



AGENDA

ORDINARY COUNCIL MEETING

25 MAY 2023

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

The meeting is scheduled to commence at 5.30pm.

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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CCL23/114 LEAVE OF ABSENCE (ID23/1094)

CCL23/115 CONFLICTS OF INTEREST (ID23/1089)

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

CCL23/116 PUBLIC FORUM (ID23/1084)

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CCL23/117 CONFIRMATION OF MINUTES (ID23/1099)

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 27 April 2023.

INFORMATION ONLY MATTERS:

23

CCL23/118 MAYORAL APPOINTMENTS AND MEETINGS (ID23/1001)

The Council had before it the report dated 5 May 2023 from the Chief Executive Officer regarding Mayoral Appointments and Meetings.

MATTERS CONSIDERED BY COMMITTEES:

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| CCL23/119 | REPORT OF THE INFRASTRUCTURE, PLANNING AND ENVIRONMENT COMMITTEE - MEETING 11 MAY 2023 (ID23/1139) | 29 |
| | The Council had before it the report of the Infrastructure, Planning and Environment Committee meeting held 11 May 2023. | |
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| CCL23/120 | REPORT OF THE CULTURE AND COMMUNITY COMMITTEE - MEETING 11 MAY 2023 (ID23/1140) | 36 |
| | The Council had before it the report of the Culture and Community Committee meeting held 11 May 2023. | |
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| CCL23/121 | REPORT OF THE CORPORATE SERVICES COMMITTEE - MEETING 11 MAY 2023 (ID23/1141) | 42 |
| | The Council had before it the report of the Corporate Services Committee meeting held 11 May 2023. | |

NOTICES OF MOTION:

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| CCL23/122 | EMERGENCY SERVICE LEVY INCREASE (ID23/1104) | 46 |
| | Council had before it a Notice of Motion dated 16 May 2023 from Councillor R Ivey regarding the Emergency Service Levy Increase. | |
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| CCL23/123 | THE VOICE REFERENDUM (ID23/1079) | 52 |
| | Council had before it a Notice of Motion dated 15 May 2023 from Councillor P Wells regarding The Voice Referendum. | |
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| CCL23/124 | REHAB CENTRE LOCATION AND POSSIBLE RELOCATION (ID23/1158) | 54 |
| | Council had before it a Notice of Motion dated 18 May 2023 from Councillor J Black regarding the Rehab Centre Location and Possible Relocation. | |
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| CCL23/125 | PROPOSAL FOR A DUBBO CRIME SUMMIT (ID23/1159) | 57 |
| | Council had before it a Notice of Motion dated 18 May 2023 from Councillor J Black regarding the Proposal for a Dubbo Crime Summit. | |

REPORTS FROM STAFF:

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| CCL23/126 | AMENDMENTS TO THE KINTYRE HEIGHTS ESTATE DEVELOPMENT CONTROL PLAN (ID23/1013) | 59 |
| | The Council had before it the report dated 4 May 2023 from the Growth Planner regarding Amendments to the Kintyre Heights Estate Development Control Plan. | |
| CCL23/127 | DRAFT PLANNING AGREEMENT - JOIRA ROAD (ID23/1008) | 104 |
| | The Council had before it the report dated 5 May 2023 from the Development Contributions Planner regarding Draft Planning Agreement - Joira Road. | |
| CCL23/128 | DEVELOPMENT APPLICATION D22-752 MULTI-DWELLING HOUSING (47 UNITS), 2 MONASH STREET, DUBBO (ID23/1031) | 134 |
| | The Council had before it the report dated 10 May 2023 from the Statutory Planning Services Team Leader regarding Development Application D22-752 Multi-dwelling Housing (47 Units), 2 Monash Street, Dubbo. | |
| CCL23/129 | SECTION 8.2 REVIEW OF DETERMINATION – D20-608 FOR SERVICE STATION AT LOT 51 DP 712802, 39 COBBORA ROAD, DUBBO (ID22/291) | 199 |
| | The Council had before it the report dated 3 May 2023 from the Senior Planner regarding Section 8.2 Review of Determination – D20-608 for Service Station at Lot 51 DP 712802, 39 Cobbora Road, Dubbo. | |
| CCL23/130 | D22-737 - SENIORS HOUSING (32 DWELLINGS) - STAGE 7 AND STAGE 9 AT 57 MINORE ROAD, DUBBO (ID23/820) | 226 |
| | The Council had before it the report dated 5 May 2023 from the Senior Planner regarding D22-737 - Seniors housing (32 Dwellings) - Stage 7 and Stage 9 at 57 Minore Road, Dubbo. | |
| CCL23/131 | D22-723 - INTENSIVE LIVESTOCK AGRICULTURE (POULTRY FARM) - LOT 5 DP 664334, 21 GLADSTONE ROAD BODANGORA (ID23/879) | 283 |
| | The Council had before it the report dated 3 May 2023 from the Senior Planner regarding D22-723 - Intensive Livestock Agriculture (Poultry Farm) - Lot 5 DP 664334, 21 Gladstone Road Bodangora. | |

