service route encompasses the Mitchell Highway (Nanima Crescent) then Swift Street east to the existing bus zone at the Railway Station. There has never been a formal bus zone on the highway through the core retail area. As such the bus has been double parking to set down passengers at suitable available locations.

The Manager of Ogden Coaches has therefore requested Council consideration to the implementation of two bus zones in the lower area of Swift Street, in close proximity to the highway and core retail area. In conjunction with Ogden Coaches the preferred sites have been identified, being adjacent to the side boundary to 1 Swift Street and long front boundary to 2 Swift Street (**Appendix 1**). The proposed bus zones are located adjacent the property boundaries that least impact on the kerb side parking, property access and the amenity of the property buildings. The bus zones also provide close, safe and convenient access to the main street with an adjacent pedestrian crossing across Swift Street at the Percy Street intersection. There is no strategic plan for bus shelters at this location. On-street parking will be reduced with the bus zones, however there are some spaces retained adjacent the properties with more than ample centre isle and additional kerbside parking in Swift and Percy streets.

Following the consultation with the property owners, as detailed below, it is considered that the two bus zones in lower Swift Street will provide significant benefits to the public transport users and satisfies the transport criteria with close, safe and convenient accessibility to the main street businesses and the adjacent pedestrian crossing. It is considered that there is minimal impact on the amenity and functionality of the adjoining properties where there is the scope to facilitate future potential development to the properties.

### Consultation

- Consultation was undertaken with the property owners initially by telephone.
- The property owner at 1 Swift Street was more than satisfied with the bus zone adjacent to the rear of the property and indicated that the long-term tenant would not be overly concerned. The property is tenanted to a financial business where detailed correspondence and plan forwarded on the proposal. To date no response has been received.
- The property owner of 2 Swift Street was forwarded correspondence following the initial telephone call and provided a response outlining some concerns with the bus zone.

#### Property Owner's Response:

*"I wouldn't like a bus shelter to be built out the front of my property. You have indicated that there aren't any current plans for a shelter. If that were likely to come up in the future I'd prefer to see if the bus stop could be further east on Swift Street where the*

*commercial properties have existing verandas to provide shelter and my property has recently been vacated, I'm not sure what a future commercial tenant may require. I wouldn't want to lose the option to have driveway crossover access to Swift Street if there's a bus stop outside my frontage."*

Council's Response:

*"A relocation of the proposed bus zone further east in Swift Street was also considered unsuitable as a consequence of the lack of clearance between the shop front awnings and kerb and gutter line that would prevent the bus from getting close to the kerb and footpath. A suitable site would place the bus zone further up Swift Street being too far from the pedestrian facilities and businesses.*

As indicated, there is no strategic plan to install a bus shelter to the property frontage in Swift Street. Bus shelters are only funded on a priority basis and dependant on patronage. Subject to any improvements to the commercial premises there would most likely be the need for Council approval (ie new driveway access to Swift Street or building works). In this instance a driveway to Swift Street can be accommodated more likely suited to the eastern part of the property to lessen the impact on the open space.

At this stage, with no future horizon for a bus shelter or commercial improvements, it is considered that they can both be facilitated along the Swift Street frontage towards the eastern area of the property with minimal impact on the overall functionality and amenity of the building and property. In the event that a driveway was required it may be provided within the bus zone, however public transport buses are permitted to stop within a driveway for the short duration to set down and pick up passengers. The bus zone will be time restricted and operational Monday to Friday, between 6 am and 7 pm.

With regards to the Percy Street location further contact was made with the Manager of Ogden Coaches. An assessment was undertaken of the site revealing that the site was unsuitable to accommodate the bus movements due to the protruding kerb alignment and centre median island restricting the capability of the bus to safely negotiate the narrow-angled travel lane approach to Swift Street without contacting the infrastructure when exiting the bus from the parking lane.

At the time of preparing the report there has been no further response from the property owner.

### Resourcing Implications

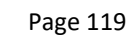
- Council's Infrastructure Delivery staff will provide the resources to undertake the installation of the bus zones.
- There is no ongoing maintenance required for the works.

Total Financial Implications	Current year (\$)	Current year + 1 (\$)	Current year + 2 (\$)	Current year + 3 (\$)	Current year + 4 (\$)	Ongoing (\$)
a. Operating revenue	0	0	0	0	0	0
b. Operating expenses	0	0	0	0	0	0
c. Operating budget impact (a – b)	0	0	0	0	0	0
d. Capital expenditure	\$3,800	0	0	0	0	0
e. Total net impact (c – d)	\$3,800	0	0	0	0	0
Does the proposal require ongoing funding?		No				
What is the source of this funding?						

**Table 1.** Ongoing Financial Implications

### APPENDICES:

- 1 [Proposed Bus Zones - Swift Street, Wellington](#)





## REPORT: Proposed 'Keep Clear' Zone - Police Station - Brisbane Street Dubbo

**DIVISION:** Infrastructure  
**REPORT DATE:** 12 March 2024  
**TRIM REFERENCE:** ID24/500

### EXECUTIVE SUMMARY

<b>Purpose</b>	Seek endorsement	Fulfil legislated requirement/Compliance
<b>Issue</b>	<ul style="list-style-type: none"><li>The NSW Police have raised the issue of delays for first responders when exiting the Police Station's underground basement carpark onto Brisbane Street Dubbo in an emergency due to the occasional peak traffic congestion and vehicle movements occurring on the adjacent carriageways.</li></ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"><li>The NSW Police Station in Brisbane Street Dubbo has designated on-street parking spaces for a number of police vehicles, including first responders with additional vehicles housed within the basement carpark. To reduce the traffic conflict at this location for urgent responses, the adjacent carriageways need to be clear of vehicles and designated as no traffic areas where vehicles are not permitted to stop within the area.</li></ul>	
<b>Financial Implications</b>	Budget Area	Infrastructure Strategy and Design
	Funding Source	Traffic Management Function – traffic Improvements Signs and Markings
	Proposed Cost	\$4,300
	Ongoing Costs	N/A
<b>Policy Implications</b>	Policy Title	There are no policy implications arising from this report.
	Impact on Policy	N/A

### STRATEGIC DIRECTION

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

Theme: 2 Infrastructure

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

Delivery Program Strategy: 2.1.2 The road network meets the needs of the community in terms of traffic capacity, functionality and economic and social connectivity

#### **RECOMMENDATION TO THE LOCAL TRAFFIC COMMITTEE**

That Council approval be granted for the installation of 'Keep Clear' road markings to the north and south-bound carriageways of Brisbane Street Dubbo in accordance with Council's Plan TM 7610.

#### **LOCAL TRAFFIC COMMITTEE CONSIDERATION**

This matter was considered by the Local Traffic Committee at its meeting held on Monday, 4 March 2024. The Committee had unanimous support in the adoption of the recommendation.

#### **RECOMMENDATION**

**That Council approval be granted for the installation of 'Keep Clear' road markings to the north and south-bound carriageways of Brisbane Street, Dubbo in accordance with Council's Plan TM 7610.**

*Luke Ryan*  
Director Infrastructure

*DV*  
Senior Traffic Engineer

## REPORT

Council has received correspondence from the NSW Police Traffic Inspector, Western Plains Sector, raising concerns with the incidence of traffic congestion in Brisbane Street Dubbo adjacent the Police Station driveway/entrance to the underground basement carpark, particularly during peak traffic periods.

Traffic conflict is being regularly experienced with emergency vehicles exiting the Police Station for urgent responses and being delayed in attempting to enter the roadway. The traffic congestion is impacting on the NSW Police's ability to respond in a timely manner where the road environment inhibits the ability to manoeuvre vehicles onto and through the traffic congestion.

The impact and congestion is primarily experienced in the north-bound carriageway in Brisbane Street between Church and Talbragar streets. The traffic flows in the south-bound direction do not overall appear to be an issue. It is suggested that to reduce the impact of congestion in the vicinity of the driveway there needs to be an area designated as a clear zone which restricts vehicles from stopping within the zone, thereby creating an unobstructed traffic area enabling the free movement of emergency first responders.

The traffic facility that would be implemented is a 'Keep Clear' zone designated by road markings with the wording 'Keep Clear' (**Appendix 1**) and is regulated in accordance with Australian Road Rule 96:

- (1) *A driver must not stop on an area of a road marked with a keep clear marking.*
- (2) *In this rule—keep clear marking means the words 'keep clear' marked across all or part of a road, with or without continuous lines marked across all or part of the road.*

It has been considered that the 'Keep Clear' road markings will provide the necessary awareness to motorists of the prevailing urgency for emergency vehicles exiting the Police Station to ensure that vehicles do not stop or queue in Brisbane Street in the vicinity of the basement carpark' driveway and that they should be applied to the north and south-bound carriageways for awareness and application consistency. There is no impact on the existing kerb side parking.

### Consultation

- The Local Traffic Committee including representatives from NSW Police, the Local State Member of Parliament, Transport for NSW and Council will review and discuss the traffic management for Brisbane Street Dubbo.

### Resourcing Implications

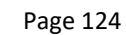
- Council's Infrastructure Delivery staff will provide the resources to undertake the installation of the 'Keep Clear' markings.
- There is no ongoing maintenance for the works.

Total Financial Implications	Current year (\$)	Current year + 1 (\$)	Current year + 2 (\$)	Current year + 3 (\$)	Current year + 4 (\$)	Ongoing (\$)
a. Operating revenue	0	0	0	0	0	0
b. Operating expenses	0	0	0	0	0	0
c. Operating budget impact (a – b)	0	0	0	0	0	0
d. Capital expenditure	\$4,300	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?						

**Table 1.** Ongoing Financial Implications

**APPENDICES:**

1 [↓](#) Proposed Pavement Marking - Keep Clear - Brisbane Street Dubbo





## REPORT: Proposed Bus Zone Relocation - Boundary Road, Dubbo

DIVISION: Infrastructure  
REPORT DATE: 12 March 2024  
TRIM REFERENCE: ID24/498

### EXECUTIVE SUMMARY

<b>Purpose</b>	Seek endorsement	Fulfil legislated requirement/Compliance
<b>Issue</b>	<ul style="list-style-type: none"><li>In late 2023 the 16 Regional Cities Services Improvement Program for Dubbo initiated by Transport for NSW (TfNSW) was subsequently approved by Council and implemented across the City incorporating new bus zones, bus stops and associated infrastructure. It is proposed to relocate one of the new bus zones in Boundary Road immediately west of Jubilee Street to the eastern side of the South Dubbo Tavern driveway. As an established tree and canopy prevents the bus from accessing the kerb line and footpath (<b>Appendix 1</b>).</li></ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"><li>The tree has a well-established and mature trunk structure and cannot be satisfactorily trimmed without severely affecting the integrity of the tree.</li><li>Roads Act 1993 and Roads (General) Regulation 2018.</li></ul>	
<b>Financial Implications</b>	Budget Area	Infrastructure Strategy and Design
	Funding Source	Traffic Management Function - traffic Improvements Signs and Markings
	Proposed Cost	\$2,600
	Ongoing Costs	N/A
<b>Policy Implications</b>	Policy Title	There are no policy implications arising from this report
	Impact on Policy	N/A

### STRATEGIC DIRECTION

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

Theme: 2 Infrastructure

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

Delivery Program Strategy: 2.1.2 The road network meets the needs of the community in terms of traffic capacity, functionality and economic and social connectivity

#### **RECOMMENDATION TO THE LOCAL TRAFFIC COMMITTEE**

That the existing bus zone in Boundary Road Dubbo, immediately west of the Jubilee Street intersection and adjacent the medical centre, be relocated west to the eastern side of the South Dubbo Tavern driveway with two carparking spaces reinstated to the vacated bus zone site.

#### **LOCAL TRAFFIC COMMITTEE CONSIDERATION**

This matter was considered by the Local Traffic Committee at its meeting held on Monday, 4 March 2024. The Committee had unanimous support in the adoption of the recommendation.

#### **RECOMMENDATION**

**That the existing bus zone in Boundary Road Dubbo, immediately west of the Jubilee Street intersection and adjacent the medical centre, be relocated west to the eastern side of the South Dubbo Tavern driveway with two carparking spaces reinstated to the vacated bus zone site.**

*Luke Ryan*  
Director Infrastructure

*DV*  
Senior Traffic Engineer

## REPORT

In late 2023 the 16 Regional Cities Services Improvement Program for Dubbo initiated by Transport for NSW (TfNSW) was subsequently approved by Council and implemented across the City incorporating new bus zones, bus stops and associated infrastructure. Some of the bus zone locations required the removal of low hanging tree branches to assist bus access to the kerb line.

A new bus zone was identified and implemented in Boundary Road, located immediately west of the Jubilee Street intersection adjacent the existing medical centre. Following a period of bus services to the locality, the Manager of Dubbo Buslines contacted Council advising that due to the tree canopy the buses cannot safely pick up/set down passengers as the bus cannot access the footpath. A request was made to have the tree trimmed. However, an assessment revealed that the tree could not be trimmed due to its substantial tree trunk maturity without significant impact on the integrity of the tree.

A further assessment of the area was undertaken revealing there was no site available further east of Jubilee Street, due to a significant stance of mature trees, and being too greater a distance from the commercial development and pedestrian crossing near Fitzroy Street. There is a suitable bus zone site located west of the current site, being on the eastern side of the South Dubbo Tavern, with which the Tavern driveway can be utilised for the lead into the bus zone. The Manager of Dubbo Buslines has inspected the site and concurred with its suitability. The proposed bus zone will occupy two existing car parking spaces as does the existing bus zone. The relocation balances out with the same loss of two car parking spaces at this location.

The proposed relocation of the existing bus zone in Boundary Road, as a result of the tree canopy, has identified a site that provides additional benefits for accessibility being closer to the Fitzroy Street pedestrian crossing and extended lead approach across the Tavern driveway with a reinstatement of two carparking spaces adjacent the medical centre.

### Consultation

- Consultation was undertaken with the Duty Supervisor of the South Dubbo Tavern who indicated that there would be no problem with its location, however, would pass on the advice and plan to the Licensee. No response has been received at the time of the report preparation.
- The Local Traffic Committee including representatives from NSW Police, the Local State Member of Parliament, TfNSW and Council will review and discuss the traffic bus zone relocation.

### Resourcing Implications

- Council's Infrastructure Delivery staff will provide the resources to undertake the installation of the bus zone.
- On going maintenance will be undertaken as and when required.

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

**Table 1.** Ongoing Financial Implications

#### APPENDICES:

1 [↓](#) Proposed Bus Zone Relocation - Boundary Road Dubbo



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## REPORT: Proposed Part Time Taxi Zone Reinstalment - Talbragar Street, Dubbo

**DIVISION:** Infrastructure  
**REPORT DATE:** 12 March 2024  
**TRIM REFERENCE:** ID24/497

### EXECUTIVE SUMMARY

<b>Purpose</b>	Seek endorsement	Fulfil legislated requirement/Compliance
<b>Issue</b>	<ul style="list-style-type: none"><li>Dubbo Radio Cabs has requested Council consideration to the reinstatement of a part time taxi zone at the existing bus zone located in Talbragar Street to continue to facilitate late night taxi services to the Castlereagh Hotel. Part time taxi zones are also installed at the Pastoral and Amaroo hotels.</li></ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"><li>The previous part time taxi zone was implemented in August 2014 to assist late night taxi services to the Castlereagh Hotel out of the commercial bus service times. The part time taxi zone was removed as a consequence of the 16 Regional Cities Services Improvement Program implemented in late 2023.</li><li>Roads Act 1993 and Roads (General) Regulation 2018.</li></ul>	
<b>Financial Implications</b>	Budget Area	Infrastructure Strategy and Design
	Funding Source	Traffic Management Function – Traffic Improvements Signs and Markings
	Proposed Cost	\$400
	Ongoing Costs	N/A
<b>Policy Implications</b>	Policy Title	There are no policy implications arising from this report.
	Impact on Policy	N/A

### STRATEGIC DIRECTION

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

Theme: 2 Infrastructure

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

Delivery Program Strategy: 2.1.2 The road network meets the needs of the community in terms of traffic capacity, functionality and economic and social connectivity

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**RECOMMENDATION TO THE LOCAL TRAFFIC COMMITTEE**

That the part time taxi zone in Talbragar Street Dubbo previously approved to provide late night taxi services to the Castlereagh Hotel outside of bus zone times and removed under the 16 Regional Cities Services Improvement Program in 2023 be reinstated and time restricted from 10 pm to 5 am.

**LOCAL TRAFFIC COMMITTEE CONSIDERATION**

This matter was considered by the Local Traffic Committee at its meeting held on Monday, 4 March 2024. The Committee had unanimous support in the adoption of the recommendation.

**RECOMMENDATION**

**That the part time taxi zone in Talbragar Street, Dubbo, previously approved to provide late night taxi services to the Castlereagh Hotel outside of bus zone times and removed under the 16 Regional Cities Services Improvement Program in 2023, be reinstated and time restricted from 10 pm to 5 am.**

*Luke Ryan*  
Director Infrastructure

*DV*  
Senior Traffic Engineer

## REPORT

The 16 Regional Cities Services Improvement Program in Dubbo was initiated by Transport for NSW (TfNSW) and introduced in late 2023 following consideration by Council's Local Traffic Committee and Council resolution; and incorporated a significant expansion of new and existing bus zones and bus stops, new bus routes and services timetable throughout the city. The city-wide bus zones were then expanded to full time zones (24/7) to reduce the incidence of private vehicles parking in bus zones prior to the end time of the bus services.

In August 2014 Council approved the introduction of a part time taxi zone outside of the commercial bus service times at the Talbragar Street bus zone opposite the Castlereagh Hotel to facilitate late night taxi services. The part time taxi zones were previously introduced to the Pastoral and Amaroo hotels in 2006. With the 16 Regional Cities Service Improvement Program, the part time taxi zone at the Talbragar Street bus zone was removed due to the overall concept of having 24/7 Bus Zones in the City

As a consequence of the zones removal Dubbo Radio Cabs has since contacted Council seeking consideration to the reinstatement of the part time taxi zone enabling close and convenient late-night access to the Castlereagh Hotel. The part time taxi zone will operate between 10 pm and 5 am.

### Consultation

- The Manager of Dubbo Buslines was consulted on the proposal to reinstate the part time taxi zone at the Talbragar Street bus zone and raised no objections subject to the time restriction concluding at 5 am due to the commercial service commencing at 6 am. The matter was discussed and agreed to by the 16 Cities Project Manager at a Teams meeting on Wednesday 31 January 2024.

### Resourcing Implications

- Council's Infrastructure Delivery staff will provide the resources to undertake the installation of the bus zones.

Total Financial Implications	Current year (\$)	Current year + 1 (\$)	Current year + 2 (\$)	Current year + 3 (\$)	Current year + 4 (\$)	Ongoing (\$)
a. Operating revenue	0	0	0	0	0	0
b. Operating expenses	0	0	0	0	0	0
c. Operating budget impact (a – b)	0	0	0	0	0	0
d. Capital Expenditure	\$400	0	0	0	0	0
e. Total net impact (c – d)	\$400	0	0	0	0	0
Does the proposal require ongoing funding?			No			
What is the source of this funding?						

**Table 1.** Ongoing Financial Implications



## REPORT: 2024 Wellington Boot - Traffic Management for Bushrangers Creek Road Wellington

DIVISION: Infrastructure  
REPORT DATE: 12 March 2024  
TRIM REFERENCE: ID24/499

### EXECUTIVE SUMMARY

<b>Purpose</b>	Seek endorsement	Fulfil legislated requirement/Compliance
<b>Issue</b>	<ul style="list-style-type: none"><li>The Wellington Boot is held at the Wellington Race Club on Bushrangers Creek Road on an annual basis and is required to provide traffic management to facilitate a safe traffic and pedestrian environment for the event.</li></ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"><li>The Wellington Race Club requests Council approval to implement traffic control on Bushrangers Creek Road west from the Renshaw McGirr Way intersection. The Traffic Management Plan is attached (<b>Appendix 1</b>).</li><li>Roads Act 1993 and Roads(General) Regulation 2018</li></ul>	
<b>Financial Implications</b>	Budget Area	There are no financial implications arising from this report.
	Funding Source	N/A
	Proposed Cost	N/A
	Ongoing Costs	N/A
<b>Policy Implications</b>	Policy Title	N/A
	Impact on Policy	There are no policy implications arising from this report

### STRATEGIC DIRECTION

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

Theme: 2 Infrastructure

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

Delivery Program Strategy: 2.1.2 The road network meets the needs of the community in terms of traffic capacity, functionality and economic and social connectivity

## RECOMMENDATION TO THE LOCAL TRAFFIC COMMITTEE

That Council approval be granted to the Wellington Race Club to implement the Traffic Management MTM - The Wellington Boot Event - Bushrangers Creek Road (Appendix 1) to facilitate the traffic and pedestrian environment for the event to be held in the Wellington Racecourse on Sunday 14 April 2024 subject to conditions of Dubbo Regional Council:

- a. The Traffic Management will be implemented on Sunday 14 April 2024 between 7 am to 6 pm.
- b. The submission of a Traffic Management Plan and Traffic Control Plan to Council prior to the event date. All traffic control measures contained in the Plan are to be in accordance with the Australian Standard (AS 1742.3:2019) and TfNSW's 'Guide to Traffic Control at Worksites and approved by an accredited person. Traffic Control Plan MTM - The Wellington Boot Event - Bushrangers Creek Road is to be implemented for the event.
- c. The organiser is to provide Council's relevant appointed officer with a copy of the Public Liability Insurance Policy for the amount of at least \$20 million. Such policy is to note that Council, Transport for NSW (TfNSW) and the NSW Police are indemnified against any possible action as a result of the event.
- d. The implementation of the traffic management and traffic control is to be undertaken by an accredited traffic control company with personnel required to have current TfNSW certification.
- e. The applicant is responsible for all traffic control required for the event in accordance with the approved Traffic Control Plan.
- f. Parking along each side of the Bushrangers Creek Road is to be prohibited with the exception of designated areas for bus and/or taxi set down and pick up activity.
- g. The applicant is to provide Council with a formal letter of acceptance of the conditions prior to final approval.
- h. All costs associated with implementing the event are to be met by the event organiser.

## LOCAL TRAFFIC COMMITTEE CONSIDERATION

This matter was considered by the Local Traffic Committee at its meeting held on Monday, 4 March 2024. The Committee had unanimous support in the adoption of the recommendation.

## RECOMMENDATION

**That Council approval be granted to the Wellington Race Club to implement the Traffic Management MTM - The Wellington Boot Event - Bushrangers Creek Road (Appendix 1) to facilitate the traffic and pedestrian environment for the event to be held in the Wellington Racecourse on Sunday, 14 April 2024 subject to conditions of Dubbo Regional Council:**

- a. **The Traffic Management will be implemented on Sunday, 14 April 2024 between 7 am to 6 pm.**

- b. The submission of a Traffic Management Plan and Traffic Control Plan to Council prior to the event date. All traffic control measures contained in the Plan are to be in accordance with the Australian Standard (AS 1742.3:2019) and TfNSW's 'Guide to Traffic Control at Worksites and approved by an accredited person. Traffic Control Plan MTM - The Wellington Boot Event - Bushrangers Creek Road is to be implemented for the event.
- c. The organiser is to provide Council's relevant appointed officer with a copy of the Public Liability Insurance Policy for the amount of at least \$20 million. Such policy is to note that Council, Transport for NSW (TfNSW) and the NSW Police are indemnified against any possible action as a result of the event.
- d. The implementation of the traffic management and traffic control is to be undertaken by an accredited traffic control company with personnel required to have current TfNSW certification.
- e. The applicant is responsible for all traffic control required for the event in accordance with the approved Traffic Control Plan.
- f. Parking along each side of the Bushrangers Creek Road is to be prohibited with the exception of designated areas for bus and/or taxi set down and pick up activity.
- g. The applicant is to provide Council with a formal letter of acceptance of the conditions prior to final approval.
- h. All costs associated with implementing the event are to be met by the event organiser.

*Luke Ryan*  
Director Infrastructure

*DV*  
Senior Traffic Engineer

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**REPORT**

Council has received a request from the Wellington Race Club for Council approval to implement traffic management along Bushrangers Creek Road in order to conduct the 2024 Wellington Boot at the Wellington Racecourse.

The main activities for the event will occur at the Racecourse with all access, traffic and pedestrian activity to the event predominately occurring along the frontage to Bushrangers Creek Road. Public parking is to be accommodated on the northern side of Bushrangers Creek Road within the adjoining polo grounds. Pedestrian activity will be quite significant along the road frontage with designated access points across the roadway to the entry/exits to the Showground. In previous years the parking along Bushrangers Creek Road has been problematic with pedestrian safety concerns identified and the inappropriate parking behaviour along the offroad walking and cycle track along the northern side of the carriageway.

The Racecourse/Showground is located within a 60 km/hr speed zone with a typical bitumen sealed two-lane/two-way carriageway with grassed verges and a gravel shared pedestrian/cycle track along the northern side. The road alignment is straight and flat. The Traffic management proposed for the event (**Appendix 1**) has been developed to ensure the on-road speed environment has been reduced to 40 km/hr with the removal of the on-road parking along both sides of the road frontage to the showground. Pedestrian activity will be undertaken at designated crossing locations. Traffic congestion will occur during the early morning period prior to the event opening time with traffic controllers. Designated set down and pick up areas for buses and taxis can be provided on the Racecourse side of Bushrangers Creek Road with no parking permitted on the northern side of the roadway.

Traffic control will be undertaken by an accredited traffic control company, which includes the set-up and installation of the traffic facilities, manned traffic control and removal of traffic management at the conclusion of event. The traffic control company will be responsible for the traffic management during the event.

It is recommended that Council approval be granted to the Wellington Race Club to implement the on-road traffic management as detailed in the report, on Sunday 14 April 2024, between 7 am to 6 pm, subject to the conditions imposed by Council.

**Consultation**

- The Local Traffic Committee including representatives from NSW Police, the Local State Member of Parliament, TfNSW and Council will review and discuss the traffic management for Bushrangers Creek Road Wellington.

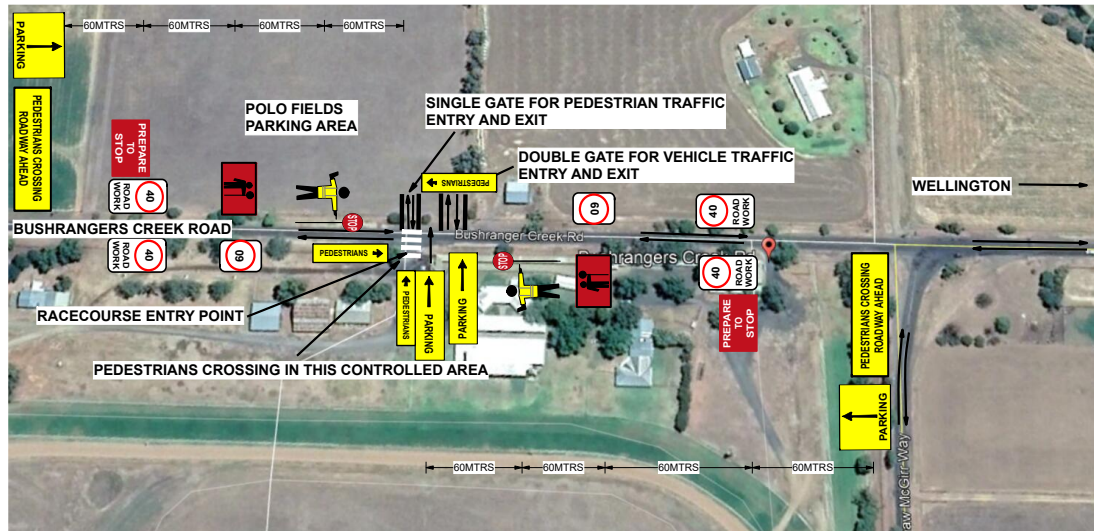
**Resourcing Implications**

- There will be no Council resources applied to the event. The Wellington Race Club is responsible for resourcing the 2024 Wellington Boot.

**APPENDICES:**

- 1** [Wellington Boot - Traffic Management Plan](#)

## THE WELLINGTON BOOT EVENT SUNDAY 14/4/2024 - WELLINGTON RACE CLUB - BUSHRANGERS CREEK ROAD



ITEM	YES	NO	N/A
Ganger has TCP on hand			
Spacing of signs as per TCP			
Traffic Controller has escape route			
On site variations noted on plan			
All signs and Traffic Controller clearly visible			
Pedestrian safety addressed			
Public vehicle movement addressed			

Time on \_\_\_\_\_ Time off \_\_\_\_\_

Signs checked \_\_\_\_\_ am \_\_\_\_\_ am

\_\_\_\_\_ pm \_\_\_\_\_ pm

Team leaders signature \_\_\_\_\_

Date \_\_\_\_\_

DESIGNER: *ABJ*PREPARE A WORK ZONE  
TRAFFIC MANAGEMENT PLANNAME: AMY BENTLEY-MARSHALL  
NUMBER: TCT0003842PREPARE A WORKZONE  
TRAFFIC MANAGEMENT PLAN  
NAME: AMANDA BAKER  
NUMBER: TCT0003579

Date: 1/2/2024 Author: Amanda Baker Project: Wellington Race Club - The Wellington Boot Event - Sunday 14/4/2024 - Bushrangers Creek Road - Wellington

## Comments:

T.G.S # 122024 B

The Wellington Boot Event is to take place on Sunday 14/4/2024 at the Wellington Race Club between the hours of 11am to 6pm.

Event Parking is to be directly across from the Race Club on Bushrangers Creek Road.

Event Participants are to be directed into a double gateway by qualified traffic control staff and signage as displayed above.

A separate single gateway is to be used for pedestrian access into and out of the event area and car parking area.

Volunteers are to be in parking area parking event participants into car spaces and are to direct pedestrians to pedestrian gateway.

Traffic Controllers or qualified persons are to stop and hold traffic for short periods to allow for pedestrians to cross roadway.

The speed limit is to be reduced to 40km/hr in the crossing area.

Signage to be setup as per T.C.P.

If site conditions are not suitable signs can be extended 25% and lessened

10%. T.C.P. Modifications must only be made by a person that holds a current "Select / Modify" Red Ticket and must document

any changes made due to unsuitable conditions on T.C.P.

MIDWEST TRAFFIC MANAGEMENT



## REPORT: Proposed On Street Parking Management - North Street, Dubbo - St Pius Primary School

DIVISION: Infrastructure  
REPORT DATE: 12 March 2024  
TRIM REFERENCE: ID24/496

### EXECUTIVE SUMMARY

Purpose	Seek endorsement		Fulfil legislated requirement/Compliance
Issue	<ul style="list-style-type: none"><li>This report deals with a review of the on-street parking management in North Street, Dubbo adjacent the St Pius Primary School following a submission from the school and Catholic Education, Diocese of Bathurst, with supporting correspondence from parents (<b>Appendix 1</b>). The existing street frontage facilitates disabled parking, set down and pick up, no parking zone and school bus zone. Over the years the locality has experienced high traffic movements at school peak times and associated road safety conflict with the limited kerbside space and competing demands of the private vehicle, bus transport and pedestrian activity (<b>Appendix 1</b>).</li></ul>		
Reasoning	<ul style="list-style-type: none"><li>The school is undertaking some minor improvements to the administration building off North Street prompting consideration to a potential enhancement of the on-street parking environment. To address the road safety conflict and on-street parking management, consideration has been given to the relocation of the disabled parking spaces, extend the length of the set down and pick up no parking zone and relocate the school bus zone further north.</li><li>Roads Act 1993 and Roads (General) Regulation 2018.</li></ul>		
Financial Implications	Budget Area	Infrastructure Strategy and Design	
	Funding Source	Traffic Management Function – traffic Improvements Signs and Markings	
	Proposed Cost	\$6,200	
	Ongoing Costs	N/A	
Policy Implications	Policy Title	There are no policy implications arising from this report	
	Impact on Policy	N/A	

## STRATEGIC DIRECTION

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

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

## RECOMMENDATION TO THE LOCAL TRAFFIC COMMITTEE

That Council approval be granted for the implementation of the proposed on-street parking management in North Street, Dubbo adjacent to St Pius Primary School incorporating a relocation of the disabled car parking spaces, extended no parking zone, for set down and pick up activities, and relocation of the school time restricted bus zone in accordance with Council's Plan 7612 (Appendix 2).

## LOCAL TRAFFIC COMMITTEE CONSIDERATION

This matter was considered by the Local Traffic Committee at its meeting held on Monday, 4 March 2024. The Committee had unanimous support in the adoption of the recommendation.

## RECOMMENDATION

**That Council approval be granted for the implementation of the proposed on-street parking management in North Street, Dubbo, adjacent to St Pius Primary School incorporating a relocation of the disabled car parking spaces, extended no parking zone, for set down and pick up activities, and relocation of the school time restricted bus zone in accordance with Council's Plan 7612 (Appendix 2).**

*Luke Ryan*  
Director Infrastructure

*DV*  
Senior Traffic Engineer

## REPORT

In October 2023 an onsite meeting was held with the Principal of St Pius Primary School raising concerns with the ongoing road safety environment with on-street parking management and conflict experienced between the multiple users of the school, including private vehicles, disabled parking and private vehicle set down and pick up activity. Additionally, the school had submitted a development application for improvements to the administration building fronting North Street with new entrance and pathway improvements along the frontage.

The St Pius School frontage to North Street extends from the East Street intersection north to the Bent Street intersection. The existing on-street parking management from East Street north encompasses a pedestrian crossing and 11 m 'No Stopping' zone, 14 m set down and pick up 'No Parking' zone, 14 m disabled parking zone and 40 m school bus zone. There is approximately 70 m of unrestricted kerb side parking further north to Bent Street and a bus shelter for a previous bus stop that is no longer required, as the new bus service is in a north-bound direction only. The on-street parking on the western side of North Street is unrestricted with a new commercial bus zone close to the East Street intersection and pedestrian crossing. The school's East Street frontage facilitates school bus zones with the rear frontage to Young Street supporting additional set down and pick up activities.

St Pius had also received some parental representations on the road safety environment along North Street resulting in the school preparing a submission to Council from the Principal, Assistant Principal and Catholic Education, Diocesan WHS (**Appendix 1**). Site inspections reveal that the two-vehicle set down and pick up zone is inadequate to facilitate the activity with indiscretions by motorists jostling for kerbside access with parking in the disabled and bus zones and double-parking causing students to move between vehicles to the footpath. Bus students are staged next to the administration building needing to interact with the set down and pickup activity creating more congestion.

The proposed on-street parking management changes to St Pius Primary School frontage to North Street will incorporate:

- Retainment of the 11 m 'No Stopping' zone to the pedestrian crossing.
- Relocation of the disabled parking spaces (14 m) with accessible ramp to the northern side of the 'No Stopping' zone being immediately adjacent the reconstructed frontage to the administration building (existing time restriction 8.30 am to 4.00 pm school days).
- Extend the length of the 'No Parking' zone from 14 m to 55 m (existing time restriction 8.00 am to 9.30 am and 3.00 pm to 4.00 pm school days).
- Relocate and extend the bus zone north of the 'No Parking' zone from 40 m to 50 m. (existing time restriction 8.00 am to 9.30 am and 3.00 pm to 4.00 pm school days).

### Consultation

- The Manager of Dubbo Buslines was consulted on the proposed relocation of the North Street school bus zone and concurred with the overall parking management proposal. The situation of buses holding north of Bent Street before accessing the bus zone appears not to be a regular occurrence, however it is evidenced and an accepted practice that occurs in other school locations and was not of concern to the Manager of Dubbo Buslines.

### Resourcing Implications

- Council's Infrastructure Delivery staff will provide the resources to undertake the proposed changes to the on-street parking management in North Street, Dubbo.
- There is no ongoing maintenance required for the works.

Total Financial Implications	Current year (\$)	Current year + 1 (\$)	Current year + 2 (\$)	Current year + 3 (\$)	Current year + 4 (\$)	Ongoing (\$)
a. Operating revenue	0	0	0	0	0	0
b. Operating expenses	0	0	0	0	0	0
c. Operating budget impact (a – b)	0	0	0	0	0	0
d. Capital Expenditure	\$6,200	0	0	0	0	0
e. Total net impact (c – d)	\$6,200	0	0	0	0	0
Does the proposal require ongoing funding?			No			
What is the source of this funding?						

**Table 1.** Ongoing Financial Implications

### APPENDICES:

- [1](#) St Pius Primary School - Submission
- [2](#) Proposed Onstreet Parking Management - North Street Dubbo

## St Pius Primary School Street parking review

**Group members:** School Principal                      Katrina Isbester  
                          Assistant Principal                      Greg Cant  
                          Diocesan WHS                                      Michael Donnelly

*Date 1<sup>st</sup> November 2023*

### Executive Summary

This submission is a request from the Staff, Parents and general community of St Pius X Catholic Primary School to Dubbo Regional Council seeking support to reconfigure the vehicle and School Bus parking in North Street Dubbo.

Currently the kiss and drop area is situated at the southern end of the Disable parking spaces, it is thirteen metres in length and literally only accommodates two motor vehicles at a time. This situation creates a bottle neck, impacts the flow of buses in and out of their allocated parking spaces and impacts other motor vehicles accessing the disable parking spaces. Parents have been parking/waiting in the bus parking and the disable parking spaces due to lack of kiss and drop parking.

All students, travelling by road, are required to wait in the undercover area adjacent to the administration building of the school and when their car or bus arrives at the kerb side they are escorted by staff to the gate. This situation is hectic and difficult for staff to ensure timely despatch of students due to the number of students in the marshalling area and the movement of motor vehicles along North Street and cars parking/waiting in the wrong areas.

This project will deliver opportunity and improvements in a number of areas of safety and supervision:

- a. Separate students into two groups
  - i. Bus travellers
  - ii. Private vehicle passengers
- b. Provide easier access for buses to their designated parking
- c. Align disabled parking with the school entrance
- d. Increase the kiss and drop parking from 14 metres to 41 metres
- e. Remove the opportunity for parents to illegally park whilst waiting for their children
  - i. Private vehicle students will not be permitted to enter the bus parking area
  - ii. Increased kiss and drop spaces will better service the private vehicle number

We are requesting Councils' approval to modify the current parking arrangement in North street to deliver the outline improvements in student safety and supervision.

### Current parking and Bus stop arrangement



## Problems with current parking configuration

### Kiss and drop

The current kiss and drop area is approximately 14 metres long and is adjacent to the disability parking spaces at the front entrance of the school. As parents move from the Bent Street end of North Street they are pulling out in front of or cutting off buses and motor vehicles that are wanting to exit the area. This situation is adding congestion and reducing the vision of all road users along that section of North Street.

Students have also been witnessed trying to access motor vehicles that are parked on the "through traffic" portion of the roadway whilst the parent is waiting to secure parking along the gutter.

The Kiss and Drop process is normally spread across an hour of a morning whilst in the afternoon most parents intend to pick up closer to 3.20pm creating a very hectic and often unsafe environment. Children are constantly monitoring the area for their parents to arrive and once they have the child's focus is to enter the motor vehicle as quickly as possible and obviously the reverse applies in the morning when the child is walking between parked and moving vehicles to access the footpath. The risk associated with children walking between moving and parked motor vehicles is exacerbated by the fact that the Kiss and Drop parking area will only accommodate two average sized motor vehicles and some parents do park in the disabled parking spaces whilst they wait for a parking space.

Waiting parent vehicles are sometimes parked in the bus parking bays waiting for spaces in the kiss and drop parking area and students have been observed walking through the bus parking area to access motor vehicles.

### Transport staging

The road transport students waiting and staging area is currently situated adjacent to the school administration building because of the location of the bus parking and the Kiss and Drop location. This area does not have sufficient seating to accommodate all students and during heavy rain events children are forced to stand closer to the administration building causing even more congestion and difficulty when trying to stage students for buses and parents as the vehicles arrive.

### School community concerns

Parents and other community member have been voicing their concerns for some time and a number of those parents have written to the school wanting something done to mitigate the risk that currently exists (please refer to appendix A).

### Supervision of Students

Under the current arrangement supervision and marshalling of all students by staff is difficult. Bus children are normally walked to the bus and children that are meeting their parents (vehicle) need to be supervised to ensure they stay within the confines of the footpath. This process is made more difficult because the Kiss and Drop area can only accommodate two motor vehicles, and cars are constantly moving in and out of the area.

**Student travel to and from school**

<i>Mode of travel</i>	<i>Morning</i>	<i>Afternoon</i>	<i>Comment</i>
<b>Bus</b>	31	47	Currently there is not enough parking for buses within the bus parking area. Waiting buses are parking along North Street on the other side of Bent Street until parking spaces are available within the bus area.
<b>Car</b>	159	142	Cars are circling the school block whilst waiting for parking spaces to become available and in some cases are using the disability and bus parking spaces to wait for their children. Both of these situations are creating unsafe situations and unnecessarily increasing the amount of vehicular traffic in the area.
<b>Walking</b>	1	4	No action required

**Number of buses using the bus parking spaces**

<i>Location</i>	<i>Morning</i>	<i>Afternoon</i>
North Street	8	12
East Street	9	5
<i>Total buses</i>	17	17

**Proposed Parking-Bus and private motor vehicle reconfiguration****Ultimate aim**

1. Increase the Kiss and Drop parking from 14 to 41 metres
2. Relocate the bus stop location to provide a staging area for bus students
3. Relocate the disabled parking to align with the new school entrance
4. Provide a separate staging area for students that are transported by private motor vehicle
5. Improved student supervision opportunities for staff

**Relocation of disabled parking spaces**

Building modifications to the administration area of the school are planned for December this year and part of these works are to improve access for people with disabilities. The proposed relocation of the Disabled parking will provide direct access to the building and less congested footpath to negotiate during school drop off and pick up times.

**Relocation of the School bus stop**

The relocation of the bus stop further down North Street towards Bent Street will allow for an increase in length of the kiss and drop parking area, this increase will allow an additional six motor vehicles parking spaces and provide direct access to parking for buses as they enter North Street.

**Proposed parking layout**

## Conclusion

### Detail of requirement

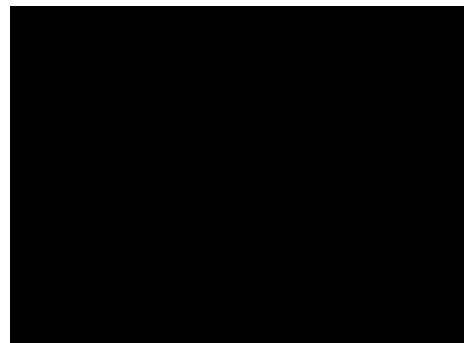
1. Relocate the Disable parking area to the kiss and drop and vice versa
2. Increase the length of the kiss and drop parking spaces from 14 to 40 metres
3. Move the bus parking space further along North street to allow the kiss and drop increase in length

These changes are required to provide a safe environment for staff, students and their families during the busiest times of the day when students are most vulnerable to accidents involving motor vehicles.

### Thank you in anticipation

Yours faithfully

<i>School Principal</i>	<i>Katrina Isbester</i>
<i>Assistant Principal</i>	<i>Greg Cant</i>
<i>Diocesan WHS</i>	<i>Michael Donnelly</i>



## Appendix A

Dear Katrina and Greg,

I am writing to raise a concern in regards to the current school drop off/pick up area. The space is limited to only 2 spaces and causes great congestion during these times making for an unsafe environment. Myself and other parents must lap around the school waiting for a safe space to collect our kids.

In comparison to the pickup zones at St Mary's and other schools in the area this system is sub par. The zone disrupts bus accessibility, causes delays and has potential to cause road incidents if not addressed. Where available I would request planning for additional spaces separate from the bus zone.

Regards,

[REDACTED]

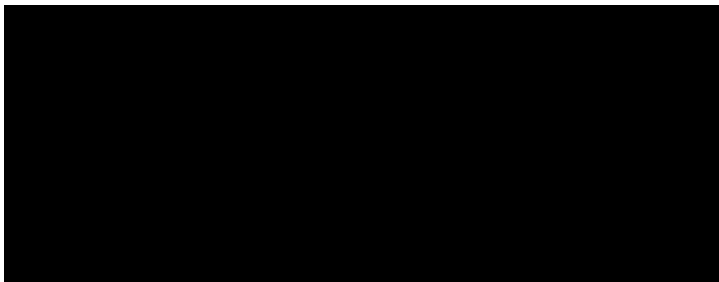
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Hi Greg

Just wanted to let you know while picking up Phoebe I witnessed a near tragedy involving a young girl in Kindergarten or Year One. This girl was in such a rush, opened the car door into traffic and whilst opening the door almost stepped in front of another car. I didn't have the chance to speak to the driver / parent or get the number plate with all the commotion at the end of school day. Pick up is simply crazy.

With such a congested pick up area parents seem to be battling for the two pick up spots. I also know there is trouble with the disabled parking spots leading into the parking spots and I assume road rules would be broken daily due to the arrangement of the parking.

I know you have mentioned the drop off and pick up issues in the newsletter many times, but could you please do it again before someone is seriously hurt or even killed. Or possibly even mention this at a school barbeque when you have a lot of the parents present.

[REDACTED]





Hi Katrina & Greg

Something that I have been wanting to address for a while now is the current parking situation for drop-off and pick up.

We feel it is unsafe and we purposefully leave our drop/pick ups to late to minimise risk to Lachie's safety.

We have also been booked by police because of the lack of spots available which seemed extremely unfair and is a target area to book parents which then find themselves in a comparable situation because they are protecting the safety of their children, and police are targeting this.

Surely with the school capacity, more than 2 drop-off pick-up spaces are required?

Sometimes depending on the situation, especially when the office was being renovated there were no parks!

I am concerned and have seen little ones running through cars at a risk of being hurt and injured, and also children running out as they have seen their parents and going out further onto the street to get in so that parents don't have to park.

As we are in such a close proximity to West Dubbo school, it causes and adds to the congestion as parents who are unable to find a park then go around to the back of the school which causes frustration again, and also leads to double parking, parents circulating the area and endangers the pedestrians.

We would request that these concerns be taken to an urgent review of the parking situation. Immediate action is necessary and more parks are needed. Something serious will happen if this issue is not addressed.

We appreciate you looking into this issue as a matter of priority and urgency.

We look forward to hearing a positive outcome to this issue.



Director  
The Administration Agency

[REDACTED]  
[REDACTED]  
[REDACTED]

17th October 2023

Principal Katrina Isbester  
Vice Principal Greg Cant  
St Pius X Primary School Dubbo  
East Street  
Dubbo NSW 2830

Subject: Urgent Review of School Parking

Dear Principal Isbester and Vice Principal Cant,

I am writing to express my deep concern and disappointment regarding the current parking situation at St Pius X Primary School in Dubbo. As a parent of children attending your school, I believe it is my responsibility to bring to your attention the pressing safety concerns arising from the current parking arrangements.

It is disheartening that I find myself in a position where I have to raise this issue, as I would have assumed that the safety of our children, as well as the overall well-being of our school community, would be a top priority and already addressed comprehensively. The limited parking spaces in the vicinity, especially considering the presence of two schools in close proximity, have led to chaotic scenes during drop-off and pick-up times.

The prevalent issue of double parking by parents has created a hazardous environment for both students and pedestrians. Children are forced to navigate through backed-up cars, often running dangerously onto the street trying to reach their parents who are unable to secure a parking spot.

This situation has escalated into unnecessary congestion on the surrounding streets, causing inconvenience and posing serious safety risks for everyone involved.

Moreover, the backed-up cars not only create traffic hazards but also significantly heighten security

risks for pedestrians attempting to navigate the area. The close proximity of West Dubbo Public School means that there are a considerable number of pedestrians, including students and parents, using the same pathways and crossings. The congestion caused by double-parked vehicles and parents lapping around the area trying to secure a parking spot, obstructs clear lines of sight and

adds confusion to the already bustling surroundings. This situation not only endangers the safety of our students but also poses challenges for parents, teachers, and visitors moving through the area.

In light of these concerns, I kindly request you undertake an urgent and thorough review of the parking situation. Immediate action is necessary to ensure the safety and well-being of our children, as well as to alleviate the congestion and inconvenience faced by parents and residents in the area. Addressing this issue promptly will not only enhance the safety of our students but also promote a more orderly and efficient flow of traffic in the vicinity of the school.

I appreciate your attention to this matter and trust that you will take swift and decisive action to address the pressing concerns raised. I am confident that we can create a safer and more conducive environment for our children to thrive and learn.

Thank you for your understanding and cooperation. I look forward to a positive resolution to this issue.

[REDACTED]

[REDACTED]  
[REDACTED]



DRAFT

CHECKED - ENGINEERING DESIGN TEAM LEADER	PRINT DATE: 27/02/2024 09:07:19 PM	PERMANENT MARK: N/A	RL: N/A	DATUM: AH071 & GDA2020/MGA ZONE 55	STATUS	DRAFT ISSUE	PROJECT TITLE	SHEET NO.
INT. DATE	SURVEY DATE	REV.	DATE	INT.	DETAILS OF AMENDMENTS	SCALE	PROPOSED ON STREET PARKING MANAGEMENT - NORTH STREET	1 OF 1
APPROVED - MANAGER INFRASTRUCTURE STRATEGY	DESIGN DATE 27/02/2024					NOT TO SCALE		REV.
INT. DATE	DRAWING DATE 27/02/2024					ORIGINAL SIZE A3	DRAWING TITLE	0
	DRAWING FILE					0 1 2 3 4 5 cm	PROPOSED PARKING PLAN	PLAN NO.
	40 Centre Dubbo City Development Project Folder Template/Infrastructure Drawing/Item/Section/Project/Section/Section							TM 7612



## REPORT: Draft Forest Glen Solar Farm Planning Agreement - Results of Public Exhibition

**DIVISION:** Development and Environment  
**REPORT DATE:** 5 March 2024  
**TRIM REFERENCE:** ID24/233

### EXECUTIVE SUMMARY

Purpose	Seek endorsement	Fulfil legislated requirement
Issue	<ul style="list-style-type: none"><li>Council at its meeting on 14 December 2023 adopted a draft Planning Agreement for the Forest Glen Solar Farm for the purposes of public exhibition.</li><li>The draft Planning Agreement relates to a State Significant Development Application (SSD-9451258) for the construction and operation of a 90MW solar farm at 30L Delroy Road, Minore.</li><li>The terms of the draft Planning Agreement require X-Elio Roma Hub Solar Farm Pty Ltd to pay a monetary contribution to Council of \$200,000 per year for five years until a total of \$1,000,000 is reached. This funding is for the purposes of a Community Housing Incentivisation Scheme, which aims to provide an innovative assistance solution to develop community housing in the region.</li><li>The draft Planning Agreement was placed on public exhibition from 24 January 2024 to 26 February 2024. Council did not receive any submissions.</li></ul>	
Reasoning	<ul style="list-style-type: none"><li>Part 7.1 of the Environmental Planning and Assessment Act 1979 and associated Regulation</li></ul>	
Financial Implications	Budget Area	Growth Planning Branch
	Funding Source	Growth Planning Branch Budget
	Proposed Cost	Council will receive \$1,000,000 over the life of the Planning Agreement.
	Ongoing Costs	There are no ongoing costs associated with this report.
Policy Implications	Policy Title	There are no policy implications arising from this report.

### STRATEGIC DIRECTION

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

Theme: 1 Housing

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

#### RECOMMENDATION

1. That Council enter into a Planning Agreement (attached in Appendix 1) with X-Elio Roma Hub Solar Farm Pty Ltd or an associated entity of the same.
2. That Council execute the Planning Agreement by affixing the Common Seal.

*Stephen Wallace*  
Director Development and Environment

*TH*  
Team Leader Growth  
Planning Projects

## BACKGROUND

### 1. Previous Resolutions of Council

14 December 2023	<i>In part</i> <ol style="list-style-type: none"><li>1. <i>That a draft Voluntary Planning Agreement be prepared in accordance with the terms identified in this report.</i></li><li>3. <i>That the draft Voluntary Planning Agreement be placed on public display in accordance with the provisions of the Environmental Planning and Assessment Act 1979.</i></li><li>4. <i>That following conclusion of the public exhibition period, a further report be prepared for the consideration of Council, including any submissions received.</i></li><li>5. <i>That all documentation in relation to this matter remain confidential to Council.</i></li></ol>
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### 2. What is a Planning Agreement?

A Planning Agreement is an agreement entered into between Council and a developer where the developer agrees to fund public amenities or infrastructure, dedicate land at no cost to Council, or provide monetary contributions or any other material public benefit, for a public purpose. In accordance with Part 7, Division 7.1 of the Environmental Planning and Assessment Act 1979 (EP&A Act), a public purpose includes any of the following:

- The provision of public amenities or services;
- The provision of affordable housing;
- The provision of transport or other infrastructure relating to land;
- The funding or recurrent expenditure relating to the provision of public amenities or public services, affordable housing or transport or other infrastructure;
- The monitoring of the planning impacts of development;
- The conservation or enhancement of the natural environment.

### 3. Forest Glen Solar Farm – State Significant Development Application

On 28 February 2023, the NSW Department of Planning and Environment approved a State Significant Development Application (SSD-9451258) for the construction, operation and decommissioning of a photovoltaic solar farm at 30L Delroy Road, Minore. The location of the project is shown in **Figure 1**.

The solar farm will have a capacity of approximately 90MW that will supply electricity to the national grid, and comprise the following:

- Solar array;
- Upgrades to Delroy Road and new internal roads;
- Underground and above ground cables;
- Battery storage; and
- Onsite substation and operational facilities.

