

AGENDA ORDINARY COUNCIL MEETING 27 JUNE 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.

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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CCL24/137 LEAVE OF ABSENCE (ID24/1132)

CCL24/138 CONFLICTS OF INTEREST (ID24/1133)

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

CCL24/139 PUBLIC FORUM (ID24/1134)

CCL24/140 CONFIRMATION OF MINUTES (ID24/1135)

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held 23 May 2024.

INFORMATION ONLY MATTERS:

CCL24/141 MAYORAL APPOINTMENTS AND MEETINGS (ID24/1180)

The Council had before it the report dated 3 June 2024 from the Chief Executive Officer regarding Mayoral Appointments and Meetings.

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CCL24/142	ORGANISATIONAL SUSTAINABILITY REVIEW AND IMPROVEMENT PLAN - RESULTS OF PUBLIC EXHIBITION (ID24/1202) The Council had before it the report dated 6 June 2024 from the Director Strategy, Partnerships and Engagement regarding Organisational Sustainability Review and Improvement Plan - Results of Public Exhibition.	29
CCL24/143	UPDATE REPORT - MODIFIED DEVELOPMENT APPLICATION D22-122 PART 3 - 33 LOT SUBDIVISION (TORRENS TITLE) - LOT 8 DP 1063425, 4L CAMP ROAD DUBBO (ID24/1296) The Council had before it the report dated 20 June 2024 from the Senior Planner regarding Update Report - Modified Development Application D22-122 Part 3 - 33 Lot Subdivision (Torrens Title) - Lot 8 DP 1063425, 4L Camp Road Dubbo.	54
MATTERS CO	ONSIDERED BY COMMITTEES:	
CCL24/144	REPORT OF THE INFRASTRUCTURE, PLANNING AND ENVIRONMENT COMMITTEE - MEETING 13 JUNE 2024 (ID24/1136) The Council had before it the report of the Infrastructure, Planning and Environment Committee meeting held 13 June 2024.	57
CCL24/145	REPORT OF THE CULTURE AND COMMUNITY COMMITTEE - MEETING 13 JUNE 2024 (ID24/1137) The Council had before it the report of the Culture and Community Committee meeting held 13 June 2024.	64
CCL24/146	REPORT OF THE CORPORATE SERVICES COMMITTEE - MEETING 13 JUNE 2024 (ID24/1138) The Council had before it the report of the Corporate Services Committee meeting held 13 June 2024.	70
NOTICES OF	MOTION:	
CCL24/147	MULTICULTURAL GARDEN PUBLIC CONSULTATION (ID24/1068) Council had before it a Notice of Motion dated 20 May 2024 from Councillor S Chowdhury regarding the Multicultural Garden Public Consultation.	77

CCL24/148	NOTICE OF MOTION - SCABBING FLAT BRIDGE (ID24/1250) Council had before it a Notice of Motion dated 17 June 2024 from Councillor R Ivey regarding the Notice of Motion - Scabbing Flat Bridge.	79
REPORTS FRO	OM STAFF:	
CCL24/149	DETERMINATION OF THE OPERATIONAL MODEL FOR DUBBO REGIONAL LIVESTOCK MARKETS (ID24/1243) The Council had before it the report dated 12 June 2024 from the Director Organisational Performance regarding Determination of the Operational Model for Dubbo Regional Livestock Markets.	81
CCL24/150	DRAFT 2024/2025 BUDGET, OPERATIONAL PLAN AND ASSOCIATED DOCUMENTS - RESULTS OF PUBLIC EXHIBITION (ID24/797) The Council had before it the report dated 17 June 2024 from the Director Strategy, Partnerships and Engagement regarding Draft 2024/2025 Budget, Operational Plan and associated documents - Results of Public Exhibition. Please note that the attachments are provided under separate cover.	107
CCL24/151	MAKING OF THE RATES AND CHARGES (ID24/1060) The Council had before it the report dated 10 June 2024 from the Revenue Accountant regarding Making of the Rates and Charges.	121
CCL24/152	DELEGATIONS TO CHIEF EXECUTIVE OFFICER DURING NON COUNCIL PERIOD (ID24/1248) The Council had before it the report dated 17 June 2024 from the Manager Corporate Governance regarding Delegations to Chief Executive Officer During Non Council Period.	133
CCL24/153	PROPOSED AMENDMENTS TO THE DUBBO REGIONAL LOCAL ENVIRONMENTAL PLAN 2022 (ID24/1201) The Council had before it the report dated 13 June 2024 from the Manager Growth Planning regarding Proposed Amendments to the Dubbo Regional Local Environmental Plan 2022.	139

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CCL24/154 DEVELOPMENT APPLICATION D23-500 - COMMERCIAL PREMISES (SHOPPING CENTRE) LOT 101 DP 1302321, 2 STREAM AVENUE DUBBO

APPLICANT: THE TRUSTEE FOR MAAS COMMERCIAL SHOPPING CENTRE SOUTHLAKES UNIT TRUSTOWNER: MAAS GROUP PROPERTIES SOUTHLAKES PTY LTD (ID24/1123)

The Council had before it the report dated 14 June 2024 from the Senior Planner regarding Development Application D23-500 - Commercial Premises (Shopping Centre) Lot 101 DP 1302321, 2 Stream Avenue DubboApplicant: The Trustee for Maas Commercial Shopping Centre Southlakes Unit TrustOwner: Maas Group Properties Southlakes Pty Ltd.

CCL24/155 2024 WATER SUPPLY AND SEWERAGE CUSTOMER SURVEY RESULTS; AND DRAFT 2024-2026 WATER SUPPLY AND SEWERAGE CUSTOMER SERVICE PLAN (ID24/1155)

The Council had before it the report dated 7 June 2024 from the Water and Sewer Compliance Officer regarding 2024 Water Supply and Sewerage Customer Survey Results; and Draft 2024-2026 Water Supply and Sewerage Customer Service Plan.

CCL24/156 QUESTION ON NOTICE - PEDESTRIAN ACCESS TO ORANA MALL ON MITCHELL HIGHWAY AND WHEELERS LANE (ID24/1070)

The Council had before it the report dated 21 May 2024 from the Councillor regarding Question on Notice - Pedestrian Access to Orana Mall on Mitchell Highway and Wheelers Lane.

CCL24/157 COMMENTS AND MATTERS OF URGENCY (ID24/1139)

CONFIDENTIAL

CCL24/158 EVALUATION OF THE DUBBO REGIONAL LIVESTOCK MARKETS EXPRESSIONS OF INTERESTS (ID24/1072)

The Council had before it the report dated 22 May 2024 from the Chief Executive Officer regarding Evaluation of the Dubbo Regional Livestock Markets Expressions of Interests.

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)).



Confirmation of Minutes

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 23 May 2024.

RECOMMENDATION

That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council meeting held on 23 May 2024 (as attached) be taken as read, confirmed as correct minutes, and signed by the Mayor and the Chief Executive Officer.

APPENDICES:

1. Minutes - Ordinary Council Meeting - 23/05/2024



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 Director Organisational Performance, the Manager Corporate Governance, the Governance Team Leader, the Governance Officers, the Chief Financial Officer, the IT Infrastructure Specialist, the IT Support Officer, the Property and Land Development Officer, the Director Strategy, Partnerships and Engagement, the Communications Partner, the Director Development and Environment (D Quigley), the Director Infrastructure, the Director Community, Culture and Places, the Manager Regional Events.

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 V Ethridge. The Acknowledgement of Country was read by Councillor L Burns.

CCL24/110 LEAVE OF ABSENCE (ID24/94)

The were no requests for Leave of Absence.

Councillor M Wright attended via Audio-Visual Link

CCL24/111 CONFLICTS OF INTEREST (ID24/95)

The following Conflicts of Interest were declared:

- CCC24/26 Councillor S Chowdhury Non-Pecuniary, Less than Significant
- CCC24/28 Councillor S Chowdhury Non-Pecuniary, Less than Significant
- CCL24/127 Councillor S Chowdhury Non-Pecuniary, Less than Significant

CCL24/112 50 YEARS OF SERVICE PRESENTATION (ID24/923)

A citation acknowledging 50 Years of service for Raymond John Fardell was read and a certificate presentation was given by Councillor Mathew Dickerson.

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CCL24/113 PUBLIC FORUM (ID24/97)

- Ms Michelle Tomkins The Replacement of Scabbing Flat Bridge
- Mr John Kater Proposed Sale or Lease of the Dubbo Regional Livestock Markets
- Mr Andrew Martel Proposed Sale or Lease of the Dubbo Regional Livestock Markets
- Mr Peter Carter Proposed Sale or Lease of the Dubbo Regional Livestock Markets
- Mr Robert Shanks Proposed Sale or Lease of the Dubbo Regional Livestock Markets
- Mr Martin Simmons Proposed Sale or Lease of the Dubbo Regional Livestock Markets
- Mr Brian Tink Proposed Sale or Lease of the Dubbo Regional Livestock Markets
- Mr Greg Kilby Proposed Sale or Lease of the Dubbo Regional Livestock Markets
- Mr Gary Todd Proposed Sale or Lease of the Dubbo Regional Livestock Markets
- Mr Frank Hayes Proposed Sale or Lease of the Dubbo Regional Livestock Markets

At this juncture the meeting adjourned, the time being 6.04pm. The meeting recommenced at 6.07pm.

CCL24/114 CONFIRMATION OF MINUTES (ID24/96)

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 24 April 2024.

Moved by Councillor S Chowdhury and seconded by Councillor L Burns

MOTION

That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council meeting held on 24 April 2024 (as attached) 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.

MAYORAL MINUTES:

CCL24/115 SUBMISSION OF MOTION TO THE NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT (NGA) - CONSISTENCY IN PLANNING AGREEMENTS FOR RENEWABLE ENERGY PROJECTS (ID24/1052)

The Council had before it the Mayoral Minute regarding Submission of Motion to the National General Assembly of Local Government (NGA) - Consistency in Planning Agreements for Renewable Energy Projects.

Moved by Councillor M Dickerson

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MOTION

That Council support and endorse the motion.

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.

CCL24/116 WIRADJURI CULTURAL TOURISM CENTRE - FUNDING OUTCOME GROWING REGIONS PROGRAM ROUND 1 (ID24/1053)

The Council had before it the Mayoral Minute regarding Wiradjuri Cultural Tourism Centre - Funding Outcome Growing Regions Program Round 1.

Moved by Councillor M Dickerson

MOTION

That Council accept the grant offer of \$7,190,505 from Round 1 of the Growing Regions Program for the construction of the Wiradjuri Cultural Tourism Centre in accordance with deed conditions associated with the funding stream.

CARRIE

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

Against: Councillor J Black.

INFORMATION ONLY MATTERS:

CCL24/117 MAYORAL APPOINTMENTS AND MEETINGS (ID24/916)

The Council had before it the report dated 1 May 2024 from the Chief Executive Officer regarding Mayoral Appointments and Meetings.

Moved by Councillor V Etheridge and seconded by Councillor P Wells

MOTION

That the information contained within 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.

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CCL24/118 INVESTMENT UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - APRIL 2024 (ID24/672)

The Council had before it the report dated 7 May 2024 from the Revenue Accountant regarding Investment Under Section 625 of the Local Government Act - April 2024.

Moved by Councillor P Wells and seconded by Councillor D Mahon

MOTION

That the information contained within the Investment under Section 625 of the Local Government Act Report, dated 7 May 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.

MATTERS CONSIDERED BY COMMITTEES:

REPORT OF THE INFRASTRUCTURE, PLANNING AND ENVIRONMENT CCL24/119 COMMITTEE - MEETING 9 MAY 2024 (ID24/917)

The Council had before it the report of the Infrastructure, Planning and Environment Committee meeting held 9 May 2024.

Moved by Councillor M Wright and seconded by Councillor V Etheridge

MOTION

That the report of the Infrastructure, Planning and Environment Committee meeting held on 9 May 2024, save and except IPEC24/29, 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.

IPEC24/29 **DRAFT PLANNING AGREEMENT - DUBBO FIRMING POWER STATION**

The Council had before it the report dated 1 May 2024 from the Manager Growth Planning regarding Draft Planning Agreement - Dubbo Firming Power Station.

Moved by Councillor M Wright and seconded by Councillor J Black

MOTION

That a draft Planning Agreement be prepared in accordance with the terms identified in

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this report.

- That a further report be presented to Council for consideration if a Planning Agreement cannot be successfully negotiated.
- 3. That a draft Planning Agreement prepared in accordance with the terms identified in this report be placed on public exhibition in accordance with the provisions of the Environmental Planning and Assessment Act 1979.
- 4. That following the conclusion of the public exhibition period, a further report be presented to Council for consideration, including any submissions received.
- 5. That any monetary contribution from the planning agreement be spent with in a 15km radius of the project.

Moved by Councillor J Black and seconded by Councillor S Chowdhury

AMENDMENT

- That a draft Planning Agreement be prepared in accordance with the terms identified in this report.
- 2. That a further report be presented to Council for consideration if a Planning Agreement cannot be successfully negotiated.
- 3. That a draft Planning Agreement prepared in accordance with the terms identified in this report be placed on public exhibition in accordance with the provisions of the Environmental Planning and Assessment Act 1979.
- That following the conclusion of the public exhibition period, a further report be presented to Council for consideration, including any submissions received.
- That future planning agreements do not have a geographical restriction on the use of the funds.

The amendment on being put to the meeting was lost.

LOST

For: Councillors J Black, S Chowdhury, and P Wells

Against: Councillors R Ivey, M Dickerson, M Wright, L Burns, V Etheridge, J Gough and D Mahon.

The original motion on being put to the meeting was lost.

LOST

For: Nil

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

Moved by Councillor R Ivey and seconded by Councillor L Burns

FORESHADOWED MOTION

- That a draft Planning Agreement be prepared in accordance with the terms identified in this report.
- 2. That a further report be presented to Council for consideration if a Planning

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Agreement cannot be successfully negotiated.

- That a draft Planning Agreement prepared in accordance with the terms identified in this report be placed on public exhibition in accordance with the provisions of the Environmental Planning and Assessment Act 1979.
- That following the conclusion of the public exhibition period, a further report be presented to Council for consideration, including any submissions received.

CARRIED

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

Against: Nil.

Councillor L Burns was absent from this vote.

Moved by Councillor J Black and seconded by Councillor S Chowdhury

AMENDMENT

- That a draft Planning Agreement be prepared in accordance with the terms identified in this report.
- 2. That a further report be presented to Council for consideration if a Planning Agreement cannot be successfully negotiated.
- 3. That a draft Planning Agreement prepared in accordance with the terms identified in this report be placed on public exhibition in accordance with the provisions of the Environmental Planning and Assessment Act 1979.
- 4. That following the conclusion of the public exhibition period, a further report be presented to Council for consideration, including any submissions received.
- That any monetary contribution from the planning agreement be spent with in a 35km radius of the project.

The amendment on being put to the meeting was lost.

LOST

For: Councillors J Black, S Chowdhury, and V Etheridge.

Against: Councillors R Ivey, M Dickerson, M Wright, L Burns, J Gough and D Mahon.

Councillor L Burns left the meeting, the time being 07:14 pm.

CCL24/120 REPORT OF THE CULTURE AND COMMUNITY COMMITTEE - MEETING 9 MAY 2024 (ID24/918)

The Council had before it the report of the Culture and Community Committee meeting held 9 May 2024.

Moved by Councillor J Gough and seconded by Councillor V Etheridge

MOTION

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REPORT

That the report of the Culture and Community Committee meeting held on 9 May 2024, save and except CCC24/25, be adopted.

CARRIED

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

Against: Nil.

Councillor L Burns was absent from this vote.

Councillor S Chowdhury declared a non-pecuniary, less than significant interest in CCC24/26 before the Council and remained in the room during the Council's consideration of this matter. The reason for such interest is that Councillor S Chowdhury was a previous member of the Oriscon Committee.

Councillor S Chowdhury declared a non-pecuniary, less than significant interest in CCC24/28 before the Council and remained in the room during the Council's consideration of this matter. The reason for such interest is that Councillor S Chowdhury was a previous member of the Oriscon Committee.

Councillor L Burns returned to the meeting, the time being 07:16 pm.

CCC24/25 CONCEPT DUBBO INDOOR AQUATIC CENTRE (ID24/807)

The Council had before it the report dated 24 April 2024 from the Manager Recreation and Open Spaces regarding Concept Dubbo Indoor Aquatic Centre.

Moved by Councillor S Chowdhury and seconded by Councillor J Black

ALTERNATIVE MOTION

- That as part of the draft budget process, an amount of \$30,000 be allocated to fund the review of the 2017 indoor aquatic centre concept, referred to as 'figure 1' in the CCC24/25 report.
- 2. That the Chief Executive Officer investigate options to reduce the construction cost of the 'figure 1' concept and report back with estimated annual operating costs.
- 3. That the Chief Executive Officer also investigate the costs associated with enclosing the existing 50m pool.

CARRIE

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

Against: Councillors J Gough, R Ivey and D Mahon.

CCL24/121 REPORT OF THE CORPORATE SERVICES COMMITTEE - MEETING 9 MAY 2024 (ID24/919)

The Council had before it the report of the Corporate Services Committee meeting held 9 May 2024.

Moved by Councillor S Chowdhury and seconded by Councillor V Etheridge

MOTION

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That the report of the Corporate Services Committee meeting held on 9 May 2024, 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.

CCL24/122 REPORT OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE - MEETING 6 MAY 2024 (ID24/975)

The Council had before it the report of the Audit, Risk and Improvement Committee meeting held 6 May 2024.

Moved by Councillor S Chowdhury and seconded by Councillor P Wells

MOTION

That the report of the Audit, Risk and Improvement Committee meeting held on 6 May 2024, 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.

CCL24/123 REPORT OF THE FINANCIAL PERFORMANCE COMMITTEE - MEETING 14 MAY 2024 (ID24/1019)

The Council had before it the report of the Financial Performance Committee meeting held 14 May 2024.

Moved by Councillor M Wright and seconded by Councillor S Chowdhury

MOTION

That the report of the Financial Performance Committee meeting held on 14 May 2024, 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.

CCL24/124 REPORT OF THE FLOODPLAIN MANAGEMENT COMMITTEE - MEETING 16 MAY 2024 (ID24/1057)

The Council had before it the report of the Floodplain Management Committee meeting held 16 May 2024.

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Moved by Councillor M Wright and seconded by Councillor L Burns

MOTION

That the report of the Floodplain Management Committee meeting held on 16 May 2024, 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.

NOTICES OF MOTION:

CCL24/125 LETTERS TO OWNERS WELLINGTON BASED SOLAR FARMS (ID24/998)

Council had before it a Notice of Motion dated 13 May 2024 from Councillor R Ivey regarding the Letters to Owners Wellington Based Solar Farms.

Moved by Councillor R Ivey and seconded by Councillor J Gough

MOTION

- That the Chief Executive Officer write to the owners of the Suntop Solar Farm (Cal Energy Pty Ltd) and Wellington Solar Farm and Wellington North Solar Farm (Lightsource BP and the new owners Beijing Energy International Australia) in respect of the following:
 - a. To explain Council's Policy Position in respect of community benefits from renewable energy projects, including Council's adopted Renewable Energy Benefit Framework.
 - b. To note that the Proponents of the Suntop Solar Farm and the Wellington Solar Farms were not previously required to provide community benefits in accordance with Council's currently adopted Renewable Energy Benefits Framework through a Voluntary Planning Agreement with Council.
 - c. That Council therefore requests each Proponent to enter into a Voluntary Planning Agreement with Council in accordance with the requirements of Council's adopted Renewable Energy Benefits Framework.
- That Council believes the proposed Voluntary Planning Agreements negotiated in accordance with Council's Framework would be seen by the community as an act of goodwill by the project owners and thereby increase the acceptance of the shift to renewable energy in our Region.
- That any draft Voluntary Planning Agreement be provided to Council for consideration in accordance with the provisions of the Environmental Planning and Assessment Act,1979, including detailed consultation with community.

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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REPORTS FROM STAFF:

CCL24/126 MARCH 2024 QUARTERLY BUDGET REVIEW STATEMENT (ID24/970)

The Council had before it the report dated 9 May 2024 from the Chief Financial Officer regarding March 2024 Quarterly Budget Review Statement.

Moved by Councillor M Wright and seconded by Councillor V Etheridge

MOTION

- That the Quarterly Budget Review Statements as at 31 March 2024, as attached to the report of the Director Organisational Performance dated 9 May 2024, be adopted and such sums voted for such purpose.
- 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.

CCL24/127 NAMING OF A PRIVATE THOROUGHFARE ASSOCIATED WITH DEVELOPMENT APPLICATION FOR MULTI-DWELLING HOUSING (22 UNITS) AND COMMUNITY TITLE SUBDIVISION ON LOT 3358 DP1265889, 33 WATERWAY CRESCENT DUBBO (ID24/991)

The Council had before it the report dated 10 May 2024 from the LIS and E-Services Coordinator regarding Naming of a Private Thoroughfare Associated with Development Application for Multi-Dwelling Housing (22 units) and Community Title Subdivision on Lot 3358 DP1265889, 33 Waterway Crescent Dubbo.

Moved by Councillor P Wells and seconded by Councillor V Etheridge

MOTION

- That the proposed private road name, Magenta Circuit be approved by Council as per the road layout plan.
- That in accordance with Section 162 of the Road Act 1993 and Section 7 of the Roads Regulation 2018, the proposed name be notified to Government Authorities and advertised in the local newspaper.
- That once approval under the Roads Regulation 2018 has been given and the name gazetted, the owner be advised accordingly.

CARRIED

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

Against: Councillor V Etheridge.

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ORDINARY COUNCIL MEETING - 23 MAY 2024 REPORT

As Councillor V Etheridge did not vote on this matter, as per Clause 11.4 of Council's Code of Meeting Practice, this will be recorded as voting against the motion.

Councillor S Chowdhury declared a non-pecuniary, less than significant interest in the matter now before the Council and remained in the room during the Council's consideration of this matter. The reason for such interest is that Councillor S Chowdhury lives in Waterway Crescent, Dubbo. However, this motion is only naming the road with no financial gain.

CCL24/128 DELEGATION OF AUTHORITY UPDATE - INFRASTRUCTURE PLANNING AND ENVIRONMENT COMMITTEE (ID24/993)

The Council had before it the report dated 13 May 2024 from the Manager Corporate Governance regarding Delegation of Authority Update - Infrastructure Planning and Environment Committee.

Moved by Councillor D Mahon and seconded by Councillor J Black

MOTION

- 1. That Council grant delegation to the Infrastructure Planning and Environment committee to determine all Development Applications.
- That it be noted that delegating authority to determine Development Applications to the Infrastructure Planning and Environment committee will enable decisions to be made every two weeks by the elected body.

LOST

For: Councillors J Black, L Burns, V Etheridge, J Gough and D Mahon.

Against: Councillors S Chowdhury, M Dickerson, R Ivey, M Wright and P Wells.

As there were an equal amount of votes for and against, the Mayor, Councillor M Dickerson, used his casting vote to vote against the motion, as per Clause 11.2 of Council's Code of Meeting Practice.

CCL24/129 COUNCILLOR AND MAYORAL FEES - 2024/2025 (ID24/999)

The Council had before it the report dated 14 May 2024 from the Manager Corporate Governance regarding Councillor and Mayoral Fees - 2024/2025.

Moved by Councillor S Chowdhury and seconded by Councillor M Wright

MOTION

- That pursuant to the provisions of Section 248(2) of the Local Government Act 1993, the annual fee payable to Councillors for the financial year commencing 1 July 2024 be set at \$27,050.
- That pursuant to the provisions of Section 249(3) of the Local Government Act 1993, the annual additional fee payable to the Mayor for the financial year commencing 1 July 2024 be set at \$66,800.

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CARRIED

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

CCL24/130 EXECUTION OF THE SECTION 88B INSTRUMENT TO IMPLEMENT THE RELEASE OF A REDUNDANT 'EASEMENT FOR WATER SUPPLY" (ID24/965)

The Council had before it the report dated 8 May 2024 from the Property and Land Officer regarding Execution of the Section 88B instrument to implement the release of a redundant 'Easement for Water Supply".

Moved by Councillor S Chowdhury and seconded by Councillor M Wright

MOTION

That Council executes documents under the common seal of Council to release the Easement for Water Supply 4 wide (DP 814788) from Lot 2400 in DP 1279437 under Section 88B of the Conveyancing Act 1919, being the redundant easement outlined in this report.

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.

CCL24/131 2024 COMMUNITY INSIGHTS SURVEY RESULTS (ID24/992)

The Council had before it the report dated 13 May 2024 from the Manager Customer Experience and Engagement regarding 2024 Community Insights Survey Results.

Moved by Councillor V Etheridge and seconded by Councillor L Burns

MOTION

- 1. That statistically valid 2024 Community Insights phone survey report be noted.
- That findings from the statistically valid 2024 Community Insights phone survey and the online opt-in 2024 Community Input Survey be presented to the June Corporate Service Committee meeting.
- 3. That a Community Insights 'check-in' survey be undertaken in March 2025.

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.

CCL24/132 QUESTION ON NOTICE - MEETING WITH STEVEN ROSEWELL - 7 JUNE 2022 (ID24/1041)

The Council had before it the report dated 16 May 2024 from the Councillor regarding Question on Notice - Meeting with Steven Rosewell - 7 June 2022.

DUBBO REGIONAL COUNCIL

Moved by Councillor J Black and seconded by Councillor V Etheridge

MOTION

That the information contained within 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.

CCL24/133 QUESTION ON NOTICE - REQUEST FOR LEGAL COSTS (ID24/1042)

The Council had before it the report dated 16 May 2024 from the Councillor regarding Question on Notice - Request for Legal Costs.

Moved by Councillor J Black and seconded by Councillor V Etheridge

MOTION

That the information contained within the report be noted.

CARRIED

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

Against: Councillor J Gough.

CCL24/134 COMMENTS AND MATTERS OF URGENCY (ID24/920)

There were no matters recorded under this clause.

CONFIDENTIAL

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

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

- CCL24/135 154 Talbragar Street, dubbo Expression of Interest 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)).
- CCL24/136 Proposed Agreement to Lease Council-Owned Land 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)).

DUBBO REGIONAL COUNCIL

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

At this juncture it was moved by Councillor L Burns and seconded by Councillor J Gough that the Council resolves into closed session, the time being 8:17 pm.

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.

At this juncture it was moved by Councillor D Mahon and seconded by Councillor P Wells that the Council resolves back into open session, the time being 8:36 pm.

The open session resumed at 8:36 pm.

The Resolutions of the Closed session of Council were displayed on the screen on recommencement of live stream.

DUBBO REGIONAL COUNCIL

CCL24/135 154 TALBRAGAR STREET, DUBBO - EXPRESSION OF INTEREST (ID24/667)

The Council had before it the report dated 10 April 2024 from the Property and Land Officer regarding 154 Talbragar Street, Dubbo - Expression of interest.

Moved by Councillor L Burns and seconded by Councillor J Gough

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 R Ivey and seconded by Councillor L Burns

MOTION

- 1. That Council decline all the Expression of Interest Submissions.
- That Council to advise all Expression of Interest applicants that their submissions have been declined and to thank them for their submission.
- 3. That it be noted, in accordance with Section 55 of the Local Government Act, that Council Staff continue to negotiate with interested parties based on market value.
- That Strategic Planning for the site be undertaken to meet the needs of community and council.
- 5. That all documentation in relation to this matter remain confidential to Council.

LOST

For: Councillors M Dickerson and R Ivey.

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

Moved by Councillor J Black and seconded by Councillor S Chowdhury

FORESHADOWED MOTION

- 1. That Council decline all Expression of Interest submissions.
- 2. That Council to advise all Expression of Interest applicants that their submissions have been declined and to thank them for their submission.
- That Strategic Planning for the site be undertaken to meet the needs of community and council.
- 4. 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.

DUBBO REGIONAL COUNCIL

CCL24/136 PROPOSED AGREEMENT TO LEASE COUNCIL-OWNED OPERATIONAL LAND (ID24/1000)

The Council had before it the report dated 14 May 2024 from the Property and Land Development Officer regarding Proposed Agreement to Lease Council-Owned Operational Land.

Moved by Councillor L Burns and seconded by Councillor J Gough

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 V Etheridge and seconded by Councillor M Wright

MOTION

Against: Nil.

- That Council agree to enter into an agreement to lease 10 Ha of land at the Keswick Estate to Squadron Energy or an associated entity on the key terms as included in the report and the Heads of Agreement document as included in Appendix 1.
- 2. That Council delegate to the Chief Executive Officer the power to negotiate an agreement to lease land in accordance with the Heads of Agreement document provided in Appendix 1 and the information included in this report.
- 3. That all information in relation to this matter is kept confidential to Council.
- That any documents requiring execution by Council relating to this report be executed under the Common Seal of Council.
- 5. That it should be noted that Squadron Energy or an associated entity will be required to provide infrastructure on the land, including water, sewer, stormwater and electricity infrastructure in accordance with the requirements of Council to service any development undertaken on the land.

CARRIED

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

The meeting closed at 8:37 pm.

CHAIRPERSON

DUBBO REGIONAL COUNCIL



REPORT: Mayoral Appointments and Meetings

DIVISION: Chief Executive Officer

REPORT DATE: 3 June 2024 TRIM REFERENCE: ID24/1180

EXECUTIVE SUMMARY

Purpose	Provide review or update		
Issue	Details of Mayoral appointments and meetings for the period 6 May		
	2024 through to 9 June 2024.		
Reasoning	To ensure transparency of Mayoral appointments and meetings.		
Financial	Budget Area	There are no financial implications arising from this	
Implications		report.	
Policy	Policy Title	There are no policy implications arising from this	
Implications		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, 6 May 2024

- Attended radio interview with 2BS.
- Attended radio interview with 2WEB.
- Attended and opened the Nyngan Show.
- Attended along with Councillors Shibli Chowdhury, Richard Ivey and Council's Chief Executive Officer, Murray Wood the Audit, Risk and Improvement Committee meeting.

Tuesday, 7 May 2024

- Submitted Mayoral Memo to the Daily Liberal.
- Submitted Mayoral Memo to the Wellington and District Leader.
- Attended a meeting with Councillor Lewis Burns.
- Attended a meeting with Councillor Vicki Etheridge.
- Attended along with Council's Economic Development and Visitor Services Team Leader, Tim Nichols a meeting with Nicholas Durkin from Hi-Tech Modular Homes.

Wednesday, 8 May 2024

- Attended along with Council's Chief Executive Officer, Murray Wood a meeting with representative from the Tulla Group.
- Attended along with Council's Chief Executive Officer, Murray Wood the Regional Cities NSW Sydney Delegation meetings.
 - Attended a meeting with the Hon. Tara Moriarty MLC Minister for Regional NSW, Western NSW and Minister for Agriculture.
 - Attended a meeting with the Hon. Paul Scully MP Minister for Planning and Public Spaces.
 - Attended a meeting with representatives from the Office of the Hon. Rose Jackson MLC – Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth and Minister for the North Coast.

- Attended a meeting with the Hon. Jenny Aitchison MP Minister for Regional Roads and Transport.
- Attended a meeting with the Hon. John Graham MLC Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy and Minister for Jobs and Tourism.
- Attended the Regional Cities NSW Member Dinner.

Thursday, 9 May 2024

- Attended along with Council's Chief Executive Officer, Murray Wood a Regional Cities NSW Board Meeting.
 - o Attended the Standing Committee meeting on State Development.
- Attended an interview with WIN Canberra.
- Attended the Standing Committees briefing via Microsoft Teams.
- Attended the Standing Committees meetings via Microsoft Teams.

Friday, 10 May 2024

- Attended radio interview with 2DU.
- Attended the Country Mayors Meeting.
- Attended radio interview with Binjang.

Saturday, 11 May 2024

- Recorded 'Straight From the Mayor's Mouth'.
- Attended the Waratahs v Brumbies and Wallaroos v Canada Rugby Union games.

Monday, 13 May 2024

- Attended radio interview with Zoo FM.
- Attended radio interview with DC FM.
- Attended the Dubbo AUKUS Forum.
- Attended a meeting with the Deputy Mayor, Councillor Richard Ivey.
- Attended a meeting with Councillor Jess Gough.

Tuesday, 14 May 2024

- Attended a meeting with Councillor Pam Wells.
- Submitted Mayoral Memo to the Daily Liberal.
- Submitted Mayoral Memo to the Wellington and District Leader.
- Attended along with Councillors Richard Ivey, Matt Wright and Council's Chief Executive Officer, Murray Wood a Financial Performance Committee meeting.
- Attended along with Errin Williamson, Dubbo Business Chamber President, Joshua Hogan, and Adam Mee, QantasLink representatives and Steve Hinks, Taronga Western Plains Zoo Director, the launch of the Dubbo ASX200 CEO Series.

- Attended along with Council's Chief Executive Officer, Murray Wood a meeting with a Trade Delegation from China.
- Attended a meeting with Richard Mutton.
- Attended a phone meeting with Chris Doolan from Ash Group.

Wednesday, 15 May 2024

Attended radio interview with Triple M.

Thursday, 16 May 2024

- Attended radio interview with 2DU.
- Attended along with Councillors Shibli Chowdhury (via MS Teams); Richard Ivey; Jess Gough (via MS Teams); Pam Wells; Lewis Burns; Pam Wells; Matt Wright and Council's Chief Executive Officer, Murray Wood a Councillor Workshop on Community Insights Survey Results, Integrated Planning and Reporting – End of term reporting and Squadron Energy Proposed Lease.

Friday, 17 May 2024

- Attended radio interview with 2DU.
- Attended a meeting with Councillor Matt Wright.
- Attended a meeting in Orange with the Hon. Courtney Houssos MLC Minister for Finance, Minister for Domestic Manufacturing and Governance Procurement and Minister for Natural Resources.
- Attended interview with Triple M News.
- Attended along with Council's Chief Executive Officer, Murray Wood a meeting with the Hon. Mark Coulton MP, Member for Parkes and a New Zealand Delegation of politicians.
- Attended along with Council's Chief Executive Officer, Murray Wood a photo opportunity with the Hon. Mark Coulton MP, Member for Parkes.
- Attended along with Council's Chief Executive Officer, Murray Wood a meeting with Cameron Crowley, Luke Anderson and Brett Anderson from the North West Precinct Community Pty Ltd.

Saturday, 18 May 2024

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

Monday, 20 May 2024

- Attended radio interview with 2BS.
- Attended radio interview with 2WEB.
- Attended a meeting with Council's Chief Executive Officer, Murray Wood.
- Attended a phone interview with Landy from ACM.

• Attended the Charles Sturt Foundation Scholarship Presentation afternoon tea.

Tuesday, 21 May 2024

- Submitted Mayoral Memo to the Daily Liberal.
- Submitted Mayoral Memo to the Wellington and District Leader.
- Attended along with Councillors Shibli Chowdhury; Lewis Burns; Richard Ivey; Josh Black; Pam Wells; Matt Wright and Council's Chief Executive Officer, Murray Wood a site inspection of the Wiradjuri Cultural Centre with Senator Deborah O'Neill and the Hon. Stephen Lawrence, MLC.

Wednesday, 22 May 2024

- Attended Orana Heights public school to read a story as part of the National Simultaneous Storytime 2024.
- Attended along with Councillors Shibli Chowdhury; Jess Gough; Richard Ivey, Council's Chief Executive Officer, Murray Wood and Member for Dubbo, Dugald Saunders MP the New Residents event.

Thursday, 23 May 2024

- Attended the Clontarf Foundation 2024 Central West NSW Employment Forum.
- Attended a phone meeting with Chris Doolan from the Ash Group.
- Attended Councillor Briefing.
- Attended the Ordinary Council Meeting.

Friday, 24 May 2024

- Attended radio interview with ABC Radio.
- Attended radio interview with 2DU.
- Attended along with Dugald Saunders MP, member for Dubbo the Trauma and Resilience Training delivered by Benefolk.
- Attended radio interview with DC FM.
- Attended radio interview with Binjang.
- Attended a phone meeting with Steven Rosewell from Studio Kite.

Saturday, 25 May 2024

Recorded 'Straight From the Mayor's Mouth'.

Sunday, 26 May 2024

 Met with riders from the Long Ride (prostate cancer fundraiser) at the Dubbo Visitor Information Centre.

Monday, 27 May 2024

- Attended along with Council's Chief Executive Officer, Murray Wood a meeting with Dugald Saunders MP, Member for Dubbo.
- Attended along with Council's Chief Executive Officer, Murray Wood, Member for Dubbo, Dugald Saunders MP and the Hon. Stephen Lawrence MLC, the Charles Sturt University 2024 Graduation Ceremony.
- Attended along with Council's Chief Executive Officer, Murray Wood the Charles Sturt University Dubbo Regional Consultative Committee meeting.

Tuesday, 28 May 2024

- Submitted Mayoral Memo to the Daily Liberal.
- Submitted Mayoral Memo to the Wellington and District Leader.
- Attended an interview with Hamish Southwell from Prime 7.
- Attended a meeting with Jenny Stevenson from The Royal Far West.
- Attended along with the Deputy Mayor, Councillor Richard Ivey the Climate Change and Resilience Committee Meeting.

Wednesday, 29 May 2024

- Attended an online Alliance of Western Council's meeting to discuss the Executive Officer position.
- Attended a meeting with Chris Doolan and representatives from the Ash Group.

Thursday, 30 May 2024

- Attended radio interview with Zoo FM.
- Attended a meeting with Consultants to discuss the REACT Centre.
- Attended the Regional Leaders Network Meeting.

Friday, 31 May 2024

Attended radio interview with 2DU.

Saturday, 1 June 2024

- Recorded 'Straight From the Mayor's Mouth'.
- Attended along with Councillors Lewis Burns, Shibli Chowdhury and Jess Gough the Waste2Art Exhibition at the Western Plains Cultural Centre.
- Attended the 125-year celebration of the Dubbo Rugby Club and Old Boys Day.

Monday, 3 June 2024

- Attended along with Director Infrastructure, Luke Ryan the 2024 Local Roads Congress in Sydney.
- Attended radio interview with Toby Gough from 2BS.

Tuesday, 4 June 2024

- Attended radio interview with 2BS.
- Attended radio interview with 2WEB.
- Submitted Mayoral Memo to the Daily Liberal.
- Submitted Mayoral Memo to the Wellington and District Leader.
- Attended a meeting with Councillor Vicki Etheridge.
- Attended the NSW Health, Mental Health and Alcohol Apology Ceremony.
- Attended a meeting with Richard Mann.
- Attended a meeting with David Lawrence, Chairman Sports Shear Australia Association.
- Attended along with Councillors Vicki Etheridge, Shibli Chowdhury, Damien Mahon and Richard Ivey the Dubbo Regional Livestock Markets Advisory Committee meeting.

Wednesday, 5 June 2024

- Attended radio interview with Triple M.
- Attended a meeting with the Deputy Mayor, Councillor Richard Ivey.
- Attended a meeting with Councillor Jess Gough.

Thursday, 6 June 2024

 Attended along with Councillors Josh Black; Shibli Chowdhury; Vicki Etheridge; Jess Gough; Richard Ivey; Damien Mahon; Pam Wells; Matt Wright a Councillor Workshop – Dubbo Regional Livestock Markets.

Friday, 7 June 2024

- Attended radio interview with 2DU.
- Attended a meeting with Councillor Lewis Burns.
- Attended along with Councillor Shibli Chowdhury the Dubbo Indian Support Centre certificate presentation to recipients for completing the Senior Digital Literacy Program.

Saturday, 8 June 2024

Recorded 'Straight From the Mayor's Mouth'.



REPORT: Organisational Sustainability Review and Improvement Plan - Results of Public Exhibition

DIVISION: Strategy, Partnerships and Engagement

REPORT DATE: 6 June 2024 TRIM REFERENCE: ID24/1202

EXECUTIVE SUMMARY

D		5 11 1		
Purpose	 Addressing C 	Council • Provide review or update.		
	resolution.			
Issue	This report provides a summary of the public exhibition period			
	and outlines the implementation phase of the draft			
	Organisational Sustainability Review and Improvement Plan.			
Reasoning	In response to the resolution of CCL24/86, that "following			
	completion of the public exhibition, a future report be			
	presented to Council for consideration, addressing the			
	outcomes of the public exhibition."			
Financial	Budget Area	Strategy, Partnerships and Engagement		
Implications	Funding Source	Strategic Strategy, Partnerships and Engagement		
	Proposed Cost	Cost implications associated with the		
		implementation for the proposed improvement		
		strategies shas not been defined.		
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: 4 Leadership

CSP Objective: 4.1 Council provides transparent, fair and accountable

leadership and governance

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

transparent and accountable

Theme: 4 Leadership

CSP Objective: 4.1 Council provides transparent, fair and accountable

leadership and governance

Delivery Program Strategy: 4.1.4 Statutory requirements are met and services are

provided in a cost-effective and timely manner

Theme: 4 Leadership

CSP Objective: 4.2 The resources of Council are sustainably managed

Delivery Program Strategy: 4.2.4 The business activities of Council are financially

sustainable and provide financial returns to the community

RECOMMENDATION

1. That the draft Organisational Sustainability Review and Improvement Plan (Appendix 1), be adopted, and for implementation of the Plan to commence from 1 July 2024.

2. That progress on improvements identified in the Organisational Sustainably Review and Improvement Plan be provided to Council and community bi-annually as part of progress reporting for the Delivery Program and Operational Plan.

Murray Wood SJ

Chief Executive Officer Director Strategy,
Partnerships and

Engagement

BACKGROUND

Previous Resolutions of Council

24 April 2024	1.	That the draft Organisational Sustainability Review and			
CCL24/86		Improvement Plan, attached as Appendix 1, be endorsed for			
		the purpose of public exhibition only.			
	3.	That the draft Organisational Sustainability Review and			
		Improvement Plan be placed on public exhibition from			
		Wednesday, 1 May 2024 until 9am Monday, 3 June 2024.			
	4.	That community and stakeholder engagement be undertaken			
		in accordance with Council's Community Engagement Strategy			
		(including Community Participation Plan).			
	5.	That following completion of the public exhibition, a further			
		report be presented to Council for consideration, addressing			
		the outcomes of the public exhibition.			

REPORT

The draft Organisational Sustainability and Improvement Plan has been developed in conjunction with the draft 2024/2025 Budget and Operational Plan and supports Council's commitment to ensuring long-term viability and effectiveness. The Plan addresses key areas for development and implements strategies to promote efficiency, improvement, and sustainability.

The draft Organisational Sustainability and Improvement Plan is attached here as **Appendix 1.** There have been no changes as a result of the public exhibition period. Minor typographical corrections have been made to the draft Plan.

Implementation of the draft Plan and Council's commitment to continuous improvement are considered integral to the sustainability of Council and the delivery of services to community.

Consultation

- The draft Organisational Sustainability Review and Improvement Plan was placed on public exhibition from Monday 1 May 2024 to 9am Monday 3 June 2024.
- The public exhibition was facilitated via Council's engagement platform YourSay.

Project page statistic	Number
Views	179
Contributions	1 (Q&A)*, 0 (formal submissions)
Followers	1
Email campaigns	1

^{*}The 1 Q&A was a request for a "comprehensive list of all of Council's landholdings".

The following response was provided "Council owns land for commercial, community and operational purposes. Due to the complexity of this we are unable to provide you with a comprehensive list of landholdings. A major component of the review will be understanding the core purpose of council land holdings."

Resourcing Implications

- The draft Organisational Sustainability Review and Improvement Plan was developed in house with any direct costs incurred considered part of normal operational expenses.
- Resourcing of the improvement strategies may be undertaken either within the
 adopted budgets of the responsible branches/owners, or via the suitable internal
 applications. These applications may include internal funding requests or organisational
 support for the reallocation or distribution of staff to dedicated project work to be
 determined at Management level and in line with Council's Procurement Policy.

Next Steps

- An Improvement Working Group will be established in July 2024. The role of the Improvement Working Group will be to oversee development of detailed action and task registers, development of a prioritisation matrix and reporting structure.
- Regular (typically monthly) progress reporting will be provided internally to the Executive Leadership Team.
- Regular progress reporting will be provided to the Audit, Risk and Improvement Committee.
- Progress reports will also be provided to Councillors and community bi-annually as part of the Delivery Program and Operational Plan Progress Reporting.

APPENDICES:

1. Draft Organisational Sustainability Review and Improvement Plan





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Background

Why this Plan was created

Council appointed AEC Group Ltd to undertake an independent review of the financial sustainability of Dubbo Regional Council, the review was completed in November 2023. In considering the recommendations of the independent review at the Ordinary Council Meeting – 23 November 2023 Council resolved:

CSC23/65 Independent Financial Sustainability Review

CSC23/65 Independent Financial Sustainability Review (ID23/2637)

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

How this Plan links to the AEC Independent Financial Sustainability review

In its independent report, AEC Group recommended the following vision of a sustainable scenario for Council:

The vision for a sustainable Dubbo Regional Council is that the Council will be able to achieve the vision outlined in the Community Strategic Plan while maintaining over the medium to long term both fiscal capital (that is access to cash) and the infrastructure capital (that is assets that the Council owns).

An Enhanced Asset Renewal and Enhanced Cash scenario was developed by AEC to assess the increase in cash required to general sufficient cash to maintain fiscal capital, while also increasing the investment in asset renewals and maintenance to maintain the infrastructure capital.

Informed by analysis, AEC concluded that an improvement in the cash generated from Council's operations is required to an aggregate amount equivalent to a cumulative increase over four years of 37.1% in ordinary rates, above what would otherwise be projected through the annual rate peg (increase in rates) and growth.

Whilst this conclusion was expressed in the form of the required percentage increase in ordinary rates, the report also identified that this could be achieved through a combination of initiatives, including:

- 1 Identification of operational efficiencies and productivity improvements.
- Reduction in service provision levels and/or range of services.
- Reduction in debt through sale of surplus assets.
 Increase in revenue from operations through increase in service fees, rates and/or charges.

Specifically, to support long term financial sustainability, the review recommended Council consider:

- 9.1.1 Efficiencies Savings and Productivity Improvement
- 9.1.2 Review of User Charges and Fees
- 9.1.3 Increase in General Rate Through a Special Rate
 Variation
- 9.1.4 Revise Current Range and Levels of Service
- 9.1.5 Establish Governance & Enhanced Capital Works
 Program Framework
- 9.1.6 Asset Management

This Organisational Sustainability and Improvement Plan forms part of Council's response to the review recommendations, specifically 9.1.1. Elements within this plan also refers to 9.1.2 and 9.1.4.

How was the Plan developed

Development of this of this Plan included three key stages with a further stage identified for implementation:

Stage one: Plan definition:

- Project and plan approach created by Executive Leadership Team.
- Councillor Workshop to confirm project approach, parameters of plan and metrics to be applied.
- Internal workshop with Senior Leadership Team.
- Project and plan approach provided to Audit, Risk and Improvement Committee.
- Staff engagement to support informed idea generation.

Stage two: Plan creation:

- Collation of existing efficiency and improvement commitments.
- · Collation of new efficiency and improvement ideas
- Finalising, quantifying and prioritising draft actions.
- Senior Leadership Team review of draft to align potential resource allocation.
- Executive Leadership Team review of draft plan.

Stage three: Plan consideration:

- Presentation of draft plan to Council Ordinary Meeting.
- Draft plan to be place Public Exhibition: 1 May 3
 June 2024.
- During Public Exhibition, draft plan presented to Audit, Risk and Improvement Committee for consideration.
- Post Public Exhibition draft plan presented to Council Ordinary Meeting for consideration.

Stage four: Plan implementation:

- · Implementation of adopted plan.
- Report on plan implementation in line with adopted plan

Organisational direction and capacity

Organisational direction

For an organisation to be sustainable, its strategy, services, capability, capacity and resources must integrate to guide sustainable decision-making. The Integrated Planning and Reporting (IP&R) framework aims to guide the pathway to organisational sustainability with integration between the key resourcing strategies,

instead of ad hoc decisions made in isolation, which may threaten sustainability.

This Plan is to be considered by Council and Community with the draft 2024/2025 Delivery Program and Operational Plan. It is important that all aspects of the Plan are reflected in Council's Operational Plan in current and future years, and are embedded throughout the organisations strategic focus, to align both resourcing and prioritisation.

The organisation is also drafting a corporate blueprint, set as a key performance indicator for the Chief Executive officer by September 2024. The Blueprint is an internal business framework to direct and assist Council to ensure the needs and priorities of the community are met. The Blueprint will support the effective integration and implementation of corporate strategies – including this Organisational Sustainability and Improvement Plan.

Organisational capability, culture and capacity

In addition to the creation of this Plan, there have been a number of initiatives undertaken to build organisational capability, culture and capacity to guide continuous improvement:

- Creation of Corporate Strategy and Performance function. Whilst limited with resources of 1.5 team members, the function works in partnership with staff across the organisation to advocate for improvement and drive increased focus on efficiency, effective service definition and delivery.
- ✓ Building staff capability with the roll out of continuous improvement workshops across the organisation.
- ▼ Through Local Government Professionals, Council engaged Morrison and Low to facilitate service review training on site for 21 staff participants in February 2024. Attendees included Directors, Managers and Staff from across the organisation who will lead service review projects, support projects or support staff through any potential change management.

Service Sustainability

Sustainability is often defined as meeting the needs of the present without compromising the ability of future generations to meet theirs.

A company or organisation implements sustainable practices by reducing its consumption of limited resources or finding alternative resources. Sections of the organisation can be viewed as a business in regards to how we operate and service efficiency. However, providing products and services to our community should be considered in conjunction with what the community needs and can afford. Such complex factors can drive the type and level of services that are provided to our community.

The Corporate Strategy and Performance function initiates the service review program to assess services, service levels provided to our community and service delivery areas, ensuring that our community receives optimal services at levels that maintain overall financial sustainability.

This Plan is to be considered in addition to the service review program and identifies improvement strategies, framed as 'service sustainability'.

Service Identification

To understand how we can provide a sustainable organisation in the future, we need to understand the services we provide as an organisation to our community.

Core services of the organisation have been identified in a high-level catalogue. This catalogue along with supporting detail, informs supports service profiling, service level recognition, service review identification and organisational development and change management. It will also inform an organisational wide process mapping program which will support efficiencies and improvement.

The service catalogue is included in Appendix 1.

Service Review Program

Service Review Program alignment to financial sustainability and improvement

The service review program forms an integral part of this Plan, the objective to support long term financial sustainability and a culture of continuous improvement.

Office of Local Government guidelines for Integrated Planning and Reporting (IP&R) require a service review program to be undertaken by all Council's as follows:

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

Service reviews at Dubbo Regional Council are undertaken in accordance with the adopted Service Review Framework (Council adopted October 2023). Reviews can be undertaken at three levels across all organisational service areas on the principals of WHAT, HOW, WHY.

Level 1: The WHAT we are doing. A process, a specific/defined service delivery area.

Level 2: The HOW we are achieving. Exploring service delivery structures, key process design, resourcing, benchmarked performance, post project learnings or key function reviews.

Level 3: The WHY we are doing. An examination of full functions or service areas in the context of challenges and opportunities, consideration of why we are operating that way, defining what is the expected performance level, or exploring alternative service delivery models.

The Framework identifies reviews that could explore a potential significant service delivery change, for example potential divestment, proposed project scopes are considered by Council. This is to mitigate the risk on investment in exploring avenues without there being an appetite for potential change regardless of the findings of any

In accordance with the Framework, updates on the service review program are provided to the Audit, Risk and Improvement Committee quarterly and Council on a regular basis.

2024 - 2025 Program

In October 2023 Council resolved CSC23/58 the 2024 – 2025 Service Review Program. The program identifies eight service areas to be reviewed, noting that the outcomes of the financial sustainability review will likely inform the identification of further service reviews. The program would also be reviewed in line with new term of Council as part of the review of the Community Strategic Plan and Delivery Program (before mid 2025).

Service Review	Scope of Review
Corporate system review Level 2 review	The review will: seek independent advice to review capabilities and shortcomings of corporate system across key functions including service provision from external system providers. consider base case for general ledger rebuild and project plan for implementation of work orders in context of any potential future system change or investment.
Visitor Information Services – Dubbo and Wellington Level 2 review	 The review will: establish insight to current service delivery and financial analysis of the Dubbo and Wellington Visitor Information Centres as combined and separate entities and examine accreditation and industry benchmarking. provide analysis of challenges and opportunities to both operational sites, examine service alignment within the current operational branch and other services such as customer experience. Explore opportunities for service delivery partnerships within Council and with external stakeholders.
Major projects management - internal service delivery: Stage 2 Level 2 review	The review will: consider project management systems and processes for capital and non-capital projects across the organisation. undertake system evaluation in context of project management service structure.
Major Infrastructure Delivery: Wheelers Lane Stage 1 and 2 Level 1 review	The review will: enable the organisation to learn lessons from this major road infrastructure project at all stages from design, procurement and installation. assess the performance of Council against original project performance targets. undertake post event engagement with internal and external stakeholders to gain learnings regarding project engagement approach. assess potential capability and capacity gaps in service delivery as well as opportunities to apply learnings to other infrastructure projects

Service Review	Scope of Review
Community, recreation and cultural services review: Stage 1 service definition. Level 1 review	 The review will: establish insight into current service delivery of cultural services including definition of core services, service levels and performance indicators. establish insight into current service delivery of recreation services including definition of core services, service levels and performance indicators. establish insight into current service delivery of community services including definition of core services, service levels and performance indicators. undertake gap or overlap analysis of each defined service with existing resources and financial capacity as identified from financial sustainability review. Outcomes from the stage one review will inform any required stage 2 projects that may further examine service performance, design and structure.
Airport Operations Level 1 review	The review will: consider current service design, structure and capacity in the context of regulations, risk and operational requirements, in addition to stakeholder expectations and satisfaction. develop recommendations utilising insights from the 2023 stakeholder survey project, industry benchmarks and consider future requirements in line with strategic precinct planning and expected service performance.
Rural Road Maintenance Grading Program Level 2 review	The review will: examine current practices and determine if there is merit in a hierarchal approach to road maintenance. determine merit/risk in heavily trafficked roads receiving more maintenance grading than those servicing a small number of landholders in the cycle.
Grant attraction and management Level 1 review	The review will: examine historical performance on delivering incoming grant funded projects/program management. undertake gap and risk analysis/identify challenges throughout the grant lifecycle including: business case preparation and project prioritisation identifying opportunities making a successful application finalising funding agreements/ contracts project/program delivery reporting, acquittals. consider capability and capacity to support stakeholder and community applications. consider capability and capacity challenges in regard to delivering on grant funded commitments.

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2022 - 2023 Program

The 2022- 2023 Program included 15 service reviews across the organisation. Whilst a service review provides opportunity for insight and direction setting, the implementation of recommendations is where the benefit to financial sustainability or improvement is realised.

The implementation of recommendations from the reviews undertaken is summarised below. Progress of implementation plans are also reported regularly to the Audit, Risk and Improvement Committee and Council.

Completed Service Reviews (2022-2023 program)			
Service Review project	Implementation of recommendations		
Media and Communications	Service Review: Complete		
Communications	Implementation Plan: On Target (Underway)		
Level 3 review	42 recommendations (29 complete, 10 underway, three proposed not to be implemented due to organisation or service delivery change resulting in the action no longer being required).		
	Improvements to date: Creating a dedicated engagement team to provide information to community regarding projects undertaken by Council.		
	Creating a dedicated website to provide transparent information to community.		
	Consolidation of staff for communications, digital, website, social media and marketing into a single team to provide clear and transparent information to community.		
Subdivision Planning	Service Review: Complete		
Approvals Process	Implementation Plan: On Target (Underway)		
Level 2 review	37 recommendations (10 underway, 25 not due to start, 1 cancelled action, not supported at Executive level).		
	Improvements to date: Process redesign, examination of positions/resources and system training.		
Aquatic Facilities	Service Review: Complete		
Level 3 review	Implementation Plan: Complete		
	Council endorsed a management contract arrangement in June 2023.		
	Improvements to date: Estimated saving of \$500,000 per annum.		
Finance Partners Model	Service Review: Complete		
Review	Implementation Plan: Off target		
Level 1 review	Due to competing organisational priorities no further action has been undertaken.		

Completed Service Reviews (2022–2023 program)				
Service Review project	Implementation of recommendations			
Library Services Regional	Service Review: Complete			
and Local	Implementation Plan: On Target (Underway)			
	21 recommendations (3 underway, 18 not due to start)			
Level 3 review	Improvements to date:			
	Dubbo Libraries: Vacant positions reviewed/evaluated and updated with a cost saving of \$30,000 annually.			
	MRL customer policies (3) were updated, and the Library Customer Information Privacy statement was revised.			
	Draft Macquarie Regional Library Strategic Plan (2024-2030) under development, with a more inclusive focus on Member Councils to the Macquarie Regional Library partnership.			
Business continuity and	Service Review: Complete			
resilience Water and Sewer Operations	Implementation Plan: Complete			
, in the second	Improvements to date: Structure review complete.			
Level 2 review	End of life ICT infrastructure replaced and aligned with best practice Cyber Security controls, including the implementation of an Intrusion Detection System (IDS), Application Control and Endpoint Protection system. Processes and standards aligned with corporate policies including the corporate adopted Cyber Security Framework.			
Robotic Process Automa- tion Corporate and finan- cial services – stage 1	Service Review: Complete Implementation Plan: Complete			
Level 1 review	18 candidates for automation identified. Implementation of recommendations were cost prohibitive in regard to further engagement of external consultants. Stage 2 component to build internal capacity to implement automation and process improvements on priority basis.			
	Improvements to date: Internal capacity to implement automation and process improvements has increased. Automation platform(Microsoft Power Automate) has been implemented with a number of automations successfully implemented.			
Cemetery services in-	Service Review: Complete			
cluding maintenance and	Implementation Plan: Complete			
grave digging	Review resulted in services continuing to be delivered internally.			
Level1review	Improvements to date: Expansion of the availability of burial days. Implementation of new matrix has led to the inclusion of two additional operational service days. Importantly, the updated matrix has eliminated previous restrictions on village services, allowing for more flexibility and accommodation of community needs.			
Child care services	Service Review: Complete			
Gilliu Care sel VICES	·			
1	Implementation Plan: Complete Review of financial performance and fees and charges in context of service delivery and			
Level 1 review	industry comparisons undertaken.			
	Improvements to date: Changes to fees and charges above CPI to be applied from the 1 January 2024.			

Completed Service Reviews (2022–2023 program)		
Service Review project	Implementation of recommendations	
Community Committees	Service Review: Complete	
	Implementation Plan: On Target (Underway)	
Level 1 review	Implementation of Council recommendation underway.	
	Improvements to date: Improved participation, reduction in cancelled meetings.	
Information Services:	Service Review: Complete	
Corporate Information Management	Implementation Plan: On Target (Underway)	
	Review was completed in November 2023, with the Executive Leadership Team endorsing the 10 recommendations as proposed.	
Level 1 review	10 recommendations (1 underway, 9 not due to start)	
	In addition to informing process redesign and improvements the review identified the need for the organisation to strategically and operationally define information governance. Due to numerous project demands on internal key stakeholder, staff are exploring options to engage an external resource to lead this.	
	Improvements to date: Process redesign, commencement of development of the governance framework	
Wellington Caves Complex	Service Review: Complete	
	Implementation Plan: Not due to start	
Level 3 review	Implementation Plan: under development.	

Improvement Plan

Improvement strategies are broadly defined by the outcomes they aim to achieve, namely an efficiency, an improvement or a service sustainability.

EFFICIENCY

Less input for same output, or same input for greater output

IMPROVEMENT

A measured improved output or outcome (cost/service standard/offering)

SERVICE SUSTAINABILITY

Altering a service to save input (financial or resource) without significant impact.

Identified improvement strategies are supported by a range of actions. The actions range in scope and scale from investigate, trial, review, consider to implement, invest, apply, advance.

Improvement Strategies - Historical and ongoing

Advertising

- Reduction in advertising cost of \$150,000 over 4 years this has been achieved though better value rate negotiation, targeted campaigns and guideline amendments.
- Reduction in costs in conjunction with adjustments to meet consumer needs.

Postage

- Council has seen a reduction in postage cost of \$38,000 over 4 years this has been achieved by the implementation
 of E-rates (emailed rate notices) project complete in 2018, along with increased use of email over traditional mail.
- · Conversion of posted/mailed rates notices to e-mail continually increasing.

Street lighting LED conversion

- · Printing and Stationery
- Reduction in printing cost of \$228,000 over a 4 year period achieved by printing reduction strategy which included reduction of print quantities for brochures (including Annual Report, Dubbo Region Guides) and the use of smart printers.
- \$400K annual saving (electricity and maintenance). The installation of smart-assisted LED lighting was complete in 2020, the project had a 5 year payback period (2025) on initial investment.

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Telephone and communications

- Phone system upgrade Council tendered for a replacement Unified Communications (UC) system to replace aging telephony systems of the former Dubbo City and Wellington Council in October 2016. The system was subsequently installed and operational by December 2017. The redundant systems were decommissioned through January and February 2018. This project was forecast to reduce operational expenditure by \$90,000 ex GST per annum.
- Redundant service review Information Services undertook a review of all fixed line, mobile and data services between January and June 2018. The review resulted in over 200 unused services being decommissioned. This project is expected to result in an annual saving of approximately \$36,000 ex GST.
- Telecommunications contract review Information Services undertook a review of existing telephony contracts in
 June of 2017. All Council mobile services were subsequently migrated to Local Government Procurement (LGP) based
 plans (Contract LGP115) in early 2018. Annual saving of approximately \$96,000 ex GST are forecast under this initiative.

Improvement Strategies - Current and ongoing

- Implementation of a best practice General Ledger, to utilise the suite of corporate enterprise systems effectively
 Assumed saving and efficiency of over \$1 million.
- Establish a Project Management Office to centralise all aspects of project management across the organisation
 Assumed saving of \$200,000.
- Investigate opportunities and mechanisms for Council assets to be utilised by externals at a cost or for other benefit

Increase in alternative income streams.

Seek to achieve at a minimum cost-neutrality with user pays activities

Review fees and charges in consultation with users.

· Prioritise holistic asset management processes

Review of all existing asset management plans.

· Prioritise and implement energy efficiency initiatives

Council operations greenhouse gas emissions are reduced to net zero by 2050.

· Renew of desk phones

Reduction in costs associated with renewal of desk phones in line with the implementation of (preferred future-proofed) soft phone applications.

A review of fixed line telephone services/lines resulted in a change in carrier for fixed line telephony in March 2024. These services are supplied via a Local Government Procurement panel contract.

Projected saving from this change is \$47,000 annually.

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Improvement Strategies – Future state, long term

Improvement strategy	Goal/ target
Implement proactive processes in relation to debt management activities.	90+ day debt is < 30% of all total sundry debtors debt
Consider system modules or improvements that support agile account management to reduce staff administration time.	Reconciliation of accounts is optimised.
Holistic review of software, subscriptions and applications seeking to reduce duplication, ensure future proofing and integration with core systems.	Instances of duplication are reduced.
Pre-review scoping of Service Reviews is undertaken regularly, and reviews with assumed benefit is high and complexity is low are prioritised.	Establish a working group to assess and make recommendations
Review Council "office" space in line with activity-based working, flexible working options and alterative use of "office" space where suitable.	Reduce administration office space by 10%
Consider standardisation of venue hire rates, alternatives for customer/client use.	Complete assessment of the community halls; standards, m2 hireable and amenity.
Review of Council fleet policy and lease back vehicle provision.	Reduce fleet costs.
Seek better value for Council through centralised, bulk-buy for discounts or purchasing power agreements for consumables and other supplies.	Implement centralised consumables.
Review internal services with process mapping to identify bottlenecks, duplication, time lags and seek to improve efficiencies across the organisation.	Complete process mapping of the 42 identified processes by 2027. Complete framework.
Build internal capability and knowledge and provide staff with systems to increase efficient use of time.	Staff time allocated to data entry tasks is reduced.
Review funding, sponsorship, in-kind support and alternatives for assistance to community groups and organisations.	Conduct a survey to establish satisfaction ratings. Review in 12months.
Vacant positions are reviewed for alignment to core requirements.	Alignment checklist developed and applied
Review of staff and stakeholder time investment during consultation activities.	Effective scheduling to reduce staff overtime.
Commercial hire of venues is prioritised.	Complete the review of the Internal Business Hire Procedure.
Consider alternate methods of asset maintenance and routine task over traditional methods.	Undertake targeted trials.
Review the delivery and provision of Civic events.	Measure community need and satisfaction.
Investigate and consider the deferral of renewals/upgrades in consideration of risk ratings.	Asset service life is increased.
Investigation of alternative water source options in consideration of strategic planning for the region.	Successfully identity alternatives.
Implement Councils Volunteer framework to seek/drive improvements to service delivery or community outcomes	Increasing number of volunteers.

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At the development of this Plan not all actions had undergone a feasibility analysis. Proposed actions are responsive to a range of factors and will be reviewed for alignment to the Plan, assumptions on return benefits and likelihood to significantly contribute to the improvement strategy target.

Actions are categorised by the outcome they aim to achieve, if they are, operationally focussed (internal) or service focused (external), timing, benefit and complexity. Definitions of these categories is outlined below.

OPERATIONAL EFFICIENCIES:

Inward facing actions that: provide same service with less input; alter input without significantly impacting output/impact or create greater output/impact with same input.

OPERATIONAL IMPROVEMENTS:

Inward facing actions that: deliver an improvement to the output (cost/service standard/offering); delivers an improved way of operating, broader than a specific or singular output.

SERVICE EFFICIENCIES:

Actions that would have an impact/alteration to a service to the community or stakeholder that: provide same service with less input; alter input without significantly impacting output/impact or create greater output/impact with same input.

SERVICE IMPROVEMENTS:

Actions that would have an impact/alteration to a service to the community or stakeholder that: provide same service with less input; alter input without significantly impacting output/impact or create greater output/impact with same input.

Timing: when was/will the action be undertaken				
Historical	Recent	Short Term	Medium Term	Long Term
	Completed in 2022 or 2023	Underway or completed by June 2025.	completed July 2025 to June 2028.	Completed after July 2028.

Benefit: what is the defined impact				
Once-off cost saving	Ongoing cost saving	Increased revenue	Improved resource utilisation	
Enables resource reallocation	Improved service	Improved corporate practice	Building block for financial sustainability	

Priority 3			
Priority 2			
Priority 1			
	Easy Action well defined. Believed to be achievable within existing capability and with required resources	Moderate some environmental factors, some unknown element of action.	Hard action not well defined, policy implications, high risk or investment, innovation/ new technology

Complexity: What's required to achieve the action			
Easy	Moderate	Hard	
Action well defined. Believed to be achievable within existing capability and with required resources	some environmental factors, some unknown element of action.	action not well defined, policy implications, high risk or investment, innovation/ new technology	

Priority: When the action is due, in consideration of expected impact how the action be prioritised in accordance with other workload of the organisation			
1	2	3	
When timing is due will	Will be considered in balance with	Will be undertaken if operational branch planning	
be done as priority above	Operational Plan requirements,	and resources allow. Will not be prioritised over	
operational demands and	considered in service planning and	Operational Plan delivery or day to day services.	
linked as action or Task in	prioritised for staff goal setting.		
the Operational Plan, and			
or identified as corporate			
priority for organisation and			
relevant individuals			

During the scoping of actions, the complexity and priority matrix will be applied, whilst considering the context of timing and benefit. Defined actions are then compared to similar actions to determine a program of activities consistent with the improvement strategies identified in this Plan.

Measuring Performance and Improvement

Council's implementation of this Plan, including underway and completed improvement actions will be reported to Council as a component of the bi-annual Delivery Program updates (every 6 months).

This reporting will also provide a snapshot of Council's achievement towards the targets identified for each Improvement Strategy included in this Plan.

Council will implement and report on the adopted Service Review Program.

Council also reports through the following means:

- Monthly Financial Snapshot to Council and Community
- Monthly Facility Performance Snapshot to Council and Community
- Delivery Program and Operational Plan every six months to Council and Community
- Annual Report each year
- State of the Region Report



Service Catalogue

GREEN: indicates services areas that have been reviewed and implementing recommendations from review through an improvement plan.

ORANGE: Indicates services Proposed to be reviewed in the 2024-2025 Service Review Program.

Core Service Area	Carvina Cummany
	Service Summary
Cemetery	Service administration, asset development and asset management of cemetery facilities.
Strategic Community Culture and Places Administration	CCP executive support, divisional administration, project and reporting support.
Open Space, Reserves and Parks	Strategic planning, asset development and asset management of open space, parks, reserves and street trees.
Street Trees	Strategic planning, stakeholder engagement asset development and asset management of street trees.
Sporting and Aquatic Facilities	Strategic planning, stakeholder engagement, asset development, utilisation and management of sporting facilities including aquatics
Public Amenities	Strategic planning, asset development and asset management of public amenities
Community Development and Support	Community liaison and industry coordination to support safe community outcomes.
Rainbow Cottage, Family Day Care	Service delivery, asset development and asset management of Rainbow Cottage child care.
Volunteer Management	Advocate of community volunteerism and lead volunteering at Council program
First Nations Advocacy	Stakeholder liaison and internal leadership to support adherence to first nations protocols.
Community Development and Support	Community liaison, community coordination and advocacy to support positive outcomes for youth, Aboriginal, senior and disability sectors of the community.
Financial Support: Community	Facilitate provision of Community Grants and Donations
Community Halls	Strategic planning, asset development and asset management of community Halls
Library Regional	Strategic service planning and service management of Macquarie Regional Library.