CCL23/132	MARCH 2023 QUARTERLY BUDGET REVIEW STATEMENT (ID23/1042)	314
	The Council had before it the report dated 16 May 2023 from the Chief Financial Officer regarding March 2023 Quarterly Budget Review Statement.	
CCL23/133	COUNCILLOR AND MAYORAL FEES - 2023/2024 (ID23/1074)	352
	The Council had before it the report dated 15 May 2023 from the Governance Team Leader regarding Councillor and Mayoral Fees - 2023/2024.	
CCL23/134	EXECUTION OF COMPULSORY ACQUISITION OF CROWN LAND FOR PUBLIC ROAD, UPGRADE OF GOOLMA ROAD AND TWELVE MILE ROAD INTERSECTION (ID23/1012)	404
	The Council had before it the report dated 7 May 2023 from the Property Development Officer regarding Execution of Compulsory Acquisition of Crown Land for Public Road, Upgrade of Goolma Road and Twelve Mile Road Intersection.	
CCL23/135	CAMERON PARK PLAYGROUND FENCE - RESULTS OF COMMUNITY CONSULTATION (ID23/807)	420
	The Council had before it the report dated 19 April 2023 from the Manager Recreation and Open Space regarding Cameron Park Playground Fence - Results of Community Consultation.	
CCL23/136	QUESTIONS ON NOTICE - COUNCILLOR SHIBLI CHOWDHURY (ID23/1115)	461
	The Council had before it the report dated 16 May 2023 from the Councillor regarding Questions on Notice - Councillor Shibli Chowdhury.	
CCL23/137	QUESTIONS ON NOTICE - COUNCILLOR DAMIEN MAHON (ID23/915)	463
	The Council had before it the report dated 3 May 2023 from the Councillor regarding Questions on Notice - Councillor Damien Mahon.	
CCL23/138	COMMENTS AND MATTERS OF URGENCY (ID23/1149)	

CONFIDENTIAL

CCL23/139 QUOTATION FOR SUPPLY AND DELIVERY OF TWO DUAL CONTROL SUCTION SWEEPERS - PLANT 166 AND 2166 (ID23/1112)

The Council had before it the report dated 16 May 2023 from the Manager Fleet and Depot Services regarding Quotation for Supply and Delivery of Two Dual Control Suction Sweepers - Plant 166 and 2166.

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

CCL23/140 TENDER FOR CONSTRUCTION OF NORTHERN BORE FIELD PIPELINE STAGES 1 TO 3 (ID23/1147)

The Council had before it the report dated 18 May 2023 from the Manager Strategy Water Supply and Sewerage regarding Tender for Construction of Northern Bore Field Pipeline Stages 1 to 3.

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

CCL23/141 PEOPLE CULTURE AND SAFETY QUARTERLY METRICS (ID23/1119)

The Council had before it the report dated 16 May 2023 from the Manager People Culture and Safety regarding People Culture and Safety Quarterly Metrics.

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

- CCL23/142 PROPOSED ACQUISITION OF LAND FOR THE RIVER STREET WEST COLLECTOR ROAD PROJECT (ID23/1116)**
The Council had before it the report dated 16 May 2023 from the Manager Property and Land Development regarding Proposed acquisition of land for the River Street West Collector Road project.

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

- CCL23/143 PROPOSED SALE OF COUNCIL-OWNED LAND - 3 BOOTHENBA ROAD, DUBBO (ID23/892)**
The Council had before it the report dated 1 May 2023 from the Property Services Officer regarding Proposed sale of Council-owned land - 3 Bootherba Road, Dubbo.