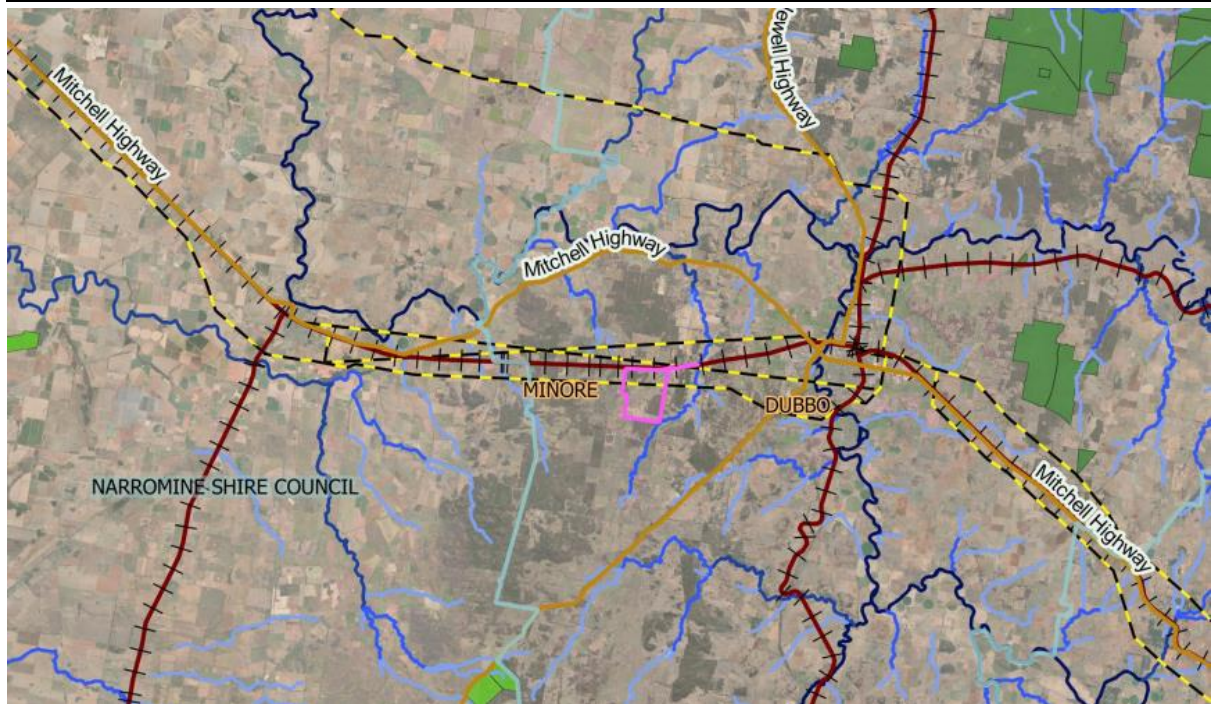


Figure 1: Location of the Forest Glen Solar Farm (pink outline)

## REPORT

### 1. Details of the draft Planning Agreement

The draft Planning Agreement (attached in **Appendix 1**) requires X-Elio Roma Hub Solar Farm Pty Ltd to pay to Council \$200,000 per year on 1 July of each year for a period of five years, with funds to be distributed as follows:

- **Planning Agreement Component 1 (Community Housing Incentivisation Scheme)**

Funds will be allocated to a Community Housing Incentivisation Scheme, which aims to provide an innovative assistance solution to help the development of community housing in the Dubbo Regional Local Government Area.

If Council does not receive any expressions of interest or if in the opinion of Council and X-Elio Roma Hub Solar Farm Pty Ltd no suitable expressions of interest have been received in that year, this component will cease to operate and revert to a Community Benefit Fund.

- **Planning Agreement Component 2**

Funds are to be allocated for community benefit for eligible local projects across the Dubbo Regional Local Government Area including community and incorporated and/or not for profit organisations.

Funding will be paid to Council upon construction of the project.

## 2. Public Exhibition

The draft Planning Agreement and explanatory note were placed on public exhibition from 24 January 2024 until 26 February 2024. Council did not receive any submissions during the public exhibition period.

The draft Planning Agreement was publicly notified in the following ways:

Channel	Date
Council Website	24 January 2024 – 26 February 2024
Council Customer Experience Centres	24 January 2024 – 26 February 2024
Macquarie Regional Library Branches	24 January 2024 – 26 February 2024
Daily Liberal Council Column	24 and 31 January 2024, and 7, 14 and 21 February 2024
Letter to adjoining landowners	24 January 2024
Email to social housing providers	1 February 2024

### APPENDICES:

1 [↕](#) Draft Planning Agreement

## PLANNING AGREEMENT for Forest Glen Solar Farm

**Land to which the Agreement applies:** Lot 6 DP 755102 and Crown Land Lot 1 DP1198911, Lot 51 and Lot 52 DP755094.

**Dubbo Regional Council** (ABN 53 539 070 928) (Council)

**X-ELIO Roma Hub Solar Farm Pty Ltd** (ABN 45 637 568 453) acting as Trustee of X-Elio Roma Hub Trust (Company)





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## Parties to this Agreement

<b>Company</b>	Name	<b>X-ELIO Roma Hub Solar Farm Pty Ltd</b> in its capacity as Trustee for X-Elio Roma Hub Trust
	Address	Level 4, 80 Market Street Melbourne VIC 3206
	ABN	45 637 568 453
	Contact name	Steffi Fernando
	Contact email	<a href="mailto:Steffi.Fernando@x-elio.com">Steffi.Fernando@x-elio.com</a>
<b>Council</b>	Name	<b>Dubbo Regional Council</b>
	Address	PO Box 81, Dubbo NSW 2830
	ABN	53 539 070 928
	Contact name	Jane Sullivan
	Contact email	<a href="mailto:infrastructurecontributions@dubbo.nsw.gov.au">infrastructurecontributions@dubbo.nsw.gov.au</a>

## Background

1. The Company has an approved Development Application (SSD-9451258) for the Forest Glen Solar Farm (FGSF) to carry out the Development on the subject land. The FGSF is proposed to have a generation capacity of 90MW (AC) that will supply electricity to the national grid as authorised by the Development Consent.
2. As a condition of consent for approval of the FGSF Development Application, the Minister for Planning has determined that the Company must enter into this Planning Agreement in accordance with the Act.
3. Pursuant to this Agreement, the Company has agreed to make the monetary contribution in relation to the FGSF development in accordance with this Agreement.
4. The Council agrees to be the custodian of the monetary contribution and to distribute and expend the funds of the Forest Glen Solar Farm Fund (FGSF Fund) in accordance with this Agreement.



## Operative provisions

### Part 1 - Preliminary

#### 1 Definitions and Interpretation

- 1.1 In this Agreement the following definitions apply:
- 1.1.1 **Act** means the Environmental Planning and Assessment Act 1979 (NSW).
  - 1.1.2 **Active Community Housing Provider** means a registered Community Housing Provider being a not-for-profit entity that has ownership or management of properties in the Dubbo Regional Local Government Area and actively manages or has a framework in place for active property and tenant wellbeing management.
  - 1.1.3 **Agreement** means this Planning Agreement and any schedules, annexures, and appendices to this Agreement.
  - 1.1.4 **Approved Local Project** means local projects as determined by Council for the purpose of funding from the Planning Agreement Component (2) in accordance with Schedule 1 of this Agreement.
  - 1.1.5 **Audit** means audit requirements undertaken in accordance with the Act and Regulation.
  - 1.1.6 **Company** means X-Elio Roma Hub Trust.
  - 1.1.7 **Condition** means the execution of this Agreement, as a condition specified in the Forest Glen Solar Farm Development Consent or, when specified, any other condition included in the same.
  - 1.1.8 **Contribution Year** means every 12-month period from 1 July each year.
  - 1.1.9 **Construction Commencement Date** means the date when the Company has obtained all permits and approvals necessary for the commencement of construction of the Forest Glen Solar Farm and has started the construction works as authorised by the Forest Glen Solar Farm Development Consent.
  - 1.1.10 **Condition precedent** means all relevant approvals have been obtained prior to commencement of works.
  - 1.1.11 **Costs** means a cost, charge, expense, outgoing, payment, fee, and other expenditure of any nature.
  - 1.1.12 **CPI** means the Consumer Price (Sydney All Groups) Index.
  - 1.1.13 **Development Application** has the same meaning as in the Act.
  - 1.1.14 **Development Consent** has the same meaning as in the Act.



- 1.1.15 **Dispute** means a dispute or difference between the Parties under or in relation to this Agreement.
- 1.1.16 **Event of Default** means a breach of this Agreement.
- 1.1.17 **Forest Glen Solar Farm or FGSF** means the photovoltaic facility of tracker structure technology with a proposed peak power of 90MW, Battery storage and Ancillary Infrastructure that would supply electricity to the national grid as authorized by the FGSF Development Consent- including all land on which it is proposed that the Forest Glen Solar Farm is located within the Dubbo Regional Local Government Area as specified in the FGSF Development Consent; and the land that is the subject of and is described in the FGSF Development Application.
- 1.1.18 **FGSF Development Application** means the application (SSD-9451258) approved by the Minister for Planning under the EP&A Act 1979 on 28 February 2023, as modified from time to time.
- 1.1.19 **Forest Glen Solar Farm Development Consent or FGSF Development Consent** means the development consent granted by the Department of Planning and Environment (DPE) pursuant to the FGSF Development Application as modified from time to time.
- 1.1.20 **FGSF Fund** means the funds contributed through the monetary contributions, for the purpose of the execution of either of the Planning Agreement Components, in accordance with this Agreement.
- 1.1.21 **Land** means the land identified in Schedule 3 and subject of this Agreement, being Lot 6 DP 755102 and Crown Land Lot 1 DP1198911, Lot 51 and Lot 52 DP755094, where the Forest Glen Solar Farm would be located.
- 1.1.22 **Monetary Contribution** means the monetary contribution to be made by the Company as specified in Schedule 1 which is required to be made under this Agreement.
- 1.1.23 **Party** means a party to this Agreement, including their successors and assigns.
- 1.1.24 **Planning Agreement** means this Agreement.
- 1.1.25 **Planning Agreement Component 1** means a social housing development scheme which aims to provide an innovative assistance solution to develop community housing in the Dubbo Local Government Area.
- 1.1.26 **Planning Agreement Component 2** means a Community Benefit Fund for local projects across the Dubbo Regional Local Government Area including from community groups and not-for-profit organisations.
- 1.1.27 **Rectify** means rectify, remedy, or correct.
- 1.1.28 **Regulation** means the Environmental Planning and Assessment Regulation 2021.



- 1.1.29 **Term** means the period described in clause 4 of this Agreement.
- 1.1.30 **Value** means the \$ amount agreed between the Parties as the value of a Monetary Contribution made under this Agreement, as shown in the Contributions Table, or as otherwise agreed between the Parties.

## 1.2 Interpretation

In the interpretation of this Agreement, the following provisions apply unless the context otherwise requires:

- 1.2.1 **Headings** are inserted for convenience only and do not affect the interpretation of this Agreement.
- 1.2.2 A reference in this Agreement to a **business day** means a day other than a Saturday or Sunday on which banks are open for business generally in Sydney.
- 1.2.3 If the day on which any act, matter or thing is to be done under this Agreement is not a business day, the act, matter, or thing must be done on the next business day.
- 1.2.4 A reference in this Agreement to dollars or \$ means Australian dollars and all amounts payable under this Agreement are payable in Australian dollars.
- 1.2.5 A reference in this Agreement to a \$ value relating to a Monetary Contribution is a reference to the value exclusive of GST.
- a) A reference in this Agreement to any law, legislation or legislative provision includes any statutory modification, amendment or re-enactment, and any subordinate legislation or regulations issued under that legislation or legislative provision.
- 1.2.6 A reference to a clause, part, schedule, or attachment is a reference to a clause, part, schedule, or attachment of or to this Agreement.
- 1.2.7 An expression importing a natural person includes any Company, trust, partnership, joint venture, association, body corporate or governmental agency.
- 1.2.8 Where a word or phrase is given a defined meaning, another part of speech or other grammatical form in respect of that word or phrase has a corresponding meaning.
- 1.2.9 A word which denotes the singular denotes the plural, a word which denotes the plural denotes the singular, and a reference to any gender denotes the other genders.
- 1.2.10 References to the word 'include' or 'including' are to be construed without limitation.
- 1.2.11 A reference to this Agreement includes the agreement recorded in this Agreement.



- 1.2.12 A reference to a Party to this Agreement includes a reference to the employees, agents and contractors of the Party, the Party's successors and assigns.
- 1.2.13 A reference to 'dedicate' or 'dedication' in relation to land is a reference to dedicate or dedication free of cost.
- 1.2.14 Any schedules, appendices and attachments form part of this Agreement.
- 1.2.15 Notes appearing in this Agreement are operative provisions of this Agreement.

## **2 Planning agreement under the Act**

- 2.1 This Agreement is a planning agreement governed by Subdivision 2 of Division 7.1 of Part 7 of the Act.

## **3 Application of this Agreement**

- 3.1 This Agreement applies to the Forest Glen Solar Farm Development Consent and evidences the Company's compliance with the relevant Condition(s) of the FGFS Development Consent.

## **4 Term of the Agreement**

- 4.1 Subject to clause 4.2, this Agreement shall be in full force and effect from the date it is executed by the last Party until the date which the last agreed payment is made to the FGFS Fund in accordance with Schedule 1.
- 4.2 Without prejudice of clause 4.1, the obligation of the Company to make the Monetary Contribution will not be effective until the Construction Commencement Date.
- 4.3 If Construction Commencement Date has not occurred by the date the FGFS Development Consent expires, this Agreement will expire with the FGFS Development Consent (unless extended by agreement of both Parties) and no Party will have any obligation to the other Party in relation with this Agreement.

## **5 Warranties**

- 5.1 The Parties warrant to each other that they:
  - 5.1.1 Have full capacity to enter into this Agreement, and
  - 5.1.2 Can fully comply with their obligations under this Agreement.



## 6 Further agreements

- 6.1 The Parties may, at any time and from time to time, enter into agreements relating to the subject-matter of this Agreement that are not inconsistent with this Agreement for the purpose of implementing this Agreement.

## Part 2 - Payment of the Monetary Contribution

### 7 The Monetary Contribution under this Agreement

- 7.1 The Company is required to make the Monetary Contribution to the FGSP Fund as described in the Monetary Contributions Table in Schedule 1 and in accordance with the provisions of this Agreement.
- 7.2 The Monetary Contribution will cease on the date on which the last agreed payment is made under the provision of funds to Council to the total of \$1,000,000.00 plus CPI, as reflected in the Table in Schedule 1.
- 7.3 The Company agrees to pay interest on any overdue part or whole of the Monetary Contribution payable:
- from the date on which the overdue part or whole of the Monetary Contribution is due for payment under this agreement.
  - until the date on which the overdue part or whole monetary contribution is paid,

at the bank bill swap interest rate within Australia that is published by the Australian Financial Markets Association, during the relevant period when the relevant Monetary Contribution is overdue.

### 8 Application of the Monetary Contribution

- 8.1 Council will apply each Monetary Contribution in accordance with Schedule 2 towards the public purpose for which it is made, either under Planning Agreement Component 1 or Planning Agreement Component 2.

#### (1) Planning Agreement Component 1

Funding for a Community Housing Development Incentivisation Scheme, which aims to aid towards the development of community housing in the Dubbo Regional Local Government Area.

#### (2) Planning Agreement Component 2

Community Benefit Fund for eligible local projects across the Dubbo Regional Local Government Area from not-for-profit entities and community groups including members of the community through incorporated or not-for-profit.



If in the opinion of Council, no qualified parties have sought participation in Planning Agreement Component 1 for the round of funds provided in that year, notice shall be given to the Company that Planning Agreement Component 2 will be enacted.

- 8.2 If Council does not receive any expressions of interest or if in the opinion of Council and the Company no suitable expressions of interest have been received, Planning Agreement Component 1 shall cease to operate, and Planning Agreement Component 2 will operate and revert to a Community Benefit Fund.
- 8.3 Council will under no circumstances refund any monetary contribution made under this Agreement.

## **9 Application of Section 7.11, 7.12 and 7.24 of the Act to the Development**

- 9.1 The Agreement *excludes* the application of Section 7.11 to the Development.
- 9.2 The Agreement *excludes* the application of Section 7.12 to the Development.
- 9.3 This Agreement *excludes* the application of Section 7.24 to the Development.

## **10 Allocation of Funds**

- 10.1 Within 3 months of the notice required to be provided, Council must prepare guidelines to govern the administration of the FGSF Funds (which may be amended from time to time).
- 10.2 The Council must consult and agree with the Company in relation to the preparation of the guidelines.
- 10.3 The guidelines must provide for the following:
- 10.3.1 Eligibility criteria for applications.
  - 10.3.2 Timeframes for expenditure of the monetary contribution (which should be within 12 months of the Council's decision to grant funds).
  - 10.3.3 Advertisement of the availability of funds for FGSF Fund projects.
  - 10.3.4 If requested by the Company, the Council must consult the Company in relation to applications made for funding for Community Benefit Funds projects from the FGSF Community Benefit Fund.

## **11 Registration**

- 11.1 The parties agree that this agreement will be registered on the Forest Glen Solar farm land pursuant to section 7.6 of the EP&A Act 1979 by X-ELIO Roma Hub Solar Farm Pty Ltd.



- 11.2 The parties agree that notice of registration will be provided to Council within 3 months of the execution of this agreement by Council and the Company.

## 12 Indexation of Monetary Contribution

- 12.1 All monetary contributions are to be indexed from the date of this Agreement to the date of payment in accordance with the following formula:

$$MC = \frac{A \times B}{C}$$

C

Where:

- MC** is the Monetary Contribution for the following Contribution year;
- A** is the Monetary Contribution payable during the Contribution Year just ended;
- B** is the most recent Index number (last published) before the end of the Contribution Year just ended;
- C** is the most recent Index number (last published) before the commencement of the Contribution Year just ended.

## 13 How money is paid

- 13.1 A monetary contribution is made for the purposes of this Agreement when the Council receives the full amount of the monetary contribution payable under this Agreement (in accordance with the Monetary Contribution Table in Schedule 1) in cash or by an endorsed bank cheque or by deposit by means of electronic fund transfer of cleared funds into a bank account nominated by the Council. Council will not accept any other forms of payment.

## Part 3 - Review and Monitoring

### 14 Review of Agreement

- 14.1 If either Party is of the opinion that any change of circumstance has occurred, or is imminent, that materially affects the operation of this Agreement the Party may request a review of the whole or any part of this Agreement.
- 14.2 For the purposes of clause 14.1, the relevant changes include (but are not limited to) any change to a law that restricts or prohibits or enables the Council or any other Authority to restrict or prohibit any aspect of the Development.
- 14.3 If a review is requested in accordance with clause 14.1, the Parties are to use all reasonable endeavours, in good faith, to agree on and implement appropriate amendments to this Agreement.



- 14.4 If this Agreement becomes illegal, unenforceable, or invalid because of any change to a law, the Parties agree to do all things necessary to ensure that an enforceable agreement of the same or similar effect to this Agreement is entered into.
- 14.5 A failure by a Party to agree to take action as requested by the other Party as a consequence of a review referred to in clause 14.1 (but not 14.4) is not a Dispute for the purposes of this Agreement and is not a breach of this Agreement.
- 14.6 If the Parties agree to amend this Agreement under this clause any such amendment must be in writing and signed by the Parties and exhibited in accordance with the Act and Regulation.

## **15 Monitoring and Reporting**

- 15.1 The Company acknowledges that the Council will continuously monitor compliance with the Company's obligations under this Agreement.

## **Part 4 - Dispute Resolution**

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### **16 Notice of Dispute**

- 16.1 If a party claims that a dispute has arisen under this Agreement (Claimant), it must give written notice to the other party (Respondent) stating the matters in dispute and designating as its representative a person to negotiate the dispute (Claim Notice). If a notice is given, the Parties are to meet within 10 business days of the notice to resolve the Dispute.
- 16.2 If the Dispute is not resolved within a further 20 business days, the Dispute is to be referred to the President of the NSW Law Society to appoint an expert for expert determination.
- 16.3 The expert determination is binding on the Parties except in the case of fraud or misfeasance by the expert.
- 16.4 Each Party is to bear its own costs arising from or in connection with the appointment of the expert and the expert determination.
- 16.5 The Parties are to share equally the costs of the President, the expert, and the expert determination.



## 17 Disposal by the Company of its interest in the Development

- 17.1 The Council agrees that the Company may assign, transfer, or otherwise deal with the Company's rights, duties, or obligations under this agreement to:
- a) a related body corporate of the Company (within the meaning of the *Corporations Act 2001* (Cth)) or a partnership comprised of related bodies corporate of the Company;
  - b) a joint venturer or partner of the Company in respect of the Forest Glen Solar Farm; or
  - c) any third party, subject to the Company proving to the reasonable satisfaction of the Council that such party is able to comply with the Company's obligations under this agreement (and to avoid any doubt the consent of the Council is not required if the third party has, or is a related body corporate of a Company (within the meaning of the *Corporations Act 2001* (Cth)) which has experience with solar farm projects or other similar infrastructure projects), without the consent of the Council.
- 17.2 The Company shall be released and discharged from any obligations under this agreement on and from the date of the assignment and the performance of the terms of this agreement from the date of the assignment and from all claims and demands in connection with this agreement that arise after the date of the assignment in the event of the Company assigning the Company's rights and obligations under this agreement, provided always that the Company is responsible for any action claim or demand with respect of the performance of this agreement for any period prior to and including the date of the assignment

## 18 Mediation

- 18.1 This clause applies to any Dispute arising in connection with this Agreement other than a Dispute to which clause 16 applies.
- 18.2 Such a Dispute is taken to arise if one Party gives another Party a notice in writing specifying particulars of the Dispute.
- 18.3 If a notice is given under clause 18.2, the Parties are to meet within 14 days of the notice to attempt to resolve the Dispute.
- 18.4 If the Dispute is not resolved within a further 20 business days, the Parties are to mediate the Dispute in accordance with the Mediation Rules of the Law Society of New South Wales published from time to time and are to request the President of the Law Society to select a mediator.
- 18.5 If the Dispute is not resolved by mediation within a further 20 business days, or such longer period as may be necessary to allow any mediation process which



has been commenced to be completed, then the Parties may exercise their legal rights in relation to the Dispute, including by the commencement of legal proceedings in a court of competent jurisdiction in New South Wales.

- 18.6 Each Party is to bear its own costs arising from or in connection with the appointment of a mediator and the mediation.
- 18.7 The Parties are to share equally the costs of the President, the mediator, and the mediation.

## Part 5 - Indemnities & Insurance

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### 19 Risk

- 19.1 The Company performs this Agreement at its own risk and its own cost.

### 20 Release

- 20.1 The Company releases the Council from any Claim it may have against the Council arising in connection with the performance of the Company's obligations under this Agreement except if, and to the extent that, the Claim arises because of the Council's negligence or default.

### 21 Indemnity

- 21.1 A party must indemnify the other Party from and against all Claims that may be sustained, suffered, recovered, or made against that Party arising in connection with the performance of the other Party's obligations under this Agreement except if, and to the extent that, the Claim arises because of the relevant Party's negligence or default.

## Part 6 - Other Provisions

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### 22 Confidentiality

- 22.1 This agreement is a public document, and its terms are not confidential.
- 22.2 The parties acknowledge that:
- 22.2.1 Confidential Information may have been supplied to some or all the Parties in negotiations leading up to the making of this agreement; and
- 22.2.2 the Parties may disclose to each other further Confidential Information in connection with the subject matter of this agreement.



- 22.3 Subject to clauses 22.4 and 22.5, each Party agrees:
- 22.3.1 not to disclose any Confidential Information received before or after the making of this agreement to any person without the prior written consent of the Party who supplied the confidential information; or
  - 22.3.2 to take all reasonable steps to ensure all confidential information received before or after the making of this agreement is kept confidential and protected against unauthorised use and access.
- 22.4 A Party may disclose confidential information in the following circumstances:
- 22.4.1 to comply with the law, or the requirements of any Authority; or
  - 22.4.2 to any of their employees, consultants, advisers, financiers, or contractors to whom it is considered necessary to disclose the information, if the employees, consultants, advisers, financiers, or contractors undertake to keep the Confidential Information confidential.
- 22.5 The obligations of confidentiality under this clause do not extend to information which is public knowledge other than because of a breach of this clause.

## 23 Notices

- 23.1 Any notice, consent, information, application, or request that is to or may be given or made to a Party under this Agreement is only given or made if it is in writing and sent in one of the following ways:
- 23.1.1 delivered or posted to that Party at its address, or
  - 23.1.2 emailed to that Party at its email address.
- 23.2 For the purposes of this clause, a Party's address and email address are as noted under 'Parties to this Agreement'.
- 23.3 If a Party gives the other Party 5 business days' notice of a change of its address or email, any notice, consent, information, application, or request is only given or made by that other Party if it is delivered, posted, or emailed to the latest address.
- 23.4 Any notice, consent, information, application, or request is to be treated as given or made if it is:
- 23.4.1 delivered, when it is left at the relevant address,
  - 23.4.2 sent by post, 2 business days after it is posted, or
  - 23.4.3 sent by email and the sender does not receive a delivery failure message from the sender's internet service provider within a period of 24 hours of the email being sent.



- 23.5 If any notice, consent, information, application or request is delivered, or an error free transmission report in relation to it is received, on a day that is not a business day, or if on a business day, after 5pm on that day in the place of the Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next business day.

## **24 Costs**

- 24.1 The Company is to pay to the Council reasonable costs of preparing, negotiating, executing, and stamping and registering this Agreement, and any document related to this Agreement within 15 business days of a written demand by the Council for such payment.
- 24.2 The Company is also to pay to the Council the Council's reasonable costs of enforcing this Agreement within 15 business days of a written demand by the Council for such payment.

## **25 Entire Agreement**

- 25.1 This Agreement contains everything to which the Parties have agreed in relation to the matters it deals with.
- 25.2 No Party can rely on an earlier document, or anything said or done by another Party, or by a director, officer, agent, or employee of that Party, before this Agreement was executed, except as permitted by law.

## **26 Further Acts**

- 26.1 Each Party must promptly execute all documents and do all things that another Party from time-to-time reasonably requests to effect, perfect or complete this Agreement and all transactions incidental to it.

## **27 Governing Law and Jurisdiction**

- 27.1 This Agreement is governed by the law of New South Wales.
- 27.2 The Parties submit to the non-exclusive jurisdiction of its courts and courts of appeal from them.
- 27.3 The Parties are not to object to the exercise of jurisdiction by those courts on any basis.

## **28 Joint and Individual Liability and Benefits**

- 28.1 Except as otherwise set out in this Agreement:
- 28.1.1 any agreement, covenant, representation, or warranty under this Agreement by 2 or more persons binds them jointly and each of them individually, and



- 28.1.2 any benefit in favour of 2 or more persons is for the benefit of them jointly and each of them individually.

## **29 No Fetter**

- 29.1 The Parties acknowledge that Council is a consent authority with statutory rights and obligations pursuant to the Act.
- 29.2 This Agreement is not intended to operate, and shall not be construed as operating to fetter, in any unlawful manner:
- 29.2.1 the power of Council to make any law; or
- 29.2.2 the exercise by Council of any statutory power, discretion, or duty.
- 29.3 Nothing in this Agreement shall be construed as requiring Council to do anything that would cause it to be in breach of any of its obligations at law.

## **30 Severability**

- 30.1 If a clause or part of a clause of this Agreement can be read in a way that makes it illegal, unenforceable, or invalid, but can also be read in a way that makes it legal, enforceable, and valid, it must be read in the latter way.
- 30.2 If any clause or part of a clause is illegal, unenforceable, or invalid, that clause or part is to be treated as removed from this Agreement, but the rest of this Agreement is not affected.

## **31 Amendment**

- 31.1 No amendment of this Agreement will be of any force or effect unless it is in writing and signed by the Parties to this Agreement in accordance with section 203 of the Regulation.

## **32 Waiver**

- 32.1 The fact that a Party fails to do, or delays in doing, something the Party is entitled to do under this Agreement, does not amount to a waiver of any obligation of, or breach of obligation by, another Party.
- 32.2 A waiver by a Party is only effective if it:
- 32.2.1 is in writing,
- 32.2.2 is addressed to the Party whose obligation or breach of obligation is the subject of the waiver,
- 32.2.3 specifies the obligation or breach of obligation the subject of the waiver and the conditions, if any, of the waiver,
- 32.2.4 is signed and dated by the Party giving the waiver.



- 32.3 Without limitation, a waiver may be expressed to be conditional on the happening of an event, including the doing of a thing by the Party to whom the waiver is given.
- 32.4 A waiver by a Party is only effective in relation to the particular obligation or breach in respect of which it is given and is not to be taken as an implied waiver of any other obligation or breach or as an implied waiver of that obligation or breach in relation to any other occasion.
- 32.5 For the purposes of this Agreement, an obligation or breach of obligation the subject of a waiver is taken not to have been imposed on, or required to be complied with by, the Party to whom the waiver is given.

### 33 GST

- 33.1 In this clause:
  - 33.1.1 Adjustment Note, Consideration, GST, GST Group, Margin Scheme, Money, Supply and Tax Invoice have the meaning given by GST Law.
  - 33.1.2 GST Amount means in relation to a Taxable Supply the amount of GST payable in respect of the Taxable Supply.
  - 33.1.3 GST Law has the meaning given by the A New Tax System (Goods and Services Tax) Act 1999 (Cth).
  - 33.1.4 Input Tax Credit has the meaning given by the GST Law and a reference to an Input Tax Credit entitlement of a party includes an Input Tax Credit for an acquisition made by that party but to which another member of the same GST Group is entitled under the GST Law.
  - 33.1.5 Taxable Supply has the meaning given by the GST Law excluding (except where expressly agreed otherwise) a supply in respect of which the supplier chooses to apply the Margin Scheme in working out the amount of GST on that supply.
- 33.2 Subject to clause 33.3, if GST is payable on a Taxable Supply made under, by reference to or in connection with this Agreement, the Party providing the Consideration for that Taxable Supply must also pay the GST Amount as additional Consideration.
- 33.3 No additional amount shall be payable by the Council under clause 33.2 unless, and only to the extent that, the Council (acting reasonably and in accordance with the GST Law) determines that it is entitled to an Input Tax Credit for its acquisition of the Taxable Supply giving rise to the liability to pay GST.
- 33.4 If there are Supplies for Consideration which is not Consideration expressed as an amount of Money under this Agreement by one Party to the other Party that are not subject to Division 82 of the A New Tax System (Goods and Services Tax) Act 1999, the Parties agree:



- 33.4.1 to negotiate in good faith to agree the GST inclusive market value of those Supplies prior to issuing Tax Invoices in respect of those Supplies.
- 33.4.2 that any amounts payable by the Parties in accordance with clause 33.2 (as limited by clause 33.3) to each other in respect of those Supplies will be set off against each other to the extent that they are equivalent in amount.
- 33.5 No payment of any amount pursuant to this clause 33, and no payment of the GST Amount where the Consideration for the Taxable Supply is expressly agreed to be GST inclusive, is required until the supplier has provided a Tax Invoice or Adjustment Note to the recipient.
- 33.6 Any reference in the calculation of Consideration or of any indemnity, reimbursement or similar amount to a cost, expense or other liability incurred by a party, must exclude the amount of any Input Tax Credit entitlement of that party in relation to the relevant cost, expense, or other liability.
- 33.7 This clause continues to apply after expiration or termination of this Agreement.

## **34 Auditing**

- 34.1 During each year in which there are funds in the FGSF Fund, the Council must undertake audit functions in accordance with Act and Regulation to reconcile:
  - 34.1.1 The Monetary Contribution paid by the Company in accordance with Schedule 1;
  - 34.1.2 Any payments made by the Council for either of the alternative Planning Agreement components in accordance with Schedule 2;and identify any corrective payments required.
- 34.2 The Company and the Council must make any corrective payments identified as being necessary to reconcile the FGSF Fund.

## **35 Public Recognition**

- 35.1 The Council must publicly and positively acknowledge the payment of the monetary contribution by the Company and the Company's role in funding each target activity or local project under the funding agreement in this Agreement.
- 35.2 The form of public acknowledgement required is to be agreed by Council and the Company (acting reasonably) but must include:
  - 35.2.1 The prominent inclusion of the Company's logo in any advertisement for funding applications or an announcement made in relation to the target activity or local project.



### 36 Explanatory Note

- 36.1 The Appendix contains the Explanatory Note relating to this Agreement as required by s205 of the Regulation.
- 36.2 Pursuant to s205(5) of the Regulation, the Parties agree that the Explanatory Note is not to be used to assist in construing this Agreement.



## Schedule 1: Monetary Contribution

The monetary contribution of \$1,000,000.00 is to be paid over the Term of this Agreement. From construction commencement date until the total amount of \$1,000,000.00 is reached (as reflected in the Table below), the Company shall contribute \$200,000 per year on or within 14 days of **1 July of each year** to the FGSF Fund.

For the sake of clarity, the Parties acknowledge that this obligation will not be effective until the condition precedent has been satisfied.

The total monetary contribution under this Agreement shall be adjusted annually with the Consumer Price (Sydney All Groups) Index (CPI).

Funding Structure	Percentage (%) Expenditure Allocation of the Total	
Funding Part 1	Year 1 (20%)	\$200,000
Funding Part 2	Year 2 (20%)	\$200,000
Funding Part 3	Year 3 (20%)	\$200,000
Funding Part 4	Year 4 (20%)	\$200,000
Funding Part 5	Year 5 (20%)	\$200,000
	<b>TOTAL (100%)</b>	<b>\$1,000,000.00</b>

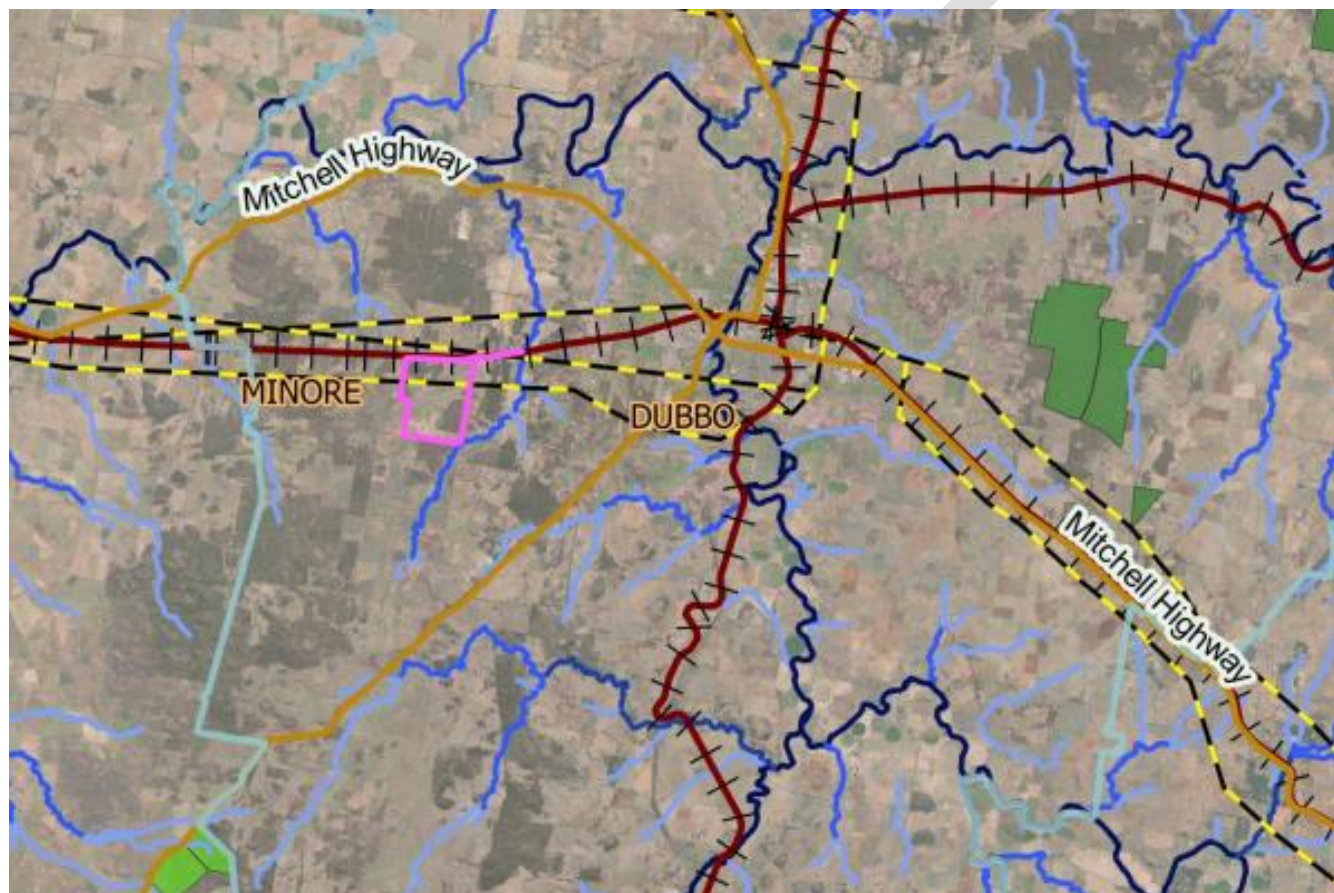
## Schedule 2: Operation of this Agreement under Planning Agreement Component

Operation of this Agreement under Planning Agreement Component 1	Operation of this Agreement under Planning Agreement Component 2
Funds under component 1 are to be allocated to social housing development schemes which aim to provide an innovative assistance solution to develop community housing in the Dubbo Regional Local Government Area.	Funds under component 2 are to be allocated for community benefit (Community Benefit Fund) for eligible local projects across the Dubbo Regional Local Government Area including the community and incorporated or not-for-profit organisations.
<p>Council and the Company agree that an Expression of Interest (EOI) process is undertaken by Council through invitation of active Community Housing providers in the Dubbo Regional Local Government Area.</p> <p>Council and the Company will assess any expressions of interest provided and is subject to following criteria:</p> <ol style="list-style-type: none"> <li>1. The number of community housing properties that could be developed with the funding.</li> <li>2. Length of time to deliver the community housing properties to tenants (this should be no greater than a timeframe of two years).</li> <li>3. How long each property will be held as community housing.</li> <li>4. Evidence of a robust tenant selection scheme in place.</li> <li>5. Evidence of suitable systems and programs being in place to manage the welfare of tenants.</li> </ol>	<p>Council will, on an annual basis publicly advertise that funds are available and call for applications. Applications will be rated on the following criteria:</p> <ol style="list-style-type: none"> <li>1. Delivers social, cultural, economic, or environmental benefits to local communities in the Dubbo Regional Local Government Area.</li> <li>2. Address an identified community priority and demonstrate that any ongoing or recurrent costs of the project can be met by the community group once grant funding has been expended.</li> <li>3. An organisation must demonstrate the capacity to manage funds and deliver the project and shall comply with the Company's Compliance Code requirements.</li> <li>4. The proposed project/activity must be based within the Dubbo Regional Local Government Area.</li> </ol>



<p>6. Evidence of a suitable property management system being in place.</p> <p>7. Evidence of the financial ability to deliver projects and provide the necessary tenant welfare and property management systems.</p> <p>8. The development of a long-term pathway for maintaining the properties for the purposes of Community Housing.</p> <p>The assessment of any expressions of interest will be undertaken with the Company and Council. The Parties acknowledge that any Community Housing Provider shall comply with the Company's Compliance Code requirements to be considered under an Expression of Interest.</p> <p>If Council does not receive any expressions of interest or if in the opinion of Council and the Company no suitable expressions of interest have been received, Planning Agreement Component (1) shall cease to operate, and Alternative Planning Agreement Component (2) will operate and revert to a Community Benefit Fund.</p>	<p>Assessment of applications received will be undertaken as follows:</p> <ul style="list-style-type: none"> <li>• Applications are received from public community groups and individuals for funding for local projects.</li> <li>• The Company and Council will assess applications and the Company is to make submissions on the applications.</li> <li>• The successful applicants will be chosen by a formal meeting of Council.</li> <li>• Once endorsed, Council will advise the successful applicants.</li> </ul>
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### Schedule 3: Development Layout



## Execution

Executed as an Agreement

Dated:

Executed by **Dubbo Regional Council** under seal in accordance with a resolution of Council dated  
###

\_\_\_\_\_  
CEO

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Witness

Executed by/on behalf of **X-Elia Roma Hub Solar Farm Pty Ltd** in accordance with s127(1) of the  
*Corporations Act 2001 (Cth)*.

\_\_\_\_\_  
Name/Position

\_\_\_\_\_  
Name/Position



## Appendix 1: Explanatory Note

### Draft Planning Agreement for Forest Glen Solar Farm (VPA21-001)

The purpose of this explanatory note is to provide a plain English summary to support the notification of the draft Planning Agreement for Forest Glen Solar Farm which applies to Lots 6 DP1755102, Lots 51 and 52 DP755094, and Crown Land Lot 1 DP118911.

#### 1 Introduction

Clause 25E of the Environmental Planning and Assessment Regulation 2000 (the **Regulation**) requires a planning authority proposing to enter into a Planning Agreement under clause 7.4 of the Environmental Planning and Assessment Act 1979 (the **Act**) to prepare an explanatory note about the Planning Agreement.

This explanatory note has been prepared jointly by Dubbo Regional Council and X-Elio Roma Hub Solar Farm Pty Ltd.

#### 2 Parties

The Parties to the Planning Agreement are:

- Dubbo Regional Council (ABN 53 539 070 928) of Corner Church and Darling Street, Dubbo NSW 2830 (**Council**); and
- X-Elio Roma Hub Solar Farm Pty Ltd (ABN 45 637 568 453) Level 4, 80 Market Street Melbourne VIC 3206 (the **Company**).

#### 3 Background and description of the development

On 28 February 2023, the NSW Department of Planning and Environment approved SSD-9451258 for the construction, operation and decommissioning of a photovoltaic solar farm located approximately 16KMs west of Dubbo.

The project will have an installed capacity of approximately 90MW that will supply electricity to the national grid, and comprise the following:

- Solar array;
- Upgrades to Delroy Road and new internal roads;
- Underground and above ground cables;
- Battery storage (25MW);
- Onsite substation and operational facilities;
- Connection to the onsite Essential Energy 132 kV transmission line.

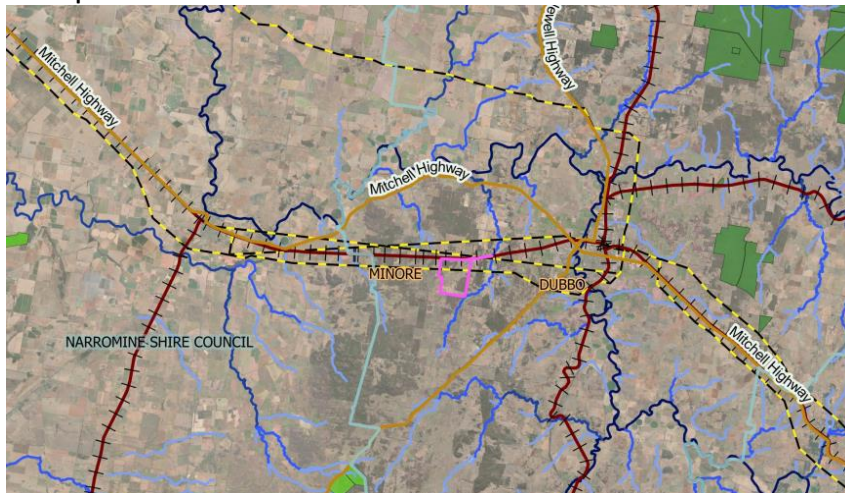
#### 4 Summary of objectives, nature, and effect of the Planning Agreement

The objectives of the Planning Agreement are:

- The Planning Agreement provides that the Company will make a monetary contribution of \$200,000 per year on 1 July of each year for a period of 5 years.
- The monetary contribution is to be paid from construction commencement date until a total of \$1,000,000 is reached.
- Council will distribute and expend funds as follows:

Planning Agreement Component (1)	Planning Agreement Component (2)
<p>Funds are to be allocated to social housing development schemes which aim to provide an innovative assistance solution to develop community housing in the Dubbo Regional Local Government Area.</p> <p>If Council does not receive any expressions of interest or if in the opinion of Council and the Company no suitable expressions of interest have been received in that year, Planning Agreement Component (1) shall cease to operate, and Planning Agreement Component (2) will operate and revert to a Community Benefit Fund.</p>	<p>Funds are to be allocated for community benefit for eligible local projects across the Dubbo Regional Local Government Area including community and incorporated and/or not for profit organisations.</p>

#### Development site:





## **5 Assessment of the merits of the Planning Agreement**

### **5.1 The planning purpose served by the Planning Agreement, and whether it provides for a reasonable means of achieving the planning purpose.**

The Planning Agreement facilitates the provision of social housing schemes and the provision of community benefit funds for the continued health, wellbeing, and development of the community through two funding parts and is a reasonable means for achieving these planning purposes.

### **5.2 How the Planning Agreement promotes the public interest and objects of the Act.**

The Planning Agreement promotes the public interest and objective of the Act by securing monetary contributions for the purpose of social housing development schemes which aims to provide an innovative assistance solution to the development of community housing in the Dubbo Regional Local Government Area and a Community Benefit Fund for eligible local projects including community and incorporated and not for profit organisations.

### **5.3 How the Planning Agreement promotes elements of the Council's charter under the Local Government Act 1993**

The Planning Agreement promotes elements of Council's charter by:

- Providing effective and efficient services to meet the diverse needs of the local community in a way that provides the best possible value for residents and ratepayers.
- Investing in responsible and sustainable infrastructure for the benefit of the local community.
- Providing a means that allows the wider community to make submissions to Council in relation to the Planning Agreement; and
- Managing lands and other assets so that current and future local community needs can be met in an affordable way.

### **5.4 How the Planning Agreement conforms to Council's capital works program**

The works identified in the Planning Agreement directly address and respond to strategic priorities identified within relevant Council strategies, plans and delivery programs.

### **5.5 Whether the Planning Agreement specifies certain requirements must be complied with before a construction certificate, occupation certificate or subdivision certificate is issued.**

The Planning Agreement does not specify any requirements that must be complied with prior to the issuing of a construction certificate, occupation certificate or subdivision certificate. Clause 4 of the Planning Agreement sets out the requirements for when the Planning Agreement becomes operative and binding, being the Construction Commencement Date.

**6 Notes**

This explanatory note is a summary only and is not to be relied upon as a complete description or used as an aid in construing the Planning Agreement.



## REPORT: Draft Bunglegumbie Road Development Control Plan - Results of Public Exhibition

**DIVISION:** Development and Environment  
**REPORT DATE:** 7 March 2024  
**TRIM REFERENCE:** ID23/2765

### EXECUTIVE SUMMARY

Purpose	Seek endorsement	Fulfil legislated requirement
<b>Issue</b>	<ul style="list-style-type: none"><li>A proponent-initiated draft Development Control Plan (DCP) was received from Maas Group Properties Pty Ltd to provide detailed planning and design guidance for development at 168A Bunglegumbie Road, Dubbo (Lot 6 DP 250606).</li><li>Council at its meeting on 26 October 2023 adopted a draft DCP for the purpose of public exhibition. The draft DCP contains a range of controls to manage residential subdivision and development.</li><li>The draft DCP was placed on public exhibition from 8 November 2023 to 11 December 2023. Council received four submissions.</li><li>Council Staff met with Maas in January 2024 to discuss their submission and the draft DCP.</li><li>Following the public exhibition period and the meeting with Maas, Council made relevant amendments to the draft DCP as outlined in this report.</li><li>This report recommends that Council adopt the amended DCP. Subject to adoption, any future development applications on the land will need to take the DCP into consideration.</li></ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"><li>Environmental Planning and Assessment Act 1979</li><li>Clause 6.3 of the Dubbo Regional Local Environmental Plan 2022 requires a DCP to be prepared before development consent can be granted on land in an Urban Release Area.</li></ul>	
<b>Financial Implications</b>	Budget Area	Growth Planning
	Funding Source	Application fees
	Proposed Cost	Council received \$21,000 upon lodgement as part of the required fees.
	Ongoing Costs	Nil
<b>Policy Implications</b>	Policy Title	Dubbo Development Control Plan 2013
	Impact on Policy	The draft DCP will provide development guidance for the subject land. The draft DCP is required to be read in conjunction with other relevant provisions of the Dubbo Development Control Plan 2013, however, will prevail in the event of any inconsistency.

## STRATEGIC DIRECTION

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

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

Theme:	1 Housing
CSP Objective:	1.1 Housing meets the current and future needs of our community
Delivery Program Strategy:	1.1.5 Development opportunities are communicated to the community

## RECOMMENDATION

1. That Council adopt the amended draft Bunglegumbie Road Development Control Plan (attached in Appendix 1) and that it come into effect on 25 March 2024.
2. That Council note the submissions received during the public exhibition period (attached in Appendix 2).

*Stephen Wallace*  
Director Development and Environment

*SI*  
Senior Growth Planner

## BACKGROUND

### 1. Previous Resolutions of Council

26 October 2023	<ol style="list-style-type: none"><li>1. <i>That Council adopt the draft Bunglegumbie Road Development Control Plan ... for the purposes of public exhibition only.</i></li><li>2. <i>That the draft Bunglegumbie Road Development Control Plan 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.</i></li><li>3. <i>That following completion of the public exhibition period, a further report be presented to Council for consideration, including the results of public exhibition.</i></li></ol>
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### 2. What is a Development Control Plan

A Development Control Plan (DCP) is a locally adopted plan that guides developers, landowners, Council and the community on how land can be developed and change over time. It includes measures such as planning principles, objectives, performance measures and acceptable solutions, and aims to ensure we can continue to develop our urban area with a strong emphasis on overall liveability, quality and sustainability.

## REPORT

### 1. Details of the Development Control Plan

A proponent-initiated draft Development Control Plan was received from the Maas Group Properties Pty Ltd to provide detailed planning and design guidance for future development at 168A Bunglegumbie Road, Dubbo (Lot 6 DP 250606). The draft DCP will apply to the land in **Figure 1**.

The draft DCP consists of the following components:

#### (a) Part 1 – Introduction

This section includes administrative components required by the Environmental Planning and Assessment Act, 1979.

#### (b) Part 2 – Residential Development and Subdivision:

##### (i) Residential Subdivision Controls

This section includes requirements to assist in the undertaking of residential subdivision and seeks to ensure subdivision is undertaken in accordance with appropriate planning and infrastructure provisions.

(ii) Residential Design Controls

This section includes requirements to assist in the planning, design and undertaking of residential development, and to ensure it is responsive to the site and surrounding neighbourhood.

(iii) Residential Landscaping Controls

This section is designed to ensure landscaping can be strategically developed and maintained to optimise the standard of the estate’s presentation and increase attractiveness to both potential residents and visitors.

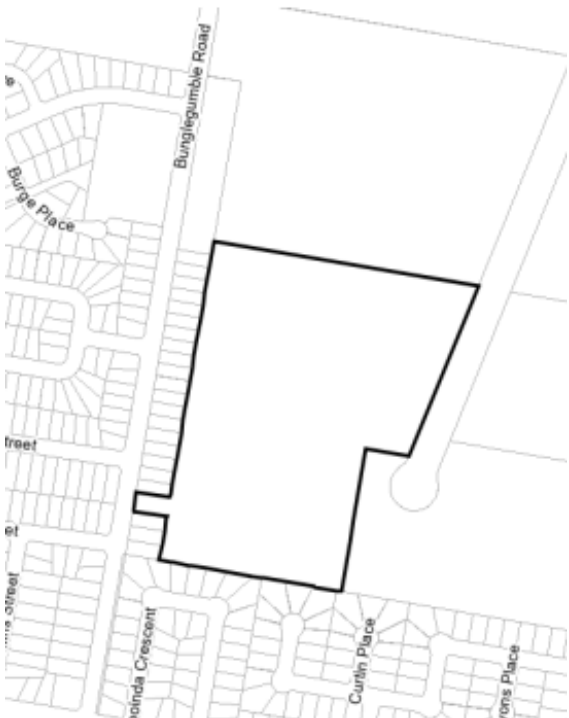


Figure 1 – Land to which the DCP applies

2. Public Exhibition and Submissions

The draft DCP was placed on public exhibition from 8 November 2023 to 11 December 2023. It was publicly notified in the following ways:

Channel	Date
Council Website	8 November 2023 to 11 December 2023
Customer Experience Centres	8 November 2023 to 11 December 2023
Macquarie Regional Library Branches	8 November 2023 to 11 December 2023
Daily Liberal Council Column	8, 15, 22 and 29 November 2023, and 6 December 2023
Letter to adjoining land owners	6 November 2023

Council received four submissions during the public exhibition period (attached in **Appendix 2**). Council staff also met with Maas on 24 January 2024 to discuss the draft DCP and their submission. Following the meeting, Staff provided a further opportunity to review the amended draft DCP from 16 February to 4 March 2024. Maas provided comments on 4 March 2024, and amendments have been made where considered appropriate.

A summary of the submissions and Council's response has been provided below.

(a) Submission by Maas Group Properties Pty Ltd

Comment	Council Response
Road widths are greater than the current Dubbo DCP 2013, and would increase the amount of paved areas and urban heat island effects.	<p>The exhibited draft DCP required local streets to be 17.5 metres wide and collector streets to be 22 metres wide. This extra width was to accommodate additional tree plantings within the road reserve, which is also consistent with the adjoining North-West Urban Release Area Development Control Plan (DCP).</p> <p>Following the meeting with Maas, the width of local streets has been reduced to 16 metres within the subject site. The North-West Urban Release Area DCP requires local streets to be 17.5 metres wide. The collector streets are proposed to remain 22 metres wide to ensure seamless connectivity with the rest of the North-West Urban Release Area.</p> <p>Council is working with the University of NSW and Maitland City Council as part of the Smart and Cool Places project which simulates tests on how different development approaches can impact heat. The project aims to investigate how to better handle urban overheating. Preliminary testing has indicated increased tree canopy cover is one way to reduce urban heat.</p>
<p>Council's requirement to realign the entrance road in Figure 2 – Indicative structure plan is unnecessarily imposed and:</p> <ul style="list-style-type: none"> <li>• does not consider rumble bars being an appropriate mitigation measure, which is identified as acceptable in the Traffic Impact Assessment.</li> <li>• creates a 60m lot depth, with battle-axe lots being the only</li> </ul>	<p>The draft DCP has been prepared to ensure potential risks are eliminated in the design phase rather than relying on mitigation measures.</p> <p>The applicant had a pre-lodgement meeting with Council in December 2022, and it was identified that this road alignment and how it interacts with Bunglegumbie Road needs to be considered.</p> <p>Council does not consider rumble bars to be a suitable mechanism, given is a Greenfield development site. In addition, sudden changes in road width can also be</p>

Comment	Council Response
viable option.	<p>problematic. It is acknowledged Council cannot assume poor driver behaviour, but streets can be planned to avoid any perceived risk of road related accidents.</p> <p>Whilst battle-axe lots are intended to be minimised, the performance criteria provides design outcomes for battle axe lots where they cannot be avoided.</p>
Council's requirement to limit Stage 1 to 60 lots is unnecessarily imposed and does not have any justification.	The draft DCP has been amended to increase the number of lots for Stage 1 to 80 lots. This has been reconsidered whilst ensuring the current entrance to the site does not impact the efficiency of the Yaruga and Yulong Street intersection with Bunglegumbie Road. Furthermore, the draft site layout submitted by the applicant showed lots without legal access to a public road.
Figure 3 – Indicative staging impacts the provision and location of stormwater infrastructure.	This Figure has been updated. The draft DCP also requires stormwater systems to incorporate appropriate treatment measures to manage any water leaving the site.
The requirement for a footpath on both sides of roads, in addition to a shared path, is not warranted.	<p>The draft DCP has been updated to provide clarity and require a footpath to be provided on only one side of local roads.</p> <p>Collector roads still require footpaths on one side and a shared path on the other side of the road.</p>
Waste collection vehicle controls should be reviewed as temporary turning heads are a standard construction feature in majority of the subdivisions delivered across the LGA.	The draft DCP requires the road network to be sufficient to cater for waste collection vehicles. These controls provide solutions in case there is a need for a three-point turn, and if there are cul-de-sacs, it is important to have road safety controls where cul-de-sacs are not strictly prohibited.
Secondary frontage fencing controls are unnecessary.	This control is required to ensure fencing is not higher than 1.8 metres. This control is also part of the recently adopted Southlakes Estate DCP and is consistent with the requirements for exempt development under a State Environmental Planning Policy.
Controls within the DCP contradict each other.	The DCP has been updated to clarify any potential contradictions and typographical errors.