Library LGA	Strategic planning, asset developmen and asset management of Dubbo and Wellington Library		
Experience Development	Create and oversee delivery of visitor experience development projects and advocate for positive visitor experience outcomes in the region.		
Collection Management: Gallery	Collection management of Council art collection, art donations and loaning.		
Collection Management: Gallery	Collection management of Council art collection, art donations and loaning.		
History and Heritage Services	Industry and community liaison and coordination, strategic planning, asset management, programming, content and advocacy to support history and heritage outcomes.		
Arts and Culture Services	Industry and community liaison and coordination, strategic planning, content, programming and advocacy to support LGA and sister city cultural outcomes.		
Collection Management: Museum and Local Studies	Collection management of Council museum collection, donations and loaning.		
Financial Support: Arts and Culture	Facilitate provision of Arts and Culture Grants		
Old Dubbo Gaol	Strategic planning, service design and delivery, asset development and asset management of Old Dubbo Gaol.		
Collection Management: Old Dubbo Gaol	Collection management of ODG collection, donations and loaning.		
Wellington Caves	Strategic planning, service design and delivery, asset development and asset management of Wellington Caves.		
Wellington Caves Holiday Park	Strategic planning, service design and delivery, asset development and asset management of Wellington Caves Caravan Park.		
Western Plains Cultural Centre	Strategic planning, service design and delivery, asset development and asset management of Western Plains Cultural Centre.		
Regional Event Services Event attraction, promotion and support services			

Come Comitice Arres	Comito a Communication			
Core Service Area	Service Summary			
Financial Support: Events	Facilitate provision of event Grants			
Dubbo Regional Theatre and Convention Centre	Strategic planning, service design and delivery, asset development and asset management of DRTCC.			
Wellington Civic Centre	Strategic planning, service design an delivery, asset development and ass management of WCC			
Showgrounds Dubbo and Wellington	Strategic planning, service design and delivery, asset development and asset management of Regional Showgrounds			
Strategic Development and Environment	D&E executive support, divisional administration, project and reporting support.			
Waste Services	Service design and delivery: internal and contract for waste services			
Waste Depots	Strategic planning, service design and delivery, asset development and asset management of Waste locations			
Environmental Sustainability	Develop strategies, policies, plans and initiatives to improve Council's sustainability, particularly in the area of Resource Recovery and Efficiency.			
Ranger Services	Environmental/Compliance - Ranger services			
Environmental Compliance	Environmental and environmental health regulation and compliance.			
Parking Compliance	Parking compliance and education.			
Animal Shelter Services	Service delivery for the management of impounded animals and associated asset management.			
Environment and Health Compliance	Environment and environmental health regulation, compliance and education.			
Swimming Pool Compliance	Compliance and licensing - private swimming Pools			
Building and Development Services	Management of Statutory Planning, Building Certification functions - includes advisory, assessment, certification, inspections, building control and local heritage program.			
Land Information Services	Manage Property and Land Information and e-Services - S7.11 and S.608 Certificates, manage Geographical Names database and integration to Planning Portal.			
Growth Planning - Strategic Landuse Planning	Development, implementation and ongoing administration of development strategies, Local Environmental Plans, Development Control Plans, Floodplain Managemer Plans and demographic data			
Growth Planning - Developer Contributions	Negotiation, development, implementation and ongoing administration of Council's Contributions Plans and Planning Agreements.			
Major Project Delivery	Project delivery management of approved and tendered project			
Project Engineering Services	Engineering services: roads, footpaths, earthworks, structures, stormwater			

Gravel Quarry Management	Managing quarry operations		
Transport Planning	Managing quarry operations Strategic Planning for transport		
Transport Flamming	assets and services		
Road and Footpath Operational Works	Construction and maintenance of road and footpath assets		
Water and Sewer Capital works	Capital works		
Water and Sewer Asset Planning and Management	Water supply and sewerage asset management		
Water Operations - reticulation	Drinking Water Supply distribution and Sewerage management Operations		
Water Operations - Treatment	Drinking water treatment and Sewer treatment		
Water Compliance	Water and Sewage Compliance with regulations		
Water Client Services	Customer service and support to water customers		
Infrastructure Strategy	Long term city planning		
Engineer Services	Development and subdivision		
- developments and subdivisions	engineering		
Stormwater Management and	Stormwater Asset Management		
Assessments	service and floodplain management		
Traffic Management Services	Strategic and regulations for Traffic,		
	Parking, Cycleways and Road Safety		
Fleet Maintenance	Fleet management - workshop operations		
Strategic Fleet Management	Strategic planning of fleet and services		
Fleet Acquisitions and Administration	Purchase of fleet and hiring of exte plant and vehicles, compliance, insurance and administration.		
Depot Management	Asset development and asset management of Dubbo and Wellington Depots		
Centralised Stores Service	Provision of stores services and inventory procurement and management		
Parks and Gardens Presentation	Park maintenance and gardening		
Sporting Facility Presentation	Sporting facility presentation		
Cemetery Operations	Maintenance and grave establishment at cemeteries		
Reserves and Roadside Presentation	Maintenance of reserves and identified roadsides		
Natural Resources	Natural resource management		
Street Trees Maintenance	Street tree management		
Strategic Organisational Performance Administration	Organisational Performance executive support, divisional administration, project and reporting support.		
Financial Assistance	Through Financial Assistance Policy facilitate community grants and donations		
Procurement	Procurement Strategy and Policy, Procurement services and vendor panel management		

Core Service Area	Service Summary		
Central Administration building management	Building management of Dubbo and Wellington Central Administration Buildings, assets maintenance and asset renewals, meeting room services.		
Property Services: Leases and Licences	Strategic oversight of corporate property portfolio		
Property Services: Acquisitions	Facilitate land, property and road corridor acquisitions.		
Property Services: Crown lands	Management of Crown lands within property portfolio.		
Residential and industrial Land Development	Land development and redevelopment: Residential and Industrial		
Property Re- Development	Property development and redevelopment services		
Building Assets	Building asset services: asset condition reports, maintenance/ renewal services		
Building Project Services	Project services to renewal and construction projects on Council Building facility		
Cleaning Services	Internal and contract cleaning of Council facilities		
Commercial Strategy Service	Strategic commercially centred advice to service reviews and investigations/ business case development on commercial opportunities		
Dubbo Regional Livestock Markets	Strategic planning, service delivery, compliance, asset development and asset management of Dubbo Regional Livestock Markets		
Dubbo Regional Airport - Strategic Planning	Strategic planning, service delivery, compliance, asset development and asset management of Dubbo Regional Airport		
Wellington Aerodromes and Recreation Park	Strategic planning, service delivery, compliance, asset development and asset management of Wellington Aerodromes and Recreation Park		
Dubbo Regional Airport - Route development	Route development to ensure the service is providing the needs of the community and opportunities for expansion		
Dubbo Regional Airport - Airside Precinct Development	Airside Precinct Development and Management		
Dubbo Regional Airport - Airside Precinct Operations	Airside operations and maintenance, inspections of the runways and taxiways		
Corporate Governance	Governance and legal services: Insurance, PIDs, Code or Conduct, Legal Advisory Services		
Meeting Administration and Governance	Council and committee meeting administration and compliance		
Councillor Support	Mayor and Councillor services and support		
Civic Event Services	Civic event management		
Enterprise Risk	Enterprise Risk and Business Continuity oversight		
Internal Audit	Oversight of the internal audit program, that is reported outcomes to the ARIC		

Emergency Management	Emergency management		
HR Business Partnering	Partnering with specific divisions to support structure, position and people activities		
Learning and Development	Employee capability development		
Payroll	Payroll services		
Talent Acquisition	Attraction, selection and onboarding of new employees		
Injury Management	Injury, return to work and claims		
Health and Wellbeing	Health and wellbeing programs		
Safety	Work Health and Safety Services		
Strategic and Administrative	Incoming Grants administration and		
Grant Support	application and acquittal support		
Strategic Strategy Partnerships and Engagement	SPE executive support, divisional administration, project and reporting		
rai tileisiiips aliu Eligagellielit	support.		
Information Services			
Corporate information	Corporate information governance and services including record		
management	management		
Information Services Strategic Management	Strategic Planning, Risk management, Smart Council		
Information Services Projects	Project Management and business analysis and improvement		
Information Services Operations	ICT Support Services and operations management		
Information Services Systems	Systems and Applications Management		
Information Services Infrastructure	Infrastructure Management		
Geographical Information Services	Geographical Information Services to Council and Emergency services including mapping and drones		
Customer Experience Services	Customer Experience operations		
Customer Experience Strategy	Through the Customer Experience Strategy, lead cultural and operational change to support positive customer experience journey across the organisation.		
Engagement Services	Design, inform, monitor and support implementation of engagement programs in partnership with internal and external project owners.		
Customer Insights	Service Optimisation and Improvement of customer journey.		
Destination Communication Services	Regional brand and reputation management including media management, stakeholder management, content development and campaigns		
Corporate Communication Services	Council brand and reputation management including media management, stakeholder management, content development and campaigns		
Investment Attraction	Support investment attraction at an industry and individual level with data insights, connections and opportunity		

Core Service Area	Service Summary
Visitor Attraction	Build destination appeal, visitation and spend through always on and campaign based marketing activities
Regional Workforce Attraction	Lead and partner on initiatives to directly and indirectly attract workers to the region.
Industry Development	Undertake activities that support local industry capability, supply chain development and collaboration.
Economic Activation and Resilience	Deliver programs and projects that directly and indirectly support economic activation
Visitor Information Centres	Service design and delivery, asset development and asset management of Dubbo and Wellington Visitor Information Service
Destination Development	Industry liaison and coordination, strategic planning and advocacy to support visitor economy outcomes.
Marketing and Creative Services	Provision of creative and marketing services (websites, social, graphic design, campaigns, design and delivery)
Strategic partnerships	Strategic advice, investigations and support on community and industry strategic partnership opportunities. Management of industry partnership program.
Corporate Planning	Organisational strategy development and monitoring, including organisational priorities every 18 months and CEO Priorities every 12 months.
Community Strategic Planning	Coordination of Integrated Planning and Reporting, including Community Strategic Plan, Delivery Program and Operational Plan

Corporate Performance	Coordination and reporting on Service Review Program and delivery, support and monitoring of business improvement initiatives and performance reporting	
Strategic Asset Management	Corporate Asset Management Framework and oversight	
Strategic and Operational Rates management	Rating Classification Management, Rate Levying, and Land valuations	
Account Receivables Services	Invoicing of other fees and charges, collection and receipting	
Investment Management	Investment of council funds in accordance with the Investment Policy and Strategy, to ensure maximum returns	
Debt Recovery Management	Monitoring and recovery of unpaid rates, implementing payment plans with ratepayers	
Financial Planning	Preparation of the Annual Budget and Long-Term Financial Plan	
Budget Monitoring	Regular monitoring of actual expenditure to approved budget, quarterly review and reporting of performance to council	
Business Analytical Services	Preparation of various reports for the functional areas that assist with monitoring of expenditure	
Grant Acquittal	Monitoring and reporting of Grant expenditure against the Grant Deed to the funding body	
Accounts Payable	Payment of funds to suppliers and contractors via electronic funds transfer	
Financial Statement Preparation	Preparation of the Financial Statements, and regular monitoring of financial transaction for accuracy and completeness	



REPORT: Update Report - Modified Development Application D22-122 Part 3 - 33 Lot Subdivision (Torrens Title) - Lot 8 DP 1063425, 4L Camp Road Dubbo

DIVISION: Development and Environment

REPORT DATE: 20 June 2024 TRIM REFERENCE: ID24/1296

EXECUTIVE SUMMARY

Purpose	Provide review or update.			
Issue	 Providing an update on Report IPEC24/38. 			
	For consideration prior to finalising the decision on this item.			
Reasoning	The Department of Climate Change, Energy, the Environment			
	and Water (DCCEEW) have now provided formal advice in			
	writing which will be provided in this report as an update.			
Financial	Budget Area There are no financial implications arising from			
Implications	this report. However, should the matter proceed			
	to the NSW Land and Environment Court			
	expenses are likely to arise.			
	Funding Source Building and Development Services budget			
	Proposed Cost	ost \$40,000 (estimate only)		
	Ongoing Costs	There are no financial implications arising from		
		this report. However, should the matter proceed		
		to the NSW Land and Environment Court		
		expenses are likely to arise.		
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: 6 Environmental Sustainability

CSP Objective: 6.3 Land use management sustains and improves the built

and natural environment

Delivery Program Strategy: 6.3.3 Endangered ecological communities, threatened

species, habitats and environmental assets are protected

RECOMMENDATION

That Council consider the updated information when considering the decision on the item IPEC24/38 as presented to the Infrastructure, Planning and Environment Committee meeting held 13 June 2024.

Stephen Wallace TS

Director Development and Environment Senior Planner

BACKGROUND

Recommendation of Committees

13 June 2024	1.	That Development Application D2022-122 Part 3 — 33 Lot
		Subdivision (Torrens Title), Lot 8 DP 1063425 4L Camp Road
		Dubbo be refused.
	2.	That Council grant delegation to the Chief Executive Officer to
		sign the determination (refusal).

REPORT

Consultation

Further to questions during consideration of the above report at the Infrastructure Planning and Environment Committee held on 13 June 2024 with regard to what risk if any does a decision against the recommendation pose to Council. The Department of Climate Change, Energy, the Environment and Water (DCCEEW) has provided additional advice. A summary of the advice is provided:

- D22-122 Part 3 (the subject of this report) seeks to amend the Squirrel Glider liability established within the biodiversity development assessment report (BDAR) of D22-122 Part 1 by submitting a modified biodiversity assessment titled, 'Revision of Ecological Assessment'. However, Section 6.14(3) of the Biodiversity Conservation Act states:
 - A biodiversity assessment report cannot be modified or withdrawn after a planning approval, a vegetation clearing approval or biodiversity certification has been granted in reliance on the report.
- 2. DCCEEW also advise <u>Ku-ring-gai Council v Buyozo Pty Ltd NSW Caselaw</u> demonstrates that modified development applications lodged under Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* needs to effect some change to the development, generally by changing the footprint of the development.
 - This was the case with D22-122 Part 2, where the approved fire trail was removed and the subdivision design amended to include an additional allotment.
- 3. D22-122 Part 3 seeks the removal of Condition 5 (Squirrel Glider credit liability appropriately established under the Biodiversity Conservation Act 2016 approved under D22-122 Part 1). However, the modified application does not effect some change to the development, and as such contravenes the case law detailed in 2.

Conclusion

That as the proposed modified application doesn't effect some change on the approved development, and as such, the power to modify the consent is not activated.



Report of the Infrastructure, Planning and Environment Committee - meeting 13 June 2024

AUTHOR: Governance Officer

REPORT DATE: 29 May 2024

The Council had before it the report of the Infrastructure, Planning and Environment Committee meeting held 13 June 2024.

RECOMMENDATION

That the report of the Infrastructure, Planning and Environment Committee meeting held on 13 June 2024, be adopted.



REPORT INFRASTRUCTURE, PLANNING AND ENVIRONMENT COMMITTEE 13 JUNE 2024

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 Corporate Governance, the Governance Team Leader, the Governance Officers, the Chief Financial Officer, the Manager Property and Land Development, the Director Strategy, Partnerships and Engagement, the Manager Customer Experience and Engagement, the Communications Services Team Leader, the Communications Partner, the Acting Manager Growth Planning, the IT Infrastructure Specialist, the Director Development and Environment, the Director Infrastructure, the Director Community, Culture and Places, the Manager Recreation and Open Space, the Manager Regional Experiences and the Manager Macquarie Regional Library.

Councillor M Wright assumed the chair of the meeting.

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

IPEC24/33 ACKNOWLEDGEMENT OF COUNTRY (ID24/1141)

Councillor L Burns delivered the Welcome to Country.

IPEC24/34 LEAVE OF ABSENCE (ID24/1198)

There were no requests for leave of absence.

Councillors M Dickerson and R Ivey attended via Audio Visual Link.

IPEC24/35 CONFLICTS OF INTEREST (ID24/1143)

The following Conflicts of Interest were declared:

IPEC24/38 - Councillor J Black – Non Pecuniary, Significant

IPEC24/36 REPORT OF THE CLIMATE CHANGE AND RESILIENCE COMMITTEE - MEETING 28 MAY 2024 (ID24/1169)

The Committee had before it the report of the Climate Change and Resilience Committee meeting held 28 May 2024.

Moved by Councillor M Dickerson and seconded by Councillor P Wells

MOTION

That the report of the Climate Change and Resilience Committee meeting held on 28 May 2024, 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

IPEC24/37 BUILDING SUMMARY - MAY 2024 (ID24/1077)

The Committee had before it the report dated 30 May 2024 from the Director Development and Environment regarding Building Summary - May 2024.

Moved by Councillor D Mahon and seconded by Councillor S Chowdhury

MOTION

That the report of the Director Development and Environment dated 30 May 2024, 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

IPEC24/38 MODIFIED DEVELOPMENT APPLICATION D22-122 PART 3 - 33 LOT SUBDIVISION (TORRENS TITLE) - LOT 8 DP 1063425, 4L CAMP ROAD DUBBO APPLICANT: SLR CONSULTING AUSTRALIA PTY LTD OWNER: MRS L BENDER (ID24/1087)

The Committee had before it the report dated 27 May 2024 from the Senior Planner regarding Modified Development Application D22-122 Part 3 - 33 Lot Subdivision (Torrens Title) - Lot 8 DP 1063425, 4L Camp Road Dubbo

Applicant: SLR Consulting Australia Pty Ltd

Owner: Mrs L Bender.

Moved by Councillor S Chowdhury and seconded by Councillor L Burns

MOTION

- That Development Application D2022-122 Part 3 33 Lot Subdivision (Torrens Title), Lot 8 DP 1063425 4L Camp Road Dubbo be refused.
- 2. That Council grant delegation to the Chief Executive Officer to sign the determination (refusal).

CARRIED

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

Against: Councillors M Dickerson, S Chowdhury and D Mahon.

Councillor J Black declared a pecuniary, significant interest in the matter now before the Council. The reason for such interest is that Councillor J Black lives on Camp Road, just up from the subject site. So to remove any perception of an undeclared pecuniary conflict of interest affecting his vote, Councillor J Black left the meeting while this matter is considered.

IPEC24/39 DEVELOPMENT APPLICATION D24-150 - ROAD CLOSURE CAMPANIA ROAD ADJACENT TO LOT 1 DP 943178, **TERRAMUNGAMINE** APPLICANT: MR Τ. J. **HARVEY** OWNER: DUBBO REGIONAL COUNCIL/MR T. J AND MRS C. M HARVEY (ID24/1121)

The Committee had before it the report dated 29 May 2024 from the Statutory Planning Services Team Leader regarding Development Application D24-150 - Road Closure Campania Road adjacent to Lot 1 DP 943178, Terramungamine

Applicant: Mr T. J. Harvey

Owner: Dubbo Regional Council/Mr T. J and Mrs C. M Harvey.

Moved by Councillor L Burns and seconded by Councillor V Etheridge

MOTION

- That the report associated with Development Application D24-150 be noted and be recommended to the June 2024 Ordinary meeting of Council for approval, subject to the recommended conditions (attached in Appendix 2).
- That any documents relating to the Subdivision Certificate which cannot be executed by the Chief Executive Officer or his delegate, are executed under the Common Seal of Council.

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

IPEC24/40 PLANNING PROPOSAL R24-003 - COUNCIL-OWNED ROAD CLOSURE AS EXEMPT DEVELOPMENT (ID24/1004)

The Committee had before it the report dated 17 May 2024 from the Manager Growth Planning regarding Planning Proposal R24-003 - Council-Owned Road Closure as Exempt Development.

Moved by Councillor D Mahon and seconded by Councillor L Burns

MOTION

- That Council endorse the Planning Proposal (attached in Appendix 1) to amend the Dubbo Regional Local Environmental Plan 2022 and make the subdivision of a Councilowned road for the purposes of road closure under the Roads Act 1993, Part 4, Division 3, as exempt development.
- 2. That Council submit the Planning Proposal to the NSW Department of Planning, Housing and Infrastructure 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 10 business 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

CONFIDENTIAL

Moved by Councillor V Etheridge and seconded by Councillor P Wells

MOTION

That confidential item IPEC24/41 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, D Mahon, P Wells and M Wright.

Against: Nil

The closed session was held from 6:59pm to 7:32pm during the Corporate Services Committee meeting, where item IPEC24/41 was considered. During the open session at 7:33pm, the following resolutions were displayed on screen:

IPEC24/41 DRAFT PLANNING AGREEMENT - BURRENDONG WIND FARM (ID24/1055)

The Committee had before it the report dated 20 May 2024 from the Manager Growth Planning regarding Draft Planning Agreement - Burrendong Wind Farm.

Moved by Councillor J Gough and seconded by Councillor M Wright

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, prejudice the commercial position of the person who supplied it (Section 10A(2)(d)(i)).

Moved by Councillor M Wright and seconded by Councillor D Mahon

RECOMMENDATION

- 1. That Council note the current status and discussions with the developer of the Burrendong Wind Farm in relation to a Planning Agreement.
- 2. That a draft Planning Agreement be prepared in accordance with the terms identified in this report.
- 3. That a further report be presented to Council for consideration, including the terms of the draft Planning Agreement and allocation of funding.
- 4. 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, D Mahon, P Wells and M Wright.

Against: Nil

Councillor R Ivey as absent from this vote.

The meeting closed at 6:01pm.
CHARDEROOM
CHAIRPERSON



Report of the Culture and Community Committee - meeting 13 June 2024

AUTHOR: Governance Officer

REPORT DATE: 29 May 2024

The Council had before it the report of the Culture and Community Committee meeting held 13 June 2024.

RECOMMENDATION

That the report of the Culture and Community Committee meeting held on 13 June 2024, be adopted



REPORT CULTURE AND COMMUNITY COMMITTEE 13 JUNE 2024

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 Corporate Governance, the Governance Team Leader, the Governance Officers, the Chief Financial Officer, the Manager Property and Land Development, the Director Strategy, Partnerships and Engagement, the Manager Customer Experience and Engagement, the Communications Services Team Leader, the Communications Partner, the Acting Manager Growth Planning, the IT Infrastructure Specialist, the Director Development and Environment, the Director Infrastructure, the Director Community, Culture and Places, the Manager Recreation and Open Space, the Manager Regional Experiences and the Manager Macquarie Regional Library.

Councillor J Gough assumed the chair of the meeting.

The proceedings of the meeting commenced at 6:03 pm.

CCC24/29 LEAVE OF ABSENCE (ID24/1145)

There were no requests for leave of absence.

Councillor M Dickerson and R Ivey attended via Audio Visual Link.

CCC24/30 CONFLICTS OF INTEREST (ID24/1146)

There were no conflicts of Interest declared.

CCC24/31 PRESENTATION BY RUGBY NSW - OUTCOMES IN COMMUNITY FROM THEIR HUB AT FORMER DUBBO CITY BOWLING CLUB. (ID24/1204)

The Committee reports having met with Ms L Hull from Rugby NSW regarding this item.

CCC24/32 REPORT OF THE DISABILITY ACCESS AND INCLUSION ADVISORY COMMITTEE - MEETING 9 APRIL 2024 (ID24/1008)

The Committee had before it the report of the Disability Access and Inclusion Advisory Committee meeting held 9 April 2024.

Moved by Councillor P Wells and seconded by Councillor S Chowdhury

MOTION

That the report of the Disability Access and Inclusion Advisory Committee meeting held on 9 April 2024, 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

CCC24/33 REPORT OF THE MULTICULTURAL ADVISORY COMMITTEE - MEETING 13 MAY 2024 (ID24/1086)

The Committee had before it the report of the Multicultural Advisory Committee meeting held 13 May 2024.

Moved by Councillor S Chowdhury and seconded by Councillor M Wright

MOTION

That the report of the Multicultural Advisory Committee meeting held on 13 May 2024, 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

CCC24/34 MACQUARIE REGIONAL LIBRARY QUARTERLY REPORT - JANUARY 2024 TO MARCH 2024 (ID24/1040)

The Committee had before it the report dated 15 May 2024 from the Manager Macquarie Regional Library regarding Macquarie Regional Library Quarterly Report - January 2024 to March 2024.

Moved by Councillor M Wright and seconded by Councillor P Wells

MOTION

That the Macquarie Regional Library Performance Report for January 2024 to March 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

CCC24/35 WELLINGTON CAVES SERVICE REVIEW MANAGEMENT RESPONSE (ID24/1167)

The Committee had before it the report dated 30 May 2024 from the Manager Regional Experiences regarding Wellington Caves Service Review Management Response.

Moved by Councillor M Wright and seconded by Councillor P Wells

MOTION

- That the CEO undertake the development of a Capital Works Program, Operational Improvement Program and Funding Strategy to address the twenty (20) recommendations of the Wellington Caves Service Review through a path of continuous improvement through product and business investment and development as part of Dubbo Regional Council's financial budget development.
- 2. That, as the two businesses develop, and resources are made available, the CEO investigates opportunities to expand commercial, scientific and operational partnerships including funding opportunities through government funding streams, philanthropic support and voluntary planning agreements (VPA).
- 3. That the CEO investigate the value to the Wellington Caves of World Heritage Listing. This would include evaluating the impacts, implications and benefits to determine if an application should be pursued. A suitable timeline and appropriate resource allocation would need to be determined.
- 4. That Manager Regional Experience develop a stage 1 investment program to refurbish/upgrade existing infrastructure for a Voluntary Planning Agreement (VPA) with renewable prospects for the value of \$5,000,000.

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

CONFIDENTIAL

Moved by Councillor P Wells and seconded by Councillor V Etheridge

MOTION

That confidential item CCC24/36 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, D Mahon, P Wells and M Wright.

Against: Nil

The closed session was held from 6:59pm to 7:32pm during the Corporate Services Committee meeting, where item CCC24/36 was considered. During the open session at 7:33pm, the following resolutions were displayed on screen:

CCC24/36 TENDER FOR THE DUBBO AQUATIC LEISURE CENTRE - REFURBISHMENT AND UPGRADE OF 50 METRE POOL AND WATER SLIDE PLANT ROOM (ID24/1176)

The Committee had before it the report dated 2 June 2024 from the Manager Recreation and Open Spaces regarding Tender for the Dubbo Aquatic Leisure Centre - Refurbishment and upgrade of 50 metre Pool and Water Slide Plant Room.

Moved by Councillor J Gough and seconded by Councillor M Wright

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)).

Moved by Councillor J Gough and seconded by Councillor M Wright

MOTION

 That Council notes that Hydrocare Pool Services Pty Ltd tender for the DALC Refurbishment and Upgrade of the 50 metre Pool and Water Slide Plant Room of \$1,179,200 inc gst and an 18-week construction period which is outside the available budget and construction window.

- 2. That Hydrocare Pool Services Pty Ltd be notified of Council's decision not to proceed in accordance with section 178(3)(b) of the Local Government regulations 2005, where Council will invite, in accordance with clause 167, 168 or 169, fresh tenders based on the same or different details and thank them for the submission.
- 3. That a works program be developed and undertaken to address the identified Work Health and Safety issues prior to the commencement of the 2024/2025, with collaboration from Belgravia Leisure.
- 4. That adjustments be made in the Aquatic Centre's budget to reflect the decision not to proceed with the Dubbo Aquatic Leisure Centre Refurbishment and Upgrade of the 50-metre Pool and Water Slide Plant Room.
- 5. 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, D Mahon, P Wells and M Wright.

Against: Nil

Councillor R Ivey was absent from this vote.

The meeting clos	ed at 6:38 pm	١.	
CHAIRPERSON			



Report of the Corporate Services Committee - meeting 13 June 2024

AUTHOR: Governance Officer

REPORT DATE: 29 May 2024

The Council had before it the report of the Corporate Services Committee meeting held 13 June 2024.

RECOMMENDATION

That the report of the Corporate Services Committee meeting held on 13 June 2024, be adopted.



REPORT CORPORATE SERVICES COMMITTEE 13 JUNE 2024

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 Corporate Governance, the Governance Team Leader, the Governance Officers, the Chief Financial Officer, the Manager Property and Land Development, the Director Strategy, Partnerships and Engagement, the Manager Customer Experience and Engagement, the Communications Services Team Leader, the Communications Partner, the Acting Manager Growth Planning, the IT Infrastructure Specialist, the Director Development and Environment, the Director Infrastructure, the Director Community, Culture and Places, the Manager Recreation and Open Space, the Manager Regional Experiences and the Manager Macquarie Regional Library.

Councillor S Chowdhury assumed the chair of the meeting.

The proceedings of the meeting commenced at 6:39 pm.

CSC24/21 LEAVE OF ABSENCE (ID24/1147)

There were no requests for leave of absence.

Councillors M Dickerson and R Ivey attended via Audio Visual Link.

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

CSC24/22 CONFLICTS OF INTEREST (ID24/1148)

The following Conflicts of Interest were declared:

• CSC24/28 - Councillor M Wright – Pecuniary, Significant

At this juncture it was moved by Councillor M Wright and seconded by Councillor J Gough that item CSC24/26 be moved to be discussed following item CSC24/22.

CSC24/26 2024 COMMUNITY INPUT SURVEY RESULTS (ID24/1179)

The Committee had before it the report dated 3 June 2024 from the Manager Customer Experience and Engagement regarding 2024 Community Input Survey Results.

The Committee reports having met with Mr S Reeve from Micromex Research regarding this item.

Moved by Councillor M Wright and seconded by Councillor J Gough

MOTION

- That the 2024 Community Input self-complete, opt-in online survey report (Appendix 1) be noted.
- 2. That the presentation provided by Micromex Research 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

At this juncture Councillor L Burns left the room, the time being 6:50pm, and returned at 6:51pm.

CSC24/23 REPORT OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE - MEETING 3 JUNE 2024 (ID24/1188)

The Committee had before it the report of the Audit, Risk and Improvement Committee meeting held 3 June 2024.

Moved by Councillor R Ivey and seconded by Councillor P Wells

MOTION

That the report of the Audit, Risk and Improvement Committee meeting held on 3 June 2024, 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

CSC24/24 MONTHLY REPORTING SNAPSHOT FOR COUNCILLORS - MAY 2024 (ID23/2981)

The Committee had before it the report dated 3 June 2024 from the Corporate Strategy Performance Coordinator regarding Monthly Reporting Snapshot for Councillors - May 2024.

Moved by Councillor M Wright and seconded by Councillor V Etheridge

MOTION

That the information contained within the report of the Corporate Strategy and Performance Coordinator, dated 3 June 2024, 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

CSC24/25 INVESTMENT UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - MAY 2024 (ID24/1075)

The Committee had before it the report dated 3 June 2024 from the Revenue Accountant regarding Investment Under Section 625 of the Local Government Act - May 2024.

Moved by Councillor M Wright and seconded by Councillor J Black

MOTION

That the information contained within the Investment under Section 625 of the Local Government Act Report, dated 3 June 2024, 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

CSC24/27 DRAFT COUNCIL POLICY - FRAUD AND CORRUPTION PREVENTION (ID24/938)

The Committee had before it the report dated 2 May 2024 from the Governance Officer regarding Draft Council Policy - Fraud and Corruption Prevention.

Moved by Councillor D Mahon and seconded by Councillor J Black

MOTION

That the Draft Fraud and Corruption Prevention Policy 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

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:

- IPEC24/41 Draft Planning Agreement Burrendong Wind Farm (Section 10A(2)(d)(i)) the matter concerned information that would, if disclosed, prejudice the commercial
 position of the person who supplied it.
- CCC24/36 Tender for the Dubbo Aquatic Leisure Centre Refurbishment and Upgrade of 50 Metre Pool and Water Slide Plant Room (Section 10A(2)(c)) 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.
- CSC24/28 Proposed Revision of lot prices at Keswick Estate (Section 10A(2)(d)(ii)) the
 matter concerned information that would, if disclosed, confer a commercial advantage
 on a competitor of the Council.
- CSC24/29 Delegated Authority Under Section 266 of the Local Government Act 1993 to Bid for Water on the Upper Macquarie Alluvial Groundwater Source (Section 10A(2)(d)(ii)) - the matter concerned 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 it was moved by Councillor J Gough and seconded by Councillor M Wright that the Committee resolves into Closed Session, the time being 6:59pm.

The closed session was held from 6:59pm to 7:32pm during the Corporate Services Committee meeting, where item IPEC24/41, CCC24/36, CSC24/27 and CSC24/29 was considered. During the open session at 7:33pm, the following resolutions were displayed on screen:

Councillor R Ivey left the meeting at 6:59 pm and did not return.

CSC24/28 PROPOSED REVISION OF LOT PRICES AT KESWICK ESTATE (ID24/656)

The Committee had before it the report dated 8 April 2024 from the Manager Property and Land Development regarding Proposed revision of lot prices at Keswick Estate.

Moved by Councillor J Gough and seconded by Councillor M Wright

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)).

Moved by Councillor M Dickerson and seconded by Councillor J Gough

ALTERNATIVE RECOMMENDATION

- 1. That Council approve, in relation to the sale of lots within Stage 5, Release 2 of Keswick Estate (S5R2), as follows:
 - a. an exclusive agency agreement with one real estate agent is entered into for a period of 12 months for the sale of the lots within S5R2 after an appropriate public selection process noting that if the initial contact and sales process is conducted by Council that no commission would be payable to the agent;
 - b. no increase or other change be made to the current pricing strategy of the lots within S5R2 for a period of 6 months;
 - c. one buying entity, including any related entity, be limited to owning a maximum of five lots within S5R2 at any one time; and
 - d. a contract for the sale of a lot within S5R2 may be settled up to and including twelve months from the contract date.
- 2. That Council authorise the Chief Executive Officer to:
 - a. negotiate all contracts for the S5R2 lots, and execute such contracts, provided that the contract terms are in accordance with this recommendation; and
 - b. any documents that the Chief Executive Officer is unable to execute, be executed by Council under Common Seal.
- 3. That all matters contained within this report are kept confidential.

• CARRIED

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

Against: Nil

Councillor R Ivey was absent from this vote.

Councillor M Wright declared a pecuniary, significant interest in the matter now before the Council. The reason for such interest is that Councillor M Wright owns a parcel of land in Stage 5, Release 2 and as such may benefit from any decision made. Councillor M Wright left the meeting while this matter was considered.

CSC24/29 DELEGATED AUTHORITY UNDER SECTION 226 OF THE LOCAL GOVERNMENT ACT 1993 TO BID FOR WATER ON THE UPPER MACQUARIE ALLUVIAL GROUNDWATER SOURCE (UMAA) (ID24/1061)

The Committee had before it the report dated 17 May 2024 from the Chief Executive Officer regarding Delegated Authority under section 226 of the Local Government Act 1993 to bid for

water on the Upper Macquarie Alluvial Groundwater Source (UMAA).

Moved by Councillor J Gough and seconded by Councillor M Wright

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)).

Moved by Councillor J Gough and seconded by Councillor L Burns

MOTION

- 1. That it be noted that the Mayor used his delegated authority under Section 226 of the Local Government Act, 1993 to grant approval to the Organisation to bid for water on the Upper Macquarie Alluvial Groundwater Source (UMAA).
- 2. That it be noted that the Water Licence was subsequently purchased by the land purchaser.

CARRIED

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

Against: Nil

Councillor R Ivey was absent from this vote.

The meeting closed at 7	7:33pm.	
CHAIRDERSON		



NOTICE OF MOTION: Multicultural Garden Public Consultation

DUBBO REGIONAL REPORT DATE: 20 May 2024 COUNCIL FILE: ID24/1068

Council had before it a Notice of Motion dated 20 May 2024 from Councillor S Chowdhury regarding the Multicultural Garden Public Consultation as follows:

That Council endorse placing the two concepts for the proposed Multicultural Garden be put to public consultation with the aim of helping Council settle upon a design and inform a future business case to source funding.

RECOMMENDATION

That Council endorse placing the two concepts for the proposed Multicultural Garden be put to public consultation with the aim of helping Council settle upon a design and inform a future business case to source funding.

SC Councillor

APPENDICES:

Ordinary Council Meeting - 27 June 2024 - Notice of Motion - Multicultural Garden Concept - Clr S Chowdhury

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Councillor Shibli Chowdhury PO Box 81 DUBBO NSW 2830

17 May 2024

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

Dear Murray

NOTICE OF MOTION – MULTICULTURAL GARDEN CONCEPT DESIGN PUBLIC CONSULTATION

I would like to place the following notice of motion on the agenda for the 27 June 2024 Ordinary meeting of Council.

1. That Council endorse placing the two concepts for the proposed Multicultural Garden be put to public consultation with the aim of helping Council settle upon a design and inform a future business case to source funding.

Yours faithfully

Shibli Chowdhury Councillor



NOTICE OF MOTION: Notice of Motion -Scabbing Flat Bridge

17 June 2024 FILE: ID24/1250

Council had before it a Notice of Motion dated 17 June 2024 from Councillor R Ivey regarding the Notice of Motion - Scabbing Flat Bridge as follows:

That the CEO have staff prepare an initial assessment for the feasibility of a new bridge across the Macquarie River near Geurie and that this be shared with Transport for NSW. This initial assessment could include, but not necessarily limited to:

- i. The current state and suitability of the existing timber bridge.
- ii. The "ownership" and responsibility for maintenance/replacement of the bridge.
- iii. The historical significance of the existing bridge and the preservation benefits which would flow from early replacement of that bridge.
- iv. The need for a replacement bridge capable of conveying B Double trucks. This need to be demonstrated and supported by relevant statistics including the value of agricultural production and the costs to the community of not having a reliable transport corridor.
- v. The estimated costs of the replacement bridge.

RECOMMENDATION

That the CEO have staff prepare an initial assessment for the feasibility of a new bridge across the Macquarie River near Geurie and that this be shared with Transport for NSW. This initial assessment could include, but not necessarily limited to:

- i. The current state and suitability of the existing timber bridge.
- ii. The "ownership" and responsibility for maintenance/replacement of the bridge.
- iii. The historical significance of the existing bridge and the preservation benefits which would flow from early replacement of that bridge.
- iv. The need for a replacement bridge capable of conveying B Double trucks. This need to be demonstrated and supported by relevant statistics including the value of agricultural production and the costs to the community of not having a reliable transport corridor.
- v. The estimated costs of the replacement bridge.

RΙ Councillor

APPENDICES:

1∜ Notice of Motion - Scabbing Flat Bridge - Clr R Ivey - meeting 27/06/2024

ITEM NO: CCL24/148

Councillor Richard Ivey

PO Box 81 DUBBO NSW 2830

17 June 2024

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

Dear Murray

NOTICE OF MOTION - BUSINESS CASE SCABBING FLAT BRIDGE

I would like to place the following notice of motion on the agenda for the 27 June 2024 Ordinary meeting of Council.

That the CEO have staff prepare an initial assessment for the feasibility of a new bridge across the Macquarie River near Geurie and that this be shared with Transport for NSW. This initial assessment could include, but not necessarily limited to:

- The current state and suitability of the existing timber bridge.
- The "ownership" and responsibility for maintenance/replacement of the bridge.
- iii. The historical significance of the existing bridge and the preservation benefits which would flow from early replacement of that bridge.
- iv. The need for a replacement bridge capable of conveying B Double trucks. This need to be demonstrated and supported by relevant statistics including the value of agricultural production in the area serviced by the bridge, the transport requirement for that production and the costs to the community of not having a reliable transport corridor.
- v. The estimated costs of the replacement bridge.

Yours faithfully

Richard Ivey
Councillor



REPORT: Determination of the Operational Model for Dubbo Regional Livestock Markets

DIVISION: Organisational Performance

REPORT DATE: 12 June 2024 TRIM REFERENCE: ID24/1243

EXECUTIVE SUMMARY

Disconsista		1	Desire the section of the				
Purpose	Addressing C	ouncil •					
	resolution	•	Fulfil legislated				
			requirement/Compliance				
Issue	• That council	is required to dete	rmine an operating model that				
	meets its leg	rislative and regulatory obligations out of the three					
	options being						
	o Mo	dified status quo or					
	o Hea	d lease arrangemen	t or				
	o Sale	. .					
Reasoning	Outcome of	the Dubbo Regio	nal Livestock Markets Service				
	Review inclu	ding legal analysis	highlighted the need to make				
	changes to	ensure Council	meets the requirements of				
	legislation i	ncluding the Local	Government and associated				
	regulations a	nd the Competition	and Consumer Act 2002 (Cth).				
	The DRLM is an important service within the local government						
		•	most efficient and effective				
	business str	ucture to deliver	value for all ratepayers and				
		ces to industry.	. ,				
Financial	Budget Area	Dubbo Regional Liv	vestock Markets				
Implications	Funding Source	DRLM reserves and	d General Fund				
	Proposed Cost	TBD					
	Ongoing Costs	TBD based on opti	on selected				
Policy Implications	Policy Title	Service Review					
	Impact on Policy	Consistent with po	licy in terms of process				
Consultation		Dubbo Stock and S	Station Agents (DSSA), Members				
		of DRLM Advisory	Committee				

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: 4.2.4 The business activities of Council are financially

sustainable and provide financial returns to the community

Theme: 4 Leadership

CSP Objective: 4.2 The resources of Council are sustainably managed

Delivery Program Strategy: 4.2.5 Service reviews are conducted to improve Council's

performance

RECOMMENDATION

That Council determine one of the three alternative recommendations listed below for resolution.

Option 1

- That it be noted that the operating model of the Dubbo Regional Livestock Markets is, at least in part, discordant with the current legislative environment including but not limited to the Public Private Partnerships provisions of the Local Government Act 1993 and associated regulations and matters concerning the Competition and Consumer Act 2002 (Cth).
- 2. That the operating model for the Dubbo Regional Livestock Markets be by sale to another party via an open tender process. The conditions of sale shall include:
 - a. Contractual obligations to maintain a saleyards service in the Dubbo Regional LGA for a period of 20 years,
 - b. Proposed capital works program,
 - c. Proposed 5 year fee price path,
 - d. Transitional arrangements between Council and Dubbo Stock and Station Agents to ensure ongoing operations until a Dubbo Regional Livestock Markets sale process is completed and responsibility for the site is with the successful purchaser.
- 3. That it be noted that all operating models proposed, including changes to roles and responsibilities for the Council managed option, are consistent with legal advice obtained as part of the service review as to how Council can meet its current legislative and regulatory obligations.

OR

Option 2

- That it be noted that the operating model of the Dubbo Regional Livestock Markets is, at least in part, discordant with the current legislative environment including but not limited to the Public Private Partnerships provisions of the Local Government Act 1993 and associated regulations and matters concerning the Competition and Consumer Act 2002 (Cth).
- 2. That Council determine that the operating model for the Dubbo Regional Livestock Markets be a Head lease agreement via select tender process inviting those parties that submitted an EOI. Requirements shall include:
 - a. That a lease be for a period of twenty years,
 - b. That the physical infrastructure is required to be returned to Council at the end of lease in the same condition (at a minimum) as it is at the time of the lease becoming active,
 - c. Proposed capital works program,
 - d. Proposed 5 year fee price path,
 - e. The requirement to deliver a livestock Markets service for the period of the lease in the Dubbo Regional LGA.
- 3. That it be noted that all operating models proposed, including changes to roles and responsibilities for the Council managed option, are consistent with legal advice obtained as part of the service review as to how Council can meet its current legislative and regulatory obligations.

OR

Option 3

- That it be noted that the operating model of the Dubbo Regional Livestock Markets is, at least in part, discordant with the current legislative environment including but not limited to the Public Private Partnerships provisions of the Local Government Act 1993 and associated regulations and matters concerning the Competition and Consumer Act 2002 (Cth).
- 2. That Council determine that the operating model for the Dubbo Regional Livestock Markets be a Council managed operating model that makes changes to the status quo that includes:
 - a. That the fees for throughput of animals be structured to realise an additional \$1,000,000 in additional revenue per annum in today's dollars;
 - i. That the per animal charge for cattle be \$16.00 (including GST) inclusive of yard dues and agent fees
 - ii. That the per animal charge for sheep be \$2.00 (including GST) inclusive of yard dues and agent fees
 - b. That Council has responsibility for the activities described in the report as Modified Status Quo that is consistent with the Forbes Shire Council livestock Markets operating model, noting this would take some existing responsibilities from the DSSA,
 - c. That the additional revenue shall be reserved in a restricted fund for asset renewal of the Dubbo Regional Livestock Markets.
- 3. That the Council and DSSA collaborate to deliver the modified status quo over a

- period of 6 months being the time for finalisation of arrangements.
- 4. That council develop and implement a Dubbo Regional Livestock Markets operational improvement plan in conjunction with stakeholders.
- 5. That it be noted that all operating models proposed, including changes to roles and responsibilities for the Council managed option, are consistent with legal advice obtained as part of the service review as to how Council can meet its current legislative and regulatory obligations.
- 6. That it be noted that under the Council operating model any greenfield development, within the footprint of the Dubbo Regional Livestock Markets parcel of land, shall be funded by borrowings offset by fees and charges at the Dubbo Regional Livestock Markets. Any grants would reduce the quantum of borrowings required.

Murray Wood
Chief Executive Officer

JB
Director Organisational
Performance

BACKGROUND

It should be noted that Council raised concerns about the current operating model via the DRLM Technical Advisory Panel on 16 February 2021 and via correspondence from the then CEO of Dubbo Regional Council Mr McMahon dated 11 March 2021. The concern related to "previously sought legal advice around the format of sales at the DRLM and exposer[sic] points for the Organisation around anti-competitive behaviours that may potentially attract the attention of the Australian Competition and Consumer Commission (ACCC)."

Since July 2021 Dubbo Regional Council (DRC) has embarked on a service review program of its services to the community. These reviews vary in accordance with the complexity of the issues and may include process review and mapping at one end of the spectrum though to complex business analysis at the other end.

It is important to note that all councils in NSW are obliged by legislation to undertake service reviews of their functions. The Local Government Act 1993 and the Integrated Planning and Reporting Guidelines 2021 outline the relevant provisions that a council must enact. Section 406 of the Local Government Act states:

406 Integrated planning and reporting guidelines

- (1) The regulations may make provision for or with respect to integrated planning and reporting guidelines (referred to in this Chapter as *the guidelines*) to be complied with by councils.
- (2) Without limiting subsection (1), the regulations may impose requirements in connection with the preparation, development, consultation on and review of, and the contents of, the community strategic plan, resourcing strategy, delivery program, operational plan, community engagement strategy, annual report and environment reporting of a council.

Section 196A of the Local Government (General) regulation 2021 states:

196A Integrated planning and reporting guidelines—the Act, s 406

A council must comply with the integrated planning and reporting guidelines in the document entitled *Integrated Planning and Reporting Guidelines for Local Government in NSW*, published on the website of the Department, as in force from time to time.

The Integrated Planning and Reporting Guidelines 2021 issued by the Office of Local Government (the NSW agency responsible for regulating councils) defines how Council must include service reviews within their Delivery Program i.e. what they will achieve over a four year term. The relevant excerpt is reproduced below (https://www.olg.nsw.gov.au/councils/integrated-planning-and-reporting/)

Essential Elements

General requirements of the Delivery Program:

4.1 Each Council must prepare and adopt its Delivery Program by 30 June in the year following a Local Government ordinary election.

- 4.2 The Delivery Program must demonstrate the Council's commitment to the community to perform all of its functions (including implementing the strategies set out in the Community Strategic Plan) by outlining the activities for which it is responsible over the term of the Council, including how those activities will be prioritised, and how the Council will measure and evaluate their implementation.
- 4.3 To encourage continuous improvement across the Council's operations, the Delivery Program must identify areas of service that the Council will review during its term, and how the Council will engage with the community and other stakeholders to determine service level expectations and appropriate measures.

Council in determining its priorities for service reviews identified initially services or functions that had higher degrees of complexity than other more typical Council services. Service review priorities included:

- the Wellington Caves as Council is the only LGA, at the time of writing, that has been identified as managing a caves system with most managed by a state government funded agency or authority. Other concerns are the complex risk management and regulatory environment.
- the DRLM as a complex business with several critical stakeholders essential to service delivery outside of Council's direct control, lack of clarity around roles and responsibilities and increasing regulatory responsibilities.
- the Macquarie Regional Library Service as a service delivered by DRC for three local government areas being Dubbo Regional, Narromine and Warrumbungles.
- Subdivision development approvals given the coordination of interaction within Council's technical areas and regulatory functions, a complex legislative environment and concerns expressed by development industry as to performance.

Previous Resolutions of Council and considerations of DRLM Advisory Committee

16 Feb 2021	RESPONSE TO ADVICE REGARDING COMPETITION AND ENTRY							
DRLM Technical	STRUCTURE							
Advisory Panel	1. The Panel recommended that Council consider maintaining the							
DRLM 21/4	"New agent permit fee" in the 2021/2022 Fees and Charges.							
	2. That Council make a formal request to DSSA to provide in writing							
	by 31 April 2021 advice on the entry requirement for a new agent							
	to enter the DSSA and associated costs.							
3 Aug 2021	DRLM BUSINESS REVIEW - ADDITIONAL ITEMS							
DRLM Technical	1. GOVERNANCE - Discrepancies/disputes between DRLM revenue							
Advisory Panel	and reported stock numbers.							
DRLM21/10	2. GOVERNANCE: DRLM panel: value, representation, items							
	discussed, regularity of meetings.							
	3. COMMUNICATION: Increased regular and formalised onsite							
	operational communication between Council and DSSA.							
	4. GOVERNANCE: Legal implications to perceived or real barriers							
	new agent entry to operate at DRLM.							
	5. GOVERNANCE: provision of, or timely provision of onsite security							
	footage.							
21 Sept 2024	DRLM INDEPENDENT REVIEW — FINAL PRESENTATION FROM							

DRLM Technical Advisory Panel DRLM21/17 24 Feb 2022 Ordinary Council	 CONSULTANTS The Panel recommended that Council consider the recommendations contained within the Dubbo Regional Livestock Markets Independent Review - Stage 2 Report and Recommendations. Animal Welfare - The Panel recommended that Council, in association with the DSSA continue to work with animal welfare advisory and enforcement agencies to bring clarity, education, communication and a unified cross-agency understanding on the practical application of animal welfare standards at the DRLM. Transit Stock - The Panel recommended that Council, with the assistance of the President DSSA, develop a business case for a system to apply and administer fees and charges associated with transit stock. Should the DRLM Panel or equivalent be endorsed by the new Council, the business plan and associated report will be presented no later than February 2022. Sale Day Agreement - The Panel recommends that Council and it's nominated legal firm commence drafting a formal sale day agreement in consultation with DSSA. DUBBO REGIONAL LIVESTOCK MARKETS That the Chief Executive Officer provide to the April 2022 Council
CCL22/35	 Inal the Chief Executive Officer provide to the April 2022 Council meeting a confidential report regarding the business structure as it relates to licenses, leases, agreements and arrangements of the Dubbo Regional Livestock Markets. That the report include, but not be limited to: Summary of the business structure, financial performance and economic contribution; The current structure of licenses, leases and related operating agreements; Independent legal advice regarding regulatory and legal compliance of the current business structure and related agreements/arrangements; Independent legal advice regarding potential opportunity to strengthen regulatory and legal compliance of related agreements/arrangements, and address any identified corporate risks to Council.
28 April 2022 Ordinary Council (Confidential) CCL22/104	DUBBO REGIONAL LIVESTOCK MARKETS - BUSINESS STRUCTURE REVIEW 1. That the information in the report be noted. 2. That a workshop be held with Councillors to define the next stage of the service review scope of works.
13 Sep 2022 DRLM Advisory Committee LMAC22/8	DUBBO REGIONAL LIVESTOCK MARKETS BUSINESS REVIEW UPDATE That the Dubbo Regional Livestock Markets Business Review Update be a standing agenda item.
14 Mar 2023 DRLM Advisory	BUSINESS STRUCTURE SERVICE REVIEW PROGRAM UPDATE 1. The Committee gave consideration to business structure service

Committee	review program update.
LMAC23/5	2. Chief Executive Officer update on legal advice impact of PPP
	Legislation which is currently under review.
	3. That the Service Review Program be noted as it has been
	temporarily paused pending the outcome of the legal advice.
13 April 2023	REPORT OF THE DUBBO REGIONAL LIVESTOCK MARKETS ADVISORY
Corporate Services	COMMITTEE - MEETING 14 MARCH 2023
Committee	That the report of the Dubbo Regional Livestock Markets Advisory
CSC23/8	Committee meeting held on 14 March 2023, be noted.
13 Jun 2023	DUBBO REGIONAL LIVESTOCK MARKETS BUSINESS STRUCTURE
DRLM Advisory	SERVICES REVIEW
Committee	That the information contained within this report be noted.
LMAC23/14	
13 Jul 2023	REPORT OF THE DUBBO REGIONAL LIVESTOCK MARKETS ADVISORY
Corporate Services	COMMITTEE - MEETING 13 JUNE 2023
Committee	That the report of the Dubbo Regional Livestock Markets Advisory
CSC23/31	Committee meeting held on 13 June 2023, be noted.
12 Sep 2023	DUBBO REGIONAL LIVESTOCK MARKETS BUSINESS STRUCTURE
DRLM Advisory	SERVICE REVIEW
Committee	That the information contained within this report be noted.
LMAC23/26	,
12 Oct 2023	REPORT OF THE DUBBO REGIONAL LIVESTOCK MARKETS ADVISORY
Corporate Services	COMMITTEE - MEETING 12 SEPTEMBER 2023
Committee	That the report of the Dubbo Regional Livestock Markets Advisory
CSC23/56	Committee meeting held on 12 September 2023, be adopted.
5 Mar 2024	DUBBO REGIONAL LIVESTOCK MARKETS BUSINESS STRUCTURE
DRLM Advisory	SERVICE REVIEW
Committee	That the information contained within the report of the Manager
LMAC24/5	Commercial Strategy dated 5 February 2024, be noted.
21 Mar 2024	REPORT OF THE DUBBO REGIONAL LIVESTOCK MARKETS ADVISORY
Ordinary Council	COMMITTEE - MEETING 5 MARCH 2024
CCL24/19	That the report of the Dubbo Regional Livestock Markets Advisory
, .	Committee meeting held on 5 March 2024, be adopted.
21 Mar 2024	DUBBO REGIONAL LIVESTOCK MARKETS BUSINESS STRUCTURE
Ordinary Council	SERVICE REVIEW
(Confidential)	1. That an Expression of Interest process be undertaken for either the
CCL24/71	Lease or Sale of the Dubbo Regional Livestock Markets facility.
,	2. That, following the outcome of the Expression of Interest process,
	the Chief Executive Officer provide a report to Council for
	consideration.
	confidential to Council.
	consideration. 3. That all documentation in relation to this matter remain
	conjuctitui to councii.

REPORT

The purpose of the service review was to explore the most effective business structure for the continued operation of the Dubbo Regional Livestock Markets (DRLM) including the ability to abide by existing legislation and regulations.

The review has explored three models for the ongoing operation of the DRLM. These are:

- Dubbo Regional Council owned and operated facility (improved status quo). This may include the establishment of a Special Purpose Vehicle (SPV), or Council Controlled Organisation (CCO);
- 2. Selling the leasehold of the facility (DRC retain ownership of the site as landlord); and
- 3. Selling both the freehold and leasehold of the facility.

The overall review was to consider:

- Legal considerations and risk mitigations
- Contractual arrangements
- Financial outcomes
 - 3.1. Ongoing operational revenues and costs
 - o 3.2. Capital expenditures
 - o 3.3. Net Present value analysis
- Social outcomes
- Industrial relations
- Broad industry impacts
- Market sounding

Given the scale of operations, the complexity of issues, the numerous relationships, commercial risk, and financial outcomes the service review was classed as a level 3 review and has been undertaken with the assistance of external consultants. As part of the service review program Dubbo Regional Council has undertaken a detailed legal review with Redenbach Legal and has completed four workshops with Councillors regarding this legal advice.

The service review identified a range of significant legal and operational risks. These included:

- Council's liability as a functionary of the DRLM and the agents.
- Council's obligations under the *Local Government Act 1993* including Public Private Partnership requirements found in Section 400B
 - Including the March 2022 Circular to Councils from the Office of Local Government regarding the new guidelines for Public Private Partnerships
- Risks and obligations under the Competition and Consumer Act 2002 (Cth)
- Consideration of Property and Stock Station Agents Act 2002 (NSW)

A Public Private Partnership (PPP) is defined under the *Local Government Act 1993* as an <u>arrangement:</u>

- between a council and a private person to provide public infrastructure or facilities (being infrastructure or facilities in respect of which the council has an interest, liability or responsibility under the arrangement), and
- 2. in which the public infrastructure or facilities are provided in part or in whole through private sector financing, ownership or control.

Any council entering into a PPP must comply with the Guidelines on the Procedures and Processes to be followed by Local Government in Public-Private Partnerships – January 2022 (https://www.olg.nsw.gov.au/wp-content/uploads/2022/02/ppp.pdf).

"Compliance with the Guidelines is mandatory.......there are potentially serious consequences for failure to comply. These consequences include the imposition of a surcharge, under s.435 of the LG Act, if a council has entered into a contract in contravention of the requirements for PPPs. Individual councillors and staff may, in some circumstances, also have personal liability. Breaches of the rules can also lead to an investigation of a council under s.430 of the LG Act or a public inquiry into a council under s.438U of the LG Act."

(https://www.lindsaytaylorlawyers.com.au/in focus/revised-public-private-partnership-guidelines-published-by-nsw-olg/)

Council currently has risks under the Competition and Consumer Act 2002 in its current operating model as the owner and part operator. The relevant regulator of this Commonwealth legislation is the Australian Competition and Consumer Commission (ACCC).

It should be noted that the ACCC has had a focus on the livestock industry over the last 10 years. In March 2017 the ACCC published the "Cattle and beef Markets study." On pages 78 to 93 of the study the ACCC articulate concerns around saleyard matters including "Section 6.3.3 Links between saleyards and agents can lead to exclusion of rival agents."

The ACCC published a further report in 2018 finding little progress had been against the identified areas requiring improvement to ensure the provisions of the Competition and Consumer Act were adhered to.

Dubbo Regional Council as the owner and in effect part operator of the DRLM, a public livestock Markets, has no ability to allow another party to sell as a sales agent on sale days. Why?

- Council owns the weighbridge and DRC staff in the scale house operate the hydraulic entrance and exit gates.
- The DSSA own the software and the data from the receival of stock through to the
 departure of stock. This includes the data from the scale house. The DSSA run the
 draw with a DRC staff member present and emergency tags are issued by the DSSA.

Council has no procedure to include another party in the DSSA sale day, and another
party would not have any benefit of selling on another day as there would be no
market or buyers outside the main sale days.

In short under the current status quo operating model the DSSA is the only way any agent can participate in the sale days at a Council owned and therefore public Markets. This operating model differs from the Forbes Council and Wagga Wagga City Council which will be discussed separately in this report. That an operating model evolved over time as the DRLM has, does not absolve Council of its obligations under current legislation and associated regulations, or indeed future legislative compliance.

In reviewing legally the means by which Council can meet its obligations three solutions were ultimately put forward to Council (the elected body) for consideration at the March 2024 Ordinary meeting of Council. They were:

- Head lease.
- Modified status quo.
- Sale.

OPTION 1 HEAD LEASE

A head lease agreement with a main operator allows for the receipt of lease payments by Council and removes much of the landlord risks associated with a sale day lease type arrangement. That is because the lease transfers those risks to the lessee in a head lease agreement and/or removes those risks entirely as non-relevant to a non-government party.

The Public Private Partnership rules of the Local Government Act 1993 only apply to a Council. An open public process for EOIs followed by select tender meets the procurement requirements of the Office of Local Government as the regulator. These include meeting Section 46A *Means of granting leases, licences and other estates* and Section 55 *Requirements for tendering.* This entails inviting only those parties that submitted an EOI for Lease to participate in a more detailed tender process. That is a practice that has been undertaken previously for other works from time to time and is accepted in the local government sector as both a legally valid and an ethical process.

For Workplace Health and Safety (WHS), the head lease terms would articulate that that the lessee would be the Person Conducting a Business or Undertaking (PCBU) under WHS legislation. WHS legislation imposes duties on any PCBU and the current lack of clarity around roles and responsibilities in current arrangements at the DRLM poses a risk to the Council as the custodian of community assets and funds. Council currently is the primary PCBU of the DRLM yet structurally has difficulty in applying controls to other stakeholders and their staff under current arrangements. It is understood the Northern Rivers Livestock Exchange in Casino is leased out by the Richmond Valley Council under these terms whereby the lessee is defined as and takes responsibility for being the PCBU.

A head lease, in terms of financial risk, would require a base level of annual return to Council to counter the loss of cash income of the Council owned and operated model. That amount is considered in the confidential business paper section "Evaluation of the Dubbo Regional Livestock Market Expressions of Interest" 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)).

The financial benefit of a head lease is that Council would have no ongoing operational costs apart from depreciation which would remain on Council's financial statements as Council would still own the asset. The difference operationally is that Council would not need to budget for asset renewals and capital upgrades i.e. not fund the depreciation of assets. Also getting additional benefits of the head lessee would be responsible for the payment of Council Rates of \$25,000, trade waste of approximately \$50,000-\$100,000 (depending on the level of waste management), domestic waste revenue of approximately \$60,000-\$100,000.

A head lease arrangement would limit the level of liability for Council as the head lessee, the main operator, in taking over the site would become responsible for all licences and leases putting Council at arm's length from risks without completely divesting interest in the DRLM i.e. it owns the land on which the service is delivered but not any part of the operation.

In this regard the issue of any anti-competitive structure to the DRLM operating model as per the *Competition and Consumer Act 2002 (Cth)* becomes the responsibility of the head lessee for resolution and not a legislative compliance risk for Dubbo Regional Council.

OPTION 2 SALE

Similarly to a head lease, a sale removes significant operational and liability risks of Council as it is not remaining a part of any operation of the DRLM. Matters such as WHS and anti-competitive concerns become the clear responsibility of the owner. PPP obligations for Council are not relevant to a private sector entity.

A sale price would have to meet a threshold of financial return on the Council asset that addresses the underlying land value for a well-connected industrial zoned parcel, addresses the current asset valuation more broadly and the loss of future cash flow that contributes to non-rate revenue. The discussion and articulation of financial thresholds is considered in the confidential business paper section "Evaluation of the Dubbo Regional Livestock Market Expressions of Interest" 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)).

From a Council financial sustainability concern, any proceeds of sale should go to another cash flow generating asset. That could be:

- a new yet undetermined business or service that can raise equivalent cash flow through fees and charges or
- the significant proportion of the DRLM sale revenue is invested in a financial instrument to generate interest income or another equivalent form of financial return.

There would be a risk that a future Council sees as an opportunity the proceeds of a DRLM sale as suitable to fund a significant new community project or service. There are risks that would need to be considered by an elected body at that time that include the reducing non-rate income on an ongoing basis and increasing annual operational costs by creating a need for recurrent funding for the new facility or service. A control that could be implemented by a Council that proceeds with sale would be investing in a financial instrument that has contractual commitments over a long period of time with associated significant financial penalties for exiting earlier.

Privately owned and operated livestock markets do provide services in other locations including Council areas that are of similar scale to the Dubbo Regional LGA. That includes the Tamworth Regional Livestock Exchange and Central Tablelands Livestock Exchange (between Bathurst and Orange), noting they do not have the throughput of the DRLM in terms of numbers nor geographic reach.

The opportunity to go to sale via an open market tender or select (closed) tender would be a consideration in the confidential business paper section "Evaluation of the Dubbo Regional Livestock Markets Expressions of Interest" 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)).

Because a direction to 'sell' by the elected body would be more definitive than an EOI for Lease or Sale, an open tender would enable Council staff to conduct a longer marketing campaign to maximise the value of a potential sale by increasing the understanding of the opportunities in the market of potential investors as well as maximising competition. It will be a recommendation of this report that the option for sale should be an open tender process. The tendering provisions of the Local Government Act and associated regulation would be fulfilled and as a result it is unlikely a sale process could be completed and put before the elected body of Council prior to the 2024 caretaker period (in August) and other election constraints on decision making commence.

It should also be noted that the decision to sell the DRLM would require further and significant legal advice to ensure the rights and concerns of Council are protected and addressed respectively. The substantive bodies of legal analysis completed to date on operating models to achieve legislative and regulatory compliance have been focused on lease arrangements and Council owned operating models. This will mean a resolution to sell the DRLM will not realise an open tender for sale and the initiation of an associated marketing campaign immediately after the June 2024 Ordinary meeting of Council.

OPTION 3 MODIFIED STATUS QUO

To consider this option it is required to understand the current operational role of Council and that of the DSSA.

Below is a table that shows the differences between the Dubbo Regional and the Forbes Shire Council operations.

Table 1: Dubbo Regional Council and Forbes Shire Council Operations Comparison

Dubbo – Current	Forbes - Model
Scale House Operation	Scale House Operation
Scales operated by DSSA staff with DRC staff in the scale house operating the hydraulic entrance and exit gates. Selling Agent calls the stock on and off the scales. DSSA staff bring the cattle to the scales and post weigh DSSA staff take the cattle to the delivery pens.	Entire scale house operation is done by Council staff. Selling Agent calls the stock on and off the scales in the same manner as Dubbo. Agents bring the cattle to the scales and a delivery agent is paid per head post weigh to deliver stock to delivery pens.
Saleyard Data	Saleyard Data
DSSA own software and data from receival of stock through to departure of stock. Including the data from the scale house.	Forbes Council own the software and data from receival of stock through to departure of stock. Including the data from the scale house.
Draw	Draw
DSSA run the draw with a DRC staff member present. Each agency gets a position between 1 and 13 over a 13 week period.	Forbes Council run the draw.
Emergency Tags	Emergency Tags
Issued by DSSA.	Issued by Council.

The difference in terms of any new agent accessing the public facility that is the DRLM is that Dubbo Regional Council has no means by which a new entry to the market can participate in a sale day.

This is a structural risk to Council's need to comply with the Local Government Act 1993 as this arrangement, even though it has evolved over time, is a defacto public private partnership. The DSSA is a critical part of the service that is a Council owned livestock markets and must in effect approve at its discretion the allowing of a new agency/ agent to participate in the DRLM. There has been no approval by the Office of Local Government as is required by the Local Government Act 1993 and associated regulations for this operating structure to exist or continue. The Forbes Shire Council operating model has no such structural restriction leading to a critical partnership and therefore the operating model is not out of step with legislative requirements.

The Wagga Wagga City Council operating model has differences to both Dubbo and Forbes because it is a ring selling facility rather than a pen selling facility. However, the structure of operations beyond that point is more consistent with the Forbes model.

Table 2: Forbes Shire Council and Wagga Wagga City Council Operations Comparison

Dubbo – Current	Wagga Wagga - Model
Scale House Operation	Scale House Operation
Scales operated by DSSA staff with DRC staff in the scale house operating the hydraulic entrance and exit gates. Selling Agent calls the stock on and off the scales. DSSA staff bring the cattle to the scales and post weigh DSSA staff take the cattle to the delivery pens.	Entire scale house operation is done by Council staff. Selling Agent calling the stock on and off the scales is not required due to the fact that Wagga Wagga is a ring selling facility as opposed to a pen selling facility like Dubbo and Forbes. A Contractor delivers stock to the scales. A different contractor takes stock to the delivery pens.
Saleyard Data	Saleyard Data
DSSA own software and data from receival of stock through to departure of stock. Including the data from the scale house.	Wagga Wagga City Council own the software and data from receival of stock through to departure of stock. Including the data from the scale house. Wagga Wagga also administer the RFID transfers. Transfer of stock from seller to buyer. This is different to both Dubbo and Forbes
Draw	Draw
DSSA run the draw with a DRC staff member present. Each agency gets a position between 1 and 13 over a 13 week period.	Wagga Wagga City Council run the draw.
Emergency Tags	Emergency Tags
Issued by DSSA.	Issued by Council.

The legal advice for Council is quite clear that the current operating model is not consistent with the compliance requirements of relevant legislation. A modified operating model, referred to as the modified status quo, is reproduced in table 3 below. The Council would be required to take on more parts of the selling process including owning the data to ensure an open market was truly available at the DRLM.

Table 3: Dubbo Regional Council Proposed New Operations
Dubbo – Revised Status Quo
Scale House Operation
Entire scale house operation is done by Council staff. Selling Agent calling the stock on and off the scales. DSSA deliver to the scales and take to delivery pens post weigh.
Saleyard Data

Dubbo – Revised Status Quo

DRC own the software and data from receival of stock through to departure of stock. Including the data from the scale house. DSSA continue to administer the PIC or RFID transfers. (Transfer of stock from seller to buyer).

Draw

DRC run the draw.

Emergency Tags

Issued by Council.

It will be a recommendation of this report that a modified status quo for an operating model based on the Forbes structure be implemented should Council determine to proceed with a Council owned and managed DRLM.

Financial Considerations for a Modified Status Quo Option

The Dubbo Regional Livestock Markets are reported in the Special Purpose Financial Statements as a separate entity. Table 4 highlights the financial performance from 2018-2023, for the Income Statement and Statement of Financial Position. Noting the figures included as a corporate overhead which include Human Resources, Information Technology Support and Infrastructure, Payroll, Accounts Payable, Account Receivable, Financial Accounting, Governance, Legal Support, Executive Support and Administration Support.

Table 4: Summary of the DRLM Special Purpose Financial Statements Income Statement

Income Statement – Livestock Markets	Actual						
'000	2018	2019	2020	2021	2022	2023	
Income from continuing operations							
User charges	4,098	3,342	2,701	2,282	2,611	3,407	
Otherincome	28	39	35	42	38	40	
Total income from continuing operations	4,126	3,381	2,736	2,324	2,649	3,447	
Expense from continuing operations							
Employee benefits and on-costs	558	671	822	675	651	786	
Materials and contracts	1,229	1,206	1,317	1,323	1,672	1,648	
Depreciation, amortisation and impairment			1,801	1,753			
Loss on sale of assets	0	202	3	0	67	943	
Calculated taxation equivalents	12	12	7	30	30	29	
Other expenses	210	219	0	0	0	0	
Total expenses from continuing operations	3,304	3,657	3,494	3,313	4,221	5,159	
Surplus (deficit) from continuing							
operations before capital amounts	822	-276	-758	-989	-1,572	-1,712	
Grants and contributions provided for							
capital purposes	329	176	556	386	0	10	
Surplus (deficit) from continuing							
operations after capital amounts	1,151	-100	-202	-603	-1,572	-1,702	
Surplus (deficit) from all operations before							
tax	1,151	-100	-202	-603	-1,572	-1,702	
Less: corporate taxation equivalent	-247	0	0	0	0	0	
SURPLUS (DEFICIT) AFTER TAX	904	-100	-202	-603	-1,572	-1,702	
Plus accumulated surplus	25,050	26,213	26,125	25,930	25,357	23,815	
Plus adjustments from amounts unpaid:		,	,				
- Taxation equivalent payments	12	12	7	30	30	29	
- Corporate Taxation equivalent	247	0	0	0	0	0	
- Corporate Dividend paid		-	-	-	-		
Closing accumulated surplus	26,213	26,125	25,930	25,357	23,815	22,142	
Return on Capital %	4.0%	-1.4%	-3.7%	-3.3%	-5.6%	-5.6%	
,		, 0	0	5.570	5.570	5.5/0	
Subsidy from Council	0	535	941	1,434	2,603	2,935	

Table 4 Summary of SPFS Income Statement

A significant expense in the DRLM Profit and Loss is Depreciation and Loss on sale of assets (which is usually incurred when an assets useful life is adjusted down) both are non-cash items. Councils are required to depreciate all asset classes (excluding land) at replacement cost, as per the Office of Local Government code (the 'Local Government Code of Accounting Practice and Financial Reporting — 2023-24' rel 30), which is the basis of the annual audit performed by the NSW Audit Office. This means that the assets are depreciated at a rate that is the current cost of replacing an asset with its modern equivalent asset less deductions for physical deterioration and all relevant forms of obsolescence and optimisation. Non-cash expenses are reversed in the Management Accounts as capital income in a way to fund the Asset Renewal.

There has been much public conjecture of the financial return provided by the DRLM as well as the need to fund future capital upgrades. In some recent public commentary, there has been alleged there is a "\$23 million surplus" available based on the published financial accounts. This assertion is not a correct understanding of the financial statements published with the oversight of the NSW Audit Office.

For context the opening accumulated surplus in 2008 was \$5.919M. Therefore, over the last 16 years the increase is \$16.2M. This increase is not just "surplus" cash from the business operations. The two major and significant drivers of the increase over the 16 years are as follows:

- Accounting treatment of the Council merger in 2016. All the Asset Revaluation Reserves were cleared resulting in an increase of \$9.7M.
- Capital Grant Funding received by Council totalled \$5.6M.

The actual DRLM financial asset reserve (or restricted asset) was \$3.298 million as reported in the 2023 General Purpose Financial Statements in the note section for Restricted and allocated cash, cash equivalents and investments. Table 5 below shows the restricted asset since 2018,

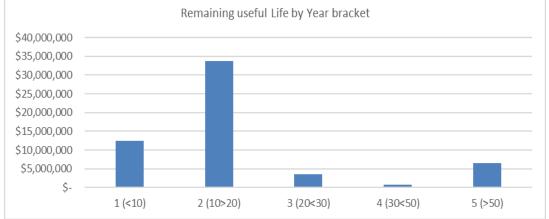
Table 5: Summary of amount reporting in the Restricted cash note

DRLM restricted cash	2018	2019	2020	2021	2022	2023
(\$ million)	3.973	4.210	3.102	3.127	2.771	3.298

Asset Review

A significant cost to operating the Dubbo Regional Livestock Markets is the ongoing Asset Renewal Program. A review of the DRLM's Capital Value Register (CVR) highlights the future required investment requirements based on the assets remaining useful life. The remaining useful life by year graph below highlights the large amount of required Asset Renew spending required over the next 20 years, which includes \$12.4M over the next 10 years, and \$33.7M between 10 and 20 years, which is a total of \$46.1M over the next 20 years, currently holding a \$22.4M Current Written Down Value.

Graph 1: Remaining useful life of DRLM assets as per the CVR Remaining useful Life by Year bracket



Engagement with stakeholders has been undertaken to understand the users needs of the future asset renewal requirements of the DRLM. The table below is a summary of the required projects noting that the capital project value is an estimate to understand the total value of works required (quotes have not been sought).

Table 6: Asset renewal based on stakeholder engagement

Project Priority Capital Project Comments							
Project		Capital Project	Comments				
		Value					
New Amenities/Canteen/Office Space/ Training &	Low	\$2,200,000					
Education centre/Managers Office		, , ,					
Greenfield Sheepyards	Low	\$19M - \$30M	Estimate only				
Complete shade sails	Low	\$300,000					
Replace old cattle section	Low	\$8M - \$12M	Estimate only				
More delivery pens cattle	Low	\$1M - \$3M	Estimate only				
Roof for round yard & Scales	Medium	\$100,000					
Larger cattle draft	Medium	\$300,000					
Billboard on highway, Draw, sales promotion	Medium	\$100,000					
Effluent System Management	High	\$2,000,000	Estimate only				
Rubber matting replacement program	High	\$1,000,000	5 Year Program				
			(\$200K per year)				
IT upgrade especially the Wi-Fi in the sheep section	High	\$100,000					
Cattle air operation renewal	High	\$75,000					
Southern fence line replacement	High	\$300,000					

The renewal and upgrade program has a total estimate value of between \$34.5M and \$51.5M over the next 10-15 years. The high priority assets require renewal in the near future and are to be given priority. Based on stakeholder engagement, the Building Facilities are ranking the most important for the Major projects priority. The current DRLM Asset Reserve reported in the 2022/2023 Financial Statements is \$3.298M.

A significant challenge for Local Government is the ability to fund infrastructure renewals as typically asset classes such as roads (sealed or unsealed) generate no income but are large asset backlog liabilities. This affects many Councils' ability to maintain assets to their current or desired service levels.

Figure 1 below shows the gap between asset renewals and the income generated through current fee structures. The graph is the accumulated value of the Reserve Account (with that opening balance of \$3.298M) alongside the combined value of the current budgeted asset program and the unbudgeted asset renewal requirements (based on the Asset Renewal program provided in Table 6) over a 10 year period with an estimate of \$10M to be allocation in yard renewal or upgrade.

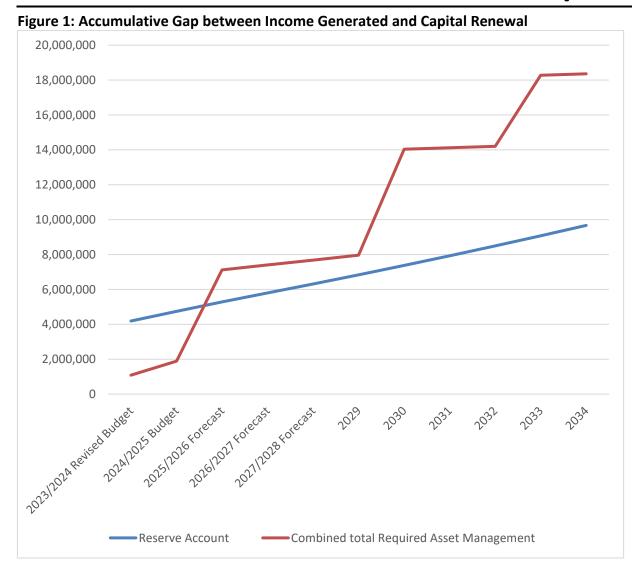


Figure 2 was modelled on the required program with an additional \$1,000,000 of income.

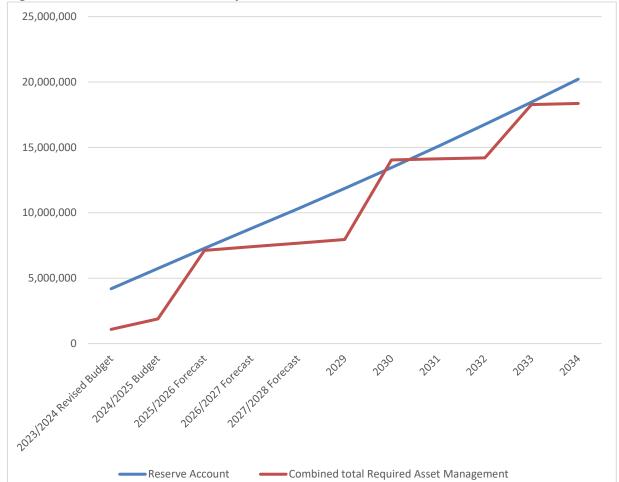


Figure 2: Income Generated for Capital Renewal PLUS additional Revenue

Fees and Charges

The main funding source for the Asset Renewal program is from the Fees and Charges from Yard Dues and Agents License Fees. As throughput declines (or fluctuates each year depending on the market conditions) there is a need to increase the fees and charges to ensure the required revenue is generated for the operation and the capital renewal program.

As per the Gross sales and head count numbers provided by MLA for both Cattle (excluding Store cattle) and Sheep highlights that the percentage of Council revenue generated compared with the Gross Sales over the last 2 calendar years has been less than 1%.

Table 7: Percentage of Council Fees to Gross Sales

		Head Count	Gross Sales	Council Yard Due	Council Agent Fees	Total Council Fees	% of Council fees to total Gross Sales
2022	Dubbo Fat Cattle	106,949	\$156,933,392	\$955,055	\$111,227	\$1,066,282	0.68%
	Dubbo Sheep	811,272	\$94,396,178	\$738,258	\$316,396	\$1,054,654	1.12%
		918,221	\$251,329,570	\$1,693,312	\$427,623	\$2,120,935	0.84%
2023	Dubbo Fat Cattle	141,812	\$145,348,545	\$1,303,381	\$150,836	\$1,454,218	1.00%
	Dubbo Sheep	1,000,469	\$165,763,006	\$936,803	\$409,283	\$1,346,086	0.81%
		1,142,281	\$311,111,551	\$2,240,184	\$560,119	\$2,800,303	0.90%

Regarding capacity to pay, it is worthy of considering the comparative income of the three largest Council operated livestock markets in NSW. Table 8 shows the income generated by each of the major saleyards owned by Councils being Dubbo, Forbes and Wagga Wagga. Dubbo is shown as making the least income adjusted as a per head rate for ease of comparison. With 1 Cattle equating to 1 head, and 8 Sheep equating to 1 head (this is an industry standard of discounting sheep head count to compare with throughput for a mix of Cattle and Sheep).

Table 8: Income comparison between Dubbo, Forbes and Wagga Wagga livestock markets

	2023				
	Wagga	Dubbo	Forbes		
Total Revenue (as per SPFS)	\$6,229,000	\$3,447,000	\$3,656,000		
Cattle	115,509	153,289	41,588		
Sheep	2,125,276	1,000,469	1,130,910		
Estimated Cattle Income	\$1,304,706	\$1,571,909	\$686,958		
Estimated Sheep Income	\$3,378,802	\$1,346,086	\$2,745,027		
Estimate Sundry Income	\$1,545,492	\$529,005	\$224,015		
Adjusted Throughput	381,169	278,348	182,952		
Per Head Rate	\$16.34	\$12.38	\$19.98		
Less: Adjustment (Cost Recovery for fees not incurred by	-\$500,000	0	0		
DRLM)					
Adjusted Per Head rate	\$15.03	\$12.38	\$19.98		

It is clear amongst the three major markets that Dubbo is charging less per head. There is a challenge in that the Wagga Wagga and Forbes facilities are roofed, providing more comfort for animals and workers including agents. How can the DRLM build up the funds to undertake major upgrades when it is not funding existing asset renewal program? What is the price sensitivity to raising yard dues to build funds to upgrade i.e. vendors and agents paying for future facilities.

The fees and charges for DRLM have been compared with those of other NSW livestock markets, where the information was available. This comparison is challenging due to the differing fee structures. For example, Wagga Wagga Livestock Markets has a tiered system for yard dues and agents' license fees, which is based on sale price. Tables 9 and 10 below provide an indication comparison of the yard fees for various livestock markets in NSW.

Table 9: Comparative Council or Operator Charges per animal (Cattle)

Cattle	Yard \$	Agent \$	Total Fee (including GST)	Notes
Dubbo	10.82	1.26	12.08	
Wagga	14.40	1.59	15.99	Top Value (on a tiered fee structure) with Agent \$0.51 per head + \$5.65 per Pen (assum 10 per pen)
Forbes	17.00	ı	17.00	
Gunnedah	11.00		11.00	
Mudgee	6.45	0.63	7.08	Agent Annual fee \$3,809.09
Grafton	11.25		11.25	
Glen Innes	10.00		10.00	Annual Stock Auction Licence fee \$3,445
Cooma	16.50		16.50	
Griffith	5.00	2.30	7.30	

Table 10: Comparative Council or Operator Charges per animal (Sheep)

Sheep	Yard \$	Agent \$	Total Fee (including GST)	Notes
Dubbo	1.10	0.47	1.57	
Wagga	1.72	0.23	1.95	Top value (on a tiered fee structure)
Forbes	2.35		2.35	0.45 per day charge additional
Mudgee	0.63	0.30	0.93	Agent Annual fee \$3,809.09
Glen Innes	1.50		1.50	Annual Stock Auction Licence fee \$3,445
Cooma	1.50		1.50	
Griffith	0.67	0.34	1.01	

In considering a fee increase that would enable Council to restrict the extra income into a restricted asset for capital renewals/upgrades in the DRLM, it is required to also consider competitors pricing particularly the relatively nearby Forbes.

The fees for throughput of animals be structured to realise an additional \$1,000,000 in additional revenue per annum in today's dollars. Would require that the per animal charge for cattle would be needed to be raised to \$16.00 (including GST) inclusive of yard dues and agent fees, and the per animal charge for sheep be raised to \$2.00 (including GST) inclusive of yard dues and agent fees. Table 11 highlights the financial benefit of proposed increase of the per head charge. Based on the current 2024 head numbers and current fees this would generate \$1,016,108 additional revenue (assuming that the increase fees do not affect current throughput).

Table 11: Increase in R	Revenue based on	proposed fee incre	ase
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	Total Head (2024 estimate)	2023/2024 Fee (including GST)	Proposed Fee (including GST)	23/24	Proposed	Increase	Increase Excluding GST	% increas e
Cattle	164,747	12.08	16.00	\$1,990,14 4	\$2,635,95 2	\$645,808	\$587,098	32%
Sheep	1,097,467	1.57	2.00	\$1,723,02 3	\$2,194,93 4	\$471,911	\$429,010	27%
				\$3,713,16	\$4,830,88	\$1,117,71	\$1,016,10	
				7	6	9	8	i l

Consultation

Extensive stakeholder engagement was completed in 2021, which included an independent review by the Hon. Thomas George & Mr Rik Whitehead. Stakeholders interviewed in this engagement process identified a broad range of issues and perspectives including the following key issues:

- Issues with communication;
- Animal welfare regulations and compliance;
- The role and the transparency of decisions by the DRLM Technical Advisory Panel;
- The DRLM losing its image as a premier livestock marketing facility; and
- The DRLM is not an enjoyable place to work and operate.

Over the last 12 months there has been significant change at the DRLM, which has assisted with addressing a large proportion of the key issues raised. It is considered that current concerns at the facility relates to the possible outcome of the Service review and other possible Sale or Lease of the facility.

- Presentation of the information in report provided to the Dubbo Livestock Markets Advisory Committee 4 June 2024.
- Various Councillor Workshops.
- Regular and ad hoc meetings to provide update or clarification of information with the DSSA or representatives.

Resourcing Implications

The below figures are based off the current Draft Budget but include the following:

- Increase in revenue of \$1M per year.
- Increase Asset Renewal Program based off the information provided in this report.
- Additional revenue generated is placed in the Asset Renewal Reserve for future asset renewal.

Total Financial Implications	Current year (\$)	Curren year + : (\$)		Current year + 2 (\$)	Current year + 3 (\$)	Current year + 4 (\$)	Ongoi ng (\$)
a. Operating revenue	4,312,273	4,981,75	57	5,081,025	5,182,769	5,287,337	0
b. Operating expenses	4,753,893	4,656,38	82	4,756,087	4,878,974	4,967,774	0
c. Operating budget impact [a – b]	-441,620	325,3	75	324,938	303,795	319,563	0
d. Depreciation and Other Non-cash items	1,807,175	1,715,156		1,715,156	1,715,156	1,715,156	
e. Capital Expenditure	1,086,111	805,000		5,230,000	280,000	280,000	0
f. Asset Renewal Reserve	-193,338	750,929		-3,686,620	1,229,819	1,232,859	
g. Total net impact [c + d - e - f]	472,782	484,602		496,714	509,132	521,860	0
Does the proposal require ongoing funding?				No, the Total net impact is a dividend to Council.			
What is the source of this funding?			Fu		e retained b	ve is the amo by the DRLM f	

Table 12. Ongoing Financial Implications

Options Considered

Option 1 – Sale of the DRLM

That the operating model for the DRLM be by sale to another party via an open tender process. The conditions of sale shall include:

- Contractual obligations to maintain a saleyards service in the Dubbo Regional LGA for a period of 20 years,
- Proposed capital works program,
- Proposed 5 year fee price path,
- Transitional arrangements between Council and DSSA to ensure ongoing operations until a DRLM sale process is completed and responsibility for the site is with the successful purchaser.

That it be noted that the above operating models, including changes to roles and responsibilities for the Council managed option, are consistent with legal advice obtained as part of the service review as to how Council can meet its current legislative and regulatory obligations.

Option 2 – Lease of the DRLM

That Council determine that the operating model for the DRLM be a Head lease agreement via select tender process inviting those parties that submitted an EOI. Requirements shall include:

- That a lease be for a period of twenty years.
- That the physical infrastructure is required to be returned to Council at the end of lease in the same condition (at a minimum) as it is at the time of the lease becoming active.
- Proposed capital works program.
- Proposed 5 year fee price path.
- The requirement to deliver a livestock market service for the period of the lease in the Dubbo Regional LGA.

That it be noted that the above operating models, including changes to roles and responsibilities for the Council managed option, are consistent with legal advice obtained as part of the service review as to how Council can meet its current legislative and regulatory obligations.

Option 3 – Council Managed with modified Status Quo

That Council determine that the operating model for the DRLM be a Council managed operating model that makes changes to the status quo that includes:

- That the fees for throughput of animals be structured to realise an additional \$1,000,000 in additional revenue per annum in today's dollars.
 - That the per animal charge for cattle be \$16.00 (including GST) inclusive of yard dues and agent fees
 - That the per animal charge for sheep be \$2.00 (including GST) inclusive of yard dues and agent fees
- That Council has responsibility for the activities described in the report as Modified Status Quo that is consistent with the Forbes Shire Council livestock Markets operating model, noting this would take some existing responsibilities from the DSSA.

Council and DSSA collaborate to deliver the modified status quo over a period of 6 months being the time for finalisation of arrangements.

Council develop and implement a DRLM Operational Improvement Plan in conjunction with stakeholders.

That under the Council operating model any greenfield development, within the footprint of the DRLM parcel of land, shall be funded by borrowings offset by fees and charges at the DRLM. Any grants would reduce the quantum of borrowings required.



REPORT: Draft 2024/2025 Budget, Operational Plan and associated documents - Results of Public Exhibition

DIVISION: Strategy, Partnerships and Engagement

REPORT DATE: 17 June 2024 TRIM REFERENCE: ID24/797

EXECUTIVE SUMMARY

Purpose	Seek endorseAdopt a police				
Issue	 Council is required to adopt a new Operational Plan and budget (for the 2024/2025) financial year before 30 June 2024. Council is required to adopt a Long-Term Financial Plan (commencing 2024/2025) before 30 June 2024. The draft documents were placed on public exhibition from 1 May 2024 to 3 June 2024 and Council received 20 formal submissions. 				
Reasoning	 Under the requirements of the Integrated Planning and Reporting Framework under the provisions of the Local Government Act, 1993, Council is required to endorse and/or adopt the following documents: Operational Plan (including budget and Statement of Revenue Policy). Resourcing Strategy (including the Long-Term Financial Plan, Workforce Management Strategy and Asset Management Strategy). 				
Financial	Budget Area	Strategic Strategy, Partnerships and Engagement			
Implications	Funding Source	Integrated Planning and Reporting			
	Proposed Cost	\$15,000 for advertising			
	Ongoing Costs	\$15,000 per year for advertising			
Policy Implications	Policy Title	 Delivery Program and Operational Plan Budget and Forward Forecasts including Capital Expenditure Fees and Charges Statement of Revenue Policy Resourcing Strategy (including the Long-Term Financial Plan, Workforce Management Strategy and Asset Management Strategy) Macquarie Regional Library Operational Plan, Budget and Fees and Charges 			
	Impact on Policy	Updated for the 2024/2025 financial year.			

STRATEGIC DIRECTION

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

Theme: 4 Leadership

CSP Objective: 4.1 Council provides transparent, fair and accountable

leadership and governance

Delivery Program Strategy: 4.1.4 Statutory requirements are met and services are

provided in a cost-effective and timely manner

RECOMMENDATION

- 1. That the submissions received by Council during the public exhibition period (attached as Appendix 7) be noted.
- 2. That, in relation to CCL24/25 Concept Dubbo Indoor Aquatic Centre, the Council determine;
 - a) a \$30,000 allocation for the 2024/2025 budget funded by the removal of the following two drafted budget lines.
 - O DALC Pool Rollers 50m Pool \$12,000
 - ALC Pump Renewals \$20,000
 - b) a \$30,000 allocation for the 2024/2025 budget funded by the \$30,000 reduction to the 2024/2025 Community funding program line.
 - c) That consideration be given to this allocation as part of the 2025/2026 budget process.
- That, in relation to CCL24/85, the funding allocation for a full-time community safety
 officer position be considered following the adoption of the Community Safety and
 Crime Prevention Plan.
- 4. That, in relation to CCL24/91 Cameron Park Toilets, Council determine;
 - a) maintain the status quo of the current toilet provisions at no additional costs.
 - b) installation of a three-toilet facility at the original location at a cost of \$181,000 to be funded by the reallocation of funds from the following projects:
 - General Signage Budget \$100,000
 - Terramungamine Reserve BBQs \$10,000
 - Victoria Park Skate Park \$28,000
 - Lions Park West Playground (part) \$43,000
 - c) installation of a four-toilet facility at the original location at a cost of \$202,000 to be funded by the reallocation of funds from the following projects:
 - General Signage Budget \$100,000
 - Terramungamine Reserve BBQs \$10,000
 - Victoria Park Skate Park \$28,000
 - Lions Park West Playground (part) \$64,000
 - d) Reconfiguration of the existing amenity facility at a cost of \$60,000 to be funded by the reallocation of funds from the following projects:

- O General Signage Budget \$60,000
- That a new descriptive charge be included in the 2024/2025 Fees and Charges for water access and usage charges at North Yeoval to reflect the Cabonne Shire Council adopted fees and charges.
- 6. That the following draft documents be adopted and commence operation on 1 July 2023:
 - Draft 2024/2025 Delivery Program and Operational Plan (Appendix 1).
 - Draft 2024/2025 Budget and Forward Forecasts for 2025/2026, 2026/2027 and 2027/2028 including Capital Expenditure (Appendix 2).
 - Draft 2024/2025 Fees and Charges (Appendix 3).
 - Draft 2024/2025 Statement of Revenue Policy (Appendix 4).
 - Draft 2024/2025 Resourcing Strategy (including the Long-Term Financial Plan, Workforce Management Strategy and Asset Management Strategy) (Appendix 5).
 - Draft 2024/2025 Macquarie Regional Library Operational Plan, Budget and Fees and Charges (Appendix 6).
- 7. That that draft documents be amended to include the recommendations of Council, minor clarifications and correct typographical errors.
- 8. That those who made a submission be advised of Council's determination on this matter.

Murray Wood
Chief Executive Officer

SJ Director Strategy, Partnerships and Engagement

BACKGROUND

Previous Resolutions of Council

Previous Resolutions of Council						
24 April 2024	1. That the following draft documents be endorsed for the purposes					
CCL24/85	of public exhibition: • Draft 2024/2025 Delivery Program and Operational Plan (Appendix 1). • Draft 2024/2025 Budget and Forward Budgets for 2025/2026, 2026/2027 and 2027/2028 including Capital Expenditure (Appendix 2). • Draft 2024/2025 Fees and Charges (Appendix 3). • Draft 2024/2025 Statement of Revenue Policy (Appendix 4). • Draft 2024/2025 Resourcing Strategy (including the Long-Term Financial Plan, Workforce Management Strategy and Asset Management Strategy) (Appendix 5). • Draft 2024/2025 Macquarie Regional Library Operational Plan, Budget and Fees and Charges (Appendix 6). 2. That the documents listed in point 1 be placed on public exhibition from Wednesday, 1 May 2024 until 9am Monday, 3 June 2024. 3. That community and stakeholder engagement be undertaken in accordance with Council's Community Engagement Strategy (including Community Participation Plan). 4. That following completion of public exhibition and consultation, a further report be presented to Council for consideration, addressing the outcomes of the public exhibition. 5. As part of the budget development process, the CEO move forward the planned expenditure on toilets at Dubbo and Wellington cemeteries to years two and three. 6. That operational funding be allocated for a full time					
	community safety officer position.					
24 April 2024	1. That the identified options for additional toilets in Cameron Park be put to the community as part of the Draft					
CCL24/91	Budget and Operational Plan consultation process. 2. That the options and costings of opening up the current toilet facilities of the Library and the Café and Cultural Centre for the public be included as part of the Draft Budget and Operational Plan consultation process.					
23 May 2024	1. That as part of the draft budget process, an amount of \$30,000					
CCL 24/25	be allocated to fund the review of the 2017 indoor aquatic centre concept, referred to as 'figure 1' in the CCC24/25 report.					
	2. That the Chief Executive Officer investigate options to reduce the construction cost of the 'figure 1' concept and report back with					

	estim	ated	annua	loperating	costs.				
3.	That	the	Chief	Executive	Officer	also	investigate	the	costs
associated with enclosingthe existing 50m pool.									

1. Integrated Planning and Reporting Framework

All Councils in NSW are required to use the Local Government Act, 1993 and the Integrated Planning and Reporting (IP&R) Framework to guide short, medium and long-term planning. The IP&R Framework is based on comprehensive community engagement and aims to create a clear vision for the future and provides a roadmap for delivering community priorities in a sustainable manner.

The IP&R Framework consists of the following documents:

- The Community Strategic Plan (CSP) identifies the community's vision and aspirations for the future of the Local Government Area.
- The Resourcing Strategy identifies, in general terms, how Council will allocate resources to deliver the CSP objectives that it is responsible for. It includes the Long-Term Financial Plan, Workforce Management Plan and Asset Management Strategy.
- The Delivery Program details the principal activities Council will undertake in the adopted four-year Councillor timeframe to implement the CSP strategies.
- The Operational Plan details the activities and projects Council will undertake during the financial year to address the principal activities outlined in the Delivery Program. It also includes a detailed annual budget and the statement of revenue policy.

Council is required to adopt the relevant documents before 30 June 2024.

2. Securing long term financial sustainability

Financial sustainability is broadly defined as the ability to provide acceptable, affordable and ongoing services to the community in a manner that ensures equitable treatment for the current and future generations of ratepayers.

Financial sustainability is a key challenge facing Council due to several factors including increased demand for services beyond those traditionally provided (particularly in the area of community services), cost shifting from other levels of government, ageing infrastructure, constraints on increasing revenue and risk of reliance on external funding sources.

To respond effectively to these challenges, Council in undertaking long term financial planning is taking a holistic approach to maximise integration between strategic planning and the creation of community expectations that are deliverable.

In recent years Council has narrowed its focus on securing long term financial sustainability. Actions undertaken and being undertaken, in accordance with the adopted long term financial plan include:

- undertaking a Service Review Program on identified functions across the organisation.
- identifying budget expenditure reductions without significant reduction in service levels.
- productivity improvements and initiatives.
- review of utilisation of internally restricted assets.
- asset rationalisation program to identify under-utilised assets or assets not contributing to the achievement of strategic goals.
- review of infrastructure contributions system to meet the increased demand generated by population growth.
- an asset management enhancement program to ensure more accurate forecasts.
- utilisation of a number of funding sources to more effectively fund new capital works.

Council has developed an Organisational Sustainability and Improvement Plan and will progress with implementing the improvement strategies included in the Plan. The Organisational Sustainability and Improvement Plan was an important step following the independent Financial Sustainability Review conducted in 2023 in consideration of different long-term planning scenarios, including the option of a special rate variation.

REPORT

1. Draft 2024/2025 Delivery Program and Operational Plan (Appendix 1)

The draft Plan attached as **Appendix 1** identifies the activities and projects Council will undertake during the financial year. There are no changes to the Plan as a result of the submissions received.

Council are to consider matters under the 'Responses to community feedback' section within this report. Amendments to the Plan, as required, will be made following Council's consideration.

2. Draft 2024/2025 Budget and Forward Forecasts for 2025/2026, 2026/2027 and 2027/2028 including Capital Expenditure (Appendix 2)

The draft Budget including capital expenditure is attached as **Appendix 2.**

The draft Budget has been updated to reflect the following changes:

Capital Expenditure – Cemetery – 01.09402.7099 – Amenities Block

In response to CCL24/85 Draft 2024/2025 Draft Budget and Operational Plan Recommendation 5; \$150,000 has been brought forward from the 2027/2028 forecast to 2025/2026. Noting that the completion of the cemetery master plans are due in 2024/2025.

In addition to the below Council are to consider matters under the 'Responses to community feedback' section within this report, if required amendments will be made to the Plan.

(a) Cameron Park Amenities

In response to CCL24/91 the following options were put to community as part of the draft 2024/2025 Budget and Operational Plan public exhibition.

(Note: all amounts within this section of the report are excluding GST)

Option A

Maintain the status quo of the current toilet provisions in Cameron Park at no additional cost.

Option B

Installation of a three-toilet facility at the original location at \$181,000 excluding GST.

Reallocate the funds from the following projects:

General Signage Budget	\$100,000
Terramungamine Reserve BBQ's	\$10,000
Victoria Park Skate Park	\$28,000
Lions Park West Playground (part)	<u>\$43,000</u>
	\$181,000

This would leave \$82,000 for the Lions Park West Playground renewal.

Option C

Installation of a four-toilet facility at the original location at \$202,000 excluding GST.

Reallocate the funds from the following projects:

General Signage Budget	\$100,000
Terramungamine Reserve BBQ's	\$10,000
Victoria Park Skate Park	\$28,000
Lions Park West Playground (part)	<u>\$64,000</u>
	\$202,000

This would leave \$61,000 for the Lions Park West Playground renewal.

Option D

Reconfiguration of the existing amenity facility at \$60,000 excluding GST.

Reallocate funds from the following project:

General Signage Budget (part) \$60,000

This would leave \$40,000 for the General signage project in 2024/2025.

In addition to the capital works there are ongoing cleaning and maintenance costs to be considered. A cost estimate of \$250 per week (\$13,000 per annum) for cleaning would need to be budgeted for. A further estimate of \$5,000 per annum for vandalism and repairs would be recommended, based on ongoing issues at the existing amenities.

Six formal submissions were received regarding the Cameron Park amenities.

Option C was supported by two submitters.

Option D was supported by one submitter.

Three submitters did not identity one of the four proposed options and instead stated;

- "(the facility) are currently not fit for purpose".
- Three issues need consideration, capacity, position and design for reconfiguration and design, the proposals do not meet capacity requirements.
- "inadequate" "number of toilets significantly reduced", suggestion that funds could come from \$65,000 or \$250,000 for Cameron Park lighting, \$50,000 change the name of the airport or \$100,000 to update signs.

Noting the low number of submissions received from the public in respect of this issue, Council will be required to be determine which option to proceed with as identified in the report.

In response to part 2 of the recommendation of CCL24/91 the following information is provided below.

Macquarie Regional Library – Wellington Branch:

Staff have noted significant security risks and an increased potential for fire/vandalism with the library should any of the options listed below be undertaken.

• If the library was required to be open and staffed - additional hours would cost approximately \$48,000 per annum in wages. Open to the public on Saturday afternoons (12 noon to 5 pm) and Sundays (10 am – 5 pm).

- Additionally, cleaning the library toilet over the weekend may cost approximately \$3,000 annually.
 - Option 1

Utilise the accessibility toilet as the public use toilet for afterhours, leaving the male/female toilets still accessible from within the Library.

This work would involve the following:

- Removal of existing window and installing a secure external door.
- o Removal of internal door and brick over the opening.
- Removal of suspended ceiling and reline as raked ceiling to the rafters above.
- Relocation of lights, smoke detectors in ceiling.
- Painting and rendering as applicable.

The estimate of these works is approximately \$35,650 excluding GST. This price does not factor in replacing any fixtures, hardware, or relocation of plumbing.

Option 2

Building a room/corridor inside the Library.

This option would have significantly large costs due to the security aspect and as such a full cost estimate has not been undertaken.

Building a room/corridor inside the Library would require installing walls full height to the underside of roof sheets to prevent getting over the walls into the Library. Removal of all internal suspended ceilings from the toilets and the proposed corridor area would also be required.

Café and Cultural Centre

The Café and Culture Centre are operated under a license agreement. The toilets in the centre are currently available only to patrons of the café and cultural centre. Operators have indicated that consideration could be made to opening the amenities for use by the general public, however, this would remain only within the current operating hours of the café and would require Council to provide a daily clean of the toilets. The estimated increased costs to Council, should this option be formalised, is \$18,200 per annum.

(b) Community Safety Officer

In relation to CCL24/85, the funding allocation for a full-time community safety officer position, it should be noted that Council is currently preparing a Community Safety and Crime Prevention Plan. The Community Safety and Crime Prevention Plan is a proactive approach to support community wellbeing and safety.

The Plan will identify a number of areas that require initiatives, collaboration and resources. Following the completion and adoption of the plan, informed decisions and budget allocations can be made in relation to resource allocations such as a community safety officer position.

3. Draft 2024/2025 Fees and Charges (Appendix 3)

The draft 2024/2025 Fees and Charges is attached as Appendix 3.

The document has been updated to reflect the minor changes and statutory fees and charges that were advised in recent weeks.

(a) Water access and usage charges North Yeoval

That in respect to the ongoing work relating to Local Government Area Boundary Adjustment – North Yeoval a new descriptive charge be included in the 2024/2025 Fees and Charges as detailed below.

Drinking Water Supply Usage Charge (S. 502)

Drinking Water to properties of North Yeoval situated within the Dubbo Regional Council LGA All Consumption – per Kilolitre

Charges will be in accordance with Cabonne Shire Council adopted 2024/2025 Fees and Charges.

4. Draft 2024/2025 Statement of Revenue Policy (Appendix 4)

The draft Annual Statement of Revenue Policy is attached as **Appendix 4.** The following changes have been made following notification from the Office of Local Government on 19 April 2024 'Information about rating'.

- Maximum interest rate payable on overdue rates and charges for 2024/2025 has been determined as 10.5% per annum.
- Section 603 Certificate approved fee for 2024/2025 has been determined as \$100.00.

5. Draft 2024/2025 Resourcing Strategy (including the Long-Term Financial Plan, Workforce Management Strategy and Asset Management Strategy) (Appendix 5)

The draft Resourcing Strategy (including the Long-Term Financial Plan, Workforce Management Strategy and Asset Management Strategy) is attached as **Appendix 5**.

Long-Term Financial Plan: The Plan will be amended in line with the budget and forward forecasts.

Workforce Management Strategy: There are no changes to the Strategy as a result of the submissions.

Asset Management Strategy: The document was updated during the public exhibition period to correct and clarify figures in Table 3.4.2: Renewals.

6. Draft 2024/2025 Macquarie Regional Library Operational Plan, Budget and Fees and Charges (Appendix 6)

The draft 2024/2025 Macquarie Regional Library Operational Plan, Budget and Fees and Charges is attached as **Appendix 6.** There are no changes to the document as a result of the submissions.

7. Formal submissions

Council received 20 submissions during the public exhibition period. All submissions are attached in **Appendix 7.**

A number of submissions had multiple topics, points of interest or statements. The table below has grouped these topics together with the number of mentions of that topic, hence the number of mentions is greater than that of the 20 submissions:

Topic	Number of
Wellington Duke of Wellington Bridge and reads	mentions 2
Wellington - Duke of Wellington Bridge and roads	_
Wellington - Bell and Macquarie River junction	1
Wellington - Wellington Street Tree Master Plan	2
Wellington - Shared pathways and walking tracks	6
Wellington - Cameron Park amenities	6
Wellington - Croquet green/grounds	2
Wellington - Wellington Aquatic Leisure Centre	4
Wellington - Bike racks	2
Wellington - Off-leash dog park	3
Wellington - Wellington Riverside reserves	7
Wellington - Weed control specific to St Johns Wart	2
Wellington - Aged care options, retirement villages and nursing homes - increase in care facilities	2
Wellington - advocate for a 24-Hour Police Station	2
Wellington - Drought Proof Strategies - implement	2
LGA - Gross Pollutant Traps	3
Wellington - Market Square	2
Wellington - Bell Park redevelopment	2
Wellington - Teamsters Park, Montefiores tennis courts and facilities - upgrade	1
Wellington - Wellington Rhino replacement	2
Wellington - Cameron Park lighting - Against the funding allocation and works	2

Wellington - Reallocation of costs/funds from Dubbo to Wellington 2	
Wellington - fees and charges (tourism facilities) - increase costs to 2	
tourists and not residents	
Wellington - Cameron Park garden beds 1	
Wellington - Wellington Showground 2	
Wellington - Wellington Cemetery 2	
Wellington - Public art and street murals 1	
Wellington - Various - Electric Vehicle Car charging stations	
LGA – Urban cooling strategy and Tree Preservation Order 2	
Wellington - Wellington Caves Holiday Park 1	
LGA – Overtaking lanes 1	
Wellington - Tree planting, tree replacement and entrance way 1	
beautification	
Dubbo - South bridge crossing - against feasibility study of additional 1	
bridge	
LGA – Riparian zone and degraded environments 3	
Wellington – Tip shop 1	
Geurie - Scabbing Flat bridge	
Dubbo - Multicultural garden 3	
Mumbil - Tarrawingee Road - sealing of 1.1km 1	
Dubbo - Victoria Park fountain - repaint of base 1	
Eumungerie - Playground, tables chairs 1	
Elong Elong - Town water investigation/feasibility study 1	
Elong Elong - Building entitlements 1	
Dubbo - Housing 2	
Dubbo – Regand Park Master Plan 1	
Dubbo – shared pathways 1	
TOTAL (TOPICS 44) 89	

Response to community feedback

Feedback from the community included reallocation of up to \$1.25M to other projects and an estimated increase in capital and operational service delivery over the four-year period in excess of \$22M. The most significant being \$21.60M for the replacement of the Duke of Wellington bridge and a \$350,000 allocation to fund preliminary works for the replacement of the Scabbing Flat bridge.

It should be noted that the range is based broadly on estimates and similar works and does not include an option for the Cameron Park toilets or the following "new" requests.

- New shared pathways/walking trails in Wellington
- Croquet green/grounds
- Indoor pool in wellington, new trees, tables and seats at the Wellington Aquatic Leisure Centre
- Bike racks

- Riverside reserve repair
- New picnic tables, playgrounds
- Increased weed control
- Implementation of drought proof strategies
- Increase in number of GPT
- Renewal/upgrade of market square
- Redevelopment of Bell Park
- Wellington entrance way beautification
- New/upgrades at the Wellington Showground
- Public art
- Increase in EV charging stations in Wellington
- Increased service provision at the Wellington Caves Holiday Park café
- New sealing of roads.

In considering requests for new or increased services, Council Staff have examined the ability to deliver within current resource levels, possible options of reprioritisation of activities within the relevant function budget or options of funding from elsewhere in the budget.

Council staff have considered community feedback and responses to individual submissions attached as **Appendix 8**. Council are not proposing to make further amendments to the 2024/2025 Operational Plan, Budget and Forward Forecasts as a result of the submissions received, with the exception of amendments arising from the recommendations of this report.

Consultation

The draft documents were placed on public exhibition from 1 May until 3 June 2024. Council received 20 formal submissions during the public exhibition period. 19 of these submissions were made through Council's online community consultation platform YourSay.

The draft documents were available for viewing at the Dubbo and Wellington Customer Experience Centres, Macquarie Regional Library – Dubbo and Wellington Branches and through a dedicated project page on YourSay.

During the exhibition period there were 1,259 visits to the project page on YourSay and 621 downloads from the document library. Engagement activities undertaken to support community participation include print, digital and radio media, consultation sessions and a proactive social media engagement program. Community members that provided formal submissions were provided with a community engagement summary of the project and directly advised of the next steps in the decision-making process. This summary is attached as **Appendix 9.**

Planned Communications

- All formal submissions, where appropriate contact details have been received, will be notified of the outcome of the Council decision. These channels included notifications via the YourSay page and a direct email.
- The YourSay project page will be updated to reflect Council's decision and close of the community consultation process.
- The corporate website will be updated to reflect the final adopted documents.

Timeframe

Key Date	Explanation		
1 July 2024	Budget, Operational Plan and Fees and Charges for the 2024/2025		
	year come into effect.		
February 2025	Six-month report on Delivery Program to Council.		

APPENDICES:

1	Draft 2024/2025 Delivery Program and Operational Plan	Provided under separate cover
2	Draft 2024/2025 Budget and Forward Budgets for 2025/2026, 2026/2027 and 2027/2028 including Capital Expenditure	Provided under separate cover
3	Draft 2024/2025 Fees and Charges	Provided under separate cover
4	Draft 2024/2025 Statement of Revenue Policy	Provided under separate cover
5	Draft 2024/2025 Resourcing Strategy (including the Long-Term Financial Plan, Workforce Management Strategy and Asset Management Strategy)	Provided under separate cover
6	Draft 2024/2025 Macquarie Regional Library Operational Plan, Budget and Fees and Charges	Provided under separate cover
7	Draft 2024 2025 Budget and Operational Plan - Copy of Submissions	Provided under separate cover
8	Draft 2024/2025 Budget and Operational Plan - Submission Summary and Responses	Provided under separate cover
9	Draft 2024/2025 Budget and Operational Plan - Engagement Snapshot	Provided under separate cover



REPORT: Making of the Rates and Charges

DIVISION: Organisational Performance

REPORT DATE: 10 June 2024 TRIM REFERENCE: ID24/1060

EXECUTIVE SUMMARY

Purpose	Fulfil legislated requirement/Compliance					
Issue	The Making of the Rates and Charges for 2024/2025					
Reasoning	 In accordance with Section 494 of the Local Government Act 1993 Council must make and levy an ordinary rate for each year on all rateable land in its area. In accordance with Section 534 of the Local Government Act 1993 each rate or charge is to be made for a specified year. In accordance with Section 535 of the Local Government Act 					
Financial	Budget Area	or charge is made by resolution of the Council. Dubbo Regional Council				
Implications	Funding Source	Rates and Charges				
	Proposed Cost	Financial implications arising from this report are detailed in Council's 2024/2025 Operational Plan and Budget.				
	Ongoing Costs Financial implications arising from this report detailed in Council's 2024/2025 Operational and Budget.					
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: 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. IT IS HEREBY RESOLVED that Council make the following Rates and Annual Charges for the year 2024/2025, and that such Rates and Annual Charges be the amount specified hereunder subject to the minimum amount per assessment specified in the Ordinary Rates table.
- 2. IT IS HEREBY RESOLVED that Council make the User Charges for the year 2024/2025 as referred to in the report of the Revenue Accountant dated 10 June 2024.

Murray Wood
Chief Executive Officer

ВМ

Revenue Accountant

BACKGROUND

Previous Resolutions of Council

24 April 2024	In part:
	1. That the following draft documents be endorsed for the
	purposes of public exhibition:
	 Draft 2024/2025 Delivery Program and Operational Plan
	 Draft 2024/2025 Budget and Forward Budgets
	 Draft 2024/2025 Fees and Charges
	 Draft 2024/2025 Statement of Revenue Policy

REPORT

Consultation

- The draft annual statement of revenue policy and budget (including fees and charges)
 were placed on public exhibition from Wednesday 1 May 2024 until 9am Monday 3
 June 2024. Council received 20 submissions during the public exhibition period.
- The draft documents were available for viewing at Dubbo and Wellington Customer Experience Centres, Macquarie Regional Library Dubbo and Wellington Branches, and through a dedicated consultation page on Council's engagement website, Your Say.

Resolution 1:

IT IS HEREBY RESOLVED that Council make the following Rates and Annual Charges for the year 2024/2025, and that such Rates and Annual Charges be the amount specified hereunder subject to the minimum amount per assessment specified in the Ordinary Rates table below:

Ordinary Rates (Section 494)	Ad Valorem (or rate in \$ Amount)	Minimum Amount	Yield %
Residential			
Residential Ordinary Applies to residential properties within the areas that are outside the defined Residential Dubbo Urban, Residential Wellington, Residential Geurie, Residential Village, Firgrove Estate, and Richmond Estate (as defined in Schedule A hereunder)	0.3799	\$605.94	8.27%
Residential Dubbo Urban Applies all residential properties within the defined "Urban" area (as defined in Schedule A hereunder)	0.6555	\$797.20	45.01%
Residential Firgrove Applies to residential properties within the defined "Firgrove" development (as defined in Schedule A	0.4773	\$779.24	0.66%

hereunder)			
Residential Richmond			
Applies to residential properties within the defined	0.4772	6770.24	0.470/
"Richmond Estate" development (as defined in	0.4773	\$779.24	0.47%
Schedule A hereunder)			
Residential Wellington			
Applies to all residential properties within the defined	1.490	\$601.48	4 100/
Wellington Urban area (as defined in Schedule A	1.490	\$601.48	4.10%
hereunder)			
Residential Village			
Applies to all residential properties within the defined			
"Village" areas of Ballimore, Brocklehurst,	0.5521	\$629.36	0.73%
Eumungerie and Wongarbon (as defined in Schedule			
A hereunder)			
Residential Geurie			
Applies to all residential properties within the Village	0.5521	\$629.36	0.39%
of Geurie (as defined in Schedule A hereunder)			
Business			
Business Ordinary			
Applies to all business properties that are outside the			
township of Wellington and the defined CBD, East	0.8700	\$797.20	10.20%
Dubbo, Cobra Street and Wellington Road areas (as			
defined in Schedule A hereunder)			
Business Central Business District			
Applies to all business properties within the defined	2.4785	\$797.20	10.83%
"CBD" area			
Business Wellington			
Applies to all business properties within the township	2.5299	\$797.20	0.88%
of Wellington (as defined in Schedule A hereunder)			
Business East Dubbo			
Applies to all business properties within the defined	2.9619	\$797.20	1.12%
"East Dubbo" area			
Business Cobra Street			
Applies to all business properties within the defined	2.9619	\$797.20	0.64%
"Cobra Street" bulky goods precinct			
Business Wellington Road			
Applies to all business properties within the defined	2.9619	\$797.20	0.73%
"Wellington Road" area			
Farmland		ı	
Farmland			
Applies to all land which has been declared	0.3328	\$423.78	15.95%
"Farmland"			
Mining		T	
Mining	6.0000	\$629.36	0.00%
Applies to all land which has been declared "Mining"	3.000	, 525.50	3.0070

Schedule A

Ordinary Rates Land to which rate applies

a. Residential Ordinary

All properties categorised as "residential" outside the defined "Residential Dubbo Urban", "Residential Wellington", "Residential Geurie", "Residential Village", "Firgrove Estate" and "Richmond Estate" areas.

b. Residential Dubbo Urban

All residential properties declared "Residential Dubbo Urban" being in the area generally described as that part of the City of Dubbo which lies within an area bounded by Talbragar River, Old Gilgandra Road, Boothenba Road, Yarrandale Road, Cobbora Road, Bushland Drive, western boundary of Lots 221 and 222 DP 1239477 and Lot 21 DP 572534, Buninyong Road, South Buninyong Road, Railway Lane, Wellington Road, the western boundary of Lot 1 DP 1246347 and Lot 2 DP 1246347, northern boundary of Lot 2100 DP 1227782, Sheraton Road, northern boundary of Lot 102 DP 1287704, northern boundary of Lot 6 DP 582736 (unformed end of Hennessy Drive) parcels to the southern side of Hennessy Drive inclusive of lots currently described as Lots 7000, 7001 and 7002 DP 1139564, Lot 1 DP 1216539, Lots 101, 102 and 103 DP 1286114, Old Dubbo Road, area on southern side of Macquarie Street and west of the railway line to Macquarie River, Macquarie River, southern boundary of Lot 16 DP 753233, Newell Highway, Rifle Range road, western boundary and inclusive of Lot 172 DP 753233, Blackbutt Road, Joira Road, Minore Road, Western Railway Line, area zoned R2 and RU2 on the western side of railway line inclusive of Lot 222 DP 1301019 and Lot 7 DP 223428, Narromine Road, Dubbo Aerodrome, Blizzardfield Road, Bunglegumbie Road, northern boundary of Lot 1 DP 1206861, Macquarie River, southern boundary Lot 6 DP 1281953, Brisbane Street North Dubbo and Newell Highway.

c. Residential Firgrove

All residential properties within the "Firgrove Estate" development.

d. Residential Richmond

All residential properties within the "Richmond Estate" development.

e. Residential Village

All residential properties within the villages of Ballimore, Eumungerie and Wongarbon zoned RU5 (Village) under the Dubbo Local Environmental Plan 2023 and all residential properties declared Residential Village being in the area generally described as that part of Brocklehurst which lies within an area bounded by Wambianna Street, western boundary of Lots 147 and 148 DP 754328, northern boundary of Lot 1 DP 1001551 and the Newell Highway.

f. Residential Wellington

All residential properties declared "Residential Wellington" being in the area generally described as that part of the town of Wellington which lies within an area bounded by Mitchell Highway, Goolma Road, western boundary of Lot 2 DP 806578, Macquarie River, McLeod Street, Warne Street, Marsh Street, Maughan Street, McLeod Street,

southern boundary of Lots 3 and 4 DP 711299, western boundary of Lot 147 DP 756920, western boundary of Lot 337 DP 728783, Charles Street, Pierce Street, Samuel Street, the western boundary of lots 68 and 69 DP 756920, Pierce Street, northern boundary of Lot 7002 DP 1020770, Barton Street, Belle Street, Curtis Street, eastern boundary of Lot 3 and 4 Section 17 DP 759073, Lot 1 Section 82 DP 759073, unformed end of Zouch Street, eastern boundary of Lots 7 and 10 DP 783257, Maxwell Street, Bell River, southern and eastern boundary of Lot 31 DP 1099008, southern, eastern and northern boundary of Lot 289 DP 756920, Gobolion Street, Bell River, Macquarie River, Lay Street, Tollemache Street, eastern boundary of Lot 10 DP 1122385, southern and eastern boundary of Part Lot 2 DP 334986, Mitchell Highway.

g. Residential Geurie

All residential properties declared "Residential Geurie" being in the area generally described as that the village of Geurie which lies within an area bounded by Geurie Street, Greenbank Street, Lot 154 DP 754313, Fitzroy Street, Comobella Road, western boundary of Lots 1 and 10, section 5 DP 758438, Lot 1 DP 123355, Lots 1 and 10 section 15 DP 758438, Mitchell Highway, western boundary of Lots 195 and 196 DP 184019, Morley Street, Whitely Street, Cass Street, Old Dubbo Road and Mitchell Highway.

h. <u>Business Ordinary</u>

All properties categorised as "business" except those within the defined "Central Business District", "East Dubbo", "Cobra Street" and "Wellington Road" areas or within the "township of Wellington" (which is defined in the Residential Wellington subcategory description).

i. <u>Business Central Business District</u>

All "business" properties within the area described as that part of the City of Dubbo which lies within the area bounded by Erskine Street, Darling Street, Cobra Street and the Macquarie River.

j. <u>Business East Dubbo</u>

All "business" properties within the area bounded by Wheelers Lane, Birch Avenue, Windsor Parade and the Mitchell Highway.

k. Business Cobra Street

All "business" properties zoned Business Development B5 in the area fronting Cobra Street within the area bounded by the Molong Railway line to the west and the eastern and southern boundaries of Lot 121 DP1074142 and the northern boundary of Lot 304 DP 754308.

I. Business Wellington Road

All "business" properties zoned Business Development B5 in the area fronting Wellington Road known as "Blue Ridge Estate" within the area bounded by Sheraton Road to the west, Wellington Road (Mitchell Highway) to the north, the eastern boundary of Lot 4 DP 1144575 and Capital Drive to the east and Blueridge Drive and the Northern Boundary of Lot 2506 DP 1082413 as the southern boundary.

m. Business Wellington

All "business" properties within the township of Wellington (as defined in the Residential Wellington sub-category).

n. Farmland

All land which has been declared "farmland".

o. <u>Mining</u>

All land which has been declared "mining".

ANNUAL CHARGES STATEMENT

DOMESTIC WASTE MANAGEMENT SERVICE CHARGE (Section 496) Domestic Waste Management Service Charge – 3 Bin Service

A Domestic Waste Management Service is to be available to all residential properties in the urban areas of Brocklehurst, Dubbo, Geurie, Wellington and Wongarbon which have been defined on a map marked for this purpose. The annual charge for 2024/2025 is \$516.66. This charge provides for a once weekly kerbside collection service of one weekly 240 litre food and garden waste bin service, a once weekly kerbside collection of 140 litre garbage bin and a fortnightly kerbside collection for one 240 litre bin of mixed recycling.

Under section 496(2) of the Local Government Act 1993 Council may make an annual charge for the provision of a domestic waste management service for a parcel of land that is exempt from rating if the service is available for that land and the owner of that land requests or agrees to the provision of the service to that land.

Council will grant a voluntary pension rebate of \$57.20 on the Domestic Waste Management Service Charge – 3 Bin Service in 2024/2025. To be eligible to receive the voluntary rebate the property owner must be eligible to receive a Pensioner Concession on their Ordinary Rates and Annual Charges under section 575 of the Local Government Act 1993. The voluntary Pension Rebate will be granted or abandoned proportionately based on liability and on a quarterly basis as per the eligibility criteria for a Pension Concession granted under section 575 of the Local Government Act 1993.

Domestic Waste Management Service Charge – 2 Bin Service

A Domestic Waste Management Service is to be available to all residential properties located in the urban fringe and outer areas of Dubbo and Wellington, the villages of Ballimore, Bodangora, Brocklehurst, Dripstone, Elong Elong, Euchareena, Eumungerie, Geurie, Mogriguy, Mumbil, Nanima, North Yeoval, Stuart Town and Wongarbon, and the areas of Cadonia Estate, Firgrove Estate, Richmond Estate, Ponto Falls and Wellington Caves; which have been defined on a map marked for this purpose.

The Domestic Waste Management Service Charge – 2 Bin Service will apply to multiple unit dwellings on single title lots such as retirement villages, gated communities and apartment blocks and to Strata title/Community plan units with greater than 2 lots in the registered plan.

The annual charge for 2024/2025 is \$421.20. This charge provides for a once weekly kerbside collection service of one weekly kerbside collection of 240 litre Garbage bin and a fortnightly kerbside collection for one 240 litre bin of mixed recycling.

Multiple unit dwellings situated on a single title property will be levied a Domestic Waste Management Service Charge – 2 Bin Service for each unit for dwellings comprising up to and including eight units. Multiple unit dwellings comprising more than eight units will be levied eight times the Domestic Waste Management Service Charge – 2 Bin Service (\$3,369.60) plus one Domestic Waste Management Service Charge – 2 Bin Service for every two unit dwellings in excess of eight (rounded up to the next whole number in the case of an odd number of units).

Capacity Upgrade – 3 Bin Service

In exceptional circumstances, and as approved by the Manager Resource Recovery and Efficiency, approval may be granted for a weekly 240 litre Garbage Bin rather than the standard weekly 140 litre bin. The additional charge for this extra capacity will be \$114.89 in 2024/2025. This is an annual charge and will not be levied on a pro-rata basis.

Domestic Waste Management Charge – Vacant Land

A Domestic Waste Charge – vacant land for 2024/2025 of \$130.09 is applicable to all vacant parcels of land categorised as Residential for rating purposes within the defined three bin or two bin kerbside collection areas.

Additional Domestic Waste Management Services

Additional Domestic Waste Management Recycling Service for residential dwellings charge provides for a once fortnightly kerbside collection for one 240 litre bin of mixed recycling. The annual charge for 2024/2025 is \$162.62.

Additional Domestic Waste Management Food Organics and Garden Organics Service for residential dwellings charge provides for a once weekly kerbside collection for one 240 litre bin of food and garden organic waste bin service. The annual charge for 2024/2025 is \$162.62.

ANNUAL CHARGES (Section 501) Non-Domestic Waste Collection Service Charge

A weekly kerbside garbage collection service is available to all non-residential properties in the designated kerbside collection area. The annual charge will only be applied to those properties for which the service is provided.

The annual charge for 2024/2025 is \$310.50. This charge provides for a once weekly kerbside collection service of one 240 litre garbage bin.

Non-Domestic Recycling Service Charge

Fortnightly Non-Domestic Recycling collections will be provided to all non-residential properties in the designated kerbside collection area that require the service. The annual charge provides for a fortnightly kerbside collection of the 240 litre bin of mixed recycling.

The annual charge for 2024/2025 is \$166.50 per bin.

Non-Domestic Green Waste Collection Service Charge

Food and Garden Waste collections will be available to all non-residential properties in the designated 3-bin kerbside collection area that require the service. The annual charge provides for a weekly kerbside garbage collection service of one 240 litre Food and Garden Waste bin.

The annual charge for 2024/2025 is \$162.80 per bin.

Waste Management Service (Rural) Charge

A Waste Management Service (Rural) Charge is applicable to all rural parcels of rateable land with households located thereon located outside the defined waste collection zones and covers the disposing of small domestic quantities (equivalent to wheelie bin capacity). The annual charge finances the operation of rural household waste transfer stations and the cost of disposing of small quantities of rural household waste at the Whylandra Waste and Recycling Centre and Wellington Waste Facility.

The annual charge for 2024/2025 is \$163.33 (including GST) and the charge is based on the revenue required to cover the "reasonable cost" of providing this service for 2024/2025.

Drainage Service Charge - Dubbo

An annual Drainage Service Charge will apply to all parcels of rateable land in the defined "Urban" area. The defined "Urban" area is the same area to which the Residential Dubbo Urban Ordinary Rate is applied. The amount of the Annual Charge for 2024/2025 will be \$112.21 and is an increase of 5.0% over the Annual Charge for 2023/2024.

Water Supply Service Access Charge

The Pricing Policy for 2024/2025 will comprise:

- 1. An access charge (annual charge under Section 501).
- 2. A usage charge (charge for the actual use of the service under Section 502).

An annual Water Supply Service Access Charge will apply to all parcels of land where a water supply is available. The amount of the access charge applicable to each property will be in accordance with the size of the water service provided to that property. The access charge for each size of water service for 2024/2025 is as follows:

Meter Size	Annual
	Charge
20mm	\$316.84
25mm	\$495.06
32mm	\$811.10
40mm	\$1,267.35
50mm	\$1,980.23
65mm	\$3,346.60
80mm	\$5,069.40
100mm	\$7,920.94
150mm	\$17,822.11
200mm	\$31,683.75

A <u>minimum charge</u>, being the amount equivalent to a 20mm water service charge, will apply to each rateable parcel of land which has been created under a Strata Title subdivision, Community or Neighbourhood Plan.

A <u>minimum charge</u>, being the amount equivalent to a 20mm water service charge, will apply to each parcel of rateable land which does not have a water service connected but to which a water service is available in accordance with the provision of Section 552 (1) (b) of the Local Government Act 1993.

Council will grant a voluntary pension rebate of \$12.50 on the Residential Water Access Charge in 2024/2025. To be eligible to receive the voluntary rebate the property owner must be eligible to receive a Pensioner Concession on their Ordinary Rates and Annual Charges under section 575 of the Local Government Act 1993. The voluntary Pension Rebate will be granted or abandoned proportionately based on liability and on a quarterly basis as per the eligibility criteria for a Pension Concession granted under section 575 of the Local Government Act 1993.

Sewerage Service Charge – Residential

An annual Sewerage Service Charge will apply to all residential properties.

The annual Sewerage Service charge to apply to all single dwellings, and each rateable parcel of land which has been created under a Strata Title subdivision, Community or Neighbourhood Plan and vacant land where a sewerage service is available will be \$846.56 for 2024/2025.

Council will grant a voluntary pension rebate of \$12.50 on the Residential Sewerage Service Charge in 2024/2025. To be eligible to receive the voluntary rebate the property owner must be eligible to receive a Pensioner Concession on their Ordinary Rates and Annual Charges under section 575 of the Local Government Act 1993. The voluntary Pension Rebate will be granted or abandoned proportionately based on liability and on a quarterly basis as per the eligibility criteria for a Pension Concession granted under section 575 of the Local Government Act 1993.

The annual sewerage service charge to apply to all residential multiple residence properties where individual separate occupancies are situated on a single parcel of land (includes non strata flats, units, villas and dwellings within retirement villages) will be the number of occupancies x the residential single dwelling annual charge x .5.

Resolution 2:

IT IS HEREBY RESOLVED that Council make the following User Charges for the year 2024/2025:

USER PAY CHARGES (Section 502)Water Supply Service Usage Charge

A charge will be raised for the use of the Water Supply Service on a consumption year basis recorded by the meter or meters servicing each property.

The Usage Charge applicable to all properties for 2024/2025 will apply as follows:

Residential Properties	
All consumption – per kilolitre	\$2.40
Non Residential Properties	
All consumption – per kilolitre	\$2.40

Sewerage Service Charge Non Residential

The use of the Sewerage Service by all non-residential properties will be charged on a quarterly basis in accordance with the following pricing structure for 2024/2025:

B = SDF x (AC + C x UC)

B = Quarterly Sewerage Charge - Non Residential

SDF = Sewerage Discharge Factor

 $AC = (AC_{20} \times D^2)$

This equates to the following Access Charge (AC) for the various water connection sizes:

Meter Size	Quarterly Amount	Annual Equivalent
20mm	\$118.13	\$472.50
25mm	\$184.57	\$738.28
32mm	\$302.40	\$1,209.60
40mm	\$472.50	\$1,890.00
50mm	\$738.28	\$2,953.13
65mm	\$1,247.70	\$4,990.78
80mm	\$1,890.00	\$7,560.00
100mm	\$2,953.13	\$11,812.50
150mm	\$6,644.53	\$26,578.13
200mm	\$11,812.50	\$47,250.00

The Access Charge (AC) is applicable to each water service connected to a property in accordance with the size of the meter fitted to the service.

D = Water Supply Service Connection Size

C = Annual Water Consumption

UC = Usage Charge \$2.63/KI Minimum Quarterly Sewerage Charge - Non Residential \$211.64



REPORT: Delegations to Chief Executive Officer During Non Council Period

DIVISION: Organisational Performance

REPORT DATE: 17 June 2024 TRIM REFERENCE: ID24/1248

EXECUTIVE SUMMARY

Purpose	Fulfil legislated requirement/Compliance			
Issue	 Between the declaration of Officer will be the Chief Enduring this period of the declaration of the delayated furon of the delayated furon of the delayated furon of the delayated furon of the declaration of the delayated furon of the declaration of the delayated furon of the declaration of the declarati	Between the election on 14 September 2024 and the declaration of the new elected councillors the Chief Executive Officer will be solely responsible for the running of Council. The Chief Executive Officers delegations continue as normal during this period. There is no automatic function or legislation to cover the period between the end of the Elected body period prior to an election and the declaration of a new council. This report provides the Chief Executive Officer with all the delegations during this period except for items under s377 that cannot be delegated. That the Chief Executive Officer be delegated with a Power of Attorney so the signing of documents will give effect to the delegated functions be done under power of attorney. To enable the mayor to continue with performing Ceremonial Functions of Council during this period.		
Reasoning	 To allow continuation of services and decisions during the period where council does not have an elected body. There period for these delegations is two weeks. Section 49 of the <i>Interpretation Act</i> 1987 specifically s49(2) where the delegations must be in writing and be lock into a date range. The Office of Local Government have advised that the Ceremonial duties can continue to be performed by the mayor. 			
Financial	Budget Area	Not Applicable		
Implications	Delia: Title			
Policy Implications	Policy Title	Not Applicable		

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

1. That Council delegate the additional functions as outlined in the report for the period of 14 September to 2 October 2024 due to the local government elections.

- 2. That the use of any of these extended delegations be reported to the first full meeting of the new Council on 24 October 2024.
- 3. That Council delegate to the Chief Executive Officer, Murray Alexander Wood a Power of Attorney for the period of 14 September to 2 October 2024 due to the local government elections.
- 4. That Council authorise the Mayor and Deputy Mayor to execute the General Power of Attorney under the Common Seal of the Council.
- 5. That Council rescind the power of attorney granted to the Chief Executive Officer upon the newly elected body taking office.
- 6. That the Chief Executive Officer report to Council on all documents signed under the prescribed Power of Attorney, during this period.
- 7. That the Mayor be granted delegation to continue the Ceremonial duties during the period 14 September to 2 October 2024.

Jane Bassingthwaighte
Director Organisational Performance

AR
Manager Corporate
Governance

BACKGROUND

Section 377(1) of the Act provides that a council may, by resolution, delegate to its Chief Executive Officer or any other person or body, any functions of the council other than the functions listed in that Section (see below):

377 General power of the council to delegate

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

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

The functions listed in Section 377(1) of the Act must only be exercised by a council. In the exercise of these functions, such as the sale and purchase of land or the borrowing of money, ordinarily a council enters a contract, agreement or loan facility by affixing its seal to the relevant document in the manner required by clause 400 of the *Local Government (General)* Regulation 2005 (the Regulation).

REPORT

The 2024 Local Government Election will be held on 14 September 2024. The current elected body will cease at close of business Friday 13 September 2024. Therefore, there will be a two-week period where decisions of the council will not occur. This will impact the ongoing functions and decisions of council such as signing of leases and licences, approval of development applications, and writing off debts to Council.

This report is seeking delegation of the following functions to the Chief Executive Officer, and to grant a power of attorney, to allow continuity of service for the period of 14 September 2024 to 2 October 2024 inclusive.

The extension of delegations to include the following:

Development Application Delegations

The Chief Executive Officer determine Development Applications where:

- 1. A petition with eight or more signatures from separate households within the notification area has been received.
- 2. Where eight or more valid planning objections to the development application have been received from separate households within the notification area.
- 3. Development where there is major variation (more than a 10%) from Council's Development Standards under Clause 4.6 of the Dubbo LEP 2022.
- 4. Any matter subject to appeal where the matter has gone to a hearing or Section 34A Conference.
- 5. Applications having a major environmental impact on the locality, and which involves land owned by Council.
- 6. Applications where income is to be forgone such as a reduction in developer contributions levied under an adopted Section 7.11 Plan or Section 64 Policy.
- 7. Applications exceeding \$5,000,000 that are not determined by another consent authority.
- 8. Applications where the recommendation of staff is for refusal.

Public Road Naming

The Chief Executive Officer determine applications for the naming of public roads under the Roads Act 1993.

Writing Off Accounts

The Chief Executive Officer have the delegation to approve the writing off accounts greater than \$10,000. Write offs are reported to Council on an annual basis.

Writing off Stores and Material

The Chief Executive Officer have the delegation to approve the write on and off stores and materials greater than \$10,000.

Awarding Tenders

The Chief Executive Officer have the delegation to award Tenders above the value of \$250,00 where the budget for the project has been allocated by council resolution.

Leases

The Chief Executive Officer approve on behalf of Council:

- a. Any lease or licence of land classified operational pursuant to s26 of the Local Government Act 1993 where:
 - i. The initial term (including any option(s)) exceeds five years.
 - ii. The rent is less that fair market rent, but excluding any lease or licence for which tenders are required under the Local Government Act 1993 to be invited by the Council.
- b. Any temporary lease and/or licence of Crown Land controlled or managed by Council where the term exceeds 12 months.

The Powers of Attorney Act 2003 (POA Act) includes a provision for Councils to grant a power of attorney. The POA Act defines a "principal" in Section 3(1) as "the person giving the power". "Person" is not defined in the POA Act but is defined in Section 21(1) of the *Interpretation Act* 1987 as including "an individual, a corporation and a body corporate or politic". Under Section 220(1) of the *Local Government Act* 1993 (the Act), a council is a body politic of the State with perpetual succession and the legal capacity and powers of an individual, both in and outside the State. Consequently, councils fall within the definition of a "principal" for the purposes of the POA Act and can give powers of attorney to individuals.

A temporary Power of Attorney, for the Chief Executive Officer, is requested during the period of the extended delegations' period so the signing of documents will give effect to the delegated functions be done under power of attorney.

Powers of attorney may be registered, but must be registered for any dealings affecting land in accordance with Section 52 of the POA Act.

CONSULTATION

The Governance team have confirmed the proposed additional delegations with the Office of Local Government.

Timeframe

Key Date	Explanation		
14 September 2024	Date of Local Government Elections		
3 October 2024	Extraordinary Council Meeting to determine the Mayor and		
	Deputy Mayor		



REPORT: Proposed Amendments to the Dubbo Regional Local Environmental Plan 2022

DIVISION: Development and Environment

REPORT DATE: 13 June 2024 TRIM REFERENCE: ID24/1201

EXECUTIVE SUMMARY

Purpose	Seek en	dorsement	• [-ulfil legislated requirement
Issue	The Dubbo Regional Local Environmental Plan 2022 regulation			
		planning decisions in the Local Government Area through land		
		and development controls such as zoning, minimum lot sizes,		
	development standards and land use permissibility.			
		This report considers two proposed amendments to the Dubbo		
	_	l Local Environm	•	·
	Amendr		proposed	
		•		development type on land
		zoned E2 Commercial Centre. This includes land in the Dubbo Central Business District and the Wellington Town Centre.		
		 It is considered that this proposed amendment will allow a 		
	range of residential development types, without being			
	restricted by the current definition of shop top housing and			
	facilitate the potential use of existing buildings in the zone for			
	the purposes of residential accommodation.			
	• Amendment 2 is proposed to amend the minimum allotment			
	size for subdivision of Lot 103 DP 1143590, 34L Pinedale Road,			
	Dubbo from 8 Ha to 5 Ha.			
	It is considered that amendment 2 also has strategic merit. The strategic merit.			
	This report recommends that Council prepare a Planning			
	Proposal incorporating both of the proposed amendments to			
	the Dubbo Regional Local Environmental Plan 2022 and seek a Gateway Determination from the State Government			
	Department of Planning and Environment.			
Reasoning	Environmental Planning and Assessment Act 1979			
G	NSW Government – Local Environmental Plan Making			
	Guidelir			
Financial	Budget Area	Growth Pla	inning	
Implications	Funding Source	e Growth Pla	inning Brar	nch Budget
	Proposed Cost The proposed cost will be accounted for in t Growth Planning budget and work program.			
			nning bud	get and work program.
	Ongoing Costs	s Nil		

Policy Implications	Policy Title	Dubbo Regional Local Environmental Plan 2022
	Impact on Policy	Proposed amendments as included in the report
Consultation		Consultation will be required to be undertaken
		with community and State Government Agencies
		as part of the Planning Proposal process.

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: 1.1.2 Housing is affordable and secure

Theme: 1 Housing

CSP Objective: 1.2 An adequate supply of land is located close to community

services and facilities

Delivery Program Strategy: 1.2.1 Land is suitably zoned, sized and located to facilitate a

variety of housing types and densities

RECOMMENDATION

- 1. That Council support preparation of a Planning Proposal to amend the Dubbo Regional Local Environmental Plan 2022 to include the following:
 - (a) To permit Residential Accommodation in the E2 Commercial Centre zone; and
 - (b) To change the minimum lot size area for Lot 103 DP 1143590, 34L Pinedale Road, Dubbo from 8 Ha to 5 Ha.
- 2. That Council submit the Planning Proposal to the NSW Department of Planning and Environment for a Gateway Determination.
- 3. That following the completion of the public exhibition period, a further report be presented to Council for consideration, including the results of public exhibition.

Stephen Wallace TH

Director Development and Environment Manager Growth Planning

BACKGROUND

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

The six key stages for amending a LEP and are as follows:

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

REPORT

1. Residential Accommodation in the E2 Commercial Centre Zone

The majority of land in the Dubbo Central Business District is currently zoned E2 Commercial Centre under the provisions of the Dubbo Regional Local Environmental Plan 2022. The extent of the Dubbo Central Business District is shown in **Figure 1**:



Figure 1: Dubbo Central Business District

This is the same land use zone as for land situated in the Wellington Town Centre as shown in **Figure 2**:



Figure 2: Wellington Town Centre

Under the provisions of the LEP, residential accommodation is a group term, which includes a number of separate land use activities. Residential accommodation is defined as follows:

residential accommodation means a building or place used predominantly as a place of residence, and includes any of the following—

- (a) attached dwellings,
- (b) boarding houses,
- (baa) co-living housing,
- (c) dual occupancies,
- (d) dwelling houses,
- (e) group homes,
- (f) hostels,
- (g) multi dwelling housing,
- (h) residential flat buildings,
- (i) rural workers' dwellings,
- (j) secondary dwellings,
- (k) semi-detached dwellings,

- (I) seniors housing,
- (m) shop top housing,

but does not include tourist and visitor accommodation or caravan parks.

Shop top housing is currently the only permissible residential development type in the Dubbo Central Business District.

In respect of the Wellington Town Centre, the LEP contains an Additional Permitted Use or APU, which permits residential accommodation on land within the Wellington Town Centre.

The APU states as follows:

18 Use of certain land at Wellington

- (1) This clause applies to land at Wellington identified as "18" on the Additional Permitted Uses Map.
- (2) Development for the purposes of residential accommodation is permitted with development consent.

It is considered that allowing residential accommodation as a permissible form of development in the E2 Commercial Centre zone land use table will have the following benefits:

- Allow a range of residential development types, without being restricted by the current definition of shop top housing.
- Facilitate the potential use of existing buildings in the zone for the purposes of residential accommodation on land that is within close proximity to commercial development, community facilities and transportation. This is especially relevant taking into account the potential for varied accommodation formats for temporary workers accommodation and other accommodation types.
- Remove the Additional Permitted Use from the Dubbo Regional Local Environmental Plan 2022 in respect of allowing residential accommodation in the Wellington Town Centre. This would mean that residential accommodation would be included in the land use zone table.

As part of preparing the subject Planning Proposal, staff will undertake detailed consultation with the State Government Department of Planning and Environment to ensure the proposed amendments to the LEP meet the objectives as provided above and are consistent with government policy.

2. Proposed Minimum Lot Size Change Lot 103 DP 1143950

The objective and intent of this proposal is to amend the Dubbo Regional LEP 2022 by changing the minimum lot size area from 8 Ha to 5 Ha for Lot 103 DP 1143590, 34L Pinedale Road, Dubbo.

The land subject to this proposed amendment is zoned R5 Large Lot Residential and has a minimum lot size of 8 Ha under the provisions of the Dubbo Regional Local Environmental Plan 2022. A draft Planning Proposal for these specific amendments is provided here in **Appendix 1**.

This proposed minimum lot size amendment has been the subject of a previous submission to Council from the landowner in 2012, which was considered by Council as part of an administrative review process for the former Dubbo Local Environmental Plan 2011.

Following approval by the State Government Department of Planning and Environment of a Planning Proposal for the Daisy Hill land to the south of the subject land in 2022, this has now provided a level of clarity to Council and the landowner in respect of strategic merit associated with development of this parcel of land and the proposed reduction in the minimum allotment size for subdivision. As such, further consideration of this proposed amendment is being undertaken.

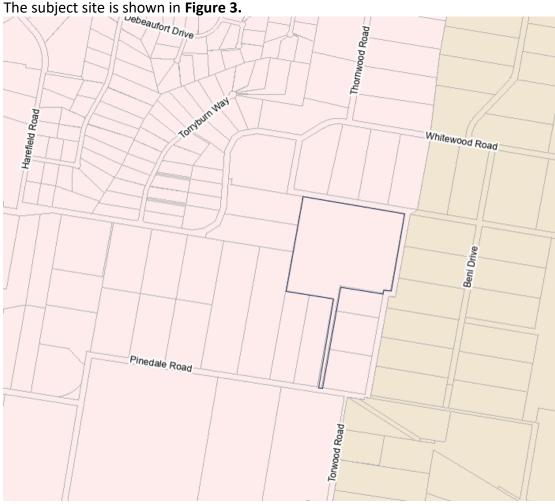


Figure 3: Existing and Proposed Minimum Lot Size

(a) Site Characteristics

The site is approximately 10 km east from Dubbo and is situated on Pinedale Road. The site is bound by land also zoned R5 Large Lot Residential to the north, west and south and land zoned RU2 Rural Landscape to the eastland is bound by large lot residential land to the north, agricultural land to the east. The land has the following characteristics:

- Zoned R5 Large Lot Residential with a minimum allotment size for subdivision of 8 Ha;
- Contains an existing dwelling house and associated infrastructure;
- The land is mapped as bushfire prone on Council's draft bushfire prone land map;
- The land contains potentially contains terrestrial biodiversity and groundwater vulnerability;
- The land has been previously used for agricultural purposes, which will require consideration of the contamination status of the land.

(b) Planning Assessment and Considerations

Assessment of the proposed amendment has indicated that it has strategic merit and should form a Planning Proposal to be submitted to the NSW Department of Planning and Environment to seek a Gateway Determination.

(i) Strategic and Site-Specific Merit

The proposal has been assessed against relevant regional strategies, Council strategies and policies, applicable State Environmental Planning Policies (SEPPs), and Section 9.1 Ministerial Directions. The Planning Proposal is consistent with all relevant strategies as it will provide more rural-residential housing options whilst protecting the character of the area, and the land is already fragmented and has limited ability to be used for agricultural purposes.