(b) Submission by SJB Planning

Comment	Response
The DCP should use stronger wording to ensure cul-de-sacs and battle axe lots are not supported.	The draft DCP aims to minimise battle-axe lots and cul-de-sacs. It is however acknowledged that these types of lots may still be developed where a more appropriate better design outcome cannot be achieved, and hence, controls relating to these types of lots have been provided in the DCP.
The DCP should ensure infrastructure is integrated with surrounding areas.	The draft DCP has been updated to include a suitable performance criteria.
Stormwater management should not concentrate or increase water flows onto adjoining land, and should be provided by legal means.	The draft DCP has been updated to include suitable performance criteria and acceptable solutions.
Water quality goals should identify specific targets of water quality improvement.	The draft DCP provides several performance criteria and acceptable solutions to ensure water quality and is consistent with the adopted North-West Urban Release Area DCP.
Triple garages would impact active transport principles, streets facades, and landscape provision due to requiring wider driveways.	This control has been included to improve design outcomes in the event triple garages are proposed. This requirement is the same as the adopted North-West Urban Release Area DCP.
Figure 6 - Setbacks should be deleted as there are no existing setbacks to match.	This Figure has been deleted.
The building layout in Figure 7 – Dwelling siting would increase overshadowing of adjoining private open space areas.	This Figure been deleted. A new acceptable solution has been added to ensure dwellings are sited to minimise overshadowing to private open space areas of adjoining lots.

(c) Submission by Transport for NSW (TfNSW)

Comment	Response
Street lighting at intersections should be added in 'Street Design and Road Hierarchy'.	The draft DCP has been updated to include a suitable performance criteria.
Landscaping should not impact clear zones on roads with a speed limit of more than 60km/h.	Due to the residential nature of the Precinct, it is anticipated that streets would not have a speed limit greater than 60km/h.
The Traffic Impact Assessment should be updated to: <ul style="list-style-type: none"> <li>confirm the Stage 2 lot yield to analyse trip generation rates</li> </ul>	<p>The comments are relevant to the Development Application stage.</p> <p>The Traffic Impact Assessment has been used to identify high-level requirements and issues for the draft DCP.</p>

Comment	Response
<ul style="list-style-type: none"> <li>• provide a clearly defined walking and cycling infrastructure plan</li> <li>• confirm the volumes and treatments for key interfaces/connections with the state road network</li> <li>• identify swept path analysis for the largest vehicle on Bunglegumbie Road</li> <li>• identify an appropriate turn treatment from Bunglegumbie Road. This should then be referred to TfNSW</li> <li>• pre and post development levels for stormwater management should specify roads within the precinct.</li> </ul>	

(d) Submission in relation to Open Space and Landscaping requirements

*Submission by R Mitchell and SJB Planning*

Comment	Response
The DCP requires development to optimise outlook and proximity to open space. However, there is no open space shown to develop a sense of community.	<p>The adopted DCP and Planning Proposal currently being prepared for the North-West Urban Release Area considers open space provisions for the entire Precinct. This includes open space areas that will be in close proximity to the subject site.</p> <p>Subject to any development application, the developer will also be required to pay infrastructure contributions towards the embellishment of open space areas in the Precinct.</p>
The minimum 1 tree per lot is insufficient, and higher tree planting targets should be implemented in line with the North-West URA masterplan vision.	This requirement is the same as the adopted North-West Urban Release Area DCP.

### 3. Post-Public Exhibition Amendments

Following the public exhibition period and the meeting with Maas, the draft DCP was amended in the following ways:

- Road widths for local streets have been reduced to 16 metres, but road widths for collector streets are proposed to remain 22 metres;
- Staging boundaries have been amended to include the location of the proposed stormwater detention basin;
- The lot limit has been increased to 80 until additional access is provided;
- The 25 metre minimum frontage requirement for lots over 900m<sup>2</sup> has been removed;
- Wording in relation to subdivision layout, cul-de-sacs and battle axe handles has been updated and reworded for clarity;
- Footpaths are only required on one side of a local street, but shared paths and footpaths are required on collector streets; and
- Controls in relation to waste collection vehicles have been included and/or reworded for clarity.

It is considered these changes assist the objectives of the DCP and improve its interpretation.

### 4. Resourcing Implications

Council received \$21,000 upon lodgement of the draft DCP as part of the required fees.

Total Financial Implications	Current year (\$)	Current year + 1 (\$)	Current year + 2 (\$)	Current year + 3 (\$)	Current year + 4 (\$)	Ongoing (\$)
a. Operating revenue	\$21,000	0	0	0	0	0
b. Operating expenses	0	0	0	0	0	0
<b>c. Operating budget impact (a – b)</b>	<b>\$21,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
d. Capital Expenditure	0	0	0	0	0	0
<b>e. Total net impact (c – d)</b>	<b>\$21,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Does the proposal require ongoing funding?		No				
What is the source of this funding?		Not applicable				

**Table 1.** Ongoing Financial Implications

### 5. Next Steps

Subject to adoption, any future development application on this site will need to take into consideration the DCP in accordance with section 4.15 of the Environmental Planning and Assessment Act 1979.

**APPENDICES:**

1 [↓](#) Draft Development Control Plan

2 [↓](#) Submissions



# **Draft Bunglegumbie Road Development Control Plan**

**168A Bunglegumbie Road, Dubbo  
Lot 6 DP 250606**

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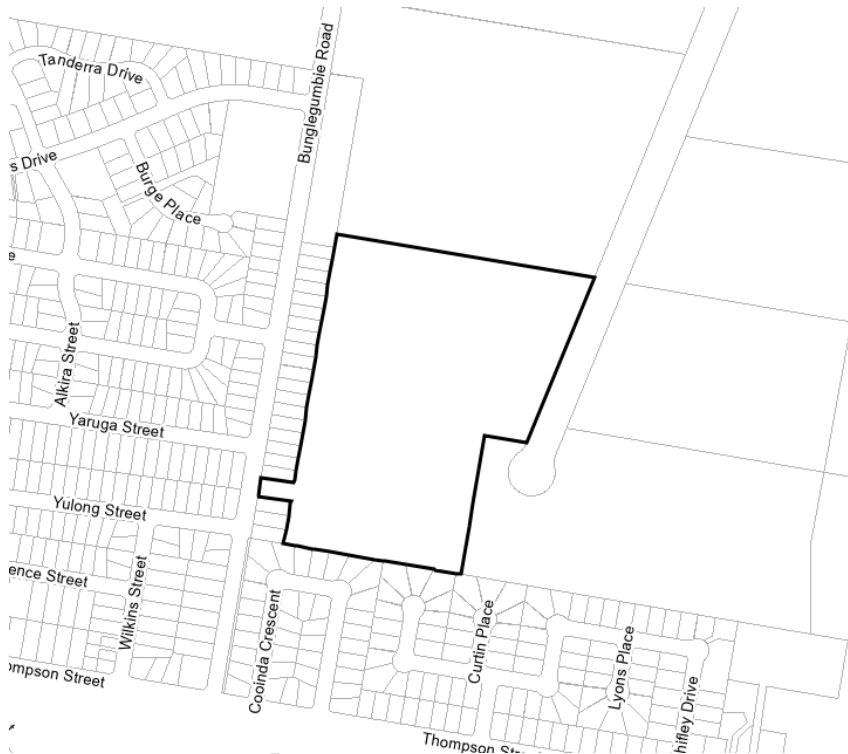
## Part 1 Introduction

### 1.1. Name of this Plan

This Development Control Plan (DCP) is known as the Bunglegumbie Road Development Control Plan (the Plan).

### 1.2. Application of this Plan

This Plan applies to 168A Bunglegumbie Road, Dubbo (Lot 6 DP 250606) identified in **Figure 1**.



**Figure 1** – Land to which this Plan applies

### 1.3. The Vision and Desired Future Character

The vision and desired character of the North-West Urban Release Area embeds the provision of high-quality and innovative housing alongside retail and commercial services, a hierarchy of new roads and active transport connections, and well-connected open spaces. The connections to and integration with surrounding land uses will encourage various and sustainable travel modes, a strong community character, and social interaction.

To ensure this Plan contributes to the vision and desired future character of the North-West Urban Release Area, future development will include:

- The establishment of the urban framework through the delivery of key roads, transport linkages and pedestrian linkages;
- The provision of new green corridors to maximise pedestrian and cycle access;
- The provision of required infrastructure, including stormwater drainage and stormwater quality control measures to protect the water quality in the Macquarie River;
- The preservation of existing trees and introduction of street tree plantings to maximise the urban tree canopy cover and mitigate urban heat-island effects;
- The promotion of high-quality urban design outcomes delivering environmental, social and economic sustainability;
- Embedding a positive legacy for Dubbo.

#### **1.4. Purpose of this Plan**

The purpose of this Plan is to:

- Provide guidance on the design of development upon land to which this Plan applies;
- Reinforce the vision and desired future character of the North-West Urban Release Area;
- Communicate the planning, design and environmental objectives and controls against which the Consent Authority will assess Development Applications on the land;
- Provide guidance on the orderly, efficient and environmentally sensitive development of the land to which this Plan applies;
- Promote the achievement of residential amenity and an attractive neighbourhood by encouraging quality urban design outcomes to meet environmental, social and economic sustainability; and
- Reinforce the aims and objectives of the R2 Low Density Residential Zone under the provisions of the Dubbo Regional Local Environmental Plan 2022.

#### **1.5. Statutory Context**

This Plan has been prepared by Council in accordance with Section 3.44 of the Environmental Planning and Assessment Act 1979 (the Act), Part 2 of the Environmental Planning and Assessment Regulation 2021 (the Regulation), and Clause 6.3 of Dubbo Regional Local Environmental Plan (LEP) 2022.

#### **1.6. Adoption and Commencement**

This Plan was adopted by Council on XXXXX and commenced on XXXXX.

**1.7. Relationship to other Plans and Documents**

Under the Act, Council is required to take into consideration the relevant provisions of any Environmental Planning Instrument (EPI) and this Plan when determining a development application on land to which this Plan applies. Compliance with any EPI or this Plan does not infer development consent will be granted.

The provisions of this Plan must be read in conjunction with any relevant EPI. In the event of any inconsistency between an EPI and this Plan, the provisions of the EPI prevail.

**1.8. Relationship to the Dubbo Development Control Plan 2013**

The provisions of this Plan must be read in conjunction with other relevant provisions of the Dubbo Development Control Plan 2013. In the event of any inconsistency between this Plan and the Dubbo DCP 2013, the provisions of this Plan prevail.

## Part 2 Residential Development and Subdivision

### 2.1. Residential Subdivision Controls

This section is designed to encourage current 'best practice' solutions for the design and development of residential subdivisions that are pleasant, safe and functional.

The objectives of this section are:

- Development integrates with, is well-connected to, and enhances the vision and desired future character of the North-West Urban Release Area;
- Subdivision facilitates the achievement of a pleasant, safe and functional neighbourhood;
- A mix of low density dwelling sizes are facilitated and complement the character of the area; and
- Low density residential accommodation is facilitated with the economic use of infrastructure.

This section lists design elements under the following headings:

Element 1	Implementing the Urban Structure
Element 2	Neighbourhood Design
Element 3	Lot Layout
Element 4	Landscaping
Element 5	Street Design and Road Hierarchy
Element 6	Infrastructure
Element 7	Stormwater Management
Element 8	Water Quality Management
Element 9	Environmental Management
Element 10	Development near the Dubbo Regional Airport

**Element 1. Implementing the Urban Structure****Objectives**

- Development is consistent with the vision and desired future character of the North-West Urban Release Area;
- Development is well connected and has a legible movement network that provides a variety of routes for vehicles, pedestrians and cyclists both within the neighbourhood and to surrounding areas; and
- Development is undertaken in a coordinated manner that responds to the street network, topography, views and the natural environment.

<b>Performance Criteria</b>		<b>Acceptable Solution</b>
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1	Development provides good internal and external connections for pedestrian, cycle and vehicle movements.	<p>A1.1 Development is generally consistent with and delivers the urban infrastructure in accordance with <b>Figure 2</b>.</p> <p>A1.2 Development is designed with high levels of physical connectivity for pedestrians, cyclists and vehicles within the site and to adjoining sites.</p> <p>A1.3 Street blocks generally have a maximum length between 160 to 220 metres for residential and mixed use developments.</p>
P2	Land is developed in an orderly manner to assist in the coordinated provision of necessary infrastructure.	<p>A2.1 Staging Plans are included with any development application. They must identify proposed sequencing, layouts, lot sizes, shapes, likely development densities, required infrastructure, and timing of infrastructure.</p> <p>A2.2 Staging is generally in accordance with <b>Figure 3</b>.</p> <p>A2.3 Staging does not compromise the delivery of infrastructure or overload the capacity of existing infrastructure.</p>
P3	The staging and release of lots does not impact the safety and intersection requirements of Bunglegumbie Road and the surrounding road network.	<p>A3.1 The existing access on Bunglegumbie Road can only be utilised up to the 80th lot until additional access points are available.</p> <p>A3.2 Development safely and effectively distributes traffic onto Bunglegumbie Road without causing traffic congestion, conflict at existing and new intersections, or a reduction in the safety and function of existing intersections at Yaruga Street and Yulong Street.</p>
P4	Infrastructure is integrated appropriately with the adjoining land identified as 'Stage 1' of Council's adopted North-West Urban Release Area DCP.	There are no acceptable solutions.

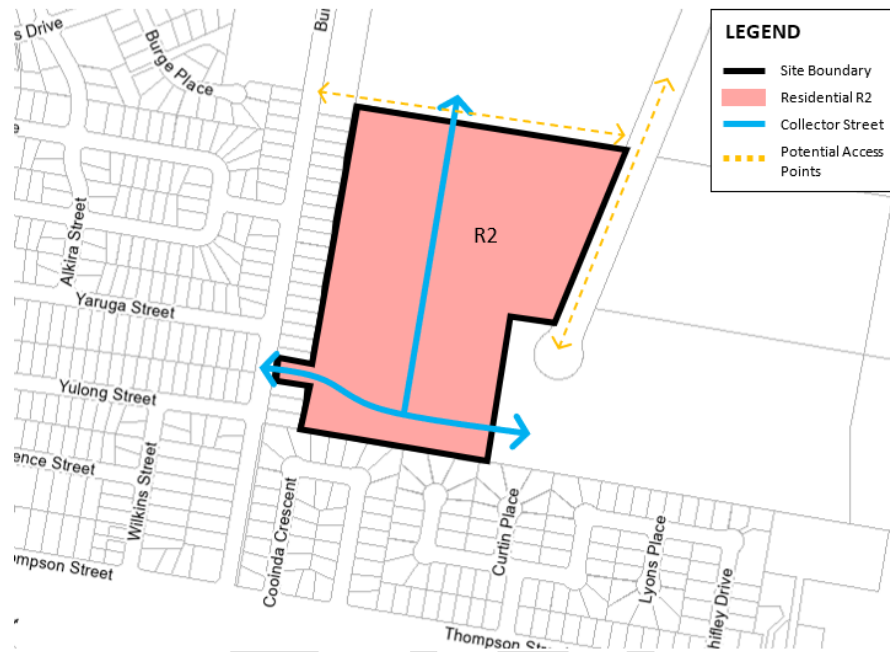


Figure 2 – Indicative Structure Plan

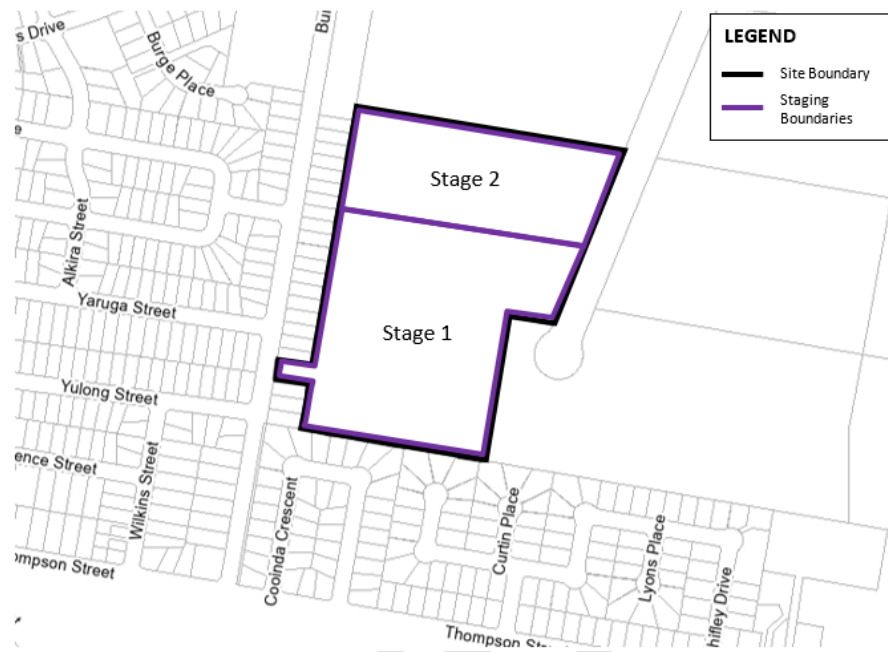


Figure 3 – Indicative Staging

**Element 2. Neighbourhood Design****Objectives**

- Development integrates with adjoining and surrounding development;
- Development is aesthetically pleasing and caters for a broad diversity of housing needs; and
- Development has a clear residential structure that facilitates a 'sense of neighbourhood' and encourages walking and cycling within and to adjoining sites.

<b>Performance Criteria</b>		<b>Acceptable Solution</b>	
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:	
P1	Development considers the constraints and opportunities of the site and surrounding sites to ensure effective integration.	A1.1	<p>A site analysis plan is included with any development application. It must identify the unique characteristics of the site and adjoining sites, any constraints and opportunities to ensure they are reflected in the design and layout, and the likely impacts on surrounding development. It must:</p> <ul style="list-style-type: none"> <li>• be at an appropriate scale, show true north and property address details;</li> <li>• show topographic features such as contours, drainage lines and ridge lines;</li> <li>• show existing and proposed surrounding buildings, roads, paths, cycleways, trees and vegetation;</li> <li>• show existing and proposed services;</li> <li>• show any boundaries, easements or other site encumbrances;</li> <li>• show overland flow paths and natural site drainage; and</li> <li>• show any applicable bushfire asset protection zones and other firefighting requirements.</li> </ul>
P2	Neighbourhood design provides for passive surveillance of residences and public areas to enhance personal safety and minimise the potential for crime.	A2.1	<p>The neighbourhood minimises the use of:</p> <ul style="list-style-type: none"> <li>• battle-axe lots and cul-de-sacs; and</li> <li>• narrow pedestrian pathways between or behind development.</li> </ul>
		A2.2	The subdivision layout enhances legibility and way-finding through an easily understood street layout.
P3	The neighbourhood maintains existing topography, drainage, stability and amenity of the site and adjoining sites.	A3.1	Excavation and/or filling does not change the natural ground level of the site by more than 1 metre.
		A3.2	Development recognises the natural drainage patterns across the site to minimise excavation and filling.

	<p>A3.3 Where excavation or filling works are intended to be undertaken, development applications are accompanied by:</p> <ul style="list-style-type: none"> <li>• A geotechnical report evaluating site stability;</li> <li>• A schedule of earth works indicating depths of excavation and filling; and</li> <li>• Details of construction techniques.</li> </ul>
P4 Cul-de-sacs are minimised to ensure efficient connections are available.	A4.1 Cul-de-sacs are minimised in subdivision of the land.
P5 Natural and environmental features in the area are emphasised and enhanced in the design of the subdivision.	A5.1 Development considers and maximises the protection of existing natural features in the planning, development construction and operation phases.

**Element 3. Lot Layout****Objectives**

- Lot sizes provide opportunities for a variety of dwelling types that contribute to the enhancement of the site and the surrounding locality; and
- Lots generally have direct access to a public road, rather than battle-axe handles, to maintain residential amenity and character of the locality.

<b>Performance Criteria</b>		<b>Acceptable Solution</b>	
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:	
P1	A range of lot types with varying areas, frontages and depths are provided to enable a mix of housing types and sizes.	A1.1	Development complies with the minimum lot size area requirements of the Dubbo Regional LEP 2022.
		A1.2	Lots are regular in shape and provided with variable dimensions and widths to achieve diversity of housing products that add interest to the streetscape.
		A1.3	Lots have a minimum frontage of 15 metres when their area is 600m <sup>2</sup> or larger.
		A1.4	Irregular shaped lots are only provided where topography and site hazards result in regular lots not being able to be achieved.
		A1.5	Lot sizes and shapes take into account the slope of the land to minimise earthworks and retaining walls.
P2	Development is designed to optimise outlook and proximity to public open spaces.	A2.1	Where lots adjoin land utilised for open space purposes, the lots enable a living area within the dwelling to overlook open space or drainage land.
P3	Lots are oriented to optimise solar access and reduce energy consumption for future development.	A3.1	Lots are orientated in an east-west direction to allow for maximum solar access to future development. Exceptions to this orientation may be considered where topography, site hazards or drainage lines prevent achievement of the preferred orientation.
P4	Battle-axe lots are avoided, but where provided, do not compromise the amenity of the streetscape, public domain and neighbouring lots.	A4.1	Battle-axe lots are only provided where topography, site hazards and road layouts result in regular lots not being able to be achieved.
		A4.2	Where provided, no more than 3 battle-axe lots adjoin each other in a consecutive manner.
		A4.3	Where provided, battle-axe lots have an area larger than 600m <sup>2</sup> , excluding the access handle.

Performance Criteria		Acceptable Solution	
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:	
		A4.4	Where provided, a battle-axe handle must: <ul style="list-style-type: none"> <li>• be at least 4.3 metres wide;</li> <li>• not service more than one lot;</li> <li>• have a maximum length of 60 metres;</li> <li>• incorporate a landscaping strip with a minimum width of 1 metre;</li> <li>• allow vehicles to enter and exit in a forward direction; and</li> <li>• not have reciprocal rights of way imposed on a 88B Instrument.</li> </ul>
P5	The subdivision layout and road design allow for the convenient and efficient collection and servicing of kerbside bins from individual properties.	A5.1	Each lot must identify a waste collection area that is suitable for the presentation of three bins to be collected. The waste collection area must be 3.5 metres wide per dwelling and be clear of kerbside vehicle parking and vegetation.
		A5.2	Waste collection areas must not obstruct other major traffic or property use including garage access.
P6	Corner lots are of a sufficient dimension and size.	A6.1	Corner lots have a size greater than the minimum lot size required by the Dubbo Regional LEP 2022 to accommodate additional setback requirements, sufficient building envelopes and allow future development to positively address both street frontages.

**Element 4. Landscaping****Objectives**

- Streetscape components do not detrimentally affect solar access to lots; and
- Landscaping is aesthetically pleasing, cost effective and has minimal risk to the public.

Performance Criteria		Acceptable Solution	
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:	
P1	<p>Street trees are provided to:</p> <ul style="list-style-type: none"> <li>• enhance the local environment;</li> <li>• provide an attractive and interesting landscape;</li> <li>• regulate the ambient air temperature; and</li> <li>• provide summer shading while not impeding solar access in winter.</li> </ul>	A1.1	A minimum of one street tree is provided per lot.
		A1.2	<p>Landscaping within the road reserve includes appropriate detailed designs that address:</p> <ul style="list-style-type: none"> <li>• access and manoeuvrability of heavy vehicles, street sweepers and vehicles;</li> <li>• the impact of the root system on the carriage way;</li> <li>• ongoing maintenance of the tree and carriageway;</li> <li>• relationships with future driveway locations; and</li> <li>• impacts on and location of underground infrastructure.</li> </ul>
		A1.3	Street trees are located to provide appropriate shade to pedestrian pathways.
		A1.4	<p>Street trees must:</p> <ul style="list-style-type: none"> <li>• be used consistently to distinguish public and private spaces;</li> <li>• minimise risk to utilities and services;</li> <li>• minimise ongoing water consumption;</li> <li>• be durable and suited to the street environment and include endemic species; and</li> <li>• complement and define the neighbourhood area, ecological linkages, street hierarchy, precinct entries, significant intersections, and significant view lines.</li> </ul>
P2	Landscaping is designed and located to not impact built infrastructure.	A2.1	<p>The selection and placement of landscaping takes into consideration:</p> <ul style="list-style-type: none"> <li>• The location of infrastructure and easements;</li> <li>• Pruning and shaping adaptability of selected trees;</li> <li>• Driveways placements;</li> <li>• Front setbacks;</li> <li>• Lateral spread of branches;</li> <li>• Road verge widths;</li> <li>• Waste services collections; and</li> <li>• Pedestrian and vehicle vision.</li> </ul>

Performance Criteria	Acceptable Solution
The objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
	<p>A2.2 Street trees are not planted:</p> <ul style="list-style-type: none"> <li>• less than 5 metres from street lights and stormwater entry pits;</li> <li>• less than 1 metre from a footpath or cycleway; and</li> <li>• less than 10 metres from road corners or intersections.</li> </ul>

**Element 5. Street Design and Road Hierarchy****Objectives**

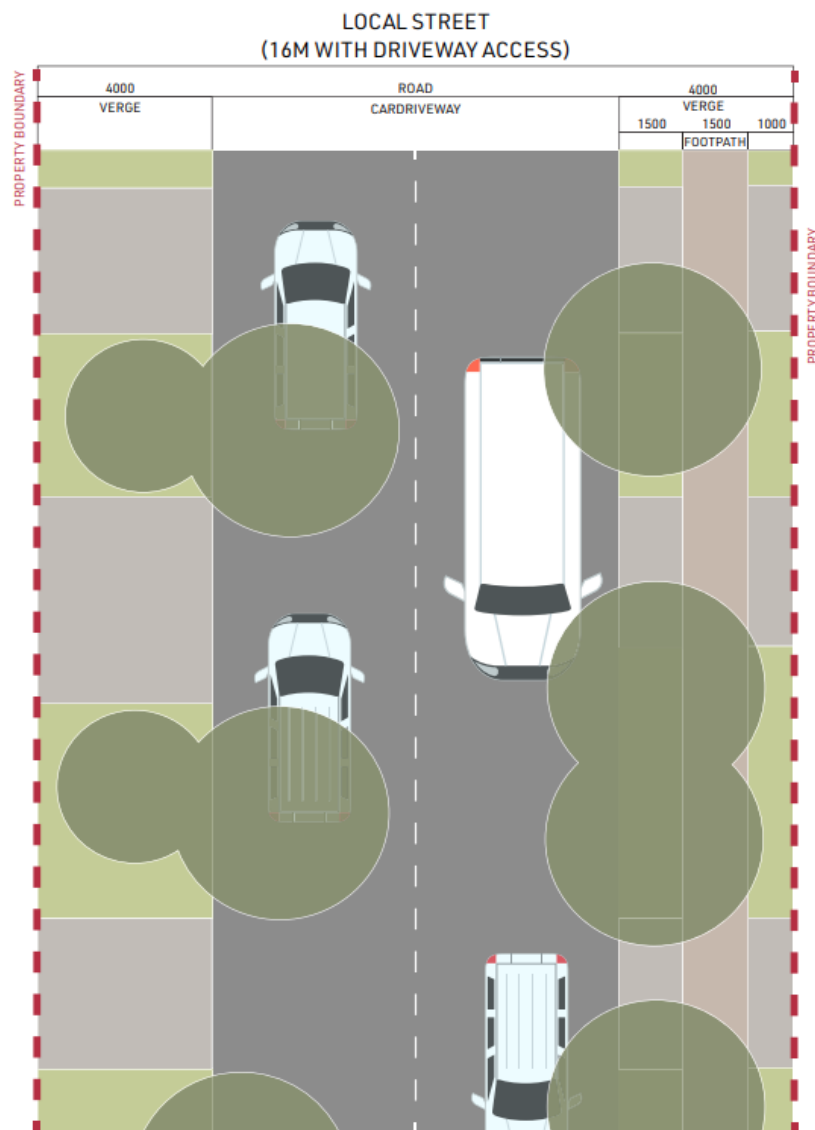
- Development has a legible road hierarchy that recognises the broader strategic road proposals internal and external to the site;
- The road network has flexibility to allow future connections to adjoining sites;
- Streets fulfil their designated function within the street network;
- Street designs accommodate public service utilities and drainage systems;
- The efficiency, safety and function of the street network is not impacted by on-street parking; and
- The road network creates a safe and attractive environment for vehicles, pedestrians and cyclists.

Performance Criteria The objectives may be achieved where:	Acceptable Solution The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>P1 The street reserve width is sufficient to cater for all street functions, including:</p> <ul style="list-style-type: none"> <li>• Connections to and from lots and adjoining sites;</li> <li>• Safe and efficient movement of all users, including pedestrians and cyclists;</li> <li>• Provision for emergency and service vehicles;</li> <li>• Provision for parked vehicles;</li> <li>• Provision for waste collection vehicles;</li> <li>• Provision for landscaping;</li> <li>• Location, construction and maintenance of public utilities;</li> <li>• Stormwater conveyance; and</li> <li>• Geometric design for intersections, roundabouts and slow points is consistent with the vehicle speed intended for each street.</li> </ul>	<p>A1.1 A Traffic Impact Assessment is submitted with any development application. It must be prepared by a suitably qualified and experienced consultant and include:</p> <ul style="list-style-type: none"> <li>• Traffic generation rates on all roads and intersections;</li> <li>• Swept path analysis;</li> <li>• Identification of impacts and required infrastructure upgrades to the road network and highways;</li> <li>• Identification and timing of upgrades to support the additional traffic generated by the development;</li> <li>• Consideration of key pieces of infrastructure in the broader traffic network, as identified in the Dubbo Transportation Strategy 2020 that will relieve traffic congestion on the Mitchell Highway, Newell Highway, and Erskine Street.</li> </ul> <p>A1.2 Roads are designed in accordance with <b>Figure 4</b> and <b>Figure 5</b> and the following:</p> <ul style="list-style-type: none"> <li>• local streets: total width of 16 metres, including an 8 metre wide central carriageway kerb face to kerb face, and provision of cross section widths, footpath and tree planting configurations; and</li> <li>• collector streets: total width of 22 metres, a 13 metre wide central carriageway kerb face to kerb face, provision for cross section widths, on-street parking, footpaths, shared paths and tree planting configurations.</li> </ul>

Performance Criteria	Acceptable Solution
The objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
	<p>A1.3 For local roads, footpaths are provided on at least one verge and setback 1 metre from the property boundary.</p> <p>A1.4 The street network does not incorporate sudden changes in road corridor widths or rumble bars.</p> <p>A1.5 The street network incorporates the following:</p> <ul style="list-style-type: none"> <li>• Adequate pavement markings;</li> <li>• Well-lit lighting in accordance with AS/NZS 1158.1.1.;</li> <li>• Stable surface;</li> <li>• Safe sight distances; and</li> <li>• Warning signs.</li> </ul> <p>A1.6 Roads are designed and constructed in accordance with the requirements of Dubbo Regional Council's Infrastructure division, adopted AUS-SPEC#1 and Transport for NSW design standards. In case of any inconsistency, development must be designed as per Acceptable Solution A1.2.</p> <p>A1.7 Road crossings at intersections comply with AS/NZS Australia Standard 1428 Design for Access and Mobility and incorporate tactile ground surface indicators and requirements for people with a disability.</p> <p>A1.8 The road reserve widths are designed to accommodate the required urban services as well as capacity for generous street tree planting within the road reserves so as to provide shading to the road pavements.</p>
<p>P2 The street design caters for all pedestrian users including the elderly, disabled and children, and is designed to limit the speed motorists can travel.</p>	<p>A2.1 Streets are designed to limit vehicle speed and provide for safe pedestrian and cyclist movements.</p> <p>A2.2 Streets provide a logical hierarchy to maximise accessibility to all parts of the community and provide an appropriate response to address key interfaces.</p> <p>A2.3 Safe street crossings are to be provided for all street users with safe sight distances and adequate pavement markings, warning signs, regulatory signs (where applicable) and safety rails (where appropriate for cyclists).</p>

Performance Criteria		Acceptable Solution	
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:	
P3	Footpaths and shared paths: <ul style="list-style-type: none"> <li>are designed with appropriate widths, longitudinal gradients and sight distances to cater for pedestrians and cyclists; and</li> <li>are constructed to provide a stable surface that is easily maintained.</li> </ul>	A3.1	Footpaths are designed to take into consideration: <ul style="list-style-type: none"> <li>Street trees and their root systems;</li> <li>The need to encourage walking;</li> <li>Pedestrian safety for all users;</li> <li>The ease of use via cycling networks; and</li> <li>Lighting requirements of AS/NZ 1158.1 and the Dark Sky Planning Guideline 2016.</li> </ul>
P4	Bus routes have a carriageway width that: <ul style="list-style-type: none"> <li>Allows for the movement of buses unimpeded by parked cars;</li> <li>Safely accommodates cyclists; and</li> <li>Avoids cars overtaking parked buses.</li> </ul>	A4.1	Bus routes utilise collector roads to provide sufficient integration through the North-West Urban Release Area.
		A4.2	Identification of alternative/additional bus routes are shown within the Traffic Impact Assessment.
		A4.3	The geometry of streets identified as bus routes provides suitable turning, stopping sight distance, grade and parking for buses.

Performance Criteria	Acceptable Solution
The objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>P5 The road network is sufficient to cater for waste collection vehicles.</p>	<p>A5.1 Road design and engineering specifications accommodate waste collection vehicles in accordance with Council's requirements.</p> <p>A5.2 The road network reduces the need for reversing of waste collection vehicles. This includes any cul-de-sacs and temporary turning heads as a result of staging and construction works.</p> <p>A5.3 Sufficient area is provided for waste disposal vehicles, including space to make a three-point turn where required.</p> <p>A5.4 Any proposed private driveways and any other private road used for bin collections are designed to accommodate the weight of 24 tonne waste vehicles.</p> <p>A5.5 The road width accommodates Council's waste vehicles without impacting other road users, including the side loading vehicle and lift arm movement/rotation.</p> <p>A5.6 Sufficient area is provided at the head of any cul-de-sac for waste disposal vehicles to manoeuvre even when cars are parked in the street.</p> <p>A5.7 Each lot has a sufficient waste collection area at the front that:</p> <ul style="list-style-type: none"> <li>• is suitable for the storage of three bins to be collected that doesn't obstruct traffic flows, vehicle entry to the property or pedestrian movements; and</li> <li>• is not located near street trees.</li> </ul>



Indicative only - subject to change, depending on additional detailed assessment including but not limited to future services alignment agreement.

**Figure 4** – Indicative Local Street



**Figure 5 – Indicative Collector Street**

**Element 6. Infrastructure****Objectives**

- The design and provision of utility services are cost-effective over their lifecycle, consider embedded energy costs and incorporate provisions to minimise adverse environmental impact in the short and long term;
- Infrastructure has the capacity and can be economically extended in a timely manner to accommodate new development;
- Lots are serviced with essential infrastructure in a cost-effective and timely manner;
- Development does not create conflict between infrastructure utilities and driveways, landscaping and streetlights; and
- Infrastructure is designed and constructed to withstand the effects of salinity.

Performance Criteria The objectives may be achieved where:	Acceptable Solution The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>P1 The design and provision of infrastructure is cost-effective over their lifecycle minimises adverse environmental impacts in the short and long term.</p>	<p>A1.1 Utility services are designed and provided in accordance with the requirements of Council and all relevant service authorities.</p> <p>A1.2 Water and sewerage services are provided to each lot at the full cost of the developer.</p> <p>A1.3 Servicing for water considers Dubbo Regional Council Integrated Water Cycle Management Plan (IWCM) and ensures there is sufficient capacity to service the Precinct.</p> <p>A1.4 Water and sewerage services are designed and constructed in accordance with Council's adopted AUS-SPEC#1 Development Specification Series – Design and Construction and Technical Schedules – Construction of Water Reticulation and Gravity Sewerage Reticulation and Water Services Association of Australia.</p> <p>A1.5 Each lot is provided with a separate water meter.</p> <p>A1.6 Electricity supply is provided to each lot via underground trenching in accordance with the requirements of the energy supply authority.</p> <p>A1.7 Activities near or within Electricity Easements or close to Electricity Infrastructure comply with ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Electricity Infrastructure 2012.</p> <p>Telecommunications and National Broadband Network infrastructure is provided to each lot in accordance with the requirements of the appropriate authority.</p>

Performance Criteria		Acceptable Solution	
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:	
		A1.8	Energy efficient and appropriately located street lighting is provided in accordance with AS/NZS 1158.1.1.
P2	Compatible public utility services are located in common trenching in order to minimise the land required and the costs for underground services.	A2.1	Services are located next to each other in accordance with Council's policy.
P3	Construction techniques are appropriate for the salinity risk and engineering solutions are implemented to minimise impacts on infrastructure.	A3.1	Site-specific testing is undertaken to confirm exposure classification.
		A3.2	Infrastructure is constructed from salt resistant materials.
		A3.3	Roads are designed and constructed with suitable drainage measures to maintain subsurface flow conditions and minimise groundwater table rise.
		A3.4	Backfilling of trenches should be done keeping the original depths to avoid potential mixing between saline and non-saline soil or transported to landfill.
		A3.5	Imported fill is tested for salinity.

**Element 7. Stormwater Management****Objectives**

- Stormwater drainage systems are provided in accordance with the requirements of Council;
- Stormwater drainage systems adequately protect people and the natural and built environment from an acceptable level of risk and in a cost-effective manner in terms of initial costs, longevity and maintenance;
- Stormwater drainage systems incorporate appropriate treatment measures to manage any water leaving the site; and
- Stormwater drainage systems incorporate appropriate measures to manage salinity by minimising water logging, maintaining natural flows, and being structural adequate in areas of saline subsoil.

<b>Performance Criteria</b> The objectives may be achieved where:	<b>Acceptable Solution</b> The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>P1 Stormwater infrastructure has the capacity to convey all stormwater flows legally and safely without causing nuisance or substantial damage to the site, adjoining land, upstream and downstream properties.</p>	<p>A1.1 A Stormwater Drainage Strategy is included with any development application. It must be prepared by a suitably qualified and experienced consultant and:</p> <ul style="list-style-type: none"> <li>• detail how the projected stormwater volumes can be managed on the subject land and through to receiving waters;</li> <li>• consider the entire upstream and downstream catchments;</li> <li>• consider existing developed catchments; and</li> <li>• consider post-development discharge of currently undeveloped catchments.</li> </ul> <p>A1.2 Stormwater drainage is provided in accordance with the requirements of Council's Infrastructure Division.</p> <p>A1.3 The stormwater system's capacity is designed assuming the lots have a maximum impervious surface area.</p> <p>A1.4 The Stormwater Drainage Strategy considers a holistic detention and water quality strategy for the broader catchment, ensuring that water quality targets are met for the entire catchment and that stormwater discharge for major and minor flows do not exceed the capacity of stormwater systems provided at the downstream Newell Highway development.</p> <p>A1.5 Overland flow paths for stormwater are defined via proposed road alignments or dedicated stormwater reserves.</p>

Performance Criteria		Acceptable Solution	
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:	
P2	Development reduces peak flows into Council's stormwater drainage system.	A2.1	Post development peak flows, up to the 1% AEP storm events, are limited to 'pre-development' levels. Pre-development assumes 0% impervious area unless otherwise agreed with Council.
P3	The stormwater drainage system has the capacity to safely convey stormwater flows.	A3.1	Lots are graded to discharge stormwater and run-off from roads and other hard areas to the public road, and discharged to a drainage network.
		A3.2	The design and construction of the stormwater drainage system is in accordance with the requirements of: <ul style="list-style-type: none"> <li>• Australian Rainfall and Runoff: A Guide to Flood Estimation, Commonwealth of Australia (Geoscience Australia), 2019; and</li> <li>• Council's adopted AUS-SPEC #1 NSW 1999 Development Specification Series – Design and Construction.</li> </ul>
		A3.3	Minor stormwater drainage systems are designed to cater for the 10% AEP storm event. Major stormwater drainage systems are designed to cater for the 1% AEP storm event. These systems are to be evident as 'self-draining'.
P4	Stormwater systems minimise maintenance requirements and safety risks within grassed areas, open channels, basins and roads.	A4.1	Adequately manage continual and frequent low flows through the development.
		A4.2	The stormwater system is designed and constructed with adequate scour protection to prevent erosion.
		A4.3	The batter slope must not be greater than 1:7 (vertical to horizontal).

Performance Criteria		Acceptable Solution	
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:	
P5	Subdivision design and layout provides for adequate site drainage.	A5.1	Lots are graded to discharge stormwater to the public road.
		A5.2	Interallotment drainage and associated easements are provided where any part of any lot, roof water or surface water does not drain to a public road without traversing one or more adjacent downhill lots.
		A5.3	Each lot requiring interallotment drainage has a surface inlet pit located in the lowest corner or portion of the allotment. Lots are graded to the interallotment pit.
		A5.4	Interallotment drainage lines are located approximately 1 metre from property boundaries within a 2 metre wide easement created for this purpose and reflected on the subdivision plan and 88B instrument.
		A5.5	The design of the inter-allotment drainage system is in accordance with Australian Rainfall and Runoff: A Guide to Flood Estimation, Commonwealth of Australia (Geoscience Australia), 2019.

**Element 8. Water Quality Management****Objective**

- Development minimises disturbance to natural stream systems; and
- Stormwater discharge to surface and underground receiving waters, during construction and in developing catchments, does not degrade the quality of water in the receiving areas.

<b>Performance Criteria</b>		<b>Acceptable Solution</b>	
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:	
P1	Development minimises on site erosion and downstream sediment deposition.	A1.1	An Erosion and Sediment Control Plan is included with any development application. It must be prepared by a suitably qualified and experienced professional using the 'Blue Book – Managing Urban Stormwater: Soils and Construction' and address the existing site, proposed development and the protection of the environment, adjoining properties and infrastructure.
		A1.2	Adequate provision is made for measures during construction to ensure the landform is stabilized and erosion is controlled.
P2	Development optimises the interception, retention and removal of water-borne pollutants through the use of appropriate criteria prior to their discharge to receiving waters.	A2.1	Development manages stormwater discharges and pollutants by including, but not limited to, one or more of the following elements: <ul style="list-style-type: none"> <li>• Rainwater tanks on each lot;</li> <li>• Gross pollutant removal prior to discharging to basins; and</li> <li>• Bio-retention areas.</li> </ul>

**Element 9. Environmental Management****Objective**

- Development is designed and sited to avoid environmental impacts;
- Development is designed to address any contamination;
- Development is designed and managed to prevent potential sources of groundwater contamination and salinity; and
- Appropriate landscaping and engineering designs are utilised to minimise groundwater risks.

<b>Performance Criteria</b>		<b>Acceptable Solution</b>
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1	Development minimises the impacts to groundwater through construction of roads and drainage.	A1.1 Road drains and outlets are designed to avoid large volumes of runoff infiltrating the ground at any one location. A1.2 Runoff from roads and other hard areas are discharged to a drainage network.
P2	Drainage infrastructure is of a standard that limits the potential for leakage and recharge of groundwater.	A2.1 A Salinity and Groundwater Assessment Report is included with any Development application. A2.2 Detention/drainage basins (if required) are lined with compacted impervious clay to avoid local recharge.
P3	Potential site contamination issues are adequately identified and remediated.	A3.1 Development complies with the State Environmental Planning Policy (Resilience and Hazards) 2021. A3.2 All contamination investigations and remedial action plans must be undertaken at the Development Application stage. It must be undertaken by a suitably qualified consultant and in accordance with the NSW EPA Contaminated Land Guidelines.
P4	Development on bushfire prone land protects life and does not increase bushfire risk management and maintenance responsibilities.	A4.1 Development on the land identified as bushfire prone complies with the bush fire protection measures in the NSW RFS's <i>Planning for Bush Fire Protection Guideline 2019</i> (or equivalent).

**Element 10. Development near the Dubbo Regional Airport****Objectives**

- Development does not impact the safety and ongoing efficiency of the Dubbo Regional Airport;
- Development addresses the National Airports Safeguarding Framework (NASF);
- Developments considers a range of factors that could affect the operation of the Airport, including light glare, plumes and bird attractants; and
- Development does not increase wind shear impacts on aircraft.

<b>Performance Criteria</b>		<b>Acceptable Solution</b>
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1	Development does not impact the safety and ongoing efficiency of the Dubbo Regional Airport.	<p>A1.1 Development applications include information detailing compliance with the National Airports Safeguarding Framework.</p> <p>A1.2 Development does not impact PANS-OPS for the Dubbo Regional Airport.</p> <p>A1.3 Development in the vicinity of the airport does not protrude into the Obstacle Limitation Surface (OLS):</p> <ul style="list-style-type: none"> <li>• cranes do not penetrate the OLS.</li> <li>• development complies with specifications provided by the Civil Aviation Safety Authority (CASA). The OLS protects the immediate airspace in the vicinity of the airport for visual operation.</li> </ul> <p>A1.4 Any lighting associated with development in vicinity of the airport may be subject to lighting limitations as advised by CASA.</p> <p>A1.5 Development takes into consideration any amenity impacts resulting from the airport operations, including but not limited to noise and vibration.</p> <p>A1.6 Development, including any drainage basins, minimises the hazard to aircraft operations created by the presence of birds and or animals resulting from the development, and does not attract wildlife.</p> <p>A1.7 Development does not release emissions that could cause air turbulence or reduce the visibility or operation of aircraft engines.</p> <p>A1.8 Development does not create a physical line-of-sight obstruction between transmitting or receiving devices that:</p> <ul style="list-style-type: none"> <li>• transmits an electromagnetic field that will interfere with the functioning of the airport; and</li> <li>• contains a reflective surface that will interfere with the functioning of the airport.</li> </ul>

## 2.2. Residential Design Controls

This section is designed to encourage 'best practice' solutions for the design and development of dwelling houses and dual occupancy development.

The objectives of this section are:

- Development integrates with, is well-connected to, and enhances the vision and desired future character the North-West Urban Release Area;
- A mix of dwelling sizes are provided to complement the character of the area and provide accommodation for all sectors of the community; and
- Low density residential accommodation is facilitated with economic use of infrastructure.

This section lists design elements under the following headings:

Element 1	Architectural Design and Streetscape Character
Element 2	Building Envelopes
Element 3	Infrastructure
Element 4	Solar Access
Element 5	Visual Privacy and Acoustic Impacts
Element 6	Vehicular Access and Car Parking
Element 7	Waste Management
Element 8	Fencing
Element 9	Detached Development

**Element 1. Architectural Design and Streetscape Character****Objectives**

- Development is designed to create an attractive neighbourhood;
- Development creates visual interest through articulation and varied design features;
- Development is consistent with the desired future streetscape and neighbourhood character; and
- A mix of dwelling sizes are provided to accommodate the needs of the community and encourage a diversity of built form design.

<b>Performance Criteria</b>		<b>Acceptable Solution</b>	
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:	
P1	Development is designed to: <ul style="list-style-type: none"> <li>• respect and reinforce the positive characteristics of the neighbourhood;</li> <li>• ensure the frontage of buildings and their entries are apparent from the street;</li> <li>• ensure walls visible from the street are adequately detailed for visual interest;</li> <li>• provide a range of lot sizes to suit a variety of household types and forms of development; and</li> <li>• promote better walkability, improve access to amenities and enhance overall connectivity in the Precinct.</li> </ul>	A1.1	The primary frontage façade of development addresses the street and incorporates a visible front entrance and door.
		A1.2	At least three of the following design features are incorporated into the primary frontage façade: <ul style="list-style-type: none"> <li>• façade articulation and detailing with varying building materials, patterns, textures, and colours;</li> <li>• entry feature or porch;</li> <li>• awnings or other features over windows;</li> <li>• balcony treatment to any first floor element;</li> <li>• recessing or projecting architectural elements;</li> <li>• bay windows or similar features; and</li> <li>• verandah, eaves, pergolas and parapets above garage doors.</li> </ul>
		A1.3	Development located on a corner lot is designed to face each street frontage.
		A1.4	Walls longer than 10 metres are articulated with a variation of more than 600mm for a minimum length of 4 metres.
P2	Roofs materials minimise glare, particularly for those near the Dubbo Regional Airport.	A2.1	Black/dark/other strong coloured roofs, or roofs that absorb heat, will not be supported.
		A2.2	Services which penetrate the roof and flashing should be painted or finished in a material that is consistent with the roof colour.
P3	Dual occupancy development and densities are appropriate and compatible with the local context.	A3.1	Dual occupancies are not located on a battle-axe lot.
		A3.2	Dual occupancies are not designed as 'mirror image'.

Performance Criteria		Acceptable Solution	
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:	
P4	Garages and parking structures are located and designed to ensure they: <ul style="list-style-type: none"> <li>integrate with features of the dwelling;</li> <li>do not dominate the street frontage.</li> </ul>	A4.1	Development is designed to highlight the entry and front rooms rather than the garage.
		A4.2	Large parking areas are broken up with trees, buildings or different surface treatments.
		A4.3	Garages and parking structures are located so that the front windows of development are not obscured.

**Element 2. Building Envelopes****Objectives**

- The setback of development from the property boundaries, the height and length of walls, site coverage and visual bulk are appropriate for a residential neighbourhood;
- Habitable rooms and private open space of dwellings within and in adjacent sites receive adequate sunlight, ventilation and amenity;
- Each lot has sufficient area for landscaping and deep soil planting areas;
- The quality of the built environment is enhanced through landscaping;
- Private outdoor open space is well-integrated with development and is of sufficient area to meet the needs of occupants; and
- Private open space provides a pleasant, safe and attractive level of residential amenity.

<b>Performance Criteria</b> The objectives may be achieved where:		<b>Acceptable Solution</b> The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1	Development is designed to ensure: <ul style="list-style-type: none"> <li>• setbacks are consistent with the desired low density character of the locality;</li> <li>• the height, bulk and scale reflects the intended use and is consistent with the desired character of the locality;</li> <li>• landscaping is appropriate in nature and scale for the site and the local environment; and</li> <li>• there is an appropriate area for landscaping and private open space.</li> </ul>	A1.1 Development complies with development standards outlined in <b>Table 1</b> . A1.2 Development has a maximum height of 8 metres above existing ground level to the underside of eaves at any point. A1.3 Development does not exceed two storeys.

	Dwelling house		Dual occupancy
Lot range	≥ 600m <sup>2</sup> < 900m <sup>2</sup>	> 900m <sup>2</sup>	≥ 600m <sup>2</sup>
Setbacks			
Front setback (minimum)	4.5 metres from the front property boundary	6 metres from the front property boundary	4.5 metres from the front property boundary
Secondary frontage setback (minimum)	3 metres		
Side setback – Ground floor (minimum)	0.9 metres	1.5 metres	0.9 metres
Side setback – First floor (minimum)	1.5 metres	2 metres	1.5 metres
Rear setback	3 metres		
Garage setbacks			
Front and secondary setbacks (minimum)	5.5 metres to the façade of the garage 1 metre behind the building façade for single or double garages 2 metres behind the building façade for third garage		
Percentage of dwelling frontage	The width of a garage shall not be greater than 50% of the total width of the lot measured at the building façade line.		
Garage width (maximum)	3 metres (single garage) 6 metres (double garage) 9 metres (triple garage)		
Car parking requirements			
Parking requirements (minimum)	1 bedroom dwelling – 1 garage space 2 or more bedroom dwelling – 2 parking spaces, with at least 1 garage space		
Landscaping requirements			
Landscaped area (minimum)*	15% of the lot area	35% of the lot area	20% of the lot area
	A minimum of 25% of the area forward of the building line must be landscaped area. A minimum of 50% of the area behind the building line must be landscaped area. Areas less than 3 metres in width are not to be included in the calculation of landscaped area.		
Principal private open space (minimum)*	25m <sup>2</sup> with a minimum dimension of 5 metres. All principal private open space is directly accessible from the main living area. All private open space is located behind the front building line and is screened to provide for the privacy of occupants and the occupants of adjoining properties.		

Table 1 – Development Controls

\* Landscaped area and principal private open are defined in the Dubbo Development Control Plan 2013.

**Element 3. Infrastructure****Objectives**

- Infrastructure has the capacity or can be economically extended to accommodate new development;
- Development is designed to take advantage of existing physical and social infrastructure;
- Development is provided with appropriate physical services; and
- Development captures and retains roof water and stormwater to minimise run-off to stormwater drainage systems.

<b>Performance Criteria</b> The objectives may be achieved where:		<b>Acceptable Solution</b> The acceptable solutions illustrate one way of meeting the associated performance criteria:	
P1	Development does not overload the capacity of public infrastructure including reticulated services, streets, open space and human services.	A1.1	Infrastructure is provided in accordance with: <ul style="list-style-type: none"> <li>• Council's adopted version of AUS-SPEC; and</li> <li>• the requirements of the appropriate relevant authority.</li> </ul>
P2	Development is connected to reticulated sewerage, water supply, electricity, telecommunications and natural gas as appropriate.	A2.1	Development is connected to: <ul style="list-style-type: none"> <li>• Council's reticulated water supply, sewerage and stormwater drainage system in accordance with Council's adopted version of AUS-PEC and relevant policies;</li> <li>• Electricity in accordance with the requirements of the appropriate authority; and</li> <li>• Telecommunications system and the National Broadband Network Infrastructure in accordance with the requirements of the appropriate authority.</li> </ul>
P3	Stormwater leaving the site does not exceed the capacity of the stormwater system.	A3.1	Development incorporates minimal impervious areas and is limited to the capacity of Council's stormwater system.
		A3.2	Stormwater is not directed onto neighbouring lots.
		A3.3	Finished lot levels allow for a stormwater overland flow path through the lot.
		A3.4	Rainwater and stormwater should be captured, stored and reused on site where possible.
P4	Development conforms to the natural land forms and site constraints without the need for excessive excavation and/or fill.	A4.1	Excavation and/or filling does not change the natural ground level of the site by more than 1 metre.

**Element 4. Solar Access****Objectives**

- Development provides an acceptable level of solar access for occupants;
- Development does not significantly impact on the solar access and amenity of adjoining and adjacent lots; and
- Habitable rooms and private open space on the lot/s and adjacent lot receive adequate sunlight, ventilation and amenity.