Strategy	Requirement	Consistency
Central West and Orana	Objective 5	The proposed
Regional Plan 2041	Identify, protect and connect	amendment is
	importance environmental assets	consistent with this
This Plan is the NSW		Plan.
Government strategy for	Objective 15	
guiding land use planning	Manage rural residential	
priorities and decisions for	development	
the Central West and Orana		
Region over the next 20		
years.		
Towards 2040 Community	Strategy 1.1.1	The proposed
Strategic Plan	A variety of housing types and	amendment is
	densities are located close to	consistent with this
This Plan is the highest-level	appropriate services and facilities	Plan.
strategy that guides and		
influences the direction of	Strategy 1.2.1	

Strategy	Requirement	Consistency
Council, the communities and other levels of Government	Land is suitably zoned, sized and located to facilitate a variety of housing types and densities	
over the coming years. Local Strategic Planning Statement (LSPS) This Plan sets Council's land use planning priorities, including economic, social and environmental outcomes, for the next 20 years.	Priority 5 Protect and enhance our agricultural industries and agribusiness Priority 9 Providing diversity and housing choice to cater for the needs of the community Priority 13	The proposed amendment is consistent with this Plan.
Dubbo Urban Areas Development Strategy This Strategy aims to preserve the land from degradation and	Manage R5 zoned land The subject land is within the Eastern Sub-District under the provisions of the Strategy. The Strategy notes the area as providing for 'urban fringe' type development opportunities that do not impact the integrity of the	
fragmentation for ongoing agricultural production for future generations.	buffer between rural residential land and agricultural land uses.	

(ii) State Environmental Planning Policies

The Planning Proposal is consistent with all relevant State Environmental Planning Policies (SEPPs). They key SEPPs are:

SEPP	Consistency	
Primary Production	The Planning Proposal is consistent with the SEPP as it	
Chapter 2 provides a state-wide	will only impact residential land. The proposed	
framework for primary production	changes will not impact surrounding agricultural land	
lands, including reducing land-use	as there is sufficient buffer between any future	
conflict with residential	residential use and existing agricultural land uses.	
development.		
Resilience and Hazards 2021	A Preliminary Contamination Investigation (PCI) was	
Chapters 4 provides a state-wide	undertaken as the site was previously used for	
planning framework for remediation	agricultural purposes.	
of contaminated land and to		
minimise the risk of harm to human	At this stage of the proposed amendment process,	
health or any other aspect of the	Council is satisfied that the land is likely to be suitable	
environment.	for rural residential development. However, further	
	consideration of this issue will be required through the	
	Planning Proposal process and for future development	
	applications for subdivision.	

(iii) Ministerial Directions under Section 9.1

The Planning Proposal is consistent with all relevant Ministerial Directions. The key Directions are:

Direction	Consistency
3.2	The proposed amendment is considered to be consistent with this
Heritage	Direction. A Cultural Heritage Survey Report was prepared for the site,
Conservation	which included site investigations and a search of the Aboriginal
	Heritage Inventory Management System (AHIMS). The AHIMS search
	did not show any Aboriginal sites or places on the land.
	An Abaricinal Archaeolam, Due Bilizanes Barart will be grounded to
	An Aboriginal Archaeology Due Diligence Report will be prepared to
	accompany future development applications.
4.3	The Planning Proposal is consistent with the direction as the site is
Planning for	identified as being subject to Council's draft bushfire prone land map.
Bushfire Protection	Council will be required to consult with the NSW Rural Fire Service as a
	condition of any Gateway Determination.
6.1	The Planning Proposal is consistent with the direction as the land will
Residential zones	provide for rural residential development.

(c) Environmental Impacts

The land contains an area of remnant vegetation. A preliminary assessment of Ecological Constraints was undertaken to consider the impacts of the proposed amendment to the minimum lot size. A copy of the report is provided here in the draft Planning Proposal in **Appendix 1**.

The report provided the following summary:

- The site is not identified on the NSW Biodiversity Values Map and is zoned R5.
- The site contains Plant Community Types include 267 (white box et al) and 469 (white cypress pine et al).
- No threatened species are known to occur on the site.
- The avoidance and retention of timbered vegetation would constitute a favourable outcome for biodiversity.

The Proponent will be required to provide a Biodiversity Development Assessment Report with any future Development Application for subdivision on the land, which will also require consideration of any land clearing required for the purposes of bushfire protection and management.

3. Consultation and Planned Communications

If Council supports the proposed amendments included in this report, a Planning Proposal will be prepared for the consideration of the State Government Department of Planning and Environment. Following preparation of a Planning Proposal, Council will seek a Gateway Determination, which will allow the proposal to be publicly exhibited in accordance with the Local Environmental Plan Making Guidelines.

Council will engage with state agencies, adjoining landowners and the public as per the Gateway Determination. This will include a notice on Council's website and in Customer Experience Centres, the NSW Planning Portal, and letters to adjoining landowners unless this is impractical and therefore not required as part of the Gateway Determination.

The following state agencies would be consulted as part of the Gateway Determination:

- NSW Rural Fire Service
- NSW Environment, Energy and Science

A further report will be presented to Council for consideration following the completion of public exhibition period.

4. Resourcing Implications

It is considered that there are no resourcing implications arising from this report as it forms part of the work program of the Growth Planning Branch. In respect of amendment 2 as included in this report, the Proponent has not been levied Council's Planning Proposal charge as this amendment is as a result of previous planning processes undertaken by Council.

APPENDICES:

1 Draft Planning Proposal



Planning Proposal

Amendment to Dubbo Regional Local Environmental Plan 2022: Minimum lot size change

34L Pinedale Road Dubbo

April 2024

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1.0 Overview

1.1 Introduction

The following Planning Proposal has been prepared under section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and the Department of Planning, Housing and Infrastructure (DPHI) guidelines in support of a proposed Minimum Lot Size (MLS) change at Lot 103 DP 1143590, 34L Pinedale Road, Dubbo. The amendment of Dubbo Regional Local Environmental Plan 2022 (LEP) seeks to reduce the MLS of the subject site from 8ha to 5ha to permit additional lots via subdivision.

1.2 Background

The applicant has been working with Council on a reduced minimum lot size for this land since November 2012. During this time a number of submissions and studies have been completed by the applicant to support in principle a reduction in the minimum lot size for Lot 103. At the same time, Council has completed and commissioned a number of studies to determine whether further large lot residential development to the east of Dubbo is wise considering a number of environmental factors, infrastructure, density and the city's planned precinct developments. These reports concluded that development in East Dubbo should be supported providing environmental concerns were addressed and that infrastructure could support increased densities in this precinct.

Pre-lodgement meetings have been held with DRC planning staff over the last 18 months to ensure the level of detail submitted with this Proposal is adequate.

Submission of this Planning Proposal is the final formal process from the above negotiations over the last 14 years.

2.0 Objectives and intended outcomes

2.1 Objectives

To amend the Dubbo Regional Local Environmental Plan 2022 minimum lot size of the subject site from 8 hectares to 5 hectares to enable the creation of additional large lot residential lots.

2.2 Intended outcomes

- To permit additional lots for large lot residential dwellings and facilitate further subdivision which is consistent with adjoining lots.
- Contribute to the diversity of lot sizes and satisfy consistent demand for housing.
- Greater land use efficiencies in the development of currently zoned and serviced large lot residential land.

3.0 Explanation of provisions

The subject land currently has a minimum lot size of 8 hectares. The proposal is to reduce the minimum lot size to 5 hectares. This is a mapping-only change to the LEP. No written provisions require amendment.



Figure 1: Existing lot size. Source: NSW Planning Portal

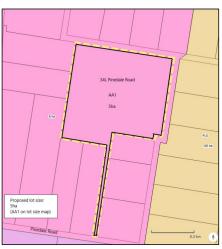


Figure 2: Proposed lot size. Source: NSW Planning Portal



Figure 3: Recent aerial showing surrounding development.

4.0 Justification of strategic and site specific merit

The planning proposal seeks to reduce the minimum lot size for the subject land from 8ha to 5ha.

The following information complies with Part 3 of the LEP Making Guideline (DPHI, Aug 2023).

Table 1: Matters for consideration

#	Question	Considerations			
Sec	Section A – need for the planning proposal				
1	Is the planning proposal a result of an endorsed LSPS, strategic study or report?	The planning proposal is not part of the LSPS or endorsed strategy however it is consistent with the intentions of the Central West and Orana Regional Plan and broader Council Land Use Strategies recommending efficient use of R5 land in the east.			
2	Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	Discussions with Council have revealed that the use of clause 4.6 to vary a development standard in this case is not appropriate and that a change to the LEP minimum lot size controls is a better approach for this matter. A Planning Proposal is a more rigorous and comprehensive analysis of existing controls and environmental matters and ensures no precedent is set for ad-hoc applications to Council.			
3	Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?	The Central West and Orana Regional Plan 2041 applies to the Dubbo LGA. This plan outlines the strategic direction across a range of environmental, economic and social matters with a focus on smart and sustainable outcomes. Objective 15 relates to this PP and the strategies within this section are assessed below: Strategy 15.1 When planning for new rural residential development consider: • proximity to existing urban settlements to maximise the efficient use of existing infrastructure and services			

Comment: The lot is within an existing R5 settlement with surrounding land already developed into a range of lot sizes. Complies.

• avoiding primary production zoned agricultural land and mineral resources and consider land use conflict when in proximity to such land

Comment: The lot is zoned R5, surrounding land is already developed for large lot residential. This lot is appropriately distanced from primary production lands.

• avoiding areas of high environmental, cultural or heritage significance, or areas affected by natural hazards

Comment: The land is not included in any high environmentally significant areas. As the property is bushfire prone, a bushfire risk assessment has been assessed and a report can be seen in Appendix 2. A Preliminary Ecological Constraints Assessment, Bushfire Risk Assessment and Aboriginal Cultural Heritage Report have also been prepared (Appendices 1, 2 and 4).

 provision of a sustainable water supply through reticulated water supply, roof catchment and/or accessing water from a river, lake or aquifer in accordance with the Water Management Act 2000

Comment: The land is already connected to the city's reticulated water supply. Individual dwelling basix commitments in time will backup this supply.

• impacts on the groundwater system

Comment: Umwelt's assessment of ecological constraints addresses any potential for groundwater impacts.

• future growth opportunities of the closest local centre, nearby urban land uses and any across LGA-boundary landuse compatibility issues

Comment: Dubbo is a growing regional centre. This reduction in MLS presents an opportunity to facilitate efficient use of already zoned R5 land and provide new accommodation options.

• context in terms of supply and demand across the subregion

Comment: Demand for large lot residential has remained high in the Dubbo LGA for many years. Smaller R5 lots have been

released recently. These lots will satisfy a different market and provide greater lot variety.

• cost effective service supply

Comment: With existing services in place including water and garbage services, cost efficiencies are already gained.

4 Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan

Dubbo Local Strategic Planning Statement (LSPS)

Planning Priority 13: Manage R5 zoned land.

 13.1 Review the LEPs zone boundaries, land use tables and subdivision minima to ensure rural lifestyle development is contained within existing zoned areas or highlights areas contained in the Rural Issues Paper 2019 and does not have the potential to adversely impact on the primary production potential of rural land.

Comment: This Proposal is contained within existing zoned R5 land and is a short-term action for Council. Complies.

Planning Priority 19: Create an energy, water and waste efficient city

- Council is committed to creating a water sensitive city which maximises water resources, increases water security & responds to increasing temperatures.
- Comment: This proposal involves the utilisation of an existing town water supply to the site which eases excess pressure on local groundwater supplies and can be monitored.
- 5 Is the planning proposal consistent with any other applicable State and regional studies or strategies?

No other applicable studies or strategies relevant to this minor PP.

6 Is the planning proposal

Please refer to Table 2 for this assessment.

consistent with applicable SEPPs?

7 Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key

government priority?

Please refer to Table 3 for this assessment.

8 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

Appendix 1 includes Umwelt's assessment of Preliminary Ecological Constraints. The potential for critical habitat, threatened species & habitats on the site was analysed with this assessment. In summary of their assessment:

- The site is not identified on the NSW Biodiversity Values Map and is zoned R5.
- Plant Community Types include 267 (white box et al) and 469 (white cypress pine et al). Grasslands across the site appear to be low & unlikely to support enough native elements to conform.
- No threatened species are known to occur on the site.
- The avoidance and retention of timbered vegetation would constitute a favourable outcome for biodiversity and result in the maintenance of current biodiversity values of the site.
- 9 Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

Environmental effects include matters such as bushfire hazard, contamination, flooding and landslip. The following assessments have been completed with summaries of relevant information included.

Preliminary Contamination Investigation (Envirowest Consulting/Barnson) March 2024

- The site is not listed as contaminated on any of Council's contaminated sites registers.

- The site is not listed on any of the EPA/Safework/POEO public registers or any other Govt agency contaminated sites registers.
- Review of historic imagery & local knowledge does not identify any prior contaminating land uses. Prior uses include the keeping of sheep and horses.
- No evidence of orchards, mines, sheep dips, mixing sheds or contaminating industrial activities are known to have been located on the site from the review of site history, desktop study and past owners. No agricultural chemicals or other contaminant sources are known to have been used on the site.
- Based on the above, further detailed contamination investigations are not necessary and the land is appropriate to be further developed.

Bushfire Assessment (Bushfire Planning and Design) 2024

- The land includes category 1 and 2 bushfire prone land.
- Access to the site for firefighting vehicles is available from Pinedale Road. This long access handle is considered appropriate and with Planning for Bushfire Protection (PFBP) 2019 allowing measures for occupants of future lots to be self-sufficient in protecting properties through enhanced asset protection zones (APZ) and other design measures, access is able to comply with PFBP.
- Nearest fire brigade services are 9.2km from the site (Wheelers Lane) and 2.7km (Eulomogo Road). Both could provide fast access to the site.
- Reticulated water is available to the site and any dwellings would have to comply with PFBP firefighting requirements.
- Development of the site with a reduced lot size presents an opportunity for grasslands to be batter managed through additional APZ's and newly available water connections. A safer outcome for the site.
- Overall, the proposed reduction in MLS complies with PFBP.

Preliminary Ecological Constraints Assessment (Umwelt) 2023

- The site is not identified on the NSW Biodiversity Values Map and is zoned R5.
- Plant Community Types include 267 (white box et al) and 469 (white cypress pine et al). Grasslands across the site appear to be low & unlikely to support enough native elements to conform.
- No threatened species are known to occur on the site.
- The avoidance and retention of timbered vegetation would constitute a favourable outcome for biodiversity and result in the maintenance of current biodiversity values of the site.

Other matters

The site is not floodprone nor subject to landslip.

10 Has the planning proposal adequately addressed any social and economic effects?

Aboriginal Cultural Heritage Survey Report (Dubbo Local Aboriginal Land Council, G Toomey) 2022

- Survey was conducted in person on foot.
- Keeping of animals on site may have caused any tool flakes to be moved around. Property is located on a slope
 any remnants possibly washed away.
- The project is not likely to affect any significant known or potential Aboriginal cultural heritage features as identified by the survey. Refer to **Appendix 3** for this report.

A search of the AHIMS (Aboriginal Heritage Inventory Management System) in 2024 revealed no Aboriginal sites or places on the lot with a buffer of 50m from the boundaries. Refer to **Appendix 4** for this result.

The social and economic effects of the planning proposal are expected to be positive. Reducing the minimum lot size will create additional lots for large lot residential development and have positive impacts on the current demand for housing while also providing employment opportunities during approval and

		construction stages. The new minimum lot size will fit with the existing subdivision pattern in the locality and not look out of place. See section 5.0 for map detail.
11	Is there adequate public infrastructure for the planning proposal?	Public infrastructure utilised for this site includes water and sealed roads. These are considered adequate. It is acknowledged that servicing of the site is the responsibility of the developer.
12	What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?	The views of State and Commonwealth public authorities will be sought following the issue of a Gateway determination on this matter.

Table 2: State Environmental Planning Policy (SEPP) review

SEPP	Consistency	
SEPP (Biodiversity	Applicable. Not directly relevant to the proposal.	
& Conservation) 2021	Consistent, any future development will be assessable	
	against this policy.	
SEPP (Building Sustainability	Applicable. Not directly relevant to this proposal.	
Index: BASIX) 2004	Consistent, any future development will be assessable	
	against this policy.	
SEPP (Exempt and Complying	Applicable & relevant. Consistent, any future	
Development Codes) 2008	development will be assessable against this policy.	
SEPP (Housing) 2021	Applicable & relevant. Consistent – any future	
	development will be assessable against this policy.	
SEPP (Planning Systems) 2021	Not relevant to this proposal at this time.	
SEPP (Industry & Employment) 2021	Not relevant to this proposal at this time.	
SEPP (Precincts – Regional) 2021	Not relevant to this proposal.	
SEPP (Primary Production) 2021	Not relevant to this proposal.	
SEPP (Resilience & Hazards) 2021 Relevant to this proposal. Chapter 4 provisions complied		
	with in requiring certain checks of land prior to considering a	
	rezoning application (or land involving a change to	
	development standards). Preliminary Contamination	
	Investigation (PCI) carried out by Envirowest 2024 revealed	
	land is suitable for increased lot density on the land. Refer to	
	Appendix 5 for the PCI.	
SEPP (Resources & Energy) 2021	Not relevant to this proposal.	
SEPP (Sustainable Buildings) 2021	Not relevant for this proposal.	
SEPP (Transport & Infrastructure)	Applicable. Not directly relevant to this proposal. Any future	
2021	development to comply with the provisions of this policy.	

Table 3: Ministerial Directions review (section 9.1 of the EP&A Act 1979)

Ministerial direction Consistency Focus area 1: Planning Systems 1.1 Implementation of This Planning Proposal is consistent with the Regional Plans Central West and Orana Regional Plan 2041.Refer to section 3 of Table 1 above for detail. 1.2 Development of Not applicable to this Proposal. Aboriginal Land Council land 1.3 Approval and Referral This proposal does not include provisions to requirements require the concurrence or referral to a Minister or public authority nor cite future applications as designated development. Complies. 1.4 Site specific provisions Applicable. Complies – this Proposal does not include provisions for the Dubbo Regional LEP in addition to that already contained within the LEP. The minimum lot size proposed is already contained within the Dubbo Regional LEP (DRLEP) – this is the only change proposed at this stage. 1.4A Exclusion of Development Applicable. Complies – this proposal does not Standards from variation introduce exclusions to the application of clause 4.6 in the DRLEP. 1.5-1.22 (incl) The site is not included in the areas covered by these directions. Not relevant to this proposal. Focus area 2: Design and Place [This Focus Area was blank when the Directions were made] Focus area 3: Biodiversity and Conservation 3.1 Conservation zones Relevant. Complies – this Proposal does not include provisions that alter any conservation standards that apply to the land. 3.2 Heritage conservation Relevant. Complies – the land was surveyed for items of Aboriginal Cultural Heritage. No items were found at the time of inspection. Refer to question 10 in Table 1 above for further detail. The land does not contain items protected under the National Parks and Wildlife Act 1974. 3.3 Sydney Drinking Water Not relevant to this proposal. Catchments 3.4 Application of C2 Not relevant to this proposal. and C3 Zones and Environmental Overlays in Far North Coast LEPs 3.5 Recreation vehicle areas Relevant. The direction applies as a planning proposal is being prepared by a relevant planning authority. The

proposal is consistent with this direction as existing relevant planning provisions will be maintained.

3.6 Strategic Conservation Planning	This proposal does not relate to land that is identified		
	as avoided land or a strategic conservation area. Not		
	applicable to this proposal.		
3.7-3.10	Not applicable to this proposal – the subject land is		
	not included in the provisions of the directions.		
Focus Area 4: Resilience & Hazards			
4.1 Flooding	Not relevant to this proposal – the land is not flood		
	prone. Complies.		
4.2 Coastal management	Not relevant to this proposal.		
4.3 Planning for Bushfire Protection	Relevant. The land is bushfire prone.		
	The proposal complies with the following directions:		
	- Consultation with the NSW Rural Fire Service		
	and taking into account their comments so		
	made following gateway determination is		
	acknowledged and will be undertaken.		
	- The Proposal has regard to Planning for Bushfire Protection 2019 (PFBP) via a		
	separate consultant's report as seen in		
	Appendix 2. This report concluded that an		
	increased density in dwellings on this site and		
	subsequent additional managed APZ's will		
	fragment connections between bushfire prone		
	land and in terms of bushfire planning, will		
	improve current risk levels.		
	- A two-way access road and water supply to		
	the subdivision are already in place.		
	Remaining matters will be subject to		
	subsequent stages of the development.		
4.4 Remediation of	Relevant. A Preliminary Contamination Investigation		
contaminated land	(PCI) has been carried out in accordance with the		
	requirements of the SEPP (Resilience & Hazards) 2021		
	and the Contaminated Land Planning Guidelines. The		
	land has been assessed as able to be developed,		
	including with a lowered MLS as contamination does		
	not present a risk according to the PCI. Refer to		
	Appendix 5 for the PCI.		
4.5-4.6	Not relevant to the proposal (acid sulfate soils do not		
	impact this area and the site is not subject to		
	subsidence from prior coal mines).		
Focus Area 5: Transport & Infrastructure	Delevent This manned alt.		
5.1 Integrating Land Use	Relevant. This proposal alters a provision relating to		
and Transport	land zoned for large lot residential. The proposal is consistent with this direction as the zoned land will		
	provide additional housing options in close proximity		
	to the urban centre of Dubbo with existing transport		
	links.		
5.2 – 5.4	Not applicable to this Planning Proposal.		
Focus Area 6: Housing	וייסיג מאאינוכמאנפ נט נוווס ד נמוווווון דוטאטסמנ.		
6.1 Residential zones	Relevant. This direction applies to the proposal		
o. i nosidentiat zones	because it is altering land within an existing residential		
	zone. The proposal complies for the following reasons:		
	zono. The proposition in the following reasons.		

	Broadened choice of housing options in creating additional LLR supply in a hot market; Makes efficient use of existing infrastructure including roads, garbage and water services; Reduces the consumption of rural land for housing on the urban fringe as the land is already zoned for residential development; Any resulting subdivision will be of good design. This proposal also increases the permissible density of the zone which complies with part (2) (b) of the direction.	
6.2 Caravan Parks and Manufactured home estates	Not applicable to this proposal.	
Focus Area 7: Industry and Employment		
None of the directions under this focus area apply to the proposal.		
Focus Area 8: Resources and Energy		
None of the directions under this focus		
area apply to the proposal.		
Focus Area 9: Primary Production		
None of the directions under this focus		
area apply to the proposal.		

5.0 Maps

This section outlines the required LEP mapping changes. With the shift to digital LEP mapping, Council will liaise with the DPHI GIS team following public exhibition to arrange for compliant LEP maps to be digitised and notified. The historical map sheet to be amended is LSZ_002. Note there is no difference in colour between minimum lot sizes 8ha and 5ha on Dubbo Regional Council's LEP mapping. Rather, the site will be differentiated from surrounding 8ha lands with an AA1 notation, pending approval from DPHI GIS team.

Lot 103 DP 1143590 34L Pinedale Road, Dubbo Zone: R5 Large Lot Residential (no change) Proposed Minimum lot size: 5 hectares



Figure 4: Proposed lot size. Source: NSW Planning Portal



Figure 5: Surrounding minimum lot sizes Source: NSW Planning Portal



Figure 6 View south along driveway toward Pinedale Road



 $\textit{Figure 7} \ \ \textit{Front boundary from Pinedale Road looking north. Note power connection to site.}$



Figure 8 boundary fencing for existing lot 102 DP 1143590 (5ha lot)



Figure 9 Existing driveway drainage treatment



Figure 10 Driveway detail looking south



Figure 11 Lot sizes in the locality

6.0 Community Consultation

The applicant has commenced consultation with neighbours to outline the intentions of this Proposal. To date, surrounding residents are agreeable with the Proposal.

As this proposal is not rezoning land and only involves a small reduction in the minimum subdivision lot size, the minimum time for public exhibition of the Proposal is requested. It is acknowledged the Gateway Determination will include this detail.

7.0 Project Timeline

Following lodgement of the planning proposal, Council will develop a project timeline including Council acceptance, Gateway determination, public exhibition, reporting, Ministerial (or delegated) approval and implementation. A draft timeline is shown below.

Project stage	Date
1. Lodgement of proposal to Council	April 2024
2. Consideration and acceptance by Council	May 2024
3. Lodgement by Council to NSW Planning for Gateway determination	June 2024
4. Gateway determination (formal commencement date)	July 2024
5. Completion of required technical information by Council (if any)	August 2024
6. Government agency consultation (timeframe pre and post exhibition	September 2024
as required by Gateway determination)	
7. Public exhibition period (timeframe, commencement & completion	October 2024
dates).	
*If agency consultation & exhibition able to be run concurrently, timeframe may	
be reduced here.	
8. Consideration of submissions (timeframe) & submission of final LEP	November 2024
amendment to the Department to finalise the LEP amendment.	
9. Council as local plan-making authority arranges with DPHI GIS team	December 2024
for compliant mapping to be prepared and forwards to PC for	
notification on NSW legislation website.	
TOTAL	8 months

8.0 Conclusion

This Planning Proposal represents a minor change to the minimum lot size for one existing allotment under the Dubbo Regional LEP. From this change, the client intends to design a subdivision which considers the existing environment and its natural features, allows for sufficient separation for liveability, utilises existing utility and service connections and provide increased housing options in a high demand large lot residential market.

Dubbo Regional Council's LEP already includes a minimum lot size of 5ha. This change adds one more allotment to this large lot residential category.

The zoning for this allotment is not proposed to change. Therefore, the objectives of the zone and character for the area remain consistent.

The proposal is consistent with the strategic directions of the Central West and Orana Regional Plan, State Environmental Planning Policies, Ministerial directions and Council's Local Strategic Planning Statement.

This proposal represents an opportunity to utilise existing zoned land more efficiently and provide for additional large lot residential lots in a known and accessible R5 locality.

Appendix 1:

Preliminary Ecological Constraints
Assessment (Umwelt Australia Pty Ltd)



Our Ref: 20192/Rice-Ward/20230504/SC

04 May 2023

Rebecca Rice-Ward 34L Pinedale Road Dubbo NSW 2830

Dear Rebecca

RE: Preliminary Ecological Constraints Assessment of Lot 103 DP 1143590, Pinedale Road, Dubbo

Umwelt has been commissioned by Rebecca Rice-Ward to prepare a preliminary ecological constraints document to inform the potential rezoning and subdivision of Lot 103 DP 1143590, Pinedale Road, Dubbo.

Specifically, Umwelt has been requested to review regional mapping and threatened species records to determine if any ecological constraints are likely to occur within the site that could not be adequately managed through a rezoning or subdivision Development Application process.

The current proposed pathway is a rezoning application to reduce the minimum lot size from 8 hectares to 5 hectares to facilitate a one into seven lot subdivision development application. It is noted that Lot 102, DP1143590, which is directly adjoining Lot 103, is approximately 5 hectares so the proposed lot sizing is consistent with adjoining parcels.

The application would come with a commitment to avoid and maintain (under a covenant or similar) all existing timbered vegetation and this constraints assessment has considered this in any preliminary considerations of impacts or any recommendations made.

Site Information

The site, Lot 103 DP 1143590, is approximately 45 hectares in size and has been owned by the Rice-Ward family for over 15 years. Whilst select patches of remnant timbered vegetation has been retained on the site over that time, the remainder of the property has been used various hobby farm activities including primarily equine management but also select grazing regimes, including pasture improvement.

The site is not identified on the NSW Biodiversity Values Map and is currently zoned

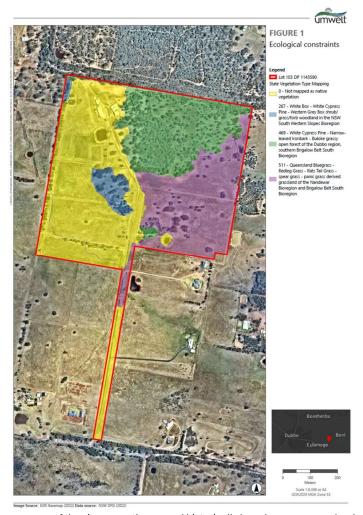


Preliminary Ecological Constraints

This constraints assessment has been prepared using available online datasets including state-wide vegetation mapping and threatened species mapping as well as recent and historic aerial imagery obtained through Nearmap.

Vegetation

State-wide vegetation mapping identifies three Plant Community Types (PCTs) occurring within the site (refer to Figure 1 below).



Large areas of the site currently are, and historically have been, managed as horse paddocks and general grazing lands and likely to represent predominantly exotic grassland. Historic management is understood to include pasture improvement activities and aerial imagery shows these grasslands to be routinely managed. See images below depicting current (Jan 2023), Autumn 2022 (post drought), Summer 2019 (drought) and earliest image available (August 2011).



Although the grasslands to the east of the access road have been mapped as PCT 511 - Queensland $\,$

Bluegrass - Redleg Grass - Rats Tail Grass - spear grass - panic grass derived grassland of the Nandewar Bioregion and Brigalow Belt South Bioregion, the imagery shows this area to have also been routinely managed and generally consistent with the grasslands in the west of the site which have not been mapped as native vegetation. As such, it is likely that all grasslands on site are of similar, likely poor, condition and not representative of any currently listed PCTs.

Remnant timbered vegetation has been split into two PCTs, comprising:

PCT 469 - White Cypress Pine – Narrow-leaved Ironbark - Buloke grassy open forest of the Dubbo region, southern Brigalow, and

PCT 267 - White Box – White Cypress Pine –Western Grey Box shrub/grass/forb woodland in the NSW South Western Slopes Bioregion.

Although surveys would be needed to confirm, PCT 267 may conform to either White Box - Yellow Box - Blakely's Red Gum Grassy Woodland and Derived Native Grassland in the NSW North Coast, New England

Tableland, Nandewar, Brigalow Belt South, Sydney Basin, South Eastern Highlands, NSW South Western

Slopes, South East Corner and Riverina Bioregions Critically Endangered Ecological Community (CEEC) or Inland Grey Box Woodland in the Riverina, NSW South Western Slopes, Cobar Peneplain, Nandewar and Brigalow Belt South Bioregions Endangered Ecological Community (EEC).

Although the White Box - Yellow Box - Blakely's Red Gum Grassy Woodland and Derived Native Grassland CEEC does have a derived native grassland component, as identified above and subject to field surveys, the condition of the grasslands across the site appears to be low and unlikely to support enough native elements to conform.

Threatened Species

No threatened species are known to occur on the site currently however a total of 25 threatened fauna species and seven threatened flora species have previously been recorded within 10km of the site (refer to Table 1).

Scientific Name	Common Name	NSW Status	Number of Records in 10km		
Flora	Flora				
Calotis glandulosa	Mauve burr daisy	V	2		
Commersonia procumbens	-	V	3		
Diuris tricolor	Pine donkey orchid	V	17		
Homoranthus darwinioides	Fairy bells	V	1		
Indigofera efoliata	Leafless indigo	Е	8		
Swainsona sericea	Silky swainson-pea	V	1		
Tylophora linearis	-	V	2		
Fauna					
Anseranas semipalmata	Magpie goose	V	1		
Anthochaera phrygia	Regent honeyeater	CE	7		
Calyptorhynchus lathami	Glossy black-cockatoo	V	1		

Scientific Name	Common Name	NSW Status	Number of Records in 10km
Chalinolobus picatus	Little pied bat	V	1
Chthonicola sagittata	Speckled warbler	V	3
Circus assimilis	Spotted harrier	V	5
Climacteris picumnus victoriae	Brown treecreeper	V	3
Daphoenositta chrysoptera	Varied sittella	V	2
Epthianura albifrons	White-fronted chat	V	1
Falco subniger	Black falcon	V	3
Hieraaetus morphnoides	Little eagle	V	4
Hirundapus caudacutus	White-throated needletail	V	1
Lophoictinia isura	Square-tailed kite	V	1
Miniopterus orianae oceanensis	Large bentwing-bat	V	2
Ninox connivens	Barking owl	V	5
Nyctophilus corbeni	Corbens long-eared bat	V	1
Petaurus norfolcensis	Squirrel glider	V	2
Petroica boodang	Scarlet robin	V	2
Petroica phoenicea	Flame robin	V	1
Phascolarctos cinereus	Koala	Е	3
Polytelis swainsonii	Superb Parrot	V	6
Pomatostomus temporalis temporalis	Grey-crowned babbler	V	53
Pteropus poliocephalus	Grey-headed flying fox	V	1
Rostratula australis	Australian painted snipe	V	2
Saccolaimus flaviventris	Yellow-bellied sheathtail-bat	V	2

V = Vulnerable, E = Endangered, CE = Critically Endangered

Without surveys being completed and based on the history of management and likely exotic composition of the grasslands within the site, it is reasonable to conclude that the grasslands within the site provide low value for threatened species and, other than pine donkey orchid (Diuris tricolor), unlikely to provide any habitat value for threatened species known from the area. The avoidance and retention of timbered vegetation would constitute a favourable outcome for biodiversity and result in the maintenance of current biodiversity values of the site.

Preliminary Outcomes and Recommendations

Subject to further field investigations, the primary ecological constraints associated with the proposed subdivision relate to the potential impacts of the remnant timbered vegetation. Should these areas be avoided, impacts to biodiversity would likely to be low and, pending the development of an appropriate subdivision design that could locate services, roads and

bushfire setback requirements in exotic or already disturbed areas, impacts on biodiversity may not meet the threshold for the application of the Biodiversity Offset Scheme (BOS).

Should the area threshold be triggered, and a BDAR is required, the project will demonstrate appropriate avoidance and minimisation, is unlikely to generate many, if any, credits and Serious and Irreversible Impacts (SAII) are considered highly unlikely.

We trust this information meets with your current requirements. Please do not hesitate to contact the undersigned on 1300 793 267 should you require clarification or further information.

Yours sincerely

Shaun Corry

Principal Ecologist

Accredited BAM Assessor

E | scorry@umwelt.com.au M| 0488 220 095

Appendix 2: Bushfire Risk Assessment (BPAD, 2024)

BUSHFIRE PLANNING & DESIGN

BUSH FIRE ASSESSMENT

34L Pinedale Road Dubbo 2830

Prepared for: George Rice	Strategic Planning Proposal
Prepared by: Matthew Noone	BPAD Accreditation Number: BPAD-PD 25584
Address: 34L Pinedale Road Dubbo 2830	Lot / DP: (Lot 103/-/DP1143590)
LGA: Dubbo Regional Council	FDI 80

Project Description: Strategic Planning Proposal



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REPORT NUMBER BR-538022-3

34L Pinedale Road Dubbo 2830

DATE	ISSUED TO	REV.	Comments
02/04/2024	George Rice	Α	Issued to Client for Comment

DISCLAIMER and TERMS OF USE

Bushfire Planning & Design cannot be held liable for the loss of life or property caused by a bushfire event. This report has considered the relevant planning instruments, bushfire constructions codes and practices applicable at the time of writing. Should additional information be provided after this report has been issued, we reserve the right to review and if necessary modify our report. Bushfire Planning and Design has no control over workmanship, buildings degrade over time and vegetation if not managed will regrow. In addition legislation and construction standards are subject to change. Due to significant variance of bushfire behaviour, we do not guarantee that the dwelling will withstand the passage of bushfire even if this development is constructed to the prescribed standards.

AS3959 (2018) states "It should be borne in mind that the measures contained in this Standard cannot guarantee that a building will survive a bushfire event on every occasion. This is substantially due to the degree of vegetation management, the unpredictable nature of behaviour of fire, and extreme weather conditions."

The information and material contained herein is general in nature and is intended for your use and information. This report relates only to the specific development described within and cannot be used to support any other future development. Bushfire Planning and Design disclaims, to the extent permitted by law, all warranties, representations or endorsements, express or implied, with regard to the material contained herein. Bushfire Planning and Design does not warrant or represent that the material contained herein is free from errors or omissions, or that it is exhaustive.

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This report has been prepared by Matthew Noone trading as Bushfire Planning and Design. Matthew Noone holds a BPAD Level 2 accreditation with the Fire Protection Association of Australia. Under the BPAD accreditation scheme a BPAD Level 2 consultant can provide advice and undertake all types assessments with the exception of alternate solutions. In the event that alternate solution is proposed it will be undertaken outside of our accreditation. Alternate solutions are considered a deviation from the prescribed standards and as per s.4.14 of the Environmental Planning and Assessment Act (1979) are required to be required to be referred to the New South Wales Rural Fire Service (RFS) for review.

This report has been based on our interpretation of Planning for Bushfire Protection (2019), AS3959 (2018) and the methodology for site specific bushfire assessment. As a consultant, our view can be subjective. Our opinions may differ from the opinions provided by you the Client (or Client Representative), the Councill, the RFS or another bushfire consultant. The Rural Fire Service (RFS) has a higher authority and can upon their review, increase a nominated BAL-rating or entirely reject a development proposal. Any such recommendations made by the RFS take precedence. Our role is intermediary between our Client (or Client Representative) and the consenting authority. We apply our knowledge of the relevant bushfire protection standards to provide the best possible outcome for our Client (or Client Representative), both from a bushfire safety and financial perspective. Should the RFS modify our recommendations or reject the proposal to which this report relates to we will not be held liable for any financial losses as a result. By using this document, you the Client (or Client Representative) agree to and acknowledge the above statements.

Bushfire Planning and Design accepts no liability or responsibility for any use or reliance upon this report and its supporting material by any unauthorized third party. The validity of this report is nullified if used for any other purpose than for which it was commissioned. Unauthorized use of this report in any form is deemed an infringement of our intellectual property. By using this document to support your development you the Client (or Client representative) agree to these terms.

34L Pinedale Road Dubbo 2830

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00 - SCOPE / PLANNING PROPOSAL

This report has been written to support a Planning Proposal for the reduction of the minimum lot size from 8 hectares to 5 hectares. When preparing a Planning Proposal, The Council is required to apply the EP&A Act s.9.1(2). Direction 4.4 Planning for Bush Fire Protection applies to planning proposals that affect, or are in close proximity to, land mapped as BFPL (PBP 2019, s.4.4). Under Direction 4.4, the relevant authority must consult with the Commissioner of the NSW RFS and take into account any comments made.

Under direction 4.4, draft LEPs should follow the below objectives (PBP 2019):

- i. to protect life, property and the environment from bush fire, by discouraging the establishment of incompatible land uses in bush fire prone areas; and
- ii. to encourage sound management of bush fire prone areas

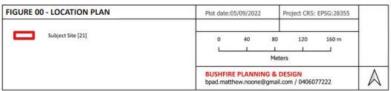
Subject to the approval of the rezoning application, a Development Application for the creation of a Rural Residential Subdivision may be prepared for the land, Lot 103/-/DP1143590.

SITE LOCATION AND DESCRIPTION

The subject site is located within the Dubbo Regional Local Government Area (LGA) approximately 5 km east of municipal of Dubbo. An existing homestead is located in the north west quadrant of the site. The primary access is via Pinedale Road to the south. The site is bounded by a crown road reserve to the north that connects to Beni Road to the east. The majority of the site is dominated by Grassland. The central northern part of the site contains a mix of Forest and Woodland. Refer to figure 00. Existing rural residences are located in the adjoining allotments to the east, west and south east.

34L Pinedale Road Dubbo 2830





34L Pinedale Road Dubbo 2830

01 - STRATEGIC PLANNING IN BUSHFIRE PRONE AREAS

The Strategic Bush Fire Study provides the opportunity to assess whether new development is appropriate in the bush fire hazard context. It also provides the ability to assess the strategic implications of future development for bush fire mitigation and management.

As per PBP (2019) section 4.2, A Strategic Bush Fire Study must include, as a minimum, the components in Table 4.2.1. Table 4.2.1 discusses the following topics.

- 1. Bush fire prone land
- 2. Land use assessment
- 3. Access and Egress
- 4. Emergency services
- 5. Infrastructure
- 6. Adjoining Land

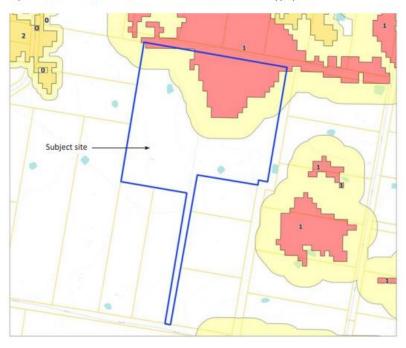
The above are addressed individually in the following pages.

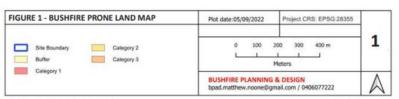
34L Pinedale Road Dubbo 2830

02 - BUSHFIRE PRONE LAND

A bush fire landscape assessment considers the likelihood of a bush fire, its potential severity and intensity and the potential impact on life and property in the context of the broader surrounding landscape.

The subject site whether in whole or part is recorded as bushfire affected on a relevant map certified under Section 10.3 (2) of the Environmental Planning and Assessment Act 1979 (Refer figure 1). The development relates to the development of bushfire prone land and therefore must address the legislative requirements stipulated in Section 100B Rural Fire Act 1997 or 4.14 of EPA Act 1979 as appropriate.





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SLOPE DETERMINATION

The effective slope has been assessed for a distance of at least 100m from the proposed development. The slope data has been calculated from a 1m LiDAR Digital Elevation Model (DEM). The source data sets have been captured to standards that are generally consistent with the Australian ICSM LiDAR Acquisition Specifications with require a fundamental vertical accuracy of at least 0.30m (95% confidence) and horizontal accuracy of at least 0.80m (95% confidence). A crest is located to the north east of the site. The dominant effective slopes that are applicable to the site is in the 0-5° down slope range.

FIRE DANGER INDEX

The 1:50 year fire weather scenario for most of the state was determined as FFDI 80. The Fire Danger Index for the Dubbo Local Government Are is FDI 80.

PREDOMINANT VEGETATION CLASS

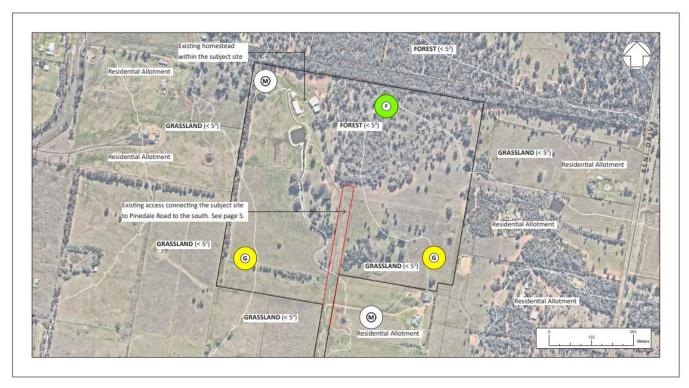
The existing homestead is located in the north west quadrant. A combination of Forest and Woodland is located to the east of the homestead (refer figure 2). A crown road reserve runs parallel to the northern boundary. Forest vegetation is located to the north of the crown road reserve. The Forest to the north is the dominant bushfire threat. The land to the east, west and south are occupied by existing rural residences and are associated with existing land management practices. For the purpose of bushfire protection it is pragmatic to consider the potential for grassfire within the allotments to the east, west and south.

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Planning Proposal: Amend minimum lot size 34L Pinedale Road Dubbo





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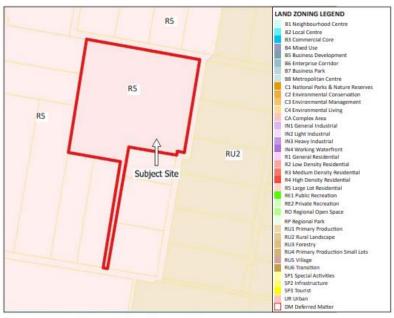


FIGURE 2 - VEGETATION FORMATIONS	Plot date	05/09/202	2	Project CRS: 8	EPSG:28355	
(Dry Sclensphyll Foreists (Shrubbly sub-formations)) [R/A] (Gorey Woodfarch) [R/A] (Rior number vegetation) fluid auther vegetation [R/A]	0	70 I	140 I Met	210 I	280 m	2
		RE PLANNI thew.noone		DESIGN Lcom / 040607	7222	A

34L Pinedale Road Dubbo 2830

03 - LAND USE, ZONING, PERMISSIBILITY

The subject site and surrounding allotments to the north, west and south are zoned R5 Large Lot Residential. The land to the east is zoned RU2 Rural Landscape.



SIGNIFICANT ENVIRONMENTAL FEATURES.

It is our observation there are no significant environmental features within the subject site.

DETAILS OF ANY THREATENED SPECIES, POPULATIONS, ECOLOGICAL COMMUNITIES OR CRITICAL HABITATS

To our knowledge there are no threatened species, populations, ecological communities or critical habitat within the subject site. The site is not mapped as having Biodiversity Values (Department of Planning, Industry and Environment (DPIE) under Part 7 of the Biodiversity Conservation Act 2016 (BC Act).

DETAILS OF ABORIGINAL HERITAGE

To our knowledge the site is not associated with any items of Aboriginal heritage.

34L Pinedale Road Dubbo 2830

04 - ACCESS

The subject site is accessed through a long access handle that connects to Pinedale Road to the south. Pinedale Road provides safe access and egress for fire fighters. Any future development whether infill or subdivision would need to comply with Planning for Bushfire Protection. Access in the vicinity of the site is shown in Figure 3.

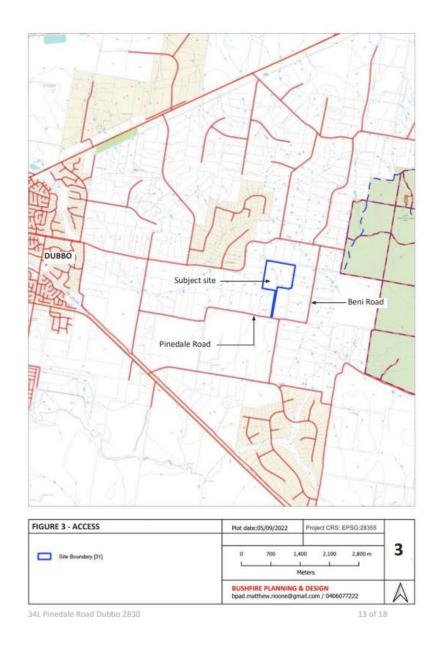
Subdivisions with three or more allotments are required to provide more than one road in and out of the subdivision. A perimeter road may not provide any significant bushfire protection benefit due to the shape of the block having a long access handle.

PBP (2019) s.5.1.1 provides guidelines for isolated / rural subdivision, indicating that conditions placed upon isolated subdivision reflect the need for occupants to be more self sufficient in regards defending their properties. With experience on other projects that have had constrained or deficient access, NSW Rural Fire Service have permitted an enhancement of other bushfire protection measures such as increased Asset Protection Zones, elevated construction requirements and additional water to reduce the reliance on access as a form of bushfire protection. The future allotments having an area of 5-8 hectares and mostly grassland are favourable to this approach.

Any future development would need to comply with the performance criteria or acceptable solutions in chapters 5-8 (PBP 2019). Any challenging aspects that deviate from PBP will need to be consulted with RFS using the Bush Fire Design Brief Process or pre-DA service.

34L Pinedale Road Dubbo 2830

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05 - EMERGENCY SERVICES

The subject site is located within close proximity to the municipal of Dubbo. The nearest fire brigade is the Dubbo NSW Fire and Rescue station located on Wheelers Lane 9.2 km to the west of the site. The nearest Rural Fire Service station is the Eulomogo Rural Bushfire Brigade, located on Eulomogo Road, 2.7 Km to the south

Any potential fires within the subject allotment can be accessed from Pinedale road and the access drive connecting the Pinedale Road to the subject site. It is noted that any future development within Pinedale Road would lead to the fragmentation of bushfire prone land thus reducing the bushfire threat to the south, east and west.

In the context of the above discussion, any future development within the subject site is not likely to increase the demand for emergency services responding to a bush fire. Conversely, future development which may generate an increase in occupancy would also ensure through compliance with PBP introduce new managed areas and would therefore decrease the bushfire risk and improve the ability of emergency services to carry out fire suppression in a bush fire emergency.

06 - INFRASTRUCTURE

The subject site currently relies on a static water supply for fire suppression. Any future development will be serviced by Dubbo Regional Council reticulated water designed and installed to comply with RFS requirements. Any new electrical or gas that may be required to service the subject site will be installed to comply with Planning for Bushfire Protection (2019).

07 - ADJOINING LAND

The application that is presented to the Department of Planning is limited to a re-zoning application. The land is currently used for a rural residential purpose with the residential area limited to the north west quadrant. The current land use would allow for grass outside of the curtilage of the existing dwelling to grow greater than 100mm high. Based on RFS terminology grass greater than 100mm high is not considered managed land and by default considered to be a bushfire threat. Future development which would require compliance with PBP and in particular Asset Protection Zone requirements would lead to increased managed areas and the fragmentation of bushfire prone land. In that context, a planning proposal that reduces the minimum lot size from 8 hectares to 5 hectares and the potential future development will not provide any increased pressure on the bushfire protection measures that may be required by adjoining landowners to protect their assets from the threat of bushfire.

34L Pinedale Road Dubbo 2830

08 - RECOMMENDATIONS

The information presented in this Bushfire Assessment Report demonstrates that the proposal to rezone the subject land and reduce the minimum lot size can satisfy the Ministerial Direction No. 4.4 – 'Planning for Bush Fire Protection' and the requirements of 'Planning for Bush Fire Protection 2019'.

This is achieved by providing compliant bushfire protection measures such as hazard separation and adequate access. The proposal is not considered incompatible with the surrounding environment and bushfire risk. Bushfire protection measures for future development recommended within this report to achieve the requirements are listed below:

Asset Protection Zones (APZs)

Any future development within the subject site is to provide an Asset Protection Zone that maintains reduced fuel loads to ensure radiant heat levels at the buildings are below critical limits and prevent direct flame contact. APZs are to comply with PBP (2019) 5.3a.

Access

Any future development within the site is to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area. Access to is to comply with PBP (2019) 5.3b Acceptable Solutions or Performance Criteria. Where a performance solution is proposed this is to be consulted with NSW Rural Fire Service via a Bush Fire Design Brief or their pre-DA service.

Water, Electricity and Gas

Any future development within the site is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. Water, electrical and gas provision is to comply with PBP (2019) 5.3c.

EMERGENCY MANAGEMENT

Any future development within the site is to provide for a Bush Fire Emergency Management and Evacuation Plan is prepared by the operator consistent with the NSW RFS publication: A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan.

34L Pinedale Road Dubbo 2830

09 - SUMMARY

This report has been written to support a planning proposal for the reduction of the minimum lot size from 8 hectares to 5 hectares. Subject to the approval of the rezoning application, the land (Lot 103/-/DP1143590) may be subject to a rural residential subdivision proposal.

The development proposal is captured under EP&A Act s.9.1(2), 4.46 of the EP&A Act 1979. Direction 4.4 Planning for Bush Fire Protection applies to planning proposals that affect, or are in close proximity to, land mapped as BFPL (PBP 2019, s.4.4). Under Direction 4.4, the relevant authority must consult with the Commissioner of the NSW RFS and take into account any comments made.

The subject site is located within the Dubbo Regional Local Government Area (LGA) approximately 5 km east of municipal of Dubbo. An existing homestead is located in the north west quadrant of the site. The primary access is via Pinedale Road to the south. The site is bounded by a crown road reserve to the north that connects to Beni Road to the east. The majority of the site is dominated by Grassland. The central northern part of the site contains a mix of Forest and Woodland. Refer to figure 00. Existing rural residences are located in the adjoining allotments to the east, west and south east.

With consideration of the potential for future rural residential subdivision, PBP indicates that conditions placed upon isolated subdivision reflect the need for occupants to be more self sufficient in regards defending their properties. With experience on other projects that have had constrained or deficient access, NSW Rural Fire Service have permitted an enhancement of other bushfire protection measures such as increased Asset Protection Zones, elevated construction requirements and additional water to reduce the reliance on access as a form of bushfire protection. The future allotments having an area of 5-8 hectares and mostly grassland are favourable to this approach.

It is our view that any future development within the subject site is not likely to increase the demand for emergency services responding to a bush fire. Future development would through the course of establishing new dwellings and associated asset protection zones, remove and further fragment potential bushfire prone land. From a bushfire protection perspective, this would benefit the existing residences to the west, east and south east.

34L Pinedale Road Dubbo 2830

Any future development will be serviced by Dubbo Regional Council reticulated water designed and installed to comply with RFS requirements. As the site(s) will be self sufficient there is no impact or burden for the land owner or local council to provide additional water infrastructure to the site. Future electrical gas and or electricity will be specified to comply with PBP (2019).

It is our view the planning proposal to reduce the minimum lot size from 8 hectares to 5 hectares can generally comply with Planning for Bushfire Protection. Certain types of development may not comply with PBP (2019) Acceptable Solutions for access however based on experience with other similar projects (and RFS consultation), other bushfire protection measures (eg., APZs, water and construction specifications) can be enhanced such that reliance on access as a form of bushfire protection is lessened. It is noted the dominant bushfire threat is the Forest to the north. The existing driveway connecting the site to Pinedale Road to the south provides safe access and egress for emergency services and residents.

Should the reader have any comments or question in relation to this report and would like to discuss, please get in contact.

Regard

MH

Matthew Noon

Grad.Dip. Design for Bushfire Prone Areas. BSc (Geology) 0406077222

T/A Bushfire Planning and Design



34L Pinedale Road Dubbo 2830

10 - REFERENCES

AS3959 (2018)	Australian Standard, Construction of buildings in bushfire-prone areas, AS 3959, Third edition 2018 Standards Australia International Ltd, Sydney.
BCA (2019)	Building Code of Australia 2019, Building Code of Australia, Australian Building Codes
	Board, Canberra 2019.
EPA Act (1979)	Environmental Planning and Assessment Act 1979, NSW Government, NSW, legislation
	found at www.legislation.nsw.gov.au
PBP (2019)	Planning for Bushfire Protection, a Guide for Councils, Planners, Fire Authorities,
	Developers and Home Owners. Rural Fire Service 2019, Australian Government
	Publishing Service, Canberra.
RFS (2015)	Rural Fire Service, Guide For Bush Fire Prone Land Mapping, Version 5b.

Appendix 3: Aboriginal Cultural Heritage Report (Dubbo Local Aboriginal Lands Council) 2022



PINEDALE RD, DUBBO

Aboriginal stakeholder cultural heritage survey report

DUBBO LOCAL ABORIGINAL LAND COUNCIL PROCEDURE FOR ABORIGINAL CULTURAL HERITAGE CONSULTATION AND INVESTIGATION



Aboriginal stakeholder cultural heritage survey report

1. Purpose of this assessment

This assessment forms part of a sub-division assessment for Stakeholders/Land Owners Anthony and Rebecca Rice-Ward. Procedure for Aboriginal Cultural Heritage Consultation and Investigation. Its purpose is to determine whether any features of Aboriginal cultural significance occur within the study area for this project, and whether they would be affected by the project. This assessment will be used to assist Anthony and Rebecca Rice-Ward in determining whether further assessment and consultation is required for this project.

2. Pro	ject d	letails
--------	--------	---------

Proj€	ect details:
a)	Project title: Pinedale Rd Project
b)	Location of study area: Pinedale Road, Dubbo, Map Provided
c)	Name of Aboriginal site officer(s) completing this assessment:
	1Geoffrey Toomey
	3

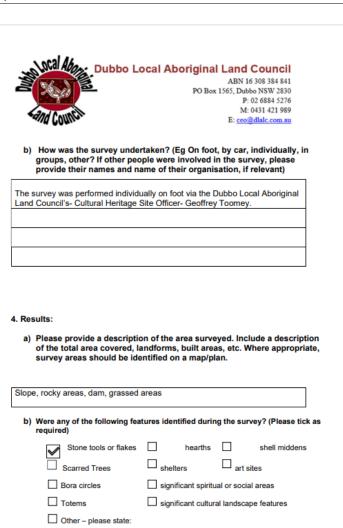
Dubbo Local Aboriginal Land Council

d) Name of Aboriginal organisation(s) represented by this survey:

Looking After Country ĨÌ



Looking After Country



Looking After Country

Î

56



Dubbo Local Aboriginal Land Council

ABN 16 308 384 841
PO Box 1565, Dubbo NSW 2830
P: 02 6884 5276
M: 0431 421 989
E: ceo@dlalc.com.au

If any of the above items were ticked, please provide a description including the location, quantity, size, condition and significance of the feature, if known. Where considered appropriate, this information should be identified on a map/plan).

Four brittle flakes located in the cattle yards, north-east corner at rear of house yard.

Looking After Country



 c) Is it likely that any of the above features may be present in the study area, despite not being positively identified during the survey?
 No. Yes. (If yes, where are they considered likely to occur?)

Yes, It is likely that any of the above features could be identified in the

d) If known, please provide a description of the natural resources used by Aboriginal people that are, or would have been, available within the study area. Please describe the significance of these resources to past and present Aboriginal communities.

Quartz, Basalt (Used to make tools, weapons). Past: Hunting, Fighting. Present: Remnants of our Ancestors.

 e) Please provide a description of past disturbances to the study area, if known, and how this may have affected Aboriginal cultural heritage features.

Cattle has been kept on the property in the past, which may have caused flake debris &/or axe heads/tools to be moved around. The property is situated on a slope as well and with the heavy rainfalls artefacts may be further displaced over time.

Looking After Country



5. Conclusion: The Rice-Ward Family propose to develop a subdivision on their property at 34L Pinedale Rd, Dubbo site Inspection Lot 103 D.P. 114 3590 (The Proposal). The aim of this report is to identify whether any Aboriginal objects would be impacted by the proposal, whether an Aboriginal Heritage Impact Permit (AHIP) would be required from Heritage NSW, and to recommend if any further assessment and/or management or mitigation measures are required. Survey was completed over one day on Saturday the 22nd October 2022. Survey was completed by Dubbo Local Aboriginal Land Council -Cultural Heritage Site Officer Geoffrey Toomey.

Is the project likely to affect any significant known or potential Aboriginal cultural heritage features as identified by the survey?

No.

Yes.

(If yes, please describe the features and how they would be affected).

Looking After Country



This assessment has been completed by:

Name:

Geoffrey Toomey

Transit sansife of

Position title: Cultural Heritage Site Officer

Provide title

Organisation name: Dubbo Local Aboriginal Land Council

26/10/2022

On the following date:

Looking After Country

Appendix 4: Aboriginal Heritage Inventory Management System (AHIMS) search result

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot: 103, DP:DP1143590, Section: - with a Buffer of 50 meters, conducted by Melissa Ward on 17 April 2024.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

- 0 Aboriginal sites are recorded in or near the above location.
- 0 Aboriginal places have been declared in or near the above location. *

Appendix 5: Preliminary Contamination Investigation, Envirowest 2024

Preliminary contamination investigation 34L Pinedale Road, Lot 103 DP 1143590, Dubbo NSW 2830 Barnson Pty Ltd (ABN 42 088 342 635) incorporating barnson. Envirowest Consulting Pty Ltd

• 9 Cameron Place, Orange NSW 2800 • Tel (02) 6361 4954 •

• Email accounts@barnson.com.au • Web www.barnson.com.au •

Docum	ent control						
Client	Rebecca Rice-Ward Firgrove Estate Dubb NSW, 2830						
Rev	Report number	Date	Prepared by	Checked by	Revision details/status		
0	R43843c	18/03/2024	Georgina Moir BEnvSc Environmental Scientist	Greg Madafiglio CEnvP Senior Environmental Scientist			
1	R43843c1	20/3/24	Greg Madafiglio CEnvP Senior Environmental Scientist	2	Minor edit corrections		
		9			1		
					3		

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Summary report

Background
A rural-residential subdivision is proposed for Lot 103 DP1143590 34L Pinedale Road, Dubbo NSW. The approved 8ha lots will be changed to 5ha lots under a rezoning application. A preliminary contamination assessment of the site is required to determine the suitability for rural residential land-use.

Objectives of investigation

The objective of the investigation was to determine suitability of the site for the proposed land-use.

The scope was to identify past potentially contaminating activities, identify potential contamination types, discuss the site condition, provide an assessment of site contamination and suitability for residential landuse. The scope of works included a desktop study and a review of available information.

A desktop study was conducted to inspect the site in February 2024. The current and historical land-use is grazing of sheep and horses. The site is in a rural locality with rural residential lots in the neighboring

One dwelling was constructed after subdivisions from a larger lot in the early 2000's. Two dams are located on the site.

Pasture species comprising native and introduced species are located on the site. White cypress pine in northern section of site.

No evidence of orchards, mines, sheep dips, mixing sheds or contaminating industrial activities are known to have been located on the site from the review of site history, desktop study and past owners. No agricultural chemicals or other contaminant sources are known to have been used on the site.

Recommendations

The site is suitable for rural residential land-use, as described in the rezoning application.

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Introduction

A rural-residential change of land-use is proposed for Lots 103 DP1143590 34L Pinedale Road, Dubbo NSW. Land-use change is a rezoning from 8ha lots to 5ha lots.

Agriculture including stock grazing and pasture improvement is the most recent and historical land-use. A preliminary contamination assessment of the site is required to determine the suitability for large lot rural residential land-use.

2. Objectives

The objective of the investigation was to determine suitability of the site for the proposed land-use change.

Scope of work

Envirowest Consulting Pty Ltd was commissioned by Rebecca Rice-Ward to undertake a preliminary contamination investigation, in accordance with the contaminated land management planning guidelines, from the Contaminated Land Management Act 1997 and the SEPP (Hazards and Resilience) of Lot 103 DP1143590 34L Pinedale Road, Dubbo NSW. The scope of works included a desktop study and a review of available information.

4. Site identification

4. Site identification	
Address	34L Pinedale Road Dubbo NSW 2800
Deposited plans	Lot 103 DP1143590
Latitude and longitude	-32.25° 148.71°
Geographic coordinates	55H E660925m S6430193m
Client	Rebecca Rice-Ward
Owner	Rebecca Rice-Ward
Current occupier	Vacant pasture
Area	Approximately 45ha
Local government area	Dubbo Regional Council
Current zoning	R5 – Large Lot Residential (Dubbo Regional LEP 2022)
Trigger for investigation	Change in land-use
Locality map	Figure 1

Site history 5.

Land-uses 5.1

The current and historical land-use is grazing of horses and sheep on semi-improved pastures.

5.2 Summary of council records34L Pinedale Road Dubbo is not mapped as an area of concern by the Dubbo Regional Council. According to the NSW Planning Portal, there is no current indication of:

- Significant contamination
- Subject to a management order Subject of an approval voluntary management proposal
- Subject to an ongoing maintenance order
- Subject to a site audit statement

5.3 EPA databases
The site is not listed on the NSW EPA register of contaminated sites (8 February 2024) or sites notified to the EPA (8 February 2024).

No sites listed on NSW EPA register of contaminated sites or sites notified to the EPA have been identified within 1km of the site.

Safework NSW Storage of hazardous chemicals

A search of the SafeWork NSW dangerous goods database was not considered necessary as no use of fuels was indicated from the searches and past land-uses.

POEO public register

No current or delicensed and former licensed activities under the POEO Act 1997 have been identified for the site.

Sites listed on NSW EPA POEO public register have not been identified within 1km of the site.

5.6 Other government agency databases The site is not listed on the following databases:

- National Waste Management Site database
- National Liquid Fuel Facilities database
- The NSW Government PFAS Investigation Program
- Defence PFAS Investigation Program
- Defence PFAS Management Program
- Airservices Australia National PFAS Management Program

No sites listed on government agency databases have been identified within 1km of the investigation

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5.7 Sources of information
A desktop study was conducted in February 2024 by Georgina Moir of Envirowest Consulting Pty Ltd NSW EPA records of public notices under the CLM Act 1997

Soil and geological maps
Historical aerial photographs (1964, 1971, 1980, 1995, 2009, 2023) including NSW Government historical imagery and Google Earth

Dubbo Regional Local Environmental Plan 2022

Interview with owner representatives

5.8 Review of historic aerial photographs, maps and plans

5.8.1 Aerial photographs

Year	Visual observations on site	Surrounding area				
1964	The site is in a rural locality and primarily cleared agricultural land. A cluster of trees is seen near the north site boundary and further trees are scattered throughout the site. Land-use appears to be grazing. Access road via Pinedale Road veers southwest onto adjacent property. Vehicle track on site visible halfway into site (Appendix 1).	a agricultural comprising grazing. Pinedale Road to the south is identifiable as a tree corridor. A dirt track and tree a corridor are identifiable as part of the north site boundary. Beni State Conservation Area to the East of the site.				
1971	Tree cluster near north site boundary appears to have been removed. Small dam constructed towards the Southeast corner of the site.	Tree and shrubbery cluster on properties to the north and east appear to have also been removed.				
	Countries of the disc.	Small number of rural-residential dwellings constructed				
1980	Previously removed woodland tree cluster appears to have regrown minimally or been replanted.	on the surrounding properties to the east.				
		Multiple additional rural-residential dwellings constructed				
1995	Dam constructed in the Northwest corner of the site. Vehicle track within the site extended northwest towards the site boundary (Appendix 2).	on the surrounding properties.				
	, , , , , , , , , , , , , , , , , , ,	Subdivision of surrounding sites and further rural-				
2009	Existing vehicle tracks on site are more pronounced and additional supporting vehicle tracks have been developed throughout the site.	residential dwellings appear in the immediate surrounds.				
	100 100 m + 120 1 m 100 100 100 100 100 100 100 100 10	Additional tree corridors, tree clusters and subdivision of				
2023	New bitumen access road created from Pinedale Road to main site. Four dwellings constructed in the Northwest corner of the site (Figure 2).	plots emerge in the area. Rural-residential dwellings and infrastructure increase further in the surrounding area.				

5.8.2 Topographic maps
The 1986 topographic map based in 1980 aerial photography and 1985 field revision depicts scattered timber on the southern half of the site and scrub on the remaining northern half of the site. The layout of Lot 105 is as current Lot 103 is expressed.

The current topographic map (SIX Maps) aligns with the 1986 map, depicting an area of medium timber on the northern half of the site.

5.8.3 Historical parish maps

The site is situated in the parish of Beni, County of Lincoln.

Map date	Owner	Details
1884	Benoit Veyrard	Part of larger holding, Portion 105, 100 acres and Portion 106, 300 acres
1892	Benoit Veyrard	Part of larger holding, Portion 105, 100 acres and Portion 106, 300 acres.
1902	Benoit Veyrard	Part of larger holding, Portion 105, 100 acres and Portion 106, 300 acres.
1908	Benoit Veyrard	Part of larger holding, Portion 105, 100 acres and Portion 106 300 acres.
1914	Benoit Veyrard	As current layout, Portion 105, 100 acres.
1919	E.V. Brown	Portion 105, 100 acres.
1930	E.V. Brown	Part of larger holding, Portion 105, 100 acres and Portion 25, 50 acres.
1954	E.V. Brown	Part of larger holding, Portion 105, 100 acres and Portion 25, 50 acres.
1968	E.V. Brown	Part of larger holding, Portion 105, 100 acres and Portion 25, 50 acres.
1970	E.V. Brown	Part of larger holding, Portion 105, 100 acres and Portion 25, 50 acres.

5.9 Interview with site owner

Discussions with current owner representative were undertaken. A Statutory Declaration from the previous owner outlined between 1980 and 2010 the land-use was agricultural including, but not limited to, stock grazing both cattle and sheep, pasture improvement. Currently horses have been grazed on the property since she received ownership (Appendix 3).

5.10 Chronological list of site uses
The site has a historical broadacre agricultural land-use comprising semi improved grazing. No cropping is known on the site. The site has most recently occupied half a dozen horses and is currently vacant.

5.11 Heritage listings
The site is not listed on the following government heritage databases:

- Commonwealth Heritage List
- National Heritage List
- State Heritage Register
- Local Environmental Plan (Dubbo LEP 2022)

The site is identified as being within 1km of an area subject to Heritage conservation as designated by the relevant NSW environmental planning instrument (EPI) under the Environmental Planning and Assessment Act 1979. 24L Eulomogo Road Dubbo, is directly south and not expected to have impacted the contamination status of the site.

5.12 Buildings and infrastructure

One dwelling and three sheds are situated in the Northwest corner of the site, built between 2009 and 2012 (Sixmap Aerial Imagery). The sheds are for the storage of machinery, horse exercise yards and garage. Two dams have been constructed on the site, one located south of the dwelling cluster and one Northeast of the site entrance. Historically, the access road via Pinedale Road was unsealed and provided access to the neighbouring plot. Currently, the access road from Pinedale Road is sealed and forms the site boundary.

5.13 Spills, losses or discharges

No bulk chemicals have been stored or used on the site.

5.14 Relevant complaint history

5.15 Previous investigations
No previous investigation for contamination on the site are known.

5.16 Historical neighbouring land-use

North - Rural, Whitewood Road

South - Pinedale Road, Rural, Agricultural

East – Rural, Beni Drive, Beni State Conservation Area West – Rural, Whitewood Road

5.17 Contaminant sources

The farm has been a low input operation and no known contamination sources have been used or stored on the site. No cropping is known to have occurred on the site consequently fertilisers and pesticides have not been used. Grazing comprised local and naturalised species and the application of pesticides and fertilisers was not considered necessary. No bio solids are known to have been applied to the site.

5.18 Contaminants of concern
Based on historical activities and available online information, there are no potential contaminants of concern associated with agricultural land-use.

5.19 Integrity assessment
The site history was obtained from a desktop study and history review. The information is consistent with the current site condition and to the best of the assessor's knowledge keep.

Site condition and surrounding environment 6.

6.1 Site inspection

A desktop study was conducted to examine the site by Georgina Moir of Envirowest Consulting Pty Ltd in February 2024.

6.2 Land-use

The current land-use is grazing by horses.

6.3 Current neighbouring land-use North – Rural-Residential, Whitewood Road

South - Pinedale Road, Rural-Residential

East - Rural-Residential, Beni Drive, Beni State Conservation Area

West – Rural-Residential, Whitewood Road

6.4 Surface cover and vegetationThe site was vegetated with a ranged of natural and opportunistic species.

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Evidence of visible contamination

6.6 Topography

The site morphology is a mid-slope with very gently declined slope of 0 to 1% to the southwest. The average elevation is 353 metres above sea level

6.7 Soils and geology
The site is part within the Eulomogo and Wongarbon Soil Landscapes. Soil in the Eulomogo Soil Landscape is dominated by red earths consisting of dark reddish-brown to light reddish-brown sandy loam topsoil with a gradual boundary to dark reddish-brown to light reddish-brown, fine sandy clay loam subsoil. Mottled yellow and grey clay occurs at depth. Parent materials consist of in-situ and colluvial-alluvial material with pockets of basaltic alluvium.

Euchrozems and red cracking clays are co-dominate soils in the Wongarbon Soil Landscape. Euchrozems consist of dark reddish-brown clay loam to light clay topsoil with a gradual change to dark reddish-brown light to medium clay to dark red light to medium clay subsoil. Red cracking clays consist of reddish-brown medium clay with a gradual change to Reddish-brown heavy clay subsoil.

6.8.1 Surface water

Surface water flow to the south west. Troy Creek is located 1.5km from the site.

6.8.2 Groundwater

One groundwater bore was identified on the site using NSW Government Water website (2024). The onsite bore is not viable and has been abandoned. Two additional groundwater bores are within 500m of the site on the NSW Government Water website (2024). No Water-Bearing Zones (WBZ) or Standing Water Level (SWL) data was available, and the bore status was identified as abandoned or unknown respectively.

No.	Date drilled	Location	SWL (m)	Use	Status
GW068437	26/01/1990	350m SW			Abandoned
GW800042	15/11/1991	400m SW		Stock	Abandoned
GW002027	01/03/1927	Onsite		Not known	

Evidence of possible naturally occurring contaminants

No natural sources of PAH were identified

The site is not mapped as an acid sulphate soil risk (State Government of NSW and Department of Planning, Industry and Environment 1998).

The site is not mapped as a geological unit with asbestos potential (State Government of NSW and Department of Regional New South Wales 2015).

6.10 Environmentally sensitive features or habitats

The site is cleared agricultural land. No environmentally sensitive features or habitats were identified on the site. The tree cluster on northern half of the site and a tree corridor to the south of the site along Pinedale Road are identified as biodiversity on the Terrestrial Biodiversity Map (Dubbo LEP 2022).

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6.11 Integrity assessment

The site history was obtained from desktop study and history review. The information is consistent with the current site condition and to the best of the assessor's knowledge is accurate.

Conceptual site model

Contaminant sources

No known contaminants sources have been identified for the site. Pesticides and fertilisers are not known to have been used. The farmland has been low input grazing with semi improved naturalised and native species. No potential contaminating activities to have been identified from the review of site history.