Performance Criteria	Acceptable Solution
The objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>P1 Development is designed to ensure solar access is available to habitable rooms, solar collectors, private open space and clothes drying facilities on the lot and adjoining lots.</p>	<p>A1.1 Shadow diagrams are submitted for any development above single storey, and are prepared for 9am, 12pm and 3pm on 22 June.</p> <p>A1.2 Dwellings are sited to minimise overshadowing to the private open space areas of adjoining residential lots.</p> <p>A1.3 On lots with an east-west orientation, the setback on the north-side of the lot is increased to allow for maximum solar access to habitable rooms located on the north-side of development.</p> <p>A1.4 Outdoor clothes drying area/s are located to ensure adequate sunlight and ventilation are provided between the hours of 9 am and 3 pm on 22 June to a plan of 1 metre above the finished ground-level under the drying lines.</p> <p>A1.5 Habitable rooms of adjoining development receive a minimum of four hours solar access between the hours of 9 am and 3 pm on 22 June.</p> <p>A1.6 Principal private open space of adjoining development receives a minimum of four hours solar access over 75% its area between 9 am and 3 pm on 22 June.</p> <p>A1.7 Landscaping is designed to ensure that when mature, required areas of private open space on adjoining allotments maintain solar access on 22 June.</p>

**Element 5. Visual Privacy and Acoustic Impacts****Objectives**

- Development is designed to limit overlooking into private open space of adjoining development;
- Noise within each dwelling and noise from communal areas or shared facilities affecting nearby dwellings is contained; and
- Internal living and sleeping areas are protected from inappropriate levels of external noise.

<b>Performance Criteria</b> The objectives may be achieved where:		<b>Acceptable Solution</b> The acceptable solutions illustrate one way of meeting the associated performance criteria:	
P1	Private open spaces and living rooms of adjacent development are protected from direct overlooking by an appropriate layout, screening devices and distance.	A1.1	Windows of habitable rooms with an outlook to habitable room windows in adjacent development within 10 metres: <ul style="list-style-type: none"> <li>• have a sill height of 1.5 metres above floor level;</li> <li>• have fixed obscure glazing in any window pane below 1.5 metres above floor level; and</li> <li>• are offset a minimum of 1 metre from the edge of the opposite window.</li> </ul>
		A1.2	Screens are solid, translucent or perforated panels or trellis which: <ul style="list-style-type: none"> <li>• have a minimum of 25% openings,</li> <li>• are permanent and fixed,</li> <li>• are of durable materials such as galvanised steel, iodised aluminium or treated timber, and</li> <li>• are painted or coloured to blend in with the surrounding environment.</li> </ul>
		A1.3	Windows and balconies do not overlook more than 50% of the private open space of any adjoining development.
		A1.4	Balconies on the first floor are screened to a height of 1.7 metres above the finished floor level along the side and rear boundaries to prevent noise and overlooking.
P2	Development minimises the transition of noise to and between habitable rooms of adjoining development.	A2.1	Living rooms or garages do not adjoin or abut bedrooms of adjacent development.
		A2.2	The plumbing of residential development is separate and contained sufficiently to prevent transmission of noise.

Performance Criteria	Acceptable Solution
The objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
	<p>A2.3 Electrical, mechanical or hydraulic equipment or plant generating a noise level no greater than 5dBA above ambient L90 sound level at the boundary of the property.</p> <p>A2.4 Development is constructed to ensure habitable rooms are not exposed to noise levels in excess of the standards contained in the relevant Australian Standard(s) including AS 3671 – Road Traffic.</p>
<p>P3 Development achieves an acceptable noise environment and reduces the impacts of noise on sensitive receivers.</p>	<p>A3.1 Dwellings within close proximity to collector roads locate non-habitable rooms on the noise affected side, and enable doors to be sealed off from living areas and bedrooms.</p> <p>A3.2 Where a landscape buffer is proposed as part of acoustic treatments, it is designed, constructed and maintained in accordance with the following:</p> <ul style="list-style-type: none"> <li>• Selected plant species meet the buffer's functional requirements and require minimal ongoing maintenance;</li> <li>• Selected plant species are appropriate to the location, drainage and soil type; and</li> <li>• Plant selection includes a range of species to provide variation in form, colour and texture to contribute to the natural appearance of the buffer.</li> </ul> <p>A3.3 Noise attenuation measures must not adversely impact upon passive surveillance, active street frontages and energy efficiency.</p>

**Element 6. Vehicular Access and Car Parking****Objectives**

- Adequate and convenient parking is provided for residents, visitors and service vehicles.
- Street and access ways provide safe and convenient vehicle access to dwellings and can be efficiently managed; and
- Parking and traffic difficulties are avoided in the development and the neighbourhood.

<b>Performance Criteria</b>		<b>Acceptable Solution</b>	
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:	
P1	Car parking facilities are designed and located to conveniently and safely serve users including pedestrians, cyclists and vehicles.	A1.1	Accessways and driveways are designed to enable vehicles to enter the designated parking space in a single turning movement and leave the space in no more than two turning movements.
		A1.2	The layout and dimensions of car parking areas, access ways, driveways, roadways and manoeuvrability areas comply with Australian Standard AS2890.1-2004, AS2890.2 and AUSTROADS.
		A1.3	Car spaces, accessways and driveways are formed, defined and drained to a Council drainage system and surfaced with: <ul style="list-style-type: none"> <li>• An all-weather seal such as concrete, coloured concrete, asphalt or mortared pavers; and</li> <li>• Stable, smooth, semi-porous paving material (such as brick, stone or concrete pavers) laid to the paving standard of light vehicle use.</li> </ul>
P2	Driveways, car parks and access points are of a suitable construction.	A2.1	Driveways are located clear of stormwater pits, street light poles, water meters and landscaping.
P3	Standing and turning areas for service, emergency or delivery vehicles are provided where access from a public street is remote or difficult.	A3.1	Access ways are designed to cater for an 'AUSTROADS 8.8 metres length Design Service Vehicle'.

**Element 7. Waste Management****Objectives**

- Waste collection operations are carried out in a safe manner;
- Development considers the design of disposal and management of waste generated onsite throughout all stages of the development;
- The amount of waste being sent to landfill is reduced, and opportunities for reuse and recycling are maximised; and
- Waste disposal is carried out in a manner which is environmentally responsible and sustainable.

<b>Performance Criteria</b>		<b>Acceptable Solution</b>	
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:	
P1	Waste collection vehicles must be able to enter and exit the site without the need to reverse.	A1.1	Road design and engineering specifications accommodate waste collection vehicles in line with the Council's engineering standards.
P2	Design and construction approaches and techniques minimise waste.	A2.1	A Waste Management Plan is included with any development application. It must include accurate site specific details in relation to demolition/site preparation, construction, use of premises and on-going management as applicable.
P3	Domestic solid waste is disposed of in an environmentally responsible and legal manner.	A3.1	Development participates in Council's garbage, recycling and organic materials collection service.
P4	Adequate space is provided to store waste collection bins in a position which will not adversely impact upon the amenity of the area.	A4.1	Sufficient space is provided on site for loading and unloading of wastes. This activity is not undertaken on any public place.
		A4.2	Development has a sufficient waste collection area at the front of the lot that is suitable for the storage of three bins to be collected that doesn't obstruct traffic flows, vehicle entry to the property, pedestrian movements or landscaping.
		A4.3	Each lot must identify a waste collection area that is suitable for the presentation of three bins to be collected. The waste collection area must be 3.5m wide per dwelling and be clear of kerbside vehicle parking and vegetation.
		A4.4	Garbage bin storage and collection areas are located behind the front building line and are screened from view.

**Element 8. Fencing****Objectives**

- Fencing is of a high quality and does not detract from the streetscape;
- Rear and side fencing assists in providing privacy to private open space areas; and
- Fencing does not affect vehicle, pedestrian and cyclist visibility at intersections.

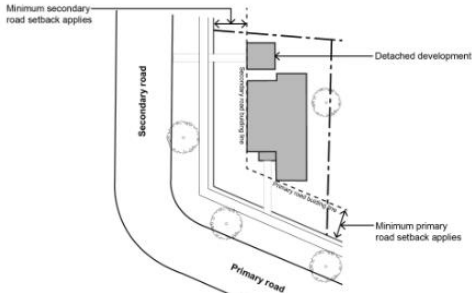
<b>Performance Criteria</b> The objectives may be achieved where:		<b>Acceptable Solution</b> The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1	Fencing: <ul style="list-style-type: none"> <li>• is consistent with the existing character of the area;</li> <li>• reflects the local streetscape; and</li> <li>• does not cause undue overshadowing of adjoining development.</li> </ul>	A1.1 Fences are articulated and softened with the use of landscaping. A1.2 Fences are constructed of materials which are consistent with those used in development on the site and adjoining developments. A1.3 Barbed, razor wire, electrical, solid metal panels or chain wire fencing are not permitted.
P2	Fences enable outlook from the development to the street or open space to facilitate casual surveillance and safety.	A2.1 Fences forward of the building line have a maximum height of: <ul style="list-style-type: none"> <li>• 1.2 metres if solid or less than 20% transparent; or</li> <li>• 1.5 metres if greater than 50% transparent.</li> </ul> A2.2 Fences on the secondary frontage have a maximum height of 1.8 metres for 50% of the length of the boundary of the secondary road, measured from the corner splay of the primary road boundary. A2.3 Fences on the secondary frontage are setback and articulated, and provided with vegetation screening.
P3	Fencing on corner lots does not impede visibility at the intersection.	A3.1 Fencing on corner lots is either splayed, setback, reduced in height or transparent to maintain visibility for vehicles, pedestrians and cyclists. The extent of the splay will be determined by Council in consideration of the characteristics of the road and the radius of the kerb return.
P4	Gates are designed to ensure pedestrian, cyclist and vehicle safety.	A4.1 Where a driveway is provided through a solid fence, adequate visibility for the driver is maintained.
P5	Solid fences along public open space areas are avoided.	A5.1 Fences along the boundary of a public open space area are open, low hedges or incorporate permeable vegetation.

P6	Fences along battle-axe handles do not impact the amenity of both the lot and the neighbouring lots.	There are no acceptable solutions.
P7	Fences do not interfere with stormwater flows across the site.	There are no acceptable solutions.

**Element 9. Detached Development****Objectives**

- Detached development, outbuildings, sheds and garages integrate with development on site;
- Detached development maintains appropriate private open space;
- Detached development is of a scale, size and character that is appropriate for the urban environment and the size of the lot; and
- Detached development does not detrimentally impact upon the amenity of adjoining residents.

Performance Criteria		Acceptable Solution															
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:															
P1	Detached development is of a height reflecting its intended use and in keeping with the urban environment.	A1.1	Detached development has a maximum height of 4.5 metres above existing ground level.  Note: Building height is defined in the Dubbo Regional LEP 2022.														
P2	Detached development has a floor area that: <ul style="list-style-type: none"><li>• is proportionate with the size of the lot; and</li><li>• maintains sufficient private open space.</li></ul>	A2.1	The maximum gross floor area (GFA) of all detached development is: <table><tr><td>Lot size</td><td>GFA</td></tr><tr><td>200m<sup>2</sup> – 300m<sup>2</sup></td><td>36m<sup>2</sup></td></tr><tr><td>&gt; 300m<sup>2</sup> - 600m<sup>2</sup></td><td>60m<sup>2</sup></td></tr><tr><td>&gt; 600m<sup>2</sup> – 900m<sup>2</sup></td><td>90m<sup>2</sup></td></tr><tr><td>&gt; 900m<sup>2</sup> – 1500m<sup>2</sup></td><td>120m<sup>2</sup></td></tr><tr><td>&gt; 1500m<sup>2</sup> – 2000m<sup>2</sup></td><td>150m<sup>2</sup></td></tr><tr><td>&gt; 2000m<sup>2</sup></td><td>180m<sup>2</sup></td></tr></table>	Lot size	GFA	200m <sup>2</sup> – 300m <sup>2</sup>	36m <sup>2</sup>	> 300m <sup>2</sup> - 600m <sup>2</sup>	60m <sup>2</sup>	> 600m <sup>2</sup> – 900m <sup>2</sup>	90m <sup>2</sup>	> 900m <sup>2</sup> – 1500m <sup>2</sup>	120m <sup>2</sup>	> 1500m <sup>2</sup> – 2000m <sup>2</sup>	150m <sup>2</sup>	> 2000m <sup>2</sup>	180m <sup>2</sup>
Lot size	GFA																
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> 1500m <sup>2</sup> – 2000m <sup>2</sup>	150m <sup>2</sup>																
> 2000m <sup>2</sup>	180m <sup>2</sup>																
		A2.2	Detached development maintains the overall principal private open space and private open space area in accordance with <b>Element 2</b> .														

Performance Criteria The objectives may be achieved where:	Acceptable Solution The acceptable solutions illustrate one way of meeting the associated performance criteria:										
<p>P3 Detached development is appropriately sited to minimise impacts on the streetscape.</p>	<p><b>A3.1</b> Detached development is located behind the building line of a dwelling house that is adjacent to any primary road or secondary road.</p>  <p><b>A3.2</b> Detached development maintains the setback requirements of <b>Element 2</b>.</p>										
<p>P4 Detached development is appropriately setback from the side and rear boundaries.</p>	<p><b>A4.1</b> Detached development is setback a minimum of the following from the side and rear boundaries:</p> <table data-bbox="743 947 1102 1081"> <tr> <th>Setback</th><th>Wall height</th></tr> <tr> <td>0.5 metres</td><td>2.4 metres</td></tr> <tr> <td>0.9 metres</td><td>2.7 metres</td></tr> <tr> <td>1.5 metres</td><td>3.0 metres</td></tr> <tr> <td>2.1 metres</td><td>3.6 metres</td></tr> </table> <p>Note: Wall in this clause refers to a generally vertical external portion of a building that supports the roof structure, and includes a gable end, column or pier.</p> <p><b>A4.2</b> Detached development maintains the setback requirements of <b>Element 2</b>.</p>	Setback	Wall height	0.5 metres	2.4 metres	0.9 metres	2.7 metres	1.5 metres	3.0 metres	2.1 metres	3.6 metres
Setback	Wall height										
0.5 metres	2.4 metres										
0.9 metres	2.7 metres										
1.5 metres	3.0 metres										
2.1 metres	3.6 metres										

### 2.3. Landscaping Design Controls

This section is designed to ensure landscaping can be strategically developed and maintained to optimise the standard of the estate's presentation, and increase its attractiveness to both potential residents and visitors. Landscaping can help define boundaries, reduce traffic speeds and provide shade.

The objectives of this section are:

- Development preserves significant trees and natural vegetation;
- Landscaping provides a pleasant, safe and attractive level of amenity and contributes to the identify and environmental health of the community;
- Landscaping is aesthetically pleasing, cost effective and has minimal risk to the public;
- Landscaping softens the visual impact of development;
- Natural features and vegetation are emphasized in the design of development;
- Appropriate plant species are utilised that are environmentally sustainable and offer effective water management; and
- Streetscape components do not detrimentally affect solar access to development.

Performance Criteria	Acceptable Solution
The objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>P1 Landscaping is appropriately designed, well suited to the site and able to be maintained as per Council's guidelines.</p>	<p>A1.1 A Landscape Plan and Planting schedule is included with any development application for subdivision or dual occupancy. It must be prepared by a suitability qualified person, and:</p> <ul style="list-style-type: none"> <li>• show indicative plantings;</li> <li>• identify the scientific name of all plant material;</li> <li>• identify the height and characteristics of plant material at maturity;</li> <li>• identify the maintenance regime.</li> <li>• specify irrigation systems for maintenance, referencing Council's current standards;</li> <li>• show planting specifications showing staking, hole preparation, depth and root control devices; and</li> <li>• Indicate any land proposed to be dedicated to Council and the location of the landscaping on that site.</li> </ul> <p>A1.2 Landscaping is provided in accordance with the requirements of Council's Community, Culture and Places Division and any applicable Tree Planting Standards.</p> <p>A1.3 Landscaping is selected and located taking into consideration the size of the root zone of the tree at maturity and the likelihood of potential for the tree to shed/drop material.</p>

Performance Criteria The objectives may be achieved where:		Acceptable Solution The acceptable solutions illustrate one way of meeting the associated performance criteria:
P2	Development is designed to maintain the amount of existing and native vegetation.	<p>A2.1 Existing native and significant trees are retained and integrated into the development.</p> <p>A2.2 Development applications include sufficient documentation to highlight that any relevant vegetation and biodiversity legislation is complied with.</p>
P3	Landscaping is: <ul style="list-style-type: none"> <li>functional and meets user requirements for privacy, solar access, shade and recreation; and</li> <li>undertaken in an environmentally sustainable manner which limits time and costs associated with maintenance.</li> </ul>	<p>A3.1 Landscaping uses locally endemic species or species with a proven tolerance to the local climate and conditions.</p> <p>A3.2 Landscaping avoids species that have the potential to become an environmental weed or are known to be toxic to people or animals.</p> <p>A3.3 Landscaping requires low maintenance and minimal watering, and does not impact salinity or ground water levels by encouraging over-watering.</p> <p>A3.4 The height and density of vegetation at maturity screens and softens the development.</p> <p>A3.5 Landscaping on bushfire prone land is designed and maintained to the standard of an Inner Protection Area.</p> <p>A3.6 Sensors are used to control watering systems.</p>
P4	Landscaping is designed and located to not negatively impact built infrastructure, development on the site or adjoining sites.	<p>A4.1 Landscaping does not restrict vehicle sightlines.</p> <p>A4.2 Landscaping incorporates elements such as root barriers or appropriate species to prevent damage to the built infrastructure.</p> <p>A4.3 Landscaping does not reduce: <ul style="list-style-type: none"> <li>casual surveillance</li> <li>the level of solar access enjoyed by adjoining development; and</li> <li>the safety of vehicles, pedestrians and cyclists.</li> </ul> </p>
P5	Development under construction does not damage or destroy vegetation.	A5.1 Protective measures are provided around trees during site work and construction in accordance with Australian Standard AS4970-2009.
P6	Landscaping is selected and located to minimise the risk to maintenance personnel, and the public.	There are no acceptable solutions.

Performance Criteria		Acceptable Solution
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:
P7	Landscaping does not interfere with waste collection areas or vehicles.	There are no acceptable solutions.

Maas Group Properties  




20 December 2023

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

#### CD23/4938 – Public Exhibition of Draft Development Control Plan (DCP) – Bunglegumbie Subdivision

In response to the Public Exhibition of Draft Development Control Plan (DCP) – Bunglegumbie Subdivision (reference CD23/4938) Maas Group Properties provide the following submission in relation to the exhibited material. Upon review of the exhibited material and in the context of the assessment to date, we wish to raise the following points for Council's consideration prior to finalising the assessment of the DCP.

- Road widening
- Urban heat island effect
- Road alignment
- Staging
- Timming and Consultation

It is understood that the general intention of a Development Control Plan (DCP) is to provide design guidance to facilitate development outcomes as detailed in *The Vision and Desired Future Character* section of the development control plan, as follows;

Outcome	<i>Vision and future character</i>
O1	<i>The establishment of the urban framework through the delivery of key roads, transport linkages and pedestrian linkages;</i>
O2	<i>The provision of new green corridors to maximise pedestrian and cycle access</i>
O3	<i>The provision of appropriate infrastructure, including stormwater drainage and stormwater quality control measures to protect the water quality in the Macquarie River;</i>
O4	<i>The preservation of existing trees and introduction of street tree plantings to maximise the urban tree canopy cover and mitigate urban heat-island effects;</i>
O5	<i>The promotion of high-quality urban design outcomes delivering environmental, social and economic sustainability.</i>
O6	<i>Embedding a positive legacy for Dubbo.</i>

Table 1 – DCP objectives

The points in this submission raise concern about the changes to this DCP imposed by Council and the ability of these changes to meet the nominated outcomes of the DCP as detailed above.

#### Road widening

The plan of subdivision design lodged with Council in January 2023 includes a road layout that complies with the design standards at the time as detailed in the Development Policy Code: "Engineering Standards and Requirements Relating to the Subdivision of Land" adopted by Council on the 27 May 1996. It should be noted the first time a road hierarchy design of the NW precinct was publicly exhibited was on the 5<sup>th</sup> of July 2023 being 6 months after the lodgement of the subdivision plan with Council.

Subsequently, during Council's assessment of the site specific DCP the proposed roads appear to have gone from compliant to non-compliant throughout the course of Council's assessment through imposed changes. The details of the road within the plan of subdivision are provided in the tables below.



[www.maasgroupproperties.com.au](http://www.maasgroupproperties.com.au)



	Road reserve Width	Carriageway width	Footpath widths
Standard required by Dubbo DCP 2013 at time of lodgement February 2023			
Access street	16	8	4
Collector road	16	8	4
Trunk road	20	10	5
Proposed by Maas in Draft DCP and DA lodgement			
Local Street	16	8	4
Collector Street	20	12m	4
Complies @ Feb 2023			

Exhibited by Council in October 2023			
Local	16	8	4m
Collector	22	11.6	4m and 6.4m
Complies @ Oct 23			

Changed by Council in October 2023			
Local	17.5	8	4m and 5.5m
Collector	22	13	4m and 5m
Complies @ Oct 23			

Table 2: road designs

Overall, the redesign of the plan of subdivision that is now required to make roads compliant with Councils proposed changes appear unnecessary, unfair and will create an unnecessary cost and delays to the development and a further reduction in the housing yield from the available land.

Based on this we strongly urged the Council to reconsider the needs for this and how the following outcomes of the DCP are compromised by imposing this unnecessary change.

*O5 - The promotion of high-quality urban design outcomes delivering environmental, social and economic sustainability.* Sustainable outcomes cannot be achieved through this, further as it results in subdivision redesign, loss of land, increased developer delivery costs and Councils ongoing maintenance costs. Further reasoning is also provided below.

#### Urban heat island effect

Council's aspirations to address urban heat island effects are listed under the Vision and Desired Future Character. To genuinely address urban heat island effects, it would be necessary to establish a temperature baseline through monitoring of temperature fluctuations throughout a range of built environments across the LGA. This would provide some indication about where issue exists across the LGA so a strategic response can be applied. Being a low density greenfield subdivision we are concerned this issue would not affect this type of area if built as per our DA lodged with council 6 months ago.

Generally, this issue is more prudent to areas of higher density such as a CBD rather than a low-density residential development. The proposed lots with sizes over 1000m<sup>2</sup> to accommodate single dwelling type development have their own landscaping and private open space requirements that contribute to the provision of amenity and the reduction of urban heat island and therefore do not typify the type of urban environment impacted by urban heat island effects due to the lower reflective and impervious surfaces.

Without an applied methodology to the LGA that benchmarks a baseline, measuring achievement towards combating urban heat island effect can only remain aspirational and largely unquantifiable other than the



additional costs placed on developers required to now implement these embellished designs that also lead to the loss of land for the provision of much needed housing.

The DCP now proposes increased widths to road carriage way and footpaths, by imposing wider roads and footpaths under this DCP it would guarantee increases to heat sink and capture with the increase in paved surfaces that aren't necessarily offset by the proposed increased verge widths and planting proposed by Council.

The result of creating this ambitious public domain would place a larger than normal burden on the Council rate base for the upkeep and maintenance of the assets within the road corridor. The extent of the verge plantings may also impact visibility from driveways across shared path and road carriageways and compromise utility service connections.

Giving the lack of data supporting the reasoning for this change and the absence of an LGA methodology to combat urban heat island effects we do not think that this changes should be imposed as previous carriage way and footpath widths are fit for purpose in providing the necessary amenity and shade to the streetscape.

Other approaches for a low-density residential environment could be in the form of the following.

- using light-coloured or reflective materials for roofs, roads, and pavements.
- using permeable materials that absorb water in a similar way to natural landscapes.

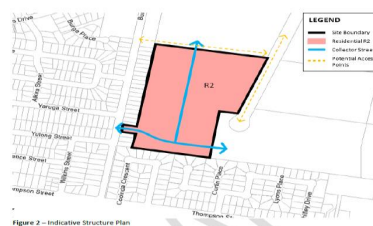
Based on this approach it is difficult to understand how council is meeting the following objectives of the DCP are being met.

*04 - The preservation of existing trees and introduction of street tree plantings to maximise the urban tree canopy cover and mitigate urban heat-island effects;*

#### Road alignment

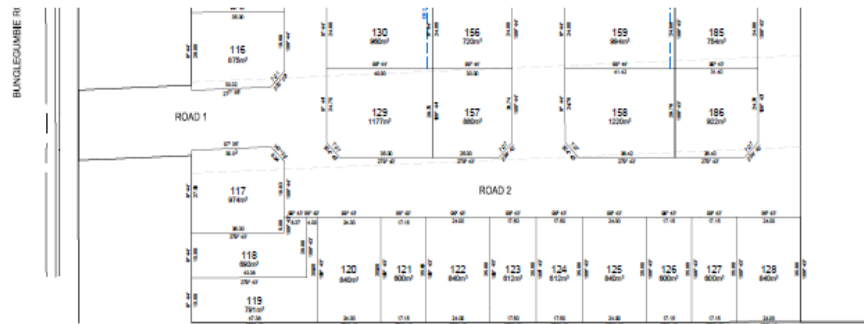
Road alignment proposed in the plan of subdivision as submitted in Jan 2023 appears to be a concern for Council. Council have refused to accept rumble bars and attempted to realign the road as a measure to treat Councils perceived driver behaviour. By council predicting that drivers within the estate would deliberately disobey NSW road rules by exiting the site on the opposite side of the road instead of making the turn within the marked lanes inside the rumble bars provided appears to be the reasoning behind this imposed change. Line marking and traffic calming through rumble bars as endorsed by the consulting Traffic Engineer are considered appropriate to regulate Councils perceived risk of what could only be described as reckless and unlawful driving in NSW usually a matter for the road traffic police.

The realignment of the road to the north imposed by Council creates a 60m lot depth. The only option for orderly and economic pattern of corresponding development would be in the form of battleaxe style development. This urban design response inevitably detracts from the high level of amenity Council has envisaged for the NW precinct. It is further noted that council's additional changes to the DCP include controls around providing battleaxe style development with the requirement to avoid where possible. We view the proposed road alignment as lodged in January as a means to avoid battleaxe style development without the need to migrate the resolution of this issue into the development assessment stages of delivering this much needed housing.





Plan of subdivision submitted.



Battle-axe design response resulting from realignment.



It should also be noted that other subdivisions within West Dubbo have a similar access arrangement as the proposed, that are also narrower (8m) carriageway with tighter turns and no lane delineation.

Driver behaviour observations were undertaken at this location to determine if dubbo drivers deliberately disobey NSW road rules by driving in the opposite lane when existing the site under this road design configuration. The conclusion was that drivers appeared to slow to approach the exit point and in fact the road design appeared to have a traffic calming effect given that sight lines from the start of the turn to the exit point are reduced by street tree plantings behind the kerb line. This is consistent with the crash data available from the TfNSW website that does not identify this area as a noted safety hazard based on no crash data recorded at this location.



**MAAS**  
PROPERTIES



### Timing and Consultation

A response to Council's information request to complete their assessment was provided back in April 2023, however Council it took until September, 9 months into the assessment, for Council to arrange a meeting. The nature of this meeting was for Council to advise us of the changes they seek to impose to the DCP most of which is described with the concern noted above that are not clearly justified and result in significant impacts to the site.

The engagement style of telling us what the changes are to tick the box, simply does not demonstrate genuine engagement or an appropriate level of consultation given the significance of the impacts to our site and the jeopardy now placed on our development application previously lodged 6 months ago. Some of these imposed changes have occurred between the stage 1 NW-precinct DCP coming off exhibition and being adopted by Council without any trace of road widths being a concern raised by the community during the exhibition period, indicating this lacks community backing. Given that we are an affected stakeholder of the NW precinct it would be best practise that Council would genuinely work with us to activate the site and explore urban design opportunities suited to the inherent characteristics of the site.

Instead, it appears as if Council are seeking progress their own strategic planning exercises with other landholders ahead of prioritising the assessment of our DCP/DA and are coming back to us to impose changes under the pretence that the planning needs to be consistent across all sites in the precinct. This is objectionable when done without consultation and complete disregard to our previous lodgements that now require us to go back and redesign the whole subdivision layout at a considerable cost and further time delays to housing delivery.

Site characteristics and land tenure vary considerably across the NW-Precinct which is why in most cases to achieve a consistent product it needs to be considered comprehensively at the start and affected landholders should not be excluded from these consultation processes. Throughout assessment period of the DCP Maas Group has several formal submissions in relation to the NW Precinct that have gone unanswered by Council, further demonstrating the site, this DCP and corresponding DA have not been properly considered as this assessment now enters its 3<sup>rd</sup> calendar year.

Overall, we urge that Council to provide a response to this submission to assist them to demonstrate how they have provided adequate consideration of these matters being raised. Instead of imposing changes to the DCP over issues that have been able to be adequately resolved.

Regarding some of the more prescriptive controls of the DCP we also provide the following responses.

Objective/Performance Criteria/Acceptable Solution	Position	Comment
<b>Part 2 Residential Development and Subdivision</b>		
<b>2.1 Residential Subdivision Controls</b>		
<b>Element 3 Lot layout</b>		
A1.3 Lots have a minimum frontage of: 15 metres when their area is 600m <sup>2</sup> – 900m <sup>2</sup> ; or 25 metres when their area is larger than 900m <sup>2</sup> .	<b>Object</b>	Having prescriptive frontage requirements will provide more uniformity in lot delivery rather than diversity. As such would not achieve the performance criteria being sought as follows;  <i>A range of lot types with varying areas, frontages and depths are provided to enable a mix of housing types and sizes.</i>
Objective. Subdivisions have direct access to a public road, rather than battle-axe lots, in order to maintain	<b>Comment</b>	Would consider the rewording of the objective as "Subdivisions have direct access to a public road, rather than battle-axe lots" is not clear. Shouldn't the battleaxe have direct access to public road?



the residential amenity and character of the locality.		
P4 Battle-axe lots are avoided, but where provided, do not compromise the amenity of the streetscape, public domain and neighbouring lots.	<b>Comment</b>	As per the points raised in the sections above and shown in the plans provided, Council are introducing a change to the DCP that results in the unavoidable need for the provision of battleaxe style development. As such, the wording of the performance criteria should consider where this can be located and how this should be provided rather than indicating it should be avoided when it is essentially being imposed Council. We have tried to avoid it.
<b>Element 5 Street Design and Road Hierarchy</b>		
A1.4 The street network does not incorporate sudden changes in road corridor widths or rumble bars.	<b>Object</b>	As per sections above line marking and rumble bars a suitable mitigation measure to councils' perception of road rules being disobeyed by drivers.  Where Council have imposed collector road to be implemented through the subdivision there will be changes in road corridor widths when adjoining local roads. As such the wording of this needs to be reconsidered.
A3.1 Footpaths and shared paths are provided on at least one verge, and footpaths are provided on both verges. They are to be setback 1 metre from the property boundary and be well-lit.	<b>Object</b>	Consider rewording this control to reflect the low-density character of the environment. The need for a footpath on both sides of roads and in addition to a shared path, is not warranted given the likely cycle and pedestrian traffic generated from the development. Given the low traffic environment, pedestrians can readily cross to footpath provided on one side of the road corridor. Similarly, cyclists can lawfully ride in the road carriageway until a connection to a bike path is provided in a higher traffic environment where it is required for safety.
A5.1 The road network reduces the need for reversing of waste collection vehicles. This includes cul-de-sacs and temporary turning heads as a result of staging and construction works.	<b>Object</b>	Remove this control as it contradicts A5.2 and A5.4. A temporary turning heads are a standard construction feature of majority of the subdivisions delivered across the LGA it is unreasonable to know attempt to restrict this.
<b>Element 6 Stormwater</b>		
P1 Stormwater infrastructure has the capacity to safely convey all stormwater flows without causing nuisance or substantial damage to the site, upstream and downstream properties.	<b>Comment</b>	As per the comments above the staging restrictions imposed by Council prevent the ability for this to occur as the initial stage of development would need to be connected through to the basin and associated pipe work that is in stage 2.
<b>2.2 Residential Design Controls</b>		
<b>Element 1 Architectural Design and Streetscape Character</b>		
P1 Development is designed to: provide a range of lot sizes to suit a variety of household types and forms of development.	<b>Comment</b>	As per previous comments in relation to minimum frontage requirements, a range of housing typology becomes limited with prescriptive frontage



		dimensions. This has considered the vision of the desired character of the NW-Precinct.
<b>Element 8 fencing</b>		
A2.2 Fences on the secondary frontage have a maximum height of 1.8 metres for 50% of the length of the boundary of the secondary road, measured from the corner splay of the primary road boundary.	<b>Object</b>	Consider removing this control as this is unnecessary to achieve the casual surveillance outcome that can be achieved via A2.1 and A2.3

Overall, as we enter the 3rd Calendar year of this shovel ready project, we continue to await Council's determination of the DCP and DA. Given this timing of the imposed changes by Council we seek to efficiently resolve these matters so that the much-needed housing for the community can be provided as the region continues to grow. We seek to work with Council to progress to a determination on this project so the needs of the community can be met.

Regards

[Redacted Signature]

## SJB Planning



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

8 December 2023

Re: CD23/2563 – Draft DCP 22-002 – North West Urban Release Area

Dear Sir,

We have prepared this submission to the Draft DCP on behalf of North West Precinct Community Pty Ltd (NWPC). The NWPC have land holdings that adjoin the land subject to the Draft DCP and are pursuing the development of their land consistent with the planning framework adopted by Council.

Our observation is that the Draft DCP is attempting to ensure that future development integrates seamlessly with the intent of the Masterplan adopted for the North West Urban Release Area (NWURA) and the DCP adopted by Council for Stage 1 of the NWURA.

As a general observation we note that the plans lodged with the Development Application for the subject land would not comply with the Draft DCP that has been exhibited. We assume therefore that should this DCP be adopted in a form generally consistent with the exhibited Draft DCP then redesign of that subdivision application will be required and requested by Council.

Clear matters of non-compliance between the DA lodged and the Draft DCP include:

- Lack of provision of green corridors consistent with the Draft DCP objectives
- Non-compliant road reservation widths and treatments
- Inclusion of multiple battle axe allotments
- Lack of co-ordination of the street network with the pattern of development anticipated by the Stage 1 DCP
- Unacceptable integration of the management of stormwater quantity and quality with the NWURA Masterplan approach.

These will become assessment matters for the development application that has been lodged but are highlighted as to ensure these conflicts are addressed to avoid undermining the intended outcomes for the NWURA.



## Draft DCP Submission

### Element 1

The underlying intent is that the land to which the Draft DCP will apply links with the rest of the NWURA. The controls for element 1 should specifically reference that any transport network integrates and aligns with the network proposed under the Stage 1 DCP. This should include, where relevant, new lots addressing these new collector roads and not having side boundaries to the new public domain proposed in stage 1 of the NWURA development.

### Element 2

The Stage 1 DCP uses stronger wording stating that cul-de-sacs and battle axe lots would not be supported. Similar language should be adopted for consistency with the adapted NWURA Masterplan and Stage 1 DCP.

### Element 3

Performance criteria P2 requires development to be designed to optimise outlook and proximity to open space. The Draft DCP does not identify or require the provision of open space within the subject land for the provision of desired open space opportunities.

### Element 4

The minimum of 1 street tree per lot lacks ambition and is in fact inconsistent with the street sections which have been adopted for the Draft DCP. The provision of extensive street tree planting in the public domain will be a critical element to achieving the NWURA Masterplan. Greater tree planting targets should be implemented as anticipated by the proposed road sections.

### Element 6

The DCP should specifically require that integration with the infrastructure within the Stage 1 area is to be coordinated when appropriate. This co-ordination is necessary to ensure a robust infrastructure network is provided and impediments to adjoining land being developed are not created.

### Element 7

The stormwater management needs to be explicit in requiring that development on the subject land is not to concentrate or increase water flows onto adjoining land. The NWURA Masterplan is predicated on not being required to manage or treat flows from this land. This assumption needs to be embedded into the DCP. The DCP also needs to re-enforce the requirement that stormwater disposal is required to be provided by legal means through a piped network from the subject land.

### Element 8

The Water Quality goals should identify specific targets of water quality improvement to be met. Acceptable Solution A2.5 does not align with the ambitions of the NWURA Masterplan.

### *Residential Design Controls*

The contemplation of triple garages is a level of parking at odds with the DCP objective to encourage active transport options. Further a triple garage would preclude the achievement of the restrictions on the proportion of a façade occupied by garages and will conflict with the objectives of landscape provision and street tree planting due to the required wide driveways and driveway crossings. Triple garages should not be contemplated in an urban release area such as this.

Figure 6 is relevant for a greenfields area. There are no existing setbacks to match. This diagram should be deleted.

The suggested building layout in Figure 7, if implemented, would actually increase overshadowing of adjoining private open space areas. The suggested rear wing to the southern boundary in the diagram will result in shadow impacts. If this pattern were to be implemented only the northernmost lot will receive good solar access.

It is suggested that this design guideline be deleted as it would actually undermine achieving the desire to provide solar access to private open space areas.

The NWURA represents a significant opportunity for Dubbo to implement an example of Regional development setting a new benchmark. The Draft DCP needs to embrace the NWURA Masterplan vision and strive to ensure development of the land meets or exceeds the expectations in the Masterplan.

Should you wish to discuss any of the matters arising, please do not hesitate to contact me on [REDACTED]

Yours Sincerely,

[REDACTED]

[REDACTED]

**From:** [REDACTED]  
**Sent:** Friday, 12 January 2024 5:46 PM  
**To:** Tim Howlett  
**Subject:** TfNSW Initial Comments/Response - Bundlegumbie Road DCP Review (Public Exhibition)

**⚠ CAUTION:** This email came from outside the organisation. Be cautious clicking links and do not open attachments unless they are expected.

Good afternoon Tim,

Hope you are well.

As previously discussed, apologies that this response has not been provided by the intended deadline. TfNSW Dev Services West has been operating with skeleton staff as of late last year and was unable to meet the initial deadline as a result.

TfNSW provides the following initial comments following review of the draft document submitted (NB: [CD23/4938](#))

#### **Lot Layout**

- TfNSW notes lot yield for Stage 2 is not clearly indicated – confirmation of lot density and target would be required to provide analysis on number of vehicles and trip estimates associated with the staged development.

#### **Landscaping**

- All associated landscaping should not interfere with clear zones on roads with a signposted speed limit of more than 60km/h.

#### **Street Design and Road Hierarchy**

The TIA should also confirm the volumes and potential treatments for all key interfaces/connections with the state road network. This may include but not limited to:

- Thompson Street/Bundlegumbie Rd
- Thompson Street/Mitchell Highway (HW7)
- Yulong Street/Mitchell Highway (HW7)
- Future legs of RSW51 intersection
- The TIA should provide swept path analysis to consider the largest practicable design vehicle that Bundlegumbie Rd supports (at present, Type 1 A Double/ B Triples/ AB Triples)
- Existing and future freight access and movement should not be compromised along this route.
- Access to the estate from Bundlegumbie Road should feature an appropriate turn treatment that is consistent with the number of proposed vehicle movements per peak period. This turn treatment should be identified accordingly and referred to TfNSW for further comment once DRC is satisfied sufficient traffic analysis has been undertaken.
- As per A1.9, street lighting at intersections should also be included in this section.

- As per A.21 (Stormwater Management), pre and post development levels should also specify roads within the precinct.

**Residential Design Controls**

- Streetscape character and vehicular access and car parking elements should feature a more clinically defined and identified walking and cycling infrastructure plan to clarify how footpaths and shared paths will interact with driveways and other parking facilities within the precinct. Additionally, landscaping design controls should also propose shade (where possible) for footpaths and shared paths to encourage active transport measures and principals.

Please note, that [REDACTED] is currently on leave until late January and may wish to provide additional comments (if possible). If Council has any comments or queries relating to the above information, please contact myself to discuss further.

If any further changes or additions are made to the DCP as a result of the public exhibition, TfNSW would appreciate appropriate correspondence from Council to allow for ongoing consideration of traffic and transport impacts within the precinct.

Yours sincerely,

[REDACTED]

Transport for NSW  
[transport.nsw.gov.au](http://transport.nsw.gov.au)

[REDACTED]

[REDACTED]

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OFFICIAL

From: [Your Say Dubbo](#)

Mail received time: Thu, 16 Nov 2023 07:24:15

Sent: Thu, 16 Nov 2023 07:24:05

To: [Dubbo Regional Council](#)

Subject: SUBMISSION – Draft Bunglegumbie Road Development Control Plan CD23/4938 Form Submission

Importance: Normal

Sensitivity: None

**⚠ ? CAUTION:** This email came from outside the organisation. Be cautious clicking links and do not open attachments unless they are expected.



## SUBMISSION – Draft Bunglegumbie Road Development Control Plan CD23/4938 Form Submission

There has been a submission of the form SUBMISSION – Draft Bunglegumbie Road Development Control Plan CD23/4938 through your YourSay website.

**First Name**

ROBERT

**Last Name**

MITCHELL

**Contact Number**

[REDACTED]

**Email**

[REDACTED]

**Written Submission**

I don't see any parkland or "3rd place" to develop a sense of community.



## **REPORT: Development Application D23-260 - Commercial Development**

**Lot 10 DP 1075057, 99-103 Macquarie Street Dubbo**

**Applicant: Icanso Pty Ltd**

**Owner: Icanso Pty Ltd and GH Dubbo Pty Ltd**

**DIVISION: Development and Environment**

**REPORT DATE: 7 March 2024**

**TRIM REFERENCE: ID24/190**

### **EXECUTIVE SUMMARY**

<b>Purpose</b>	Provide planning approval
<b>Issue</b>	<p>The key issues associated with the proposal include:</p> <ul style="list-style-type: none"><li>• Urban Design;</li><li>• Traffic and access; and</li><li>• Stormwater Management.</li></ul>
<b>Reasoning</b>	<ul style="list-style-type: none"><li>• Consent is sought for mix-use commercial development at Lot 10 DP 1075087, 99-103 Macquarie Street, Dubbo.</li><li>• One submission was received.</li><li>• With an estimated value of \$8.4 million, the application is being reported to Council for determination in accordance with Council's 9 May 2022 resolution to limit the CEO delegation, in the case of development, with an estimated value higher than \$5 million.</li><li>• The proposal is a permitted land use in the E2 - Commercial Centre zone under the Dubbo Regional Local Environmental Plan 2022.</li><li>• The proposal is consistent with the objectives of the E2 zone under the Dubbo Regional Local Environmental Plan 2022.</li><li>• The proposal is consistent with the relevant provisions contained within the relevant State Environmental Planning Policies.</li><li>• The proposal is generally compliant with the provisions of the Dubbo Development Control Plan 2013, with variations justified.</li><li>• The proposal incorporates adequate measures to ensure the development will not result in any adverse impacts on the natural and built environments.</li></ul>

	<ul style="list-style-type: none"> <li>The proposal is consistent with the public interest.</li> <li>It is recommended that the application be approved, subject to conditions.</li> </ul>	
<b>Financial Implications</b>	Budget Area	<p>Development contributions apply to the proposed development.</p> <p>Subject to payment of required developer contributions for water, sewer, stormwater drainage and urban roads, the proposed development will not have a direct financial impact on Council.</p>
<b>Policy Implications</b>	Policy Title	<ul style="list-style-type: none"> <li>Dubbo Regional Local Environmental Plan 2022.</li> <li>SEPP (Resilience and Hazards) 2021.</li> <li>SEPP (Transport and Infrastructure) 2021.</li> <li>SEPP (Industry and Employment) 2021</li> <li>SEPP (Sustainable Buildings) 2022</li> <li>Dubbo Development Control Plan 2013.</li> <li>Amended s.94 Contributions Plan - Roads, Traffic Management and Car Parking - 2016.</li> <li>Water and Sewerage Contribution Policy 2002.</li> <li>Amended s.94 Contributions Plan - Urban Stormwater Drainage Headworks 2019.</li> </ul>
	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 principle themes and a number of objectives and strategies. This report is aligned to:

Theme:	3 Economy
CSP Objective:	3.2 Employment opportunities are available in all sectors of our economy
Delivery Program Strategy:	3.2.4 The Dubbo Central Business District and Wellington Town Centre are supported by commercial activation programs and activities
Theme:	3 Economy
CSP Objective:	3.2 Employment opportunities are available in all sectors of our economy
Delivery Program Strategy:	3.2.1 Employment and investment opportunities for all sectors of the community are fostered

**RECOMMENDATION**

- 1. That Development Application D23-260 for Mixed-Use Development at Lot 10 DP 1075087, 99-103 Macquarie Street, Dubbo, be approved subject to the conditions of consent set out in Appendix 2.**
- 2. That those people making submissions be advised of Council's determination in this matter.**

*Stephen Wallace*  
Director Development and Environment

*BM*  
Senior Planner

## BACKGROUND

The application was lodged with Council on 27 June 2023 for Mixed-Use Development at Lot 10 DP 1075087, 99-103 Macquarie Street Dubbo.

The proposed development comprises a mixed use development consisting of retail and business units within a six storey building.

Specifically, the proposal includes:

- Five retail and nine business units and associated storage;
- Thirteen onsite car parking spaces;
- Installation of business identification signage.

The development also seeks consent for a proposed Pavilion along Macquarie Street, which will including outdoor dining structures.

Proposed building perspectives from Macquarie Street looking west (**Figure 1**) and from Bligh Street (**Figure 2**) in addition to proposed food and drink pavilion (**Figure 3**) are provided with a summary of the proposed development set out in **Table 1**.

A full list of plans supporting the proposed development are included in the **Appendix 1**.

**Table 1:** Key Development Data

Control	Proposal
Site area	1,421m <sup>2</sup>
Gross Floor Area (GFA)	1,607.9m <sup>2</sup>
Commercial GFA	1,407.9m <sup>2</sup>
Retail GFA	200m <sup>2</sup>
Storage GFA	770m <sup>2</sup>
Floor Space Ratio (FSR) (retail/commercial)	1.13:1
Food Pavilion	25m <sup>2</sup>
Commercial Units	9
Retail Units	5
Number of Storeys	6 storeys
Max Height	20.82m (280.10m AHD)
Car Parking spaces	13

On 31 January 2024 and 5 March 2024, amended plans were submitted addressing issues raised in Council's additional information letter dated 1 September 2023 relating to Traffic, Access and Parking and Stormwater Management.

With an estimated value of \$8.4 million, the application is being reported to Council for determination in accordance with Council's 9 May 2022 resolution to limit the CEO delegation, in the case of development, with an estimated value higher than \$5 million.

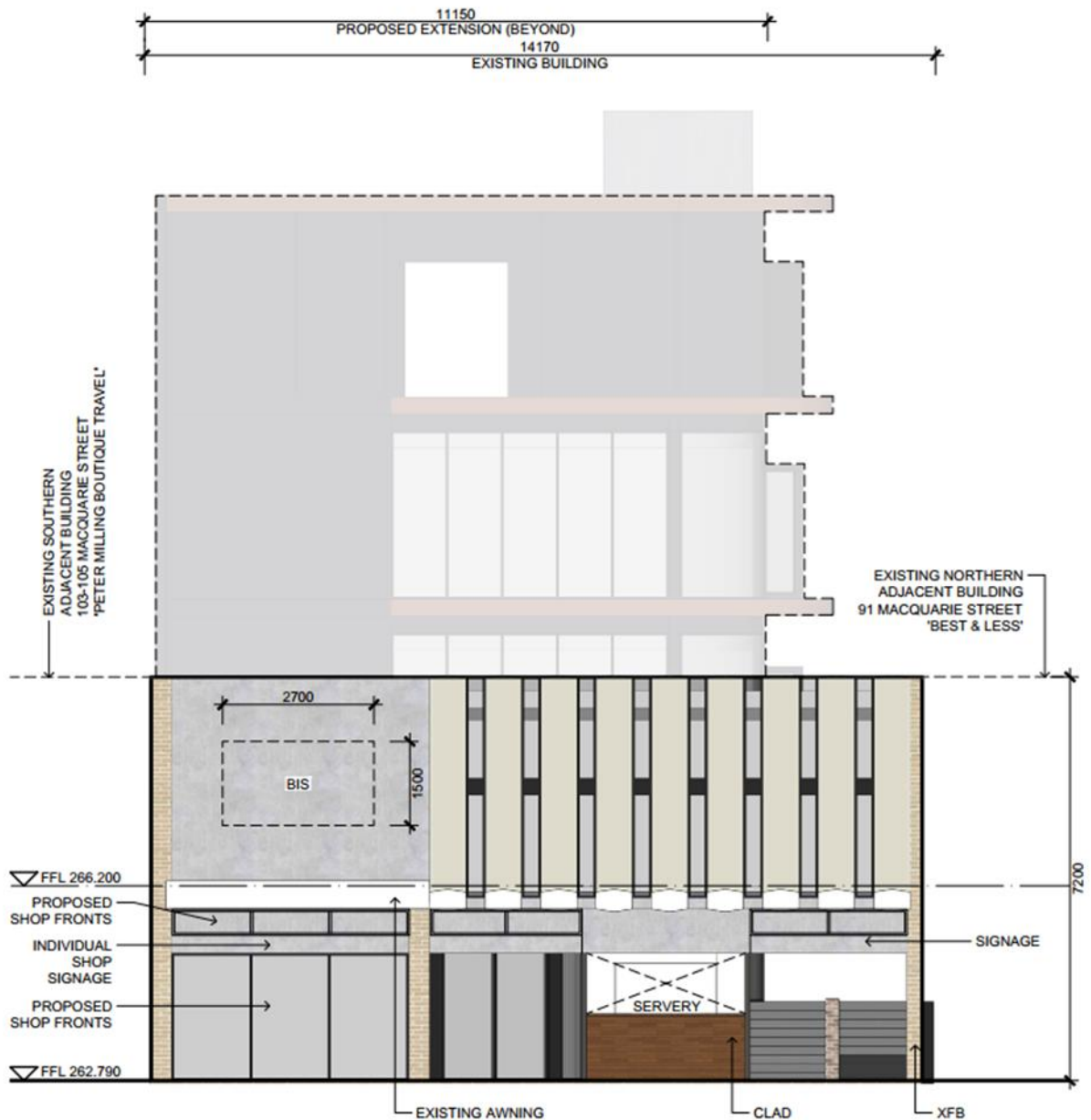


Figure 1: Development Perspective - Macquarie Street

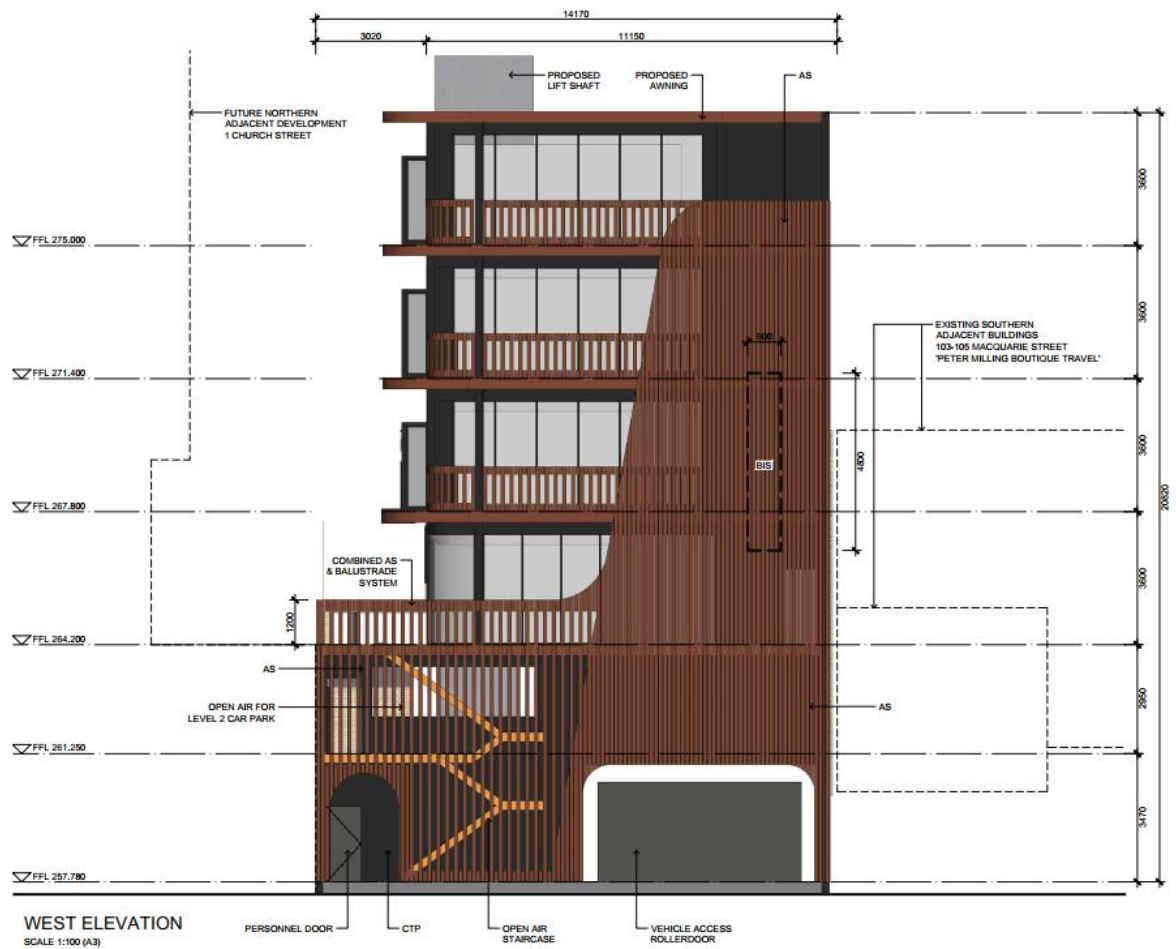


Figure 2: Development Perspective - Bligh Street

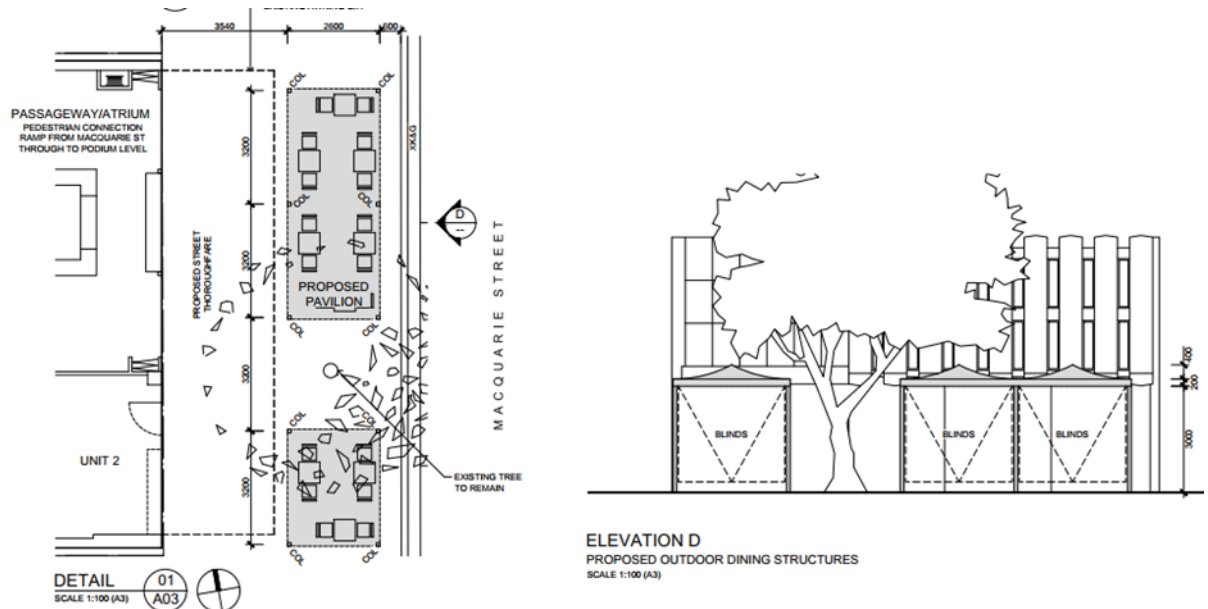


Figure 3: Proposed Food and Drink Pavilion - Macquarie Street

Following consideration of the matters under Section 4.15(1) of the EP&A Act, the proposed development is consistent with the objectives of relevant SEPPs, the LEP, DCP and Council policies, and is therefore recommended that, pursuant to Section 4.16(1)(a) of the EP&A Act, D23-260 be approved subject to the conditions of consent contained in **Appendix 2** of this report.