7.2 Contaminants of concern

Based on historical activities and available online information, the potential contaminants of concern associated with agricultural land-use are:

No contaminants identified

7.3 Potential receptors
The proposed land-use of the site is rural-residential. Current and historical land-use is low input grazing of sheep and horses.

Human receptors include:

- Residents (adults and children)
- Visitors
- Site workers
- Construction workers
- Intrusive maintenance workers

Ecological receptors include:

- · Flora and fauna on the site and adjacent to the site
- · Aquatic flora and fauna receptors off-site

Exposure pathways

Pathways for exposure to contaminants are:

- · Dermal contact following soil disturbance
- · Ingestion and inhalation after soil disturbance
- · Surface water and sediment runoff into waterways Leaching of contaminants into the groundwater
- · Direct contact of flora and fauna with the soil

7.5 Source receptor linkages
Potential source pathway receptor linkages are identified to enable evaluation of any adverse impact on human health or ecology.

No contaminant sources have been identified and consequently no viable linkages to health or the environment are present.

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The source receptor linkage to aquatic organisms and ecosystems is considered incomplete as the site is well vegetated and movement of sediments from the site is unlikely.

Source/contaminants	Transport	Potential exposure pathways	Receptors
☐ Use of pesticides and fertilisers Heavy metals Organochlorine pesticides	□Wind □Sedimentation □Groundwater □Surface water □Volatilisation	□Direct contact (ingestion and absorption) (human and environment) □Inhalation □Runoff □Leaching	Residents (adults and children) Visitors (adults and children) Construction workers Intrusive maintenance workers Vegetation Aquatic receptors

⊠Potential, □unknown/unlikely

Results and discussion

The site is currently semi improved pasture. Historical land-use is low density grazing of sheep and horses. Four buildings and two dams were identified on the site from review of current and historical imagery. The buildings were constructed after 1990. Recent land use has been for the adjistment and storage of horses.

Discussions with site owner and review of aerial imagery was undertaken to determine the site history of grazing. The site was subdivided from farm land. No sheep yards or sheep dips are located on site. No use of fertilisers or farm chemical was identified from site historical review.

Site characterisation

Not applicable as no contamination sources were identified.

10. Conclusi 10.1 Summary Conclusions and recommendations

A desktop study was conducted to inspect the site in February 2024. The current and historical land-use is grazing of sheep and horses. The site is in a rural locality with rural residential lots in the neighboring

One dwelling was constructed after subdivisions from a larger lot in the early 2000's. Two dams are located on the site.

Pasture species comprising native and introduced species are located on the site. White cypress pine in northern section of site.

No evidence of orchards, mines, sheep dips, mixing sheds or contaminating industrial activities are known to have been located on the site from the review of site history, desktop study and past owners. No agricultural chemicals or other contaminant sources are known to have been used on the site.

10.2 Assumptions in reaching the conclusions

An accurate history has been obtained and typical past farming practices were adopted.

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10.3 Extent of uncertainties

The site history is typical of small farm in the locality.

10.4 Suitability for proposed use of the site The site is suitable for rural-residential land-use.

Limitations and constraints on the use of the site

Nil

10.6 Recommendation for further work

Nil

11. Report limitations and intellectual property

This report has been prepared for the use of the client to achieve the objectives given the clients requirements. The level of confidence of the conclusion reached is governed by the scope of the investigation and the availability and quality of existing data. Where limitations or uncertainties are known, they are identified in the report. No liability can be accepted for failure to identify conditions or issues which arise in the future and which could not reasonably have been predicted using the scope of the investigation and the information obtained.

The investigation identifies the actual subsurface conditions only at those points where samples are taken, when they are taken. Data derived through sampling and subsequent laboratory testing is interpreted by geologists, engineers or scientists who then render an opinion about overall subsurface conditions, the nature and extent of the contamination, its likely impact on the proposed development and appropriate remediation measures. Actual conditions may differ from those inferred to exist, because no professional, no matter how well qualified, and no sub-surface exploration program, no matter how comprehensive, can reveal what is hidden by earth, rock or time. The actual interface between materials may be far more gradual or abrupt than a report indicates. Actual conditions in areas not sampled may differ from predictions. It is thus important to understand the limitations of the investigation and recognise that we are not responsible for these limitations.

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ITEM NO: CCL24/153

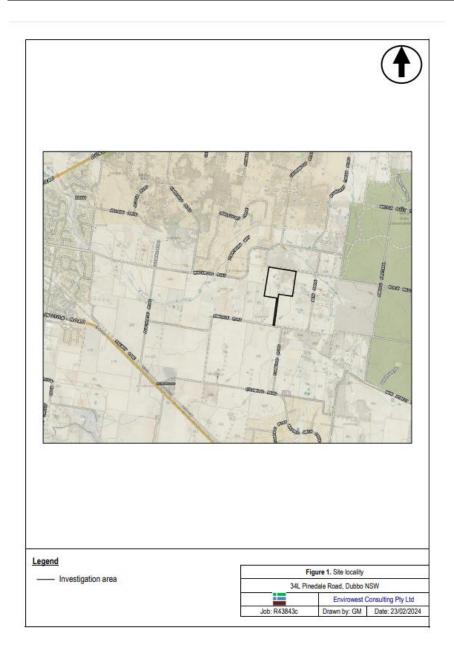
Planning Proposal: Amend minimum lot size 34L Pinedale Road Dubbo

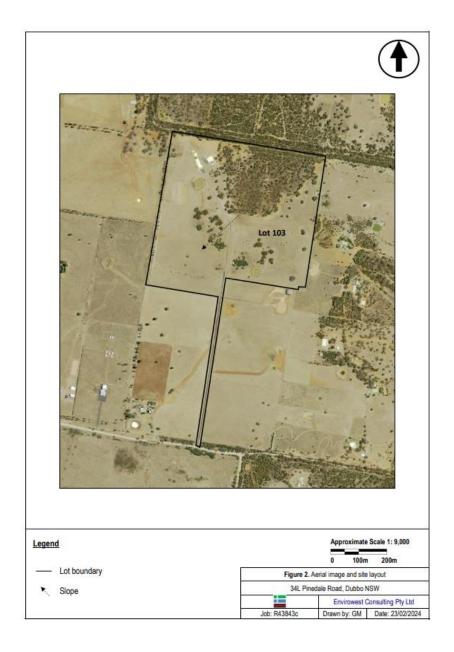
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Figures

Envirowest Consulting Pty Ltd R43843c1

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Figure 3. Photographs of the site



Appendices







The only "special justification" for not removing a face covering is a tegitimate medical reason (at September 2018)

1, PATRICK RAYMOND CHARLES O'LEAN	yor 6 WATERWAY CRESCON: DUBLO WAY 283
do hereby solemnly declare and affirm	that a loss / 2
We owned the property 34L Pinedale Road	Dubbo from October 1980 June 2010
During this time the land was used for STOCK - CATILE 2 SHEEP GR	

[the facts to be stated according to the dec	slarant's knowledge, belief, or information, severally]
	to the matter (or matters) aforesaid, according bject to the punishment by law provided for any aration.
Declared at: 🏻 🕹 රිජ්ය [place]	on 18th July 2022
Ist. O Lasy in the presence of an authorised witness, w	(signature of declarant)
1, CHARLES SEEMAN ACTION [name of authorised witness]	, a Justice of the Peace, Recio No. 110497 guardication of authorised witness)
certify the following matters concerning the	e making of this statutory declaration by the person
who made it: [* please cross out any text that	does not apply)
1. *I saw the face of the person OR-11-di	d not see the face of the person because the person
was wearing a face covering, but I am	satisfied that the person had a special justification1
for not removing the covering, and	
 4-have known the person for at least 12 m 	nonths OR "I have confirmed the person's identity using an
identification document and the document	I relied on was NSW DRIVERS LICENCE
NUMBER 9205Jr	[describe identification document relied on]
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September 2018)

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REPORT: Development Application D23-500 - Commercial Premises (Shopping Centre)

Lot 101 DP 1302321, 2 Stream Avenue Dubbo

Applicant: The Trustee for Maas Commercial Shopping Centre Southlakes Unit Trust

Owner: Maas Group Properties Southlakes Pty Ltd

DIVISION: Development and Environment

REPORT DATE: 14 June 2024 TRIM REFERENCE: ID24/1123

EXECUTIVE SUMMARY

Purpose	Provide planning approval
Issue	The estimated cost of works for the subject Development Application is \$24,820,416 which is in excess of the CEO's delegation of \$5 million. As such determination by Council is required rather than determination under delegated out beginning.
	required rather than determination under delegated authority.
Reasoning	 The application is 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. Consent is sought for a commercial premises at Lot 101 DP1302321, 2 Stream Avenue Dubbo No submissions were received. The proposal is a permitted land use in the E1 zone under the Dubbo Regional Local Environmental Plan 2022.
	 The proposal is permitted within the R1 zone under Clause 5.3 of the Dubbo Regional Local Environmental Plan 2022. The proposal is consistent with the relevant objectives of the E1 and R1 zones under Dubbo Regional Local Environmental Plan 2022. The proposal is generally compliant with the provisions of the Southlakes Estate Development Control Plan 2013, and any variations are considered justified.

	development the natural a The proposal It is recommoderations.	 development will not result in any significant adverse impacts to the natural and built environments. The proposal is consistent with the public interest. It is recommended that the application be approved, subject to 							
Financial	Budget Area	Amended Section 94 Contributions Plan — Baseds Traffic Management and Car Parking							
Implications		Roads, Traffic Management and Car ParkingWater and Sewerage Contributions Policy							
	Funding Source	In applying the abovementioned policies, the proposed development will be levied \$2,039,977.15 (2023/2024 financial year) in developer contributions.							
	Proposed Cost	There are no proposed costs to Council arising from the proposed development.							
	Ongoing Costs	There are no ongoing costs to Council arising from the proposed development.							
Policy Implications	Policy Title	 Dubbo Regional Local Environmental Plan 2022 State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Industry and Employment) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 Southlakes Estate Development Control Plan 2013 Amended Section 94 Contributions Plan – Roads, Traffic Management and Car Parking Water and Sewerage Contributions Policy 							
	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: 3.2.5 Neighbourhood shopping centres provide attractive and

convenient services and facilities

TS

RECOMMENDATION

- 1. That development application D23-500 for a Commercial Premises (Shopping Centre) at Lot 101 DP 1302321, 2 Stream Avenue Dubbo be approved subject to conditions (Appendix 1).
- 2. That Council grant delegation to the Chief Executive Officer to sign the determination (approval).

Stephen Wallace

Director Development and Environment Senior Planner

1. REPORT

Proposed Development

Council is in receipt of a Development Application for a commercial premises at Lot 101 DP 1302321, 2 Stream Avenue Dubbo.

Specifically, the Development Application seeks consent for the following:

- Commercial premises
 - A total Gross Floor Area (GFA) of 7,642.5m² comprised of 6,396.89m² Net Lettable Area (NLA)
 - Storage, services/cleaners, and communications rooms; and
 - o Amenities.
- Extinguishment of restriction of use of the land from the 88B instrument.
- Site preparation including retaining walls and earth works.
- Development of the shopping centre and ancillary structures.
- Signage including tenancy signage.
- 320 car parking spaces
 - Shade sails over three of the five parking rows in the centre of the carparking area.
- An on-site detention system and surface storage within the proposed car park.
- All internal driveways and hard stand areas to accommodate parking and loading/ unloading.
- Landscaping and public domain works including tree planting, paving, construction of driveways and perimeter footpaths.

The submitted architectural plans are provided in **Appendix 4**.

The internal fit out and specific operational matters (including hours of operation) for all tenancies will be subject to first use Development Applications. A condition to this effect will be imposed accordingly.

Consultation

Internal Consultation

Building Assessment

Council's Senior Building and Development Certifier (SBDC) in the report dated 9 November 2023 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.

Engineering Assessment

Council's Senior Development Engineer (SDE) in the report dated 21 May 2024 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 included on the consent.

Environment and Health Assessment

Council's Environment and Health Services Team Leader (EHSTL) in the report dated 13 November 2023 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 included on the consent.

Recreation and Open Space Assessment

Council's Manager Recreation and Open Space in the email dated 8 February 2024 did not raise any significant issues that require further investigation or that would prevent the Application from being granted consent with conditions.

External Consultation

Legal Advice

Legal advice from Marsdens Law Group was sought in relation to the interpretation of Clause 7.13 of the Dubbo Regional Local Environmental Plan 2022. A copy of the response is provided in **Appendix 2**. This will be discussed as part of the Clause 7.13 assessment later in the report.

Economic Impact Assessment Review

Hill PDA was engaged to undertake a peer review of the submitted Economic Impact Assessment. A copy of the response is provided in **Appendix 3**. This will be discussed as part of the Clause 7.13 assessment later in the report.

2. SITE CHARACTERISTICS

Locality

The allotment is located within the south-eastern corner of the Boundary Road and Stream Avenue intersection. The allotment has an area of 2.39 hectares with a frontage of 198.18m to Boundary Road. For a locality map of the site see **Figure 1.**

Slope

The site slopes from the north (281.75m AHD) down to the south (279.5m AHD).

Vegetation

The site is void of significant native vegetation.

Access

Access to the site is obtained via Stream Avenue, a bitumen sealed public road with kerb and guttering.

Services

The site would be connected to all utility services (water, sewer, stormwater and electricity) along with fire safety services including hydrants and pumps.



Figure 1: Locality map of Lot 101 DP 1302321, 2 Stream Avenue Dubbo

Drainage

Stormwater would be collected by grated stormwater pits located across the site and then be discharged to underground stormwater pipes. The pipes drain to the existing stormwater pit along the eastern boundary before discharging into the drainage channel along the eastern boundary via a headwall.

Adjoining uses

North: Vacant land zoned R2 Low Density Residential (future Keswick development)

South: Future residential development within the R1 General Residential zone approved

under D23-275

East: Drainage channel and future residential development within the R1 and R2 Low

Density Residential zones (under assessment D22-210)

West: Future residential development within the R1 & R2 zones approved under D20-05

Site Inspection

An inspection of the site was conducted on 8 November 2023. Photos are provided in **Appendix 5**.

3. SITE HISTORY

The subject land was created under D20-585 as a development lot and a subsequent Development Application for a boundary adjustment under D23-569 granted consent for the extension of the southern boundary 20m further south. The subdivision has been registered.

Given this is the first Development Application for a land use there are no other relevant applications or issues from previous development approvals, which require further consideration.

4. PLANNING ASSESSMENT Section 4.15(1)

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

- Environmental planning instruments (State Environmental Planning Policies (SEPPs) and Local Environmental Plans (LEPs);
- Draft environmental planning instruments;
- Development control plans;
- Planning agreements;
- Regulations;
- Environmental (natural and built), social and economic impacts;
- Suitability of the site;
- Submissions; and
- Public interest.

(a)(i) Environmental Planning instruments

SEPP (Biodiversity and Conservation) 2021

The subject land is currently vacant. An assessment of the land in relation to the requirement of the Biodiversity Conservation Act 2016 was undertaken by AREA Environmental & Heritage Consultants. In correspondence dated 6 February 2023 AREA confirmed:

No regeneration of native trees or shrubs was observed, which is likely to indicate a highly depleted seed bank consistent with a historically cropped paddock. In general, the species assemblage, and condition of the land was typical of historically highly disturbed landscape...

The land is consistent with the poor conditions, and historic disturbance which underpins the definition of Category 1 – Exempt land. It is recommended no additional survey is required on this land.

As such no further assessment or investigation is required.

SEPP (Industry and Employment) 2021

Chapter 3 – Advertising and Signage

The proposed development includes a large number of signs including business identification signage, building identification signage, and directional signage. Plans indicating the signage schedule are provided in **Appendix 4**.

The plans provide the following specific details of the proposed signage:

Sign	Size Area Illumination Count		Description		
No.					
SN-01	3m x 10m	30m²	Internal	1	Pylon signage
SN-02	1m x 3m	3m²	Internal	7	Wayfinding signage
SN-03	3.654m x 1m	3.7m ²	Internal	3	Major identification signage
SN-04	3.654m x 0.8m	2.9m²	Internal	3	Major identification signage
SN-05	3.4m x 0.525m	1.8m²	Internal	5	Alfresco signage
SN-06	5m x 1m	5.0m ²	Internal	1	Specialty tenancy
SN-07	5m x 1m	5.0m ²	Internal	1	Specialty tenancy
SN-08	2.4m x 1m	2.4m ²	Internal	1	Specialty tenancy
SN-09	4.35m x 1m	4.4m²	Internal	1	Specialty tenancy
SN-10	9m x 1m	9.0m ²	Internal	1	Specialty tenancy
SN-11	8m x 0.6	4.8m²	Internal	1	Shopping centre entry signage
SN-12	1.9m x 0.525m	1.0m ²	Internal	1	Specialty tenancy
SN-13	4m x 1m	4m²	Internal	2	Specialty tenancy
SN-14	0.68m x 0.33m	0.2m ²	Internal	5	Alfresco blade signage
SN-15	10.43m x 1.65m	17.2m²	Internal	1	Click and collect
SN-16	21.31m x 4.68m	99.7m²	N/A	1	Click and collect wayfinding
					painting
SN-17	15.79m x 4.28m	67.6m²	N/A	1	Major

As such, the aims of the SEPP are 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,
 - (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.

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:

Character of the area

- Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?
- Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?

COMMENT: The proposed signage is consistent with the desired future character of the shopping centre. Although there is no theme to signage within the surrounding landscape of the site (given the residential nature of the estate) the proposed signage is considered to be consistent with shopping centres.

Special areas

 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?

COMMENT: The proposed signage does not detract from the amenity or visual quality of any special areas as there are none in proximity to the site.

Views and vistas

- Does the proposal obscure or compromise important views?
- Does the proposal dominate the skyline and reduce the quality of vistas?
- Does the proposal respect the viewing rights of other advertisers?

COMMENT: Given the location of the site within a highly disturbed residential setting, there are no significant views or vistas that the proposed signage would impact.

Streetscape, setting or landscape

- Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?
- Does the proposal contribute to the visual interest of the streetscape, setting or landscape?
- Does the proposal reduce clutter by rationalising and simplifying existing advertising?
- Does the proposal screen unsightliness?
- Does the proposal protrude above buildings, structures or tree canopies in the area or locality?
- Does the proposal require ongoing vegetation management?

COMMENT: The proposed signage ranges from 0.2m² (blade signage related to alfresco eating area) to 99.7m² (painted wayfinding signage related to click and collect location). Each of the signs are considered to be located on the site/building in manner that is consistent with the respective scale and proportions. It is considered that the number and location of the signs are acceptable and not excessive or visually overwhelming which is important considering that a number of the signs are for directional purposes.

Site and building

- 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?
- Does the proposal respect important features of the site or building, or both?
- Does the proposal show innovation and imagination in its relationship to the site or building, or both?

COMMENT: Given the large scale nature of the development, the signs are considered compatible with the scale, proportion and characteristics of the site and building. The signs are to be located in suitable locations on the building including under parapet, external wall and other standard sign locations on buildings and wayfinding sign locations.

Associated devices and logos with advertisements and advertising structures

 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?

COMMENT: The proposed development does not include any advertising structures.

Illumination

- Would illumination result in unacceptable glare?
- Would illumination affect safety for pedestrians, vehicles or aircraft?
- Would illumination detract from the amenity of any residence or other form of accommodation?
- Can the intensity of the illumination be adjusted, if necessary?
- Is the illumination subject to a curfew?

COMMENT: Given the land is located within a residential subdivision a condition of consent will limit the illumination intensity to ensure adverse impact to neighbouring properties are managed.

Safety

- Would the proposal reduce the safety for any public road?
- Would the proposal reduce the safety for pedestrians or bicyclists?
- Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?

COMMENT: The signage would not overhang any public road or footpath and would not obscure sightlines. As such it is unlikely adverse impacts to pedestrians, cyclists or motorists will result. The proposed pylon signage has been located in a manner that will not adversely impact sightlines for motorists and pedestrian along Boundary Road.

The proposed development is considered to be generally consistent with the assessment criteria of the SEPP.

SEPP (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

Council's Environment and Health Services Team Leader in the memo dated 13 November 2023 states:

The proposed site is not listed on Council's register of potentially contaminated land.

The SEE refers to a 2019 contamination investigation conducted by Envirowest Consulting. This investigation was for the larger subdivision. The current application location (Lot 601 [now, Lot 101]) formed a small portion of the north western corner. The area of the current application was used to stockpile excavated soil and is referred to as the "Northern stockpiles" (Figure 3) in 2019.

The Envirowest Consulting report analysed the Northern stockpiles and found no evidence of contamination.

The MAAS Group Construction Management Plan does not address contamination issues.

Standard Condition recommended.

Given the contamination assessment concluded the site is suitable for residential use and the proposed commercial use is less sensitive than residential, no concerns are raised in relation to contamination concerns. Additionally, the site will be fully capped in hardstand once the development is completed. Standard condition in relation to unexpected finds is to be imposed on the consent.

SEPP (Transport and Infrastructure) 2021

Chapter 2- Infrastructure

Section 2.48

The application was referred to Essential Energy in accordance with Clause 2.48 for which they responded in correspondence dated 25 October 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.

Section 2.122 & Schedule 3

In accordance with Section 2.122 and Schedule 3, any development which includes 200 or more car parking spaces on land with access to a road (generally) is considered to be traffic-generating development and is required to be referred to Transport for NSW (TfNSW). A referral was undertaken accordingly and a response dated 31 October 2023 provided the following advice and comments:

- 1. Given the eastmost driveway from Boundary Road provides left-turn only access for heavy vehicle entry to the site, it is expected that heavy vehicles will travel south from the Mitchell Highway (HW5) via Sheraton Road. Council should consider imposing a condition that ensures that deliveries by heavy vehicles generated by the proposed development occur outside AM/PM peaks of both the future shopping land use and school zone times.
- 2. The proposed access driveways on Boundary Road have a wide, splayed design that promotes high speed entry for light vehicles which creates safety risk for pedestrian on the footpath. Council is to consider Part 6A of the Austroads Guide to Road Design: Paths for Walking and Cycling before determining the application noting that the width may need to be reduced to allow for safe interaction between pedestrians and vehicles entering the site at entry points from Boundary Road.
- Council should ensure that the proposed development is designed to support active transport options including provision of safe pedestrian connectivity, bus services with suitably located bus stops, and safe cycling options.

In relation to (1) above, a condition of consent will be imposed accordingly.

In relation to (2), Council's Senior Traffic Engineer has reviewed the application and the considered Part 6A of the Austroads Guide to Road Design: Paths for Walking and Cycling. In response to the above, the following comments are made:

• The north-eastern driveway is provided for heavy vehicles to access the loading area. The width of the driveway is required as per the submitted turning paths. The combined 8m wide entry/exit onto Boundary Road is provided with an island to assist in reducing speeds and increase safety to pedestrians and cyclists. Additionally, a condition of consent will require the footpath to be setback from the gutter and brown colour to be used to delineate the footpath from the driveway. Line marking and signage will also be installed and parking will not be permitted along the Boundary Road frontage of the site.

In relation to (3), conditions of consent have been recommended in relation to the establishment of bus zones and bus shelters adjacent to the development along Stream Avenue. Additionally, the existing footpath along Boundary Road and Stream Avenue will provide suitable pedestrian options.

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

<u>Dubbo Regional Local Environmental Plan 2022</u>

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

Clause 1.2 Aims of Plan

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

Clause 1.4 Definitions

The proposed development is defined as a *commercial premises* and does not include any first use approvals. The applicant accepts this will necessitate separate first use approvals for each of the 'commercial' tenancies prior to occupation. This will be conditioned accordingly.

Commercial premises is defined as follows:

commercial premises means any of the following—

- (a) business premises,
- (b) office premises,
- (c) retail premises.

The proposed development also includes signage which is defined as:

signage means any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following—

- (a) an advertising structure,
- (b) a building identification sign,
- (c) a business identification sign,

but does not include a traffic sign or traffic control facilities.

Clause 1.9A Suspension of covenants, agreements and instruments

The land is burdened by an easement to drain water (2m wide), an easement to drain sewerage (2m wide and variable), and a restriction on the use of land.

It is noted building works will not encroach on this easement as the easements are solely located within the car park area. An appropriate condition on the consent will ensure no works encroach this easement.

The subject site has restrictions imposed on the use of the land in the form of a Covenant.

The restriction in the 88B Instrument states the following:

The owner of Lot 601 does not have direct vehicular access to Boundary Road.

The proposed development indicates access to and from Boundary Road which contravenes this restriction. The application seeks to extinguish this restriction. The prelodgement meeting minutes discuss this matter as follows:

Traffic arrangements noted. Proposes entry off Boundary Road (primarily for delivery vehicles), one exit to Boundary Road, a combined entry/exit from Stream Avenue, and an exit to Stream Avenue (primarily for delivery vehicles). Council advised they will support this arrangement. While initial intentions were to restrict access/egress to/from Boundary Road (refer to restriction on 88B Instrument), the restricted nature as proposed is supported. Other matters of note for traffic management:

- Traffic Impact Statement required, demonstrating no adverse impact on traffic functions of the local road network;
- Signage to restrict access to the rear loading area and the Boundary Road entry driveway (i.e. this access is restricted to delivery vehicles only);
- Treatment at the Boundary Road egress driveway to ensure egress only from those vehicles at the click and collect area, and no egress from the general car park;
- Combined entry/egress driveway on Stream Avenue to be a minimum of 8 metres wide in accordance with DCP requirements;
- Plans to show dimensions of roadways to demonstrate vehicles do not have to cross onto the opposite side of the road to enter/exit the site.

The submitted plans are generally consistent with the comments provided. Originally, the plans indicated the rear egress being for all customers rather than restricted to those egressing the click and collect area. The amended plans have addressed this matter now showing line marking and kerbs showing no egress option for click and collect customers.

Clause 2.2 Zoning of land to which Plan applies

The subject site is zoned E1 Local Centre & R1 General Residential.

Clause 2.3 Zone objectives and Land Use Table

The proposed development for a commercial premises, and signage is permitted with development consent in the E1 Local Centre zone and complies with the relevant objectives of the E1 Local Centre zone as follows:

• To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.

- To encourage investment in local commercial development that generates employment opportunities and economic growth.
- To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.
- To encourage development that is consistent with the commercial centres hierarchy of Dubbo.

Further assessment of the development in regard to Council's Employment Lands Strategy will be undertaken later in this report.

The proposed development is also to be located over land located within the R1 General Residential zone. The relevant objectives of the zone are as follows:

- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure development is consistent with the character of the immediate locality.

The proposed development is consistent with the relevant objectives of the zone.

Clause 5.3 Development near zone boundaries

Subclause (1) states the objective of this clause is to:

... provide flexibility where the investigation of a site and its surroundings reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site and be compatible with the planning objectives and land uses for the adjoining zone.

At the time of lodgement, the application also included a boundary adjustment which proposed to extend the southern boundary of the subject land 20m further south. The boundary adjustment portion of the development was withdrawn and a separate application was lodged (D23-569) with consent being granted on the 20 December 2023. The boundary adjustment was registered on the 17 April 2024. The proposed development seeks to utilise the entire new lot which will result in a portion of the development being located within the R1 zone. As such, subclauses (2) & (4) is considered below.

Subclauses (2) & (4) state:

- (2) This clause applies to so much of any land that is within the relevant distance of a boundary between any 2 zones. The relevant distance is—
 - (a) for a boundary shared between any land and land in Zone E1, ... -20 metres, and
 - (b) ...
- (3) ...

- (4) Despite the provisions of this Plan relating to the purposes for which development may be carried out, development consent may be granted to development of land to which this clause applies for any purpose that may be carried out in the adjoining zone, but only if the consent authority is satisfied that—
 - (a) the development is not inconsistent with the objectives for development in both zones, and
 - (b) the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land.

The proposed 20m wide use of the adjoining property within the R1 zone is consistent with (2)(a) above.

In accordance with subclause (4)(a) the development is not inconsistent with the objectives of both zones as detailed above under Clause 2.3. In relation to (4)(b), the proposed development is considered to be desirable and will be assessed further under Clause 7.12 below.

Clause 5.14 Siding Spring Observatory – maintaining dark sky

The proposed development includes a number of internally illuminated signs across the site and outdoor lighting within the carparking/loading areas. The application has been accompanied by an External Lighting Layout which demonstrates lighting will generate up to 13,435 lumens. Additionally, the plans note lighting has been designed in accordance with the relevant Australian Standards; and 'lighting control switch on to 100% until dusk through to 12pm. From 12pm luminaries to dim to 20% output with motion sensor standby to dawn. When motion is detected after 12pm lighting to dim back up to 100% only in location when motion is detected (not entire system) until motion is no longer detected.'

It is considered the external lighting proposed has been designed and will be operated in manner that will not adversely impact to ongoing operation of the Siding Springs Observatory.

A standard condition requiring lighting to be managed to not cause nuisance to motorists, pedestrians and neighbouring properties will be imposed on the consent.

Part 6 Urban release areas

Clause 6.1 Arrangements for Designated State Public Infrastructure

Under the provisions of this clause, the Director-General is required to certify that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to the land.

Correspondence from the NSW Department of Planning – Director General in association with a residential subdivision to the west of this development site (D12-19) dated 14 December 2012 states:

I certify that satisfactory arrangements are in place for the provision of State public infrastructure in respect of the areas shown on the attached map titled 'Areas of Land of Director General's Satisfactory Arrangement Certification — South East Dubbo'.

Such plan includes all the Urban Release Areas in the south-east sector of Dubbo, which includes the subject land. Consequently, it is determined that the requirements of subclause 6.1(2) have been satisfied.

Clause 6.2 Public Utility Infrastructure

The proposed subdivision meets the objectives of this clause as all infrastructure and utility services (i.e. roads, water, sewer, telecommunications and stormwater) are available to service the site, as required.

Clause 6.3 Development Control Plan

In accordance with this clause a site specific Development Control Plan (DCP) has been prepared for this site and adopted by Council on 27 July 2016 (Southlake's Estate Development Control Plan No.2). A detailed assessment of the relevant parts of the DCP and compliance of the application will be undertaken later in this report.

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 placed on the consent.

Clause 7.5 Groundwater vulnerability

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

Clause 7.7 Airspace operations

The subject site is located within the Obstacle Limitation Surface Map at height 423.5m AHD. The site for the proposed development has a surface level of 281.75m AHD at the highest down to the lowest point at the south of 280m AHD. The development has a height of 10.575m that equates to an overall height of 292.325m AHD, 131.175m below the surface map.

Clause 7.12 Shops on certain land in Zone E1

- (1) The objective of this clause is to maintain the commercial centres hierarchy of Dubbo by encouraging retail development of an appropriate scale in neighbourhood centres.
- (2) This clause applies to land identified as "Area D" on the Land Zoning Map.
- (3) Development consent must not be granted to development for the purposes of retail premises on land to which this clause applies if the gross floor area of the development will exceed 1,000m².
- (4) In deciding whether to grant development consent to development for the purposes of shops with a gross floor area of 500m² or greater, in 1 or more tenancies, the consent authority must—
 - (a) consider the economic impact of the development, and
 - (b) be satisfied the development is consistent with the commercial centres hierarchy of Dubbo.

The proposed development is to be provided with a gross floor area (GFA) of 7,642.5m². As such, the development clearly exceeds the 1,000m² GFA maximum and does not comply with the clause. However, the subject land is benefitted by an additional permitted use which is detailed under Clause 7.13.

Clause 7.13 Development on certain land at Boundary Road, Dubbo

This clause (previously Clause 7.12A of the Dubbo Local Environmental Plan 2011) relates to the land identified as '8' on the Additional Permitted Uses Map which is the land the subject of this application.

Upon assessment of the application it was noted the wording of Clause 7.12A has been significantly altered as part of the process to consolidate *Wellington Local Environmental Plan 2012* and *Dubbo Local Environmental Plan 2011* to create *Dubbo Regional Local Environmental Plan 2022*. A comparison of the two clauses is provided below:

Dubbo Local Environmental Plan 2011 7.12A Retail premises on certain land at Boundary Road, Dubbo (1) This clause applies to that part of Lot 1002

- (1) This clause applies to that part of Lot 1002, DP 1236775 at Boundary Road, Dubbo that is:
 - (a) within Zone B1 Neighbourhood Centre, and
 - (b) identified as "5" on the Additional Permitted Uses Map.
- (2) Despite any other provision of this Plan, development consent may be granted to development for the purposes of retail premises on land to which this clause applies with a gross floor area that will exceed 1,000 square metres but will not exceed 5,000 square metres.
- (3) Before granting consent to development under this clause, the consent authority

Dubbo Regional Local Environmental Plan 2022 7.13 Development on certain land at Boundary Road, Dubbo

- (1) This clause applies to Lot 601, DP 1282437, Boundary Road, Dubbo.
- (2) Development consent must not be granted to the erection of a building with a gross floor area greater than 1,000m² but less than 5,000m² on land to which this clause applies unless the development is for the purposes of retail premises.
- (3) Development consent must not be granted to more than 1 recreation facility (indoor) or more than 1 pub on land to which this clause applies.
- (4) In deciding whether to grant development consent to development under this clause, the consent authority must—

must consider the economic impact of the	(a) consider the economic impact of
proposed development and be satisfied	the development, and
that the proposed development will not	(b) be satisfied that the development
have an adverse impact on the commercial	is consistent with the commercial
hierarchy of Dubbo.	centres hierarchy of Dubbo.

Council's Growth Planning Branch has confirmed that the clause was altered by NSW Premier and Cabinet during the Planning Proposal process. However, they had been informed that the reworded clause would achieve the same intent as the original.

As part of the assessment of this Development Application, legal advice (**Appendix 2**) was obtained to determine whether Clause 7.13 prevents consent being granted to a retail building with a floor area greater than 5,000m². The advice confirmed that Clause 7.13 does not maintain the original intent of Clause 7.12A:

While clause 7.12A(2) of DLEP 2011 would have achieved this outcome, our view is that clause 7.13 of DRLEP 2022 would likely be interpreted as having no application to a retail premises with a GFA of greater than 5,000m², meaning such a development would be permissible with consent in the ordinary course...

As such, although Clause 7.13 relates specifically to the subject land, the clause does not apply to the subject development application due to the floor area not being within the 1,000m² - 5,000m² range. As such, a merit based assessment will be undertaken accordingly.

Employment Lands Strategy, 2 July 2019

Council's Employment Lands Strategy aims to:

- To facilitate and promote the orderly and sustainable provision of employment lands in Dubbo;
- To review the characteristics of the Dubbo commercial hierarchy and its role in ensuring the continued orderly and economic development of commercially-zoned land;
- To review the location and characteristics of the Industrial Candidate Areas and their effectiveness;
- To review the location and characteristics of institutional activities in the City including the importance of health and education facilities.
- To review the location, function and supply and demand for tourist land.
- To ensure the City maintains a suitable supply of employment land having regard to projected floorspace requirements during the life of the Strategy;
- To facilitate options and initiatives for the renewal of employment land precincts to attract business investment; and
- To facilitate the preparation of structure plans for key employment land precincts.

Since the 1950-60s a shift from traditional high street retailing to the development of shopping centres where convenience shopping and parking is prioritised has been seen. More recently, the trend has been extended to include supermarkets within the smaller centres (such as neighbourhood centres) in close proximity to residential growth areas on the urban periphery.

Dubbo has eight neighbourhood centres within the former B1 zone. The proposed Southlakes Shopping Centre is one of the eight identified.

The proposed Southlakes Shopping Centre is identified within the Local Centres (Neighbourhood) hierarchy which relates to third order centres for Dubbo. The type of development within this hierarchy are small scale centres that can provide a variety of retail uses, business premises or community uses that serve the needs of the nearby residential and/or business community. These centres provide a more convenient alternative to the CBD for day-to-day convenience shopping. The Southlakes neighbourhood centre is expected to have an approximate trade area of 10,000 residents by 2031.

The proposed development seeks to provide a commerical development to serve the growing urban release area. The development contains a number of commerical tenancies.

An Economic Impact Assessment (EIA) was submitted with the application. The EIA details the proposed development is consistent with the function of a 'neighbourhood centre' in relation to the Employment Lands Strategy and goes on to undertake an assessment of retails needs and potential retail development in Dubbo. The assessment concludes:

The trading impacts arising from the development of a retail centre on the surrounding area are estimated between 4.2% and 12.2%. We deem these impacts to be within acceptable limits and are unlikely to threaten the viability of current retailers. Additionally, trading impacts are expected to soften over time.

Council engaged Hill PDA to undertake a peer review of the submitted EIA (Appendix 3). The review concluded the proposed development was likely to have the following retail trade impacts on the various locations within Dubbo, as per Table 5 (Figure 2) below.

The report goes on to detail that although there are no universal measures of the significance of economic impact, there are references in various consultancy reports and statements in the Land and Environment Court. Such references suggest that a loss of trade below 5% is considered insignificant, 5–10% is low to moderate, 10–15% is moderate to high and above 15% is a strong or significant impact.

Table 5 (**Figure 2**) below indicates:

... the strongest immediate impacts in absolute terms will be on Orana Mall, with a loss of \$22.4 million (9%) loss in trade. Tamworth Street local centre is expected to experience the greatest impact as a proportion of its turnover (at 11%). However, this is the immediate impact – the difference between the proposal and the do nothing option. From 2023 to 2026 these competing centres will enjoy considerable growth in trade due to population growth and real growth in retail spend per capita. As shown in the far right column of the table, impacts on Tamworth Street local centre as a result of the proposed centre are expected to reduce to 5.5 per cent loss in trade, which is considered to be a low to moderate impact. These impacts will lessen over time as the population continues to grow. All impacts on other competing centres are expected to be insignificant.

The trading performance of Orana Mall is currently exceeding average levels with a moving turnover per square meter at \$9,599. This indicates a demand for additional retail floorspace in the area and shows that Orana Mall could feasibly absorb the potential loss in trade resulting from the establishment of the proposed centre ...

1	2	3	4	5	6	7	8	9	10
Retail Centre	Distance from Subject Site (km)	Approx. Retail Floor Space	Turnover in 2023	Turnover in 2026 without Proposal	Turnover in 2026 with Proposal	Immediate Shift in Turnover	% Shift in Turnover in 2026	Shift in turnover from 2023 to 2026	% Shift in turnover from 2023 to 2026
Proposed Centre					55.0	55.0			
Tamworth Street	3.4	2,500	22.3	23.6	21.1	-2.6	-10.8%	-1.2	-5.4%
Orana Mall	3.0	23,800	227.5	245.0	222.6	-22.4	-9.2%	-4.9	-2.2%
Dubbo Square	5.3	13,050	113.4	122.1	112.7	-9.4	-7.7%	-0.7	-0.6%
Riverdale SC	6.1	6,100	55.2	58.6	53.3	-5.3	-9.0%	-1.9	-3.5%
Macquarie street	6.1	21,950	164.6	177.3	174.1	-3.2	-1.8%	9.4	5.7%
Aldi	5.2	1,900	20.9	22.5	20.9	-1.6	-7.1%	0.0	0.1%
Victoria St	6.0	3,000	24.6	26.1	24.7	-1.4	-5.5%	0.1	0.3%
Delroy	8.6	3,800	37.8	40.2	36.7	-3.5	-8.7%	-1.2	-3.1%
Other Localities						-5.5			
TOTAL		76,100	666.3	715.4	720.9	0.0	0.8%	54.5	8.2%

Columns:

- 1. Retail Centre Name (includes strip shops)
- 2. Distance in kilometres from subject site (source: Googlemaps).
- 3. Various including Shopping Centre News, PCA Shopping Centres Directory, Hill PDA Floorspace Surveys.
- 4. Various including Shopping Centre News, PCA Shopping Centres Directory, Shopping Centre Annual Reports, Urbis Retail Averages, Other Consultancy Reports and Hill PDA Estimate.
- 5. Allows for population growth (variable for each centre) and real growth in retail spend per capita of 1.0% per annum in line with the historic trend since 1986 (Hill PDA Calculation from ABS Retail Sales, population estimates and CPI indexes).
- 6. The turnover of centres following the proposed development. The forecast turnover of the proposed development is redirected from the existing centres based on distance and size.
- 7. Immediate shift in turnover. This is difference between the development and the do nothing options (i.e. Column 4 minus Column
- 8. Immediate percentage shift in turnover divided by the turnover in 2026 without the development (ie Column 6 Column 5)
- 9. This is the shift in turnover from 2023 to 2026 after the opening of the new development (Column 6 minus Column 4)
- 10. This is shift in turnover from 2023 to 2026 divided by the base turnover in 2023

Figure 2: Table 5 of the Peer Review report authored by Hill PDA.

The report concludes:

... our analysis demonstrates that the projected growth in the revised main trade area (urban release area) can sustain the proposed retail development on-site without compromising the viability of the retail hierarchy. This development will cater to the area's growth, offer convenient retail options for new residents, stimulate the economy during both the construction and operational phases, and generate employment opportunities. Therefore, it is supported from an economic perspective in our view.

As such, the proposed development is consistent with the commercial hierarchy of the Employment Lands Strategy and can be supported from an economic perspective.

(a)(ii) Draft Environmental Planning instruments

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

(a)(iii) Southlakes Estate Development Control Plan

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.

Part 3 Commercial and Non-Residential Development

Element 1 Building setbacks

Buildings are to be setback minimum 10m and setbacks (front, side and rear) are to be increased where overshadowing impacts adjoining development. The proposed primary shopping centre building is setback 10m from all boundaries.

The proposed 3.3m high trolley bay and truck enclosure building is located within the 10m setback. Given the retaining wall and fencing along this boundary will have an overall height of 3.6m high (minimum 0.3m higher than the building), no concerns are raised.

Shadow diagrams submitted demonstrate that there are no significant overshadowing impacts on adjoining existing and proposed properties (as approved under D22-275). Shadow impacts on the residue allotment (Lot 4629) will be considered as part of any future development application for that lot.

Element 2 Building design

The proposed development has been designed to be visually appealing as shown in **Appendix 4.** The development generally adopts a contemporary appearance relating to the function of the building and the characteristics of surrounding development.

The northern (Boundary Road), western (Stream Avenue), and eastern elevations are generally provided with features relative to the function of the building. The northern elevation (Boundary Road) is provided with articulation in the form of the 'click and collect' area, variation in cladding material/colours, and variation to the roof form which assists in reinforcing the corner allotment as a landmark feature from both street frontages.

The building is provided with an exterior constructed of non-reflective and neutral in colour (apart from the signs) as required.

The southern elevation features a large, white painted, expansive wall which is not permitted. However, due to the natural contours of the land, a retaining wall of up to 1.2m high with a 2.4m high fence (as per the submitted Noise Impact Assessment (NIA) – to be discussed later in the report), resulting in a boundary barrier of 3.6m high is provided. As such, approximately 7m of building would be visible from the land from the south (residential subdivision approved under D23-275) and for motorists travelling northbound along Stream Avenue. However, due to the natural ground levels to the south being lower than the shopping centre, and the setback of the building, the building will be visually unobtrusive to landowners to the south and motorist travelling to the north. As such, it is considered that the visual impact of the southern elevation is insignificant in relation to streetscape and visual amenity.

The building addresses Stream Avenue and Boundary Road, however, does not address the open space drainage reserve to the east. Given the topography of the land, the proposed retaining wall and acoustic fence requirements it is considered that requiring the building to address the drainage reserve area would be problematic. Also, if the building was required to address the drainage reserve, this would likely result in the loading area being adjacent to residential development to the south and this is not considered appropriate due to noise generation. No concerns raised in relation to the orientation of the building.

As required, pedestrian entrance points directly face and are visible from a public road and are delineated through variation in the building façade, textures and materials. Pedestrian access to the building is assisted via pedestrian aisles along and within the parking bay rows with one access point provided just north of the main entrance and one being along the northwestern corner of the building. As detailed above, an external lighting plan has been submitted that satisfactorily addresses lighting requirements.

As part of the applicant's response to Council's further information request, a Crime Prevention Through Environmental Design (CPTED) assessment on the proposed development has been undertaken as follows:

Principal 1 Natural Surveillance

The attractiveness of crime targets can be reduced by providing opportunities for effective surveillance, both natural and technical. Good surveillance means that people can see what others are doing. People feel safe in public areas when they can easily see and interact with others. The proposal has been designed to provide effective natural surveillance and technical surveillance. The development entry is clear and visible from the accessing car park. Blind corners have been avoided in all communal pathways and visitor car parks. All communal pathways are direct and unscreened by landscaping.

Principal 2 Access Control

Physical and symbolic barriers can be used to attract, channel or restrict the movement of people. They minimise opportunities for crime and increase the effort required to commit crime. Physical barriers are used to restrict access to the internal areas within the building that only require access by staff members. The developments entry is clear and visible from the accessing car park.

Principal 3 Territorial Reinforcement

Community ownership of public space sends positive signals. Well used places also reduce opportunities for crime and increase risk to criminals. Community ownership also increases the likelihood that people who witness crime will respond by quickly reporting it or by attempting to prevent it. The development creates a strong distinction between public and private areas through clear transitions and boundaries between public and private spaces. Physical barriers are used to restrict access to the internal areas within the building that only require access by staff members.

Principal 4 Space Management

Popular public space is often attractive, well maintained and well used space. Linked to the principle of territorial reinforcement, space management ensures that space is appropriately utilised and well cared for. To ensure effective space management staff will employ strategies to achieve site cleanliness, rapid repair of vandalism and graffiti and the removal or refurbishment of decayed physical elements. The development and landscaping will be well maintained and allow for appropriate utilisation. The design finishes incorporate a mixture of materials to achieve a high quality outcome that promotes pride and a sense of place for the community regarding the facility.

Council concurs with the above assessment.

Element 3 Landscaping

The submitted landscape plan indicates a variety of trees, shrubs, grasses and ground covers to be provided to the site to offset the bulk and appearance of building and soften the hardstand areas. Development fronting a public road must be provided with trees with a mature height of 8m and be a minimum of 1.5m high at planting. The plans indicate trees will range in height between 7m - 20m and a mature width between 4m - 11m. The larger trees are to be placed along the eastern and southern boundaries. The medium and smaller trees are to be located along the northern boundary and within the car parking area. The plans indicate shrubs, grasses and groundcovers up to 2m high and various widths. Further, landscaping is provided along all boundaries apart from the southern most customer parking spaces along the southern boundary.

The DCP requires car parking areas visible from the road are provided with landscaping bays at a rate of 1: 10-12 car parking spaces. The plans indicate the carparking area is provided with five rows of double car parking spaces as follows:

- Northern-most row (Row 1) provided with 42 parking spaces and 5 landscaping bays
 landscaping provided at a rate of 1: 8.4
- Row 2 provided with 46 parking spaces and 5 landscaping bays
 landscaping provided at a rate of 1: 9.2
- Row 3 provided with 44 parking spaces and 4 landscaping bays = landscaping provided at a rate of 1: 11
- Row 4 provided with 46 parking spaces and 6 landscaping bays
 landscaping provided at a rate of 1: 7.6
- Row 5 provided with 46 parking spaces and 4 landscaping bays = landscaping provided at a rate of 1: 11.5

Overall, the rows are provided with landscaping for 224 carspaces, resulting in landscaping bays being provided at a rate of 1: 9.3 parking spaces. No further action required.

Carparking spaces provided along the northern and western boundaries are provided with landscaping within the relevant setbacks. Customer parking along the southern boundary is provided with two large landscaping areas at either end of row (23 spaces with two landscaping area = 1: 11.5). The staff parking areas along the southern and eastern boundaries are provided with a 1.5m and 3.0m wide landscaped areas along the respective boundaries.

It is considered that the scale, massing and location of the proposed landscaping is suitable to soften the appearance of the building and site. A condition of consent will require all trees to be a minimum 1.5m high at planting.

The proposed development is to be provided with a retaining wall of up to 1.0m along the southern boundary as approved under D23-275. As part of this development, the retaining wall will be extended an additional 117m (approx.) along the southern boundary and be up to 1.2m high. A 35m long, 1.5m high retaining wall will also be provided to the middle section of the eastern boundary (approx. 1-2m inside the boundary) to achieve suitable levels.

Acoustic fencing will be provided on top of the retaining wall along the southern boundary (2.4m above the FGL) and along the eastern boundary (2.1m above FGL).

The subject land is the northern most allotment of land adjacent to the drainage channel approved under D17-057. The drainage channel has been constructed from Hennessy Drive and almost up to Argyle Avenue as shown in **Figure 3**.



Figure 3: Extent of completed drainage channel within the drainage reserve indicated in blue. Extension required as part of this development application indicated in purple.

The drainage channel has been constructed as the Southlakes Estate has developed. Given the proposed development will be discharging to the northern most section of the drainage channel, a condition of consent will require the remainder of the drainage reserve to be extended all the way up to Boundary Road (indicated in purple above) as part of this application prior to the issue of any Occupation Certificate.

Additionally, as part of the construction of the drainage channel, landscaping to both sides in accordance with the approved landscaping plan will be required prior to the issue of any Occupation Certificate.

Element 4 Vehicular access and parking

The proposed development includes one combined ingress/egress point, and an entry only access point from Boundary Road. The site is also provided with two combined ingress/egress points from Stream Avenue and have a minimum width of 8m as required.

A condition of consent will require the ingress/egress points to be constructed in accordance with Council's specifications. The locations of the ingress/egress points do not conflict with any intersections or break in median strips. The northern most ingress/egress point along Stream Avenue is provided access via a reciprocal turning lane facilitating right-in/right-out movements from/to the site. Ingress/egress points are clearly signposted via SN-02 wayfinding signage as required.

As detailed in the photos provided in **Appendix 5**, the Stream Avenue frontage of the site is provided with three existing street trees. The carpark entrance along Stream Avenue will be located in a location that would conflict with one of the street trees. The applicant has detailed that one street tree is to be relocated to cater for the northern most driveway along Stream Avenue. Council's Manager Recreation and Open Space in the email dated 8 February 2024 states:

Due to the size of the tree (DBH <6cm) the Policy doesn't apply in terms of valuation. However, Peter has identified that there is a dead tree to the south of the tree that is being requested to be removed/relocated. Permission is granted for the developer to relocate the tree to this position, without the need for a replacement tree.

A condition of consent will be imposed accordingly requiring the tree that is impacted by the proposed driveway location be removed and used to replace the dead tree to the south.

In terms of internal manoeuvrability swept path plans for B85 (4.91m long), SRV (6.4m long), HRV (12.5m long), and S Articulated (19m long) vehicles have been submitted. The plans demonstrate each of the vehicles can enter, manoeuvre and exit the relevant area of the site in a forward direction without restriction. Additionally, the plans indicate two x 19m long delivery trucks can access and park at the rear loading dock whilst not impacting through traffic to the staff parking area.

The car parking area is provided forward of the building line. Parking along Stream Avenue is setback 3m from the boundary as required however, it is noted that along the splayed corner setback is reduced to 2.5m to allow for adequate manoeuvrability within the parking area. No concerns are raised in this regard given the scale of landscaping to be provided to the parking area. Parking along Boundary Road is provided with a minimum 1.975m to 3.75m landscaped area.

The submitted plans indicate 320 car parking spaces and six motorcycle parking spaces. Additionally, two x dual sided bicycle racks are also included near the front entrance of the building (adjacent to T7). Parking provision compliance will be considered under Part 4 below.

Parking spaces with dimensions of 5.4m x 2.4m have been provided as required within the 90-degree parking rows with the end spaces along the rows have been provided with a width of 3.0m as required to allow for suitable manoeuvrability. Additionally, the staff parking spaces along the southern boundary provided in an aisle format are consistent with the DCP requirements being 6.7m long and 2.5m wide.

A condition of consent will require the spaces be designed in accordance with the requirements of the DCP.

The loading and unloading areas have been designed and provided to facilitate use by the design vehicle. The loading/unloading bay has two unloading areas. Additionally, the swept plans indicate two x 19m long delivery trucks can access and park at the rear loading dock whilst not impacting through traffic to the staff parking area. A condition of consent will require all vehicles to enter and exit the site in a forward direction and restricting loading/unloading to be undertaken on site and not within public areas.

Element 5 Fencing and Security

The proposed development does not include front fencing along either of the street frontages. Fencing is to be provided along the southern (2.4m above FGL) and eastern boundaries (2.1m above FGL). The subject Noise Impact Assessment (NIA) provides the following requirements in relation to the construction of the acoustic fencing:

An acoustic fence is one which is impervious from the ground to the recommended height, and is typically constructed from lapped and capped timber, Hebel Powerpanel, masonry, retaining walls, or a combination of the above. No significant gaps should remain in the fence to allow the passage of sound below the recommended height. Other construction options are available if desired, providing the fence or wall is impervious and of equivalent or greater surface mass than the above construction options.

A condition of consent will require the acoustic fence to be constructed in accordance with the recommendations of the report.

The application does not provide any details in relation to intended use, if any, of security grilles. No concerns requiring the grilles are raised. A condition of consent will require that if grilles are proposed that an open-style product be used.

Element 6 Waste Management

Construction and Operation Waste Management Plans (CWMP & OWMP) have been submitted with the application as required. The CWMP details waste management strategies as follows: avoid and reduce, reuse, recycling and disposal. The CWMP outlines management strategies for demolition/construction and earthworks stages. Council's Environment and Health Services Team Leader in the memo dated 13 November 2023 confirmed:

The MAAS Group Construction Management Plan (3.8) identifies that any waste from construction will be disposed of in accordance with DRC requirements.

The OWMP states general waste and recyclable waste generated during the operation of the shopping centre will be collected twice a week. General waste will be collected in $3 \times 4.5 \text{m}^3$ bins and recycling will be collected in $2 \times 4.5 \text{m}^3$ bins. The plan states:

A private contractor will service the Proposal onsite, directly from the respective Bin Storage Area. The private contractor's waste collection vehicle will enter and exit the site in forward gear as per the turning templates submitted with this application. Centre management will oversee the relevant aspects of waste management at the Proposal.

In order to anticipate the volume of waste generated by the commercial premises, individual tenancy floor area was used in addition to rates from the EPA's *Better Practice for Waste Management and Recycling in Commercial and Industrial Facilities*. In addition to the above waste management the plan states:

The supermarket and associated Liquorland have their own back of house and manage waste through their own internal processes governed by national waste collectible contracts, and therefore has not been included in calculations.

As the proposed development does not include first use approvals for such tenancies no condition can be imposed. However, this will be considered as part of the future first use approvals for the relevant tenancies.

Element 7 Soil, water quality and noise management

• Soil and water quality

A condition of consent will require sediment and erosion control measures to be installed prior to the commencement of works and to remain in place for entirety of the construction period. Once operational, stormwater would be collected by grated stormwater pits located across the site and then be discharged to underground stormwater pipes. The pipes drain to the existing stormwater pit along the eastern boundary before discharging into the drainage channel along the eastern boundary via a headwall.

Council's Environment and Health Services Team Leader in the memo dated 13 November 2023 states:

The SEE identifies that that there will be no storage of solid on liquid waste within the site and any waste will be disposed of in accordance with DRC requirements during construction.

Post construction the SEE states that the development will increase the impervious area of the site, reducing the potential of water entering reserves. This, in conjunction with all stormwater being discharged into Council infrastructure, will remove any potential contamination of groundwater sources by the proposed development.

Standard conditions shall be imposed.

Noise Management

Council's Environment and Health Services Team Leader in the memo dated 13 November 2023 states:

The SEE briefly address noise pollution and vibration.

The MAAS Group Construction Management Plan (section 3.4) addresses noise pollution, including vibration during construction. Plan provides for standard working hours of Monday to Friday 7am to 5pm, Saturday 8am to 1pm with no work occurring Sundays or Public Holidays.

Standard Condition recommended.

In relation to operational noise, the proposed development (future supermarket, click and collect, commercial/retail tenancies, and loading dock) seeks to operate between 5am to 10pm. Originally, the plans indicated a number of different tenancy land uses (food and drink premises, gym etc.) The applicant has amended the plans to include only commercial tenancies as lease agreements for each of the tenancies have not been completed and there is no certainty as to how the tenancies will be used and the associated noise generation expected. The applicant accepts that this will require each tenancy to be subject to separate first use development application consents.

The NIA makes a number of recommendations in relation to site operations, loading dock use, mechanical plant, and acoustic fencing requirements. No concerns are raised subject to the development being constructed and operated in accordance with the recommendations of the NIA which will form a condition of consent.

Element 8 Infrastructure

Council's Senior Development Engineer in the memo dated 21 May 2024 states the following:

The subject land is serviced with the following Council civil engineering infrastructure assets:-

- A 150mm diameter town water supply reticulation main located along Stream Avenue and another 150 mm diameter water main is located along Boundary Road.
- A 150mm sewer main is located along Stream Avenue with a sewer junction located at the south-western side of the subject lot.
- Stormwater from the proposed development will be discharging from to the existing stormwater pit located at the southern side of the subject land along Stream Avenue.
- Access to the proposed shopping centre will be from Stream Avenue and Boundary Road, which is bitumen seal road with vertical kerb and gutter.

A Traffic Impact Assessment (TIA) is submitted by the applicant prepared by SECA solution dated 29 September 2023. The development application was referred to Council's Senior Traffic Engineer, who reviewed the Traffic Impact Assessment Report and provide the following comments:

- The intersection of Boundary Road with the proposed vehicular access to the development shall be constructed with an AUL at the entry for a design speed of 60 km/hr including the reconstruction of the existing kerb and gutter along Boundary Road and 3.5m wide brown colour footpath across driveway and associated line markings and signages.
- A bus bay needs to be provided along Stream Avenue including line marking and signage along Stream Avenue and Boundary Road including around the roundabout.
- No parking along Boundary Road and Stream Avenue for the full frontage of the development.
- Signages and line marking externally and internally.

A number of conditions have been recommended and will be imposed accordingly.

Element 9 Non-residential uses

Given its location on the corner of a residential street and Boundary Road (distributor), it is considered that the proposed development is suitably and consistent with the character of the surrounding residential development.

Although the proposed development will generate noise at a higher level than typical residential development it is considered that the impacts of the development on the adjoining residential land will be suitable managed via the application of the recommendations detailed within the NIA.

Part 4 General Provisions

4.1 Parking

As detailed above, the proposed development is provided with 320 car parking spaces, five motorcycle spaces and provision for bicycles. An assessment of the development in relation to Element 2 'Required rate of parking' is undertaken as follows:

Land Use	Parking	Floor Area	Parking Spaces Required	Parking Spaces Provided
	Rate			
Shopping	1:20m²	6,397m ² GLA	320 (rounded up from	320 spaces + 6 spaces
Centres			319.85)	'click and collect' + 5
				motorcycle spaces.

The development is provided with 320 plus six parking spaces for the 'Click and Collect' area which results in the parking provision exceeding the minimum by six spaces. A condition of consent will require the development to be provided with parking in accordance with the approved plans.

4.2 Landscaping

Landscaping is considered under Element 2 above.

4. FOOD ACT 2003

Although the original plans indicated a number of tenancies will be used as food and drink premises, the amended plans have not provided an intended use of the tenancies. The use of the tenancies will be assessed as part of future 'first use approvals' and an assessment under the Food Act 2003 will be undertaken at the time.

5. PUBLIC HEALTH ACT 2010

Although the original plans indicated tenancies would be used for a skin penetration purpose, the amended plans have not provided an intended use of the tenancies. The use of the tenancies will be assessed as part of future 'first use approvals' and an assessment under the Public Health Act 2010 will be undertaken at the time.

(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 and the purpose of the building.

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

Noting the boundary adjustment to extend the southern boundary further south by 20m under D22-569, it is considered the size and shape of the land is suitable for the proposed development.

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

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

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

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

Environmental considerations

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

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

Is the development likely to cause noise pollution?

Noise will be generated through construction through the use of power tools and the like. An appropriate condition will be included on the consent restricting work hours to minimise impacts to neighbouring property.

Access, transport and traffic

 Has the surrounding road system in the locality the capacity to accommodate the traffic generated by the proposed development? The surrounding road network is considered to have sufficient capacity to cater for additional traffic movements generated by this development.

(d) submissions

The Development Application was placed on notification for a period ending 28 October 2023, during which time adjoining property owners were notified in writing of the proposed development. Council received no submissions during the notification period.

(e) public interest

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

6. CONTRIBUTIONS Section 64 & Section 7.11

Contributions will be considered as below, noting credits (1ET under D20-585) that exist for the site. It is noted however, the floor areas detailed below are based on the submitted plans; first use approvals may result in additional contributions being levied when calculating the floor areas of the alfresco dining areas.

Sewer Headworks Contribution

Sewer contributions for commercial development is calculated on a 0.125 per 1,000m² floorspace (Net Lettable Area or NLA) or 0.04 per shop whichever is greater PLUS 0.5ET per toilet or urinal.

Contribution = 0.04 ETs per shop

= 0.04 x 21 tenancies + 0.5 ETs per toilet

 $= 0.84 + (0.5 \times 8 \text{ toilet/urinals})$

= 4.84 ETs - 1 ET credit

= 3.84 ETs

OR

Contribution = $0.125 \text{ ETs} / 1,000 \text{m}^2 \text{ NLA} = 6,396.89 \text{m}^2 / 1,000$

= 6.39 (round up to 6.4)

= 0.125 x 6.4 + 0.5 ETs per toilet

 $= 0.8 + (0.5 \times 8 \text{ toilet/urinals})$

= 4.8 ETs - 1 ET credit

= 3.8 ETs

The 0.04 ET/shop rate of 3.84 ETs is greater and as such, the relevant contribution is as follows:

Contribution = 3.84 ETs x \$6,696.75

= \$25,715.52

Appropriate conditions will be included on the consent for the payment of the above contributions, prior to the issue of the Occupation Certificate.

Water Headworks Contribution

The Plan does not provide a rate for shopping centres. As such Council's Manager Operations Water Supply and Sewerage has confirmed that Table 3.3 of the Plan be used to calculate Water Headworks contributions (which is consistent with the way in which water contributions for Delroy Shopping Centre under D08-091 were applied). Indicative staffing information for the entire premises has been submitted along with plumbing details for the public amenities.

Contribution:

Plumbing Fixtures	Amount	Rate	Total
Hand washing	6	55L	330L
Cleaning	2	5L	10L
Toilets/urinals	8	30L	240L
			580L

= 580L + 10% leakage

= 638L x 113 staff

= 72,094L / 5,000L (ET rate)

= 14.4ET - 1 ET credit

 $= 13.42ET \times $6,696.75$

= \$89,870.38

Appropriate conditions will be included on the consent for the payment of the above contributions, prior to the issue of the Occupation Certificate.

As plumbing details for the remainder of the tenancies is not available (as the use of the tenancies is unknown) water contributions may be imposed as part of the first use approvals should additional plumbing fixtures be proposed. A note to this effect will be included accordingly.

Open Space Recreation Contribution

The proposed development is commercial in nature and as such open space contributions do not apply.

Stormwater Contribution

Stormwater contributions for this land is calculated on a \$46,697.80 per lot basis. Contributions were charged under the relevant Plan at the time the lot was created under D20-585 and as such, no further contributions are applicable.

<u>Urban Roads Headworks Contribution</u>

Urban Roads contributions for Shopping Centres with a floor area of less than 10,000m² are calculated on a 67 trips per 100m² GFA basis. For the purpose of the Plan, GFA is defined as '... the sum of the area of each floor ... excluding stairs, amenities, lift corridors and other public area but including stock storage area.'

It is determined that the NLA of the development is consistent with the definition of GFA under the Plan. As such the contributions is calculated as follows:

Contribution = 6,396.89m² / 100

= 63.97 (rounded up from 63.968) x 67 trips

= 4,286 trips – 11 trip credit

= 4,275 trips x \$443.80 (commercial trip rate)

= \$1,897,245.00 + (\$6.35 (plan admin fee) x 4,275 trips

= \$1,897,245.00 (trip rate) + \$27,146.25 (plan admin fee)

= \$1,924,391.25

Appropriate conditions will be included on the consent for the payment of the above contributions, prior to the issue of the Occupation Certificate.

7. RESOURCING IMPLICATIONS

There are no financial implications arising from this report.

APPENDICES:

- 1. Conditions and Notations
- 2. Legal Advice
- **3** Economic Impact Assessment Peer Review
- **4** Architectural plans
- **5** Site Inspection

GENERAL CONDITIONS

Condition

(1) The development shall be undertaken generally in accordance with the stamped approved plans detailed as follows except where modified by any of the following conditions:

Drawing Title: Proposed Site Plan

Drawing Number: DA11
Revision: G
Dated: 05.06.24

Drawing Title: Proposed Ground Floor Plan

Drawing Number: DA12
Revision: H
Dated: 12.06.24

Drawing Title: Proposed Elevations

Drawing Number: DA14
Revision: D
Dated: 01.02.24

Drawing Title: DA Signage Floor Plans

Drawing Number: DA19
Revision: G
Dated: 05.06.24

Drawing Title: DA Signage Elevations Sheet 1

Drawing Number: DA20
Revision: E
Dated: 01.02.24

Drawing Title: DA Signage Elevations Sheet 2

Drawing Number: DA21
Revision: E
Dated: 05.12.23

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

(2) All solid waste from construction and operation of the proposed development shall be assessed, classified, and disposed of in accordance with the Department of Environment and Climate Change - Waste Classification Guidelines.

Whilst recycling and reuse are preferable to landfill disposal, all disposal options must be undertaken as required under the Protection of the Environment Operations Regulation 2014.

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

(3) The Erosion and Sedimentation Control Plan is required to be implemented onsite prior

to any site disturbance works being commenced and shall remain, in a maintained condition, until all site works are completed.

{Reason: To reduce the risk of polluting Council's storm water system}

(4) During periods of extended dry weather the site manager will be responsible for monitoring the site for dust generation. In the event that dust is being generated by truck movements the site manager will be required to provide measures to suppress dust. Suppression and mitigation of dust must be employed at all times including when no activities are taking place on the site.

{Reason: To prevent nuisance dust}

(5) 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: To ensure plumbing/drainage installation compliance}

(6) 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}

- (7) The top of the building's overflow (relief) gully shall be a minimum 150 mm below the lowest sanitary fixture in the building, and
 - (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.

{Reason: To protect the building from sewerage surcharges}

(8) The hot water delivered to the outlets of all hand-basins 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}

(9) 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) Prior to Construction Certificate, the applicant shall submit to Council a Waste Management Plan. Such Plan shall be approved by Council prior to commencement of the development and shall include but not be limited to, the following:
 - (a) Assessment of types of waste;
 - (b) Classification of each type of waste;
 - (c) Volume of each type of waste;
 - (d) Management and storage of waste onsite:
 - Method of waste disposal and disposal sites;
 - Method of waste transport to disposal sites; and
 - (e) Record keeping.

{Reason: To prevent possible environmental pollution}

(2) A separate application must be submitted to either Council or a registered certifier to obtain a Construction Certificate to authorise the erection of the proposed building work.

{Reason: To ensure a building approval for the work is obtained}

(3) 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: To ensure compliance with the BCA is demonstrated}

(4) All hard stand areas, driveways, car parking and loading areas shall be fully paved in accordance with Chapter 3.5 Parking (3.5.7 – Construction Requirements) of the Dubbo Development Control Plan 2013, of a standard suitable to withstand the proposed traffic loadings. The proposed surface design details are to be submitted in conjunction with the application for the Construction Certificate.

{Reason: To ensure appropriate works are undertaken}

- (5) Prior to the issue of a Construction Certificate plans demonstrating compliance with relevant recommendations of the submitted Noise Impact Assessment, authored by Reverb Acoustics, dated November 2023, Report No. 22-2780-R1 are to be submitted. {Reason: To ensure the commercial premises is designed to ensure noise generation during the operation of the building does not exceed allowable limits}
- (6) Prior to issue of the Construction Certificate, a separate application is to be made to Council, with the appropriate fee being paid, for the provision of a suitably sized metered water service to the development.

Note: As Council is the local water authority, separate metered connections will be require in respect to the provision of a suitably size domestic water meter and separate fire service meter to the development site.

{Reason: To ensure that the development is suitably serviced with water}

(7) 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

commercial standard concrete vehicular crossovers, and kerb and gutter vehicle entrances, constructed in accordance with Council's standards STD 5211 and STD 5235 being provided by and at full cost to the Developer off Boundary Road and Stream Avenue including brown colour footpath across driveway and associated line markings and signages ("Give Way Sign") to Councils satisfaction.

The access driveway is to be sufficient width at the roadway (kerb and gutter alignment) and the property boundary alignment such that a semi-trailer (19.0 m) (utilising the Austroads design templates, and a turning speed of 5 to 15 km/hr) is able to access the subject land in a forward motion from the through travel lane(s) of Boundary Road and Stream Avenue without the need to cross over onto the wrong side of the road at any time.

This work is to also include restoration of the road shoulder following construction in accordance with Council's adopted AUS-SPEC 1 Development Specification Series - Construction Standards.

All works shall be completed in accordance with the requirements of this condition prior to the issue of the Occupation Certificate.

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}

(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 the intersection of Boundary Road with the proposed vehicular access to the development shall be constructed by and at full cost to the Developer with the construction of an AUL at the entry for a design speed of 60 km/hr including the reconstruction of the existing kerb and gutter along Boundary Road and 3.5m wide brown colour footpath across driveway and associated line markings and signages to Council's satisfaction.

The existing 1.5m footpath along the frontage to the Boundary Road entry only vehicular access is to be realigned 2.0m to the south being 3.5m from the driveway layback to achieve vehicle separation and sight lines to pedestrians and cyclists.

The proposed Road to the development (ie the AUL component) is to be constructed with sufficient width so as to accommodate one-way traffic flow based upon the turning swept paths of 'design semi-trailer 19.0 m' (utilising the Austroads design templates, with a turning speed of 5-15 km/hr) with such design width to ensure that at no stages will a semi-trailer be required to cross over onto the wrong side of Boundary Road when entering the proposed development.

All works required to fulfil the above condition are to be undertaken in accordance with Council's adopted AUS-SPEC 1 Development Specification Series - Design and Construction standards.

Should Council's Senior Development Engineer (or his representative) not undertake the required routine inspections during the course of construction of this condition, then a detailed list of inspections undertaken by an accredited private certifier verifying compliance with 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 a satisfactory means of entry/exit}

- (9) Prior to the issue of the Construction Certificate, full and detailed hydraulic design calculations and drawings of the proposed development's stormwater drainage system shall be submitted to and approved by Council, regarding all driveways, hard stand areas and parking areas shall be drained to Council's satisfaction including followings:
 - Stormwater discharge from the development site is to be in accordance with "The Southlakes Estate eastern drainage Channel Stormwater Management Strategy", prepared by Premise report No 114135_SMS_004, Revision A 18 December 2020.
 - Should the site's impervious area exceed 85% then on-site detention must be provided.
 - Reuse of captured roof water to be maximised.
 - Pipes within the drainage reserve to be RRJ RCP minimum 375mm diameter.
 - Proposed pipe and headwall located within Council's Drainage Reserve is to be handed over to Council. Proposed Pit and stormwater system located within the lot boundary to remain the property of the land owner.
 - Redundant pipe and headwall within the drainage reserve to be removed.
 - Pollution to be controlled to remove oil, sediment and gross pollutants from the stormwater system prior to discharge into Council's stormwater system.
 - Provide confirmation that the stormwater proposed within the lot boundary is designed to AS/NZS3500.3 Plumbing and Drainage.
 - Confirm that a maintenance management plan and procedures has been provided to the property owner to ensure the implemented stormwater management system remains effective.
 - Provide Work as Executed (WAE) data for any works which modify Council's stormwater assets or create new stormwater assets that will be handed over to Council's care and control. WAE to detail x y coordinates (Easting; Northing) of pits, reduced levels (AHD) for pit and pipe inverts, materials, grate RL, pipe diameter, pipe class, pipe type, joint type, pipe length, pipe grade etc. A Registered Surveyor is to electronically amend and sign the approved 'design plan' to reflect the 'Works As Executed' information. In this respect the electronic copy of the Drawing file should contain the 'Works As Executed' information on a separate drawing layer in RED.
 - A CCTV Survey and Report for Council's Stormwater Asset is required for;
 - a. development works located within the vicinity of a Council Stormwater Asset on public or private land, and
 - b. any new stormwater infrastructure that has been constructed as part of a

development and will be handed over to Council's care and control.