## REPORT

### Consultation

- Public Notification

The Development Application was placed on notification for a period (exceeding 14 days) ending 22 July 2023, during which time adjoining property owners were notified in writing of the proposed development.

Council received one written submission during the notification period. A copy of the submission is provided in **Appendix 3**.

The concerns raised are listed below with a planning comment attached.

- ***Lack of onsite Car Parking***

#### **Comment**

While 43 carparking spaces are required to support the development, 13 spaces have been provided on site, leaving a shortfall of 30. In accordance with Council's adopted amended Section 94 Contributions Plan - Roads, Traffic Management and Car Parking, where a development cannot provide the required car parking on site, a contribution per space is charged towards the provision of off street parking at strategic locations close to the Central Business District for each space that is deficient.

- ***That the proposed development will detrimentally impact values***

#### **Comment**

There is no conclusive evidence that the proposed development will devalue adjoining properties, which should be left to individual judgement and better answered on the basis of long term objectivity (being truly reflected in future increases in market demand) verses individuals short term gains (implying current limited market activity).

- External Consultation

- Essential Energy

The application was referred to Essential Energy in accordance with Clause 2.48 of SEPP (Transport and Infrastructure) 2021 for which they responded in correspondence dated 18 July 2023, raising no objection to the proposed development. The requirements specified by Essential Energy will be included on the development consent as notations, as Council is unable to enforce such requirements.

- Internal Consultation

- Infrastructure Division

Following submission of additional information, Council's Senior Development Engineer (SDE) did not raise any significant issues that require further investigation or that would prevent the application from being granted consent with conditions. The conditions and notations recommended by the SDE will be include on the consent.

- Building Services Branch

Council's Senior Building and Development Certifier (SBDC) did not raise any significant issues that require further investigation or that would prevent the Application from being granted consent with conditions. The conditions and notations recommended by the SBDC will be included on the consent.

- Environmental Compliance

Council's Environment and Health Services Team Leader (EHSTL) did not raise any significant issues that require further investigation or that would prevent the Application from being granted consent with conditions. The conditions and notations recommended by the EHSTL will be include on the consent.

## SITE CHARACTERISTICS

### *Locality*

The allotment has an area of 1,439.81m<sup>2</sup> with frontage to both Macquarie Street and Bligh Street. For a locality map of the site see **Figure 4**.

### *Slope*

The site slopes east (262.5mAHD) to west (258.0mAHD).

### *Vegetation*

The site is clear of all vegetation.

### *Access*

Access to the site is obtained via Macquarie Street (pedestrian) and Bligh Street (vehicular), both bitumen sealed public roads with 'upright' kerb and guttering.

### *Drainage*

Drainage would occur into Council's reticulated stormwater system on Bligh Street.

### *Services*

The site is connected to all utility services (water, sewer, stormwater, electrical, gas and telecommunications). All existing services connections will be capped or disconnected as required prior to demolition.

### *Adjoining uses*

The site is located within Dubbo CBD area, with the Best and Less retail building to the north (eastern portion), and business premises and associated car parking to the south. There is further commercial/ retail development to the east and public open space to the west.

Note: Also located to the north (western portion) is the mixed use development comprising commercial premises, shop top housing (72 units) and strata subdivision at 1 Church Street, which is currently under construction.



Figure 4: Site location

## SITE HISTORY

The site has been the subject of a number of Development Applications over the years. Relevant to this application are:

DA No.	Development Description
D23-259	Earthworks and Demolition

An early works Development Application (D23-259) relating to the site was approved by Council on 7 August 2023. The early works DA provides the following site components:

- Demolish and remove northern portion of exiting roof sheeting, any roof blankets and sarking, linings and insulation;
- Demolish and remove of all existing non-load bearing internal walls, fixtures and fittings;
- Demolish and remove western portion of existing external brick wall and windows;
- Erection of retaining wall, shoring and battering; and
- Excavate existing bitumen carpark currently at natural surface level down to Bligh Street level to facilitate construction and installation of foundations and services.

There are no issues from previous development approvals, which require further consideration.

## PLANNING ASSESSMENT Section 4.15(1)

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

### *(a)(i) Environmental Planning instruments*

#### SEPP (Resilience and Hazards) 2021

##### Chapter 4 - Remediation of Land

Clause 4.6 of the SEPP requires that the consent Authority to consider if the land subject to a development application is contaminated, and if contaminated, it is then suitable for the intended use, or if remediation is required.

The site is currently not listed on Council's register of potentially contaminated land, and the Central NSW Regional Contaminated Land Policy does not list any potentially contaminating land use activity that may have occurred on this site.

No evidence has been found to suggest that a contaminative land use activity has been carried out on the site. The undertaking of remediation work in accordance with Clause 4.7 of the SEPP would not be required.

While no further action is required in this regard, it is recommended that the following precautionary condition be included:

*“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 (e.g. 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.*

SEPP (Industry and Employment) 2021

Chapter 3 – Advertising and Signage

While the tenancy of each unit is currently unknown, the development proposes four separate business identification signs for future tenants location shown outlined in red in **Figure 5**.

The aims of the SEPP are applicable as follows:

- (1) *This Policy aims:*
  - (a) *to ensure that signage (including advertising):*
    - (i) *is compatible with the desired amenity and visual character of an area, and*
    - (ii) *provides effective communication in suitable locations, and*
    - (iii) *is of high quality design and finish, and*
  - (b) *to regulate signage (but not content) under Part 4 of the Act, and*
  - (c) *to provide time-limited consents for the display of certain advertisements, and*
  - (d) *to regulate the display of advertisements in transport corridors, and*
  - (e) *to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.*
- (2) *This Policy does not regulate the content of signage and does not require consent for a change in the content of signage.*

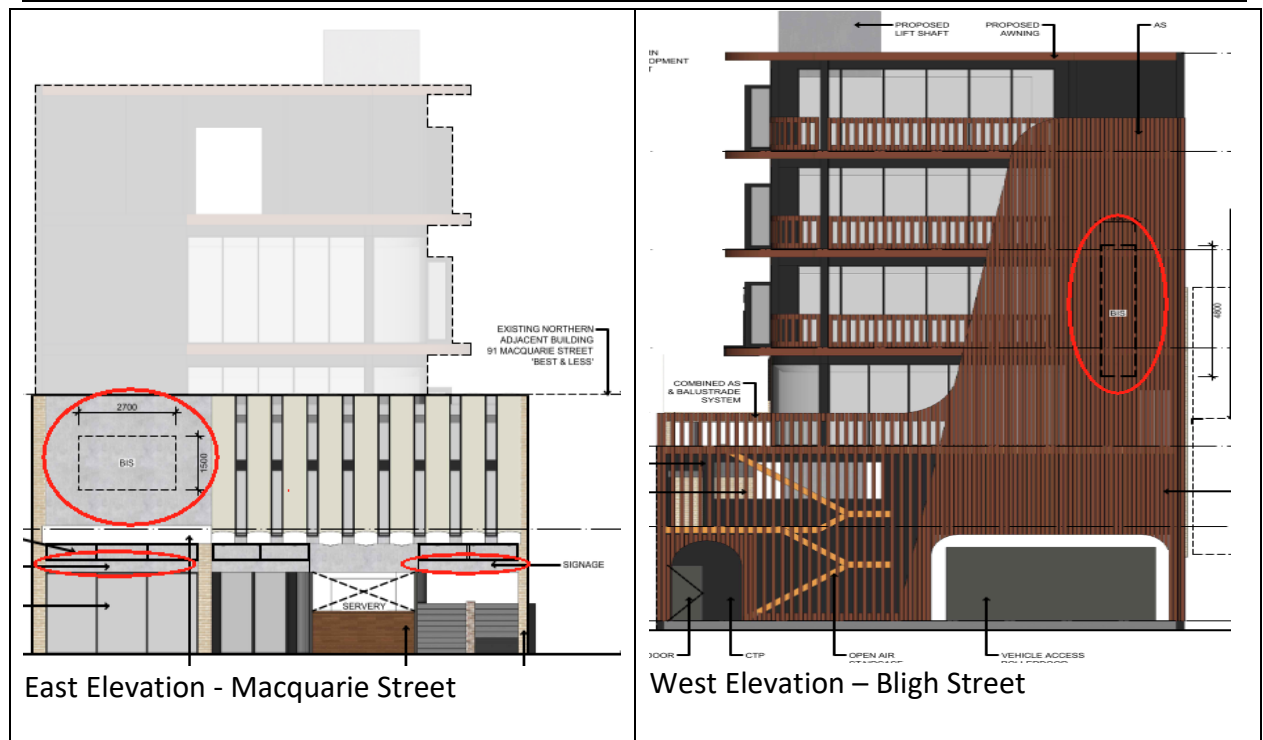


Figure 5 – Proposed Business Signage location

It is considered that the (new) signage is consistent with the aims of the plan as specified above.

It is also considered that the proposed signage is consistent with the assessment criteria as set out in Schedule 5. An assessment of Schedule 5 is made below:

Assessment Criteria	Considerations	Compliance comments
1. Character of the area	<ul style="list-style-type: none"> <li>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</li> <li>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</li> </ul>	Signage will be installed on the surface of the external walls on the buildings and consistent with the outdoor theme and compatible with the character of the area which will assist with business identification.
2. Special areas	<ul style="list-style-type: none"> <li>Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?</li> </ul>	Signage does not detract from amenity or visual quality of the area. The size and signage location is considered to be compatible with the commercial centre and CBD.
3. Views and vistas	<ul style="list-style-type: none"> <li>Does the proposal obscure or compromise important views?</li> <li>Does the proposal dominate the skyline and reduce the quality of vistas?</li> <li>Does the proposal respect the viewing rights of other advertisers?</li> </ul>	<p>Signage does not obscure nor compromise important views.</p> <p>Signage does not dominate the skyline nor reduce the quality of vistas.</p> <p>Signage does not compromise the viewing rights of other advertisers.</p>

Assessment Criteria	Considerations	Compliance comments
4. Streetscape, setting or landscape	<ul style="list-style-type: none"> <li>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</li> <li>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</li> <li>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</li> <li>Does the proposal screen unsightliness?</li> <li>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</li> <li>Does the proposal require ongoing vegetation management?</li> </ul>	<p>The scale, proportion and form of the signage is appropriate for the streetscape and setting.</p> <p>Signage does not detract from the visual interest of the streetscape.</p> <p>Signage simplifies business identification.</p> <p>Signage does not screen unsightliness.</p> <p>Signage does not protrude above buildings, structures or tree canopies in the locality.</p> <p>Signage does not require ongoing vegetation management.</p>
5. Site and building	<ul style="list-style-type: none"> <li>Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</li> <li>Does the proposal respect important features of the site or building, or both?</li> <li>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</li> </ul>	<p>Signage is compatible with the scale, proportion of the building.</p> <p>Signage does not disrespect important features of the site.</p> <p>Signage is consistent with commercial development.</p>
6. Associated devices and logos	<ul style="list-style-type: none"> <li>Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</li> </ul>	<p>The text and design of the proposed sign to be in scale, proportion and form.</p>
7. Illumination	<ul style="list-style-type: none"> <li>Would illumination result in unacceptable glare?</li> <li>Would illumination affect safety for pedestrians, vehicles or aircraft?</li> <li>Would illumination detract from the amenity of any residence or other form of accommodation?</li> <li>Can the intensity of the illumination be adjusted, if necessary?</li> <li>Is the illumination subject to a curfew?</li> </ul>	<p>Signage is to be illuminated. Condition accordingly illumination to maintain consistency with 'Zone 2' of the Department of Planning and Environment - Transport Corridor Outdoor Advertising and Signage Guidelines: November 2017.</p>
8. Safety	<ul style="list-style-type: none"> <li>Would the proposal reduce the safety for any public road?</li> <li>Would the proposal reduce the safety for pedestrians or bicyclists?</li> <li>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</li> </ul>	<p>Signage does not reduce the safety for any public road.</p> <p>Signage will not reduce the safety for pedestrians or bicyclists.</p> <p>Signage does not reduce pedestrian safety by obscuring sightlines from public areas.</p>

Overall, it is considered the signage complies with the plan objectives and the assessment criteria in Schedule 5.

SEPP (Sustainable Buildings) 2022


Section J Energy Efficiency for Class 5 to 9 buildings will apply to the proposed new building work. The proposed building will be required to comply with the energy efficiency provisions, as applicable in its particular circumstance.

Such detail regarding Section J compliance will need to be provided with the Construction Certificate application.

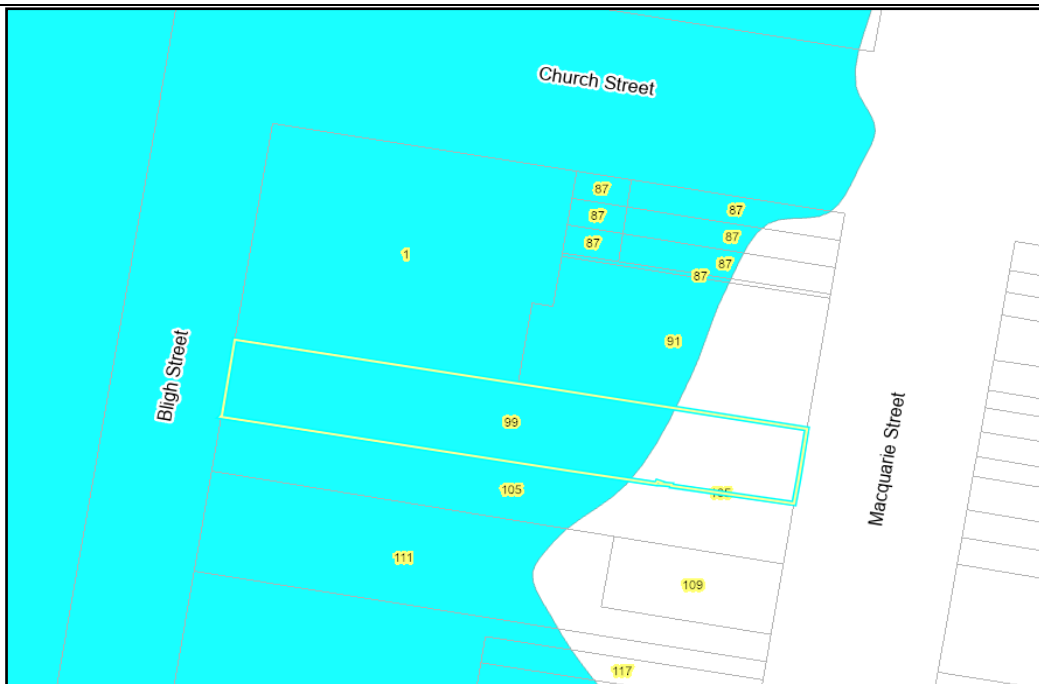
Dubbo Regional Local Environmental Plan 2022

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.

	Complies
<b>Part 1 Preliminary</b>	
<b>Clause 1.2 Aims of the Plan</b>	
The proposed development is not contrary to the relevant aims of the Plan.	Yes
<b>Clause 1.4 Definitions</b>	
The proposed development comprises <i>mixed use development, commercial premises - retail premises and business premises</i> , which are defined as:	Yes
<b>mixed use development</b> means a building or place comprising 2 or more different land uses.	
<b>Commercial premises</b> , means any of the following: (a) <i>business premises</i> , (b) <i>office premises</i> , (c) <i>retail premises</i> .	
<b>business premises</b> means a building or place at or on which— a) <i>an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or</i> b) <i>a service is provided directly to members of the public on a regular basis,</i> <i>and includes funeral homes, goods repair and reuse premises and, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, betting agencies and the like, but does not include an entertainment facility, home business, home occupation, home occupation (sex services), medical centre, restricted premises, sex services premises or veterinary hospital.</i>	
<b>Retail premises</b> means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and includes any of the following— (a), (b) <i>(Repealed)</i> (c) <i>food and drink premises</i> , (d) <i>garden centres</i> , (e) <i>hardware and building supplies</i> , (f) <i>kiosks</i> , (g) <i>landscaping material supplies</i> , (h) <i>markets</i> , (i) <i>plant nurseries</i> , (j) <i>roadside stalls</i> ,	

<p>(k) rural supplies, (l) shops, (la) specialised retail premises, (m) timber yards, (n) vehicle sales or hire premises,</p> <p>but does not include farm gate premises, highway service centres, service stations, industrial retail outlets or restricted premises.</p> <p><b>food and drink premises</b> means premises that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises, and includes any of the following:</p> <p>(a) a restaurant or cafe, (b) take away food and drink premises, (c) a pub, (d) a small bar.</p>	
<p><b>Clause 2.2 Zoning of land to which Plan applies</b></p>	
<p>The site is zoned E2 - Commercial Centre as show in <b>Figure 6</b>.</p>  <p><b>Figure 6: Land Zoning</b></p>	<p>Yes</p>
<p><b>Clause 2.3 Zone objectives and Land Use Table</b></p>	
<p>The proposal is permissible in the zone with consent. The proposal is consistent with the following zone objectives:</p> <ul style="list-style-type: none"> <li>To strengthen the role of the commercial centre as the centre of business, retail, community and cultural activity.</li> <li>To encourage investment in commercial development that generates employment opportunities and economic growth.</li> <li>To encourage development that has a high level of accessibility and amenity, particularly for pedestrians.</li> <li>To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.</li> <li>To ensure Dubbo central business district continues to be the commercial and retail centre of the region.</li> <li>To encourage commercial development along the Dubbo river corridor.</li> </ul>	<p>Yes</p>

While not contrary to, the zone objectives regarding residential development and the Wellington Town Centre are not applicable in this instance.	
<b>Part 5 Miscellaneous provisions</b>	
<b>Clause 5.10 Heritage conservation</b>	
<p><u>European Heritage</u></p> <p>While there are no heritage items located on site, there is one state and a number of locally listed heritage items located in the vicinity of the development site, including:</p> <ul style="list-style-type: none"> <li>• Former Bank of NSW - 87 Macquarie Street (now Westpac) - Heritage Item 143;</li> <li>• Macquarie Chambers and Commercial Officers - 67-69 Macquarie Street - Heritage Items 141 and 142;</li> <li>• Colonial Mutual - 116 Macquarie Street - Heritage Item 148 (state significance);</li> <li>• N&amp;N Chambers - 20 Church Street - Heritage Item 69;</li> <li>• CBC Bank - 110 Macquarie Street - Heritage Item 146;</li> <li>• Fishers Corner - 122-126 Macquarie Street - Heritage Item 149; and</li> <li>• Post Office (former) - 98 Macquarie Street - Heritage Item 145.</li> </ul> <p>While there is no strategic guidance as to the future amenity of this area of the Dubbo commercial centre in terms of height and/or FSR, the proposed development represents a new built form and scale which incorporates a modern design which is emerging in this locality.</p> <p>It is not considered that the proposed development will compromise the heritage integrity of these items.</p> <p><u>Aboriginal Heritage</u></p> <p>While the site is located in a highly sensitive area (in close proximity to the Macquarie River) no aboriginal sites are likely to be found on this fully developed and highly disturbed site. Standard condition recommended regarding any Aboriginal archaeological material being discovered during demolition works.</p>	<p>Yes</p> <p>Yes</p>
<b>Clause 5.14 Siding Spring Observatory – maintaining dark sky</b>	
<p>The objective of this Clause is to protect observing conditions at the Siding Spring Observatory by promoting lighting practices that minimise light pollution. In specific relation to subclauses (2) &amp; (7), the proposed development will not provide a significant level of light spill or glare and is therefore 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>Standard condition(s) for lighting to be included regarding shielding and the types of lights proposed.</p>	Yes
<b>Clause 5.21 Flood planning</b>	
Part of the site is identified as being Flood Prone Land on Council's LEP map, being below the 1% AEP event level of 262.5mAHD as shown in <b>Figure 7</b> .	



**Figure 7: Flood Mapping**

The Flood Impact Risk Assessment submitted in support of this application identified that based on flood modelling:

- There are minor changes in the extents of hazard categories external to the subject site (approximately 0.02m downstream); and
- The primary difference is the increase in hazard in the car parking Level 2 during excavation.

Based on these conclusions, it is considered proposed development will have a minimal impact on flood characteristics of the locality. However, this needs to be considered in relation to the safe evacuation routes for occupants on the premises during a flood event. It also has implications for any car parking, store-rooms and/or any other facilities on lower levels which will be inundated to a depth of several metres in the 1% AEP flood event.

There are currently a number of different flood studies and Reports that have evolved in the consideration of flooding of this site as outlined in **Table 2**.

<b>TABLE 2 – Documents Specifying Flood Levels</b>	
<b>Document</b>	<b>Adopted by Council</b>
Council Flood Prone Land Policy -Appendix B (March 2013)	Yes
Cardno Flood Study (March 2012)	No
Cardno Flood Advice - 1 Church Street (16 November 2017)	No
Cardno Compilation of Flood Studies Addendum (10 January 2019)	Yes - for assessment of DA's only
Stantec Aust. Flood Impact & Risk Assessment Report (26 June 2023)	No

The Stantec Flood Impact and Risk Assessment Report submitted in support of this application, undertook its modelling based on a 2021 floodplain model developed to incorporate updated floodplain information and importantly, incorporation of the new River Street bridge currently under construction.

**Table 3** provides a comparison of flood levels from the previously studies/reports for comparison purposes.

**TABLE 3 – Flood Level Comparisons**

Document	1% AEP (mAHD)	
Council Flood Prone Land Policy -Appendix B (March 2013)	262.50	2
Cardno Flood Study (March 2012)	263.02	2
Cardno Flood Advice - 1 Church Street (16 November 2017)	263.25	2
Cardno Compilation of Flood Studies Addendum (10 January 2019)	263.07	2
Stantec Aust. Flood Impact & Risk Assessment Report (26 June 2023)	<b>263.20</b>	2

The proposed car park (Level 2) – 257.1m AHD and storage area (Level 1) – 261.02m AHD will be inundated at the 1% AEP event of 263.20mAHD.

During inundation there is the expectation that some of the building's services will be damaged by flood water as it inundates the two lower levels. In this regard, it may be necessary for appropriate valves, circuit breakers etc., to be provided in accessible areas above the 1% AEP flood level to permit services to be isolated when and where necessary, during flood events. A condition is recommended that the critical building services be located above the 1% AEP event of 263.20m.

**Part 7 Additional local provisions**

**Clause 7.2 Earthworks**

The proposed development will require earthworks to be undertaken upon the site. Erosion and sediment control measures are required before any earthworks commence in which a condition to this effect will be conditioned.

Yes

**Clause 7.5 Groundwater vulnerability**

The subject site is included on the Natural Resource - Groundwater Vulnerability Map. The proposed demolition and excavation however, is not likely to cause groundwater contamination nor will it have a cumulative impact on groundwater or effect on any groundwater dependent ecosystems.

Yes

**Clause 7.7 Airspace operations**

The Obstacle Limitation Surface (OLS) allows a building height of up to 325m AHD. The finished floor level of the site is 257.1m AHD. The submitted plans for the proposed development has a maximum development height of 22.72m, being to the lift over run. This represents a height of 279.82m AHD being 45.18 metres below the surface map.

Yes

*(a)(ii) Draft Environmental Planning instruments*

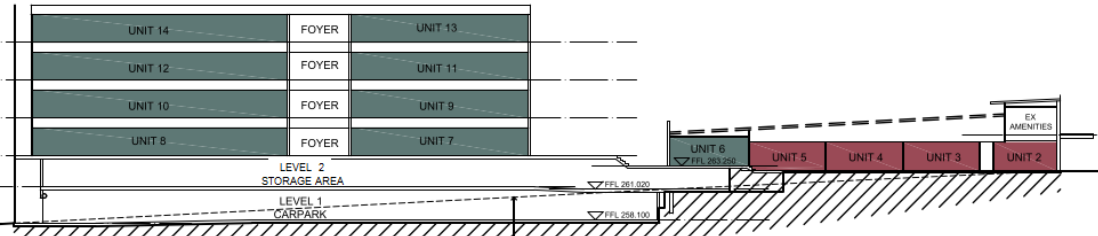
No draft environmental planning instruments apply to the land to which the Development Application relates.

*(a)(iii) Development control plans*

Dubbo Development Control Plan 2013

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

Chapter 2.2 Commercial Development and Subdivision

Chapter 2.2 Commercial Development and Subdivision				Complies
Element 1 Element 1: Set-back				Yes
Eastern - Macquarie Street (front)				
Level	DCP Setback	Proposed Setback	Complies	
Ground Floor	Boundary	Existing	Yes	
The slope of the site has been a key consideration in the design and final form of the building. As can be seen from site cross section in <b>Figure 8</b> , the bulk of the proposed mixed use development is setback behind the existing development fronting Macquarie Street which is in excess of the prescribed three (3) metres for Level 3 to Level 6 and does not alter or impact the existing setback to Macquarie Street.				
				
Figure 8: Site Cross Section				
Northern (side)				
Level	DCP Setback	Proposed Setback	Complies	
Ground Floor	Boundary	Boundary	Yes	
Level 1 to 2 - Car parking / Storage	Boundary	Boundary	Yes	
Level 3 to 6 - Commercial	3m <sup>Note 1</sup>	3.02m	Yes	
<b>Note 1:</b> The side boundary set-back is a zero set-back except where development adjoins residential development, the side boundary set-back shall be at least 3 m at the first floor level and above				
Southern (side)				
Level	DCP Setback	Proposed Setback	Complies	
Ground Floor	Boundary	Boundary	Yes	
Level 1 to 2 - Car parking / Storage	Boundary	Boundary	Yes	
Level 3 to 6 - Commercial	3m <sup>Note 1</sup>	Boundary	Yes	
<b>Note 1:</b> The side boundary set-back is a zero set-back except where development adjoins residential development, the side boundary set-back shall be at least 3 m at the first floor level and above				
Western - Bligh Street (rear) <sup>Note 2</sup>				
Level	DCP Setback	Proposed Setback	Complies	
Level 1 to 2 - Car parking / Storage	BCA Compliance	Boundary	Yes	
Level 3 to 6 - Commercial	BCA Compliance	1.6m	Yes	
<b>Note 2:</b> Sufficient to ensure development can be adequately serviced without impacting the operations of adjoining development.				
The objective of Element 1: Setbacks is:				
<ul style="list-style-type: none"><li>To ensure that adequate area is available to accommodate landscaping as appropriate;</li><li>To reduce the visual impact of large commercial developments on the streetscape; and</li><li>To reduce the impact upon adjoining non-commercial development where applicable.</li></ul>				

<p>Within the E2 zone, the side boundary set-back is a zero set-back except where development adjoins residential development, the side boundary set-back shall be at least 3m at the first floor level and above.</p> <p>The development proposes a 3.02m setback along the northern setback given the approved residential component (72 units) of the mixed use development at 1 Church Street. Noting the existing carparking area along the southern boundary including the width of the adjoining property (10m), the proposed zero building setback will not adversely impact future development potential of this site.</p> <p>The proposed rear setback from Bligh Street will not impede the operations of the road network with amended detail submitted showing the turning paths for largest size vehicle (5.2m in length) to enter and exit the development from the correct side of Bligh Street and in a forward direction.</p> <p>The proposal includes articulated elevation treatments and façade elements such as horizontal louvres, battens, clear glazing, variation in façade depth through individual balconies, which breaks up the building bulk and visual mass.</p>	
<b>Element 2 Building design</b>	
<p>While there is no strategic guidance as to the future amenity of this area of the Dubbo commercial centre in terms of height and/or FSR, the proposed development represents a new built form and scale which incorporates a modern design which is emerging in this locality.</p> <p>The proposed development demonstrates a modern commercial frontage incorporating a mix of external materials (metal cladding, face brick and concrete tilt panels) that are coordinated to provide visual interest, architectural features and elements. Pedestrian access to the building is available from Bligh Street and Macquarie Street which is clearly delineated without impacting on the operation of the proposed and adjoining developments.</p> <p>The proposal has implemented the Crime Prevention Through Environmental Design principles to ensure a safe environment for the public, workers, visitors, residence and guests at site.</p>	Yes
<b>Element 3 Landscaping</b>	
<p>Given the commercial nature of the proposed development, limited onsite landscaping opportunities are available. As a means of improving the public domain and activating the internal passageway / atrium which provides pedestrian connection from Macquarie Street on Level 3 landscaping is proposed. There are also landscaping details provided for balconies of the development.</p>	Yes
<b>Element 4 Vehicular access and parking</b>	
<p>The development proposes vehicle access to Carpark Level 2, a two way entry and exit driveway from Bligh Street.</p> <p>The proposal provides a total of thirteen (13) car parking spaces inclusive of two (2) accessible spaces. Car parking spaces will be clearly signposted or marked to denote designated commercial tenants. The provisions of car parking are discussed in detail under Chapter 3.5 – Car parking.</p> <p>Due to the scale of the proposed development and nature of the urban core, all loading and unloading of goods related to the development proposal shall be carried out within the confines of the allotment's boundary. Condition accordingly.</p>	Yes
<b>Element 5 Fencing and security</b>	
<p>There is no perimeter fencing proposed with the development. Ground floor commercial areas are designed to be open to minimise risk of anti-social behaviour.</p>	Yes
<b>Element 6 Design for access and mobility</b>	
<p>Accessible and continuous path are provided to and from the building and accessible car parking areas. Facilities such as accessible car parking spaces and accessible toilet facilities at each level are provided in accordance to AS 1428. See Chapter 3.1 Access and Mobility for detail.</p>	Yes

<b>Element 7 Waste Management</b>	
<p>Waste will be managed via garbage bins located on proposed Level 2 within two designated storage areas screened from the car parking spaces. The bins will be wheeled to Macquarie Street and Bligh Street for Council collection.</p> <p>Condition accordingly that garbage bins used to store garbage in the bin rooms to be collected by waste collection.</p> <p>The applicable trade waste application will be sought in accordance with Council's requirements.</p>	Yes
<b>Element 8 Soil, water quality and noise management</b>	
<p>The site will require erosion and sediment control throughout the construction phase. The erosion and sediment control will be required to be maintained throughout the duration of the works. Condition accordingly.</p> <p>The impact of noise on surrounding development will be evident during construction of the development and ongoing operation of the commercial aspects of the development. However, any likely noise impacts associated with construction can be managed. Condition accordingly.</p> <p>The ongoing operation of the development has been assessed through a supporting acoustic report as capable of complying with all relevant acoustic criteria through means of standard acoustic treatment and management.</p>	Yes
<b>Element 9 Signage and advertising</b>	
<p>The proposed business identification signage is considered to be appropriate for the development as discussed under Chapter 3 – Advertising and Signage of SEPP (Industry and Employment) 2021.</p>	Yes
<b>Element 10 Services</b>	
<p>The site is improved with existing connections to water supply, sewerage, electricity, stormwater management and telecommunication infrastructure.</p> <p>An existing 150mm dia Council water main is located along Macquarie Street and another 100mm dia water main is located along Bligh Street Road frontage. Council's Water and Sewer Branch is currently investigating the water pressure at Macquarie Street and Bligh Street whether the proposed development can be serviced from the existing water mains or if the water main needs to be upgraded.</p> <p>An existing 150mm dia Council sewer main is in Macquarie Street with a sewer junction connection servicing the existing building.</p> <p>Council's existing 450mm dia stormwater line is located along Macquarie Street and another 375mm dia stormwater main is located on western side of Bligh Street within Ollie Robins Oval.</p> <p>Condition accordingly that prior to the issue of the Construction Certificate, full and detailed hydraulic design calculations and drawings of the proposed water connection and stormwater drainage system be submitted to and approved by Council's Infrastructure Strategy and Design team.</p>	Yes

## Chapter 3.1 Access and Mobility

### *Section 3.1.2 Legislative Requirements*

The Application will be assessed against the Premises Standards in the Access Code under the Disability Discrimination Act 1992. The plans themselves are not sufficient to conduct a detailed assessment as to the building's compliance with the Access Code and will be required with the Construction Certificate Application. However, a basic assessment can still be made to determine any obvious non-conformities that may be required to be amended prior to development approval.

### *Section 3.1.8 Development Controls*

#### *Design Element 1 – Access Routes and Entrances*

Plans show public pedestrian access to the ground floor commercial areas will be via ramps or a lift, thereby enabling access for all abilities to all building storeys.

#### *Design Element 2 – Access to Internal Facilities*

An overview of the proposed floor plans show that disabled access to all internal components of the development will be able to be achieved. This includes common accessible toilet facility.

Specific details of the sanitary facility, door widths, rail heights etc., will be required with the Construction Certificate Application. An appropriate notation will be included on the consent outlining this requirement.

#### *Design Element 3 – Car Parking and Setdown Areas*

Plans show the provision of two disabled car parking spaces to be provided. The dimensions of these spaces appear to comply with the Premises Standards (i.e. 2.4 metre wide parking space and 2.4 metre wide 'shared zone'). Plans also show a continuous path of travel via concrete sealed driveways and lifts to other components of the development.

#### *Design Element 4 – Public Spaces*

An overview of the proposed floor plans

Plans show public pedestrian access to all public spaces via ramps or a lift, thereby enabling access for all abilities to all building storeys.

Chapter 3.5 Parking

Use	Rate	NLA*	Requirement
Commercial	1/40m <sup>2</sup>	1,407.9m <sup>2</sup>	35.2
Retail	1/25m <sup>2</sup>	200m <sup>2</sup>	8
<b>Total</b>			<b>43</b>

Note: \*NLA was calculated excluding amenities (toilets), stairways and storage area.

Thirteen carparking spaces have been provided on site, leaving a shortfall of 30 spaces. In accordance with Council's adopted amended Section 94 Contributions Plan - Roads, Traffic Management and Car Parking, where a development cannot provide the required car parking spaces on site, a contribution of \$29,624.55 per space (exclusive of land costs) will be charged for the number of spaces that are deficient.

The proponent is aware of this policy requirement and proposed condition.

Flood-Prone Land Policy

Section 5.1 of the Flood Prone Land Policy notes that increased development can occur in the CBD with negligible impact on flood levels and velocity. It is noted that the existing flood storage on the site will not be reduced, and the development will not adversely affect flood behaviour in the surrounding properties. Historic floods have affected the CBD of Dubbo, most notably in 1955, 1990 and 2010. A condition is recommended that the critical building services be located above the 1% AEP event.

*(a)(iia) planning agreements*

There are no planning agreements applicable to the subject land.

*(a)(iv) the regulations*

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

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

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

*(c) suitability of the site*

Context, setting and public domain

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

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

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

It is considered the external appearance of the proposed development is deemed appropriate in the context of the locality.

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

It is considered the size and shape of the land is suitable for the proposed development.

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

Most buildings are of one or two storeys. The rear of the site is vacant. Most of the buildings in the immediate vicinity of the site are not of such merit that the proposal should respond to them in a particular way.

It is considered that the proposed development given its prominent position, must have its own character, and the functional requirements of a mixed-use components being major determinants of the design supporting visual complexity.

Given the scale and location of the proposed development, amenity and urban design considerations overlap, because the visual relationship between existing and new development is the central locality.

While there is no strategic guidance as to the future amenity of this area of the Dubbo commercial centre in terms of height and/or FSR, the proposed development represents a new built form and scale which incorporates a modern design which is emerging in this locality.

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

It is considered that the proposed development will contribute to the amenity of the public domain, especially Macquarie Street, with its wide footpaths and shady trees being maintained.

Environmental considerations

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

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

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

The impact of noise on surrounding development will be evident during construction of the development and ongoing operation of the commercial aspects of the development.

As part of the submitted demolition management plan, any likely noise impacts can be managed. Notwithstanding, it is proposed to condition any consent to restrict noise during construction and operations.

Access, transport and traffic

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

The surrounding road network is considered to have sufficient capacity to cater for additional traffic movements generated by this development noting the following considerations:

- No parking along Bligh Street frontage;
- All the internal vehicle movements shall be 5.2m passenger vehicles only;
- No permanent structure on Macquarie Street Footpath for proposed Street Dining; and
- Reconstruction of footpath including kerb and gutter for full frontage of the development.

#### **CONTRIBUTIONS Section 64 & Section 7.11**

The following contributions plans are available to the subject lot:

- Water and Sewerage Contribution Policy - 2002
- Amended s.94 Contributions Plan - Roads, Traffic Management and Car Parking - 2016
- Amended s.94 Contributions Plan - Urban Stormwater Drainage Headworks - 2019

In the event the application is approved, the following Contributions totalling **\$1,046,076.24** would be payable:

- \$9,710.28 - Water Headworks
- \$4,218.96 - Sewer Headworks
- \$82.74 - Stormwater Contribution
- \$143,327.76 - Urban Roads Headworks Contribution
- \$888,736.50 - Carparking

**Resourcing Implications**

- Nil

**Options Considered**

Council has the following options:

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

This is the preferred option.

2. That the application be deferred for further consideration.

This option will delay the determination of the Development Application.

3. The application be refused for identified reasons.

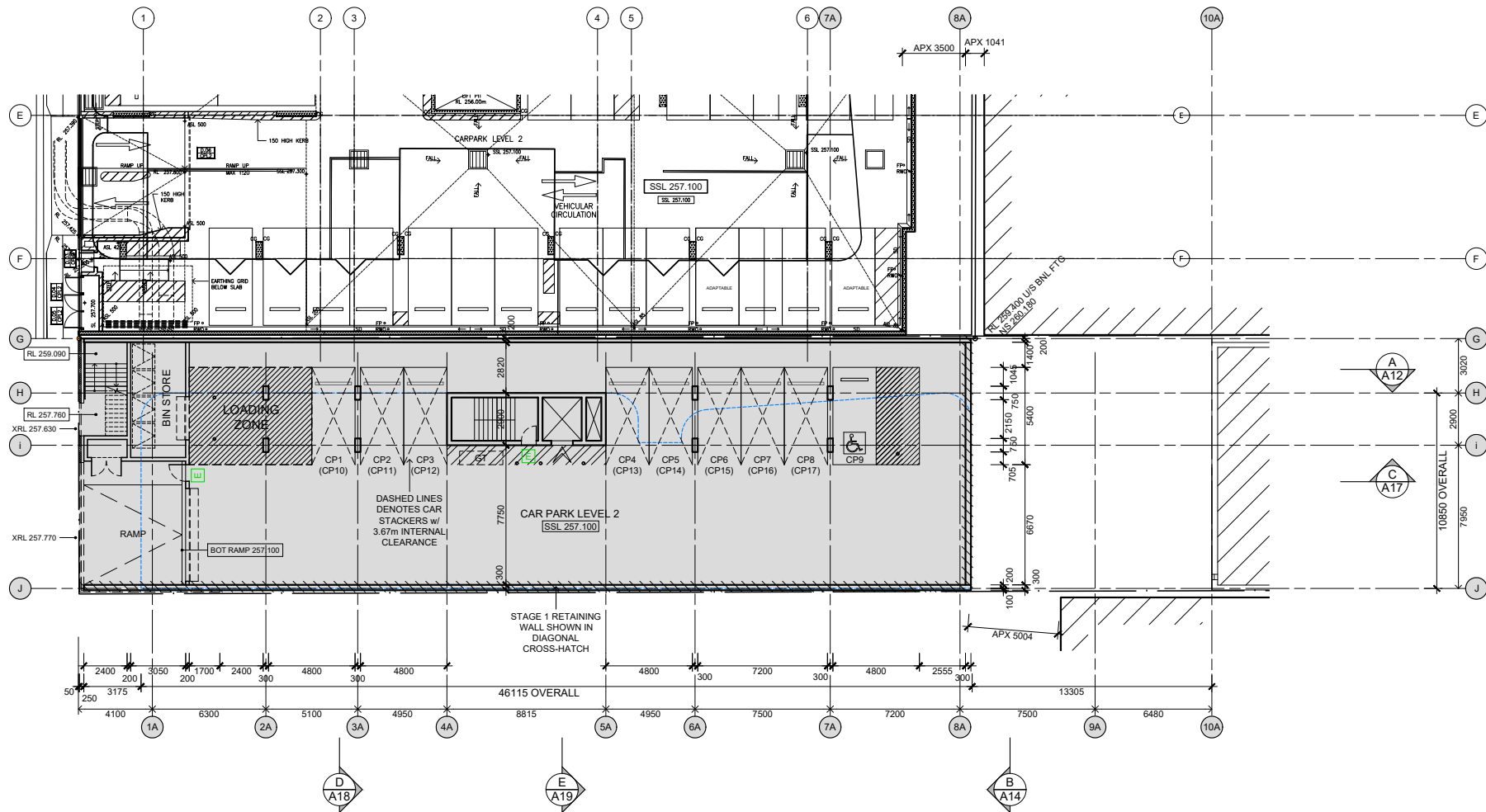
This option may result in an appeal to the Land and Environment Court.

**APPENDICES:**

- 1 [↓](#) Architectural Plans
- 2 [↓](#) Conditions and Notations
- 3 [↓](#) Submission



SHEET: 03 OF 22 SHEETS   OUR REF: 2238 DA2



PROJECT, ADDRESS, CLIENT:  
**PROPOSED ALTERATIONS & ADDITIONS  
AT 99-103 MACQUARIE STREET, DUBBO  
FOR ICANSO PTY LTD & GH DUBBO PTY LTD**

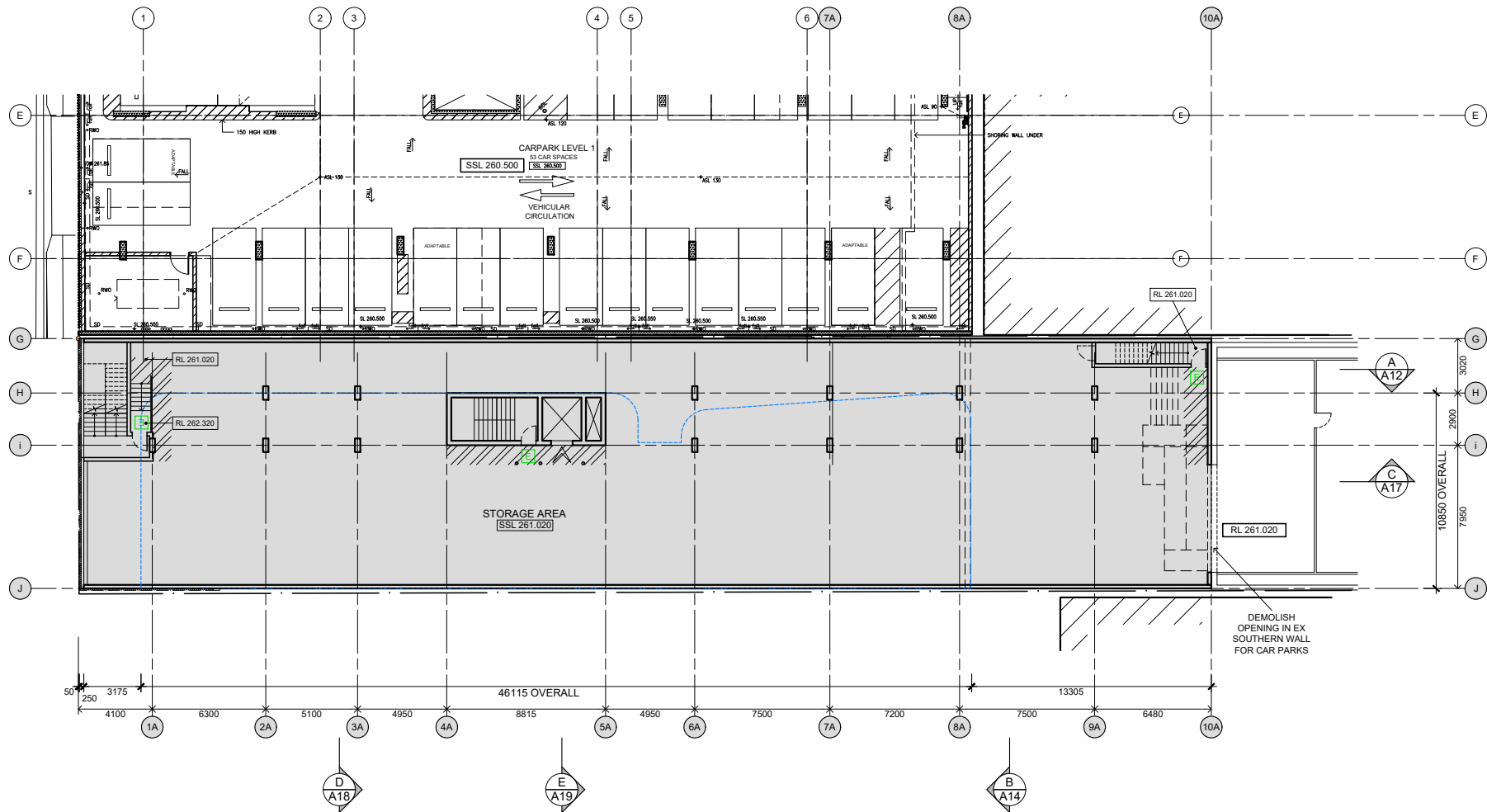
**GENERAL NOTES**  
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REGULATORY COMPLIANCE MANDATORY IN PARTICULAR THE NATIONAL CODE OF CONSTRUCTION AND AUSTRALIAN STANDARDS.

NORTH:

DWG TITLE:  
**PROPOSED FLOOR PLAN:  
CAR PARK LEVEL 2  
(BLIGH STREET)**

DATE: 07/03/2024  
SCALE: 1:200 (A3) 1:100 (A1)  
ISSUE: DA APPROVAL  
SHEET: 05 OF 22 SHEETS

DWG NO: **A05**  
REVISION: A  
OUR REF: 2238 DA2



PROJECT, ADDRESS, CLIENT:  
**PROPOSED ALTERATIONS & ADDITIONS  
AT 99-103 MACQUARIE STREET, DUBBO  
FOR ICANSO PTY LTD & GH DUBBO PTY LTD**

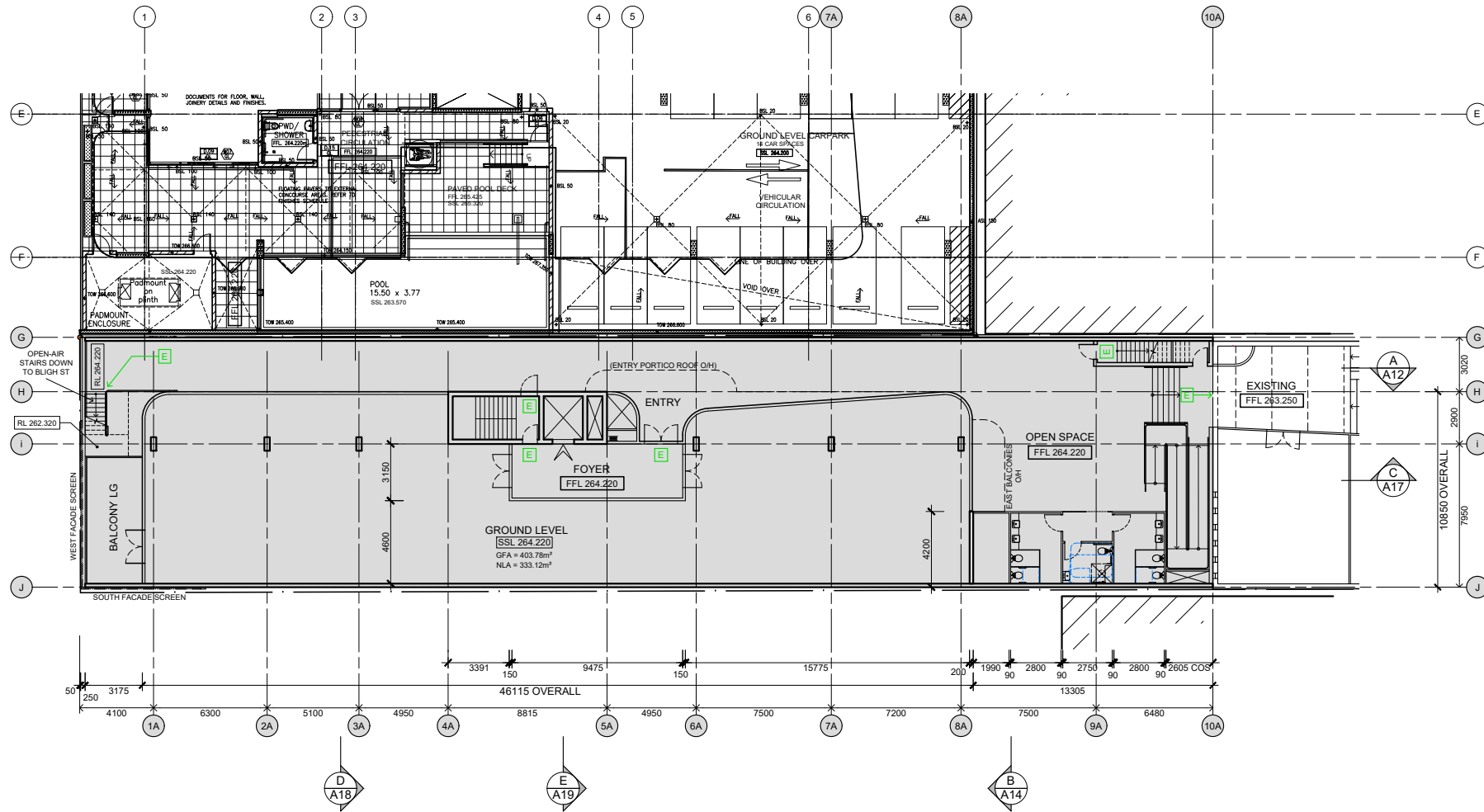
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NORTH:

DWG TITLE:  
**PROPOSED FLOOR PLAN:  
STORAGE AREA  
(CHURCH STREET)**

DATE: 07/03/2024  
SCALE: 1:200 (A3) 1:100 (A1)  
ISSUE: DA APPROVAL  
SHEET: 06 OF 22 SHEETS

DWG NO: **A06**  
REVISION: **A**  
OUR REF: 2238 DA2



PROJECT, ADDRESS, CLIENT:

**PROPOSED ALTERATIONS & ADDITIONS  
AT 99-103 MACQUARIE STREET, DUBBO  
FOR ICANSO PTY LTD & GH DUBBO PTY LTD**

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NORTH:

DWG TITLE:

**PROPOSED FLOOR PLAN:  
GROUND FLOOR  
(PODIUM/MACQ ST)**

DATE: 07/03/2024

DWG NO:

**A07**

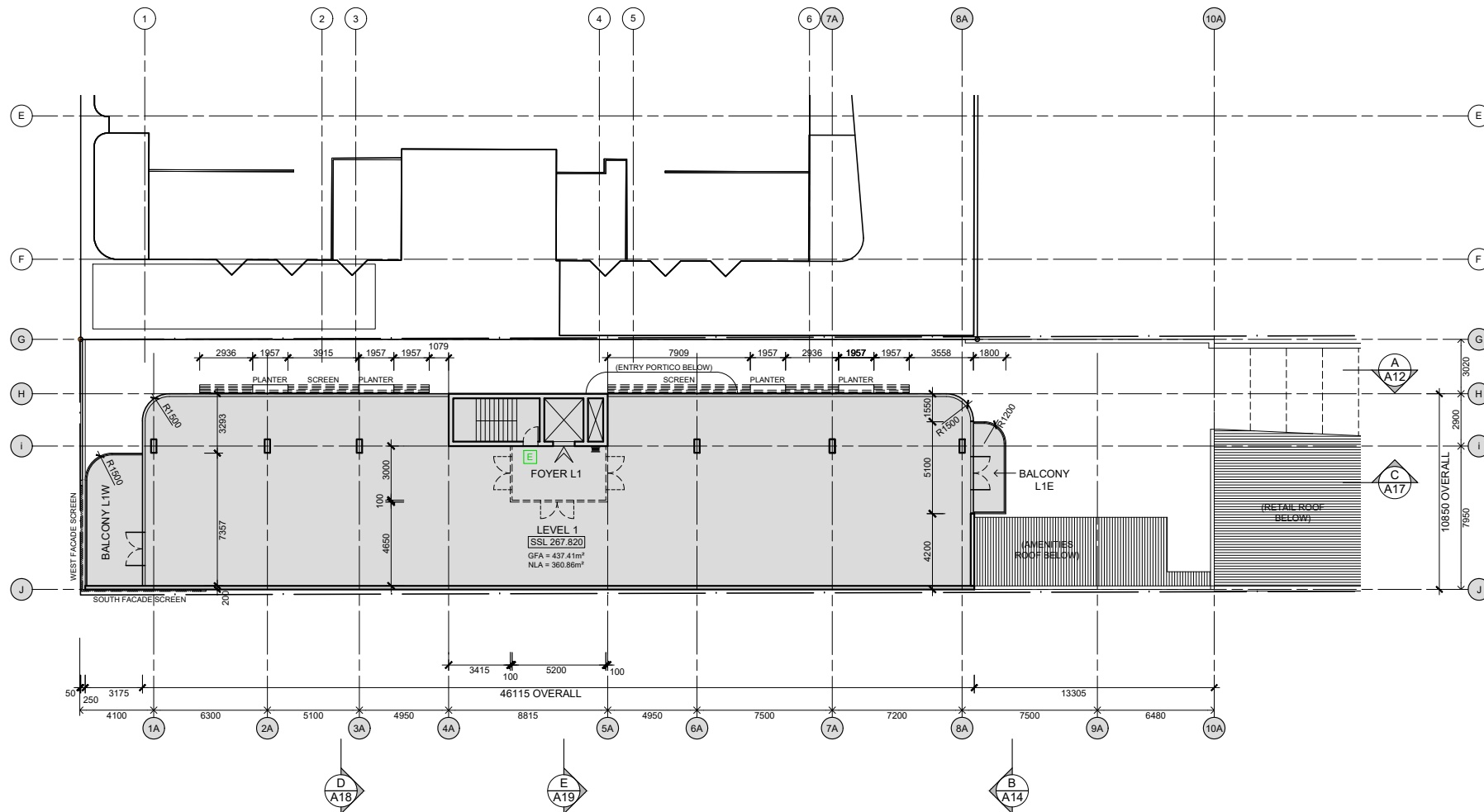
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ISSUE: DA APPROVAL