The CCTV Survey is to be undertaken prior to works commencing (to ascertain existing condition) and prior to Occupation Certificate (to demonstrate there has been no damage to existing assets or that new assets have been satisfactorily constructed). The CCTV survey is to be undertaken in accordance with WSA05-2008 Conduit Inspection and Reporting Code of Australia, and is to meet the following requirements:

- The survey is to be undertaken using a suitably sized tractor mounted CCTV camera for the pipe size to ensure the camera is close to the centre of the pipe.
- 360 degree panning is required at every pipe joint with inspections also required at lifting holes
- o The video footage is to be in focus.
- Each pipe reach report is to have a cover page outlining the "from pit" and "to pit" numbers, pipe diameter, direction of survey, location, and date.
- o A new survey is required for each pipe reach.
- File format to be mpeg.
- The Electronic file name for each pipe reach report should be labelled using the following naming convention: 'Pipe ID number'_'Pit number' to 'Pit number' _Date

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

{Reason: To achieve a satisfactory means and method of stormwater drainage disposal from the development area}

(10) Prior to issue of the Construction Certificate, detailed design and drawings for the construction of two Bus Zones and Bus Shelters generally opposite each other on both sides of Stream Avenue immediately located north of the proposed two-way vehicular access to the development including line marking and signage along Stream Avenue leading from and to the existing roundabout at the intersection of Boundary Road and Stream Avenue at full cost to the Developer to Council's satisfaction.

In addition, it will also be required to make an adjustment to the roundabout directional arrow markings on the northern side of the roundabout for southbound traffic designating the right lane as a "right turn only lane" to ensure there is only one lane exiting southbound from the roundabout into Stream Avenue, removing vehicular conflict with the proposed bus zone to Council's satisfaction.

All construction works associated with this condition are to be undertaken 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 routine inspections during the course of construction of these footpaths, then a detailed list of inspections undertaken by an accredited private certifier verifying compliance with Council standards will be required to be lodged with Council prior to the issue of the Occupation Certificate for the proposed development. {Reason: Implementation of Council Policy}

- (11) Prior to issue of the Construction Certificate, a detailed fully dimension site plan is to be lodge with Council for construction by and at full cost to the Developer of the following to Council's satisfaction for the followings:
 - Installation of "No Left Turn" sign is required after entering the driveway from the
 eastern access on Boundary Road with additional signage for delivery vehicles,
 designated car spaces, click and collect and staff access shall be installed.
 - No parking shall be allowed along the Boundary Road and Stream Avenue for the full frontage of the proposed development.
 - The raised platform shall be installed at the nominated places to mitigate potential trip hazards.
 - "Keep Left" signs shall be installed within the median on both sides for enhanced traffic management.
 - The proposed pylon sign shall be installed at least 25m away from the tangent point along Boundary Road.
 - Marking of "Loading Zone" not to obstruct west bound travel lane.
 - Internal line marking and pavement markings.
 - "Semi-trailer"19.0m in length exiting the proposed development must turn right at Stream Avenue towards Boundary Road.

{Reason: The internal maneuverability and access to this area will only facilitate vehicles}

(12) Prior to the issue of the Construction Certificate, the applicant is required to make a separate 'Road Opening Application' (Section 138 Application under the Roads Act, 1993) with Council's Infrastructure Division, plus payment of any appropriate fee(s).

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

The Traffic Management Plan shall include layout plans showing temporary detours, details of arrangements for construction 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}

- (13) 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}
- (14) Prior to the issue of the Construction Certificate, a Soil and Water Management Plan,

prepared by a suitably accredited person, shall be submitted in accordance with Landcom, Managing Urban Stormwater, Soils and Construction, Volume 1, dated March 2004 ('The Blue Book').

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

{Reason: To manage/reduce erosion and sedimentation}

BEFORE BUILDING WORK COMMENCES

Condition

 Temporary closet accommodation shall be provided onsite before work on the proposed building is commenced. {Reason: To preserve public hygiene}

(2) 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 and the applicable approval to authorise such building works has been issued. {Reason: To protect public health & safety}

- (3) 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 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 work and not be removed until the work has been completed.

Note: In respect of (a) above, where Council is engaged as the Principal Certifier, the applicant can either prepare their own sign or alternatively, affix onsite the sticker that will be forwarded by mail following Council's issue of the Construction Certificate. {Reason: Permit contact by the public}

DURING BUILDING WORK

Condition

(1) 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}

(2) 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}

(3) Demolition and/or construction work shall only be carried out with the following time:

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}

(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 D2023-500.

Advanced notification for an inspection should be made by emailing 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 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.
 {Reason: For protection of persons and the public}
- (6) 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:

- (a) Protect and support the adjoining premises from possible damage from the excavation; and
- (b) Where necessary, underpin the adjoining premises to prevent any such damage.

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.

{Reason: To preserve the stability of adjoining properties}

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

following contribut	n Occupation Certificate, payment is required in acc
e following contribut	ions pians.
PLAN	CALCULATION
Dubbo Regional	Per ET basis (13.42 ETs) - pursuant to Sec 64 of the
Councils Water and	Local Government Act 1993 (Division 5 of Part 2 of
Sewerage	Chapter 6 of the Water Management Act 2000).
Contribution Plan	
2002	Current rate for water supply is \$6,696.75 per ET
	Contribution Payable WATER
Dubbo Regional	Per ET basis (3.84 ETs) - pursuant to Sec 64 of the
Councils Water and	Local Government Act 1993 (Division 5 of Part 2 of
Sewerage	Chapter 6 of the Water Management Act 2000).
Contribution Plan	
2002	Current rate for sewerage supply is \$6,696.75 per E
	- ,,,
	Contribution payable SEWER
	Total Section 64 Contributions Payable for this
	application
	Note : This amount includes all applicable contributions payable under Council's adopted Combined Water Supply and Sewerage
	Contributions Policy, November 2002, operating from 1 January
	2003.

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

Note 2: The first use development applications may incur additional contributions in accordance with Dubbo Regional Councils Water and Sewerage Contribution Plan 2002. {Reason: Implementation of Council's adopted Combined Water Supply and Sewerage Contributions Policy, November 2002, operating from 1 January 2003}

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

PLAN	CALCULATION	TOTAL
Sec 94 Development	Contribution Rate:	
Contributions Plan -	Commercial trip = \$443.80	
Roads, Traffic	Plan Administration = \$6.35	
Management and car		
parking 2016	Calculation based on 4,275 trips	
	Urban Roads contributions	\$1,897,245.00
	Plan Administration	\$27,146.25
	Total Section 7.11/94 Contributions	\$1,924,391.25
	Payable for this application	
	Note: This amount includes all applicable contributions	
	Note : This amount includes all applicable contributions payable under Councils Sec 94/7.11 Development	
	Contributions Plans.	

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

Note 2: The first use development applications may incur additional contributions in accordance with Council's Section 94 Development Contributions Plan - Roads, Traffic Management and car parking 2016.

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

- (3) 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}
- (4) Prior to the issue of an Occupation Certificate the portion of the drainage channel (both the eastern and western sides) to the extent of the northern and southern boundaries of the subject land is to be provided with landscaping in accordance with the approved Drainage Channel Landscaping Masterplan, 'Drawing No. 2015-1-02-06, Revision C, dated 15.09.20' and the planting schedule as detailed in the approved plan, 'Landscape Masterplan undertaken by Area Environmental Consultants and Communication.' (Reason: To ensure the drainage channel is landscaped in accordance with the Masterplan as development is constructed along its boundary)

(5) 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}

(6) The building shall not be occupied or used until the appointed Principal Certifier has first issued an Occupation Certificate.

Note: An Occupation Certificate application must be uploaded into the NSW Planning Portal before the final inspection can be undertaken and the Occupation Certificate issued.

{Reason: To ensure the building is fit for occupation}

(7) 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}

(8) Entry and exit points to and from the proposed development, and off-street car parking shall be delineated and signposted to at least the standard outlined in Chapter 3.5 of the Dubbo Development Control Plan 2013. Wayfinding signage shall be installed in accordance with the approved plans, 'DA Signage Floor Plans, Drawing No.DA19, Issue G, dated 05.06.24'.

{Reason: To ensure appropriate vehicle access}

- (9) Prior to the issue of an Occupation Certificate the existing street tree located in the position of the proposed northern most driveway along Stream Avenue is to be relocated and used to replace the dead street tree immediately to the south. {Reason: To maintain street tree amenity}
- (10) The landscaping shown on the approved development plan (Landscape Plan, Sheets 2 6, dated 16.05.24 and Specification Plan Sheet 7 of 7, dated 16.05.24) including the acoustic fencing as detailed within the recommendations of the submitted Noise Impact Assessment (Report No.22-2780-R1, authored by Reverb Acoustics, dated November 2023) shall be established and maintained to at least the standard specified on the approved development plans. Such landscaping and fencing shall be established prior to the issue of the Occupation Certificate.

Note: All trees are to be a minimum 1.5m high at the time of planting. {Reason: To maintain the aesthetic quality of the development}

(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}

(12) Prior to issue of the Occupation Certificate, construction of the Eastern Drainage Channel between Argyle Avenue and Boundary Road to be completed as per approved Construction Plans C2017-57 Part 1 dated 02.11.2017 at full cost to the Developer to Councils satisfaction.

{Reason: To protect Council's infrastructure assets}

OCCUPATION AND ONGOING USE

Condition

(1) Deliveries by heavy vehicles generated by the proposed development must occur outside AM/PM peaks of both the future commercial land use and school zone times (Sheraton Road).

{Reason: To minimise the impact of delivery vehicles on the road network and maintain pedestrian safety}

(2) The approved business identification signage shall be maintained in good and substantial repair.

{Reason: To maintain structural adequacy and visual amenity}

(3) The approved business identification signage shall not flash, be animated, or be excessively luminous. Illumination shall maintain consistency with 'Zone 3' of the Department of Planning and Environment - Transport Corridor Outdoor Advertising and Signage Guidelines: November 2017.

{Reason: To maintain visual amenity, and to prevent distraction to passing motorists}

(4) The development is to be operated in accordance with the recommendations of the submitted Noise Impact Assessment, authored by Reverb Acoustics, dated November 2023, Report No. 22-2780-R1.

{Reason: To ensure the commercial premises is operated to ensure noise generation does not exceed allowable limits}

- (5) Any grilles proposed as part of the commercial premises are to be an open style product. {Reason: To maintain streetscape amenity}
- (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) All loading and unloading of goods related to the development proposal shall be carried out within the confines of the allotment's boundary. {Reason: To not create adverse traffic conditions}
- (8) 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}

NOTES

- (1) The activity must not be carried out in an environmentally unsatisfactory manner where:
 - It contravenes, or is likely to contravene the *Protection of the Environment Operations Act 1997*, or
 - It causes, or is likely to cause a pollution incident, or
 - It prevents to control or minimise pollution, or the emission of any noise or the generation of waste, or
 - It is not carried on in accordance with good environmental practice.
- (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.
- (3) 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.
- (4) 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

(5) The sanitary, water plumbing and stormwater drainage associated with the proposed building work requires the issue of a <u>separate</u> approval from Council <u>prior</u> 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.

- (6) 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.
- (7) If Council is engaged to act as the Principal Certifier (PC) for the Construction Certificate application the following shall be included with such application:
 - Location of any proposed exit signs, directional exit signs and required portable fire extinguishers etc;
 - Specifications detailing the proposed building's compliance with the applicable provisions of Section J Energy Efficiency of the BCA;
 - (c) Details of the exit doors demonstrating compliance with D3D24, D3D25 & D3D26 of the BCA (if deemed-to-satisfy solution utilised), or a performance solution prepared under Part A2G2 of the BCA to address the applicable Performance Requirements under the BCA, would need to be submitted;
 - (d) Details demonstrating that a continuous accessible path of travel for disabled persons is provided from the allotment boundary and disabled car parking space to the entrance floor of the building. The design for such access must be in accordance with the BCA and the Disability (Access to Premises Buildings) Standards 2010 under the DDA. Otherwise a performance solution prepared under Part A2G2 of the BCA to address the applicable Performance Requirements under the BCA and Access Code would need to be submitted;
 - (e) All structural details including specifications and design drawings and statement(s)/certificate(s) by the design engineer stipulating the Australian Standards that the design complies with, including its design wind load parameters and resistance to earthquake loads;

- (f) Specifications/details of the proposed glazed window and door panels, particularly with respect to human impact considerations and visions strips (clause 6.6, AS 1428.1);
- (g) Demonstrate the proposed number and type of toilet facilities are in conformity with F4D3 and F4D4 (if deemed-to-satisfy solution utilised), or a performance solution prepared under Part A2G2 of the BCA to address the applicable Performance Requirements under the BCA, would need to be submitted;
- (h) Plans indicating compliance with AS 1428.1-2009 as adopted by the BCA with respect to the design of any proposed disabled accessible sanitary compartments and ambulant sanitary compartments, access ramps and associated landings, and principal pedestrian entrance etc;
- (i) All relevant stormwater design and disposal details as indicated in the conditions of consent:
- (j) Details demonstrating compliance with G1D3 of the BCA (cool rooms);
 - (i) As it is intended/necessary to provide a 'hydraulic fire safety system' i.e. hydrant/hose reel/sprinkler protection for the proposed building, the following requirements of Section 22 of the Environmental Planning & Assessment (Development Certification and Fire Safety) Regulation 2021 will be invoked-
 - The actual fire service design plans are required to be endorsed (i.e. stamped) by an accredited practitioner (fire safety) as complying with the relevant provisions of the Building Code of Australia, and
 - The 'accredited practitioner (fire safety)' providing the endorsement must either-
 - be the holder of an accreditation under the Building and Development Certifiers Act from the accreditation authority Fire Protection Association Australia (FPAA); or
 - ii. is a registered Certifier- hydraulic (building) by the Commissioner for Fair Trading, Department of Customer Service.

Attention: Council's Water Supply & Sewerage Services 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 pumps during testing, but be recycled from the on-site storage facilities. Accordingly, the consultant engaged to undertake the development's fire service design, should seek clarification form Council's Water Supply and Sewerage Branch when undertaking their design.

(8) Insufficient details were provided to Council with the Development Application to fully the operation of the commercial premises. Before the issue of the building's Construction Certificate the developer (or operator of the proposed business) must provide further information to Council's Water Supply and Sewerage Client Services Coordinator to determine if the activities from the proposed development discharge trade waste to Council's sewerage system.

If required, 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. 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.

(9) The Development shall be carried out in accordance with Essential Energy's correspondence dated 25 October 2023 (copy attached).



 Our Ref:
 AJS:ANF:452480

 Contact:
 Adam Seton

 Contact Tel:
 4626 5077

Contact Email: aseton@marsdens.net.au

Your Ref: Tracie Smart

The Chief Executive Officer Dubbo Regional Council PO Box 81 DUBBO NSW 2830 4 March 2024

Dear Chief Executive Officer,

Advice - Interpretation of Clause 7.13 Dubbo Regional Local Environmental Plan 2022

We refer to the email from Council's Senior Planner dated 20 February 2024 concerning the interpretation of clause 7.13 of Dubbo Regional Local Environmental Plan 2022 ("DRLEP 2022").

Council is seeking legal advice in relation to the following question:

1. Does clause 7.13 of DRLEP 2022 prohibit the granting of consent to a retail premises that has a gross floor area ("GFA") greater than 5,000m²?

Our advice in relation to the question raised by Council is set out below.

BACKGROUND

Development Application No. D23-500 has been lodged with the Council seeking consent for development described as shopping centre on the land at Lot 601 DP 1282437 (formerly known as Lot 501 DP 1255115) at the intersection of Boundary Road and Stream Avenue, Dubbo ("the development application").

We understand that the shopping centre is proposed to contain one major retailer (supermarket) and 20 other tenancies with indicative uses of non-retail/business and retail. The centre has a proposed GFA of 7,642.5m² according to the submitted plans. We understand that the amount of GFA occupied by the proposed retail tenancies (as opposed to other aspects of the building) is somewhat less than the stated total GFA.

The land is situated within Zone E1 Local Centre pursuant to the provisions DRLEP 2022. The Land Use Table for Zone E1 in DRLEP 2022 identifies the following development as being permissible with

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Advice - Interpretation of Clause 7.13 Dubbo Regional Local Environmental Plan 2022 4 March 2024

and without consent and prohibited within the zone:

"2 Permitted without consent

Environmental protection works; Home-based child care; Roads

3 Permitted with consent

Amusement centres; Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Entertainment facilities; Function centres; Home industries; Hotel or motel accommodation; Information and education facilities; Local distribution premises; Medical centres; Oyster aquaculture; Places of public worship; Public administration buildings; Recreation facilities (indoor); Respite day care centres; Service stations; Shop top housing; Tank-based aquaculture; Veterinary hospitals; Waste or resource transfer stations; Water reticulation systems; Any other development not specified in item 2 or 4

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Bed and breakfast accommodation; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Rural industries; Sewerage systems; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies"

We understand that the proposed shopping centre would be permissible with consent as a form of retail premises, being a species of commercial premises which is identified in item 3 of the Land Use Table

Clause 7.13 of DRLEP 2022 provides as follows:

"7.13 Development on certain land at Boundary Road, Dubbo

Advice - Interpretation of Clause 7.13 Dubbo Regional Local Environmental Plan 2022 4 March 2024

- (1) This clause applies to the part of Lot 501, DP 1255115 at Boundary Road, Dubbo—
 - (a) in Zone E1, and
 - (b) identified as "8" on the Additional Permitted Uses Map.
- (2) Development consent must not be granted to the erection of a building with a gross floor area greater than 1,000m2 but less than 5,000m2 on land to which this clause applies unless the development is for the purposes of retail premises.
- (3) Development consent must not be granted to more than 1 recreation facility (indoor) or more than 1 pub on land to which this clause applies.
- (4) In deciding whether to grant development consent to development under this clause, the consent authority must—
 - (a) consider the economic impact of the development, and
 - (b) be satisfied that the development is consistent with the commercial centres hierarchy of Dubbo."

DRLEP 2022 commenced operation on 25 March 2022.

The predecessor to clause 7.13 of DRLEP 2022 was clause 7.12A of the Dubbo Local Environmental Plan 2011 ("**DLEP 2011**"), which provided as follows:

"7.12A Retail premises on certain land at Boundary Road, Dubbo

- (1) This clause applies to that part of Lot 501, DP 1255115 at Boundary Road, Dubbo that is—
 - (a) within Zone B1 Neighbourhood Centre, and
 - (b) identified as "5" on the Additional Permitted Uses Map.
- (2) Despite any other provision of this Plan, development consent may be granted to development for the purposes of retail premises on land to which this clause applies with a gross floor area that will exceed 1,000 square metres but will not exceed 5,000 square metres.
- (3) Before granting consent to development under this clause, the consent authority must consider the economic impact of the proposed development and be satisfied that the

Advice - Interpretation of Clause 7.13 Dubbo Regional Local Environmental Plan 2022 4 March 2024

proposed development will not have an adverse impact on the commercial hierarchy of Dubbo."

We understand that the clause was amended by Parliamentary Counsel during the consolidation of DLEP 2011 and the Wellington Local Environmental Plan 2012 into DRLEP 2022.

ADVICE

<u>Does clause 7.13 of DRLEP 2022 prohibit the granting of consent to a retail premises that has a GFA greater than 5,000m²?</u>

The short answer to this question is "no".

As noted above, the proposed shopping centre development is identified as being permissible with consent in the Land Use Table for Zone E1 under DRLEP 2022 as a form of commercial premises.

Clause 7.13 of DRLEP 2022 is expressed to apply to the part of Lot 501 DP 1255115 at Boundary Road in Dubbo that is both in Zone E1 and identified as "8" on the Additional Permitted Uses Map, which we understand is the site of the proposed shopping centre.

While the application of the clause is determined in part with reference to the Additional Permitted Uses Map, the clause does not establish an additional permitted use of the land beyond what is identified as being permissible in the Land Use Table. Instead, the clause is best described as an additional control applying to the development of the relevant land for a permissible purpose.

The Council is of the understanding that the purpose of clause 7.13(2) of DRLEP 2022 is to prevent the grant of development consent to the erection of a building for retail premises unless it has a GFA of greater than 1,000m² but less than 5,000m². On such an interpretation, the clause would not permit the grant of development consent to the building proposed in the development application as it has a GFA of greater than 5,000m².

The Council draws support for its interpretation from its Employment Lands Strategy and an Economic Impact Assessment submitted as part of a planning proposal to create an additional permitted use of the site. In this regard, the Employment Lands Strategy suggests that the site (known as Southlakes) has provision for <u>up to</u> 5,000m² in GFA. The Economic Impact Assessment contains some commentary about the GFA required for a full-line supermarket (which it indicates is typically 2,800m² to 3,000m² as a minimum) and recommends that the Council permit up to 1,000m² of complementary specialty retail GFA to improve the attractiveness of the centre and support the supermarket.

Advice - Interpretation of Clause 7.13 Dubbo Regional Local Environmental Plan 2022 4 March 2024

We have not been provided with copies of either the Employment Lands Strategy or Economic Impact Assessment. While the documents would appear to be background information potentially explaining the reasons for the creation of clause 7.13 or DRLEP 2022 or its predecessor, we note that they are not strictly a form of extrinsic material that may be considered in the interpretation of DRLEP 2022.

The clause does not otherwise have any expressly stated objectives that would assist in determining its intended purpose.

It seems to us that the natural and ordinary meaning of the words used in clause 7.13(2) of DRLEP 2022 is that development consent can only be granted to erection of a building with a GFA of between 1,000m² and 5,000m² on the relevant land if the building is to be used for retail premises. In other words, the clause permits only retail premises, rather than any other use, in buildings of that particular size.

However, the provision is silent as to development comprising the erection of a building with a GFA of less than 1,000m² or greater than 5,000m², and the uses to which such a building can be put.

The wording of the predecessor to clause 7.13 (clause 7.12A in DLEP 2011) was different in three important respects:

- 1. Firstly, the earlier provision was framed as a permissive power to grant development consent, rather than a restriction upon the exercise of that power;
- Secondly, the earlier provision makes retail premises with a specific GFA range the express subject of that permissive power, meaning there is no question as to whether the clause applies to other retail premises or developments. The subject matter of the latter prohibitory clause is instead buildings with a particular GFA range; and
- 3. Thirdly, the earlier provision was expressed as applying despite any other provision of the Plan, whereas the new clause contains no such qualification.

We assume from the background material provided that the clause was in fact intended to only permit the grant of development consent to retail premises on the relevant land if their GFA is either less than 1,000m² or greater than 5,000m², with any smaller or larger retail premises not being able to be carried out.

While clause 7.12A(2) of DLEP 2011 would have achieved this outcome, our view is that clause 7.13 of DRLEP 2022 would likely be interpreted as having no application to a retail premises with a GFA of greater than 5,000m², meaning such a development would be permissible with consent in the ordinary course.

Advice - Interpretation of Clause 7.13 Dubbo Regional Local Environmental Plan 2022 4 March 2024

If the Council seeks to prevent retail premises on the land with a GFA of less than 1,000m² or greater than 5,000m², it should urgently seek an amendment to clause 7.13(2) of DRLEP 2022 so that it aligns with the previous wording of clause 7.12A(2) of DLEP 2011 or alternatively includes words similar to the following:

"(2) Despite any other provision of this Plan, development consent must not be granted to development for the purposes of retail premises on land to which this clause applies unless the gross floor area will exceed 1,000 square metres but will not exceed 5,000 square metres."

We trust that the above advice is of assistance. Should you have any queries in relation to the advice or require further advice, please do not hesitate to contact Adam Seton at our Campbelltown office.

Yours faithfully

MARSDENS LAW GROUP

A.J. SETON

Partner - Accredited Specialist Local Govt. & Planning



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ABN 52 003 963 755

Steve Jennings
Dubbo Regional Council
PO Box 81
Dubbo NSW 2830

14 May 2024

Dear Steve.

Subject: Southlakes Shopping Centre EIA - Peer Review

HillPDA was commissioned by Dubbo Regional Council to peer review the Retail needs and Economic Impact Assessment (EIA) prepared by Macroplan dated February 2024 (Macroplan EIA) and their earlier Memorandum prepared on 25th September 2023 (Memorandum). This EIA and Memorandum pertains to the proposed shopping centre at the corner of Boundary Road and Strem Avenue, Dubbo. The development plans to provide 6,388 square metres of retail floorspace, including a supermarket of 3,717 square metres, 371 square metres of loading/unloading space and 884 square metres of non-retail floorspace.

Clause 7.12 and 7.13 of the Dubbo LEP 2022 prohibits retail premises greater than 5,000 square metres GFA. When considering developments exceeding this limit, Clauses 7.13 and Clause 4.6 require consent authorities to assess economic impacts and ensure consistency with Dubbo's commercial centres hierarchy. Macroplan has prepared supporting studies (i.e. the Macroplan EIA and Memorandum) to demonstrate economic merit and consistency, and HillPDA has reviewed these studies.

The following offers an in-depth overview of our analysis.

Trade area

We believe the main trade area defined in the Macroplan EIA and Memorandum extends too far to the north and west. Due to the presence of Orana Mall, IGA Dubbo and along with other major retail facilities in the City Centre which are more easily accessible for residents in the defined secondary trade areas, we believe the main trade area should exclude the secondary trade areas.

We do believe there are opportunities for the proposed centre to attract some trade from the rural areas to the south of the defined primary trade area, given the proposed centre would be more easily accessible, with many of these residents having to bypass the subject site to visit Orana Mall and the other competing centres. Our revised main trade area is more consistent with the trade area Macroplan had previously defined for the centre in their earlier 2016 report titled East Dubbo, NSW Economic Impact Assessment. It is unclear why the main trade area for this centre as defined by Macroplan has evolved over the years (i.e. reducing to south and extending to the north) despite the competitive landscape not having changed substantially.

As such we believe the main trade area should include the Macroplan EIA's primary trade area and extend further south to include the rural areas to the south of the primary trade area (referred to as the revised main trade area). These rural areas to the south accommodate around 400 residents, with little forecasted population growth over the medium to longer term (i.e. over next 20 years).

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Population projections

As of 2021 the revised main trade area housed an estimated 6,740 people¹. The Macroplan EIA forecasts that the primary trade area will increase from 6,360 persons in 2021 to 12,760 persons in 2041, an increase of 6,400 persons or 4 per cent per annum. Remplan forecasts lower growth for this area, with only 4,755 additional persons over this same period. Adopting Remplan's growth and accounting for the additional residents to the south we estimate that the revised main trade area population will increase from around 8,400 persons in 2026 to 11,500 persons in 2041.

Expenditure levels

The per capita retail spending levels projected in the Macroplan EIA seem a little high but are generally consistent with our estimates. However, when adjusted for the lower population numbers, we estimate that the total retail expenditure within the revised main trade area will increase from around \$126 million in 2024 to \$213 million in 2041 as compared to \$352 million and \$510 million in the Macroplan EIA. This discrepancy is attributed to the reduced main trade area and population.

Note the per capita spend rates assumed in the earlier Memorandum at \$19,000 per capita by 2026 are overly high and well above the adopted rates in the Macroplan EIA and our estimates. These rates have been adjusted in Macroplan's EIA as above.

Competition analysis

The assumed floorspace for several of the identified competing centres in the Macroplan EIA analysis appears to be understated, which could contribute to the main trade area being overly broad, with other floorspace areas overstated. Discrepancies are outlined in the table below.

Table 1

- 1	abic 1				
	Centre	Total Gross Leasable Area Retail (GLAR) Macroplan EIA's estimate (sqm)	Total Gross Leasable Area Retail (GLAR) HillPDA's estimate (sqm)		
	Orana Mall	9,451 sqm	23,783 sqm		
	Dubbo Square	9,199 sqm	13,048 sqm		
	Riverdale Shopping Centre	7,000sqm	6,100sqm		
	Macquarie Street Main Strip	15,000sqm	22,000sqm		
	Delroy Shopping Centre	4,179sqm	3,822sqm		

 $Source: PCA\ Shopping\ Centre\ Directory,\ HillPDA\ Desktop\ Audit\ undertaken\ in\ 2015,\ Various\ other\ consultancy\ reports$

As previously mentioned, the incorrect assessment of floorspace areas may have led to MacroPlan's main trade area being overly broad. However, the extent of this influence is uncertain. These inaccuracies did impact the assumed turnover levels of these centres and the analysis of the trading impacts. This is considered in more detail subsequently.

¹ ABS Census and MeshBlock data 2021



Capture rates and retail turnover densities

The capture rates and retail turnover densities (RTDs) adopted in the Macroplan EIA seem reasonable. Due to variations in approach between HillPDA and Macroplan regarding demand assessment, trade areas, retail categories, and uncertainties necessitate further examination. Consequently, we have conducted a high-level retail demand assessment for the revised trade area to determine the retail floorspace demand and the suitable amount of retail space required on the subject site to accommodate future growth.

HillPDA's retail demand analysis

The revised main trade area residents are assumed to spend around \$16,100 per annum in retail goods and services – some 6% above the non-metro NSW average.

Assuming development is fully occupied prior to 2031 then the estimated expenditure generated by the revised main trade area residents is forecast as follows:

Table 2: Total retail expenditure in the trade area from 2023-2041 (\$2023 Millions)*

Retail Category	2023	2026	2031	2036	2041
Population	7,445	8,435	9,848	10,654	11,516
Supermarkets and grocery stores	35.8	41.8	51.3	58.3	66.3
Specialised food stores	7.0	8.1	9.8	11.1	12.4
Bulky goods stores**	20.2	23.4	28.3	31.7	35.5
Department stores	6.1	6.8	7.8	8.2	8.6
Apparel stores	11.3	13.1	15.7	17.5	19.5
Other non-food stores	16.4	19.0	22.9	25.7	28.8
Restaurants and fast food services***	18.8	22.0	27.0	30.8	35.1
Personal services****	4.1	4.7	5.7	6.3	7.1
Total	119.8	138.9	168.6	189.6	213.2

Source: ABS retail sales data, ABS Household Expenditure Surveys and HillPDA

Estimating potential retail sales for the proposed centre at the subject site is determined through applying capture rates to household expenditure. For a trade area of this size, a high proportion of food, groceries and regular shopping goods and services is usually done close to home as shoppers generally have a preference to minimise travel time and cost when undertaking 'chore shopping'. This is manifested in the retail hierarchy where smaller centres are generally anchored by supermarkets and comprise a range of specialty stores in food, groceries, personal services (hair/beauty, pharmaceuticals, etc) and other regular service categories. The fewer and larger regional centres such as Orana Mall and Dubbo CBD are generally anchored by large department stores and have a more specialist retailers in fashion, homewares, and other comparative goods as well as a range of entertainment and commercial services. Usually trips to these centres are less frequent and shoppers are prepared to travel further. As such the proposed centre is likely to capture a high proportion of food spend but a much lower proportion of discretionary goods expenditure given that most shoppers travel to a larger centre such as Orana Mall and Macquarie Street to undertake this type of shopping. The assumed capture rates and total potential retail sales in the trade area are shown in the table below.

Table 3: Total forecast potential retail sales in the trade area (2023 dollars) (\$m)

Year	Capture Rate	2026	2031	2036	2041
Supermarkets and grocery stores	70.0%	32.2	39.5	44.9	51.0
Specialised food stores	70.0%	6.3	7.6	8.5	9.5

^{*} Allows 0.76% per annum real growth in spend per capita in line with the long term historic trend since 1986.

^{**} Bulky Goods includes fabrics, soft goods, furniture, floor coverings, hardware, houseware, electrical appliances, sports and camping stores.

*** Turnover relating only to consumption of food and liquor (excludes all other types of revenue such as accommodation, gaming and gambling)

^{***} Turnover relating only to consumption of food and liquor (excludes all other types of revenue such as accommodation, gaming and gambling **** Selected Personal Services includes hair and beauty, laundry, clothing hire and alterations, shoe repair, optical dispensing, photo processing and hire of videos



Bulky goods stores	-	0.0	0.0	0.0	0.0
Department stores	-	0.0	0.0	0.0	0.0
Apparel stores	5.0%	0.7	0.9	1.0	1.1
Other non-food stores	15.0%	3.1	3.8	4.2	4.7
Restaurants and fast-food services	30.0%	7.3	8.9	10.2	11.6
Personal services	25.0%	1.3	1.6	1.7	1.9
TOTAL	33.3%	50.9	62.2	70.5	79.9

Please note that the table above shows potential forecast total retail sales at the proposed centre based on the above retail sales figures. Actual retail sales will depend on various factors such as the strength of the retail offer and future competition, reputation of restaurants and other factors.

The above potential sales also make an allowance for 10% of turnover to be derived from sources outside the

Demand for retail space is estimated by dividing potential retail sales by industry standard RTD levels. The results are shown in the table immediately below.

Table 4: Retail Floorspace Demand (sqm)

Store Type	Target RTD*	2026	2031	2036	2041
Supermarkets and grocery stores	11,000	2,884	3,451	3,827	4,241
Specialised food stores	10,800	570	674	738	808
Bulky goods	3,800	0	0	0	0
Department stores	3,500	0	0	0	0
Apparel stores	5,200	137	162	177	194
Other non-food stores	7,500	413	491	540	594
Food services	7,400	965	1,158	1,287	1,430
Personal services	6,000	215	254	278	304
Total	9,667	5,184	6,190	6,849	7,572
Additional non-retail uses**	15.00%	778	928	1,027	1,136
Total shopfront space	11,000	5,961	7,118	7,876	8,708

^{*} Sources: Various including the Macroplan EIA, ABS Retail Surveys, Shopping Centre News, Urbis Retail Averages, Property Council of Australia, various consultancy studies and HillPDA research. We have also allowed for escalation in target RTD of 0.35% to 50% ***** Includes financial, real estate, travel, medical services and other commercial premises that typically occupy shop front space

There is currently no retail floorspace provided or other centre planned within the revised trade area. The table above shows that almost 6,200 square metres of retail space is supportable by 2031, increasing to almost 7,600 square metres by 2041.

Based on a review of comparable centres² an additional 15% of specialty stores are typically provided to accommodate non-retail uses. Non-retail users include services such as banks, real estate agents, travel agents, medical services and the like. This would increase demand for shopfront floorspace almost 7,200 square metres in 2031 and over 8,700 square metres by 2041.

This would suggest that a centre with around 6,388 square metres of retail space, including a supermarket of 3,717 square metres, and 884 square metres of other commercial uses could be provided on site from 2031. However, if the proposed centre were to open before 2031, there would be a risk of sub-optimal trading levels

² IBECON, PCA Shopping centre Directory NSW 2023



in the initial years due to lower population levels. Conversely, the centre's presence and the increased amenities that it provides will improve the marketability of the urban release area, with the centre's performance likely to improve over time as the release area is established.

HillPDA's trading impact analysis

Total retail sales from the proposed centre would be redirected from competing centres. It is not clear from Macroplan EIA's analysis how they have quantified the redirection of trade from competing centres and how they have derived the change in sales for each centre. There were also some anomalies with the assumed floorspace and turnovers of the competing centres in the Macroplan EIA as discussed above. For this reason, we have prepared the sales impact analysis using our own in-house gravity model which calculates the extent of trade redirected from existing centres. Gravity theorem is based on the premise that the level of trade redirected from a centre is proportional to the retail offer of the centre (selling like for like products) and the size of the centre or level of trade and indirectly proportional to the distance the centre is from the subject site (centres that are further away will experience less impact). The results of the model are presented in the following table.

Note that the gravity model assumes that the centre is fully operational by 2026 and 10% of the turnover captured by the proposed development would be redirected from other destinations not defined. These include freestanding outlets in the locality and other centres beyond the locality.

Table 5: Retail trading impacts (\$m) (2023 dollars)

1	2	3	4	5	6	7	8	9	10
Retail Centre	Distance from Subject Site (km)	Approx. Retail Floor Space	Turnover in 2023	Turnover in 2026 without Proposal	Turnover in 2026 with Proposal		% Shift in Turnover in 2026	Shift in turnover from 2023 to 2026	% Shift in turnover from 2023 to 2026
Proposed Centre					55.0	55.0			
Tamworth Street	3.4	2,500	22.3	23.6	21.1	-2.6	-10.8%	-1.2	-5.4%
Orana Mall	3.0	23,800	227.5	245.0	222.6	-22.4	-9.2%	-4.9	-2.2%
Dubbo Square	5.3	13,050	113.4	122.1	112.7	-9.4	-7.7%	-0.7	-0.6%
Riverdale SC	6.1	6,100	55.2	58.6	53.3	-5.3	-9.0%	-1.9	-3.5%
Macquarie street	6.1	21,950	164.6	177.3	174.1	-3.2	-1.8%	9.4	5.7%
Aldi	5.2	1,900	20.9	22.5	20.9	-1.6	-7.1%	0.0	0.1%
Victoria St	6.0	3,000	24.6	26.1	24.7	-1.4	-5.5%	0.1	0.3%
Delroy	8.6	3,800	37.8	40.2	36.7	-3.5	-8.7%	-1.2	-3.1%
Other Localities						-5.5			
TOTAL		76,100	666.3	715.4	720.9	0.0	0.8%	54.5	8.2%

Columns

- 1. Retail Centre Name (includes strip shops)
- 2. Distance in kilometres from subject site (source: Googlemaps).
- 3. Various including Shopping Centre News, PCA Shopping Centres Directory, Hill PDA Floorspace Surveys.
- 4. Various including Shopping Centre News, PCA Shopping Centres Directory, Shopping Centre Annual Reports, Urbis Retail Averages, Other Consultancy Reports and Hill PDA Estimate.
- 5. Allows for population growth (variable for each centre) and real growth in retail spend per capita of 1.0% per annum in line with the historic trend since 1986 (Hill PDA Calculation from ABS Retail Sales, population estimates and CPI indexes).
- 6. The turnover of centres following the proposed development. The forecast turnover of the proposed development is redirected from the existing centres based on distance and size.
- 7. Immediate shift in turnover. This is difference between the development and the do nothing options (i.e. Column 4 minus Column
- 8. Immediate percentage shift in turnover divided by the turnover in 2026 without the development (ie Column 6 Column 5)
 9. This is the shift in turnover from 2023 to 2026 after the opening of the new development (Column 6 minus Column 4)
- This is the shift in turnover from 2023 to 2026 after the opening of the new development (Column 6 minus Column 4, 10. This is shift in turnover from 2023 to 2026 divided by the base turnover in 2023

There are no universal measures of the significance of economic impact. There are references in various consultancy reports and statements in the Land and Environment Court which suggest that a loss of trade below 5 per cent is considered insignificant, 5 to 10 per cent is low to moderate, 10 to 15 per cent is moderate to high and above 15% is a strong or significant impact.

The table above shows that the strongest immediate impacts in absolute terms will be on Orana Mall, with a loss of \$22.4 million (9%) loss in trade. Tamworth Street local centre is expected to experience the greatest impact



as a proportion of its turnover (at 11%). However, this is the immediate impact – the difference between the proposal and the do nothing option. From 2023 to 2026 these competing centres will enjoy considerable growth in trade due to population growth and real growth in retail spend per capita. As shown in the far right column of the table, impacts on Tamworth Street local centre as a result of the proposed centre are expected to reduce to 5.5 per cent loss in trade, which is considered to be a low to moderate impact. These impacts will lessen over time as the population continues to grow. All impacts on other competing centres are expected to be insignificant.

The trading performance of Orana Mall is currently exceeding average levels with a moving turnover per square meter at \$9,599. This indicates a demand for additional retail floorspace in the area and shows that Orana Mall could feasibly absorb the potential loss in trade resulting from the establishment of the proposed centre.

Economic impact analysis

Based on a construction cost of \$22.6 million, as sourced from the Macroplan EIA, and an additional \$0.7 million for design and professional fees, we estimate a total output for the NSW economy of \$68.5 million, compared to Macroplan's \$48 million. This variance largely stems from MacroPlan's omission of consumption-induced effects. Consumption-induced effects refer to the increased demand for goods and services resulting from heightened spending by wage and salary earners across all industries due to increased employment.

Moreover, our estimation suggests fewer direct Full-Time Equivalent (FTE) jobs directly generated during the construction phase (46 compared to Macroplan's 51). However, a higher total of direct and indirect FTE jobs, totalling 179 as opposed to Macroplan's 114, is estimated. Once again, this discrepancy may be attributed to the omission of consumption-induced effects in the Macroplan EIA.

Additionally, we estimate that the retail component of the development would employ a higher number of workers once operational, at around 150 FTE workers, increasing to 264 FTE when accounting for indirect jobs as compared to Macroplan's 114 direct FTE jobs and 213 FTE when accounting for indirect jobs. We suspect that the discrepancy in our estimates and Macroplan's was due to an anomaly in the calculations of employment figures for specialty retail in the Macroplan report. The direct employment density rates seemed to translate to one worker per 105 square meters of retail Gross Leasable Area (GLA) in the Macroplan report, which is far too low. Nevertheless, the increased output and jobs during the construction and operational phases are beneficial for the economy.

Other considerations

The Employment Lands Study identifies a demand for an additional 33,879 square metres of retail space between 2016 and 2031. However, it only assumes 5,000 square metres of retail space at the subject site. The demand and impact analysis conducted above suggests that 6,388 square metres of retail space can be accommodated on-site without adversely affecting the viability of the existing retail hierarchy.

Conclusions

Despite the discrepancies and anomalies identified in the Macroplan EIA and Memorandum, our analysis demonstrates that the projected growth in the revised main trade area (urban release area) can sustain the proposed retail development on-site without compromising the viability of the retail hierarchy. This development will cater to the area's growth, offer convenient retail options for new residents, stimulate the economy during both the construction and operational phases, and generate employment opportunities. Therefore, it is supported from an economic perspective in our view.

Yours sincerely,

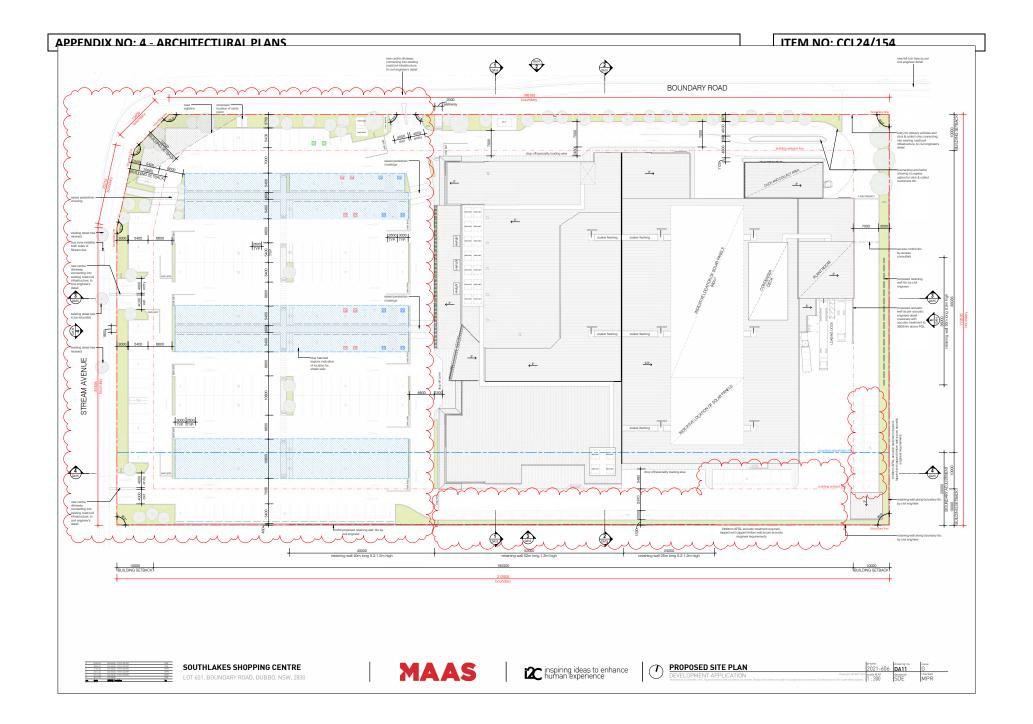


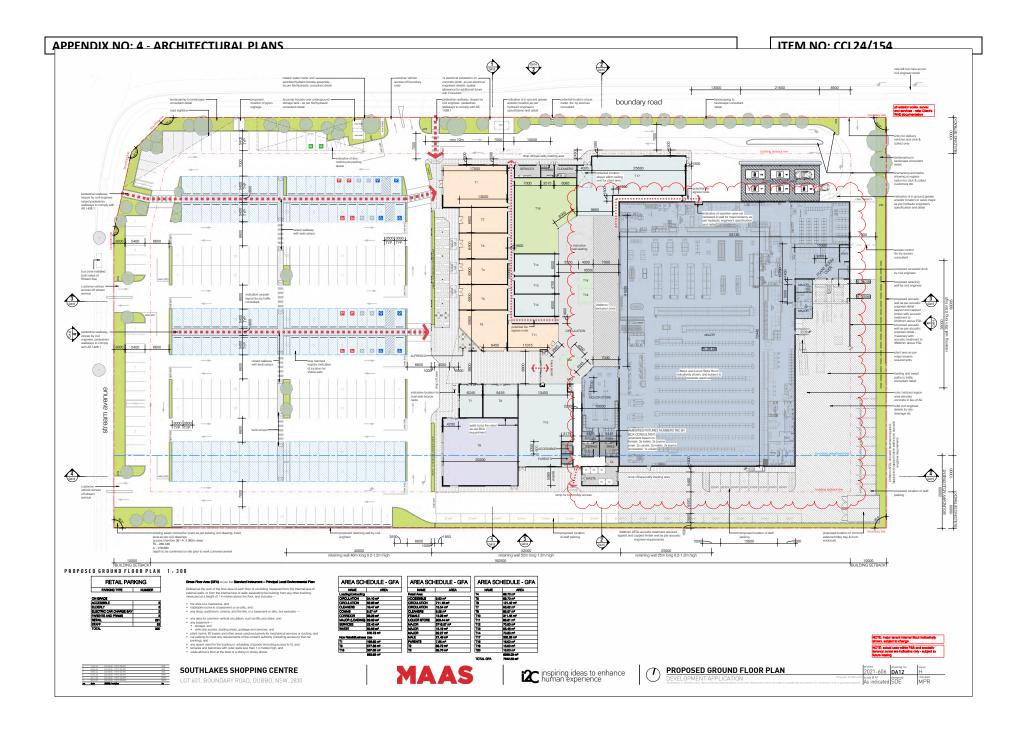
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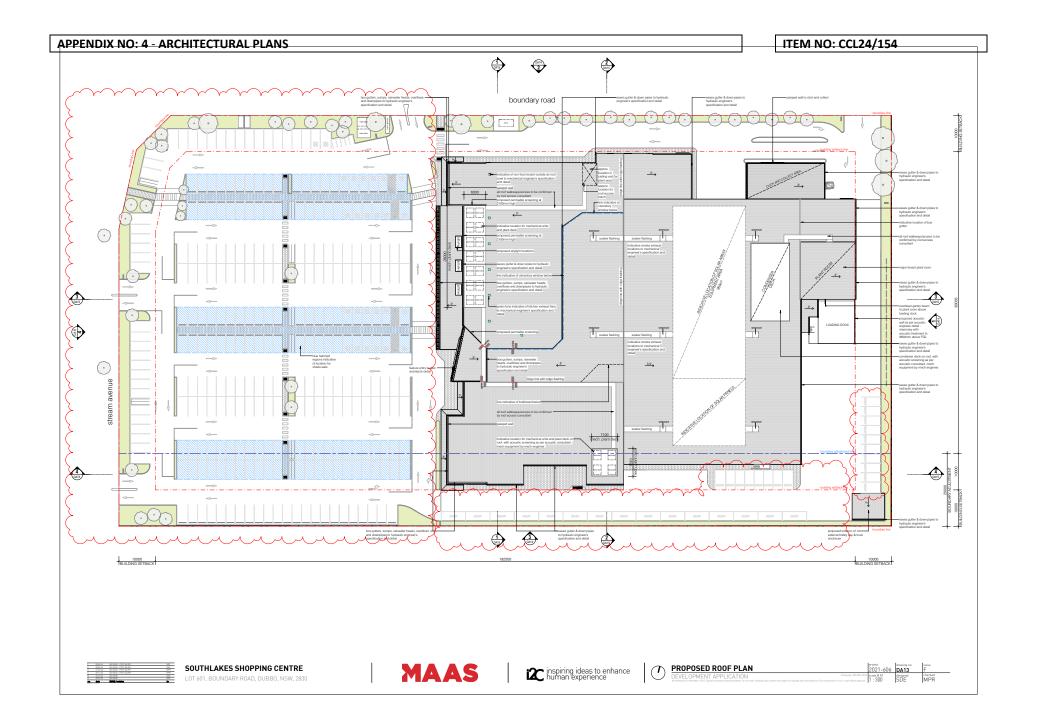
Adrian Hack

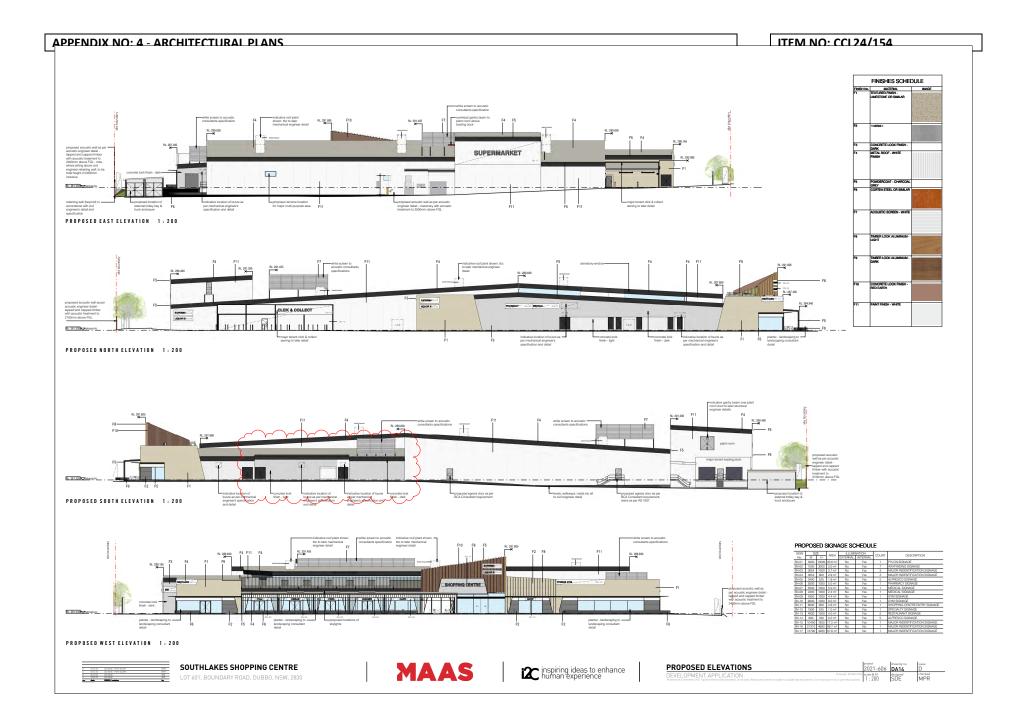
Principal, Urban and Retail Economics

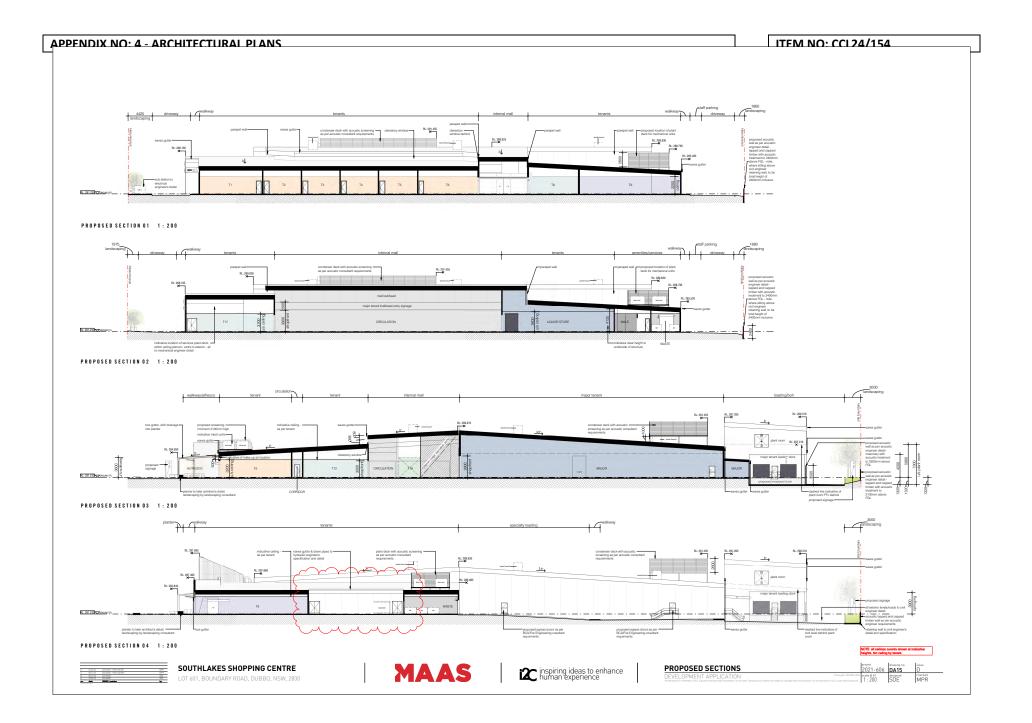
M. Land Econ. B.Town Planning (Hons). MPIA Adrian.Hack@hillpda.com













SUMMER SOLSTICE - 9AM



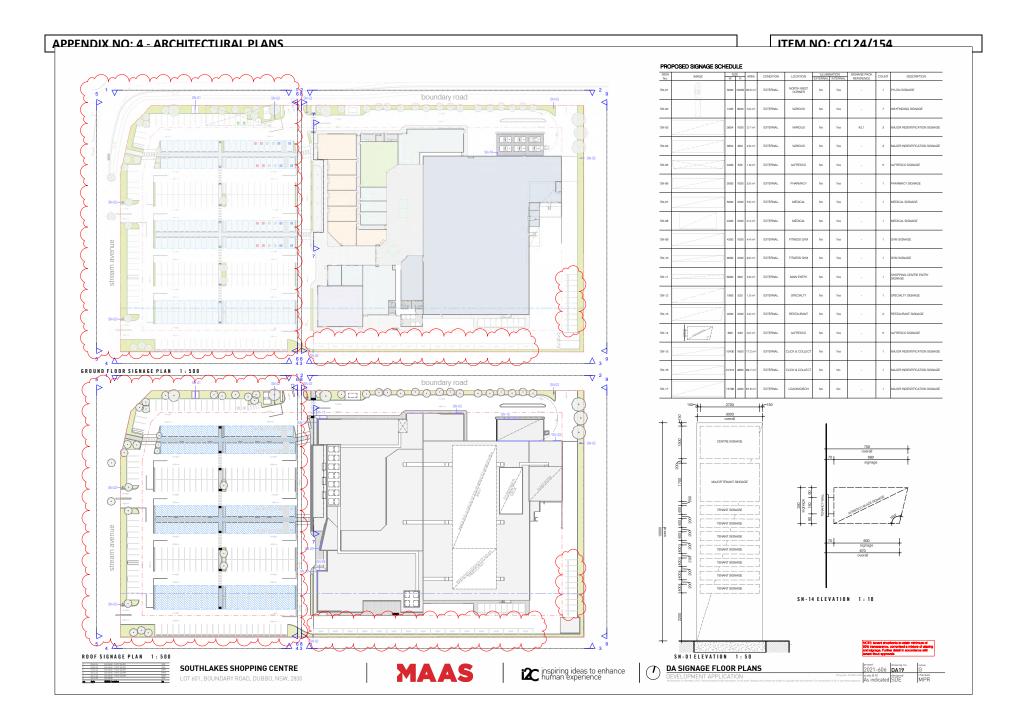


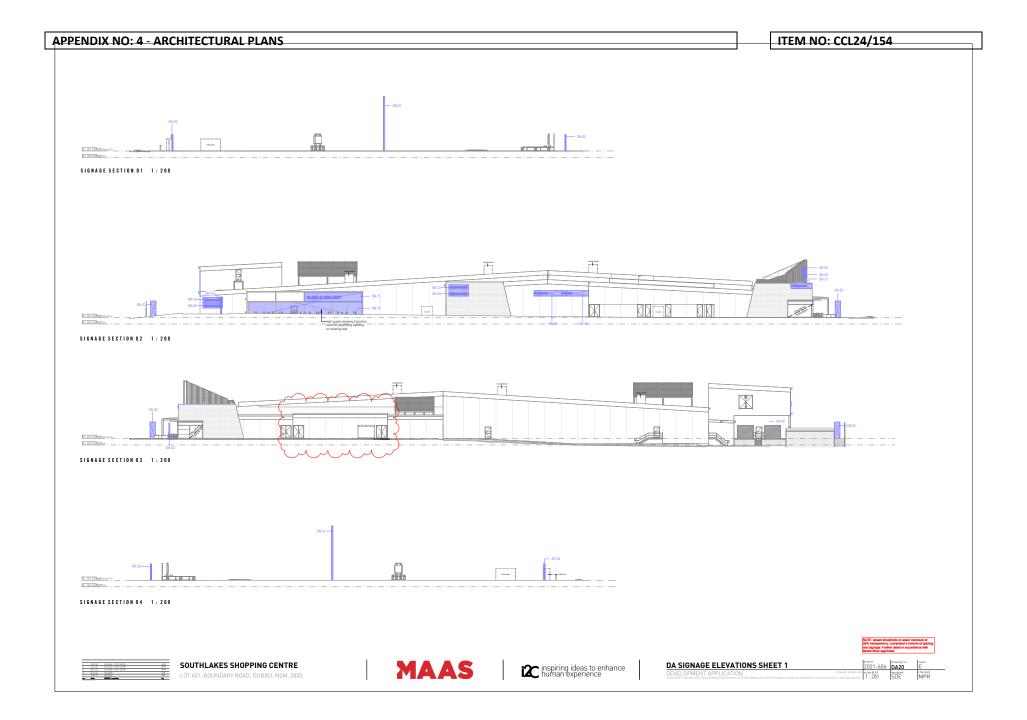


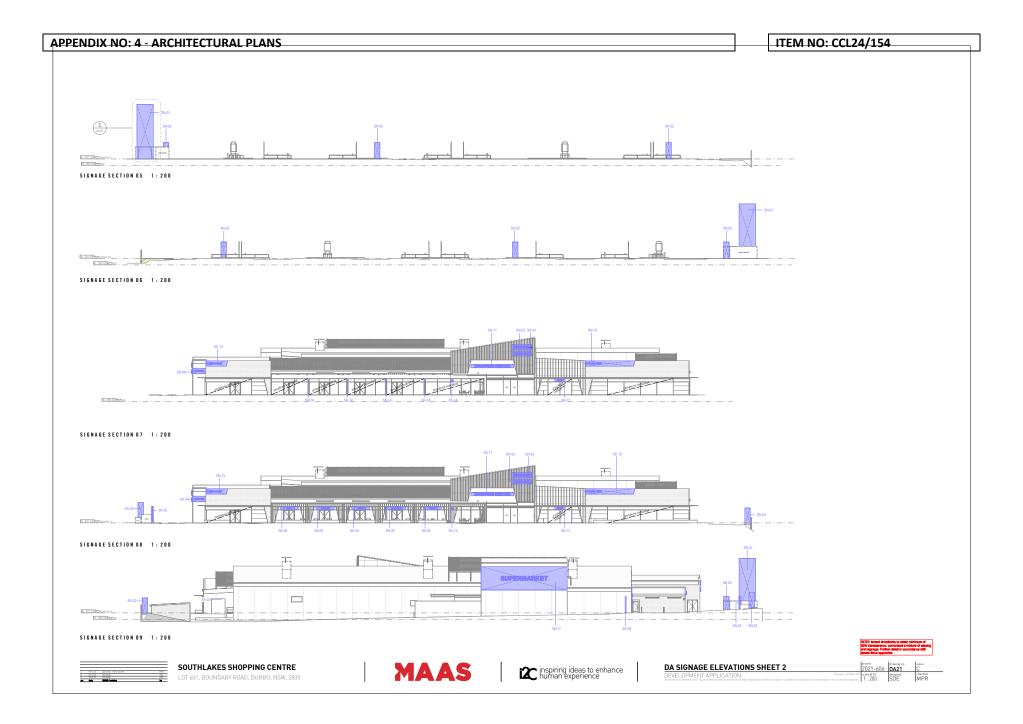
SUMMER SOLSTICE - 3PM

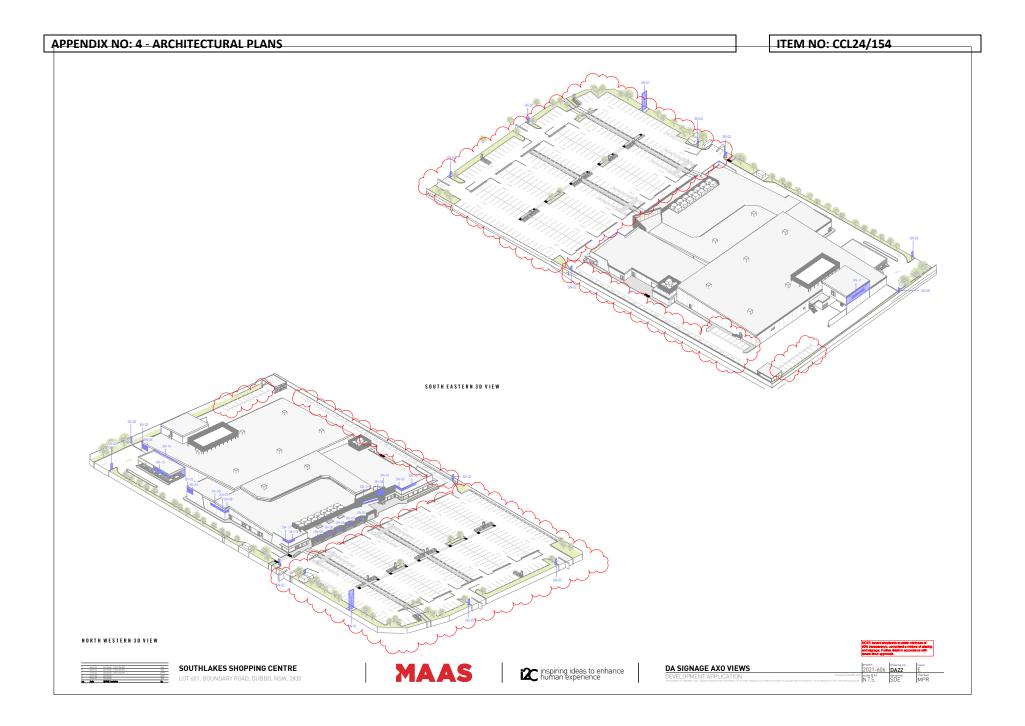
DUBBO REGIONAL COUNCIL Page 306

SUMMER SOLSTICE - 12PM









RECORD OF SITE INSPECTION

Date: 8 November 2023



Figure 1: View of subject land looking south from Boundary Road



Figure 2: View of subject land looking southeast from Boundary Road



Figure 3: View of subject land looking southwest from Boundary Road



Figure 4: Street trees x 3 located along Stream Avenue along frontage of subject land



Figure 5: View of subject land from Stream Anvenuw/Boundary Road intersection



Figure 6: View of subject land from Stream Avenue looking northeast



Figure 7: View of earth bund located adjcent to the southern boundary of the subject land and existing services



REPORT: 2024 Water Supply and Sewerage Customer Survey Results; and Draft 2024-2026 Water Supply and Sewerage Customer Service Plan

DIVISION: Infrastructure REPORT DATE: 7 June 2024 TRIM REFERENCE: ID24/1155

EXECUTIVE SUMMARY

Purpose	Seek endorse	ement	Provide review or update				
	Seek director	r or decision					
Issue	 That the 2024 Water Supply and Sewerage Services Customer Satisfaction Survey Results be noted. 						
		 The draft 2024-2026 Water Supply and Sewerage Customer Service Plan for public exhibition. 					
Reasoning	To Place the	Draft 2024-20	026 Water Supply and Sewerage				
	Customer Se	rvice Plan on pu	ublic exhibition for 28 days.				
Financial	Budget Area	The only fin	ancial implications are existing				
Implications		budgeted operational costs as this is a routine					
	Funding Source	Operational B	udget				
	Proposed Cost	N/A					
	Ongoing Costs N/A						
Policy Implications	Policy Title	There are no policy implications arising from					
		this report.					
	Impact on Policy	N/A					

STRATEGIC DIRECTION

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

Theme: 2 Infrastructure

CSP Objective: 2.2 Infrastructure meets the current and future needs of our

community

Delivery Program Strategy: 2.2.1 Water and sewer infrastructure and services meet the

needs of the community

Theme: 2 Infrastructure

CSP Objective: 2.2 Infrastructure meets the current and future needs of our

community

Delivery Program Strategy: 2.2.2 Solid waste management services meet the of the

community

RECOMMENDATION

1. That the 2024 Water Supply and Sewerage Services Customer Satisfaction Survey Results (Appendix 1) be noted.

2. That the Draft 2024-2026 Water Supply and Sewerage Services Customer Service Plan (Appendix 2) be endorsed for public exhibition for not less than 28 days and report back to Council following exhibition.

Luke Ryan
Director Infrastructure

DM Water and Sewer Compliance Officer

BACKGROUND

Dubbo Regional Council surveys its water and sewerage customer satisfaction levels every two years. The survey results determine customer satisfaction in relation to Council's water supply and sewerage customer service standards.

Council's most recent survey was undertaken in May 2024 by Micromex Research.

The random sample survey was completed by a mix of telephone surveys (498), and hardcopy (2), with a sample size of 500 respondents across the water and sewerage supply areas of Dubbo (including Brocklehurst, Wongarbon and Ballimore villages), Eumungerie, Mogriguy, Wellington, Geurie and Mumbil.

The preparation of a Customer Service Plan is a requirement of Best Practice in NSW as stipulated by Department of Climate Change, Environment, Energy and Water.

Overall, the Water Supply and Sewerage Customer Service Plan informs Council's customers of the services and responsibilities that they can expect from Council in accordance with the legislative framework for Local Government Water Utilities in NSW.

The plan provides:

- An explanation of the services offered for drinking water, septic waste, effluent, sewerage collection and treatment.
- Information on a range of customer service processes including connections, metering, billing, managing maintenance work, complaints and dispute resolution.
- A list of targets to express the levels of customer service or 'Customer Service Standards' that Council aims to deliver to its customers and the environment. This includes critical items such as standards for drinking water, water pressure, water supply interruptions, sewerage overflows/odours and maintenance response times.

The Water Supply and Sewerage Customer Service Plan will continue to be reviewed in conjunction with the water supply and sewerage customer satisfaction survey every two financial years.

The report recommends the Draft 2024-2026 Water Supply and Sewerage Services Customer Service Plan, be placed on public exhibition before final adoption by Council.

REPORT

The 2024 survey results highlight areas of continuity and overall satisfaction of water supply and sewerage services with previous years' results. Council's water supply and sewerage services customers are essentially satisfied with response times for reported water supply and sewerage service failures.

Micromex Research indicated that Council performs above the comparable Micromex benchmarks, derived from other regional council surveys, for both water and sewer importance and satisfaction.

Whilst a number of results have been similar year-on-year, there have also been some encouraging improvements in 2024 relative to 2022:

- For those who experienced a water problem in the last 12 months, satisfaction with both the response time and the workmanship has largely recovered from the decline in 2022.
- Registrations to the MyDRC Water Customer Portal are significantly higher, increasing to 24% this year from 15% in 2022, with the majority using the Portal to monitor their usage.

Of those using the Portal, there has been an increase in the proportion of users stating they have reduced their water usage (26% this year compared to 18% in 2022) based on information available through the Portal. Key findings from survey results are shown below:

Water Supply Services

- 92% of respondents rate the importance of Council's water services as important to very important.
- 89% of respondents are at least 'somewhat satisfied' with Council's delivery of town water service.
- 91% of respondents are satisfied with Priority 1 response times (within two hours).
- 72% of respondents are satisfied with Priority 2 response times (two business days).
- 57% of respondents are happy with Priority 3 response times (10 business days).
- 88% of respondents were not willing to pay higher water charges to achieve shorter response times.
- 11% of respondents had a water supply problem in the last 12 months. The primary reasons were water leaking outside their property, or a problem with their water meter (damaged/frozen).
- 72% of respondents who had a water supply problem were satisfied with the workmanship.
- 55% of respondents rate the quality of water supplied by Council as 'good' to 'excellent'. Although a small sample size, respondents from Geurie and Mumbil were more likely than other respondents to experience a problem with their water quality. It is noted that during the phone survey interview period, Mumbil had recently experienced a boil water alert.
- 29% of respondents would be willing to pay for the quality of water to be improved.

Sewerage Services

- 95% of respondents rate the importance of Council's sewerage services as important to very important.
- 96% of respondents are at least 'somewhat satisfied' with Council's delivery of town sewerage service.

- 77% of respondents rate their satisfaction with the quality of Council's sewerage system 'medium' to 'high'.
- 89% of respondents are satisfied with Priority 1 urgent response times (within two hours).
- 50% of respondents are satisfied with Priority 2 non-urgent response times (10 business days). Of those not satisfied with response times, 80% were not willing to pay high sewerage rates to achieve shorter response times.
- 6% of respondents had a sewerage problem in the last 12 months, with the primary issue a blockage/overflow. 58% of respondents were satisfied with the response time to problems experienced.
- 68% of respondents who had a sewerage problem were satisfied with the workmanship.
- The 'Can't say' question accounting for 16% of respondent's answers.

Water Conservation

- 24% of respondents are registered on the online smart water meter customer portal, MyDRC Water. The primary purpose for using the portal is monitoring usage, tracking trends and leak alerts.
- 69% of respondents believe that Council should do more to encourage water conservation.
- 88% of respondents uncertain or believe Council should not adopt a higher pricing system to encourage water conservation.

Council now proposes to publicly exhibit the 2024 Customer Satisfaction Survey Results and Draft 2024-2026 Water Supply and Sewerage Customer Service Plan. The public exhibition documents will be displayed on Council's website.

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	33,500	0	35,196	0	36,603	0
c. Operating budget impact (a – b)	33,500	0	35,196	0	36,603	0
d. Capital Expenditure	0	0	0	0	0	0
e. Total net impact (c – d)	33,500	0	35,500	0	37,500	0
Does the proposal require	nding? Y	Yes , every two years a survey is undertaken				
What is the source of this	C	Operational budget				

Table 1. Ongoing Financial Implications

Planned Communications

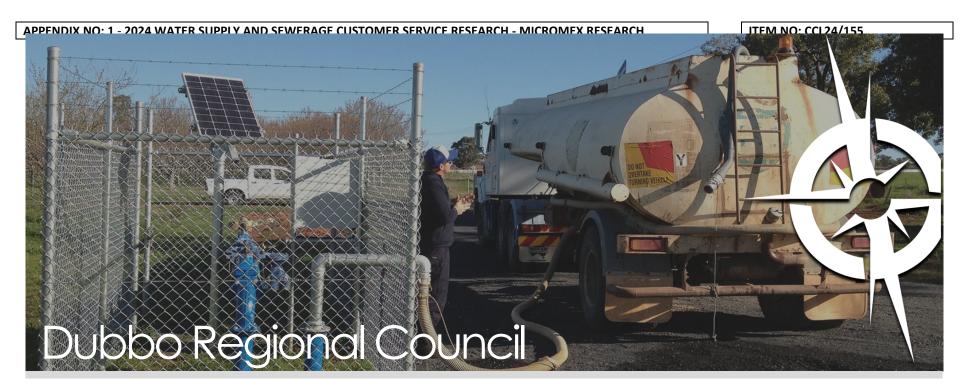
• This report recommends public exhibition of the 2024 Customer Satisfaction Survey Results and Draft 2024-2026 Water Supply and Sewerage Customer Service Plan.

Next Steps

 A further report will be presented to Council at the conclusion of the public exhibition period outlining any submissions received and for the adoption of the 2024-2026 Water Supply and Sewerage Customer Service Plan by Council.

APPENDICES:

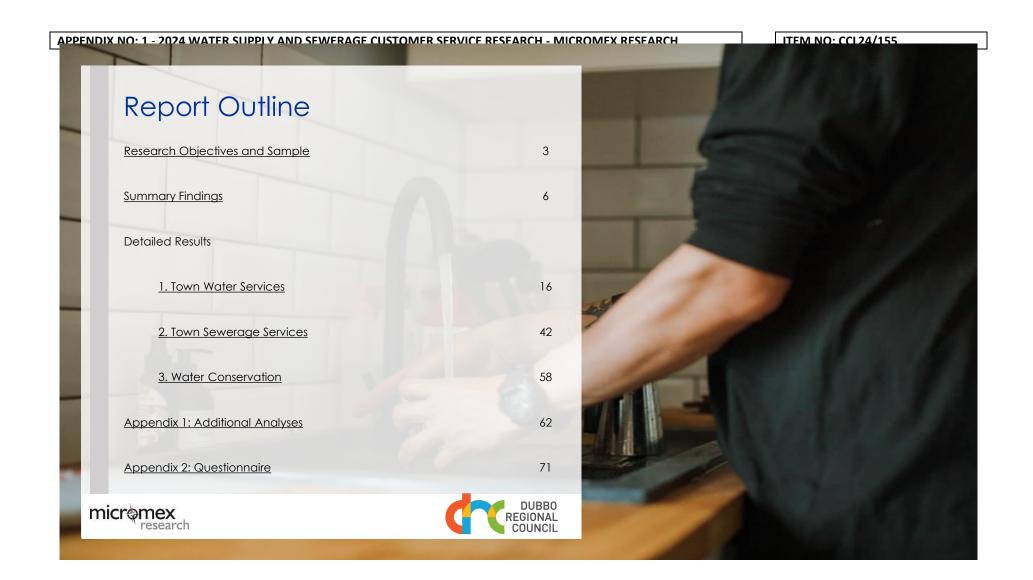
- 15 2024 Water Supply and Sewerage Customer Service Research Micromex Research
- 2. Draft 2024-2026 Water Supply and Sewerage Customer Service Plan

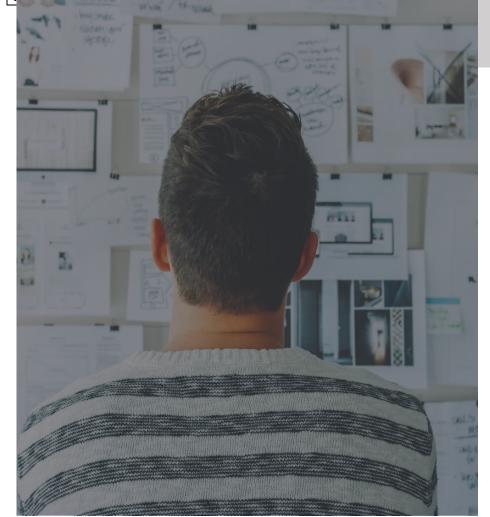


Water Supply and Sewer Customer Service Research – 2024 Prepared by: Micromex Research Date: June 6, 2024















Research Objectives

Every two years Dubbo Regional Council undertakes a Water Supply and Sewerage Customer Service Survey. In 2020 and previous waves, interviews were conducted with Dubbo LGA <u>residents</u>. However, given the focus of the questions (around satisfaction with services, willingness to pay, etc.), in 2022 and again in 2024 have we interviewed household decision makers.

Key objectives of the research include:

- Identify the community's satisfaction with Council's response to water supply failures
- Understand the community's satisfaction with water quality and Council's town water service
- Identify the community's satisfaction with Council's response to sewerage system requests
- Explore the community's satisfaction with Councill's town sewerage service

3

Methodology and Sample







Sample selection and error

In order to capture a representative sample of respondents from across the LGA, including the villages, a mixed mode methodology was adopted. N=498 household decision makers were interviewed via telephone survey (landline N = 46 and mobile N=452). A further N=2 responses were obtained via Council's hard copy questionnaire distribution to central locations in the villages (Brocklehurst, Mumbil, Eumungerie, Mogriguy and Ballimore).

A sample size of 500 residents provides a maximum sampling error of plus or minus 4.4% at 95% confidence. This means that if the survey was replicated with a new universe of N = 500 residents, 19 times out of 20 we would expect to see the same results, i.e. +/- 4.4%. For example, an answer such as 'yes' (50%) to a question could vary from 46% to 54%.

Interviewing

Interviewing was conducted in accordance with The Research Society Code of Professional Behaviour.

Fieldwork was conducted from the 29th April to 20th May.

Data analysis

The data within this report was analysed using Q Professional.

Within the report, blue and red font colours are used to identify statistically significant differences between groups, i.e., gender, age, etc.

Significance difference testing is a statistical test performed to evaluate the difference between two measurements. To identify the statistically significant differences between the groups of means, 'One-Way Anova tests' and 'Independent Samples T-tests' were used. 'Z Tests' were also used to determine statistically significant differences between column percentages.

Note: All percentages are calculated to the nearest whole number and therefore the total may not exactly equal 100%.

Ratings questions

The Unipolar Scale of 1 to 5 was used in all rating questions, where 1 was the lowest importance or satisfaction and 5 the highest importance or satisfaction.

This scale allowed us to identify different levels of importance and satisfaction across respondents.

Top 2 (T2) Box: refers to the aggregate percentage (%) score of the top two scores for importance. (i.e. important & very important)

Note: Only respondents who rated services/facilities a 4 or 5 in importance were asked to rate their satisfaction with that service/facility.

Top 3 (T3) Box: refers to the aggregate percentage (%) score of the top three scores for satisfaction or support. (i.e. somewhat satisfied, satisfied & very satisfied)

We refer to T3 Box Satisfaction in order to express moderate to high levels of satisfaction in a nondiscretionary category. We only report T2 Box Importance in order to provide differentiation and allow us to demonstrate the hierarchy of community priorities.

Micromex LGA Benchmark

Micromex has developed Community Satisfaction Benchmarks using normative data from over 80 unique councils, more than 200 surveys and over 100,000 interviews since 2012.

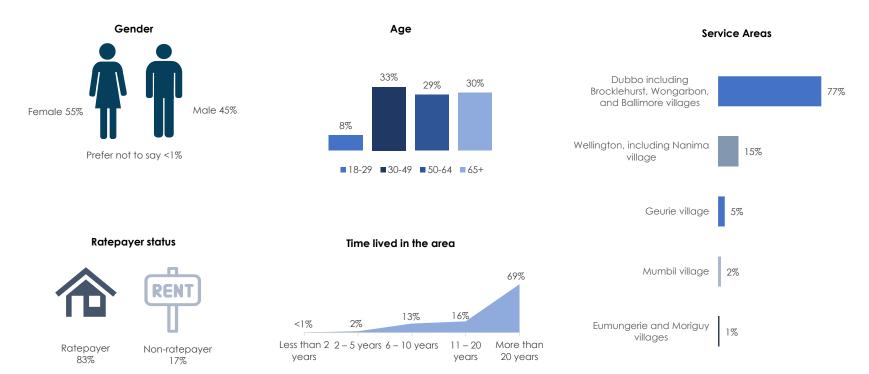
Reporting Note:

Some service areas (Mumbil village, Eumungerie and Mogriguy villages) and some demographics in cross analysis have small base sizes, therefore results should be viewed from a point of interest only.

4

Sample Profile

As this survey sought to interview the <u>household decision maker</u>, the data was <u>not</u> weighted by age or gender.



Base: N = 500







Council's Town Water Services: Scorecard



89%

Of respondents are at least 'somewhat satisfied' with Council's delivery of the town water service



Of respondents rate the quality of water supplied by Council as 'good' to 'excellent' Priority Response Times:

91%

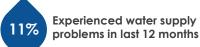
of respondents are satisfied with **Priority 1 response times** (Within 2 hours)

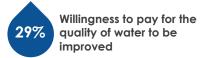
72%

of respondents are satisfied with **Priority 2 response times** (Within 2 business days)

57%

of respondents are satisfied with **Priority 3** response times (10 business days) Other Key Measures







Council's Town **Sewerage Services**: Scorecard



Of respondents are at least 'somewhat satisfied' with Council's delivery of the town sewerage service



Of respondents rate their satisfaction with the quality of Council's sewerage system as 'medium' to 'high'

Priority Response Times:

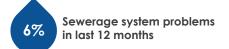
89%

of respondents are satisfied with **Priority 1 urgent response times** (Within 2 hours)

50%

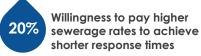
of respondents are satisfied with **Priority 2 non-urgent response times** (10 business days)

Other Key Measures





Caution low base size



(Of those who believe Priority 1 & 2 response times need to be reduced)

Overview

Overall, results of the 2024 survey are in line with 2022 result – for instance:

- Satisfaction for Priority 1/2/3 Water and Priority 1/2 Sewer response times are very similar this year to 2022
- Incidence of experiencing water supply problems is unchanged from 2022, at 11%
- And incidence of experiencing sewerage system problems is also unchanged, at 6%

Whilst a number of results have been similar year-on-year, there have also been some encouraging improvements in 2024 relative to 2022:

- For those who experienced a <u>water</u> problem in the last 12 months, satisfaction with both the
 response time and the workmanship has largely recovered from the declines in 2022.
- Registrations to the MyDRC Water Customer Portal are significantly higher, increasing to 24% this year from 15% in 2022, with the majority using the Portal to monitor their usage:
 - And of those using the Portal, there has been an increase in the proportion of users stating they have reduced their water usage (26% this year compared to 18% in 2022) based on information available through the Portal
- 69% of residents believe Council should do more to encourage water conservation across the LGA – up from 63% in 2022, and the highest level recorded to date:
 - However, only 12% believe Council should adopt a higher water pricing system to encourage more water conservation – this is down from 17% in 2022, perhaps reflecting recent cost-of-living pressures.



Opportunities

Some possible opportunities for Council include the following:

• Satisfaction with Quality of Council's SEWERAGE System: Of the 31 respondents who indicated they had encountered a sewerage system problem in the last 12 months (so a small cohort of the community), only 58% were satisfied with the <u>response time</u> – down from 67% in 2022 and the lowest reading to date.

And whilst satisfaction with the <u>workmanship</u> was up from 60% in 2022 to 68% in 2024, it is still relatively low compared to 2015/2017/2020. So there may be some room for improvement in terms of sewerage services/transactions.

Following on from the above, overall ratings of satisfaction with the quality of Council's sewerage system (so a more holistic measure than just transactional response times/workmanship) have been steadily declining for the past three waves: In 2017, 69% gave a 'High' rating, in 2024 that has dropped to 52%. However, it has been the 'Uncertain' rating code that has steadily increased over the years to compensate, rather than the 'Medium' and 'Low' ratings – which is an encouraging finding – but also a little perplexing... Has Council cut back on the amount of communications it shares with residents about the sewer system? Or have there been fewer storms in the LGA so there has been less attention drawn to the sewerage (and stormwater) systems?

The above findings are certainly not clear/consistent. However:

- Using the Micromex 'Importance of Council's town sewerage service' question, Dubbo LGA residents are significantly more likely than other regional areas we have surveyed to say sewerage services are <u>Important</u>
- o Dubbo residents are also significantly more likely to be <u>Satisfied</u> with Council's town sewerage service than are other regional LGA's we have surveyed.

So Council is performing comparatively well. However, it needs to continue to focus on its sewerage services – perhaps partly through communications and partly enhanced service provision – in order to satisfy the community's above-average interest in the service.



Opportunities

 Quality of WATER Supplied by Council: We noted on Slide 9 that satisfaction with response time and workmanship for those who had encountered a water supply problem in the last 12 months had increased in 2024 after dips in 2022.

Furthermore, amongst the 53 respondents in 2024 that experienced a water issue, only 11% said the problem was 'water quality' – down from 16% in 2022 and 23% in 2020. Thus, water quality issues are seemingly reducing.

It is therefore surprising that:

- Based on a more holistic 5-point 'Satisfaction with Council's town water service' question (Q15), those stating they are 'very satisfied' has dropped from 49% in 2022 to 35% in 2024, whilst the more neutral 'somewhat satisfied' ratings have increased.
- o And based on a separate 4-point satisfaction rating question (Q10, from 'poor' to 'excellent'), only 55% of respondents rated the quality of water supplied by Council as 'excellent' or 'very good' a significant drop from 71% in 2022.

We used the latter question (Q10) to cross analyse a number of other key metrics from 2024 and 2022, to see if we could find a reason for the drop in satisfaction this year. The results were seemingly counter-intuitive – for instance:

- o In 2024, those who gave a 'poor' rating were <u>less likely</u> to have experienced a water supply issue than was the case in 2022 (19% in 2024 v 34% in 2022)
- And of the 16 respondents in 2024 who gave a poor rating <u>and</u> did have a water problem, only 19% said it was 'water quality' - in 2022, this was 33% of 15 respondents
- And in 2024, those who gave a poor rating and did experience a water problem were more likely than those in 2022 to be satisfied with the response time and workmanship.

The decline in the Q10 satisfaction score is primarily amongst Dubbo township (and to a lesser extent Wellington) residents – and these larger towns tend to have lower levels of experiencing water supply problems – which probably explains the above.



Opportunities

Quality of WATER Supplied by Council - continued:

Why have satisfaction scores (Q10) declined for Dubbo township? When we compared 2024 and 2022 scores just for Dubbo township, the only notable differences in scores were:

- o In 2022, 19% of Dubbo residents were prepared to pay higher water rate charges to achieve shorter response times in 2024 this has dropped to just 10%
- o Similarly, in 2022, 18% believed that Council should adopt a higher water pricing system to encourage more water conservation this has dropped to 11% in 2024.

However, these results would seem to be more a symptom than a cause of lower satisfaction – that is, they don't appear to explain why overall satisfaction with the quality of water supplied by Council has dropped markedly in Dubbo township.

What we do know is that across the LGA – and in the Dubbo township – residents have rated 'the Importance of' and 'their Satisfaction with' Council's town water supply above our benchmarks based on other regional Councils – favourable results, but Council needs to be aware of the community's above-average interest in the water service.



Opportunities

- **Response Times**: The overwhelming majority of residents are happy with the 2-hour response time for Priority 1 water and sewer issues. However:
 - Support drops noticeably for Priority 2 and 3 cases, where response times are measured in 2/10 business days.
 - o And only 12% of those who are unhappy with any of the three water response times and 20% of those who are unhappy with either of the two sewerage response times indicated that they would be prepared to pay higher sewerage rates to achieve shorter response times the majority do not want to pay to reduce the response times.

Perhaps the opportunity for Council is to leverage the overwhelming support for the Priority 1 response times by making it clear to the community that 2-hour Priority 1 response times can only be delivered by having longer response times for lower priority issues.

- MyDRC Water Customer Portal: As noted on Slide 9, portal registrations have increased significantly since 2022 – up from 15% to 24%. However, that still presents a large opportunity to boost registrations further:
 - When asked why they hadn't registered, the main response was overwhelmingly that they didn't know about the Portal



Overview: Service Areas

In summary, while satisfaction with town water and sewerage services was generally high, there were some notable differences across service areas (Caution: some of the following comments are based on small sample sizes). Wellington, Geurie Village, and Mumbil Village tended to have lower satisfaction with priority response times, especially for non-urgent issues. Water quality ratings were also quite low in Mumbil Village specifically.

The results below, and on the next slide, provide a short summary of results and highlight some areas that may require more attention from Council.

- **Mumbil village** (caution very small base size):
 - o No respondents rated the water quality as 'good' to 'excellent'
 - o 56% are at least 'somewhat satisfied' with the town water service
 - o 20% have experienced a sewerage system problem in the last 12 months
 - 44% are at least 'somewhat satisfied' with the sewerage system
 - Residents believe Council should do more to encourage water conservation, but do not want to pay more
- Geurie village (caution small base size):
 - 30% experience a water supply problem in the last 12 months (compared to 9% in Dubbo)
 - $_{\odot}\,$ 96% are at least 'somewhat satisfied' with the town water supply and 59% rated the water quality as 'good' to 'excellent'
 - All 22 respondents were at least 'somewhat satisfied' with the sewerage system and 61% rated it as being of 'high' quality
 - Residents are less likely to have experienced a sewerage problem (4%) compared to other areas



Overview: Service Areas

- Dubbo: Given that 77% of the 500 interviews were conducted in Dubbo, it is no surprise that as a rule, Dubbo performed on a par with the total sample:
 - 88% are at least 'somewhat satisfied' with the town water service
 - 56% rated the water quality as 'good' to 'excellent'
 - o 97% are at least 'somewhat satisfied' with the sewerage system
 - o 78% rated the quality of the sewerage system as 'medium' to 'high' quality
 - o 26% are registered to the MyDRC Water Customer Portal

Wellington:

- o 92% are at least 'somewhat satisfied' with the town water service
- 54% rated the water quality as 'good' to 'excellent'
- o 97% are at least 'somewhat satisfied' with the sewerage system
- o 78% rated the quality of the sewerage system as 'medium' to 'high' quality
- o 26% are willing to pay higher sewerage rates for shorter response times
- o 24% are registered to the MyDRC Water Customer Portal

ITEM NO: CCI 24/155

Note: Base size too small for 'Eumungerie and Mogriguy villages' to draw meaningful findings.

APPENDIX NO: 1 - 2024 WATER SUPPLY AND SEWFRAGE CUSTOMER SERVICE RESEARCH - MICROMEX RESEARCH



Town Water Services

This section explores respondents' satisfaction with Council's town water supply.

Section One

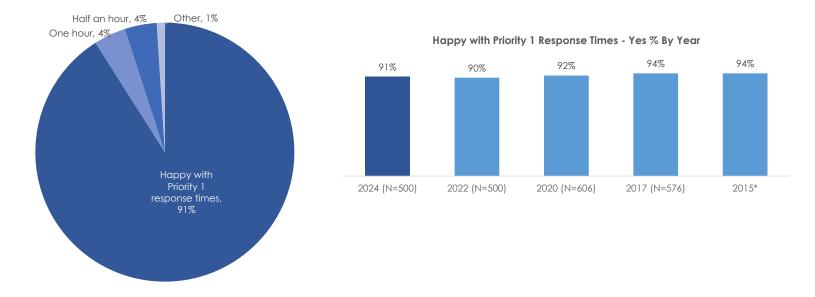




Priority 1 Response Times to Water Supply Failures

Similar to 2022, 91% of decision maker respondents are happy with Council's policy in responding to Priority 1 (urgent) water supply failures within 2 hours of being reported. Those residing in Dubbo are significantly more likely to be happy with this response level, whilst those in Wellington (and Mumbil village – although caution small base size) are significantly – and meaningfully – less likely to be happy (see next slide), which was not the case in 2022.

8% of residents would like to see a response within an hour or less.



Base: N = 500

Thinking now about Council's town water supply... Currently, Council's policy in responding to Priority 1 water supply failures is within 2 hours of being reported, (Priority 1 is urgent - total loss of supply, major main break). Are you happy with this current level of response to water supply failures? If you are not happy with Priority 1 response times, what response time would you see as acceptable in relation to water supply failures?

*Base sizes for 2015 are not available

Please see Appendix 1 for year on year detail and 'other' specified 17

Priority 1 Response Times to Water Supply Failures

	Overall 2024	Overall 2022	Male	Female	18-29	30-49	50-64	65+	Ratepayer	Non- ratepayer
Happy with Priority 1 response times	91%	90%	92%	89%	92%	91%	87%	93%	92%	85%
One hour	4%	4%	4%	5%	8%	2%	6%	4%	3%	9%
Half an hour	4%	5%	4%	5%	0%	6%	5%	3%	4%	6%
Other	1%	1%	1%	1%	0%	1%	2%	0%	1%	0%
Base	500	500	224	276	38	167	147	148	415	85

			Service area			Time lived	n the area
	Dubbo	Wellington	Geurie village	Mumbil village	Eumungerie and Mogriguy villages	20 years or less	More than 20 years
Happy with Priority 1 response times	92%	84%	93%	70%	100%	90%	91%
One hour	3%	8%	0%	30%	0%	6%	4%
Half an hour	4%	8%	4%	0%	0%	3%	5%
Other	1%	0%	4%	0%	0%	2%	0%
Base	384	74	27	10	5	156	344

A significantly higher/lower percentage(by group) 18

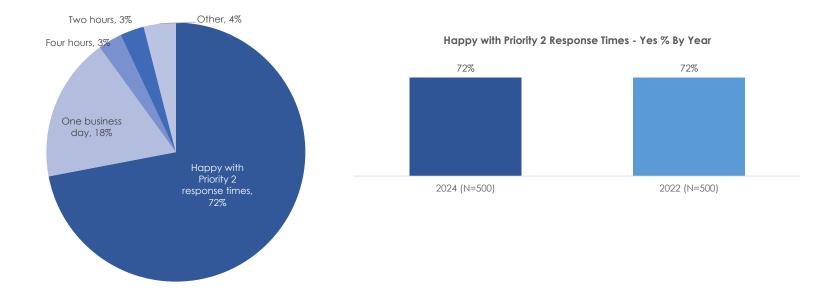
Q5. Thinking now about Council's town water supply... Currently, Council's policy in responding to Priority 1 water supply failures is within 2 hours of being reported, (Priority 1 is urgent - total loss of supply, major main break). Are you happy with this current level of response to water supply failures?

Q5a. If you are not happy with Priority 1 response times, what response time would you see as acceptable in relation to water supply failures?

Priority 2 Response Times to Water Supply Failures

In line with the 2022 results, 72% of respondents stated they are happy with Council's policy in responding to Priority 2 (minor, reduced supply) water supply issues within 2 business days of being reported. Males, younger respondents, ratepayers and those residing in Mumbil and Dubbo are generally happy with Priority 2 response times (see next slide).

Almost 1 in 5 respondents (18%) would like to see this response time reduced from 2 to 1 business day – this was even more noticeable amongst non-ratepayers.



Base: N = 500

Q6. Currently, Council's policy in responding to Priority 2 water supply failures is within 2 business days of being reported, (Priority 2 is minor - reduced supply issue). Are you happy with this current level of response to water supply failures?

a. If you are not happy with Priority 2 response times, what response time would you see as acceptable in relation to water supply failures?

Please see Appendix 1 for 'other' specified 19

Priority 2 Response Times to Water Supply Failures

	Overall 2024	Overall 2022	Male	Female	18-29	30-49	50-64	65+	Ratepayer	Non- ratepayer
Happy with Priority 2 response times	72%	72%	79%	66%	84%	74%	70%	68%	73%	66%
One business day	18%	17%	14%	21%	13%	17%	22%	17%	16%	27%
Four hours	3%	3%	0%	5%	0%	1%	1%	7%	3%	1%
Two hours	3%	4%	3%	4%	0%	4%	2%	4%	3%	2%
Other	4%	3%	3%	5%	3%	4%	4%	5%	4%	4%
Base	500	500	224	276	38	167	147	148	415	85

			Service area			Time lived	in the area
	Dubbo	Wellington	Geurie village	Mumbil village	Eumungerie and Mogriguy villages	20 years or less	More than 20 years
Happy with Priority 2 response times	74%	66%	56%	90%	60%	73%	71%
One business day	17%	23%	22%	0%	40%	17%	19%
Four hours	2%	4%	7%	0%	0%	1%	3%
Two hours	3%	1%	15%	10%	0%	5%	2%
Other	4%	5%	0%	0%	0%	3%	4%
Base	384	74	27	10	5	156	344

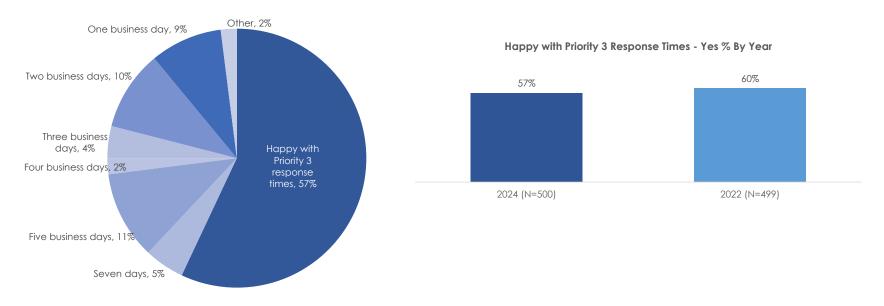
A significantly higher/lower percentage (by group) 20

Q6. Currently, Council's policy in responding to Priority 2 water supply failures is within 2 business days of being reported, (Priority 2 is minor - reduced supply issue). Are you happy with this current level of response to water supply failures?
 Q6a. If you are not happy with Priority 2 response times, what response time would you see as acceptable in relation to water supply failures?

Priority 3 Response Times to Water Supply Requests

57% of decision makers are happy with Council's policy in responding to Priority 3 (non-urgent) water supply requests within 10 days of being reported – down marginally (not significantly on 2022 results. Once again, males and younger respondents are happier with the current response time (see overleaf).

As was the case in 2022, approximately 1 in 5 (19%) would like to see this time reduced to 1-2 business days.



Base: N = 500

Q7. Currently, Council's policy in responding to <u>Priority 3</u> water supply requests is within 10 business days of being reported, (Priority 3 is non-urgent such as minor leak or hydrant leak). Are you happy with this current level of response to water supply requests?
 Q7a. If you are not happy with <u>Priority 3</u> response times, what response time would you see as acceptable in relation to water supply requests?

Please see Appendix 1 for 'other' specified 21

Priority 3 Response Times to Water Supply Requests

	Overall 2024	Overall 2022	Male	Female	18-29	30-49	50-64	65+	Ratepayer	Non- ratepayer
Happy with Priority 3 response times	57%	60%	66%	50%	76%	61%	50%	56%	58%	53%
Seven days	5%	5%	3%	7%	5%	5%	4%	6%	5%	6%
Five business days	11%	8%	11%	11%	11%	12%	14%	7%	12%	6%
Four business days	2%	2%	1%	3%	5%	2%	1%	3%	2%	5%
Three business days	4%	1%	4%	4%	0%	4%	6%	1%	3%	5%
Two business days	10%	11%	7%	12%	0%	8%	11%	12%	9%	13%
One business day	9%	8%	6%	11%	0%	5%	10%	14%	8%	12%
Other	2%	5%	2%	3%	3%	2%	4%	1%	3%	1%
Base	500	499	224	276	38	167	147	148	415	85

			Service area			Time lived	in the area
	Dubbo	Wellington	Geurie village	Mumbil village	Eumungerie and Mogriguy villages	20 years or less	More than 20 years
Happy with Priority 3 response times	59%	55%	48%	50%	40%	62%	56%
Seven days	5%	7%	4%	0%	0%	9%	3%
Five business days	11%	9%	19%	0%	40%	7%	13%
Four business days	2%	3%	4%	0%	0%	3%	2%
Three business days	3%	4%	0%	10%	20%	2%	4%
Two business days	10%	12%	0%	20%	0%	8%	10%
One business day	7%	9%	22%	20%	0%	6%	10%
Other	3%	0%	4%	0%	0%	4%	2%
Base	384	74	27	10	5	156	344

Currently, Council's policy in responding to Priority 3 water supply requests is within 10 business days of being reported, (Priority 3 is non-urgent such as minor leak or hydrant leak). Are you happy with this current level of response to water supply requests?

Q7a. If you are not happy with <u>Priority 3</u> response times, what response time would you see as acceptable in relation to water supply requests?

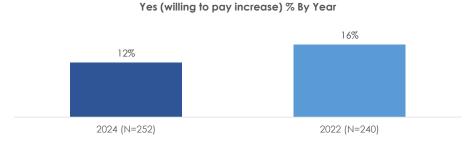
A significantly higher/lower percentage (by group) 22

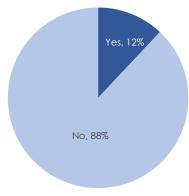
Increase in Water Charges to Achieve Shorter Response Times

Asked of those who previously stated they were unhappy with Priority 1, 2 or 3 response times

Of those who were not happy with any of the defined response times, 12% indicated they would be prepared to pay higher water charges to achieve shorter response times – down from 16% in 2022.

Younger respondents, non-ratepayers and those in Wellington and Geurie village are slightly more willing to pay, whilst those aged 50-64 were significantly less prepared to pay higher charges.





Base:	Ν	=	252

	Overall 2024	Male	Female	18-29	30-49	50-64	65+	Ratepayer	Non- ratepayer
Yes %	12%	14%	10%	23%	17%	3%	13%	10%	17%
Base	252	88	164	13	76	87	76	204	48

			Service area			Time lived	in the area
	Dubbo	Wellington	Geurie village	Mumbil village	Eumungerie and Mogriguy villages	20 years or less	More than 20 years
Yes %	10%	19%	18%	0%	0%	13%	11%
Base	185	42	17	5	3	75	177

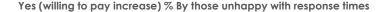
(If not 'yes' on Q5, Q6 & Q7) Would you be prepared to pay higher water charges to achieve shorter response times?

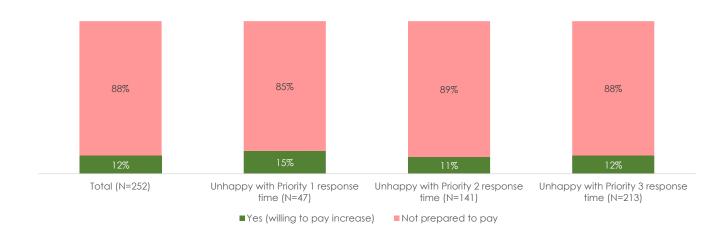
A significantly higher/lower percentage (by group) 23

Increase in Water Charges to Achieve Shorter Response Times

Asked of those who previously stated they were unhappy with Priority 1, 2 or 3 response times

Amongst those who were unhappy with the water-related response times listed on previous slides, the vast majority stated they would not be willing to pay more to achieve shorter response times – those unhappy with the current response time of within 2 hours for Priority 1 are marginally more likely to state they are prepared to pay higher water charges to reduce this time.





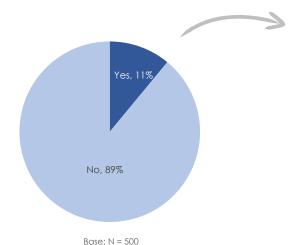
Q8. (If not 'yes' on Q5, Q6 & Q7) Would you be prepared to pay higher water charges to achieve shorter response times?

24

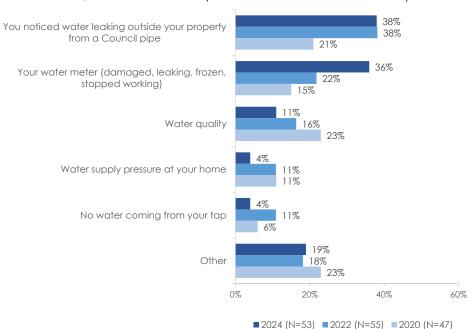
Water Supply Problems Experienced in the Past 12 months

11% of respondents have experienced a water supply problem in the last 12 months that required a call to Council – significantly higher amongst those in Geurie village (30% - mainly around leaks and water quality). Of those that experienced a problem, water leaking outside from a Council pipe (38%) and issues with the water meter (36%) were more commonly experienced.

Encouragingly, 'water quality' problems continue to decrease since 2020. However, water meter-related problems have increased noticeably since 2020.



	2024	2022	2020	2017	2015
Yes %	11%	11%	8%	13%	5%
Base	500	500	606	576	N/A*



*Base sizes for 2015 are not available Please see Appendix 1 for 'other' specified 25

Have you had a water supply problem in the last 12 months and needed to call Council? Q9a. (If answered "Yes" to Question 9 i.e. have you had a water problem), What was the problem?

Water Supply Problems Experienced in the Past 12 months

Q9	Overall 2024	Male	Female	18-29	30-49	50-64	65+	Ratepayer	Non- ratepayer
Experienced a water supply problem - Yes %	11%	12%	9%	8%	11%	14%	7%	12%	5%
Base	500	224	276	38	167	147	148	415	85

			Service area			Time lived	in the area
Q9	Dubbo	Wellington	Geurie village	Mumbil village	Eumungerie and Mogriguy villages	20 years or less	More than 20 years
Experienced a water supply problem - Yes %	9%	12%	30%	20%	20%	14%	9%
Base	384	74	27	10	5	156	344

Q9a. What was the problem?	Overall 2024	Male	Female	18-29	30-49	50-64	65+	Ratepayer	Non- ratepayer
You noticed water leaking outside your property from a Council pipe	38%	37%	38%	67%	39%	38%	27%	39%	25%
Your water meter	36%	41%	31%	0%	28%	48%	36%	39%	0%
Water Quality	11%	4%	19%	33%	11%	10%	9%	10%	25%
Water Supply pressure at your home	4%	4%	4%	33%	0%	5%	0%	4%	0%
No water coming from your tap	4%	4%	4%	0%	6%	5%	0%	2%	25%
Other	19%	19%	19%	33%	22%	10%	27%	16%	50%
Base	53	27	26	3	18	21	11	49	4

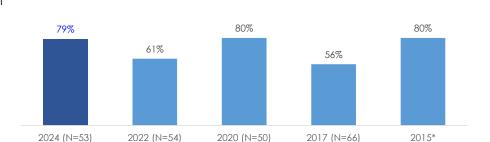
			Service area			Time lived	in the area
Q9a. What was the problem?	Dubbo	Wellington	Geurie village	Mumbil village	Eumungerie and Mogriguy villages	20 years or less	More than 20 years
You noticed water leaking outside your property from a Council pipe	30%	33%	63%	100%	0%	36%	39%
Your water meter	45%	33%	13%	0%	0%	41%	32%
Water Quality	9%	11%	25%	0%	0%	14%	10%
Water Supply pressure at your home	3%	0%	13%	0%	0%	5%	3%
No water coming from your tap	3%	11%	0%	0%	0%	0%	6%
Other	18%	22%	13%	0%	100%	14%	23%
Base	33	9	8	2	1	22	31

Q9/9a. Have you had a water supply problem in the last 12 months and needed to call Council? What was the problem?

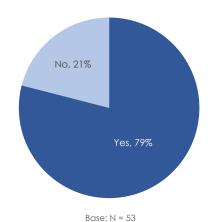
Caution low base sizes A significantly higher/lower percentage (by group) 26

Satisfaction With the Response Time to Water Supply Problems Experienced

Of those that had experienced a water supply problem, satisfaction with the response time significantly increased from 61% in 2022 to 79% this year.



Satisfied with Response Time - Yes % By Year



	Overall 2024	Male	Female	18-29	30-49	50-64	65+	Ratepayer	Non- ratepayer
Yes %	79%	81%	77%	100%	67%	86%	82%	82%	50%
Base	53	27	26	3	18	21	11	49	4

			Service area			Time lived	in the area
	Dubbo	Wellington	Geurie village	Mumbil village	Eumungerie and Mogriguy villages	20 years or less	More than 20 years
Yes %	85%	67%	75%	50%	100%	68%	87%
Base	33	9	8	2	1	22	31

Q9b. (If 'yes' on all Q5, Q6 & Q7) Were you satisfied with the response time?

*Base sizes for 2015 are not available Caution small base sizes

A significantly higher/lower percentage (by year/group) 27

-/

Satisfaction With the Response Time to Water Supply Problems Experienced

Despite sample sizes being very small, there is a sense that for the six respondents who had experienced an issue with water quality, satisfaction with Council's response time was relatively low (the table below is read across the rows).

Satisfaction with response time appears to have increased for water leaks and issues with the water meter (see last years results in brackets for reference).

Satisfaction with the Response Time by Problem Experienced

Q9a. Problem experienced	Q9b. Were	you satis	
Row %	Yes	No	Base*
You noticed water leaking outside your property from a Council pipe	85% (62%)	15%	20
Your water meter (damaged, leaking, frozen, stopped working)	84% (75%)	16%	19
Water quality	33% (33%)	67%	6
Water supply pressure at your home	50% (50%)	50%	2
No water coming from your tap	50% (67%)	50%	2
Other	80% (44%)	20%	10

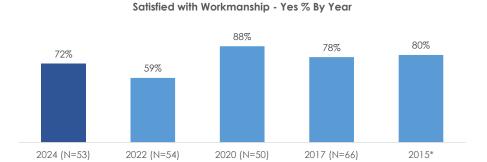
Q9a. What was the problem?

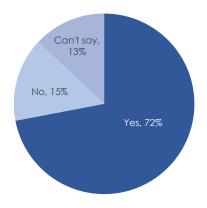
Q9b. Were you satisfied with the response time?

*Caution low base sizes 28

Satisfaction with the Workmanship During Problem Resolution

Recovering from the decline experienced in 2022 (59%), 72% of those who had experienced a water supply problem were satisfied with the workmanship.





	Overall 2024	Male	Female	18-29	30-49	50-64	65+	Ratepayer	Non- ratepayer
Yes %	72%	78%	65%	100%	67%	76%	64%	76%	25%
Base	53	27	26	3	18	21	11	49	4

			Service area			Time lived	in the area
	Dubbo	Wellington	Geurie village	Mumbil village	Eumungerie and Mogriguy villages	20 years or less	More than 20 years
Yes %	79%	67%	63%	50%	0%	64%	77%
Base	33	9	8	2	1	22	31

Base: N = 53

Note: Comparisons with research prior to 2020 should be viewed from an interest point only as 'can't say' was not an option in previous years. This may account for the decline in satisfaction with the workmanship when comparing results

Q9c. Were you satisfied with the workmanship?

*Base sizes for 2015 are not available Caution small base sizes

A significantly higher/lower percentage (by group) 29

Satisfaction with the Workmanship During Problem Resolution

Similar to the results for the satisfaction with response times, the sample sizes here are very low. However, for key problems experienced, satisfaction with workmanship is generally high (table is read across the rows).

Satisfaction with the Workmanship by Problem Experienced

Q9a. Problem experienced	Q9c. Were you satisfied with the workmanship?					
Row %	Yes	No	Can't say	Base*		
You noticed water leaking outside your property from a Council pipe	70% (67%)	20%	10%	20		
Your water meter (damaged, leaking, frozen, stopped working)	74% (83%)	11%	16%	19		
Water quality	67% (44%)	17%	17%	6		
Water supply pressure at your home	100% (17%)	0%	0%	2		
No water coming from your tap	50% (67%)	0%	50%	2		
Other	80% (56%)	10%	10%	10		

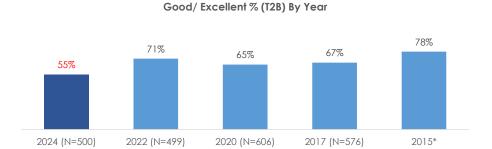
Q9a. What was the problem?

Q9c. Were you satisfied with the workmanship?

*Caution low base sizes
Results in brackets represent 2022 results 30

Quality of the Water Supplied by Council

Rating of the quality of water supplied by Council has significantly declined in 2024, with 55% rating it as 'good' to 'excellent' (a drop from 71% in 2022). Although a very small base size, 9 of the 10 respondents residing in Mumbil village rated the water quality as 'poor', the other 1 rated it as 'fair'.





	Overall 2024	Overall 2022	Male	Female	18-29	30-49	50-64	65+	Ratepayer	Non- ratepayer
T2B %	55%	71%	53%	57%	53%	57%	51%	57%	56%	51%
Mean	2.50	2.84	2.49	2.50	2.39	2.54	2.46	2.50	2.52	2.40
Base	500	499	224	276	38	167	147	148	415	85

			Service area			Time lived	in the area
	Dubbo	Wellington	Geurie village	Mumbil village	Eumungerie and Mogriguy villages	20 years or less	More than 20 years
T2B %	56%	54%	59%	0%	80%	54%	55%
Mean	2.51	2.53	2.63	1.10	3.00	2.42	2.53
Base	384	74	27	10	5	156	344

Scale: 1 = poor, 4 = excellent

*Base sizes for 2015 are not available

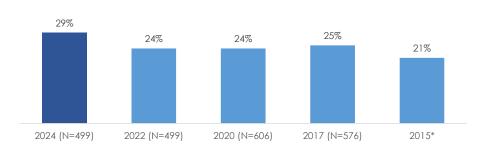
A significantly higher/lower percentage/rating (by year/group) 31

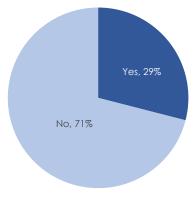
Q10. How would you rate the quality of water supplied by council?

Willingness to Pay for Water Quality to be Improved

Increasing from previous years, 29% of respondents are prepared to pay for the water quality to be improved. Significantly greater for those aged 18-29 (45%).

Willingness to Pay for Improved Water Quality - Yes % By Year





	Overall 2024	Male	Female	18-29	30-49	50-64	65+	Ratepayer	Non- ratepayer
Yes %	29%	31%	28%	45%	32%	27%	25%	28%	35%
Base	499	224	275	38	166	147	148	415	84

			Service area			Time lived	in the area
	Dubbo	Wellington	Geurie village	Mumbil village	Eumungerie and Mogriguy villages	20 years or less	More than 20 years
Yes %	28%	38%	19%	50%	20%	34%	28%
Base	383	74	27	10	5	155	344

Base: N = 499

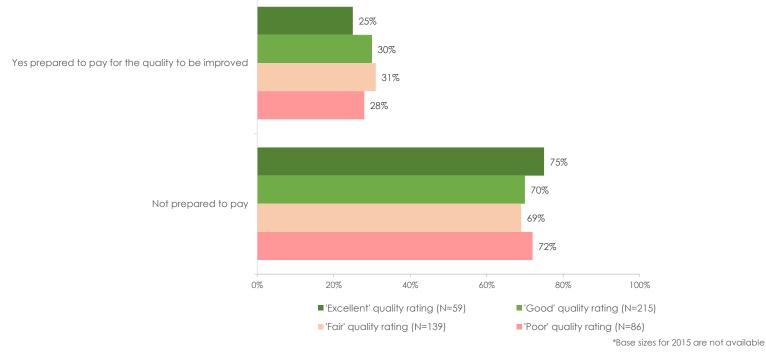
*Base sizes for 2015 are not available

A significantly higher/lower percentage(by group) 32

Q11. Would you be prepared to pay for the quality of water to be improved?

Willingness to Pay for Water Quality to be Improved by Water Quality Rating

The chart below analyses the willingness to pay for the water quality to be improved (Q11) by the earlier water quality ratings (Q10, see Slide 31). Our hypothesis was that those who gave lower ratings on Q10 may be more prepared to pay for the quality of water to be improved. However, there are minimal differences in willingness by ratings e.g. 28% of those who rated the water quality as 'poor' are prepared to pay more for it to be improved, whilst 25% of those who rated the quality as 'excellent' are willing to pay more for it to be improved.



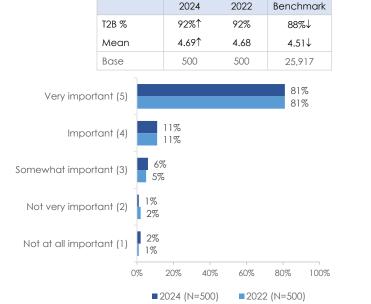
Q11. Would you be prepared to pay for the quality of water to be improved?

A significantly higher/lower percentage(by group) 33

Importance of, and Satisfaction with, Council's Town Water Service

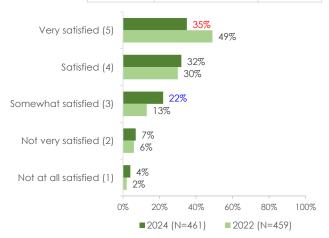
On Slide 31 we reported the overall rating of water quality, based on a question Council has used over the years. Micromex has a different set of questions, that ask about Importance of and Satisfaction with Council's town water supply – so a little broader than Council's question on Slide 31. The value of the Micromex questions is that they can be compared to benchmark data derived from other Councils.

92% of respondents believe Council's town water supply is important/very important to them (higher than our Regional norm of 88%) and 89% are at least somewhat satisfied with the town water supply (a slight drop from 2022, but above our normative data).



Overall

	Overall 2024	Overall 2022	Regional Benchmark
T3B %	89%	92%	85%
Mean	3.86	4.17	3.77
Base	461	459	22,601



Scale: 1 = not at all important, 5 = very important. T2B % = Important / Very important ↑↓ = A significantly higher/lower percentage/rating (compared to Regional Benchmark)

Q14. On a scale of 1 to 5, where 1 is low importance and 5 is high importance, how important is Council's town water supply to you? Q15. And how satisfied are you with Council's town water service, on a scale of 1 to 5, where 1 is low satisfaction and 5 is high satisfaction.

Scale: 1 = not at all satisfied, 5 = very satisfied
T3B % = At least somewhat satisfied
A significantly higher/lower percentage/rating (compared to 2022) 34

Importance of, and Satisfaction with, Council's Town Water Service

Importance	Overall 2024	Male	Female	18-29	30-49	50-64	65+	Ratepayer	Non- ratepayer
T2B %	92%	88%	96%	89%	90%	94%	94%	92%	92%
Mean	4.69	4.54	4.82	4.55	4.62	4.76	4.74	4.69	4.68
Base	500	224	276	38	167	147	148	415	85

			Service area			Time lived	in the area
Importance	Dubbo	Wellington	Geurie village	Mumbil village	Eumungerie and Mogriguy villages	20 years or less	More than 20 years
T2B %	93%	89%	89%	90%	60%	94%	92%
Mean	4.70	4.65	4.78	4.80	4.00	4.69	4.69
Base	384	74	27	10	5	156	344

Satisfaction	Overall 2024	Male	Female	18-29	30-49	50-64	65+	Ratepayer	Non- ratepayer
T3B %	89%	91%	86%	91%	87%	86%	92%	89%	86%
Mean	3.86	3.95	3.79	3.79	3.75	3.76	4.09	3.87	3.79
Base	461	197	264	34	150	138	139	383	78

		Time lived	in the area				
Satisfaction	Dubbo	Wellington	Geurie village	Mumbil village	Eumungerie and Mogriguy villages	20 years or less	More than 20 years
T3B %	88%	92%	96%	56%	67%	86%	90%
Mean	3.86	3.94	3.96	2.89	3.67	3.73	3.92
Base	359	66	24	9	3	146	315

Caution low base sizes

Q14. On a scale of 1 to 5, where 1 is low importance and 5 is high importance, how important is Council's town water supply to you?

Q15. And how satisfied are you with Council's town water service, on a scale of 1 to 5, where 1 is low satisfaction and 5 is high satisfaction.

Males rated the town water service significantly less important than did females – and the satisfaction rating provided by males was slightly higher.

Although a very small base size, satisfaction with the town water service was significantly lower amongst those living in Mumbil village compared to other areas.

Scale: 1 = not at all important, 5 = very important Scale: 1 = not at all satisfied, 5 = very satisfied

A significantly higher/lower percentage/rating (by group) 35

Profile of Key Questions by Respondents' Satisfaction With Council's Town Water

Respondents who expressed lower levels of satisfaction with Council's town water service overall (based on Q15) also expressed significantly lower levels of satisfaction with all response times, were significantly more likely to have experienced a water supply problem in the L12M, and were significantly less satisfied with the quality of water supplied overall.

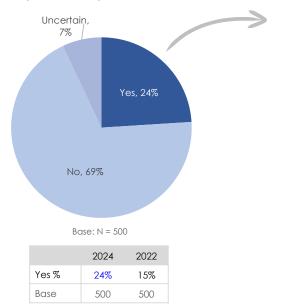
	Satisfaction w	rith Council's Town '	Water Service (Q15)
	Very satisfied (N=7-161)	Satisfied (N=10-147)	Somewhat satisfied/Not very satisfied/Not at all satisfied (N=25-153)
Satisfied with Priority 1 response times (Q5 – yes %)	96%	93%	84%
Satisfied with Priority 2 response times (Q6 – yes %)	82%	71%	60%
Satisfied with Priority 3 response times (Q7 – yes %)	71%	54%	48%
Willingness to pay higher water charges to achieve shorter response times (Q8 – yes %)	12%	10%	10%
Experienced a water supply problem in the L12M and needed to call Council (Q9 – yes %)	7%	11%	15%
Satisfied with the response time (Q9b – yes %)	100%	94%	57%
Satisfied with the workmanship (Q9c – yes %)	82%	75%	61%
Rating of the quality of water supplied (Q10) Mean rating: 1 = poor, 4 = excellent	2.99	2.63	1.88
Willingness to pay for the quality of water to be improved (Q11 – yes %)	31%	27%	30%

A significantly higher/lower percentage/rating (by level of satisfaction) 36

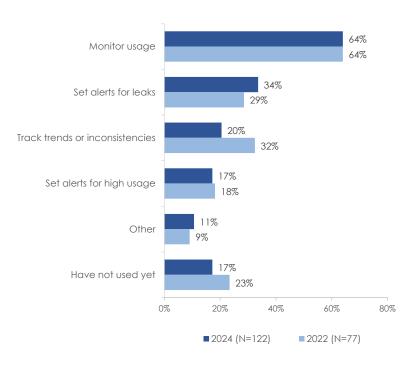
MyDRC Water Customer Portal

Compared to 2022 (when smart water devices were still being rolled out), significantly more respondents are now registered on the MyDRC Water Customer Portal – although there is certainly room to boost this number.

2 in 3 registered users are using the Portal to monitor their usage and 1 in 3 are using it to set alerts for leaks. Ratepayers are significantly more likely to be registered on the Portal (see overleaf).



Used the Portal For:



Q12. Council has installed smart water devices across the Local Government Area. There is a free customer portal and mobile phone App, MyDRC Water, to assist you monitor your water usage using the smart meter technology. Are you registered on the MyDRC Water customer portal?

Q12a. What do you use the portal for?

A significantly higher/lower percentage (by year)

Please see Appendix 1 for 'other' specified 37

MyDRC Water Customer Portal

Q12	Overall 2024	Male	Female	18-29	30-49	50-64	65+	Ratepayer	Non- ratepayer
Registered on MyDRC Water Portal - Yes %	24%	25%	24%	21%	26%	26%	22%	28%	6%
Base	500	224	276	38	167	147	148	415	85

				Service area				Time lived	in the area
Q12	Dubbo		Wellington	Geurie village	· Mum	nbil village	Eumungerie and Mogrigu villages	20 vears or	More than 20 years
Registered on MyDRC Water Portal - Yes %	26%		24%	7%		10%	0%	21%	26%
Base	384		74	27		10	5	156	344
Q12a. What do you use the portal for?	Overall 2024	Male	Female	18-29	30-49	50-64	65+	Ratepayer	Non- ratepayer
Monitor usage	64%	67%	62%	88%	68%	47%	72%	67%	0%
Set alerts for leaks	34%	37%	31%	63%	23%	37%	38%	34%	20%
Track trends or inconsistencies	20%	19%	22%	63%	16%	5%	34%	21%	0%
Set alerts for high usage	17%	21%	14%	50%	11%	8%	28%	18%	0%
Other	11%	9%	12%	0%	9%	21%	3%	10%	20%
Have not used yet	17%	16%	18%	13%	23%	18%	9%	15%	60%
Base	122	57	65	8	44	38	32	117	5

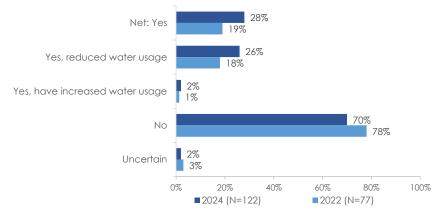
		Service area						
Q12a. What do you use the portal for?	Dubbo	Wellington	Geurie village	Mumbil village	20 years or less	More than 20 years		
Monitor usage	68%	44%	50%	0%	67%	63%		
Set alerts for leaks	33%	44%	0%	0%	21%	38%		
Track trends or inconsistencies	20%	22%	50%	0%	12%	24%		
Set alerts for high usage	18%	17%	0%	0%	6%	21%		
Other	9%	11%	50%	100%	6%	12%		
Have not used yet	17%	22%	0%	0%	24%	15%		
Base	101	18	2	1	33	89		

Q12. Council has installed smart water devices across the Local Government Area. There is a free customer portal and mobile phone App, MyDRC Water, to assist you monitor your water usage using the smart meter technology. Are you registered on the MyDRC Water customer portal? Q12a. What do you use the portal for?

Caution low base sizes A significantly higher/lower percentage (by group) 38

Changes to Water Usage Based off Information from the Portal

The impact of the Portal is seemingly increasing, with 26% of those using it stating they have reduced their water usage based off information available on the Portal (increased from 18% in 2022).



Water usage	Overall 2024	Male	Female	18-29	30-49	50-64	65+	Ratepayer	Non- ratepayer
Yes, reduced	26%	23%	29%	50%	25%	24%	25%	27%	0%
Yes, increased	2%	4%	0%	13%	2%	0%	0%	2%	0%
No/uncertain	72%	74%	71%	38%	73%	76%	75%	71%	100%
Base	122	57	65	8	44	38	32	117	5

		Service area							
Water usage	Dubbo	Wellington	Geurie village	Mumbil village	20 years or less	More than 20 years			
Yes, reduced	28%	17%	50%	0%	21%	28%			
Yes, increased	2%	0%	0%	0%	0%	2%			
No/uncertain	70%	83%	50%	100%	79%	70%			
Base	101	18	2	1	33	89			

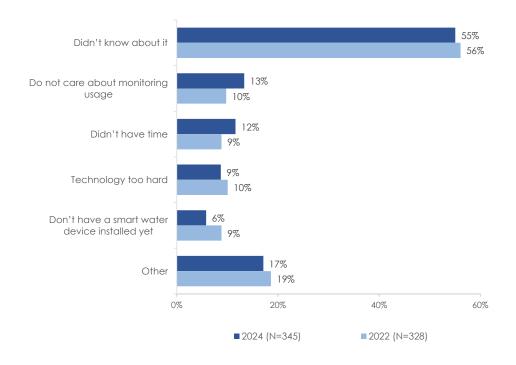
Q12b. Have you made changes to your water usage behaviours/habits from the information available through the portal?

A significantly higher/lower percentage(by group) 39

Caution low base sizes

Reason for Not Registering to the MyDRC Water Customer Portal

There remains opportunity to increase awareness of the Portal, with half of those who have not registered stating they 'didn't know about it'. Males are more likely to have stated they 'do not care about monitoring usage' and those aged 65+ are likely to find the 'technology too hard'.



Q13. [If answered 'No' on Q12] Why in particular, are you not registered for the MyDRC Water customer portal?

40

MyDRC Water Customer Portal

	Overall 2024	Male	Female	18-29	30-49	50-64	65+	Ratepayer	Non- ratepayer
Didn't know about it	55%	56%	54%	70%	61%	56%	44%	54%	58%
Do not care about monitoring usage	13%	19%	9%	15%	10%	16%	15%	14%	11%
Didn't have time	12%	9%	14%	7%	12%	13%	11%	14%	4%
Technology too hard	9%	7%	10%	0%	1%	8%	20%	8%	11%
Don't have a smart water device installed yet	6%	5%	6%	0%	5%	7%	7%	6%	7%
Other	17%	19%	16%	22%	17%	19%	15%	16%	21%
Base	345	150	195	27	113	102	103	272	73

	Service area					Time lived in the area	
	Dubbo	Wellington	Geurie village	Mumbil village	Eumungerie and Mogriguy villages	20 years or less	More than 20 years
Didn't know about it	56%	56%	45%	57%	40%	59%	53%
Technology too hard	13%	11%	14%	43%	20%	16%	12%
Do not care about monitoring usage	12%	11%	9%	0%	20%	9%	13%
Didn't have time	8%	9%	14%	14%	0%	6%	10%
Don't have a smart water device installed yet	6%	4%	9%	0%	20%	5%	6%
Other	17%	19%	14%	14%	20%	17%	17%
Base	257	54	22	7	5	109	236

Q13. [If answered 'No' on Q12] Why in particular, are you not registered for the MyDRC Water customer portal?

Caution low base sizes
A significantly higher/lower percentage(by group) 41

APPENDIX NO: 1 - 2024 WATER SLIPPLY AND SEWFRAGE CLISTOMER SERVICE RESEARCH - MICROMEX RESEARCH







Section Two

Town Sewerage Services

This section explores respondents' satisfaction with Council's town sewerage services.

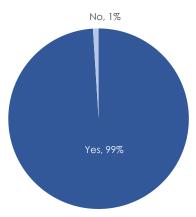
Note: Respondents from Ballimore, Eumungerie and Mogriguy were not asked questions regarding town sewerage. And those in Geurie and Wongarbon skipped this section if they were not connected to town sewerage.





Town Sewerage Connection

99% of this year's sample are connected to town sewerage.



Base: N = 494

	2024	2022
Yes %	99%	97%
Base	494	494

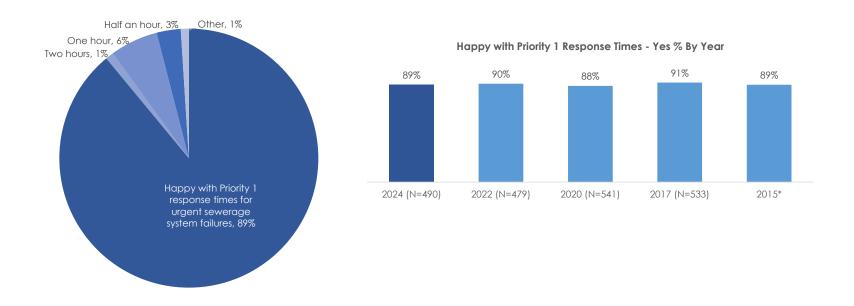
Q4. Are you connected to town sewerage?

A significantly higher/lower percentage (by year) 43

Response to Priority 1 Urgent Sewerage System Failures

Similar to 2022, 89% of respondents are happy with Council's current policy in responding to Priority 1 (urgent) sewerage system failures within 2 hours of being reported. Ratepayers, older residents and those residing in Geurie village are more likely to be happy with the current response time.

9% of respondents would like to see a response within an hour or less.



Base: N = 490

Thinking now about Council's town sewerage services... Currently, Council's policy in responding to <u>Priority 1</u> urgent sewerage system failures is within 2 hours of being reported. Are you happy with this current level of response to sewerage system failures?

Q16a. If you are not happy, what response time would you see as acceptable in relation to Priority 1 urgent sewerage system failures?

*Base sizes for 2015 are not available 44

Response to Priority 1 Urgent Sewerage System Failures

	Overall 2024	Overall 2022	Male	Female	18-29	30-49	50-64	65+	Ratepayer	Non- ratepayer
Happy with Priority 1 response times	89%	90%	91%	88%	92%	88%	85%	94%	91%	82%
Two hours	1%	0%	1%	0%	0%	1%	1%	0%	0%	1%
One hour	6%	5%	4%	7%	5%	5%	8%	4%	5%	11%
Half an hour	3%	4%	3%	4%	3%	6%	3%	1%	3%	5%
Other	1%	1%	1%	1%	0%	1%	2%	1%	1%	1%
Base	490	479	220	270	38	163	144	145	405	85

		Servic	ce area		Time lived in the area		
	Dubbo	Wellington	Geurie village	Mumbil village	20 years or less	More than 20 years	
Happy with Priority 1 response times	90%	85%	96%	80%	89%	89%	
Two hours	1%	1%	0%	0%	1%	0%	
One hour	5%	8%	4%	10%	5%	6%	
Half an hour	3%	5%	0%	0%	3%	4%	
Other	1%	0%	0%	10%	1%	1%	
Base	383	74	23	10	152	338	

A significantly higher/lower percentage(by group) 45

Q16. Thinking now about Council's town sewerage services... Currently, Council's policy in responding to Priority 1 urgent sewerage system failures is

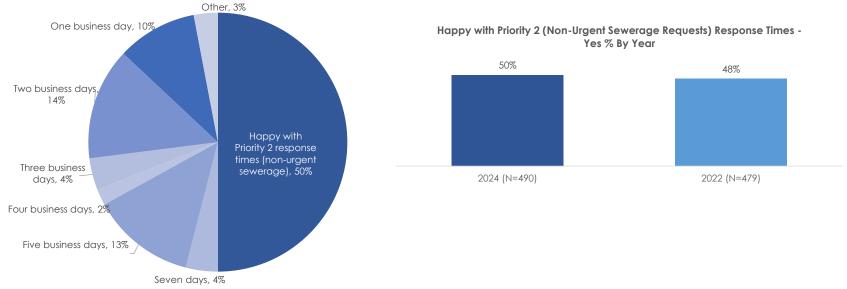
within 2 hours of being reported. Are you happy with this current level of response to sewerage system failures?

Q16a. If you are not happy, what response time would you see as acceptable in relation to <u>Priority 1</u> urgent sewerage system failures?

Response to Priority 2 Non-Urgent Sewerage System Requests

50% stated they are happy with Council's policy in responding to Priority 2 (non-urgent) sewerage system requests within 10 business days of being reported – very similar to the 2022 response (48%). Males and younger respondents were happier with priority 2 response times.

Approximately 1 in 4 respondents (24%) would like to see this response time reduced to 1-2 business days.



Base: N = 490

Q17. Council's policy in responding to <u>Priority 2</u> non-urgent sewerage system requests is within 10 business days of being reported. Are you happy with this current level of response to sewerage system requests?

Q17a. If you are not happy, what response time would you see as acceptable in relation to Priority 2 non-urgent sewerage system requests?

Please see Appendix 1 for 'other' specified 46

Response to Priority 2 Non-Urgent Sewerage System Requests

	Overall 2024	Overall 2022	Male	Female	18-29	30-49	50-64	65+	Ratepayer	Non- ratepayer
Happy with Priority 2 response times	50%	48%	59%	43%	71%	57%	44%	44%	52%	42%
Seven days	4%	5%	2%	5%	5%	3%	5%	3%	3%	8%
Five business days	13%	9%	12%	14%	8%	12%	15%	14%	14%	9%
Four business days	2%	2%	2%	2%	0%	1%	3%	2%	2%	2%
Three business days	4%	2%	2%	5%	5%	2%	5%	3%	4%	2%
Two business days	14%	16%	12%	15%	8%	11%	17%	14%	13%	16%
One business day	11%	14%	7%	13%	0%	10%	10%	15%	10%	13%
Other	3%	4%	4%	3%	3%	3%	2%	4%	2%	6%
Base	490	479	220	270	38	163	144	145	405	85

		Servio	ce area		Time lived in the area		
	Dubbo	Wellington	Geurie village	Mumbil village	20 years or less	More than 20 years	
Happy with Priority 2 response times	51%	47%	52%	40%	55%	49%	
Seven days	4%	0%	0%	10%	7%	2%	
Five business days	13%	14%	9%	10%	11%	14%	
Four business days	2%	1%	9%	0%	1%	2%	
Three business days	4%	3%	0%	10%	4%	4%	
Two business days	14%	18%	9%	0%	11%	15%	
One business day	9%	16%	22%	20%	8%	12%	
Other	3%	1%	0%	10%	3%	3%	
Base	383	74	23	10	152	338	

Q17. Council's policy in responding to Priority 2, non-urgent sewerage system requests is within 10 business days of being reported. Are you happy with this current level of response to sewerage system requests?

Q17a. If you are not happy, what response time would you see as acceptable in relation to Priority 2 non-urgent sewerage system requests?

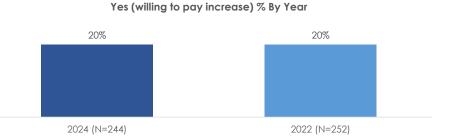
A significantly higher/lower percentage(by group) 47

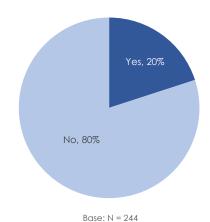
Increased Sewerage Rates for Shorter Response Times

Asked of those who previously stated they were unhappy with Priority 1, or 2 response times

Of those who were unhappy with either of the two response times, 1 in 5 stated they would be prepared to pay <u>higher</u> sewerage rates to achieve shorter response times – an identical response to 2022.

30-49 year olds, non-ratepayers and those in Wellington are more willing to pay.





	Overall 2024	Male	Female	18-29	30-49	50-64	65+	Ratepayer	Non- ratepayer
Yes %	20%	19%	20%	9%	28%	21%	12%	17%	30%
Base	244	89	155	11	71	80	82	197	47

		Time lived in the area				
	Dubbo	Wellington	Geurie village	Mumbil village	20 years or less	More than 20 years
Yes %	19%	26%	8%	20%	23%	18%
Base	189	38	12	5	70	174

Q18. (If not 'yes' on Q16 & Q17) Would you be prepared to pay higher sewerage rates to achieve shorter response times?

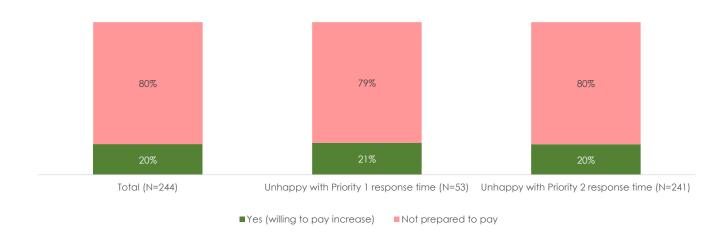
Caution low base sizes
A significantly higher/lower percentage(by group) 48

Increased Sewerage Rates for Shorter Response Times

Asked of those who previously stated they were unhappy with Priority 1, or 2 response times

Amongst those who were unhappy with the response times listed on previous slides, the vast majority stated they would not be willing to pay more to achieve shorter response times – almost identical results by those unhappy with Priority 1 and Priority 2.

Yes (willing to pay increase) % By those unhappy with response times

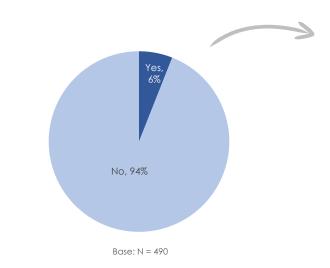


Q18. (If not 'yes' on Q16 & Q17) Would you be prepared to pay higher sewerage rates to achieve shorter response times?

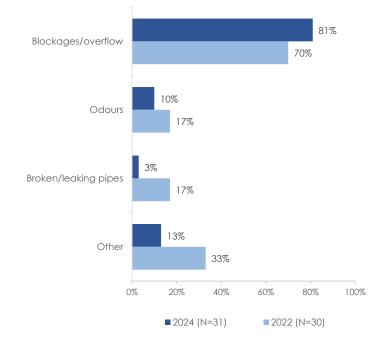
49

Sewerage System Problems Experienced in the Last 12 Months

In line with previous years, 6% of respondents stated they experienced a sewerage system problem in the last 12 months, which was most likely to have been the result of a blockage/overflow.



	2024	2022	2020	2017	2015
Yes %	6%	6%	6%	5%	2%
Base	490	479	540	533	N/A*



*Base sizes for 2015 are not available

Please see Appendix 1 for 'other' specified 50

Q19. Have you had a sewerage system problem in the last 12 months and needed to call Council? Q19a. What was the problem?

Sewerage System Problems Experienced in the Last 12 Months

Q19	Overall 2024	Male	Female	18-29	30-49	50-64	65+	Ratepayer	Non- ratepayer
Experienced a sewerage problem - Yes %	6%	8%	5%	3%	7%	7%	6%	6%	9%
Base	490	220	270	38	163	144	145	405	85

		Service area							
Q19	Dubbo	Wellington	Geurie village	Mumbil village	Eumungerie and Mogriguy villages	20 years or less	More than 20 years		
Experienced a sewerage problem - Yes %	6%	7%	4%	20%	N/A	7%	6%		
Base	383	74	23	10	0	152	338		

Q19a. What was the problem?	Overall 2024	Male	Female	18-29	30- 49	50-64	65+	Ratepayer	Non- ratepayer
Blockages/overflow	81%	78%	85%	0%	100%	80%	67%	78%	88%
Odours	10%	11%	8%	0%	0%	10%	22%	9%	13%
Broken/leaking pipes	3%	6%	0%	100%	0%	0%	0%	4%	0%
Other	13%	11%	15%	100%	0%	20%	11%	17%	0%
Base	31	18	13	1	11	10	9	23	8

		Time lived in the area				
Q19a. What was the problem?	Dubbo	Wellington	Geurie village	Mumbil village	20 years or less	More than 20 years
Blockages/overflow	87%	80%	100%	0%	80%	81%
Odours	9%	0%	0%	50%	20%	5%
Broken/leaking pipes	4%	0%	0%	0%	0%	5%
Other	4%	40%	0%	50%	0%	19%
Base	23	5	1	2	10	21

Q19. Have you had a sewerage system problem in the last 12 months and needed to call Council? Q19a. What was the problem?

Caution low base sizes
A significantly higher/lower percentage(by group) 51

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2015*

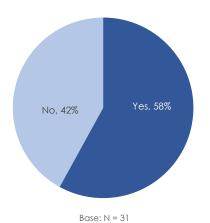
Satisfaction with the Response Time

Satisfaction with response times amongst those who experienced a problem continues to drop, with 58% satisfied this year compared to 67% in 2022 and 84% in 2020.

84% 81% 67% 67%

2017 (N=25)

Satisfied with Response Time - Yes % By Year



	Overall 2024	Male	Female	18-29	30-49	50-64	65+	Ratepayer	Non- ratepayer
Yes %	58%	61%	54%	0%	73%	70%	33%	65%	38%
Base	31	18	13	1	11	10	9	23	8

2020 (N=32)

		Time lived	in the area			
	Dubbo	Wellington	20 years or less	More than 20 years		
Yes %	61%	60%	100%	0%	70%	52%
Base	23	5	1	2	10	21

Q19b. (If 'yes' on both Q16 & Q17) Were you satisfied with the response time?

*Base sizes for 2015 are not available Caution small base sizes

A significantly higher/lower percentage(by group) 52

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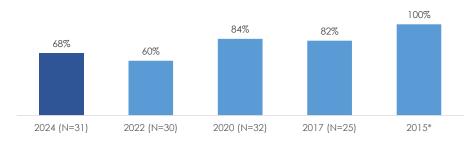
2024 (N=31)

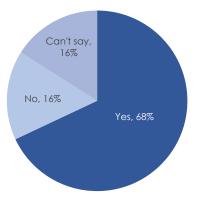
2022 (N=30)

Satisfaction with the Workmanship

Although satisfaction with the response time dropped, the satisfaction with the workmanship provided has slightly increased from 60% in 2022 to 68% this year.

Satisfied with Workmanship - Yes % By Year





	Overall 2024	Male	Female	18-29	30-49	50-64	65+	Ratepayer	Non- ratepayer
Yes %	68%	72%	62%	0%	82%	80%	44%	65%	75%
Base	31	18	13	1	11	10	9	23	8

		Time lived in the area				
	Dubbo	20 years or less	More than 20 years			
Yes %	70%	60%	100%	50%	80%	62%
Base	23	5	1	2	10	21

Base: N = 31

Note: Comparisons with previous research should be viewed from an interest point only as 'can't say' was not an option in previous years. This may account for the decline in satisfaction with the workmanship when comparing results

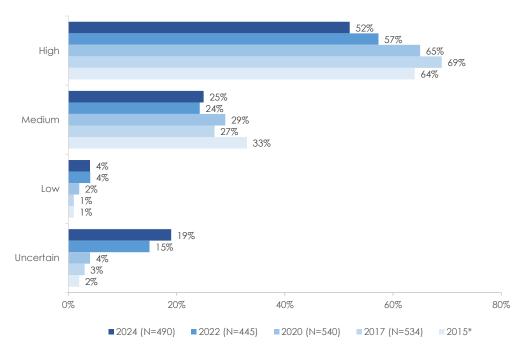
Q19c. Were you satisfied with the workmanship?

*Base sizes for 2015 are not available Caution small base sizes

A significantly higher/lower percentage (by group) 53

Satisfaction with the Quality of Council's Sewerage System

The proportion of respondents rating the quality of Council's sewerage system as 'high' continues to decline, dropping from 69% in 2017 to 52% this year. 'Uncertain' ratings have, however, increased from 2% in 2017 to 19% this year and 'medium' ratings have remained similar across years. Non-ratepayers and those in Mumbil village are more likely to rate the sewerage system as 'low' quality.



*Base sizes for 2015 are not available

A significantly higher/lower percentage(by year) 54

Q20. How would you rate your satisfaction with the quality of Council's sewerage system?

Satisfaction with the Quality of Council's Sewerage System

Level of satisfaction	Overall 2024	Overall 2022	Male	Female	18-29	30-49	50-64	65+	Ratepayer	Non- ratepayer
High	52%	57%	55%	50%	55%	53%	49%	54%	54%	42%
Medium	26%	24%	28%	23%	24%	18%	31%	29%	25%	27%
Low	4%	4%	4%	3%	0%	5%	3%	3%	2%	9%
Uncertain	19%	14%	13%	23%	21%	23%	17%	14%	18%	21%
Base	490	445	220	270	38	163	144	145	405	85

		Time lived in the area				
Level of satisfaction	Dubbo	Wellington	Geurie village	Mumbil village	20 years or less	More than 20 years
High	53%	50%	61%	20%	53%	52%
Medium	25%	28%	26%	10%	20%	28%
Low	3%	3%	0%	50%	5%	3%
Uncertain	19%	19%	13%	20%	23%	17%
Base	383	74	23	10	152	338

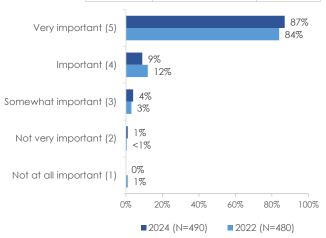
Importance of, and Satisfaction with, Council's Town Sewerage Service

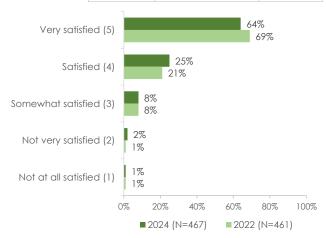
As with water supply (see Slide 34), Micromex has a set of questions that ask about Importance of and Satisfaction with Council's town sewerage service – so a little broader than Council's satisfaction question on Slide 54. The value of the Micromex questions is that they can be compared to benchmark data derived from other Councils.