REVISION: A

SHEET: 07 OF 22 SHEETS

OUR REF: 2238 DA2



PROJECT, ADDRESS, CLIENT:

**PROPOSED ALTERATIONS & ADDITIONS  
AT 99-103 MACQUARIE STREET, DUBBO  
FOR ICANSO PTY LTD & GH DUBBO PTY LTD**

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NORTH:

DWG TITLE:

**PROPOSED FLOOR PLAN:  
LEVEL 1**

DATE: 07/03/2024

DWG NO:

**A08**

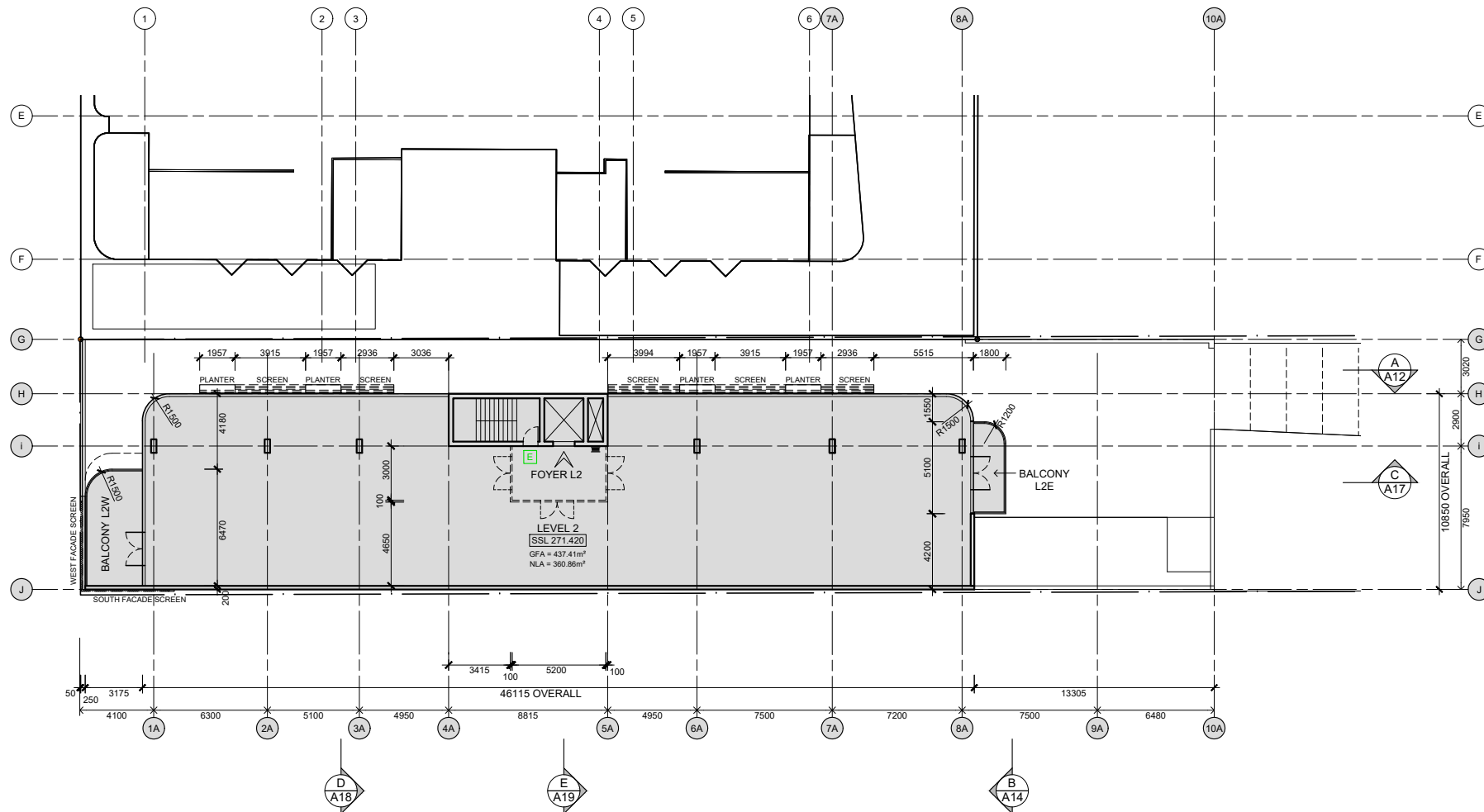
SCALE: 1:200 (A3) 1:100 (A1)

ISSUE: DA APPROVAL

REVISION: A

SHEET: 08 OF 22 SHEETS

OUR REF: 2238 DA2



**BLOOMFIELD  
ELLIOTT  
ARCHITECTS**

Nominated Architect D.Bloomfield  
NSW ARB 7380 PH 0268756331

PROJECT, ADDRESS, CLIENT:

**PROPOSED ALTERATIONS & ADDITIONS  
AT 99-103 MACQUARIE STREET, DUBBO  
FOR ICANSO PTY LTD & GH DUBBO PTY LTD**

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NORTH:

DWG TITLE:

**PROPOSED FLOOR PLAN:  
LEVEL 2**

DATE: 07/03/2024

DWG NO:

**A09**

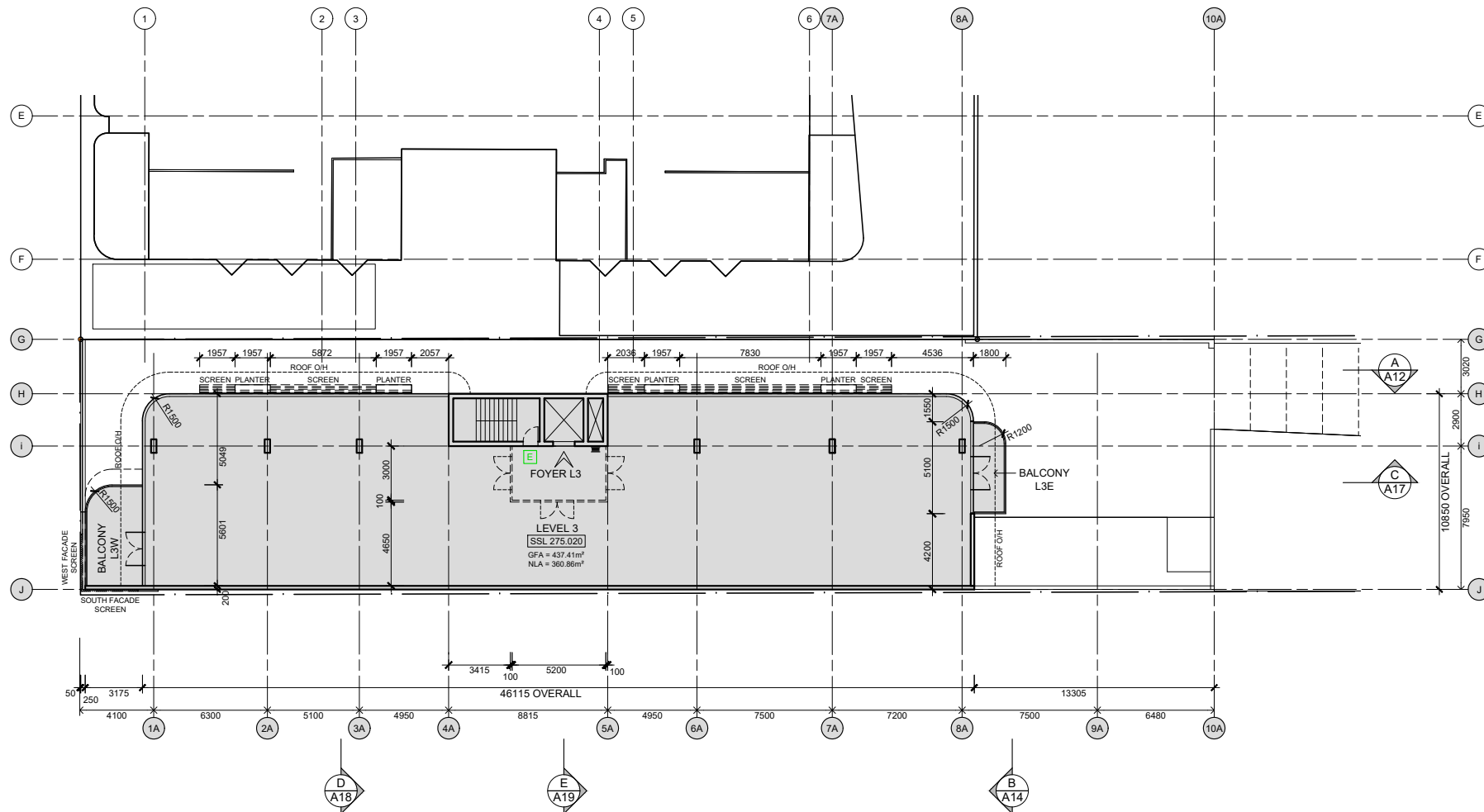
SCALE: 1:200 (A3) 1:100 (A1)

ISSUE: DA APPROVAL

REVISION: A

SHEET: 09 OF 22 SHEETS

OUR REF: 2238 DA2



**BLOOMFIELD  
ELLIOTT  
ARCHITECTS**

Nominated Architect D.Bloomfield  
NSW ARB 7380 PH 0268756331

PROJECT, ADDRESS, CLIENT:

**PROPOSED ALTERATIONS & ADDITIONS  
AT 99-103 MACQUARIE STREET, DUBBO  
FOR ICANSO PTY LTD & GH DUBBO PTY LTD**

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NORTH:

DWG TITLE:

**PROPOSED FLOOR PLAN:  
LEVEL 3**

DATE: 07/03/2024

DWG NO:

**A10**

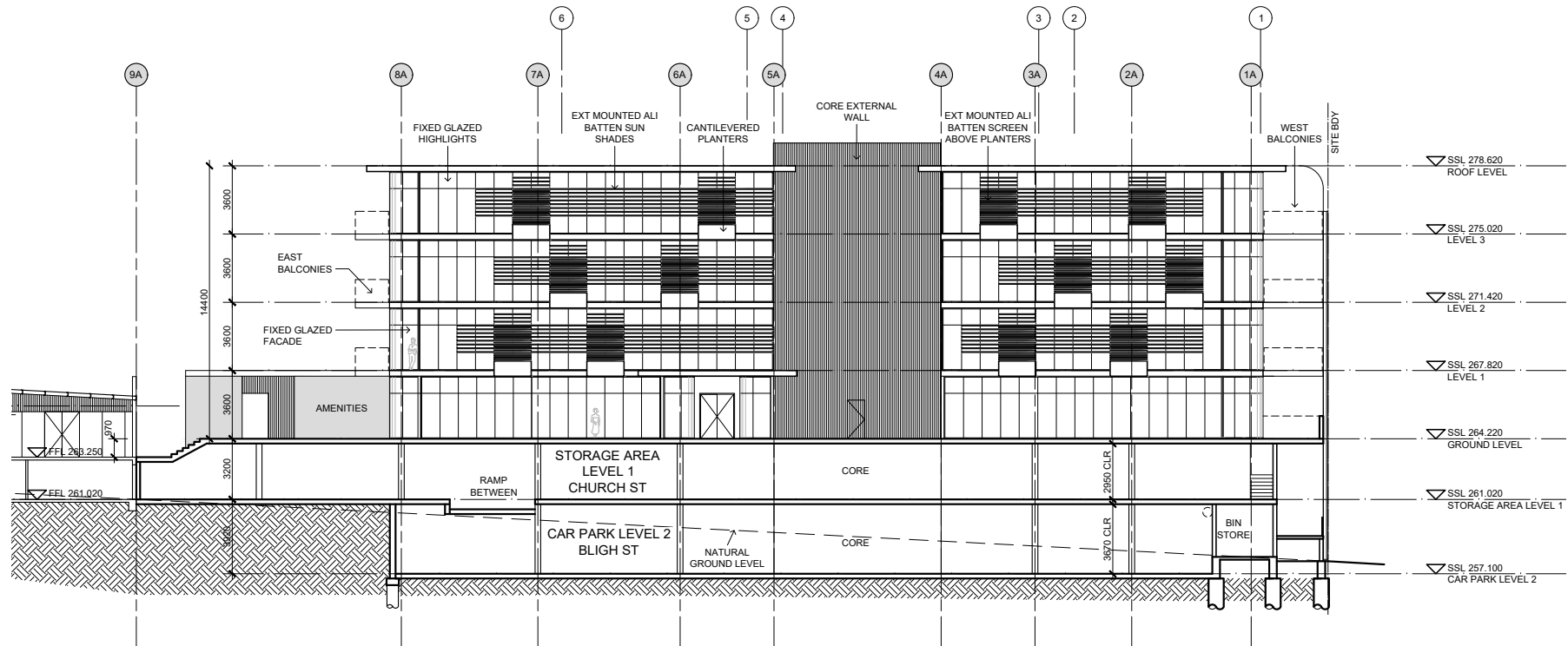
SCALE: 1:200 (A3) 1:100 (A1)

ISSUE: DA APPROVAL

REVISION: A

SHEET: 10 OF 22 SHEETS

OUR REF: 2238 DA2



PROJECT, ADDRESS, CLIENT:

**PROPOSED ALTERATIONS & ADDITIONS  
AT 99-103 MACQUARIE STREET, DUBBO  
FOR ICANSO PTY LTD & GH DUBBO PTY LTD**

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NORTH:

DWG TITLE:

**NORTH ELEVATION  
(SECTION A)**

DATE: 07/03/2024

DWG NO:

**A12**

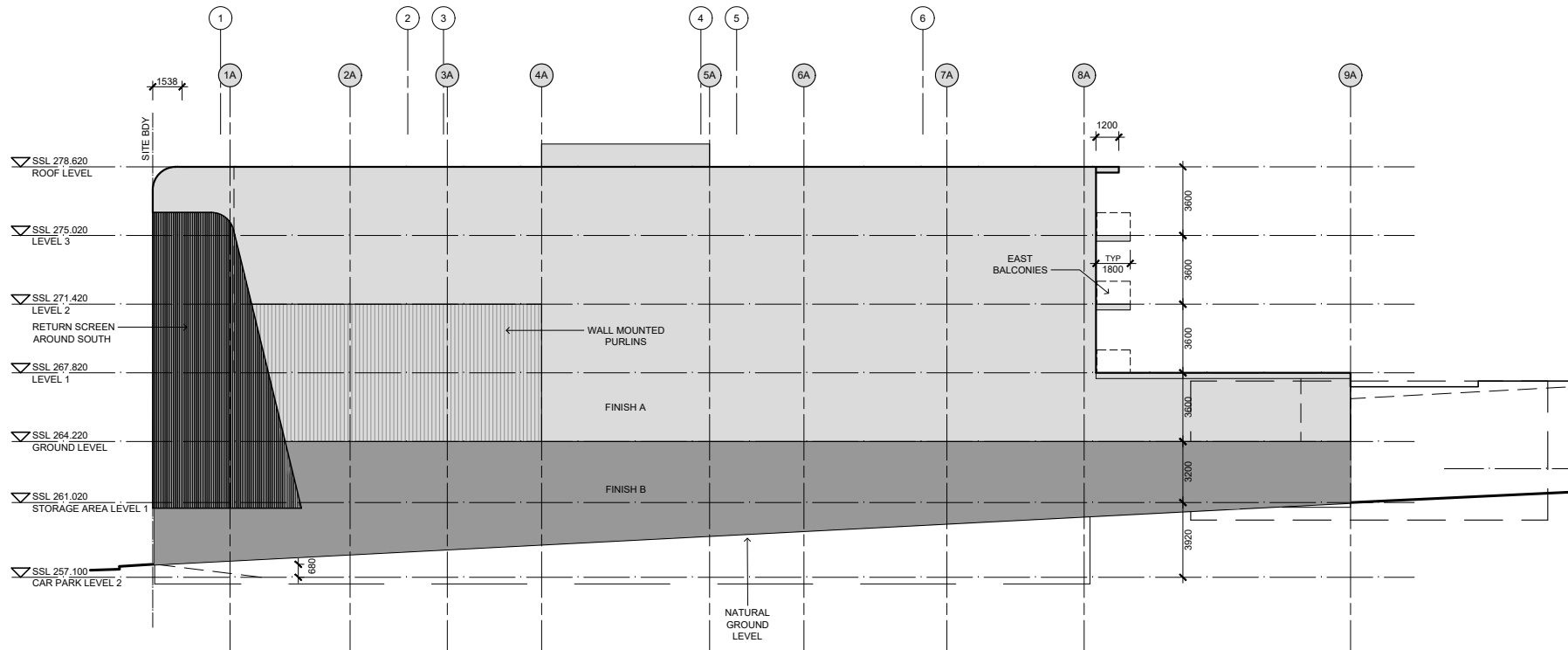
SCALE: 1:200 (A3) &amp; 100 (A1)

ISSUE: DA APPROVAL

REVISION: A

SHEET: 12 OF 22 SHEETS

OUR REF: 2238 DA2



PROJECT, ADDRESS ,CLIENT:

**PROPOSED ALTERATIONS & ADDITIONS  
AT 99-103 MACQUARIE STREET, DUBBO  
FOR ICANSO PTY LTD & GH DUBBO PTY LTD**

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NORTH:

DWG TITLE:

**SOUTH ELEVATION**

DATE: 07/03/2024

DWG NO:

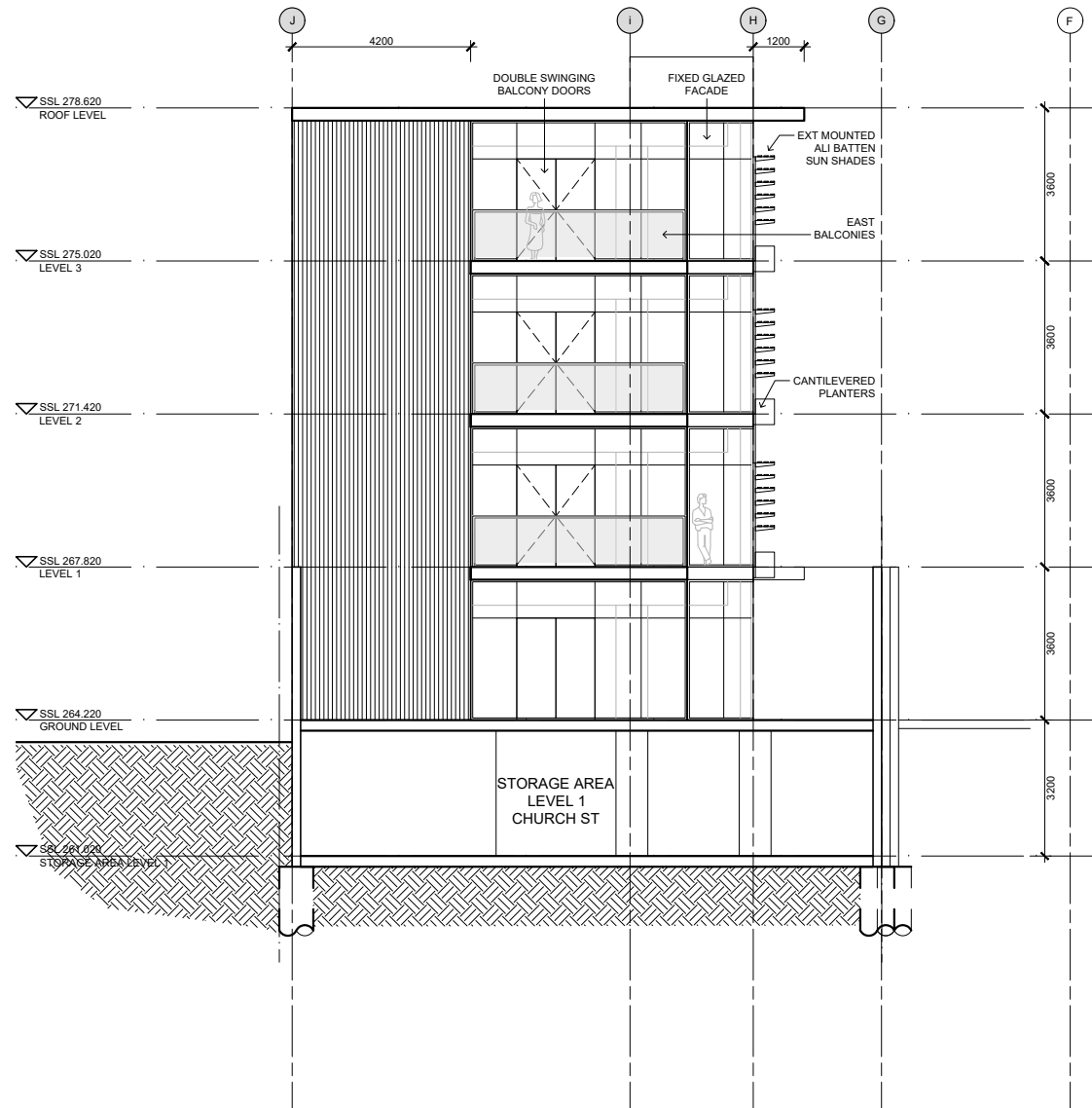
**A13**

SCALE: 1:200 (A3) &amp; 100 (A1)

ISSUE: DA APPROVAL

REVISION: A

SHEET: 13 OF 22 SHEETS OUR REF: 2238 DA2



PROJECT, ADDRESS, CLIENT:

**PROPOSED ALTERATIONS & ADDITIONS  
AT 99-103 MACQUARIE STREET, DUBBO  
FOR ICANSO PTY LTD & GH DUBBO PTY LTD**

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NORTH:

DWG TITLE:

**EAST ELEVATION  
(SECTION B)**

DATE: 07/03/2024

DWG NO:

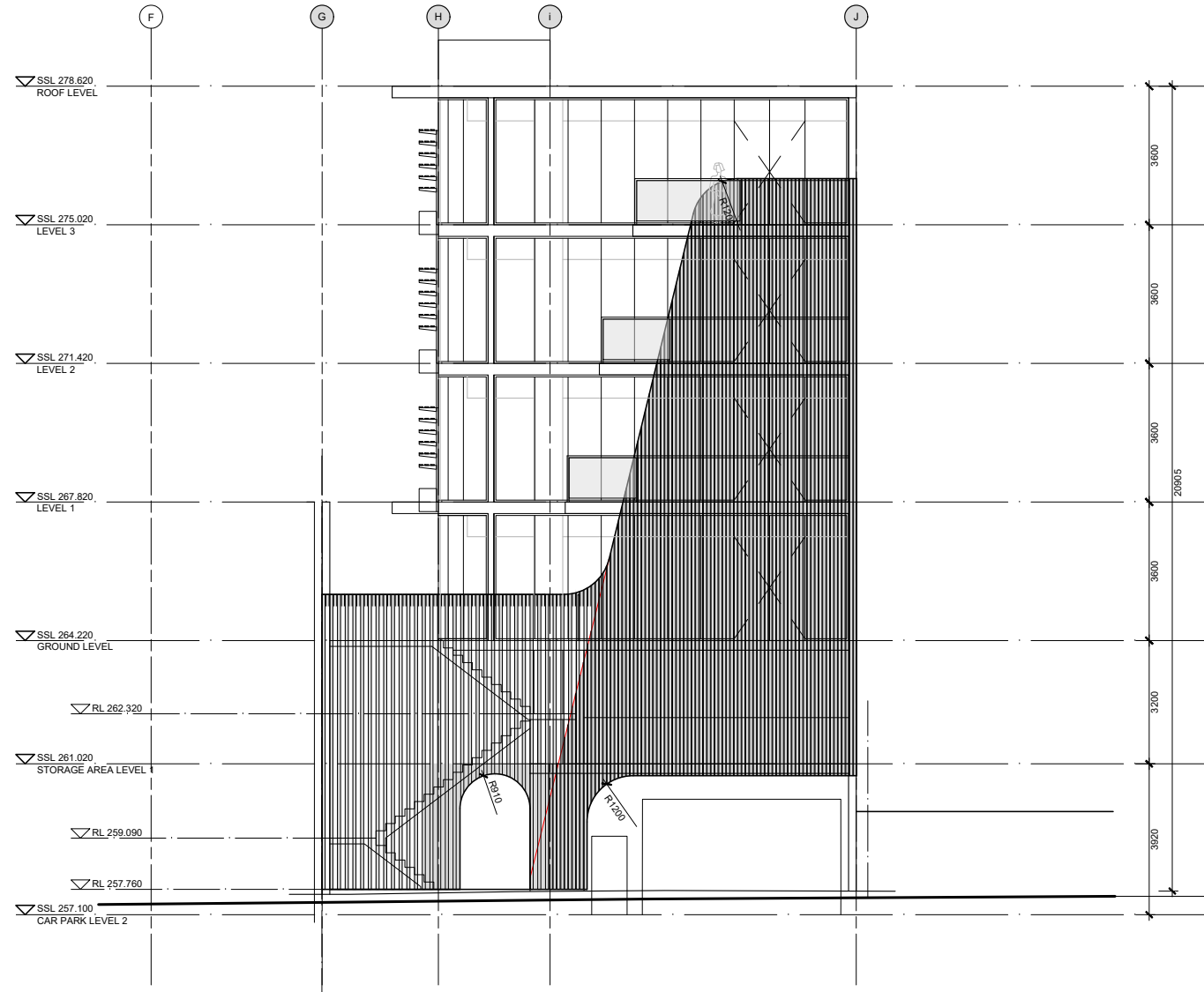
**A14**

SCALE: 1:100 (A3) &amp; 1:50 (A1)

ISSUE: DA APPROVAL

REVISION: A

SHEET: 14 OF 22 SHEETS OUR REF: 2238 DA2



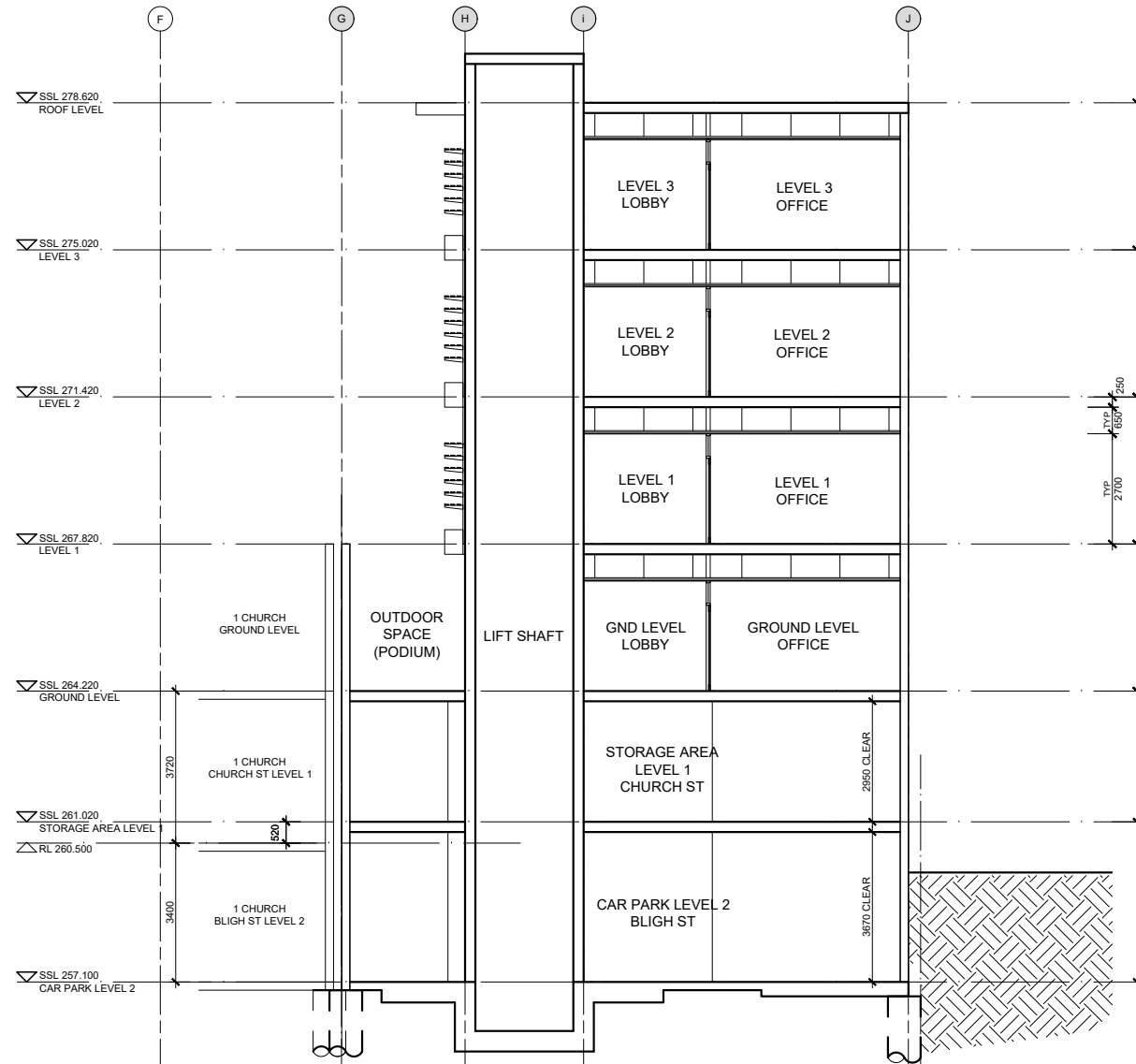
PROJECT, ADDRESS, CLIENT:  
**PROPOSED ALTERATIONS & ADDITIONS  
AT 99-103 MACQUARIE STREET, DUBBO  
FOR ICANSO PTY LTD & GH DUBBO PTY LTD**

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NORTH:

DWG TITLE:  
**WEST ELEVATION  
(INCLUDING SCREEN)**

DATE: 07/03/2024 DWG NO: **A15**  
SCALE: 1:100 (A3) & 1:50 (A1)  
ISSUE: DA APPROVAL REVISION: **A**  
SHEET: 15 OF 22 SHEETS OUR REF: 2238 DA2



PROJECT, ADDRESS, CLIENT:

**PROPOSED ALTERATIONS & ADDITIONS  
AT 99-103 MACQUARIE STREET, DUBBO  
FOR ICANSO PTY LTD & GH DUBBO PTY LTD**

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NORTH:

DWG TITLE:

CROSS-SECTION E

DATE: 07/03/2024

DWG NO:

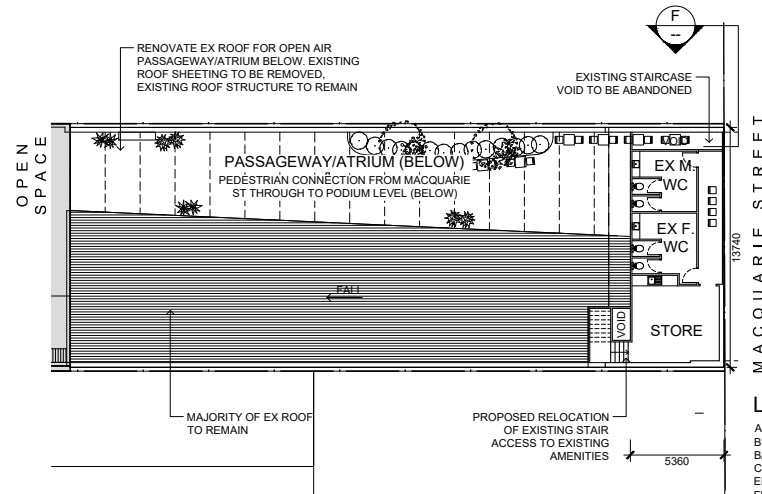
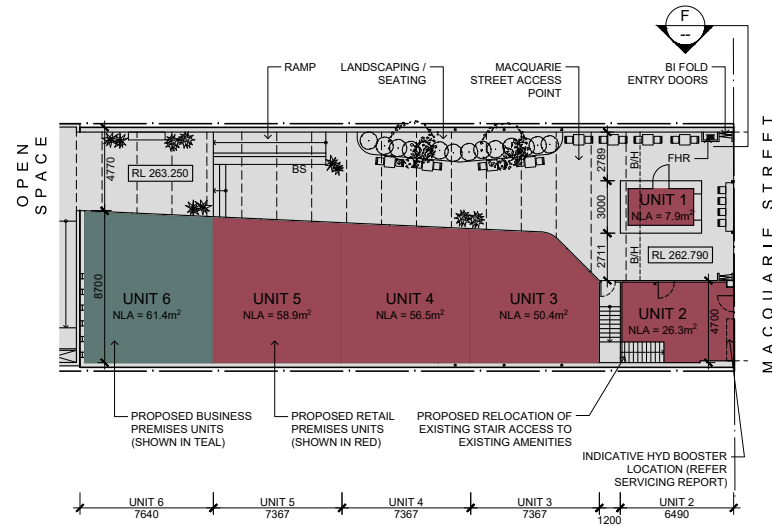
**A19**

SCALE: 1:100 (A3) &amp; 1:50 (A1)

ISSUE: DA APPROVAL

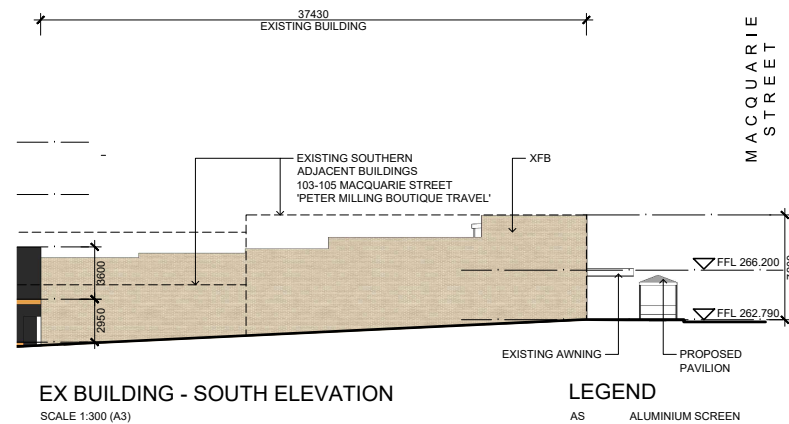
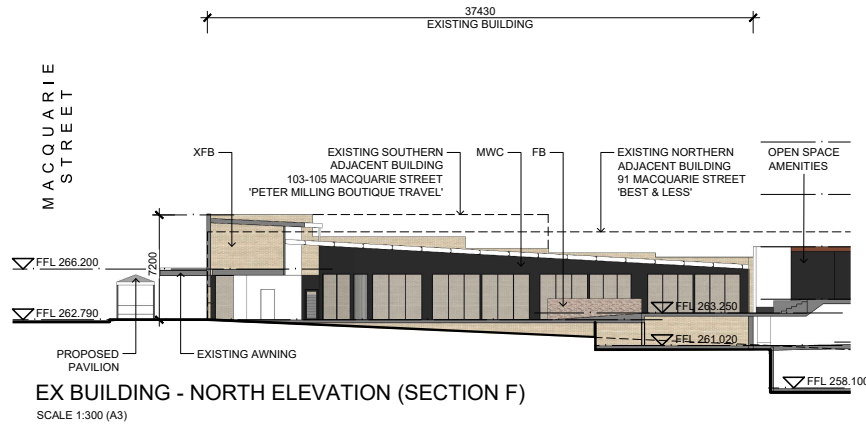
REVISION: A

SHEET: 19 OF 22 SHEETS OUR REF: 2238 DA2



## LEGEND

AS	ALUMINIUM SCREEN
BS	BENCH SEATING
B/H	BULKHEAD
CP	CARPARK
EDB	ELECTRICAL DISTRIBUTION BOARD
FHR	FIRE HOSE REEL
GFA	GROSS FLOOR AREA
HYD	FIRE HYDRANT
NLA	NET LETTABLE AREA
O/H	OVERHEAD
PA	PLANT ALLOCATION
R/D	ROLLERDOOR
SB	SKIP BIN



## LEGEND

AS	ALUMINIUM SCREEN
BS	BUSINESS IDENTIFICATION SIGNAGE
CTP	CONCRETE TILT PANEL
FB	FACE BRICK
MWC	METAL WALL CLADDING
X	EXISTING (WHEN USED AS A PREFIX)



PROJECT, ADDRESS, CLIENT:

**PROPOSED ALTERATIONS & ADDITIONS  
AT 99-103 MACQUARIE STREET, DUBBO  
FOR ICANSO PTY LTD & GH DUBBO PTY LTD**

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NORTH:

DWG TITLE:

**EXISTING BUILDING  
DETAILS - SHEET 1**

DATE: 07/03/2024

SCALE: 1:250 (A3)

ISSUE: DA APPROVAL

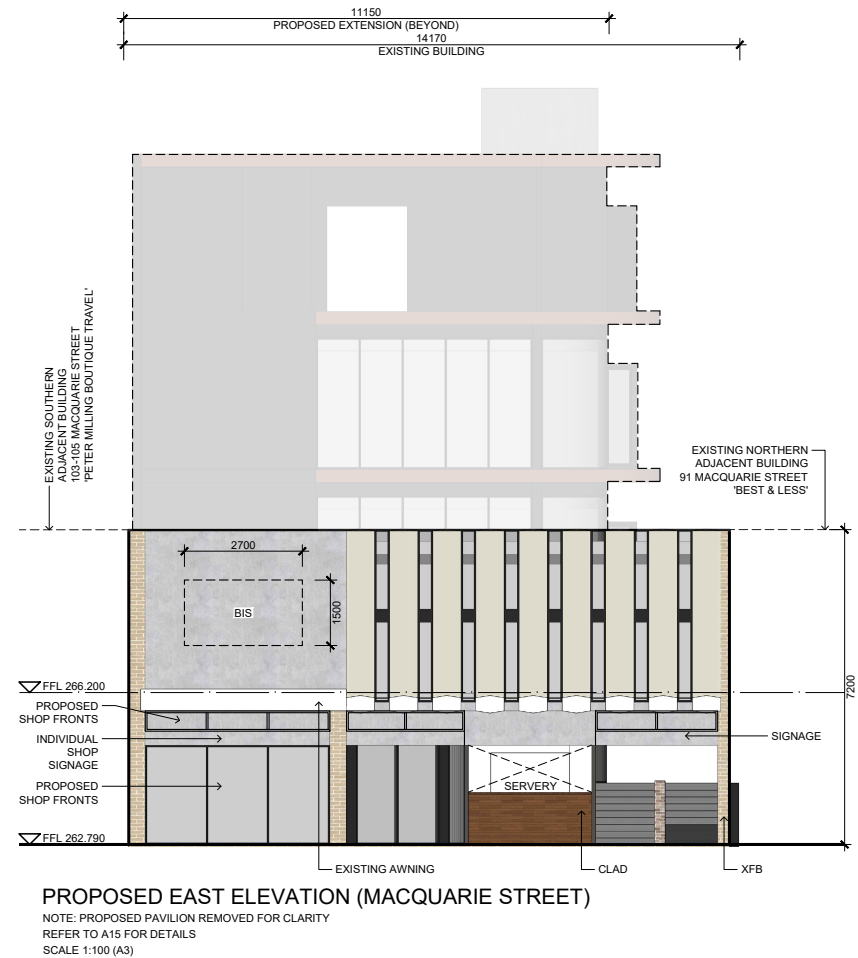
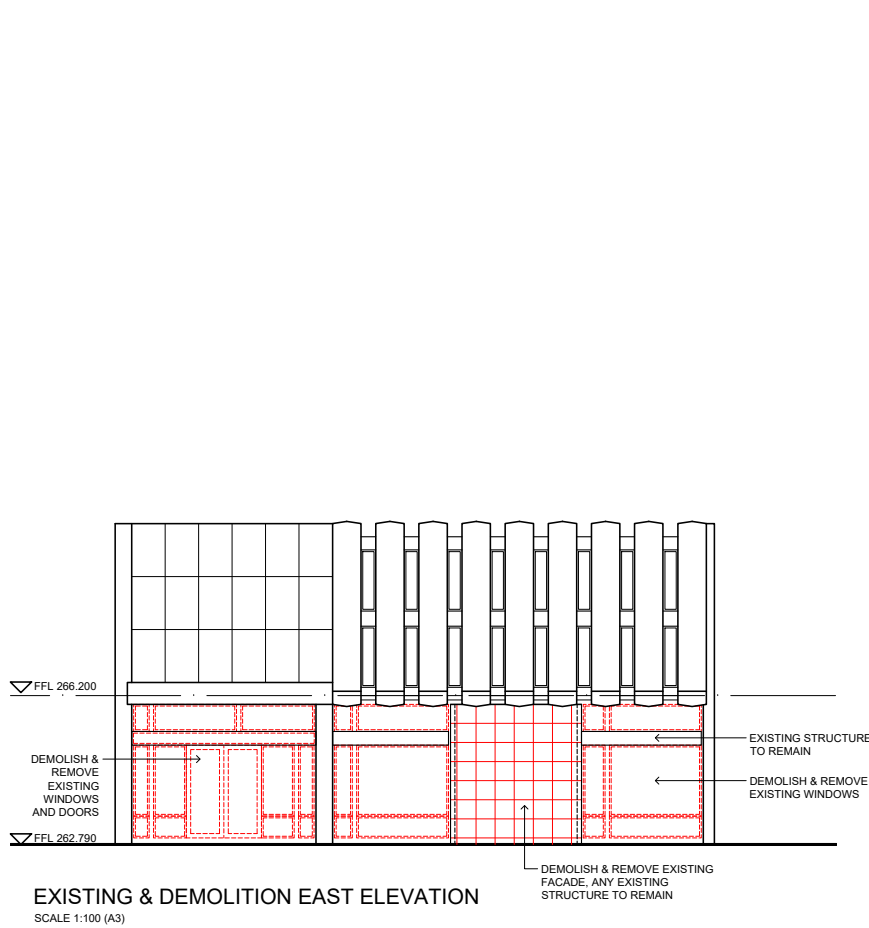
SHEET: 20 OF 22 SHEETS

DWG NO:

**A20**

REVISION: A

OUR REF: 2238 DA2



#### LEGEND

AS	ALUMINIUM SCREEN
BIS	BUSINESS IDENTIFICATION SIGNAGE
CTP	CONCRETE TILT PANEL
FB	FACE BRICK
MWC	METAL WALL CLADDING
X	EXISTING (WHEN USED AS A PREFIX)



PROJECT, ADDRESS, CLIENT:  
**PROPOSED ALTERATIONS & ADDITIONS  
AT 99-103 MACQUARIE STREET, DUBBO  
FOR ICANSO PTY LTD & GH DUBBO PTY LTD**

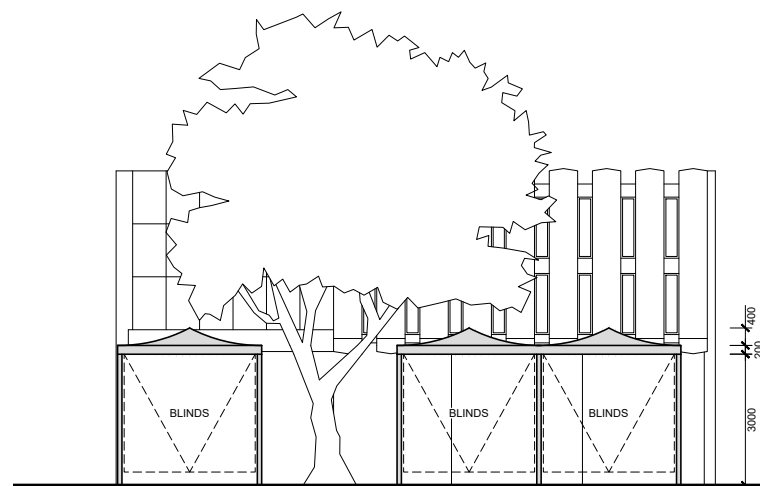
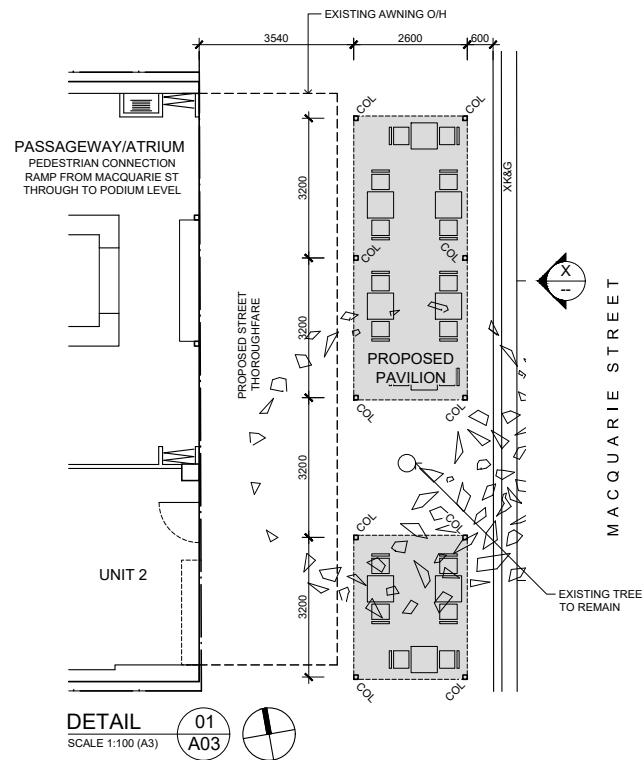
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NORTH:

DWG TITLE:  
**EXISTING BUILDING  
DETAILS - SHEET 2**

DATE: 07/03/2024  
SCALE: 1:100 (A3)  
ISSUE: DA APPROVAL  
SHEET: 21 OF 22 SHEETS

DWG NO: **A21**  
REVISION: **A**  
OUR REF: 2238 DA2



ELEVATION X  
PROPOSED OUTDOOR DINING STRUCTURES  
SCALE 1:100 (A3)

#### LEGEND

BS	BENCH SEAT
CP	CARPARK
K&G	KERB & GUTTER
LP	LIGHT POLE
O/H	OVERHEAD
S	SIGN
X	EXISTING (WHEN USED AS PREFIX)



PROJECT, ADDRESS, CLIENT:

**PROPOSED ALTERATIONS & ADDITIONS  
AT 99-103 MACQUARIE STREET, DUBBO  
FOR ICANSO PTY LTD & GH DUBBO PTY LTD**

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NORTH:

DWG TITLE:

**PAVILLION DETAILS**

DATE: 07/03/2024

DWG NO:

**A22**

SCALE: VARIES (A3)

ISSUE: DA APPROVAL

REVISION: A

SHEET: 22 OF 22 SHEETS

OUR REF: 2238 DA2

**GENERAL CONDITIONS**

Condition	
(1) 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:	
Drawing Title:	Proposed Site Plan
Drawing Number:	A03
Dated:	07/03/2024
Revision:	A
Drawing Title:	Proposed Floor Plan: Carpark Level 2 (Bligh Street)
Drawing Number:	A05
Dated:	07/03/2024
Revision:	A
Drawing Title:	Proposed Floor Plan: Storage Area (Church Street)
Drawing Number:	A06
Dated:	07/03/2024
Revision:	A
Drawing Title:	Proposed Floor Plan: Ground Floor (Podium/Macq St)
Drawing Number:	A07
Dated:	07/03/2024
Revision:	A
Drawing Title:	Proposed Floor Plan: Level 1
Drawing Number:	A08
Dated:	07/03/2024
Revision:	A
Drawing Title:	Proposed Floor Plan: Level 2
Drawing Number:	A09
Dated:	07/03/2024
Revision:	A
Drawing Title:	Proposed Floor Plan: Level 3
Drawing Number:	A10
Dated:	07/03/2024
Revision:	A
Drawing Title:	North Elevation
Drawing Number:	A12
Dated:	07/03/2024
Revision:	A

Drawing Title: South Elevation  
 Drawing Number: A13  
 Dated: 07/03/2024  
 Revision: A

Drawing Title: East Elevation  
 Drawing Number: A14  
 Dated: 07/03/2024  
 Revision: A

Drawing Title: West Elevation  
 Drawing Number: A15  
 Dated: 07/03/2024  
 Revision: A

Drawing Title: Cross Section E  
 Drawing Number: A19  
 Dated: 12/5/2023  
 Revision: A

Drawing Title: Existing Building Details – Sheet 1  
 Drawing Number: A20  
 Dated: 07/03/2024  
 Revision: A

Drawing Title: Existing Building Details – Sheet 2  
 Drawing Number: A21  
 Dated: 07/03/2024  
 Revision: A

Drawing Title: Pavilion Details  
 Drawing Number: A22  
 Dated: 07/03/2024  
 Revision: A

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

- (2) 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}

- (3) Any proposed air-handling system, hot-water system (>60°C), warm-water system (20°C - 60°C), or water-cooling system proposed to be installed in the subject building, must be installed, operated and maintained in accordance with the requirements of the Public Health Regulation 2022.

{Reason: To prevent the growth and spread of legionnaires disease}

- (4) Should any contaminated, scheduled, hazardous or asbestos material be discovered before or during construction works, the applicant and contractor shall ensure that the appropriate regulatory authority (eg Office of Environment and Heritage (OEH), SafeWork NSW, Council, Fire and Rescue NSW) is notified, and that such material is contained, encapsulated, sealed, handled or otherwise disposed of to the requirements of such Authority.

Note: Such materials cannot be disposed of to landfill unless the facility is specifically licensed by the EPA to receive that type of waste.

{Reason: To ensure all hazardous waste is disposed of in an environmentally safe manner}

- (5) Those portions of the building proposed to be used for the manufacturing, preparing, storing or handling of food shall be constructed and operated in accordance with the requirements of the Food Act 2003, Food Regulations 2015 and the Food Safety Standards. Prior to the business commencing, the operator shall notify Council and a satisfactory inspection completed.

{Reason: To ensure construction of the premises meet all requirements in order to prevent illness}

- (6) Noise from the development ( $L_{Aeq}$ ) shall not exceed the background ( $L_{A90}$ ) by more than 5dB(A) at any time including any allowance for impulsiveness and tonal characteristics when measured at the most affected residence.

{Reason: To prevent noise becoming a nuisance}

- (7) Construction work shall only be carried out within the following times:

Monday to Friday: 7 am to 6 pm  
 Saturday: 8 am to 1 pm  
 Sunday or Public Holidays: No work permitted

{Reason: To reduce the likelihood of noise nuisance}

- (8) Any lighting on the site must be installed to emit light in a downward direction and designed so as not to cause nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity or surrounding area by light overspill. The emission of lighting shall not exceed 1,000,000 lumens and must comply with the Australian Standard AS 4282 – 1997 Control of the Obtrusive Effects of Outdoor Lighting.

{Reason: To limit light pollution to neighbouring property and for the preservation of the 'Dark Skies' region surrounding the Siding Spring Observatory}

- (9) The drainage and plumbing installation shall comply with the provisions of the Local Government (General) Regulation, 2021 and the requirements of Council as the water and sewerage network utility operator.

{Reason: Ensure plumbing/drainage installation compliance}

- (10) A separate application must be submitted to either Council or a private Registered Certifier to obtain a Construction Certificate to permit the erection of the proposed building.

No building work is permitted to be commenced on the erection of the subject building until a Construction Certificate to authorise such work has been issued.

{Reason: Statutory requirement of the EP&A Act}

- (11) Council's footpath and adjoining car park and pedestrian access ways shall be kept free of all refuse, building materials and unnecessary traffic and disturbance. Any unauthorised material found upon Council's footpath or land may be impounded or removed without notice. Any proposed occupation of footpath and adjoining Council land must be approved by Council and/or be the subject of a Section 138 approval under the Roads Act.

{Reason: Council requirement as the relevant road authority and land owner}

- (12) All sanitary plumbing, drainage and water plumbing work shall be carried out by a licensed plumber and drainer.

{Reason: To ensure the work is undertaken by an appropriately qualified person}

- (13) The top of the building's overflow (relief) gully shall be a minimum 150 mm below the building's lowest sanitary fixture.

The building's overflow (relief) gully top shall also:

- (a) Be a minimum 75 mm above the finished surrounding ground level; or
- (b) Where the overflow (relief) gully is located in a path or paved area which is finished such that surface water cannot enter it and is graded away from the building, it may be finished level with such path or paved area; and
- (c) Be installed at or above a height of RL 263.35 m AHD (i.e. 263.20m (1% AEP) + 150mm).

{Reason: To protect the building from sewerage surcharges}

- (14) The hot water delivered to the outlets of all hand-basins, baths and showers shall not exceed 50°C, whilst similar ambulant and disabled fixtures shall not exceed 45°C.

Note: Thermostatic mixing valve(s) are required to be installed to achieve the maximum temperature setting of 45°C.

Note: Access must be readily available to any installed thermostatic mixing valve to permit regular maintenance and testing.

{Reason: To prevent scalding by hot water}

- (15) All building work must be carried out in accordance with the provisions of the Building Code of Australia.

{Reason: Prescribed statutory condition}

**BUILDING WORK  
BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE**

Condition	
(1)	<p>A sediment control plan shall be submitted with the Construction Certificate application demonstrating how the sediment will be contained within the property. Such plan should show sediment fencing, stabilised driveway accesses etc. These devices are to be maintained for the full period of construction and beyond this period where necessary. {Reason: Council requirement to ensure sediment control is implemented}</p>
(2)	<p>The Applicant must forward to the Principal Certifier with the Construction Certificate application, detailed specifications, drawings and hydraulic design calculations of the development's proposed wet fire services (e.g. fire hydrants, hose reel and sprinkler systems) prepared by a practicing hydraulics engineer. Such details shall form part of the building's Construction Certificate. {Reason: Ensure compliance with the BCA is demonstrated}</p>
(3)	<p>The applicant must forward to the Principal Certifier with the Construction Certificate application, a detailed design of the development's and building's proposed stormwater drainage system, which shall include hydraulic design calculations, surface and invert levels, pipe sizes and grades. Such details shall form part of the building's Construction Certificate.</p> <p>Such design must also facilitate the cleaning and disposal of accumulated sediment from the carpark levels following a flood event. {Reason: Demonstrated adequate disposal of the development's stormwater}</p>
(4)	<p>The structural details of the proposed building shall be designed and certified by an appropriately qualified structural engineer familiar with the design of buildings on flood-prone lands ensuring that the structure can withstand the likely buoyancy, velocity and debris impact forces that may result as a consequence of inundation during a flood event. The Principal Certifier shall satisfy itself that compliance with this condition has been met, prior to release of the applicable Construction Certificate. {Reason: Ensure structural stability under flood conditions}</p>
(5)	<p>Prior to the issue of the Construction 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).</p> <p>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 Senior Traffic Engineer, demonstrating that the proposed demolition works can be undertaken in a safe manner minimising disruption to pedestrian and vehicular traffic movement(s).</p>

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}

- (6) Should any of the proposed works encroach onto the road reserve area (which includes the footpath area) and prior to any works commencing onsite, the Applicant is to ensure that any sub-contractor(s) working on the site have current public liability insurance policy/ies to cover Council to an amount of not less than \$20 m in respect of any and all actions, costs and claims for damages that may be brought or made or claimed against Council in relation to the granting of this approval. Such policy shall note the interest of Council, which ensures that Council is indemnified against any possible action.