Importance and satisfaction ratings of the town sewerage service remain in line with the 2022 results and above our regional norms, with 95% rating the service to be important/very important to them and 96% at least somewhat satisfied with Council's delivery of this service.

	Overall 2024	Overall 2022	Regional Benchmark
T2B %	95%↑	96%	80%↓
Mean	4.81↑	4.79	4.28↓
Base	490	480	25,736

	Overall 2024	Overall 2022	Regional Benchmark
T3B %	96%↑	98%	90%↓
Mean	4.47↑	4.55	3.95↓
Base	467	461	20,150





Scale: 1 = not at all important, 5 = very important. T2B % = Important / Very important

 $\uparrow \downarrow = A$ significantly higher/lower percentage/rating (compared to Regional Benchmark)

Scale: 1 = not at all satisfied, 5 = very satisfied T3B % = At least somewhat satisfied

On a scale of 1 to 5, where 1 is low importance and 5 is high importance, how important is Council's town sewerage service to you?
 And how satisfied are you with Council's town sewerage service, on a scale of 1 to 5, where 1 is low satisfaction and 5 is high satisfaction. A significantly higher/lower percentage/rating (compared to 2022)

Importance of, and Satisfaction with, Council's Town Sewerage Service

Importance	Overall 2024	Male	Female	18-29	30-49	50-64	65+	Ratepayer	Non- ratepayer
T2B %	95%	95%	95%	87%	96%	99%	94%	96%	92%
Mean	4.81	4.78	4.83	4.68	4.77	4.88	4.81	4.83	4.68
Base	490	220	270	38	163	144	145	405	85

		Time lived in the area				
Importance	Dubbo	Wellington	Geurie village	Mumbil village	20 years or less	More than 20 years
T2B %	96%	93%	96%	90%	95%	96%
Mean	4.81	4.81	4.87	4.60	4.80	4.81
Base	383	74	23	10	152	338

Satisfaction	Overall 2024	Male	Female	18-29	30-49	50-64	65+	Ratepayer	Non- ratepayer
T3B %	96%	96%	96%	100%	95%	96%	97%	97%	92%
Mean	4.47	4.46	4.48	4.73	4.50	4.37	4.49	4.49	4.38
Base	467	210	257	33	156	142	136	389	78

		Service area								
Satisfaction	Dubbo	Wellington	Geurie village	Mumbil village	20 years or less	More than 20 years				
T3B %	97%	97%	100%	44%	95%	97%				
Mean	4.49	4.59	4.59	2.44	4.40	4.50				
Base	367	69	22	9	144	323				

Q21. On a scale of 1 to 5, where 1 is low importance and 5 is high importance, how important is Council's town sewerage service to you?

Q22. And how satisfied are you with Council's town sewerage service, on a scale of 1 to 5, where 1 is low satisfaction and 5 is high satisfaction.

Importance is high across all demographics.

However, satisfaction varies, with nonratepayers and those in Mumbil village significantly less satisfied (caution small base size). All respondents aged 18-29 and all from Geurie village are at least somewhat satisfied with the service.

> Scale: 1 = not at all important, 5 = very important Scale: 1 = not at all satisfied, 5 = very satisfied

A significantly higher/lower percentage/rating (by group) 57



Water Conservation

This section explores respondents' support for water conservation measures.

Section Three

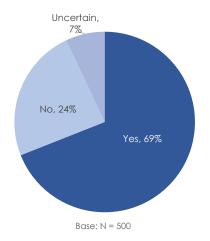


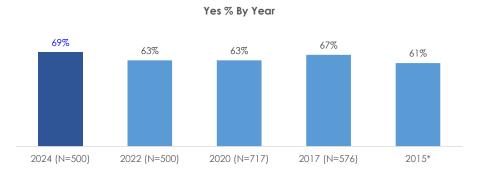


Council's Encouragement of Water Conservation

A significantly higher proportion of respondents this year believe Council should do more to encourage water conservation across the LGA (increasing from 63% in 2022 to 69% this year).

This result is slightly higher amongst those aged 18-29 (76%).





	Overall 2024	Male	Female	18-29	30-49	50-64	65+	Ratepayer	Non- ratepayer
Yes %	69%	68%	70%	76%	71%	68%	67%	69%	71%
Base	500	224	276	38	167	147	148	415	85

	Service area					Time lived	in the area
	Dubbo	Wellington	Geurie village	Mumbil village	Eumungerie and Mogriguy villages	20 years or less	More than 20 years
Yes %	69%	68%	70%	90%	80%	72%	68%
Base	384	74	27	10	5	156	344

*Base sizes for 2015 are not available Caution small base sizes

A significantly higher/lower percentage(by year) 59

Q23. Should Council do more to encourage water conservation across the LGA?

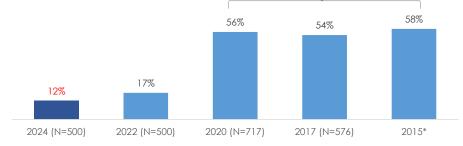
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**See note

Adoption of a Higher Pricing System to Encourage Water Conservation

Significantly fewer respondents this year believe Council should adopt a higher water pricing system to encourage water conservation (17% in 2022 to 12% in 2024). Younger respondents are more likely to be in favour of the increased pricing strategy.



Yes % By Year

U	ncertain, 5%
	Yes, 12%
	No, 83%
	Base: N = 500

	Overall 2024	Male	Female	18-29	30-49	50-64	65+	Ratepayer	Non- ratepayer
Yes %	12%	11%	12%	26%	16%	5%	9%	11%	16%
Base	500	224	276	38	167	147	148	415	85

	Service area					Time lived	in the area
	Dubbo	Wellington	Geurie village	Mumbil village	Eumungerie and Mogriguy villages	20 years or less	More than 20 years
Yes %	11%	15%	11%	0%	0%	13%	11%
Base	384	74	27	10	5	156	344

Q24. Should Council adopt a higher water pricing system to encourage residents and other users to practice water conservation?

*Base sizes for 2015 are not available Caution small base sizes

A significantly higher/lower percentage(by year/group) 60

^{**}Note: change to the question wording from 2022 – the word 'higher' was added (i.e.: '...a higher water pricing system...')

Adoption of a Higher Pricing System to Encourage Water Conservation

The table below crosses Q24 (adopting a higher pricing system to encourage water conservation) by Q23 (should Council do more to encourage water conservation). Those who do believe Council should adopt a higher water pricing system are significantly more likely to also believe Council should be doing more to encourage water conservation.

Q23. Should Council do more to encourage water conservation across the LGA?

	Overall	Yes	No	Uncertain
Yes	12%	15%	3%	3%
No	83%	80%	93%	82%
Uncertain	5%	5%	3%	15%
Base	500	346	121	33

A significantly higher/lower percentage(by group) 61

Q23. Should Council do more to encourage water conservation across the LGA?

Should Council adopt a higher water pricing system to encourage residents and other users to practice water conservation?



Additional Analyses

Appendix 1





Priority 1 Response Times to Water Supply Failures

% of those 'not happy' on Q5	2024	2022	2020	2017	2015
Half an hour	45%	47%	47%	37%	48%
One hour	47%	43%	47%	46%	44%
One and a half hours	0%	0%	2%	5%	4%
Other	9%	10%	4%	11%	4%
Base	47	49	51	38	N/A

Other specified	Count (2024)
Less than half an hour	1
45 minutes	2
2 hours	1

Q5. Thinking now about Council's town water supply... Currently, Council's policy in responding to Priority 1 water supply failures is within 2 hours of being reported, (Priority 1 is urgent - total loss of supply, major main break). Are you happy with this current level of response to water supply failures?

Q5a. If you are not happy with Priority 1 response times, what response time would you see as acceptable in relation to water supply failures?

Priority 2 Response Times to Water Supply Failures

Other specified	Count (2024)
Less than one hour/asap	3
1 hour	4
3 hours	1
6-8 hours	3
12 hours	4
24 hours	4
48 hours/two days	1

Q6. Currently, Council's policy in responding to Priority 2 water supply failures is within 2 business days of being reported, (Priority 2 is minor - reduced supply issue). Are you happy with this current level of response to water supply failures?
 Q6a. If you are not happy with Priority 2 response times, what response time would you see as acceptable in relation to water supply failures?

Priority 3 Response Times to Water Supply Requests

Other specified	Count (2024)
Less than one day	7
4 to 5 days	1
5 to 7 days	3
Unsure/depends on the issue	1

Q7. Currently, Council's policy in responding to <u>Priority 3</u> water supply requests is within 10 business days of being reported, (Priority 3 is non-urgent such as minor leak or hydrant leak). Are you happy with this current level of response to water supply requests?
 Q7a. If you are not happy with <u>Priority 3</u> response times, what response time would you see as acceptable in relation to water supply requests?

Water Supply Problems Experienced in the Past 12 months

Other specified	Count
Burst water main	5
Couldn't turn off water tap	1
I thought there was a water leak as there was an excessive water bill	1
Leakage in roof	1
Water supply issue on the property	1
Watering gurgling noise coming from mains pipe blockage	1

Q9. Have you had a water supply problem in the last 12 months and needed to call Council?

Q9a. (If answered "Yes" to Question 9 i.e. have you had a water problem), What was the problem?

MyDRC Water Customer Portal

Other specified	Count
Do not use/have difficulties	2
Order green waste bags	2
Submit a complaint/report a problem	2
Check status of restrictions	1
Check water usage	1
Checking rates payments	1
Identify if there is a leak issue	1
Reports that come through via email for a general overview/update	1
Review the service when first found out about it	1
Set up for access for rental	1

Q12. Council has installed smart water devices across the Local Government Area. There is a free customer portal and mobile phone App, MyDRC Water, to assist you monitor your water usage using the smart meter technology. Are you registered on the MyDRC Water customer portal? Q12a. What do you use the portal for?

Reason for Not Registering for the MyDRC Water Customer Portal

Other specified	Count
I am a renter and wasn't aware of the portal	9
Don't need to/no point	8
Not high on my priority list	8
Partner uses it	7
We don't have a separate meter	5
Don't like technology	4
Technical issues	4
Don't agree with the smart meter policy	3
I am already conscious about water usage without using the device/portal	3
Don't use town water very much	2
Not interested	2
Need guidance/help using the portal	1
No internet coverage	1
Not sure if the device has been installed yet	1
Recently moved into a new place	1
Security concerns	1
There is no benefit to monitoring usage	1
Unaware of the app	1

Q13. [If answered 'No' on Q12] Why in particular, are you not registered for the MyDRC Water customer portal?

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Response to Priority 2 Non-Urgent Sewerage System Requests

Other specified	Count
ASAP	1
1 to 2 hours	9
Within 3 hours on the day it is reported	1
Eight days	1
Don't know/depends	3

Q17. Council's policy in responding to <u>Priority 2</u> non-urgent sewerage system requests is within 10 business days of being reported. Are you happy with this current level of response to sewerage system requests?

Q17a. If you are not happy, what response time would you see as acceptable in relation to Priority 2 non-urgent sewerage system requests?

Sewerage System Problems Experienced in the Last 12 Months

Other specified	Count	
Unhappy with Council's response/how issue was handled	2	
Sullage problem	1	
Sewerage out of inspection hole	1	

APPENDIX NO: 1 - 2024 WATER SUPPLY AND SEWERAGE CUSTOMER SERVICE RESEARCH - MICROMEX RESEARCH



Questionnaire

Appendix 2





Q1.

Q2.

Q3.

Customer Service Levels Survey – 2024 Version 2 – April 10, 2024	Q5. Thinking now about Council's town water supply Currently, Council's policy in responding to <u>Priority</u>
Are you usually involved in making decisions about your household? Please select one response.	1 water supply failures is within 2 hours of being reported, (Priority 1 is urgent - total loss of supply, major main bready). Are you happy with this current level of response to water supply failures? Please select one response.
Yes No (If 'No', switch to a decision maker if available, or arrange call-back, or terminate "thank you, but you are not eligible for this survey")	O Yes (If Yes', go to Q6) O No Q5a. If you are not happy with Priority 1 response times, what response time would you see as acceptable
Do you live in one of the following localities? Please select one response.	in relation to water supply failures? Please select one response.
O Dubbo O Ballimore O Brocklehurst O Wellington O Eumongerie O Nanima Village O Mogriguy O Geurie O Wongarbon O Mumbil	O Half an hour O One hour O One and a half hours O Other (please specify)
O Wongarbon O Mumbil O Other (If 'Other', thank you, but you are not eligible for this survey)	Q6. [Ask All] Currently, Council's policy in responding to <u>Priority 2</u> water supply failures is within 2 business days of being reported, (Priority 2 is minor - reduced supply issue). Are you happy with this current level of response to water supply failures?
Are you connected to town water? Please select one response. Yes No (If 'No', thank you, but you are not eligible for this survey)	Please select one response. O Yes (If Yes', go to Q7) O No
(Do NOT ask in Ballimore, Eumungerie or Mogriguy – they remain in sample but are NOT asked Section 2) Are you connected to town sewerage? Please select one response.	Q6a. If you are not happy with <u>Priority 2</u> response times, what response time would you see as acceptable in relation to water supply failures? Please select one response.
Yes No (If in Geurie or Wongarbon and NO sewer, they can stay in sample but they skip Section 2. Others with NO sewer terminate)	O Two hours O Four hours O One business day O Other (please specify)
	Q7. [Ask All] Currently, Council's policy in responding to <u>Priority 3</u> water supply requests is within 10 business days of being reported, (Priority 3 is non-urgent such as minor leak or hydrant leak). Are you happy with this current level of response to water supply requests? Please select one response.
	O Yes (If 'Yes', go to Q8) O No
	Q7a. If you are not happy with <u>Priority 3</u> response times, what response time would you see as acceptable in relation to water supply requests? Please select one response.
	One business day Two business days Seven business days Ofther (please specify)

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If you answered 'Yes' on all questions Q5, Q6 & Q7, qo to Q9

Q8. Would you be prepared to pay higher water charges to achieve shorter response times?

Q9.	[Ask All] Have you had a water supply problem in the last 12 months and needed to call Council? Please select one response.	Q12a.	What do you use the portal for? Please select all that apply.
Q9a.	O Yes O No (If 'No', go to Q10) What was the problem? Please select all that apply.		O Monitor usage O Set alerts for leaks Set alerts for high usage Track trends or inconsistencies O Other (please specify) (Do NOT Prompt) Have not used yet
Q9b.	Water Supply pressure at your home No water coming from your tap Water Quality You noticed water leaking outside your property from a Council pipe Your water meter (damaged, leaking, frozen, stopped working) Other (please specify)	Q12b.	Have you made changes to your water usage behaviours/habits from the information available through the portal? Please select one response. Yes, reduced water usage Yes, have increased water usage No Uncertain
α 7υ.	Please select one response. O Yes O No	Q13.	[If No on Q12] Why in particular, are you not registered for the MyDRC Water customer portal? Please select all that apply. (Do NOT Prompt)
Q9c.	Were you satisfied with the workmanship? Please select one response. O Yes O No O Can't say		O Don't have a smart water device installed yet O Didn't know about it O Didn't have time I Technology too hard Do not care about monitoring usage O Other (please specify)
Q10.	[Ask All] How would you rate the quality of water supplied by council? Please select one response. Excellent	Q14.	[Ask All] On a scale of 1 to 5, where 1 is low importance and 5 is high importance, how important is Council's town water supply to you? Please select one response.
Q11.	O Good O Fair Poor Would you be prepared to pay for the quality of water to be improved?		O 5 - High importance O 4 O 3 (If '3', go to Q16) O 2 (If '2', go to Q16) O 1 - Low importance (If '1', go to Q16)
	Please select one response. O Yes O No	Q15.	And how satisfied are you with Council's town water service, on a scale of 1 to 5, where 1 is low satisfaction and 5 is high satisfaction. Please select one response.
Q12.	Council has installed smart water devices across the Local Government Area. There is a free customer portal and mobile phone App, MyDRC Water, to assist you monitor your water usage using the smart meter technology. Are you registered on the MyDRC Water customer portal? Please select one response.		O 5 - High satisfaction O 4 O 3 O 2 O 1 - Low satisfaction
	O Yes O No (If 'No', go to Q13) O (Do NOT Prompt) Uncertain (Skip to Q14)		

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Section 2: Town Sewerage Services
If YES on Q4, ask Section 2 (If you answered 'No' on Q4 (Page 1), go to section 3)

Q16. Thinking now about Council's town sewerage services... Currently, Council's policy in responding to Priority 1 urgent sewerage system failures is within 2 hours of being reported. Are you happy with this current level of response to sewerage system failures?

Please select one response.

- (If 'Yes', go to Q17)
- No

Q16a. If you are not happy, what response time would you see as acceptable in relation to Priority 1 urgent

sewerage system failures? Please select one response.

- Half an hour
- One hour
- One and a half hours
- Two hours Other (please specify

Q17. [Ask All] Council's policy in responding to Priority2 non-urgent sewerage system requests is within 10 business days of being reported. Are you happy with this current level of response to sewerage system requests?

Please select one response.

- 0 (If 'Yes', go to Q18) No

Q17a. If you are not happy, what response time would you see as acceptable in relation to Priority 2 non-

urgent sewerage system requests? Please select one response.

- One business day
- Two business days
- Seven days
- Other (please specify).

If you answered 'Yes' on both questions Q16 & Q17, go to Q19

Q18. Would you be prepared to pay higher sewerage rates to achieve shorter response times?

Please select one response

- Q19. [Ask All] Have you had a sewerage system problem in the last 12 months and needed to call

Council?

Please select one response.

- (If 'No', go to Q20) 0 No
- Q19a. What was the problem? (Do NOT prompt unless absolutely necessary)

Please select all that apply.

- Blockages/overflow
- Broken/leaking pipes
- Other (please specify)

Q19b. Were you satisfied with the response time?

Please select one response.

- ō No
- Q19c. Were you satisfied with the workmanship?

Please select one response.

- Yes No
- Can't say

Q20. [Ask All] How would you rate your satisfaction with the quality of Council's sewerage system?

Please select one response.

- 0 Hìah
- Medium
- Low Uncertain
- Q21. On a scale of 1 to 5, where 1 is low importance and 5 is high importance, how important is Council's town sewerage service to you?

Please select one response.

- 5 High importance
- (If '3', go to Section 3 Q23) (If '2', go to Section 3 - Q23) 1 - Low importance (If '1', go to Section 3 - Q23)
- Q22. And how satisfied are you with Council's town sewerage service, on a scale of 1 to 5, where 1 is low satisfaction and 5 is high satisfaction.

Please select one response.

- 5 High satisfaction
- 0

0

0

0

- 1 Low satisfaction

Section 3: General

Some	final	lauest	ions

Q23. Should Council do more to encourage water conservation across the Local Government Area?

Please select one response.

- O Yes
- O Uncertain
- Q24. Should Council adopt a higher water pricing system to encourage residents and other users to

practice water conservation?

- Please select one response.
- O Yes
- O Uncertain
- Q25. Now a question regarding yourself Your age, are you between:

Please select one response

- O 18 to 29
- 30 to 49
- 50 to 64 65 or over
- (Do NOT Prompt) Prefer not to say
- Q26. What is your gender? (Do NOT Prompt)

Please select one response.

- O Male
-) Female
- O Other
 O Prefer not to say
- Q27. How long have you lived in the Dubbo Regional Council area?

Please select one response.

- O Less than 2 years
- 2 5 years
- O 6 10 years O 11 - 20 years
- O More than 20 years
- Q28. Which of the following best describes the home where you are currently living?

Please select one response.

- O I/We own/are currently buying this property
- I/We currently rent this property

The information contained herein is believed to be reliable and accurate, however, no guarantee is given as to its accuracy and reliability, and no responsibility or liability for any information, opinions or commentary contained herein, or for any consequences of its use, will be accepted by Micromex Research, or by any person involved in the preparation of this report.









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Glossary

Term	Definition
ADWG	Australian Drinking Water Guidelines (2011) published by the National Health and Medical Research Council (NHMRC).
Backflow	A reverse flow condition created by a difference in water pressures that causes water to flow back into the distribution pipes of a potable water supply from any source other than the intended one.
Consumption	Water that is consumed by humans or livestock via water meters.
Demand Management	Strategies to reduce water consumption by residential, commercial and industrial sectors. These strategies can include using existing resources more efficiently as a cost-effective alternative to building additional infrastructure.
Fire Service	A fire service is a water service dedicated only to service fire hydrants, fire hose reels, fire service fitting, including water storages, installed and used solely for firefighting in and around a building or property and testing. Under certain conditions part of a fire sprinkler system may be included. A fire service that can be used for other purposes is deemed to be a water service
Kilolitre	One thousand litres
Leakage	Water that is lost in transit from a pipe.
NHMRC	National Health and Medical Research Council
NPR	National Performance Report
Yard Gully	A drain-like fitting located outside the home, designed to release any sewerage overflow outside of the home in the event of a blockage in the sewerage main.

Term	Definition
Potable Water	Drinkable water. Usually treated freshwater that meets Australian Drinking Water Guidelines.
Rainwater Tank	On-site storages to collect roof water for beneficial use.
Sewage	A liquid containing human wastes drained from houses, factories, schools etc.
Sewerage	A network of pipes, channels and pump stations to convey the sewage to the treatment plant. By extension, the entire system to collect, transfer and treat sewage is also called a sewerage scheme
Sewage Treatment Plant (STP)	A facility for the treatment of sewerage to remove pollutants (solid matter and pathogens) producing treated recycled water and bio-solids safe to the environment.
Trade Waste	All liquid waste, other than sewage of a domestic nature from industrial, business, commercial and community premises discharged to Council's sewerage system.
Water Conservation	Preventing and reducing wasteful, uneconomical, impractical or unreasonable use of water resources.
Water Demand	Total water use requirements of an area for drinking, agriculture, industry, recreation and gardening. This demand is seasonal and highly influenced by the weather.
Water Quality	Physical, chemical and biological measures of water.
Water Treatment Plant (WTP)	A facility that treats freshwater piped from reservoirs into potable water for supply to the community.

Introduction and Background

The purpose of this document is to describe Dubbo Regional Council's (Council) customer services and responsibilities in accordance with the legislative framework for Local Government Water Utilities in NSW.

This document provides:

- An explanation of the services offered for drinking water, septic waste, effluent, sewerage collection and treatment. General
 information is also provided on the provision of trade waste services; however, trade waste customers are required to
 have individual approvals with Council that will contain information specific to their requirements.
- Information on a range of customer service processes including connections, metering, billing, managing maintenance work and complaints.
- A list of targets to express the levels of customer service or 'Customer Service Standards' that Council aims to deliver to its
 customers and the environment. This includes critical items such as standards for drinking water, water pressure, water
 supply interruptions, sewerage overflows and odours, response and repair completion times, as may be applicable.

Overall, this document informs our customers of the service that they can expect from Council. The customer service standards as set out in this document are not a contract and are not intended to create any contractual obligation or rights. The times and service levels are not intended to be prescriptive of exact times or service standards to be provided, rather a guide as to the core business responses that customers can expect to receive from the services of Council.

Council is committed to providing a high level of customer service and standards across the organisation.



Our Vision, Purpose and Values

Our Vision

Creating Community for Today and Tomorrow

Our Purpose

Lead, Connect, Deliver

Our Values



Progressive

Be Curious, Courageous and Committed

- Challenging the status quo
- Finding better ways
- Seeking change and innovation



Sustainable

Balanced Approach to Growth and Opportunity

- Financially sound
- Social equity
- Conscientious leadership and governance
- Environmentally responsible



One Team

Working Together

- We take care of each other and ourselves
- · Partnering to deliver better outcomes
- · Fostering positive experience
- Investing in people



Integrity

Accountable for Our Actions

- Valuing and acknowledging our cultures
- Leading by example
- Open and ethical practices
- Upholding our commitments

Services - Water Supply

Drinking Water Supply

 $Council \ distributes \ a \ reliable \ supply \ of \ drinking \ water \ to \ meet \ the \ Australian \ Drinking \ Water \ Guidelines \ 2011 (Australian \ Drinking \ Water \ Guidelines \ INHMRC) \ via \ our \ network \ of \ reservoirs, \ pump \ stations \ and \ mains \ connected \ to \ four \ water \ supply \ schemes.$

A full outline of the water supply system including water extraction entitlements and licences is contained within our Drought Contingency and Water Emergency Response Plan (DCWERP).

If the treatment of water becomes compromised and Council cannot be certain the water is safe to drink, Council will issue the following notices in conjunction with NSW Health or other regulatory bodies:

Boil Water Notice

When this Notice is issued water must be boiled before consumption by humans. Water may be used for all other purposes without the need for boiling (refer to NSW Health website for detailed information).

Do Not Drink Notice

When this Notice is issued water must not be consumed under any circumstances. Boiling will not make the water safe. Water may be used for all other purposes (refer to NSW Health website for further information).

To issue or lift either of the above notices, Council will publicise on its website, through media or other appropriate communication methods.

Water Supply Service Areas

Council provides drinking water to customers within specified urban and some rural areas of the Local Government Area (LGA). Council adopts different standards for water supply service areas within the LGA.

Further details about a connection entitlement to the schemes and the service areas can be obtained in Council's Water Supply Services Policy.



APPENDIX NO: 2 - DRAFT 2024-2026 WATER SUPPLY AND SEWERAGE CUSTOMER SERVICE PLAN

Water Meters

Council will arrange the installation of any water meter that supplies drinking water to your property. Water meters will be installed on both water services and fire services.

Council has adopted smart automated water meter reading technology across the LGA. A smart meter is a device that automatically records water use, has the ability to electronically report water usage information at regular intervals and provides instant access to data that can highlight any issues or trends to better manage the water network.

Benefits of smart water meters include:

- · Facilitation of early detection of leaks
- Enables customers to monitor their water usage
- Allows customers to develop strategies to reduce water usage.
- Enables Council to respond more effectively to usage enquiries

Customers will be provided access to the customer portal MyDRC Water, to access and monitor their own water usage: visit mydrcwater.dubbo.nsw.gov.au, or download 'Water Portal' on your Apple or Android device.



The Honeywell V200HT Integrated Smart Meter is installed if the customers existing meter requires full replacement due to age or default



Clip on device - These attach to existing meters which are working fine and are not due for replacement in the coming years



Also used for different sized meters for larger properties, businesses or council buildings



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Water Supply Backflow Prevention

All connections to Council's water supply must be protected with a backflow prevention containment device in accordance with the Plumbing Code of Australia and Council's Water Supply Services Policy. This includes fire service connections.

Backflow is the unintended reversal of potentially contaminated water from a property, back into Council's drinking water supply system. If contaminated water enters the water reticulation network, it could be used by other customers and may cause serious health issues and even death. This may occur when there is a sudden reduction in pressure in the water reticulation network. Backflow prevention devices reduce the risk of contamination of the water supply from backflow, back siphonage and cross connections.

Council has a responsibility to provide safe drinking water and therefore the aim in the Backflow Prevention Program is to ensure:

- · All residential properties have an approved potable cold water meter installed with non-return valve;
- Ongoing water meter replacement program;
- Available backflow prevention information and policy;
- · Comprehensive assessment of backflow needs as part of any development application process; and
- Registration and annual testing program of testable devices.

The testing of devices, if required, is the responsibility of property owners. Council will notify customers when these devices are due for testing. Testing can be undertaken by backflow accredited plumbers. Council maintains a list of backflow accredited plumbers on its website: www.dubbo.nsw.gov.au

It is important devices are maintained in accordance with the Australian Standards and in order to maintain the integrity of the water supply system, Council will undertake the required tests if they are not carried out.

Fire Services

Water connections to properties are to be either a water service or a fire service. The customer is to be made aware that combined water connections, for fire services and water services, are not permissible and that applicants must specifically require a water service or a fire service. Fire services can only be used for firefighting and for Council to recognise them as fire services the property owner must submit a Fire Service Certificate from a licensed plumber, or other approved persons, indicating the fire service is in fact a fire service in strict compliance with the national Plumbing Code of Australia (PCA).

For Council to recognise a dedicated fire service, and exempt from water access charges, the property owner must submit to Council a Fire Service Certificate during the months of March, April or May commencing from the 2024/2025 financial year and every five years thereafter.

If the Fire Service Certificate is not lodged or does not comply with the PCA, the service will be deemed to be a water service and charged water access and non-residential sewerage charges according to Council's Revenue Policy.

Metered Standpipes

The use of privately owned or hired standpipes to draw water from Council's drinking water reticulation is prohibited.

The drawing of water by using metered standpipes fitted with approved backflow operation devices inserted in fire hydrants is only permissible by:

- · Suitably trained Council employees.
- · Contractors working directly for Council.
- Emergency services personnel

Water Filling Stations

A number of water filling stations are installed across the LGA as a convenient way for contractors, registered water carters and rural customers to access bulk drinking water. Details including the station locations, access and costs are available on Council's website: www.dubbo.nsw.gov.au

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Services - Sewerage Collection, Treatment and Disposal

Sewerage Systems

Council operates five sewerage systems and treatment plants across the LGA. Council is subject to stringent environmental and health protection standards and is licensed to operate the sewerage treatment plant/s by the NSW Environment Protection Authority (EPA).

Sewerage Connections

New connections to sewered areas are subject to entitlement, approval and payment of charges as applicable. Connections might occur as a consequence of:

- New dwellings in developed areas
- At the request of a customer to replace on-site systems (newly connected villages or where private works to connect to the system is approved)
- Connections made under the direction of Council to replace an on-site system.

Further details can be obtained from Council regarding connection or changes to connections. New commercial properties or changes to a commercial undertaking which requires a sewerage service from the sewerage schemes may require a larger connection and approval.

Repairs and Maintenance

Council will give you reasonable notification of work that will affect sewerage services provided to your property, especially if this involves entry to your property.

Should Council officers enter your property, and you are not home, a written card or similar notice will be left advising of the visit and the reason for the visit.

Council will take all reasonable efforts to ensure that there are no interruptions to sewerage services to your property. Should an interruption occur, Council will provide reasonable notification.

Liquid Trade Waste Management

 $\label{liquid} \ Liquid\ trade\ was te\ if\ defined\ as\ all\ liquid\ was te\ other\ than\ sewage\ of\ a\ domestic\ nature.$

Trade waste may also contain a variety of toxic or harmful substances, such as heavy metals, organic compounds, solvents, oils and grease. Sewerage treatment plants are not designed to treat higher level substances and they could pose a serious work health and safety risk to staff working at these facilities.

Commercial or industrial premises can only discharge waste to the sewerage system that complies with the Liquid Trade Waste Policy and NSW Department of Planning and Environment Liquid Trade Waste Management Guidelines 2021. All such premises that generate trade waste and discharge to the sewerage system must apply and obtain Trade Waste Approval from Council. In some circumstances (eg ability of receiving sewage treatment plant to take the liquid trade waste discharges or other disposal options available to discharger) with the concurrence of the Department and Council may implement approval conditions different to those contained within the Policy.

Septage Receival Station

Under Council's Liquid Trade Waste Policy, the discharge of septage and septic effluent from septic tanks, chemical toilet waste and pan contents into Council's sewerage system is considered a discharge of liquid trade waste.

Licenced waste transporters are required to apply for approval to access the septage receival stations for the disposal of septage and septic effluent, under the Liquid Trade Waste Classification 2S.

Approved trade waste transporters are required to discharge this waste at the Dubbo or Wellington septage receival station and pay applicable charges as outlined in Council's Revenue Policy.

Other Services

 $Council\,provides\,a\,range\,of\,other\,services\,that\,customers\,are\,able\,to\,access.\,These\,include:$

- Water demand management advice (managing water use, high volume water customers and commercial activities).
- Drinking water quality information.
- Locating water and sewer infrastructure including Dial-Before-You-Dig (DBYD).
- · Information for plumbers.
- · Education and information programs (promotion and advice on water conservation).
- Educational tours of water and sewer treatment plants.
- · Water meter testing.
- Assistance to connect to services.
- River flow, rainfall, water storage and consumption information.
- Providing plans of water and sewer mains.
- Special water meter readings.
- Checking of water meter readings.
- Investigate and respond to applications for water and sewer main extensions, adjustments or deviations, viability of providing reticulated services to new developments.
- Fire flow investigations.
- Processing subdivision and development applications.
- Providing water pressure certificates and sewer drainage diagrams.
- Water and sewer design checks, plans, works-as-executed and preparation of final plans with estimates.



Fees and Charges

Introduction

All current fees and charges are contained within the Council's Revenue Policy which is issued following public consultation and formal adoption by Council in June each year. The fees and charges applicable for Council's customers are summarised within the document for ease of access and clarity.

All water supply and sewerage related fees and charges stem from the need to ensure the financial viability of the business as calculated within the 20 Year Financial Plan. A critical element of the Financial Plan is the capital works programs of both the water and sewer funds. Proposed charges, structure of charges together with the Revenue Policy of Council are broadly contained within the Council's 2040 Community Strategic Plan.

Pricing for water supply and sewerage services complies with the NSW Government Department of Planning and Enviornment (Department) Water Supply, Sewerage and Trade Waste Pricing Guidelines. These guidelines are based on and comply with the Council of Australian Governments' (COAG) StrategicFramework for Water Reform, National Competition Policy and the NSW Independent Pricing and RegulatoryTribunal's (IPART) Pricing Principles for Local Water Authorities. The key charges for water supply and sewerage services are outlined below:

Residential Charges

Residential water and sewerage charges comprise three components:

- Water service fixed availability charge
- Sewerage service fixed availability charge
- Water consumption volumetric usage charge.

The water service access charge is a fixed annual fee for the connection, or ability to connect, to the drinking water supply system. It is charged in advance and properties with multiple water meter service connections are levied multiple charges.

The charge is determined by the size of the meter connected to the property, or if no meter is connected, the default rate for one 20 mm meter is charged. Note: Most residential meters are 20 mm.

The sewerage service availability charge is also a fixed annual fee for the connection, or ability to connect to the sewerage distribution system. This reflects the load that a discharger may place on the sewerage system and accords with the Department guidelines. All residential properties are levied a sewerage fixed availability charge based on a 20 mm connection regardless of the actual size.

Vacant land where the water or sewerage service is available in accordance with Section 552 of the Local Government Act will be levied an availability charge regardless of whether the property is connected or not.

The water and sewerage service availability charges help cover the fixed costs of:

- The operation and maintenance of the extensive water and sewerage distribution systems
- · Operation of sewerage treatment plants
- Improvements to sewerage treatment processes
- · Helping to protect the environment.

The water consumption volumetric usage charge is levied for each kilolitre (1,000 litres) of water used and is based on the reading from a property's water meter. Unlike the service availability charge, this fee is charged after the water is used. The water consumption charge is a single amount per kilolitre, in accordance with Council's Revenue Policy.

Non-Residential Charges (Commercial)

Non-residential charges are similar to residential charges but are comprised of five components:

- · Water service fixed availability charge
- · Sewerage service fixed availability charge
- · Water consumption volumetric user charge
- · Sewerage volumetric usage charge
- Trade waste volumetric usage charge.

Non-residential properties a charged an annual water service access and sewerage service access availbailty charge based on the proportional size of the water meter connection. A minimum non-residential sewerage charge is applicable.

The sewerage volumetric usage charge for non-residential customers is based on the volume of sewerage that is assumed to be discharged from the property into the system. This is calculated by multiplying the customer's water consumption by an industry based sewerage discharge factor. Some high-volume dischargers are charged based on flow monitoring device installations.

The trade waste charges may be comprised of three parts, one for access, one based on the volume and one based on strength/quantity of waste accepted by Council for treatment. The trade waste charges are additional sewerage quality charges to customers that operate commercial undertakings, industry, trade or manufacturing businesses that discharge liquid trade waste other than domestic sewerage.

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Rights and Responsibilities

Introduction

In general terms, Council:

- Has the right to enter a customer's property for the purpose of reading, replacing or maintaining the meter
- Has the right to enter a customer's property at other times if the situation is deemed an emergency or a breach of legislation is suspected
- Requires authorised contractors and Council staff to carry identification and produce such if requested

This section provides a general overview of core activities undertaken as standard business practice.

Customer Services Standards

Council sets high standards for all its water supply and sewerage services which are consistent with Council's corporate vision and commitment to customers. This includes Council's responsibilities to the environment.

Across the industry there are a number of terminologies used to specify and measure service performance.

Council has adopted a range of water supply and sewerage customer service standards which more closely reflect and more easily describe those key elements of activities which are core to our industry and which, primarily ensure that Council's customers are adequately informed about the services they receive and the timeframe they can expect for those services. As an overall business philosophy for Council's core essential service activities, Council will make every reasonable effort to:

- Provide water and sewerage services on a continuous basis unless an interruption is required for emergency repairs or planned maintenance of the network, infrastructure or operations thereof.
- Supply high quality drinking water free from harmful organisms, colour, taste or odour in accordance with the National Health and Medical Research (NHMRC) Australian Drinking Water Guidelines 2011. This also includes the NSW Government Fluoridation of Public Water Suplies Act 1957:
- Minimise overflows from the sewerage collection system and ensure affected areas are cleaned and disinfected as soon as possible if such occurs.

Service delivery is not just about response times, it is also about making sure that Council provides a high quality level of service.

Council will supply drinking water to your property upon demand. However, at times of water shortages, such as droughts, Council may require you to reduce demand by restricting how you use water.

Council will ensure the system of water restrictions is available on their website, and that the proclamation of water restrictions is widely advertised.

Council will supply drinking water to your property that exceeds the following nominal minimum water pressure at the water meter at least 95% of the time, in the following water supply areas:

Urban Water Supply Area 170 kilopascals (kPa)

• Rural Water Supply Area 150 kPa

Buninyong Water Supply Area 80 kPa

Council will ensure maps showing these water supply service areas are available on Council's website..

Council will supply drinking water to your property that exceeds the following absolute minimum water pressures at the meter, except when there are abnormal demands such as fire flows, or main breaks:

Urban Water Supply Area 120 kPa
 Rural Water Supply Area 80 kPa

Buninyong Water Supply Area 0 kPa

Council will supply drinking water to your property at a pressure that does not exceed 600 kPa, measured at the water meter, at least 95% of the time.

Council will ensure that the pressure of drinking water at your meter never exceeds 1,400 kPa.

Council will ensure that the spacing of hydrants along water mains do not exceed the following maximum hydrant spacing:

• In the Dubbo Urban Water Supply Area 60 metres

In the Rural Water Supply Area
 120 metres

There is no maximum spacing of fire hydrants in the Buninyong Water Supply Area.

Council will ensure the noise at the boundary of a water facility does not exceed 35 decibels on the "A" reference scale from the Environment Protection Authority (EPA), at all times.

Table 1 - Water Supply Failures Response Time

	Priority 1	Priority 2	Priority 3
Definition	A failure to maintain continuity of quality or supply to customer Traffic or safety hazard. Major property damage Water Treatment Plant output diminished Personal risk to public health Significant depletion of service reservoir Major environmental impact Reduced water supply to Critical Customers	Reduced water supply Minor or no property damage Minor environmental impact	Known fault, non-urgent minor problem or complaint which can be dealt with at a time convenient to the customer Council No property impact or financial disadvantage to the customer
Typical cause	Water Treatment Plant malfunction Valve failure Water Main or service break No water Water quality - odour/taste/dirty Stop valve faulty (works to be carried out) Medical condition requiring continuing supply	Minor main break Leaking main break Partial valve failure Poor pressure Leak causing a safety/traffic issue,	Faulty water meter/minor leak Damaged meter (unable to read) Missing/faulty Stop valve (no work being carried out) Faulty valve or hydrant
Response time **	Within two (2) hours (normal business hours)	Within two (2) business days	Within ten business days

^{**} Response time defined as time staff are to respond or commence with arranging rectification of problem after notification by public or own staff. Response time does not indicate onsite or completed repair time.

A typical set of Levels of Service is provided below:

Table 2: Typical Industry Levels of Service - Water Supply

Description	Unit	Level of Service
Service Provision		
Service area		All residential areas and industrial areas where economically viable.
Connection time for a new service in serviced areas (90% of the time)	Business days	40
Availability of Supply		
Fire Fighting:		
Maximum spacing of hydrants along water mains; Dubbo Urban Water Supply Area Rural Water Supply Area	Metres Metres	60 120
Pressure:		
Nominal minimum water pressure at least 95% of the time; • Dubbo Urban Water Supply Area • Rural Water Supply Area • Buninyong Water Supply Area Absolute minimum water pressure at least 95% of the time; • Dubbo Urban Water Supply Area	Kilopascals (kPa) Kilopascals (kPa) Kilopascals (kPa) Kilopascals (kPa)	170 150 80
Rural Water Supply Area Buninyong Water Supply Area	Kilopascals (kPa) Kilopascals (kPa)	80
Maximum pressure at least 95% of the time	Kilopascals (kPa)	600
Supply Interruptions to Consumers (planned)		
Temporary supply arrangements during interruptions		Where possible
Planned: (95% of time)		
-Notice given to domestic customers	Hours	24
-Notice given to commercial customers	Business Days	7
-Notice given to major industrial customers	Business Days	7

Description	Unit	Level of Service
Response Times		
Defined as time staff to respond or commence with arranging rectification of problem after notification by public or own staff. Response time does not indicate onsite or completed repair time.		
Supply Failure:		
Priority one (1)	Hours	2
Priority two (2)	Business Days	2
Priority Three (3)	Business Days	10
Customer Complaints/Enquiries:		
Personal / Oral	Working Days	10
Written	Working Days	10
Note: Times apply for 95% of occasions		

Note:

Special Customers: Certain customers may have special needs by virtue of specific health, commercial or industrial circumstances. Specific levels of service will be negotiated with these customers.

Table 3: Sewerage Services Failures Response Time

	Priority 1	Priority 2
Definition	A failure to contain sewage within the system or any major sewerage problem affecting customers Traffic or safety hazard Personal injury or risk to public health Major property damage eg subsidence Environmental impact	Non urgent minor problem, request or complaint which can be dealt with at a time convenient to the customer and Council. Minor inconvenience or disruption
Typical cause	Access chamber overflowing. Broken gravity/rising main. Missing access chamber lids. Surcharge - internal property. Break, collapse, choke overloading the system and extended wet weather. Subsidence causing immediate danger	Pump station/manhole noisy (not causing major concern to customer's peace and quiet) Planned work System investigation Adjustment to access chambers
Response time **	Within two (2) hours	Within ten business days

Council will ensure the noise at the boundary of a sewerage facility does not exceed 35 decibels in the "A" reference scale from the Environment Protection Authority (EPA) at all times.

Council will take all reasonable steps to ensure that there are no objectionable odours from sewerage facilities detectable at the boundary of the sewerage facility.

Meter Reading

Water meter readings are used to calculate consumption charges that appear on the water accounts. Council reads water meters on a quarterly basis. Meters are read and the water meter information including consumption is shown on the Rates and Charges Instalment Notice each quarter. The consumption figure is for the water consumed in the previous quarter.

Water meter tampering

Should the water meter be removed or tampered with, Council will replace the meter, repair any damage and charge the client the costs for undertaking such works.

If the removal or tampering of the meter result in water usage not being recorded, Council will make a reasonable estimate of water usage and charge the client accordingly.

Council may also take legal action under the Local Government Act 1993 or other legislation

Undetected Water Leaks

Dubbo Regional Council may make available, assistance to customers by providing some relief for significantly higher Water Accounts emanating from undetected water leaks. Whilst water that has passed through a meter connection is the responsibility of a property owner, subject to the provisions of the Undetected Leak Policy and as an act of good faith, some assistance may be provided.

Customer Service Surveys - Water Supply and Sewerage

Council conducts a biennial survey of water and sewerage customers via an online and/or telephone survey

The survey is designed to gain valuable feedback to improve future services for all properties that access potable town water and are connected to town sewerage services.

Feedback, compliments and complaints on Council's water supply and sewerage services can be submitted anytime by contacting Council.

Repairs and Maintenance

Please contact Council if the water meter or pipework on Council's side of the water meter is damaged. Council will repair the damage and charge the client the actual cost of the work, unless another person indicates, in writing, that they caused the damage and are prepared to pay the cost of repairs.

Council will give you reasonable notification of works that will affect water services provided to your property, especially if this involves entry to your property.

If Council staff enters your property and you are not home, staff will leave a written card or similar advice that they were there and the reason for the visit.

From time to time, Council will need to undertake planned maintenance work and emergency repairs to the water supply and sewerage system. Council is always mindful of the disruption that can be caused to customers and for planned works will always aim in general terms to:

- Provide notice to occupiers of affected properties 24 hours prior to commencing the planned work.
- Dialysis patients and other Critical Water Supply Customers will be advised in advance of planned interruptions and where unplanned interruptions occur, notified and action taken to prioritise re-supply. Council maintains a list of dialysis patients and critical
- Provide notice to industrial customers seven days prior or by agreement to commencing the planned work.

In some urgent cases, Council cannot give you advance notice of interruption to supply. When this occurs, Council will publicise the interruption to supply.

- Undertake planned work that involves shutting down the water supply or sewerage system at a time that minimises disruption to customers. Every reasonable effort will be made to perform this work between 7 am and 4pm in residential areas.
- If interruption will be less than four hours, notice will only be given to those customers who are put at extreme inconvenience.

For emergency repairs and service faults, Council will, where possible:

- Respond to service faults within quoted timeframes
- Maintain a listing of Critical Water Supply Customers and immediately notify outage/provide regular updates on progress of repairs
- Attempt to contact all affected properties for isolated supply disruptions and/or use social media, radio or other means to reasonably inform customers
- Try to limit water interruptions to a minimum
- Provide alternative water supplies through temporary connections and/or emergency bottled drinking water where possible, as applicable.
- Water will be available from reticulated hydrants in urban areas for fire-fighting.

Access to Private Property

If in the event it is necessary to enter your property to access water supply (water meter reading notwithstanding) or sewerage infrastructure (eg. pressure sewer units, manholes, mains or inspection openings), Dubbo Regional Council will:

- · Make every effort to contact the occupier/owner of the property prior to entering upon the land to undertake urgent repairs
- Ensure that all Council staff and/or authorised contractors as applicable, produce their identifications upon arrival
- Advise the occupier/owner of the property as to the nature of the work being undertaken, the staff and equipment necessary involved and the timeframe to complete the work
- Undertake the work as carefully as possible with all effort made to minimise the impact upon the property and disruption to the occupier
- Leave a 'calling card' after completion of the work if the occupier/owner of the property is not present
- Discuss any reinstatement works with the occupier/owner prior to commencement
- · Make every effort to reinstate the property to its prior state as quickly as possible after completion of the work.

In all circumstances Council will:

- Undertake works in a safe manner in line with best practice
- Present ourselves in a neat and tidy manner
- Conduct ourselves professionally and courteously at all times

Reinstatement of Surfaces

In the majority of cases, water and sewerage mains are located beneath the street, footpath or inside the rear/side boundary of a property. It is therefore necessary from time to time that landscaping and/or concrete driveway works will need to be undertaken in order to repair or replace water mains and other infrastructure. Council will take reasonable care in undertaking these works and where such works involve driveways, find an alternative to cutting wherever possible. Should an alternative solution not be viable, cutting may be unavoidable.

Council will restore the driveway and this includes concrete, exposed aggregate, decorative, pavers or stamped concrete. For works undertaken upon grassed verges or nature strips the replacement of turf may be by way of grass seed and topsoil to promote growth.



Drought Management

Council's Drought Contingency and Water Emergency Response Plan (DCWERP) provides the framework for decision-making and strategic mechanism for managing water supply in the Dubbo LGA during periods of drought or emergency incidents.

This Plan is an adaptive management approach to its operation that includes monitoring the effectiveness of the Plan, investigating new technologies to assist in demand management, analysing new information holistically and monitoring surface and ground water availability.

The DCWERP is based on the NSW Best Practice Guidelines for Drought Management Plan development. It expands on the guidelines to:

- · Incorporate emergency management
- Consider risk identification.
- Incorporate NSW State Government audit feedback from the Drought Management Plan 2015.
- Incorporate issues from the Integrated Water Cycle Management Issues Paper 2019.

Water restrictions will always be widely advertised to ensure total awareness by all customers. Details concerning the 'triggers' for water restrictions and the restriction categories are contained within DCWERP.

Restriction of Water Supply (unpaid charges or misuse of water)

Under the Local Government Act and General Regulations, Council may restrict or cut off the supply of water in a number of circumstances including:

- If any rates or charges in respect of the water supplied to the premises are unpaid
- If the owner or occupier or person requiring a supply of water fails to comply with an lawful order or requirement to repair or alter water connections, pipes, fittings or fixtures connected to the water supply system.
- · Water meter tampering or theft

The restriction of water supply will not be undertaken for unpaid charges without a reminder and notice of restriction being first provided. In cases where the property address and owner postal address differ, an advice will be sent to the occupier of the pending action.

Resumption of full supply will occur when the reason for the restriction of services no longer applies and the payment of the applicable charge has been made.

Provision of Water Saving Strategies

Council takes our responsibility to the community and the environment seriously. Water conservation means looking after our resources and protecting the environment. Consequently, Council provides a number of education resources and actively facilitates water saving initiatives which promote water, sewerage and associated efficiencies. Council maintains and promotes as standard demand management initiatives:

- Water saving information on Council's website.
- Water saving flyers and promotional materials.
- Educational tours of water treatment plants.
- School and community education programs (eg National Water Week).





Customers' Rights and Responsibilities

Introduction

In general terms, customers are:

- Responsible for internal plumbing on the property.
 Internal plumbing should be maintained, including preventing tree root intrusion on sewerage pipes, and regularly checking for leaks on water pipes.
- Responsible for ensuring their water meter is readily accessible by staff or contractors
- Responsible for the cost of a sewer blockage on their if caused by a covered inspection hole, defective fitting on their property or placement of inappropriate items into the sewerage system.
- Required to notify Council of any dangers on their property e.g. dangerous dogs or obstacles which my prevent, hinder or stop the water meter from being accessed.
- Required to advise Council if they require uninterrupted/ high volumes of water for use by life support equipment to ensure Council are aware of the situation.
- Required to ensure that stormwater drainage is not connected to or not permitted to enter the sewerage system through the overflow relief gully (ORG).

In addition, customers must allow an authorised person from Council access to their property to:

- Install, read, test, maintain or alter meters
- · Replace meters and other equipment
- · Connect or restrict or restore supply
- Inspect, make safe, operate, change, maintain, remove, repair or replace any infrastructure or equipment
- Disconnect unauthorised connections to the system.

Information and Privacy

Council collects and holds personal information for the purpose of facilitating its business. It is important that the use of this information is confined to the purpose for which it is acquired.

Council is committed to protecting the privacy of its customers, business contacts, councillors, employees, contractors and volunteers. Council complies with the Privacy and Personal Information Protection Act 1998 and the Health Records and Information Privacy Act 2002. Dubbo Regional Council is committed to the privacy principles contained within these Acts and provides a Privacy

Management Plan for staff members on proper information handling practices. Council's Privacy Management Plan also explains how your personal information will be treated and is available on the A-Z Policies section on our website. Information on Council's Privacy Management is also available on our website.

Internet Access

Electronic information is the basis on which Council conducts much of its business. As the custodian of a large volume of information that is sensitive for business, governance, personal or political reasons, Council has a fundamental responsibility to protect that information from unauthorised or accidental modification, loss, release or impact on the safety and well-being of individuals.

Notification of Special Health Needs

It is necessary for customers to advise Council if there is a requirement for water to maintain special medical needs. For example, Council maintains a register of residential properties that operate dialysis machines. This information is available to Council staff to ensure as much as possible that a continuous supply of drinking water is maintained at those locations in the event of a burst water main or a planned shut-down.

Council will maintain regular contact with customers registered with us including emergency numbers. Council also maintains contact and provides our details to renal dialvsis units so that information can be provided to patients.

Property Connections

Development of Properties

Enquiries from customers on the development of properties including change in use, reconfiguring of aparcel of land (lot), and operational works involving water supply or sewerage should be directed to Council. Customers should be aware that it is their responsibility to contact Council regarding any development or redevelopment of their property.

Redevelopment of Properties

Sometimes when a property is redeveloped, it is necessary to relocate or upgrade the existing water supply and/or sewerage connections. Property owners are required to contact Council if a redevelopment is to occur and advice will be provided regarding any conditions or works necessary appropriate to the changes.

Connection of Water Supply

Council will advise you if it is possible for your property to be connected to the water supply.

The size of the water services and fires services are to be determined entirely by the customer. Customers may wish to engage a private hydraulic consultant for advice. In accordance with Council's Water Supply Services Policy, water connections to properties are to be either a water service or a fire service. Combined water connections for fire services and water services are not permissible. In the absence of specific advice from the customer new water connections will be deemed to be a water service.

Applications for new water connections, upgrades of existing connections, downsizing or disconnection of water connections can be made by lodging an application to connect to Council's water supply system, which can be downloaded from Council's website: www.dubbo.nsw.gov.au

Council will provide a written quote to the applicant within 10 working days of receipt of the quote request. The quote will only be valid for three months from the date of issue. Council will complete the construction work within 40 working days of receiving payment for the work.

Council will arrange a connection for a water service, or fire service to your property if it can be serviced, once appropriate fees are paid. Council will arrange a connection of the size requested, provided the requested size is commercially available.

After Council constructs the water or fire service, you can arrange its connection to the internal or private water pipes on your property. When Council says 'internal', it is meant the water pipework from the outlet of the water meter connection, not just those pipes that are inside the building on your property.

As a condition of some water connections, Council may require you arrange the installation of an appropriate backflow prevention device at/or downstream of the water meter. Requirements and further information is outlined in Council's Water Supply Services Policy.

Council requires, as a condition of connection, that your internal or private plumbing downstream of the meter complies with the Plumbing Code of Australia.

Should your internal or private pipes no longer comply with the Plumbing Code of Australia, Council may disconnect your property from its water supply system.

As a Council water customer you cannot sell water to another person. As a Council water customer you cannot supply water free of charge to another person.

Resizing or Relocation of water meter

For downsizing, upsizing or relocation of water meters, a request for connection to a property must be submitted to Council and Council will provide a written quote. Council will complete works within 40 working days of receiveing payment for the work.

Disconnection of Water Supply

If a property owner no longer requires water supply, Council can disconnect the water meter and/or the service line to the main. Disconnection of a water service is free of charge, however if you wish to connect a water service, a request for connection to a property must be submitted and appropraite charges will apply. Customers should note that the applicable fixed availability charges will apply for single services in accordance with legislation, if those services remain available even though such may not necessarily be

Please note that disconnection of water does not preclude payment of the fixed availability charges for water supply services



Connection to sewerage

Requests for connection to Council's sewerage system can be made by lodging an application to connect to Council's sewerage system, which can be downloaded from Council's website: www.dubbo.nsw.gov.au

Council will provide a written quote to the applicant within 10 working days of receipt of the quote request. The quote is only be valid for three months after issue. Council will complete the construction work within 40 working days of receiving payment for the work.

Council will arrange for a junction to be constructed to which internal or private drainage pipework may be connected. Council will maintain its sewer pipe and the junction. You are responsible for maintenance of all other internal pipework. When Council say 'internal' we mean the private pipework upstream of the junction, not just those pipes that are inside the building on your property.

Council requires, as a condition of connection, that internal or private drainage pipes upstream of Council's junction comply with the Plumbing Code of Australia.

Council may disconnect your property from its sewerage system should your internal or private pipes no longer comply with the Plumbing Code of Australia.

Council will accept sewage from your property whether it enters Council's sewerage system by gravity, or by pumping.

If you have an onsite sewage treatment unit on your property Council may accept sewage effluent from your property whether it enters Council's sewerage system by gravity, or by

Disconnection of Sewer

Customers no longer requiring an existing sewer connection or seeking relocation, must submit a Sewer Disconnection application to Council. In accordance with Council's Policy, only Council and contractors appointed by Council are permitted to complete any work on a sewer main.

Please note that disconnection of sewer does not preclude payment of the fixed availability charges for sewerage services.

Fire Flow and Pressure Tests

Requests for fire flow investigations can be made by completing an application form through DRC&Me or via Council's website and paying the applicable fee. Council will provide the applicant written notification of results.

If an occupant experiences low or high water pressure at their property, please contact Council. Council will conduct a pressure test at the property's water meter and advise the occupant if test results are within acceptance levels of customer service standards.

No Building over Sewers

Customers have a responsibility to ensure that construction is not undertaken without approval adjacent to or over Council's sewer assets. Council's first position is that structures not be constructed over or close to sewers. However, each case will be considered on its merits having regard to Council's policy, a copy of which is available from Council.

No Discharge of Stormwater into the Sewerage System

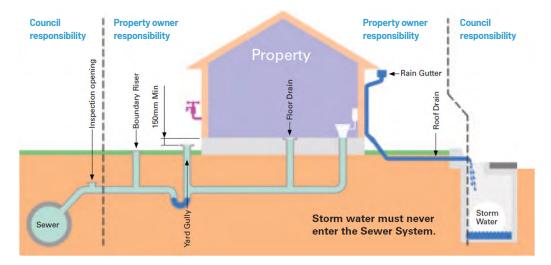
It is the property owner's responsibility to ensure that stormwater is not discharged into the sewer. This can cause sewerage overflows into properties downstream, public health impacts and environmental damage.

Illegal sources of stormwater can include:

- Connection of roof downpipes into the sewerage system (including carports, patio covers and extensions added after a property was originally constructed)
- Connection of garden drains and 'agi' pipes from behind retaining walls
- Concrete, paving or turfing up to the level of the yard qully (see diagram below)
- Inadequate property drainage that leads to flooding of the yard gully during heavy rainfalls.

Council regularly inspects and investigates areas that incur wet weather inflows into the sewerage system or overflows to the environment.

The following diagram provides customers with a graphic of responsibility for sewerage infrastructure within properties.



The yard gully is a fitting outside the home designed to release sewerage overflows safely. The shape and size of the yard gully can vary but in general they are round grated drains between 100mm and 150mm in diameter. The grating may be metal or plastic and black, white or silver in colour.

In the event of a sewerage blockage or high stormwater inflows into the sewerage system, the yard gully should 'pop off' to release the pressure and direct any sewerage away from the home. This prevents sewerage entering into the home from toilets, drains, shower drains or other disposal points.

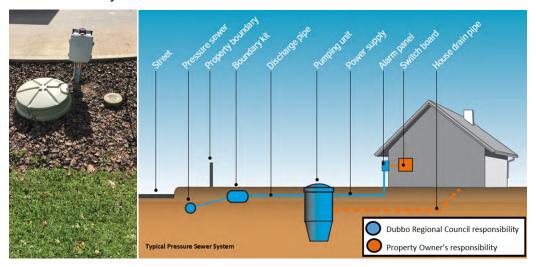
Plumbing regulations require that the yard gully must be installed at a level that is at least 150 mm lower than the lowest drain inside the home (particularly the shower, toilet and any laundry or bathroom floor drains). It must also be installed at least 75 mm above the surrounding ground level to ensure that stormwater does not flow into the sewerage system via the yard gully.

It is the responsibility of the property owner to ensure that their home has a properly installed and operational yard gully. It must also not be:

- Covered by an object such as a pot plant
- Covered by landscaping or garden beds
- Unable to 'pop off' because it is locked in place, corroded, filled with silt or concreted in.



Pressure Sewer Systems



Council has pressure sewer systems operating at a number of locations. These systems involve a 'grinder pumping unit' installed upon the owner's property. Whilst Council is responsible to maintain these units they are driven by electricity from the property's switchboard which is the owner's responsibility together with the house drainage.

In order for these systems to operate effectively and to avoid blockages and damage to the units, it is important for the occupant to not place into the system the following items:

- · Glass, metal, gravel or sand
- Seafood shells and kitty litter
- Nappies, plastic, materials such as cotton, linen etc
- Explosives and other flammable materials
- Lubricating oils, grease, strong chemicals or stormwater.

These items should never be disposed into any form of sewerage system.

Information together with the responsibility for the systems, helpful hints, maintenance and contact numbers in the event of problems can be found at Couincil's website. A pressure Sewer Manual is available to property owners and occupants.

On-Site Effluent, Septic or Aerated Systems

All onsite human waste disposal systems for properties not connected to the reticulated sewerage system are the responsibility of the property owner.

Customers of onsite systems have a responsibility to maintain the system in an environmentally sustainable fashion. The onsite systems might include pump stations and many types of sewerage treatment and land application such as septic tanks, aerated sewerage treatment systems, bio filter systems, composting toilets and activated sludge systems. Onsite sewerage facilities within the LGA are regulated by Council's Environmental Compliance Team.

ITEM NO: CCL24/155

Metering

Special Meter Readings

Property owners or their representatives (conveyancer, solicitors etc) can request a special water meter reading as part of the final settlement if the property is being sold. Application for a Special Reading of Meter can be applied for online and a fee is charged in accordance with Council's Revenue Policy (Note: Standard meter reads are completed in two working days).

Meter Accuracy Testing

Customers have the right, if they are concerned that the water meter is not responding correctly, to have the meter tested. This can be done by completing an application and payment of the applicable fee.

The water meter is sent away for accuracy testing by a NATA accredited facility. The compliance conditions of the National Framework for Urban Water Metering requires that cold potable meters have an acceptable level of confidence within a maximum permissible limit of error + or -4%.

If the test returns an error rate outside of the maximum permissible limit of error to + or -4%, the cost of the test will be refunded. An adjustment will also be made for the estimated amount that has been over-charged.

Rainwater Tanks

Rainwater tanks help conserve the drinking water supply and can provide a valuable source of water for gardens, cleaning and other household purposes. Health NSW does not recommend the use of water from rainwater tanks for drinking or food preparation if town water supply is available.

Water Accounts

Payment

Council levies annual Rates and Charges on all rateable properties in Council's LGA in July of each year in accordance with the Local Government Act, 1993.

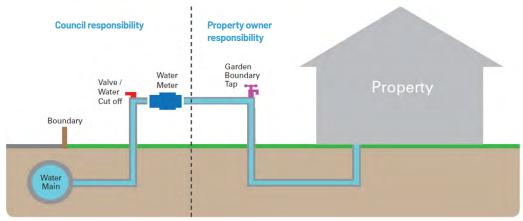
Rates notices are issued by 1 August each year in accordance with Section 562 of the Local Government Act 1993. Section 562(3) of the Act defines that rates and annual charges may be paid by a single instalment by 31 August or by quarterly instalments. The water consumption is shown on the Rates and Charges Instalment Notice each quarter. The consumption figure is for the water consumed in the previous quarter. Rates and Charges not paid by the due date are considered outstanding.

The property owner is responsible to acquit any charges overdue or payable. A range of payment options are available and further details can be obtained by contacting Council.

Monitoring of Water Use and Water Leaks

Council has installed smart meter technology which allows customers to monitor and track their water usage including the ability to set high usage and leak alerts through the online customer portal, MyDRC Water.

The property owner is responsible for maintaining and repairing all internal pipes and water leaks downstream of the water meter within their property.



Bursts, Blockages and Spills

Sewer Blockages

The property owner is responsible for clearing blockages and repairing cracks to the internal sewer plumbing of their property. This includes the lines down to the connection point of the sewerage main.

In a case where the connection of the private plumbing to the sewerage main is outside the property boundary, the property owner is only responsible for the private plumbing up to the line of the property boundary. In the event of a blockage, the property owner must contact a licensed plumber in the first instance to identify the cause. If the blockage is located within the property owner's area of responsibility then the property owner must pay for the cost of clearing the blockage and any associated repairs to the private plumbing.

If the plumber believes that the blockage is located within Council's area of resposibility, the plumber or owner must contact Council as soon as possible to arrange for our attendance and rectification of the problem.

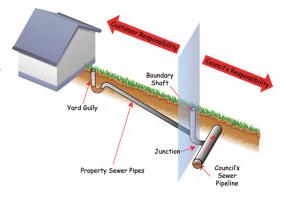
Council will liaise with the plumber, or owner, as required in relation to the blockage, location and Council's intentions regarding the problem. If the blockage is actually located in Council's area of reponsibility, Council will reimburse reasonable charges from the plumber in attending the site.

Water Damage and Sewer Overflows

From time to time, water mains burst as they are under pressure to ensure adequate supply to properties; and sewer pipes can get blocked from tree roots or other debris, causing an overflow. Council recognises that such an event is distressing and will, without liability, assist owners and occupiers with support and advice in the first instance and where Council is liable, take necessary action to rectify the situation.

Regardless, if water damage and sewer overflows occur:

- Property owners should contact their insurers
- Tenants should contact their insurers in relation to any personal effects and advise the property owner/ manager or agent of any damage to the property.



WORKING TOGETHER

General

Council is committed to a positive customer and community relationship engendered by continual involvement in the day-to-day activities of the business. In general, good customer relations are maintained by providing a quality service, keeping Council's customers informed and responding to the community needs. This Customer Service Plan has been created to cover these key aspects and include a single point of reference to:

- Set and meet agreed Water Supply and Sewerage Customer Service Standards
- Benchmark Council's performance and where improvement is identified, act upon such to meet our customer expectations
- Discourage the wastage of water and provide a range of community programs to educate on water conservation.
- Provide strong communication strategies to reach all community members about water supply and sewerage matters.

Customer Satisfaction

The delivery of a personal service approach to Council's customers, as the essential service provider of water supply and sewerage across the LGA, is seen by all members of staff as an important part of attaining strong customer satisfaction results. This is facilitated by maintaining good communication and good performance in all aspects of the business. Council has a dedicated customer experience team able to answer any enquiries relating to the services that Council supply. Council effectively maintains 'a one-stop shop' as related to water supply and sewerage services during normal business hours from 9 am to 5 pm. An afterhours service is also maintained for emergency water supply and sewerage matters.

General Enquiries

Council can be contacted during normal business hours on phone (02) 6801 4000 or by attending Dubbo or Wellington's civic adminstration buldings between 9.00 am and 5.00 pm (excluding public holidays).

General enquires can also be lodged through:

Website: www.dubbo.nsw.gov.au

then select DRC&ME

Email: council@dubbo.nsw.gov.au

Post: PO Box 81, Dubbo NSW 2830

Feedback

Council encourages and values your feedback, which is used as an opportunity to learn and improve Council's customer experience and service delivery. You can provide your feedback by attending in person at a Customer Experience Centre, phone, write, email or submit an online enquiry. Please tell Council when we have done things well, as it confirms that the service Council is providing is a service that you value, and helps us to recognise the efforts of our people.

Complaints

Council recognises that a complaint is an expression of dissatisfaction made to an organisation related to its products, or the complaints handling process itself, where a response or resolution is explicitly or implicitly expected. This accords with the Australian Standard (AS ISO 10002-2006) and is consistent with the National Performance Reporting requirements relating to complaints, which are independently audited for compliance. The number and type of complaints about the services provided by Council or staff are captured for reporting and rectification where necessary.

A complaint could include a customer:

- Providing negative feedback about dealings with Council.
- · Dissatisfied with a decision made under Council policy.
- Dissatisfied with an action or failure to act by Council.
- Customer levels of responsiveness as measured by the National Performance Reporting mechanisms for benchmarking which include:
- Water quality complaints
- Water service complaints
- Sewerage service complaints
- Billing and account complaints water and sewerage
- Total water and sewerage complaints.

Examples of matters that are not classified as complaints include:

- A request for service or assistance with clarification on a matter
- An inquiry into the progress of a water meter connection
- A request to take action on a leaking water pipe or any other service fault
- An inquiry to seek clarification or further information about a water account.
- Government pricing policy, property connections, restrictions, tariff structures or a correctly calculated water account is too high.

APPENDIX NO: 2 - DRAFT 2024-2026 WATER SUPPLY AND SEWERAGE CUSTOMER SERVICE PLAN

Handling Customer Complaints

When a customer contacts us with a complaint by telephone, email, letter or in person, customers can expect to:

- · Have their complaint and personal details kept confidential
- Be treated with courtesy and respect
- Receive the appropriate support where special needs are identified (eg interpreter service or hearing disabled)
- Receive an acknowledgement of a complaint if sought, by being provided with a reference number for any future enquiry or follow-up
- · Have the matter investigated thoroughly and objectively
- · Be kept informed of the process and outcome
- Receive a decision on the complaint if applicable.

Customers can be assured that Council will prioritise complaints based on the seriousness and complexity of a complaint. Council have a formal Complaints Handling Policy which outlines standards and processes for actioning matters raised by customers quickly and effectively.

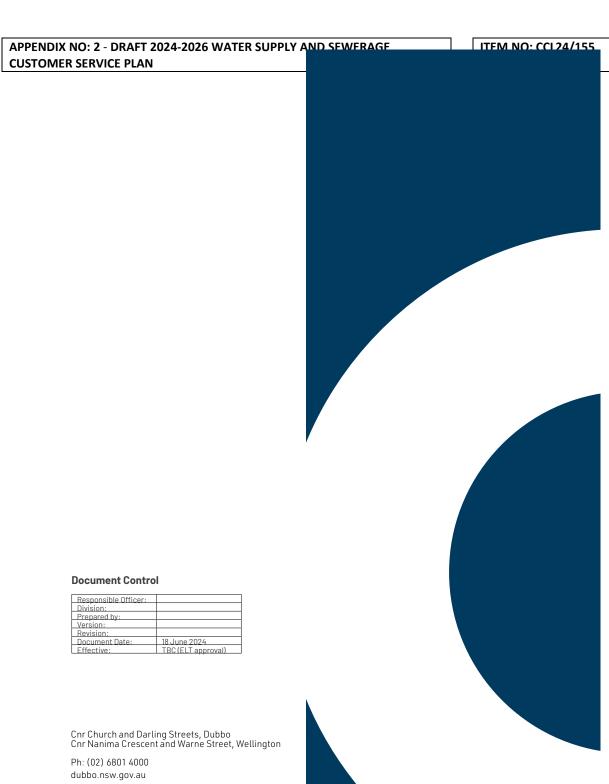
Work Health and Safety

Council is committed to the Work, Health and Safety Act and associated legislation to comply with all relevant aspects of workplace accident prevention, hazard control and removal, injury and protection and health preservation to ensure the health, welfare and safety of Council employees, contractors, volunteers and the public.

Issues of importance specific to water and sewerage operations include ensuring that:

- Water supply and sewerage operators are trained, to appropriate certification levels
- · Operators are familiar with all current practices including WH&S requirements
- · An up-to-date training program is in place for all staff
- A Quality Management System based on ISO 22001 is implemented.







REPORT: Question on Notice - Pedestrian Access to Orana Mall on Mitchell Highway and Wheelers Lane

DIVISION: Elected Members
REPORT DATE: 21 May 2024
TRIM REFERENCE: ID24/1070

QUESTIONS ON NOTICE

Council has received the following Questions on Notice from Councillor S Chowdhury. The questions and answers are submitted below for the information of Councillors.

Councillor S Chowdhury

What are the Council's plans for a foot over bridge or crossing lights at both sides of Orana Mall, specifically on Wheelers Lane and Mitchell Highway?

Response:

There is one pedestrian refuge located on the Mitchell Highway in the vicinity of the Orana Mall and two on Wheelers Lane. The Mitchell Highway pedestrian refuge is located approximately 80 metres east of the roundabout with Wheelers Lane. There are two pedestrian refuges located on Wheelers Lane with one located 30 metres north of the roundabout with the Mitchell Highway and one located between Moonah Street and Alder Place.

There are no plans for a footbridge to go over the Mitchell Highway or Wheelers Lane to provide access to Orana Mall.

At this point in time there are no plans to upgrade the pedestrian refuge arrangements on Wheelers Lane, however as part of the conditions of consent for the Council development (Keswick), there is a requirement to install pedestrian crossing lights on the Mitchell Highway in the vicinity of Eastend Studio Apartments however this has been queried to understand if this is required from a pedestrian movement and timing perspective.

RECOMMENDATION

That the information contained within the report be noted.

SC Councillor