{Reason: To ensure that the applicant/proponent has a current public liability insurance}

- (7) Prior to issue of the Construction Certificate, a separate application would be required to be made to Council with the appropriate fee(s) being paid, for the provision of a suitably sized metered water service to the development if the existing town water supply service connection(s) not be suitably located and/or of a suitable size to accommodate the proposed development.

Note: As Council is the local water authority, separate metered connections will be require in respect to the provision of a suitable size domestic water meter and separate fire service meter to the development site.

{Reason: To ensure that the development is suitably serviced with water}

- (8) Prior to the issue of the Construction Certificate a detailed (fully dimensioned) site plan is to be lodged with and approved by Council, with regard to the construction of a commercial standard concrete vehicular cross-over, and kerb and gutter vehicle entrance, in accordance with Council's standards STD 5211 and STD 5235 being provided by and at full cost to the developer to the satisfaction of Council off Bligh Street.

The access driveway is to be designed and constructed of sufficient width at the roadway (kerb and gutter alignment) and the property boundary alignment such that two passenger vehicle (utilising the Austroads design templates, and a turning speed of 5-15 km/hr) is able to access/exit the subject land at a forward motion from the through travel lane (s) of Bligh Street without the need to cross over onto the wrong side of the road at any time.

Such works shall also include reconstruction of the footpath including vertical kerb and gutter for the full frontage of the development. All the construction works are to be carried out in accordance with Council's adopted AUS-SPEC 1 Development Specification Series - Construction Standards.

Note: Should Council's Senior Development Engineer (or his representative) not undertake the required inspections as detailed in the abovementioned Council standards, then a detailed list of inspections undertaken by an accredited private

certifier verifying compliance with the abovementioned Council standards will be required to be lodged with Council prior to the issue of the Occupation Certificate for the proposed development.

{Reason: To provide satisfactory means of access from the roadway}

- (9) Prior to the issue of the Construction Certificate, full and detailed hydraulic design calculations and drawings of the proposed stormwater drainage system shall be submitted to and approved by Council, regarding all driveways, hard stand areas and parking areas shall be drained to Bligh Street without impact on adjacent private property to Council's satisfaction at full cost to the Developer including followings:

- Provide for safe discharge of flows up to and including the 1% AEP without negative impact to neighboring properties. (1% AEP in this case refers to local Dubbo catchment only, and not 1% AEP Wambuil/Macquarie River flows.)
- Pipe material to be concrete, steel reinforced, rubber ring pipes, unless otherwise approved by Council.
- The existing Bligh Street stormwater system is under capacity. Liaise with Council for proposed stormwater route and connection to Council's existing system.
- The connection point to Council's piped system is Council pit J\_2402, approximately 60m north west of the site or as approved by Council.
- Design to include the details and construction methods of the proposed connection to Council's existing stormwater infrastructure.
- Site's internal stormwater drainage to comply with AS/NZ 3500 Plumbing and drainage code. Prior to Construction Certificate, provide design details and a certificate stating that the site's internal stormwater system design complies with the AS/NZ 3500.
- Pollution from the development is to be controlled. Oil, sediment, or litter is not to be disposed of in the stormwater system.
- After construction and prior to Occupation, CCTV is to be undertaken with Council's Technical Specification for CCTV. CCTV to be submitted by the developer, approved by Council, for stormwater external to the site. Defects, if any, to be rectified to the satisfaction of Council at full cost to the Developer.

All works are to be undertaken in accordance with Council's adopted AUSPEC #1 Development Specification Series – Design and Construction.

{Reason: To achieve satisfactory stormwater disposal}

- (10) No buildings or any structures (including advertising structures) shall be erected or overhang over Council's road reserve or footpath area which include Macquarie Street Footpath area .

Note : No parking shall be allowed along Bligh Street Road frontage of the proposed development in between the proposed driveway and the proposed vehicular entry and exit of 1 Church Street development.

{Reason: Implementation of Council's policy}

- (11) Prior to the issue of the Construction Certificate, the applicant/developer is required to make a separate "FOOTPATH/PUBLIC SPACE USE" application with Council's Infrastructure Division, plus payment of any appropriate fee(s) for proposed footpath widening on Macquarie Street Footpath.  
{Reason: To not create adverse traffic conditions}

### BEFORE BUILDING WORK COMMENCES

Condition	
(1)	Separate approval shall be obtained from Council (under the Roads Act) if it is proposed to erect a hoarding upon Council's footpath. {Reason: To ensure the protection of the public}
(2)	Temporary closet accommodation shall be provided onsite before work on the proposed building is commenced. {Reason: To preserve public hygiene}
(3)	The person having the benefit of this consent must comply with the following: <ul style="list-style-type: none"> <li>(a) At their own expense undertake:               <ul style="list-style-type: none"> <li>(i) Prior to work commencing, engage suitably experienced contractor/s to carry out an inspection of the adjoining premises and prepare and submit to Council a 'dilapidation report' documenting the current condition of all buildings on each parcel adjoining No: 99 – 103 Macquarie Street; and</li> <li>(ii) Preserve and protect the adjoining buildings from damage during the excavation, demolition and construction work; and</li> <li>(iii) If necessary, underpin and support the building(s) in an approved engineered manner in accordance with industry standards; and</li> </ul> </li> <li>(b) Give the owners of the 'adjoining premises, at least fourteen (14) days written notice of the need for his representative/contractor to inspect the premises in order to prepare the 'dilapidation report' required above, before demolition or excavation work begins; and</li> <li>(c) Should an <u>owner</u> of an adjoining premises refuse access or fail to respond within the aforementioned timeframe, the contractor may proceed with the excavation works without further notice; and</li> <li>(d) In conjunction with the <u>contractor</u>, give at least seven (7) days before excavating below the level of the base of the footings of any building on the adjoining allotment(s), give notice of intention to do so to the owner of such adjoining allotment and furnish particulars to the owner of the proposed work; and</li> <li>(e) Within fourteen (14) days of the completion of the demolition, excavation and retaining wall construction work, the <u>contractor</u> who carried out the initial inspection and prepared the 'dilapidation report' shall carry out a re-inspection of each adjoining premises (if a report was prepared) to determine any changes in the condition of the premises that may be attributed to the demolition and excavation/retaining wall construction work.</li> </ul>
	{Reason: Protection of neighbouring buildings}

- (4) A hoarding, barricade or fence shall be erected between the building and any adjoining public place and/or around any road opening or obstruction if pedestrian or vehicular traffic is likely to be endangered, obstructed or inconvenienced by the proposed works. Where necessary, an awning sufficient to prevent any material from or in connection with the work falling onto the public place is also to be erected.

The work is to be kept lit during the time between sunset and sunrise if the work may be a source of danger to persons using the adjoining public place.

{Reason: To protect the public}

- (5) The sanitary, water plumbing and drainage associated with the proposed building requires the issue of a separate approval from Council. In this regard a Drainage and Plumbing Approval Application form is available from Council and must be completed by the owner or owner's authorised agent and returned to Council with the appropriate fees. Drainage and/or plumbing works must not be commenced until Council is in receipt of application and fees; and the applicable approval to authorise such building works has been issued.

To facilitate Council's inspection of the water plumbing and sanitary plumbing and drainage work associated with the proposed development, a copy of such building's final hydraulic and fire service drawing(s) must be submitted to Council's Development and Environment Division prior to such works commencing.

{Reason: To protect public health & safety}

- (6) Prior to works commencing, the applicant shall ensure that a sign is erected on the work site in a prominent position at the front of the property showing:

- (a) The name, address and telephone number of the Principal Certifier for the work;
- (b) The name of the principal contractor for the building/demolition work and a telephone number on which that person may be contacted outside of working hours; and
- (c) That unauthorised entry to the work site is prohibited.

Such sign must be maintained on the site during the course of the building/demolition work and not be removed until the work has been completed.

{Reason: Permit contact by the public}

- (7) Separate approval is required to be obtained from Council (as the relevant Roads Authority) if it is proposed to erect a hoarding upon Council's footpath/carriageway. Enquiries in this regard should be directed to Council's Infrastructure Division.

{Reason: For the protection of the public}

- (8) Prior to any works commencing onsite, fencing shall be erected as necessary to fully enclose the work site on all sides to prevent access by members of the public. The work site shall remain secure at all times during both the demolition phase, and prior to, and in conjunction with, any proposed 'future' re-development on the site.

{Reason: To provide safety for the public}

**DURING BUILDING WORK**

Condition	
(1)	<p>All excavations associated with the erection of the building and installation of associated services must be properly guarded and protected to prevent them from being dangerous to life or property. Excavations undertaken across or in a public place must be kept adequately guarded and/or enclosed and lit between sunset and sunrise, if left open or otherwise in a condition likely to be hazardous to persons in the public place.</p> <p>{Reason: For protection of persons and the public}</p>
(2)	<p>If an excavation associated with the proposed building work extends below the surface level of an adjoining allotment of land and/or the base of the footings of a building on an adjoining allotment of land, the person having the benefit of the development consent must, at the person's own expense:</p> <p>(a) Protect and support the adjoining premises from possible damage from the excavation; and</p> <p>(b) Where necessary, underpin the adjoining premises to prevent any such damage.</p> <p>For the purposes of this condition, 'allotment of land' includes a public road and any other public place. This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to this condition not applying.</p> <p>{Reason: To preserve the stability of adjoining properties}</p>
(3)	<p>All electrical and mechanical equipment such as main power supply, heating/air conditioning units and the like, where practicable, shall be located above the 1% AEP flood event level, which for this site is RL 263.20m AHD. All fittings below such level shall be designed to be flood compatible and of flood compatible materials having an order of preference of 'suitable' in accordance with Appendix A 'Dubbo Flood Proofing Guidelines' of Council's Flood Prone-land Policy (refer to Table 10 of Appendix F in the Floodplain Development Manual 1986).</p> <p>{Reason: Minimise property damage}</p>

**BEFORE ISSUE OF AN OCCUPATION CERTIFICATE**

Condition								
(1)	Prior to the issue of an Occupation Certificate, payment is required in accordance with the following contributions plans:							
	<table border="1"> <thead> <tr> <th>PLAN</th><th>CALCULATION</th><th>TOTAL</th></tr> </thead> <tbody> <tr> <td>Dubbo Regional Councils <b>Water and Sewerage Contribution Plan 2002</b></td><td>Per ET basis (1.45) - 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 <b>\$6,696.75</b> per ET</td><td><b>\$9,710.28</b></td></tr> </tbody> </table>	PLAN	CALCULATION	TOTAL	Dubbo Regional Councils <b>Water and Sewerage Contribution Plan 2002</b>	Per ET basis (1.45) - 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 <b>\$6,696.75</b> per ET	<b>\$9,710.28</b>	
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	<b>Contribution Payable WATER</b>	<b>\$9,710.28</b>
Dubbo Regional Councils <b>Water and Sewerage Contribution Plan 2002</b>	Per ET basis (0.63) - 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 <b>\$6,696.75</b> per ET	<b>\$4,218.96</b>
	<b>Contribution payable SEWER</b>	<b>\$4,218.96</b>
	<b>Total Section 64 Contributions Payable for this application</b>  <b>Note:</b> 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.	<b>\$13,929.24</b>

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

**1** Prior to the issue of an Occupation Certificate, payment is required in accordance with the following contributions plans:

PLAN	CALCULATION	TOTAL
Sec 94 Development Contributions Plan - <b>Urban Stormwater Drainage and Headworks 1995</b>	Calculation is based on total development area of (710)m <sup>2</sup> - draining into catchment Wingewarra Street Drain Drainage scheme.  Current rate per hectare is \$1,149.10.	<b>\$82.74</b>
Sec 94 Development Contributions Plan - <b>Roads, Traffic Management and Car Parking 2016</b>	Contribution Rate:  Commercial trip = \$443.80 Plan Administration = \$6.35 Carparking = \$29,624.55 / space  Calculation based on 318.4 trips and shortfall of 30 spaces  Urban Roads contributions	<b>\$141,305.92</b>

	Plan Administration	\$2,021.84
	Carparking	\$888,736.50
	<b>Total Section 7.11/94 Contributions Payable for this application</b>	<b>\$1,032,147.00</b>
	<b>Note:</b> 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.  
{Reason: Implementation of Council's respective Section 7.11/94 Contributions Plan}

(3) A survey certificate indicating the position of the building's external walls and balconies in relation to the allotment boundaries and adjoining roads, shall be submitted to the Principal Certifier and Council prior to issue of the building's occupation certificate.

Such survey certificate shall also provide the finished floor levels of the lower and upper carpark floors and the Macquarie Street podium levels, to Australian Height Datum.  
{Reason: Confirm required setbacks/levels have been achieved}

(4) The following applicable works shall be inspected and passed by an officer of Council, irrespective of any other inspection works undertaken by a registered certifier, prior to them being covered. In this regard, at least 24 hours notice shall be given to Council for inspection of such works. When requesting an inspection, please quote Council's reference number **D2023-260**.

Advanced notification for an inspection should be made by emailing [de.admin@dubbo.nsw.gov.au](mailto:de.admin@dubbo.nsw.gov.au) or by telephoning Council's Development & Environment Division on 6801 4000.

- Internal and external sanitary plumbing and drainage under hydraulic test.
- Water plumbing, under hydraulic test.
- Fire services water plumbing under hydraulic test.
- Final inspection of the installed sanitary and water plumbing fixtures upon the building's completion prior to its occupation/use.

{Reason: For preservation of public health}

(5) All roof and stormwater drainage work shall be carried out in accordance with the requirements of the Local Government (General) Regulation and the Plumbing Code of Australia. In this regard the licensee is required to submit to Council a Certificate of Compliance for the subject stormwater work within two (2) days of completion.  
{Reason: To confirm installation compliance}

- (6) If Council is engaged to act as the Principal Certifier, the person benefitted by the development consent shall ensure that the responsible builder or contractor submits to Council, a Certificate of Installation certifying that the wet areas of the building have been protected by the installation of a water-proofing system conforming to AS 3740 '*Waterproofing of domestic wet areas*'. Such Certificate must be provided prior to occupation or use of the building.  
{Reason: To demonstrate the provision of an adequate moisture-proofing system}
- (7) The building shall not be occupied or used until the appointed Principal Certifier has first issued an Occupation Certificate.  
{Reason: To ensure the building is fit for occupation}
- (8) If Council is engaged to act as the Principal Certifier, the applicant shall ensure that the responsible builder and/or applicable contractor submit to Council documentary evidence identifying and confirming that their respective work was undertaken in conformity with the relevant Section J provisions of the BCA, as approved under the Construction Certificate. Such documentation must be provided prior to issue of the building's Occupation Certificate.  
{Reason: To demonstrate conformity with BCA}
- (9) All utilities, services and infrastructure necessary to maintain and permit the continued safe and healthy occupation and operation of the building, shall be located above and/or flood-proofed to at least the 1% AEP flood event level, being 263.20m AHD, unless otherwise permitted under this condition. Services associated with the car park levels whilst having to be flood compatible, must also be designed to be shut-down/disconnected/isolated in advance of inundation without detrimentally affecting the rest of the building's services.
- If the continued occupation of the subject building cannot be achieved up to a flood event level reaching the aforementioned level of 263.20m AHD due to an inability to sustain appropriate building services and safe and healthy conditions up to that height; then the lowest height to which they can be maintained must be specified in the Flood Management Plan as specified by separate condition on this consent. Under these circumstances, the subject services must be flood-proofed to a height of 500mm above the level at which the building is required to have been evacuated and cleared of all occupants.
- Prior to any Occupation Certificate being issued for the building, each relevant service design engineer (ie electrical, hydraulic, mechanical, fire safety etc) shall provide a design statement to the effect that their respective service designs will in their opinion achieve compliance with the requirements of this condition.  
{Reason: Facilitate the building to continue to function after flood inundation}
- (10) A Flood Management Plan shall be developed for the subject development prior to any Occupation Certificate being issued for the Level 1 and 2 car park levels, a copy of which shall be submitted to Council.

Prior to any Occupation Certificate being issued for any of the remaining building floor levels (ie. Levels 3 to 6), a comprehensive Flood Management Plan (incorporating any initial plan provisions for the car park levels) shall have been prepared and submitted to Council.

The subject Flood Management Plan must include, but is not limited to, the following aspects as relevant to the development-

#### Preparedness

*Activation* – detail the circumstances (river heights, level of flooding etc) upon which the Plan is activated, the authority to activate it and the organizations/persons (internal and external) that must be notified. The maximum height and level to which the building can be safely occupied before evacuation of the building must be made, is to be identified;

*Warning* – describe the warning arrangements to be provided to tenants, residents and relevant external agencies/persons;

*Education* – outline flood preparedness information to be provided to tenants and residents operating in the car park levels;

*Responsibilities* – list responsibilities for various actions;

*Preliminary Actions/Deployments* – detail actions required to be implemented, resources to be notified, placed on stand-by, marshaled and deployed in advance of flooding.

#### Response

*Control* – detail who is in charge/in control of the development's flood response;

*Operations Centre* – nominate the location for the co-ordination of the development's response operations;

*Liaison* – detail person or persons responsible for maintaining contact with external agencies ie SES, Police, Council, media etc. Outline arrangements for recording tenant evacuations and off-site/forwarding contact details;

*Communications* – detail any special requirements and any dedicated communication channels for internal and external use;

*Information* – detail arrangements for the passing of information to and from tenants/residents;

*Actions/Deployments* – list/detail critical flood heights/levels and required responses. Identify where, when and how infrastructure and services must be removed or shut-down and areas evacuated, including resources and likely time required to implement. Identify the critical level/point at which the development must be evacuated and closed down. Outline resources required to effect evacuations, having regard to the likely unavailability of significant resources from the emergency services; and list alternative accommodation locations. Note: it is preferable that critical levels be correlated to gauge heights at the Dubbo Pump Station gauge site, being the principal flood warning gauge for Dubbo;

*Resupply Logistics* – detail arrangements required to be implemented to facilitate loading and unloading of supplies to the development upon basement road access being unavailable;

*Road Arrangements* – detail arrangements with the local Roads Authority for alternative loading/unloading areas, vehicle parking, refuse collection etc upon basement road

access becoming unavailable.

Recovery

*Co-ordination* – outline who is to co-ordinate the inspection, repairs and reinstatement of the development's services and infrastructure;

*Cleaning* – outline arrangements for removal of flood debris, damaged furnishings etc and cleaning/hosing down; list of recommended and specialist contractors;

*Reinstatement of services* – outline arrangements for inspection of services to determine damage, repairs and reinstatement; list of recommended and specialist contractors;

*Repairs* – outline arrangements for repairs, list of recommended and specialist contractors;

*All-clear* – outline arrangements for authorizing reoccupation/use of flood affected areas;

*Review* – outline the process to review and update the Plan following a flood event and at regular intervals outside of the occurrence of flood events.

{Reason: Ensure effective flood management planning is undertaken for protection of life & property}

- (11) 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}

#### OCCUPATION AND ONGOING USE

Condition	
(1)	A separate application for any proposed onsite advertising/signage shall be submitted to Council if such signage does not comply with Part 2, Division 2 of State Environmental Planning Policy (Exempt and Complying Development Codes), 2008. {Reason: To ensure onsite advertising/signage is appropriate for the site and the locality}
(2)	Signage shall be maintained in good and substantial repair and not be externally lit. The under awning signage shall not flash, be animated or be excessively luminous, maintaining consistency with 'Zone 2' of the Department of Planning and Environment - Transport Corridor Outdoor Advertising and Signage Guidelines: November 2017. {Reason: Council requirement to maintain structural adequacy and visual amenity, and to prevent distraction to passing motorists}
(3)	All loading and unloading of goods related to the development proposal shall be carried out within the confines of the allotment's boundary. Under no circumstances will the loading or unloading of goods on the public roadway system be permitted. {Reason: Requirement of Council so as not to create adverse traffic conditions}

- (4) Garbage bins used to store garbage in the bin rooms shall be collected by private waste collection contractors as needed to prevent any nuisances or threats to public health.  
{Reason: Council requirement to require compliance with the POEO Act, 1997}
- (5) The subject building shall be evacuated of all tenants, patrons and occupants prior to the building's lowest required alternate evacuation exit (i.e. the exit discharging onto Bligh Street or a compliant exit utilizing a pathway through 1 Church Street), being inundated by flood waters. As a consequence, the required Flood Management Plan as conditioned separately on this consent, must specify-
- (a) the actual or estimated height at which pedestrian access by that evacuation route becomes untenable, including relating such height to a gauge height at the Dubbo Pump Station gauge,
  - (b) the minimum time required to effect the complete evacuation of the building, incorporating an appropriate factor of safety; and
  - (c) the actual or estimated height at which evacuation must be instigated, related to the aforementioned evacuation time with factor of safety, to effect evacuation of the building before the evacuation route becomes untenable.
- {Reason: Safety of occupants}
- (6) All vehicles must enter and exit the subject land and proposed development in a forward direction. No reversing of vehicles onto the public roadway system will be permitted.  
{Reason: To provide safety for the travelling public}
- (7) No advertising, advertising sign(s) or structure(s) of any standard will be permitted to be displayed within (or overhang onto) the road reserve area(s).
- Note: This area also includes the footpath reserve area.  
{Reason: To protect the amenity of the travelling public}
- (8) No vehicles larger than a "Passenger Vehicle" 5.2m in length, (utilising the Austroads design templates), are permitted to access the proposed development off Bligh Street.
- Note : If any larger vehicle is servicing the proposed development, Council will impose fine to the development.  
{Reason: To restrict access to appropriately sized vehicles}

### CHANGE OF USE ONGOING USE

Condition	
(1)	<p>Separate first use Development Applications shall be submitted to and approved by Council prior to the occupation of the commercial and retail tenancies.</p> <p>{Reason: To allow a detailed assessment of the use of each commercial tenancy and its potential impacts on the locality}</p>

## NOTES

- (1) The Council Section 7.11/64 Contribution Plans referred to in the conditions of this consent may be viewed without charge at Council's Civic Administration Building, Church Street, Dubbo between the hours of 9 am and 5 pm, Monday to Friday. Copies are also available from [www.dubbo.nsw.gov.au](http://www.dubbo.nsw.gov.au)
- (2) A list of fire safety measures must be submitted with the Construction Certificate application pursuant to Section 7 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021. The Regulation prescribes that the information to be submitted must include:
- A list of any existing fire safety measures provided in relation to the land or any existing building on the land; and
  - A list of the proposed fire safety measures to be provided in relation to the land and any building on the land as a consequence of the building work.
- (2) On completion of the erection of the subject building, the owner of the building is required to submit to the Principal Certifier (PC) a Fire Safety Certificate(s) with respect to each *essential fire safety measure* installed in association with the building - as listed on the Fire Safety Schedule attached to the Construction Certificate. Such certificate(s) must be submitted to the PC prior to occupation or use of the subject building.
- Copies of the subject Fire Safety Certificate(s) must also be forwarded by the owner to Council (if not the appointed PC) and the Commissioner of Fire and Rescue NSW and displayed within the subject building in a prominent position.
- (3) The owner of the building is required to submit to Council at least once in each period of 12 months following the completion of the building an Annual Fire Safety Statement(s) with respect to each essential fire safety measure associated with the building.
- Copies of the subject Annual Fire Safety Statements must also be forwarded by the owner to the Commissioner of the Fire and Rescue NSW and displayed within the subject building in a prominent position. In this regard Fire and Rescue NSW has requested that only electronic copies of the statement be forwarded, with their dedicated email address for such Statements being: [afss@fire.nsw.gov.au](mailto:afss@fire.nsw.gov.au)
- (4) The sanitary, water plumbing and stormwater drainage associated with the proposed building work requires the issue of a separate approval from Council prior to being installed, and includes plumbing work associated with the building's fire services. In this regard a Drainage and Plumbing Approval Application form is available from Council, and must be completed by the licensed plumbing and drainage contractor and returned to Council with the appropriate fee. Drainage or plumbing works must not be commenced until Council has received such application and its fees.
- This approval does not negate the statutory requirement for the plumbing and drainage licensee to provide to Council as the delegated Plumbing Regulator, the Notice of Work

(NoW), Certificate of Compliance (CoC) and Sewerage Service Diagram (SSD) as prescribed under the Plumbing and Drainage Act 2011, for the proposed sanitary drainage/plumbing and domestic water plumbing works. It should be noted that the NoW does not include plumbing work associated with fire services and work of stormwater.

- (5) The flood levels utilised for assessing this development have been extracted and interpolated from the Flood Impact and Risk Assessment report by Stantec Australia Pty Ltd, dated 26 June 2023.

(6) **Glossary - Terminology used in this Consent:**

**Annual Exceedence Probability (AEP):** the probability of a given flood height being equalled or exceeded once in any year. For example, a 1% AEP flood has a 1% probability or 1 in 100 chance of occurring or being exceeded in each and any year. It is expressed as a percentage.

**Australian Height Datum (AHD):** is a national datum level to which all vertical control for mapping is referred. The datum surface is that which passes through mean sea level at thirty tide gauges around the coast of the Australian continent.

**Average Recurrence Interval (ARI):** the recurrence interval is the number of years, on average, of a given flood height being equalled or exceeded. For example, the 100 year flood height would be equalled or exceeded once in 100 years on average. It is expressed as a ratio in years. ARIs of greater than 10 years are very closely approximated by the reciprocal of the AEP.

With ARI expressed in years, the relationship is:

$$AEP = 1 - \exp(-1/ARI)$$

Which results in the following conversion table:

ARI (years)	AEP
1	0.632 (63%)
2	0.393 (39%)
5	0.181 (18%)
10	0.095 (10%)
20	0.049 (5%)
50	0.020 (2%)
100	0.010 (1%)

**Flood Planning Level (FPL):** means the level of the 1% AEP (Annual Exceedence Probability) flood event plus 0.5 metre freeboard.

- (7) The proposed hydrant/fire hose reel/sprinkler installation being a *relevant fire safety system*, must have its applicable hydraulic drawings and specifications endorsed by the designing and/or certifying hydraulic design engineer in conformity with section 22 of

the EP&A (Development Certification and fire Safety) Regulation 2021.

Attention: Council's Water Supply & Sewerage Branch being the water and sewerage utility operator, will typically require that water utilised for the testing of a development's fire pump system not be sourced (draft) directly from Council mains during testing, but be recycled from an on-site storage facility. Accordingly, the consultant engaged to undertake the development's fire service design, should seek clarification from Council's Water Supply and Sewerage Branch when undertaking their design.

- (8) 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.
- (9) Insufficient details were provided to Council with the Development Application to fully assess the operation of the proposed business to ascertain the need or otherwise of a potential trade waste discharge. Thus the conveyance of effluent from the proposed development into Council's sewerage system may constitute a trade waste discharge. Should this be the case, a Trade Waste application would need to be completed (accompanied with all required drainage, discharge and capacity details, pre-treatment devices and installation details), and submitted to Council. Before the approval of the first use Development Application for each tenancy, the developer (or operator of the proposed business) is to consult with Council's Water Supply and Sewerage Client Services Coordinator to ascertain the need or otherwise for a trade waste discharge. No effluent will be permitted to be discharged to Council's sewer until the required Trade Waste Approval has been obtained and all required pre-treatment devices have been installed and passed by Council.
- (10) The development shall be carried out in accordance with Essential Energy's correspondence dated 18 July 2023 (copy attached).
- (11) Depending on the outcome of the Council's Water and Sewer Branch investigation for water pressure at Church Street and Macquarie Street, the applicant may require to upgrade water main at no cost to Council to comply with the water pressure for the proposed development.

**Bo Moshage**

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**From:** [REDACTED]  
**Sent:** Tuesday, 11 July 2023 1:00 PM  
**To:** Dubbo Regional Council  
**Subject:** Development Application D2023-260

**CAUTION:** This email came from outside the organisation. Be cautious clicking links and do not open attachments unless they are expected.

Chief Executive Officer / Dubbo Regional council .Development Application D2023-260 Lot1075087, 99-103Macquarie Street Dubbo or [REDACTED]. I have owned this property since 6<sup>th</sup> June 1994. I bought this property with all the parking on title also my lease with tenant entitles them to use this area. This Application devalue my property and is against the lease I will not conceit to this development application D2023-260. [REDACTED] owner



## REPORT: Community Services Fund 2023/2024 - Round 2 - in Accordance with Section 356 Local Government Act 1993

**DIVISION:** Community, Culture and Places  
**REPORT DATE:** 5 February 2024  
**TRIM REFERENCE:** ID24/230

### EXECUTIVE SUMMARY

<b>Purpose</b>	• Seek endorsement • Adopt funding	
<b>Issue</b>	Recommendation report for applications received under Round 2 of 2023/2024 Community Services Fund.	
<b>Reasoning</b>	There were 9 applications totalling \$49,567 for available funds of \$116,478.21 (50% current year allocation + roll over from 2023/24 R1)	
<b>Financial Implications</b>	Budget Area	Community Services
	Funding Source	Budgeted Operational Expense
	Proposed Cost	\$22,867 (total of recommended applications)
	Ongoing Costs	\$150,000 per year ongoing.
<b>Policy Implications</b>	Policy Title	Financial Assistance Policy
	Impact on Policy	Alignment

### STRATEGIC DIRECTION

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

Theme: 5 Liveability

CSP Objective: 5.3 The lifestyle and social needs of the community are supported

Delivery Program Strategy: 5.3.1 The social service issues and requirements of our community are identified and met

RECOMMENDATION

1. That Council allocate \$22,867 to the community-based organisations in accordance with Section 356 of The Local Government Act 1993 and notification to be sent to each recommended applicant:
- |   |            |
|---|------------|
| • Dubbo Base Hospital Pink Ladies                         | \$4,800.00 |
| • St Brigid's Catholic Church Craft Group                 | \$1,000.00 |
| • Pink Angels Incorporated                                | \$7,918.00 |
| • Songwriters & Original Musicians Association Dubbo Inc. | \$1,649.00 |
| • Wellington Family and Domestic Violence Collective      | \$7,500.00 |
2. That the surplus funds remaining from the 2023/2024 Round 2 be rolled over to 2024/2025 Round 1 of the Community Services Fund.

*Craig Arms*  
Director Community, Culture and Places

*CW*  
Manager Community  
Services

## BACKGROUND

The framework under which Council considers and determines donations relates to the requirements of Section 356 of the Local Government Act 1993 (the Act) whereby Council may contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.

### Previous Resolutions of Council

27 July 2023  CCL23/200	<ol style="list-style-type: none"><li>1. <i>That it be noted that the first round of 'Community Services Fund' and 'Community Assistance Fund' for financial year 2023/2024 has been paused pending consideration of this report.</i></li><li>2. <i>That it be noted that under the current framework the Community Services Fund is for all community organisations including Not for Profits, whilst the Community Assistance Fund is for Not-for-Profit organisations only.</i></li><li>3. <i>That to enable access to the budgeted funds by community groups as soon as possible Council resolve to:</i><ol style="list-style-type: none"><li>a. <i>Create one funding pool under the Community Services Fund noting it allows for Not for Profits community-based organisations to apply.</i></li></ol></li><li>3. <i>That Council maintain a maximum of two rounds per financial year noting the administration and governance required for grant programs that distribute public monies to external organisations.</i></li></ol>
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## REPORT

This grant provides funding opportunities to community organisations to support projects or activities that deliver social or environmental outcomes to the Dubbo Regional Council local government area and help create, enhance, or build community well-being and amenity.

Over the last six months the Executive Support Team have strengthened the funding guidelines, improved the application form, and implemented additional methods of round notification. As well as partnering with the Regional Events and the Cultural Development teams to host a free Grant Writing Workshop facilitated by Natalie Bramble, a grants specialist from iClick2Learn, on the 6<sup>th</sup> February 2024.

The 2023/2024 Community Services Fund Round 2 received nine applications to the value of \$49,570. The below table outlines recommended total or partial funding to five applications. Some recommended applications included costs that cannot be met by Council (e.g. travel).

2023/2024 Community Services Fund Round 2 – Recommended				
Organisation	Project/Activity	Funding Request	Eligibility	Recommended
Dubbo Base Hospital Pink Ladies Branch of United Hospital Auxiliaries NSW Inc.	Mindfulness and Meditation Workshops	\$5,550	Funding provided as per quote excluding travel.  Workshops offer additional mental health and social wellbeing support that is not offered within mainstream cancer treatment.	\$4,800
St Brigid's Catholic Church - Craft Group	Wrap with Love	\$1,000	Group focused on recruiting local women to improve their knitting skills and assist those at risk of becoming socially isolated. Group knit blankets and provide to people who are under-privileged.	\$1,000
Pink Angels Incorporated	Compression Sleeves for Breast Cancer	\$7,972	Funding provided as per quote. Additional funding condition - Ensure they provide a percentage (30%) of sleeves to patients within the LGA. This will be explained in the notification letter.  Group assist patients suffering from Lymphoedema, a side-effect from cancer treatments. An evidence-based treatment of arm Lymphoedema is daily use of a compression sleeve.	\$7,918
Songwriters & Original Musicians Association Dubbo Inc.	SOMAD Small PA System Upgrade	\$1,648.99	Having diverse equipment to support more adaptability of events is a positive action and would ensure more local performers can access opportunities and provide new experiences for the community.	\$1,648.99
Wellington Family and Domestic Violence Collective	Wellington FDV Collective Youth Backpacks	\$7,500	Backpacks will provide care, safety, and wellbeing during periods of dislocation, and relieve some of the stress and anxiety youth face when they are removed from the family home without the opportunity to take personal belongings with them.	\$7,500
<b>Total</b>				<b>\$22,867</b>

2023/2024 Community Services Fund Round 2 – Not Recommended				
Organisation	Project/Activity	Funding Request	Ineligibility	Recommendation
Connecting Community Services	Celebrating 50 Years of Service	\$6,500	Ineligible - 6.7 Events (other streams of financial assistance are available).	Not Recommended
Dubbo Kart Club	Dubbo Kart Club Country Classic	\$5,000	Ineligible - 6.6 Proposals from sporting agencies (these organisations have other avenues for financial assistance). 6.7 Events (other streams of financial assistance are available). Funds proposed to cover DRC lease agreements.	Not Recommended
Dubbo District Deaf Club	Dubbo District Deaf Club Activities	\$3,399	Ineligible – Outstanding acquittal; Community Services Fund 2020/2021.	Not Recommended
The Royal Society for the Prevention of Cruelty to Animals New South Wales	Dubbo People & Pet Day	\$11,000	Ineligible – Outstanding acquittal; Financial Assistance Program 2022/23 R2.	Not Recommended

An assessment panel of Manager Community Services, Coordinator Family Day Care, and the Youth Development Officer assessed each application independently on the following key criteria:

- The project / activity must address an identified community need.
- Demonstrate how the funding will enable the organisation to deliver social or environmental outcomes to the community.
- Demonstrate collaboration between members and/or volunteers to contribute to the program / activity.
- Demonstrate the capacity to manage funds and deliver the project / activity within twelve months.

The panel met on the 6 March 2024 to further discuss individual assessments and consider eligibility. All recommended applications meet the required eligibility and governance requirements, as reviewed, and approved by the assessment panel.

### Acquittals

An acquittal report is required within two months of the completion of each project, as per the date listed on each application, or 12 months from date of funding payment, whichever arises first. The Executive Support Team contacts organisations with outstanding acquittals every six months, prior to each new round opening. Additional reminders are also automated within the SmartyGrants platform and are scheduled one month prior and the day of the advised completion date.

Some community organisations struggle to acquit within the designated 12 months and require administrative support to achieve the agreed outcomes.

### Outstanding Acquittal Reports

Currently there are 14 outstanding acquittals, totalling \$98,798 for the Community Services Fund and 12 outstanding, totalling \$35,182.00 for the previous Financial Assistance Program, across eight rounds spanning 2018 through to 2024.

To gauge the improvement in this situation, on 7 September 2023 there were 22 outstanding acquittals, totalling \$151,856 for the Community Services Fund and 21 acquittals totalling \$61,686 for the previous Financial Assistance Program (see the below table).

Fund	No. Outstanding Acquittals		Outstanding Amounts	
	2023	Now	2023	Now
Community Services Fund	22	14	\$151,856	\$98,798
Financial Assistance Program	21	12	\$61,686	\$35,182

### Consultation

- Manager Community Services, Director Community Culture and Places and the Executive Officer Community Culture and Places were involved in review and approval of funding guidelines (**Appendix 1**).
- Consultation with other internal divisions of council and Chief Executive Officer.
- Email notification to all past applicants – 25/01/2024
- Weekly Council column – from 06/12/2023 through to 28/02/2024
- Social media post – 29/01/2024
- Media release – 29/01/2024
- Newspaper ads – Rural Press (15/12/2023, 19/01/2024 and 09/02/2024) and Wellington District Leader (14/12/2023, 18/01/2024 and 08/02/2024).

### Resourcing Implications

- Annual budget allocation of \$150,000.
- Round 2 makes available 50% of the annual budget plus the unspent roll over from last financial year.
- The recommendations from the assessment process total \$22,867.
- The remainder of the funding allocated for 2023/2024 Round 2 to be carried over to 2024/2025 Round 1.

### Next Steps

- All successful recipients of funding shall be advised in writing and the requirements of fund provisions including expenditure and acquittal timeframe, as well as acquittal form.
- All unsuccessful recipients shall be advised in writing and informed of ineligibility if relevant, provided links to the Dubbo Grant Hub and any advice to assist future applications for council financial assistance, or other lines of funding.

### APPENDICES:

- 1 [↓](#) Guidelines - Community Services Fund - V3

# COMMUNITY SERVICES FUND

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# GUIDELINES





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**THIS DOCUMENT HAS BEEN ELABORATED BY THE COMMUNITY CULTURE AND PLACES DIVISION OF DUBBO REGIONAL COUNCIL**



### 1. What is the Community Services Fund?

The Community Services Fund relates to the requirements of Section 356 of the Local Government Act 1993 whereby Council may contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions. Funding is determined by Council annually and allocated as part of the Organisation's annual budget

This grant provides funding to community organisations to support projects or activities that deliver social or environmental outcomes to the Dubbo Regional Council local government area and help create, enhance or build community well-being and amenity.

### Definitions

**Community organisation** means:

- A. an entity that carries on activities for a public purpose; or
- B. another entity whose primary object is not directed at making a profit.

**Community well-being** is the combination of social, economic, environmental, and political conditions identified by individuals and their communities as essential for them to flourish and fulfil their potential.

**Community amenity** means any public benefit, improvement or contribution that can enhance the quality of life for a community and includes, but is not limited to, public spaces, land or an interest in land, affordable and/or special needs housing, and facilities, which meet a range of social, environmental, cultural, recreational and infrastructure needs of the community.

**Social outcomes** specifically focus on a particular population or community and can include various aspects such as changes in knowledge, attitudes, behaviours, or living conditions. They reflect the positive effects that the initiative aims to achieve in society.

All grants are governed by Dubbo Regional Council's Financial Assistance Policy.

### 2. Key Contacts

Community Culture and Places Executive Support Team

E: ccp.admin@dubbo.nsw.gov.au

P: 02 6801 4000



### 3. Key Dates

There are two rounds per year – opening in February and July.

The funding is time limited and will cover projects or activities that are able to be completed within a twelve (12) month timeframe from the date of funding.

Applications are scheduled for endorsement at a Council meeting approximately one (1) month after the application deadline of each round.

Round	Opening Date	Closing Date	Notification of Outcome	Project Start Date*
1	1 July	31 July	Approximately 4 weeks after closing date	15 September
2	1 February	28 February		15 April

\* Projects / activities must commence on or after this date.

### 4. Expected Outcomes

Each application is required to address the following:

- i. The project / activity must address an identified community need.
- ii. Demonstrate how the funding will enable the organisation to deliver social or environmental outcomes to the community.
- iii. Demonstrate collaboration between members and/or volunteers to contribute to the program / activity.
- iv. Demonstrate the capacity to manage funds and deliver the project / activity within twelve (12) months.

### 5. Eligibility

- i. Organisations must be based and operate within the Dubbo Regional Council local government area.
- ii. The project / activity must be undertaken within the Dubbo Regional local government area.
- iii. Only one application per organisation, per financial year.



#### 6. The following are ineligible

- i. Applicants with an overdue acquittal or who have failed to appropriately acquit a previous Council grant.
  - a. An Acquittal Report is required within two (2) months of the completion of each project / activity, as per the date listed on each application, or twelve (12) months from date of funding payment, whichever arises first.
- ii. Applicants with outstanding projects / activities due to extension or have not expended their prior funding within the allocated twelve (12) months of provision.
- iii. Applicants can not apply for funding via the Community Services Fund if funding has already been provided by another funding stream within Dubbo Regional Council for the same project / activity in the same financial year.
- iv. Late or incomplete applications.
- v. Proposals from Government Departments, agencies or any Council.
- vi. Proposals from sporting agencies (these organisations have other avenues for financial assistance).
- vii. Events (other streams of financial assistance are available).
- viii. Social activities for members of the organisation exclusively.
- ix. Expenditure for equipment not related to the specific project / activity proposed.
- x. Projects or activities with a religious, political or sectarian purpose.
- xi. Applications seeking funds for retrospective projects and activities commencing, or items purchased, prior to end of the grant closing date.
- xii. General fundraising appeals.
- xiii. Existing projects or activities that require additional, continuous and/or top-up funding.
- xiv. Applicants in a position to self-fund the project or activity.
- xv. Proposals that duplicate a project or activity already existing within the local government area.
- xvi. A project or activity which primarily benefits a single individual or business.
- xvii. Applications seeking funds for prize money, prizes, trophies and gift cards/vouchers.
- xviii. Applications seeking funds for payment of debt and/or insurance premiums.



- xix. Applications seeking funds for personal benefit such as travel, meal or accommodation costs including costs to undertake projects / activities outside of the region.
- xx. Applicants with gaming machines and/or trade regularly with a liquor licence most days of the week.
- xxi. Proposals that are for funding the core business of the organisation. This includes purchase of capital equipment.
- xxii. Works to building or property.
- xxiii. Routine maintenance or works to Council owned buildings that are a lease obligation.
- xxiv. Purchase of land or buildings.
- xxv. Applications seeking funds for existing salaried or waged positions.
- xxvi. Applications that have safety and/or environmental hazards that are not addressed by acts under a Risk Management Plan to mitigate risk.
- xxvii. Proposals that do not reflect community standards and denigrates, excludes or offends community groups.
- xxviii. A project or activity which in the opinion of the assessment panel would be better funded by State or Federal Government, or by corporate sponsorship.



## 7. Insurances

All applicants should consider conducting a risk assessment process for their proposed project / activities 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 / activity have the appropriate mandatory clearances.

## 8. Assessment Criteria

Each application will be assessed as follows:

- i. Project / activity idea – Application addresses an identified community need and demonstrates achievable social or environmental outcomes for the community.
- ii. Sustainability – The project / activity 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.
- iii. Capacity of the applicant to successfully complete the project / activity.
- iv. Budget – The project / activity budget is comprehensive and realistic. Demonstrates all co-contributions (organisation, sponsors, and other grant funding sources) and required quotes are provided with value for money demonstrated.

*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.*



V3 – Updated 18 January 2024

### 9. How to Apply

Council uses SmartyGrants administration software to manage its grants programs. Applications must be submitted via the Dubbo Regional Council SmartyGrants webpage.

Applications must meet the eligibility requirements and no late applications will be accepted. Hard copy applications are not accepted.

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

- Current quotes to support the budget; and
- Relevant approvals, insurances and plans.

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

- Location map;
- Site plan and/or photos;
- Letter(s) of support from organisations your application identifies as partners in the project / activity.

All applications will be assessed by an Assessment Panel and recommendations presented to Council for endorsement.



## 10. 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 Community Culture and Places Division:
  - a. An Acquittal Report within two (2) months of the completion of the project / activity, as per the date listed on each application, or twelve (12) months from date of funding payment, whichever arises first.
  - b. Receipts for all purchases must be included.
- ii. Funds are to be acquitted within twelve (12) months of the grant being provided. Failure to do so without written request and approval for an extension from Dubbo Regional Council may result in the donation 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.
- vi. Dubbo Regional Council must be advised in writing if there are any significant changes to the project / activity as described in the application, or to the contact details of the recipient.
- vii. Should the project / activity be cancelled, all funding received is to be repaid to Dubbo Regional Council.
- 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 / activity from within the Dubbo Regional Council local government area.
- x. Dubbo Regional Council reserves the right, as part of the assessment process, to request further information or documentation.
- xi. Dubbo Regional Council 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 and its officers 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 and its officers 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, Dubbo Regional Council has no obligations regarding ongoing funding, maintenance or renewal of assets created by the project / activity.

#### 11. 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. Requests for variations or extensions must be submitted in writing to Dubbo Regional Council for approval.
- vi. The organisation will provide to Dubbo Regional Council an acquittal report. This report is due within two (2) months of the end of the project / activity, as per the application, or twelve (12) months from date of payment, whichever arises first.



## REPORT: Bodangora Wind Farm Community Benefit Fund 2024

**DIVISION:** Community, Culture and Places  
**REPORT DATE:** 5 February 2024  
**TRIM REFERENCE:** ID24/231

### EXECUTIVE SUMMARY

<b>Purpose</b>	Seek endorsement	Adopt grant funding recommendations
<b>Issue</b>	<ul style="list-style-type: none"><li>Provide Council with the recommendations for funding based on applications received under the Bodangora Wind Farm Community Benefit Fund 2024 Round 9</li></ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"><li>18 applications with combined total request of \$237,499.41 for available funds of \$73,015.52</li><li>Recommendations made by the Bodangora Community Consultative Committee</li></ul>	
<b>Financial Implications</b>	Budget Area	Development Contribution
	Funding Source	Iberdrola Australia Ltd and Bodangora Wind Farm Pty Ltd.
	Proposed Cost	\$73,000
	Ongoing Costs	Nil
<b>Policy Implications</b>	Policy Title	Financial Assistance Policy
	Impact on Policy	Alignment

### STRATEGIC DIRECTION

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

Theme: 5 Liveability  
CSP Objective: 5.3 The lifestyle and social needs of the community are supported  
Delivery Program Strategy: 5.3.1 The social service issues and requirements of our community are identified and met

RECOMMENDATION

1. That Council allocate to the community-based organisations the total funds of \$73,000.
2. The following funds be allocated to the corresponding community group as recommended by the Bodangora Community Consultative Committee in accordance with the Bodangora Wind Farm Community Benefit Fund Grant Guidelines:
  - Red Cross Australia Wellington Branch \$990.00
  - Wellington Senior Citizens \$3,256.00
  - Wellington Men’s Shed \$2,450.00
  - Orana Support Service Inc \$18,000.00
  - Wellington Eisteddfod Society Inc \$9,421.00
  - Wellington Amateur Swimming Club Inc \$9,588.00
  - Binjang Community Radio Inc \$9,295.00
  - Rotary Club of Wellington NSW \$20,000.00
3. That remaining funds from Round 9 be rolled over to Round 10 of Bodangora Wind Farm Community Benefit Fund 2025.

*Craig Arms*  
Director Community, Culture and Places

*CW*  
Manager Community  
Services

## BACKGROUND

The Bodangora Wind Farm Community Benefit Fund (the 'Benefit Fund') has been created from development contributions arising from the Planning Agreement between Dubbo Regional Council (DRC), Infigen Energy Ltd. and Bodangora Wind Farm Pty Ltd (BWF).

The Planning Agreement was first created between Wellington Council, Infigen Energy Ltd. and BWF in March 2013. To date, a total of \$367,405 has been distributed to not-for-profit (NFP) community groups and organisations throughout Wellington region.

Under the Planning Agreement, development contributions consist of \$50,000 per year paid for 25 years, increasing annually with the December Sydney CPI.

## REPORT

The Benefit Fund offers grant opportunities for not-for-profit community organisations to support projects or programs that deliver social, economic, or environmental outcomes to local communities of the Wellington and villages district.

Applications were open for a period of four weeks, 1 February – 29 February 2024, via the Smarty Grants online program. Up to \$20,000 (GST inclusive) is available per application.

The Bodangora Community Consultative Committee (BCCC) independently review applications and assess each on the following criteria:

- i. Project / Program Idea – Application addresses an identified community need and demonstrates achievable social, economic, or environmental outcomes for the community.
- ii. Sustainability – the project / program 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.
- iii. Capacity of the applicant to successfully complete the project / program.
- iv. Budget – the project / program budget is comprehensive and realistic. Demonstrates all co-contributions (organisation, sponsors, and other grant funding sources) and required quotes are provided with value for money demonstrated.

The BCCC held a committee meeting 7 March 2024 to discuss assessment for the recommendation report (Table 1) to DRC for eligibility, governance review and finally Council endorsement. The committee received relevant information relating to each application from Manager Community Services during the meeting.

The BCCC recommends that DRC allocates funds to the top eight ranked applications as listed in the attached scoring document. The aggregated scores for these top eight applications were significantly above the scores for other applications. The committee suggested minor changes to the funding allocations of two applications to ensure all eight are funded from the \$73,000 available.

2024 Bodangora Wind Farm Community Benefit Fund – Recommended			
Organisation	Project/Program	Funding Request	Recommended
Red Cross Australia Wellington Branch	Hot Water Heater for Kiosk	\$990.00	\$990.00
Wellington Senior Citizens	Repair to seating	\$3,256.00	\$3,256.00
Wellington Men's Shed	Purchase Welder and Exercise Equipment	\$2,450.00	\$2,450.00
Orana Support Service Incorporated	Wellington Op Shop Upgrade	\$20,000.00	\$18,000.00
Wellington Eisteddfod Society Incorporated	Technology upgrade	\$9,421.00	\$9,421.00
Wellington Amateur Swimming Club Inc	WASC clubhouse renovation security upgrade	\$10,000.00	\$9,588.00
Binjang Community Radio Incorporated	Broadcast Chain Equipment Upgrade Processor	\$9,295.00	\$9,295.00
Rotary Club of Wellington NSW	Rotary Shed Permanent Storage Facility	\$20,000.00	\$20,000.00
Total			\$73,000.00

Table 1. Recommendation report provided by BCCC

2024 Bodangora Wind Farm Community Benefit Fund – Not Recommended			
Organisation	Project/Program	Funding Request	Recommendation
Wellington Amateur Theatrical Society Inc (WATS)	WATS Building Replacement Roof	\$20,000.00	Not Recommended
Wellington Warriors Senior FC	Warriors Seniors Club Improvement	\$19,740.00	Not Recommended
Wellington Cowboys Senior Rugby League Football Club	Kennard Park Sporting Infrastructure Improvements	\$16,835.45	Not Recommended
The Wellington Race Club Inc	Purchase Marquees and Fencing	\$20,000.00	Not Recommended
Comobella Hall Committee	Replace and repair floorboards	\$14,650.00	Not Recommended
Girl Guide Association of NSW 1st Wellington	New kitchen and Window	\$8,131.65	Not Recommended
Wellington & District Cricket Association	Further upgrading of our scoreboards	\$20,000.00	Not Recommended
Neurea Recreation Ground	Neurea Hall Solar Project Stage 2	\$15,300.31	Not Recommended
Wellington Golf Club	Assist Purchase a tip trailer	\$9,900.00	Not Recommended
Cudgegong Jump Club	Bank Complexes	\$17,530.00	Not Recommended

Feedback from the BCCC highlighted an increase in the number and quality of applications submitted. This is due to work completed by the Executive Support Team consisting of expanding the funding guidelines, improving the application form, and implementing additional methods of round notification.

## Acquittals

An acquittal report is required within two months of the completion of each project or 12 months from date of funding payment, whichever arises first. The Executive Support Team contacts organisations with outstanding acquittals every six months, prior to each new round opening. Additional reminders are also automated within the SmartyGrants platform and are scheduled one month prior and the day of advised completion date.

Some community organisations struggle to acquit within the designated 12 months and require administrative support to achieve the agreed outcomes.

## Outstanding Acquittal Report

Currently there are 12 outstanding acquittals totalling \$68,463.00 for the Benefit Fund, across eight rounds spanning 2017 through to 2024. On 7 September 2023, there were 18 outstanding acquittals totalling \$107,464.

## Consultation

- The Bodangora Community Consultative Committee (BCCC) Chairperson, DRC Councillor Representative, Iberdrola Australia Ltd Site Manager, and Manager Community Services were involved in review and approval of fund guidelines (Appendix 1).
- Email notification to all past applicants – 25/01/2024
- Weekly Council column – from 06/12/2023 through to 28/02/2024
- Social media post – 29/01/2024
- Media release – 29/01/2024
- Newspaper ads – Rural Press (15/12/2023, 19/01/2024 and 09/02/2024) and Wellington District Leader (14/12/2023, 18/01/2024 and 08/02/2024).
- The BCCC were provided all eligible applications including supporting documents for independent assessment, as well as the funding guidelines prior to meeting on the 8 March 2024 (Appendix 1).

## Next Steps

- All successful recipients of funding shall be advised in writing and the requirements of fund provisions including expenditure, development applications and consents, acquittal timeframe, as well as acquittal form.
- All unsuccessful recipients shall be advised in writing, provided links to the Dubbo Grant Hub and advice to assist future applications for financial assistance.
- Any remaining funds from Round 9 of the Bodangora Wind Farm Community Benefit Fund to be rolled over into the 2025 Round 10 annual funding stream.
- Periodic review of acquittal submissions, requests for extension or alternate use of funds.
- Twice annual audit of acquittal submission and issue of reminder letters as required.

**APPENDICES:**

- 1 [↓](#) BWFCBF 2024 R9 Scoring Document
- 2 [↓](#) Guidelines - Bodangora Wind Farm Community Benefit Fund - Version 4

## 2024 R9 - Bodangora Wind Farm Community Benefit Fund - \$73,015.52

Organisation	Application #	IR	PS	SB	CT	JM	Total /100	Decision (Recommended, Not Recommended)	Amount	Conditions (if required)	Assess Owner Approval	DA or Planners response
Red Cross Australia Wellington Branch	R9007	16	20	18	17	20	91	Yes	\$990.00		Provided	Provided
Wellington Senior Citizens	R9019	16	20	15	20	20	91	Yes	\$3,256.00		-	-
Wellington Mens Shed	R9022	16	20	18	17	20	91	Yes	\$2,450.00		-	-
Orana Support Service Incorporated	R9016	16	18	14	17	16	81	Yes	\$18,000.00		-	-
Wellington Eisteddfod Society Incorporated	R9017	16	16	17	13	18	80	Yes	\$9,421.00		-	-
Wellington Amateur Swimming Club Inc	R9026	14	16	14	20	16	80	Yes	\$9,588.00		Requested	Requested
Binjang Community Radio Incorporated	R9027	14	18	16	16	16	80	Yes	\$9,295.00		-	-
Rotary Club of Wellington NSW	R9018	16	16	15.5	15	15	77.5	Yes	\$20,000.00		Provided	Requested
Wellington Amateur Theatrical Society Inc (WATS)	R9005	12	18	12	14	16	72	No			-	Provided
Wellington Warriors Senior FC	R9015	12	14	12	16	10	64	No			-	-
Wellington Cowboys Senior Rugby League Football Club	R9001	10	15	10	12	15	62	No			Provided	Requested
The Wellington Race Club Inc	R9008	10	14	12	12	14	62	No			-	-
Comobella Hall Committee	R9020	12	8	14	16	12	62	No			Requested	Requested
Girl Guide Association of NSW 1st Wellington	R9021	14	16	12	10	10	62	No			Requested	Provided
Wellington & District Cricket Association	R9009	12	10	12	17	10	61	No			Provided	-
Neurea Recreation Ground	R9028	14	8	14	12	12	60	No			Requested	-
Wellington Golf Club	R9010	10	8	18	13	10	59	No			-	-
Cudgegong Jump Club	R9024	10	10	10.8	12	11	53.8	No			Requested	Requested
									\$73,000.00			

\*Scoring: 0 = no information provided // 10 = basic details // 20 = concise, comprehensive & detailed

## Assessment Criteria - Each application is assessed as follows:

- Project / program idea* – Application addresses an identified community need and demonstrates achievable social, economic or environmental outcomes for the community.
- Sustainability* – The project / program 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.
- Capacity* of the applicant to successfully complete the project / program.
- Budget* – The project / program budget is comprehensive and realistic. Demonstrates all co-contributions (organisation, sponsors, and other grant funding sources) and required quotes are provided with value for money demonstrated.

Internal Use

# BODANGORA WIND FARM COMMUNITY BENEFIT FUND

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## GUIDELINES





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**THIS DOCUMENT HAS BEEN ELABORATED BY THE COMMUNITY CULTURE AND  
PLACES DIVISION OF DUBBO REGIONAL COUNCIL**



### 1. What is the Bodangora Wind Farm Community Benefit Fund?

The Bodangora Wind Farm Community Benefit Fund has been created from Development Contributions arising from the Planning Agreement between Dubbo Regional Council and Bodangora Wind Farm Pty Ltd which remains a wholly owned subsidiary of Iberdrola Australia Ltd.

This grant provides funding to not-for-profit community organisations to support projects or programs that deliver social, economic or environmental outcomes to local communities of the Wellington and villages district which are part of the Dubbo Regional Council Local Government Area.

#### Definitions

**Community organisation** means:

- A. an entity that carries on activities for a public purpose; or
- B. another entity whose primary object is not directed at making a profit.

**Not-for-profit** means:

A not-for-profit is generally an organisation that does not operate for the profit, personal gain or other benefit of particular people (for example, its members, and the people who run the organisation, or their friends or relatives).

The definition of not-for-profit applies both while the organisation is operating and if it closes down.

**Incorporated Association** means:

An incorporated association is an organisation incorporated under state or territory law, which is usually not-for-profit. Its structure establishes it as a legal entity separate from its individual members.

All grants are governed by Dubbo Regional Council's Financial Assistance Policy.

### 2. Key Contacts

Community Culture and Places Executive Support Team

E: ccp.admin@dubbo.nsw.gov.au

P: 02 6801 4000



### 3. Key Dates

There is one round per year – opening in February.

The funding is time limited and will cover projects or programs that are able to be completed within a twelve (12) month timeframe from the date of funding.

Applications are scheduled for endorsement at a Council meeting approximately one (1) month after the application deadline of each round.

Round	Opening Date	Closing Date	Notification of Outcome	Project Start Date*
Annual	1 February	28 February	Approximately 4 weeks after closing date	15 April

*\* Projects / programs must commence on or after this date.*

Up to \$20,000 (GST inclusive) is available per application.

### 4. Expected Outcomes

Each application is required to address the following:

- i. The project / program must address an identified community need.
- ii. Demonstrate how the funding will enable the organisation to deliver social, economic or environmental outcomes to the community.
- iii. Demonstrate the capacity to manage funds and deliver the project / program within twelve (12) months.



### 5. Eligibility

- i. Applicants must be an incorporated not-for-profit organisation.
  - a. Projects may be auspiced through incorporated not-for-profit organisations. If the grant will be managed through an auspice arrangement then relevant information must be submitted with the application and detailed within the funding application.
- ii. Organisations must be based within the Dubbo Regional Council local government area.
- iii. The project / program must be undertaken within the Wellington and villages district.
- iv. Only one application per organisation, per round.

### 6. The following are ineligible

- i. Applicants with an overdue acquittal or who have failed to appropriately acquit a previous Council grant.
  - a. An Acquittal Report is required within two (2) months of the completion of each project / program, as per the date listed on each application, or twelve (12) months from date of funding payment, whichever arises first.
- ii. Applicants with outstanding projects / programs due to extension or have not expended their prior funding within the allocated twelve (12) months of provision.
- iii. Applicants can not apply for funding via the Bodangora Wind Farm Community Benefit Fund if funding has already been provided by another funding stream within Dubbo Regional Council for the same project / program in the same financial year.
- iv. Late or incomplete applications.
- v. Applications seeking funds for existing salaried or waged positions.
- vi. A project or program which primarily benefits a single individual or business.
- vii. Projects or programs with a religious, political or sectarian purpose.
- viii. Existing projects or programs that require additional, continuous and/or top-up funding.
- ix. Applications seeking funds for beauty pageants and similar contests.



- x. Events (other streams of financial assistance are available).
- xi. Project or programs promoting gambling or games of chance.
- xii. Proposals that do not reflect community standards and denigrates, excludes or offends community groups.
- xiii. Applications that have safety and/or environmental hazards that are not addressed by acts under a Risk Management Plan to mitigate risk.
- xiv. Proposals from Government Departments, agencies or any Council.
- xv. Social activities for members of the organisation exclusively.
- xvi. Expenditure for equipment not related to the specific project / program proposed.
- xvii. Applications seeking funds for retrospective projects and programs commencing, or items purchased, prior to end of the grant closing date.
- xviii. General fundraising appeals.
- xix. Applicants in a position to self-fund the project or program.
- xx. Proposals that duplicate a project or program already existing within the local government area.
- xxi. Applications seeking funds for prize money, prizes, trophies and gift cards/vouchers.
- xxii. Applications seeking funds for payment of debt and/or insurance premiums.
- xxiii. Applications seeking funds for personal benefit such as travel, meal or accommodation costs including costs to undertake projects / programs outside of the region.
- xxiv. Proposals that are for funding the core business of the organisation. This includes purchase of capital equipment.
- xxv. Routine maintenance or works to Council owned buildings that are a lease obligation.
- xxvi. Purchase of land or buildings.
- xxvii. A project or program which in the opinion of the assessment panel would be better funded by State or Federal Government, or by corporate sponsorship.



## 7. Insurances

All applicants should consider conducting a risk assessment process for their proposed project / program 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 / program have the appropriate mandatory clearances.

## 8. Assessment Criteria

Each application will be assessed as follows:

- i. Project / program idea – Application addresses an identified community need and demonstrates achievable social, economic or environmental outcomes for the community.
- ii. Sustainability – The project / program 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.
- iii. Capacity of the applicant to successfully complete the project / program.
- iv. Budget – The project / program budget is comprehensive and realistic. Demonstrates all co-contributions (organisation, sponsors, and other grant funding sources) and required quotes are provided with value for money demonstrated.

*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.*



### 9. How to Apply

Council uses SmartyGrants administration software to manage its grants programs. Applications must be submitted via the Dubbo Regional Council SmartyGrants webpage.

Applications must meet the eligibility requirements and no late applications will be accepted. Hard copy applications are not accepted.

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

- Evidence of not-for-profit status;
- Current quotes to support the budget; and
- Relevant approvals, insurances and plans.

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

- Location map;
- Site plan and/or photos;
- Letter(s) of support from organisations your application identifies as partners in the project / program.

All applications will be assessed by the Bodangora Wind Farm Community Consultative Committee and a recommendation report is provided to Council for consideration and endorsement.



#### 10. 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 Community Culture and Places Division:
  - a. An Acquittal Report within two (2) months of the completion of the project / program, as per the date listed on each application, or twelve (12) months from date of funding payment, whichever arises first.
  - b. Receipts for all purchases must be included.
- ii. Funds are to be acquitted within twelve (12) months of the grant being provided. Failure to do so without written request and approval for an extension from Dubbo Regional Council may result in the donation 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.
- vi. Dubbo Regional Council must be advised in writing if there are any significant changes to the project / program as described in the application, or to the contact details of the recipient.
- vii. Should the project / program be cancelled, all funding received is to be repaid to Dubbo Regional Council.
- 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 / program from within the Dubbo Regional Council local government area.
- x. Dubbo Regional Council reserves the right, as part of the assessment process, to request further information or documentation.
- xi. Dubbo Regional Council 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 and its officers 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 and its officers 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, Dubbo Regional Council has no obligations regarding ongoing funding, maintenance or renewal of assets created by the project / program.

#### 11. 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 recognise Council and Iberdrola as the funding source on all media, promotional material and project signage. The text to be used is as follows: “Bodangora Wind Farm Community Benefit Fund: Dubbo Regional Council and Iberdrola Australia.”
- vi. Requests for variations or extensions must be submitted in writing to Dubbo Regional Council for approval.



- vii. The organisation will provide to Dubbo Regional Council an acquittal report. This report is due within two (2) months of the end of the project / program, as per the application, or twelve (12) months from date of payment, whichever arises first.



## REPORT: Dubbo Regional Airport Airline Regular Passenger Transport (RPT) Fees and Charges 2024/2025

**DIVISION:** Organisational Performance  
**REPORT DATE:** 27 February 2024  
**TRIM REFERENCE:** ID24/418

### EXECUTIVE SUMMARY

<b>Purpose</b>	Seek Endorsement	
<b>Issue</b>	<ul style="list-style-type: none"><li>Proposed Regular Passenger Transport (RPT) Fees and Charges for 2024/2025.</li></ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"><li>Requirement to identify any changes to passenger fees and charges to enable three months' notice to airlines in accordance with International Airport Transport Association (IATA) rules.</li></ul>	
<b>Financial Implications</b>	Budget Area	Dubbo Regional Airport
	Funding Source	Airline passenger fees and charges 2024/2025.
	Proposed Cost	Proposed fee \$19.45 passenger fee.
<b>Policy Implications</b>	Policy Title	Dubbo Regional Council Fees & Charges
	Impact on Policy	New fees proposed to be included in draft Revenue Policy and enable required notification to Airlines.

### STRATEGIC DIRECTION

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

Theme: 4 Leadership

CSP Objective: 4.2 The resources of Council are sustainably managed

Delivery Program Strategy: 4.2.1 The system of raising revenue is equitable and revenue from grants and other income sources is maximised

**RECOMMENDATION**

- 1. That the draft 2024/2025 Fees and Charges reflect an increase of 6.2% for Passenger Fees and Charges at Dubbo Regional Airport, to \$19.45.**
- 2. That the draft 2024/2025 Fees and Charges reflect an increase of 10% for Regular Passenger Transport Passenger Fees per passenger for Western Ports at Dubbo Regional Airport, to \$4.35.**
- 3. That the Chief Executive Officer formally advise all airlines of proposed Passenger Fees and Charges.**
- 4. That all other fees relating to Dubbo Regional Airport and Wellington Aerodrome and Recreation Park, including security fees and general aviation landing fees, be considered as part of the broader annual Revenue Policy and Fees and Charges review process.**

*Jane Bassingthwaight*  
Director Organisational Performance

*BR*  
Manager Commercial  
Strategy

## BACKGROUND

In accordance with International Aviation Transport Association (IATA) rules, airlines require three months' notification prior to any change to passenger fees and charges. Each year in March, Council formally advises airlines using Dubbo Regional Airport (DRA) of proposed passenger fees. These fees and charges are further considered and adopted as part of Council's annual Revenue Policy process. It is proposed that all other fees relating to DRA and Wellington Aerodrome and Recreation Park, including security fees and general aviation fees, be considered as part of the broader annual Revenue Policy process.

## REPORT

Historical passenger fee charges are detailed below. In June 2020, Council resolved to maintain the same fee rate due to the devastating impacts of the pandemic on the aviation industry. Despite further uncertainty and limited income in June 2021, Council endorsed application of Consumer Price Index (CPI) with a view to try and work with industry partners in challenging times and maximise opportunity for industry recovery.

	2020/21	2021/22	2022/23	2023/24	Proposed 2024/25
RPT Landing Fees per pax	\$16.89	\$17.02	\$17.45	18.32	19.45
% increase	0.0%	0.8%	2.5%	5.0%	6.2%
Western Ports per pax	\$3.66	\$3.69	\$3.78	\$3.95	\$4.35
% increase	0.0%	0.8%	2.5%	4.5%	10%

RPT operators pay a per passenger charge, the per passenger charging is associated with airport terminal operations and related asset use, along with airfield charges and related assets, including runways and parking aprons. A proportion of the DRA passenger charge (\$2 per pax) is restricted into an asset renewal fund. Whilst this was an attempt to ensure the business had increased funding for future renewals and that revenue was being collected from the users when the asset is being utilised, this proportion does not fully recover cost of airside asset operation or a return on assets.

Comparison of other regional airport RPT fees and charges are as follows:

Regional Airport	2023/2024 Passenger Fees RPT	2022/2023 Passenger numbers
Tamworth	19.75	153,638
Albury	15.40	236,205
Wagga	15.80	193,786
Bathurst	14.50	26,815
Orange	20.90	92,840
Ballina	16.15	632,612
Mildura	17.32	196,709
Bendigo	14.80	19,782
Coffs Harbour	26.40	178,514

Table 1: Airport charges benchmarking

The proposed RPT Landing Fees per pax of \$19.45 is a 6.2% increase from the prior year. This is comparable with other regional airports RPT fees, as highlighted in the above table.

### Community Benefit

Reducing reliance on rate payer revenues and ability to self-fund asset improvements.

### Consultation

- Passenger fees and charges were sourced for comparable industry purposes.
- Staff prepared a number of scenarios, fees and estimated passenger numbers in consultation with Chief Financial Officer for consideration and review by the Director of Organisational Performance.
- Affected airlines have been provided with written notification of this report and the proposed increase in fees as a courtesy.

### Resourcing Implications

- The additional 6.2% revenue provided from the PAX fees will provide additional revenue to fund the ongoing operational expenditure (including depreciation).
- Depreciation provides an indication of how much the Airport assets are being consumed by the users annually.

Total Financial Implications	Current year + 1 (\$)	Current year + 2 (\$)	Current year + 3 (\$)	Current year + 4 (\$)
a. Operating revenue	6,570,112	6,640,225	6,814,857	6,994,131
b. Operating expenses	4,282,952	4,307,312	4,486,370	4,569,946
c. Depreciation	2,510,479	2,510,479	2,510,479	2,510,479
d. Operating budget impact (a – b - c)	-223,319	-177,566	-181,992	-86,294
Does the proposal require ongoing funding?	No			
What is the source of this funding?	Airline Passenger fees			

**Table 1.** Ongoing Financial Implications

Noting the following two significant expenditure items have been included in the above figures:

- Depreciation (includes all DRA asset classification) expense forecast is \$2.5M annually
- Security Screening Fees are cost recovered with estimated income and expenditure.

### Planned Communications

- Council will formally advise each airline of the proposed passenger fees in March 2024, ensuring the three month notification period is provided.
- Council will also advise airlines when the draft Revenue Policy 2024/2025 Fees and Charges are adopted and will be placed on public exhibition and invite Airlines to provide feedback.

- Following Council’s adoption of the 2024/2025 Revenue Policy, Chief Executive Officer will formally advise airlines advising of the adopted fees and charges.

It is proposed that all other fees relating to Dubbo Regional Airport and Wellington Aerodrome and Recreation Park, including security fees and general aviation, be considered as part of the annual revenue review and stakeholder feedback to fees and charges be considered within that process.

**Timeframe**

Key Date	Explanation
21 March 2024	Ordinary Council Meeting
28 March 2024	All Airlines to be advised of any proposed changes to passenger fees at Dubbo Regional Airport.
27 June 2024	Following community consultation any changes to fees and charges are formally endorsed as Council’s 2024/2025 Revenue Policy Fees and Charges.



## REPORT: Change of Venue for Ordinary Meeting of Council - April 2024

**DIVISION:** Organisational Performance  
**REPORT DATE:** 1 March 2024  
**TRIM REFERENCE:** ID24/456

### EXECUTIVE SUMMARY

<b>Purpose</b>	<ul style="list-style-type: none"><li>Seek endorsement</li><li>Fulfil legislated requirement/Compliance</li></ul>	
<b>Issue</b>	<ul style="list-style-type: none"><li>Previous resolution of Council for meeting dates and venues in September 2023.</li><li>Due to maintenance work in the new Dubbo Council Chamber, this report is to recommend changing the location of the April Ordinary Meeting of Council to the Wellington Chamber.</li></ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"><li>Section 3.1, Code of Meeting Practice</li><li>Part 20, Code of Meeting Practice</li><li>Section 365, Local Government Act 1993</li></ul>	
<b>Financial Implications</b>	Budget Area	Corporate Governance
	Funding Source	This function of Governance and Internal Control is included within the adopted budget.
	Ongoing Costs	Decisions must be in line with Council's Code of Meeting Practice.
<b>Policy Implications</b>	Policy Title	Code of Meeting Practice
	Impact on Policy	Code of Meeting Practice

### STRATEGIC DIRECTION

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

Theme: 4 Leadership

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

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

**RECOMMENDATION**

**That Council adopt the change of location for the April 2024 Ordinary Council meeting to be held in the Wellington Council Chamber.**

*Jane Bassingthwaite*  
Director Organisational Performance

*SW*  
Governance Team Leader

## BACKGROUND

### Previous Resolutions of Council

28 September 2023	In part:
CCL23/246	<p><i>That Ordinary Council meetings be held on the fourth Thursday of each month commencing at 5.30 pm, on the dates as provided in the report, with the exception of:</i></p> <ol style="list-style-type: none"><li><i>January where no meetings be held and one February Ordinary Council meeting be held being Thursday, 15 February 2024.</i></li><li><i>Ordinary Council Meeting scheduled for Thursday, 28 March 2024 to be held on Thursday, 21 March 2023.</i></li></ol>

According to Part 3.1 of Council's [Code of Meeting Practice](#):

*The Council shall, by resolution, set the frequency, time, date and place of its ordinary meetings. Ordinary meetings will be usually held at 5.30 pm on the fourth Thursday of each month (excluding January). Ordinary Council meetings will be held in Dubbo unless otherwise specified*

## REPORT

The Governance team have been advised that the new Council Chamber area located on the ground floor of the Civic Administration Building Dubbo, will be undergoing maintenance from 12 April to 3 May 2024 for the purpose of installing the new air conditioning ducting in the roof space.

This has necessitated the closure of all the rooms for this maintenance to take place.

The Wellington Council Chamber is available and ready to use, so a recommendation is being put forward to resolve to hold the April Ordinary Meeting of Council on Wednesday 24 April 2024 in Wellington.

### Planned Communications

- Members of the Public
- Advertising in Council Column, Snapshot and Council Website

### Next Steps

- If resolved, Governance team will ensure adequate advertising for the change in location and update meeting invitations to reflect the new location.



## REPORT: Investment Policy and Strategy Review - 2024

**DIVISION:** Organisational Performance  
**REPORT DATE:** 8 March 2024  
**TRIM REFERENCE:** ID24/477

### EXECUTIVE SUMMARY

<b>Purpose</b>	Adopt a policy	Fulfil legislated requirement/Compliance
<b>Issue</b>	This report presents the revised Investment Policy and Investment Strategy for 2024	
<b>Reasoning</b>	The Investment Policy and Strategy are reviewed annually, as a minimum, to ensure that they remain appropriate given changes to the economic, investment and legislative environments.	
<b>Financial Implications</b>	Budget Area	Organisational Performance
	Funding Source	Interest earned on investments
	Proposed Cost	There are no financial implications arising from this report
<b>Policy Implications</b>	Policy Title	Investment Policy 2023
	Impact on Policy	Once adopted the attached draft Investment Policy will become a Policy of Council and override the existing Investment Policy.

### STRATEGIC DIRECTION

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

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

### RECOMMENDATION

1. That the draft Investment Policy March 2024 and the draft Investment Strategy March 2024 attached to this report of the Chief Financial Officer, dated 8 March 2024 as Appendix 1 and Appendix 2, be adopted.
2. That Council's Investment Policy and Investment Strategy be again reviewed and submitted to Council for determination in March 2025.

Jane Bassingthwaight  
Director Organisational Performance

SW  
Chief Financial Officer

**BACKGROUND**

**Previous Resolutions of Council**

23 March 2023	<ol style="list-style-type: none"><li>1. That the draft Investment Policy March 2023 and the draft Investment Strategy March 2023 attached to this report of the Chief Financial Officer, dated 10 March 2023 as Appendix 1 and Appendix 2, be adopted.</li><li>2. That Council's Investment Policy and Investment Strategy be again reviewed and submitted to Council for determination in March 2024.</li></ol>
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**REPORT**

The Investment Policy and Strategy are reviewed annually, as a minimum, to ensure that they remain appropriate given changes to the economic, investment and legislative environments. The annual review of the Investment Policy and Strategy, together with the proactive management of the portfolio, has resulted in a secure investment portfolio that consistently outperforms the benchmark returns detailed within the Policy.

Council's Investment Policy establishes the framework within which investment principles are applied to the investment of Council funds. The Policy provides overarching direction, objectives, the Legislative framework, criteria for Council investments and how Council will maintain internal controls as follows:

- financial planning and cash-flow management;
- delegated authorities and investment approval;
- measurement of investment performance;
- performance benchmarks;
- reporting and review; and
- audit oversight.

These internal controls will ensure adequate governance and allow transparent and clear performance measurement for the management of Council's cash and investment portfolio.

The Investment Strategy outlines Council's investment intentions based on the current economic, investment and legislative environments. The focus is on the investment opportunities available to Council, guiding investments to be maintained in the coming 12 months and the investment of new funds. The Strategy aims to accomplish a balanced and diversified portfolio in terms of investment products, credit ratings and term to maturity to ensure sufficient liquidity will be available as funds are required.

As required within Council's Investment Policy monthly reporting to Council is provided detailing the current investment portfolio, returns to date and holdings by maturity.

### Consultation

- The Investment Policy and Strategy documents have been reviewed internally and in consultation with Laminar Capital Pty Ltd. Adaptations have been made to suit the economic changes that have occurred over the past 12 months and the projections for the short term future. The expectation of rising interest rates has ceased with current predictions that the RBA will hold rates steady with the trend forecasting possible rate cuts in the first half of 2025.

### Key changes

- No significant changes have been made to Council's Investment Policy.
- Key changes to Council's Investment Strategy include:
  - Updated commentary on global and domestic investment environments;
  - Updated details on current composition of Council's investment portfolio;
  - Updated commentary regarding Council's at call funds held for liquidity purposes to clarify Council's strategy;
  - Updated The Strategy to align with the global and domestic investment environments commentary including maintaining cash holdings with interest rates predicted to remain relatively static;
  - Take advantage of longer-term fixed term deposits past 12 months where interest rates are favourable, as interest rates are predicted to have peaked and have the potential to fall in late 2024 and during 2025;
  - Added into our strategy to prioritise investments by highest rating ADI's (AAA & AAA+) where interest rates are comparable or difference in rates is marginal. This will allow us to fully maximise our portfolio limits under our Portfolio Credit Rating Framework (referenced on page 8 of the 2024 Investment Policy); and
  - Focus on Term Deposits rather than seeking Floating Rate Notes or Bonds as interest rates are currently favourable.

### Resourcing Implications

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

### APPENDICES:

- 1 [1](#) Council Policy - Investment Strategy - March 2024
- 2 [2](#) Council Policy - Investment Policy - March 2024

Appendix 2



Investment  
Strategy

March

2024

## Investment Strategy

### Purpose

The annual Investment Strategy sets out Council's investment goals and targets for the coming year. The aim of the strategy is to guide the management of Council's investment portfolio over the short to medium term to:

- achieve a balanced and diversified portfolio, in terms of allowable investment products, credit ratings and maturation terms that will outperform the benchmark indices; and
- ensure liquidity when required for Council's operational and capital expenditure needs.

This strategy has been prepared in consultation with Laminar Capital Pty Ltd.

### Scope

The *Investment Strategy* applies to all managers and employees who actively manage investments or have responsibility for employees who actively manage investments.

This strategy should be read in conjunction with Council's *Investment Policy*.

### Effective Date

This document replaces any previous Strategy document approved by Council.

The effective date of this Strategy is 21 March 2024 and will be reviewed in March each year or when a change in either regulation or market conditions necessitates a review.

### Context

Council's investment strategy is determined after taking into consideration a review of the following issues:

- global and domestic economic investment environments;
- investment policy and legislative constraints;
- current composition of Council's investment portfolio;
- long, medium and short term financial plans.

### Global and domestic investment environments

The global economy grew more strongly than expected through 2023 even with headwinds from high interest rates as most major central banks continued to lift interest rates to contain inflation. Supply chain issues from the Covid lockdown era and the beginnings of the Ukraine

War (2020-2022) started to resolve in 2023 allowing goods prices to moderate and helping to reduce inflation although it remained above central banks' targets in America, Europe and Australia at year-end.

Bond, credit and share markets were volatile through 2023 but ended the year on a strong note amid expectations that central banks would pivot and start reducing official interest rates in 2024. Those expectations of rate cuts have been pushed out early in 2024 amid signs that inflation is proving to be stickier than was thought likely late in 2023. A longer period of official interest holding at least as high as they are now (5.50% in the US; 4.0% in Europe; and 4.35% in Australia) is in prospect increasing the risk of recession down the track.

Australia lagged the US and Europe in experiencing declining inflation but started to catch up through 2023. The CPI inflation rate fell from over 7% in late 2022 to 4.1% in Q4 2023, but progress is likely to slow in 2024 with high wage growth (4% year on year) and low labour productivity (-2% year on year) meaning that is unlikely inflation will return inside the RBA's 2-3% target band before mid-2025 at earliest. The RBA is warning that a risk remains that it may need to hike the 4.35% cash rate. At the very least it seems likely that the cash rate will hold at 4.35% until late 2024 or early 2025.

Essentially labour markets remained much tighter for much longer than expected through 2023. In the US, the unemployment rate at 3.7% in January 2024 is still close to a 60-year low-point. In Europe, the unemployment rate at 6.4% is at a quarter-century low point. Australia's unemployment rate has started to rise to a two-year high 4.1% in January 2024 but remains low by historic comparison. In the decade before the Covid pandemic recession, a period regarded as one of a strong labour market, the average monthly unemployment rate was 5.5%. While labour market conditions remain very tight there is little likelihood that central banks can start cutting official interest rates as soon or as much as markets are expecting currently.

The RBA last hiked the cash rate back in November 2023 by 25bps to 4.35%. At its meetings in December 2023 and February 2024 it remained on hold although indicating it was a close call between staying on hold or hiking further at both meetings. Weakness in retail spending in December and the beginnings of a softer trend in the December and January labour force reports reduce the risk of further rate hikes this year but are far from weak enough to promote a rate cut. Conditions may permit a rate cut by the end of this year, but more likely in the first half of 2025.

#### **Legislative environment**

Council's investment opportunities are constrained by a combination of legislation, regulation and any directions and guidelines issued by the Minister or the Office of Local Government. There has been no change to the investment legislative environment for a number of years and the most recent Ministerial Investment Order released in January 2011 continues to limit Council's investment options to:

- term and at-call deposits with Approved Deposit-taking Institutions (ADIs);
- other ADI senior ranked securities;

- investments with NSW Treasury Corporation including their investment management division (TCorp and TCorpIM);
- funds or securities issued or guaranteed by the Commonwealth or any State or Territory.

#### Composition of Council's investment portfolio

The conservative nature of Council's Investment Strategy is clearly reflected in the structure of the portfolio, where 95.3% of the portfolio is invested with Australian Prudential Regulation Authority (APRA) - regulated ADIs and 4.70% of the portfolio is invested in Northern Territory Government Bonds.

Council's current portfolio is as follows (as at the end of January 2024)

Investment	Split
Big Four banks	42.4%
Australian mid-tier banks	47.6%
Foreign controlled Australian based ADIs	4.60%
Unrated – Local ADI	0.70%
<b>Total APRA-regulated ADIs</b>	<b>95.3%</b>
Northern Territory Government Bonds	4.70%
<b>Total Investment Composition</b>	<b>100.00%</b>

#### Investment strategy

Council's investment portfolio will continue to be prudently managed in accordance with:

- Council's *Investment Policy* and related legislative and regulatory requirements;
- documented Internal control Practices to preserve capital; and
- Council's operational and capital funding requirements.

#### Objectives

Council's investment strategy for the period is to maintain the highly secure profile of the portfolio, provide liquidity and deliver competitive investment returns commensurate with the portfolio structure.

#### Risk profile

The risk profile for Council's investment portfolio is based on the principles of being prudent, conservative and risk averse. This is achieved by managing the diversity and creditworthiness of investments in accordance with the *Investment Policy* and other relevant requirements.

Current investments are with APRA regulated financial institutions and Northern Territory Government Bonds so that credit risk remains minimal.

The maturity profile of the investments is adequately spread to ensure that liquidity and maturity risks are also kept to a minimum.

Council hold at call funds to meet cash flow liquidity requirements and invest excess funds to maximise returns. Council has historically held Floating Rate Notices (FRNs) to maturity; however a change in exit point would be considered if this would optimise the investment.

#### **Liquidity / Maturity**

The majority of Council's cash and investments portfolio is held as restricted reserves to satisfy legislative responsibilities and funding commitments contained within the *Dubbo 2040 Community Strategic Plan*.

To ensure Council has available funds to meet these short-term commitments, the following liquidity targets are set in accordance with the *Investment Policy*.

Investment Horizon Description	Investment Horizon - Maturity Date	Minimum Allocation	Maximum Allocation
Working capital funds	0-3 months	10%	100%
Short term funds	3-12 months	20%	100%
Short-Medium term funds	1-2 years	0%	70%
Medium term funds	2-5 years	0%	50%
Long term funds	5-10 years	0%	25%

Council's capital funding requirements will continue to increase over the next few years. Major capital expenditures in 2024 are anticipated to be approximately \$87 million.

Additional requirements for capital expenditure are being funded from restricted assets which impacts the overall cash available for investment. The maturity profile of the investment portfolio has become more concentrated in the short and medium term rather than the longer term.

Council's liquidity will be monitored on an ongoing basis to ensure cash requirements are met and that liquidity parameters remain within allowable limits set out in the *Investment Policy*.

#### **The Strategy**

Investments are to be placed with the advantageous rate to Council and within the limits as set in the tables included in the *Investment Policy* and the Investment Strategy as listed below;

- Investment Policy - Performance Benchmark Table
- Investment Policy - Credit Rating Structure and Tenor Limits
- Investment Strategy – Investment Horizon Description

To maximise performance, the intention is to pursue the following actions during this strategy period;

- Maintain current cash holdings due to forecasts predicting the cash rate will remain static with the potential to slightly decrease towards the end of 2024.
- Increase fixed term deposits past 12 months as comparable term deposit rates are predicted to have peaked and have the potential to fall towards the end of 2024.
- Take advantage of longer tenor specials available.
- Prioritise investments by highest ratings when the variance in interest rates is marginal.
- Purchase secondary market FRNs where investment can be optimised reducing the liquidity risk and interest rate risk while having no impact on credit risk of the portfolio.
- Maintain a well-structured portfolio with a mix of maturities laddered across tenors.

#### **Environmentally and Socially Responsible Investments**

Council's ability to acquire environmentally and socially responsible investments within the current investment and policy environment remains limited, as:

- the structure of many of these investments remains prohibited under the current Ministerial Investment Order; and
- the global financial crisis caused significant declines in the valuation of the financial assets that comprise many of these investments.

Council will, however, continue to explore opportunities for supporting environmentally and socially responsible investments within these constraints. The investment climate is changing over time and Council notes that many large scale renewable projects are expected to evolve, which may offer sustainable investment opportunities in the future *via* co-investments. Council will continue to encourage and give preference to these investments where they comply with the Ministerial Investment Order and satisfy Council's policy and investment objectives.

#### **References**

##### **Laws and standards**

- *Local Government Act 1993*;
- *Local Government (General) Regulation 2021*;
- Ministerial Investment Order;
- *Local Government Code of Accounting Practice and Financial Reporting*;
- Australian Accounting Standards;
- Office of Local Government Circulars.

##### **Policies and procedures**

- Investment Policy



# COUNCIL POLICY

## INVESTMENT POLICY

**Date** 8 March 2024

**Council Resolution Date** 21 March 2024

**Clause Number** CCL23/81

**Responsible Position** Chief Financial Officer

**Branch** Financial Operations

**Division** Organisational Performance

**Version** 8

**TRIM Reference Number**

**Review Period** Annually (or when a change is either regulation or market condition necessitate a review)

**Review Date** 7 March 2025

**Consultation**

Document Revision History	
Description	Date
Notes	

## POLICY

### Purpose

The Policy provides a framework for the optimum investment of Council's funds. While exercising the power to invest, consideration is to be given to the preservation of capital, liquidity and the return on investment. Council therefore has several primary objectives for its investment portfolio:

- Compliance with legislation, regulations, the prudent person tests of the *Trustee Act* and best practice guidelines;
- The preservation of the amount invested;
- To ensure the investment portfolio holds sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring significant costs due to the unanticipated sale of an investment;
- To generate income from the investment that exceeds the performance benchmarks mentioned later in this document;
- To set boundaries for the exposure to market risk, credit risk and interest rate risk within the investment portfolio and the 'counterparty' exposure of the portfolio to individual institutions or products; and
- To establish a framework for monitoring investments.

In addition, Council may nominate, and take account of, secondary objectives that are to the benefit of the community's broader interests. These can include:

- Environmental, social and governance (ESG) or similar responsible investment and impact objectives.
- Adhering to investment conditions of concessional loans from the State government.

### BACKGROUND AND RELATED LEGISLATION

All investments are to comply with the following:

- *Local Government Act (1993)*;
- *Local Government (General) Regulation (2021)*;
- Ministerial Investment Order;
- The *Trustee Amendment (Discretionary Investments) Act (1997)* – Section 14;
- Local Government Code of Accounting Practice and Financial Reporting;
- Australian Accounting Standards;
- Office of Local Government *Investment Policy Guidelines*; and
- Office of Local Government Circulars;

Council's Investment Strategy will run in conjunction with this Investment Policy.

**SCOPE**

This Policy has been prepared to recognise the legislative requirements and obligations for the investment of Council's funds.

Council will comply with investment regulations, and directions of the Office of Local Government which will prevail in the event of inconsistencies with the adopted Policy. This document replaces any previous Investment Policy document adopted by Council. This Investment Policy will be reviewed at least annually in March each year, or when a change in either regulation or market conditions necessitate a review.

**DEFINITIONS**

Refer to Appendix 1.

**POLICY****Policy statement**

Council's investment objective is to ensure funds that are surplus to Council's immediate requirements are invested within acceptable risk parameters to optimise interest income and the community's best interests, while ensuring the security of these funds.

**Investment governance**

The following internal control practices are in place to ensure adequate governance and allow transparent and clear performance measurement for the management of Council's cash and investment portfolio:

- financial planning and cash-flow management;
- delegated authorities and investment approval;
- measurement of investment performance;
- performance benchmarks;
- reporting and review; and
- audit oversight.

These internal control practices are explained in more detail below.

**Financial planning and cash-flow management**

Funds that are surplus to Council's immediate cash requirements will be managed in accordance with the long, medium and short-term financial cash requirements.

Long term financial plans are developed to ensure the long-term financial sustainability of Dubbo Regional Council. These plans will incorporate forecasts of cash inflows and outflows to:

- estimate cash surpluses and shortages in future periods
- identify the longer and medium term investment horizon for surplus funds.

Shorter term financial plans are used to predict funds availability and monitor the Council's cash management needs throughout the year. These cash flow models are monitored daily to facilitate informed investment decisions and to ensure that sufficient liquidity exists to satisfy Council's financial commitments.

In accordance with section 409 of the Local Government Act, money and property held in the Council's Consolidated fund may be applied towards any purpose allowed by the Act, however in accordance with subsection (3), money received for the specific purpose of water supply or sewerage services may only be used for the specific purpose of water supply and sewerage services. Accordingly, Council holds investments within its Investment Register separately for General fund, Water fund and Sewerage fund and must ensure that sufficient General fund operating cash is available to cover General fund, Water fund and Sewerage fund requirements.

#### **Delegated authorities and investment responsibilities**

Authorities and investment responsibilities are defined within Council's Delegation Authority register. Authority for the implementation of the Investment Policy is delegated by Council to the Chief Executive Officer in accordance with the *Local Government Act 1993*.

The Chief Executive Officer has also delegated authority to invest surplus funds as follows:

- Director Organisational Performance (DOP);
- Chief Financial Officer (CFO);
- other senior financial officers who have the requisite skills to undertake investment functions (as per the Delegations Register).

Officers with delegated authority are required to acknowledge they have received a copy of this Policy and understand their obligations in this role.

#### **Investment responsibilities**

When determining surplus funds available for investments, Council's Revenue Section must reasonably determine that Council's general fund cash liquidity can meet cash flow requirements including water fund and sewer fund.

Council's Revenue Section prepares investment recommendations in accordance with this Policy and the Investment Strategy. To achieve the best value for Council's investments, recommendations will consider:

- credit risk;
- forecast cash requirements;
- alternative investments with comparable risk;
- liquidity and maturity profiles.

Where investing directly, Council shall demonstrate reasonable endeavours to ensure best execution, having regard to competing rates. Council will have regard to:

- the range of ADIs of acceptable quality;
- sources of deposits (treasury department direct, brokers, retail rates, branches, etc.) and tradeable securities (brokers, primary issuance);
- relative value at various terms;
- the character and competing merits of managed funds (TCorpIM) and direct investments.

Two authorised signatories, with appropriate delegation limits, must approve each investment recommendation. Recommendations must be retained on file as a permanent record.

**Cash** - Council retains funds for daily operational payment needs in a combination of a cheque account and sweep account. A sweep facility manages savings and day-to-day spending money by automating transfers between linked transaction and savings accounts. Council sets a lower and upper limit for its transaction account balance. A sweep facility automatically moves money from higher interest saver accounts to maintain a minimum transaction account balance. At the upper limit, money is automatically transferred to savings.

**Ethics and Conflicts of Interest** - Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio. Officers must disclose any conflict of interest to the Chief Executive Officer. Independent advisors are also to declare that they have no actual or perceived conflicts of interest and receive no inducements in relation to Council's investments.

#### **Measurement of investment performance**

Investment performance includes both interest returns and any change in the underlying capital value of the investments.

Interim fluctuations of capital value are excluded from the monthly measurement of investment performance on the basis that:

- fixed investments have no mechanism for realising gains prior to maturity, and tradeable securities are held on a multi-year perspective – not actively traded;
- there is no certainty that these returns will be realised, until the point of maturity or sale of the asset and so they should not be spent;
- cash liquidity requirements are structured and managed to ensure that Council is not in a financial position that will require a forced sale of these assets.

Notwithstanding the above position, changes in capital value are relevant and the monthly investment report will therefore provide Council with indicative market valuations of each investment. In the event that the capital value of any investment becomes permanently impaired, or a capital loss or gain is actually realised (through disposal), the loss or gain of value will be recognised within that month's financial accounts.

### Performance benchmarks

The performance of each investment will be assessed against the benchmarks listed in the table below.

It is Council's expectation that the performance of each investment will be greater than or equal to the applicable benchmark whilst taking into account its risks, liquidity and other benefits. Council will take due steps to ensure that any investment is executed at the best pricing reasonably possible.

Investment	Performance Benchmark	Time Horizon
Funds held in overnight accounts - 11 am Account including TCorpIM Cash Fund, Cash Management Accounts.	AusBond Bank Bill Index (BBI)	3 months or less
Short dated bills, Term Deposits of appropriate remaining term, FRNs nearing maturity, TCorpIM Short Term Income.		3 months to 12 months
Term Deposits, FRNs with a maturity date between 1 and 2 Years.		1 to 2 years
FRNs, Bonds, Term deposits with a maturity date between 2 and 5 Years.		2 to 5 Years
TCorpIM Managed Funds (Diversified or growth assets).	Fund's Internal Benchmark	3 Years (M/T Growth) 5+ Years (L/T Growth or other Growth)

Grandfathered investments are allocated to the appropriate horizon based on expected or average exit date and should be taken into account when allocating the rest of the portfolio. The decision on when to exit such investments are based on a range of criteria specific to the investments – including but not limited to factors such as:

- Returns expected over the remaining term;
- Fair values;
- Competing investment opportunities;
- Costs of holding;
- Liquidity and transaction costs;
- Outlook for future investment values; and
- Risk of defaulting payment.

In general, it is expected that professional advice will be sought before transacting in "grandfathered" investments. This Policy does not presume disposal; however, the removal of an asset from the Minister's Order would warrant a review of its suitability for retention.

### Reporting and Review

Documentary evidence must be held for each investment and details thereof maintained in the investment register. The documentary evidence must provide Council legal title to the investment.

Council will maintain a separate record of money it has invested under section 625 of the *Local Government Act 1993*, in accordance with the criteria defined by the *Local Government Code of Accounting Practice and Financial Reporting*.

A monthly investments report will be provided to Council. The report will detail the investment portfolio in terms of holdings by maturity, returns generated for the portfolio compared to the AusBond Bank Bill Index, and comparison with the budget. The monthly report will also confirm compliance of Council's investments within legislative and Policy limits.

In accordance with the *Local Government Code of Accounting Practice & Financial Reporting*, Council will undertake at least an annual review of its Investment Policy and Investment Strategy.

If there are any significant changes to the Act, regulations, issued guidelines, or if the market changes to a degree that warrants an earlier examination, the Policy and/or Strategy will be reviewed and brought back to Council for its consideration.

#### **Audit oversight**

Council's external auditors will review Council's investments as part of the Annual Financial Reports. This includes seeking independent certification from the relevant financial institutions (banks, fund managers, etc.) to confirm the balance of investments held on Council's behalf at the end of the financial year, and the adequacy of their internal control procedures.

Council's Internal Audit unit will also periodically review the adequacy of the Investment Policy, Strategy and management's internal controls as part of the internal audit program.

#### **Investment criteria**

This section sets out the criteria for investments to be considered for inclusion within Council's portfolio. In particular, it defines the mandatory investment criteria which all investments must satisfy.

Current investment regulations require Councils to invest with governments, NSW Treasury Corporation (NSW TCorp and NSW TCorpIM) or in specified investments with Approved Deposit-taking Institutions (ADI) such as Australian banks or branches of foreign owned banks, credit unions and/or building societies as it acknowledges the additional assurance that arises from their regulation by the Australian Prudential Regulation Authority (APRA).

#### **Mandatory investment criteria**

##### ***Scope***

Investments must comply with legislative authorities.

##### ***Currency***

Investments must be denominated in Australian Dollars.

***Ownership***

Investments must be held in the name of Dubbo Regional Council. This includes beneficial ownership, where invested through a custodian.

***Portfolio Credit rating framework***

Direct investments beyond government guaranteed deposits must have a credit rating, with the exception of a permitted allocation that are unrated as per the investment limit table.

The credit rating structure of individual investments and the total portfolio must comply with the maximum tenor as listed in the following table, which also applies differential tenor limits by rating:

Investment Class	Portfolio Limits	Counterparty Limit	Max Term
TCorp	100%	100%	N/A
AAA Rated	100%	100%	N/A
AA+ to AA- Rated including the 4 major banks	100%	40%	5 years
A+ to A- Rated	60%	35%	5 years
BBB+ to BBB- Rated	35%	15%	5 years
Unrated	10%	5%	12 months
Unrated – Local ADI	5%	5%	12 months

Standard & Poor's (or equivalent Moody's or Fitch) ratings attributed to each individual institution will be used to determine maximum holdings.

In the event of disagreement between two agencies as to the rating band ("split ratings") Council shall use the lower of the ratings. Where more than two ratings exist, Council shall discard the lowest rating and then use the lower of the higher two ratings when assessing new purchases.

Credit ratings can apply to either, products and institutions. However, this Policy requires the rating applicable to the institution responsible for the product (*e.g.* guarantor) to be taken as the relevant rating given this represents the underlying risk to Council. Rating criteria use the best applicable guide where an investment is not explicitly rated. For example, the TCorpIM fixed interest funds are assessed based on the underlying investment mix. In some ADIs (such as Rabobank Australia) a rating is only held by a parent institution.

**Notes:**

Credit ratings must be monitored regularly by Finance staff to ensure ongoing compliance. Investments with credit ratings downgraded to an extent that they no longer comply will be divested as soon as practicable, in accordance with grandfathering under this Policy.

- Credit risk investment parameters are based on credit rating bands as published by the Standard and Poor's credit rating agency. If not rated by S&P, Moody's or Fitch Ratings may be used instead.

### ***Risk Management Guidelines***

Investments obtained are to be considered in light of the following key criteria:

- ***Preservation of Capital*** – the requirement for preventing losses in an investment portfolio's total value;
- ***Credit Risk*** – The risk that a party or guarantor to a transaction will fail to fulfil its obligations. In the context of this document it relates to the risk of loss due to the failure of an institution/entity with which an investment is held to pay the interest and/or repay the principal of an investment;
- ***Diversification*** – the requirement to place investments in a broad range of products so as not to be over exposed to a particular sector of the investment market;
- ***Liquidity Risk*** – the risk that Council is unable to redeem investments at a fair price within a timely period, and thereby Council incurs additional costs (or in the worst case is unable to execute its spending plans) either through investment in fixed term products, products with long redemption periods, or failure of the counterparty of honour intended liquidity terms;
- ***Market Risk*** – the risk that fair value or future cash flows will fluctuate due to changes in market prices, or benchmark returns will unexpectedly overtake the investment's return;
- ***Legal Risk*** – inability to enforce a contract, resulting in loss;
- ***Fidelity Risk*** – inadequate procedures and controls, resulting in fraud by internal or external parties;
- ***Maturity Risk*** – the risk relating to the length of term to maturity of the investment. The longer the term, the greater the length of exposure and risk to market volatilities; and
- ***Rollover Risk*** – the risk that income will not meet expectations or budgeted requirement because interest rates are lower than expected in future.

### ***Safe Custody Arrangements***

Where necessary, investments may be held in safe custody on Council's behalf, as long as the following criteria are met:

- Council must retain beneficial ownership of all investments;
- Adequate documentation is provided, verifying the existence of the investments at inception, in regular statements and for audit;
- The Custodian conducts regular reconciliation of records with relevant registries and/or clearing systems; and
- The Institution or Custodian recording and holding the assets will be:
  - The Custodian nominated by NSW TCorp for TCorpIM Funds;
  - Austraclear;
  - An institution with an investment grade Standard and Poor's, Moody's or Fitch rating; or
  - An institution with adequate insurance, including professional indemnity insurance and other insurances considered prudent and appropriate to cover its liabilities under any agreement.

***Investment Horizon Limits***

Council's investment portfolio shall be structured around the time horizon of investment to ensure that liquidity and income requirements are met. "Horizon" represents the intended minimum term of the investment, which can be designated as shorter than the legal maturity in case of an expectation of earlier call or the intention to sell the investment. (Such a designation may have accounting implications which must be taken into account.)

Once the primary aim of liquidity is met, Council will ordinarily diversify its maturity profile as this will ordinarily be a low-risk method of obtaining additional return as well as reducing the risks to Council's income. However, Council always retains the flexibility to invest as short as required by cashflow requirements or the economic outlook.

The factors and/or information used by Council to determine minimum allocations to the shorter durations include:

- Council's liquidity requirements to cover both regular payments as well as sufficient buffer to cover reasonably foreseeable contingencies;
- Medium term financial plans and major capital expenditure forecasts;
- Known grants, asset sales or similar one-off inflows;
- Seasonal patterns to Council's surplus funds.

In addition to the term limits of investments based on rating (above), the aggregate portfolio should comply with the following:

<b>Investment Horizon Description</b>	<b>Investment Horizon - Maturity Date</b>	<b>Minimum Allocation</b>	<b>Maximum Allocation</b>
Working capital funds	0-3 months	10%	100%
Short term funds	3-12 months	20%	100%
Short-Medium term funds	1-2 years	0%	70%
Medium term funds	2-5 years	0%	50%
Long term funds	5-10 years	0%	25%

<sup>^</sup>Council's Working Capital Funds are inclusive of NAB Professional Fund Account.

Within these broad ranges, Council relies upon assumptions of expected investment returns and market conditions that have been examined with its investment advisor.

***Environmentally and Socially Responsible Investments***

Council will consider the purpose of an investment opportunity in terms of environmental and social outcomes when investing funds where the investment return is favourable relative to alternate investment opportunities.

Subject to compliance with legislation and Investment Policy objectives and parameters, Council will consider investment securities and financial institutions that meet our environmentally and socially responsible investments (ESRI) criteria. ESRI status may be in respect of the individual investment, the issuer of the investment, or both and should be endorsed by an accredited environmentally and socially responsible industry body or institution.

Environmentally and socially responsible investments will be assessed on the same basis as other investment opportunities and the Council will select the investment that best meets its overall investment selection criteria.

The Council's criteria relating to an ESRI are those which:

- Direct investment towards the socially and environmentally productive activities listed below;
- Avoid investment in the socially and environmentally harmful activities listed below. The criteria for ESRI are all preferred and not mandatory requirements.

Environmentally productive activities are considered to be:

- Resource efficiency-especially water and energy;
- Renewable energy;
- Production of environmentally friendly products;
- Recycling, and waste and emissions reduction.

Socially productive activities are considered to be:

- Fair trade and provision of a living wage;
- Human health and aged care;
- Equal opportunity employers, and those that support the values of communities, indigenous peoples and minorities;
- Provision of housing, especially affordable housing.

Environmentally harmful activities are considered to be:

- Production of pollutants, toxins and greenhouse gases (coal, oil and gas);
- Habitat destruction, especially destruction of forests and marine eco-systems;
- Nuclear power;
- Uranium mining.

Socially harmful activities are considered to be:

- Abuse of Human Rights and Labour Rights;
- Involvement in bribery/corruption;
- Production or supply of armaments;

- Manufacture of alcohol, tobacco or gambling products.

***Investment Advisor***

The Council's investment advisor is appointed by the Chief Executive Officer and must operate under a license issued by the Australian Securities and Investment Commission. The advisor must be independent and must confirm in writing that they have no actual or potential conflict of interest in relation to investment products being recommended and are free to choose the most appropriate product within the terms and conditions of the Investment Policy. 'Independence' includes receiving no commissions or other benefits in relation to the investments being recommended or reviewed, unless such remuneration is rebated 100% to Council, promptly. Council will make all decisions in relation to the placement of investments as described in the below table shown as **Appendix 1**

Appendix 1	
Term	Definition
Act	<i>Local Government Act 1993</i>
ADI	Authorised Deposit-Taking Institutions (ADIs) are corporations that are authorised under the Banking Act 1959 (Commonwealth) to take deposits from customers.
AusBond BBI	The Bank Bill Index represents the performance of a notional rolling parcel of bills averaging 45 days and is the widely used benchmark for local councils and other institutional cash investments.
Bill of Exchange	A Bill of Exchange is an unconditional order in writing, addressed by one person to another, signed by the person giving it, requiring the person to whom it is addressed to pay on demand, or at a fixed or determinable future time, a sum certain in money to or to the order of a specified person, or to bearer. These can be underwritten by banks, to become "bank bills" on which the benchmark return is calculated.
BBSW	The Bank Bill Swap reference rate (BBSW) is the midpoint of the nationally observed best bid and offer for AFMA Prime Bank eligible securities. The BBSW is calculated daily. Floating rate securities are most commonly reset quarterly to the 90-day BBSW.
Chief Executive Officer	Refers to the statutory executive of the Council as defined in section 335 of the Act, including where on an Interim or Acting basis, and under any alternative titles.
Council Funds	Monies that are invested by Council in accordance with section 625 of the Act.
Debenture	A debenture is a document evidencing an acknowledgement of a debt, which a company has created for the purposes of raising capital. Debentures are issued by companies in return for medium and long-term investment of funds by lenders.
FRN	A Floating Rate Note (FRN) is a medium to long term fixed interest investment where the coupon is a fixed margin ("coupon margin") over a benchmark, also described as a "floating rate". The benchmark is usually the BBSW and is reset at regular intervals – most commonly quarterly.
TCorp	New South Wales Treasury Corporation (NSW TCorp) including the TCorp Investment Management arm which manages the TCorpIM funds (formerly Hour-glass).



## REPORT: Question on Notice - Dubbo Rescue Squad Building

DIVISION: Elected Members  
REPORT DATE: 12 March 2024  
TRIM REFERENCE: ID24/495

### QUESTIONS ON NOTICE

Council has received the following Questions on Notice from Councillor J Black. The questions and answers are submitted below for the information of Councillors.

1. Noting the original building at 186 Cobra Street has apparently been deemed no longer fit for purpose and formed part of the business case to fund and build a new shared facility at 6 Judy Jakins Drive, Dubbo Airport, for use by the NSW SES and Dubbo Rescue Squad - Can an update please be provided on the intentions the Squad has for the Council owned property at 186 Cobra Street?

**Response:**

Council understands the preference of the VRA is to maintain the two separate facilities.

2. Was there an initial intention for the Dubbo Rescue Squad to move their operations to 6 Judy Jakins Drive, Dubbo Airport?

**Response:**

It is understood that is the case.

3. What could the property be repurposed for if it is no longer used by the Dubbo Rescue Squad?

**Response:**

The property is zoned as Low Density Residential (R2).

### RECOMMENDATION

**That the information contained within the report be noted.**

*JB*  
Councillor

### APPENDICES:

- 1 [Report - Ordinary Council Meeting - 21/3/2024 - Question on Notice - Dubbo Rescue Squad Building - J Black - Signed copy](#)

**Councillor Joshua Black**

PO Box 81  
DUBBO NSW 2830

11 March 2024

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

Dear CEO,

**QUESTION ON NOTICE – DUBBO RESCUE SQUAD BUILDING**

I would like to place the following question on notice on the agenda for the March 2024 Ordinary meeting of Council.

1. *Noting the original building at 186 Cobra Street has apparently been deemed no longer fit for purpose and formed part of the business case to fund and build a new shared facility at 6 Judy Jakins Drive, Dubbo Airport, for use by the NSW SES and Dubbo Rescue Squad - Can an update please be provided on the intentions the Squad has for the Council owned property at 186 Cobra Street?*
2. *Was there an initial intention for the Dubbo Rescue Squad to move their operations to 6 Judy Jakins Drive, Dubbo Airport?*
3. *What could the property be repurposed for if it is no longer used by the Dubbo Rescue Squad?*

Yours faithfully,



Josh Black  
Councillor