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

- CCL23/144 EXECUTION OF EASEMENT OVER 8 HOLLS AVE, DUBBO (LOT 200 ON DP881153) (ID23/588)**
The Council had before it the report dated 27 March 2023 from the Property Services Officer regarding Execution of easement over 8 Holls Ave, Dubbo (Lot 200 on DP881153).

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

**CCL23/145 TENDER FOR THE CONSTRUCTION OF THE LEGACY SHARED
PATHWAY (ID23/1146)**

The Council had before it the report dated 18 May 2023 from the Manager Recreation and Open Space regarding Tender for the Construction of the Legacy Shared Pathway.

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 27 April 2023.

RECOMMENDATION

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

APPENDICES:

- 1 [↓](#) Minutes - Ordinary Council Meeting - 27/04/2023



REPORT ORDINARY COUNCIL MEETING 27 APRIL 2023

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

ALSO IN ATTENDANCE:

The Chief Executive Officer, the Director Organisational Performance, the Manager Corporate Governance (S Wade), the Governance Officer, the Director Strategy, Partnerships and Engagement, the Communications Services Team Leader, the Director Development and Environment, the Manager Growth Planning, the Manager Building and Development Services, the Director Infrastructure and the Director Community, Culture and Places.

Councillor M Dickerson assumed the Chair of the meeting.

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

CCL23/90 LEAVE OF ABSENCE (ID23/686)

There were no leave of absence received.

Councillor D Mahon attended via audio-visual link

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

Against: Nil

CCL23/91 CONFLICTS OF INTEREST (ID23/688)

The following conflicts of interest were declared:

- Director Strategy, Partnership and Engagement - non-pecuniary – less than significant in CCL23/98 (CCC23/18)
- Councillor J Gough – non pecuniary – less than significant in CCL23/99 (CSC23/16)

ORDINARY COUNCIL MEETING - 27 APRIL 2023
REPORT**CCL23/92 PUBLIC FORUM (ID23/687)**

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

- Mr Bruce Bryant – regarding CCL23/108 D22-691 - Secondary Dwelling - Lot 461 DP565521, 12 Caves Road Apsley (ID23/753)
- Mr Nicholas Broadbent – regarding CCC23/18 Macquarie Conservatorium of Music Facility Options

CCL23/93 CONFIRMATION OF MINUTES (ID23/689)

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

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 23 march 2023 comprising pages 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28 of the series be taken as read, confirmed as correct minutes and signed by the Mayor and the Chief Executive Officer.

CARRIED

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

Against: Nil

INFORMATION ONLY MATTERS:**CCL23/94 MAYORAL APPOINTMENTS AND MEETINGS (ID23/764)**

The Council had before it the report dated 11 April 2023 from the Chief Executive Officer regarding Mayoral Appointments and Meetings.

Moved by Councillor P Wells and seconded by Councillor V Etheridge

MOTION

That the information contained in the report be noted.

CARRIED

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

Against: Nil

ORDINARY COUNCIL MEETING - 27 APRIL 2023
REPORT**CCL23/95 CLAUSE 4.6 VARYING DEVELOPMENT STANDARDS - UPDATE (ID23/564)**

The Council had before it the report dated 5 April 2023 from the Manager Building and Development Services regarding Clause 4.6 Varying Development Standards - Update.

Moved by Councillor J Black and seconded by Councillor M Wright

MOTION

That the information contained in this report be noted.

CARRIED

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

Against: Nil

CCL23/96 STATUS OF NOTICES OF MOTION - QUARTERLY UPDATE (ID23/558)

The Council had before it the report dated 21 March 2023 from the Manager Corporate Governance regarding Status of Notices of Motion - Quarterly Update.

Moved by Councillor S Chowdhury and seconded by Councillor L Burns

MOTION

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

CARRIED

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

Against: Nil

MATTERS CONSIDERED BY COMMITTEES:**CCL23/97 REPORT OF THE INFRASTRUCTURE, PLANNING AND ENVIRONMENT COMMITTEE - MEETING 13 APRIL 2023 (ID23/831)**

The Council had before it the report of the Infrastructure, Planning and Environment Committee meeting held 13 April 2023.

Moved by Councillor J Black and seconded by Councillor S Chowdhury

MOTION

That the report of the Infrastructure, Planning and Environment Committee meeting held on 13 April 2023, be adopted.

CARRIED

ORDINARY COUNCIL MEETING - 27 APRIL 2023
REPORT

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

Against: Nil

**CCL23/98 REPORT OF THE CULTURE AND COMMUNITY COMMITTEE - MEETING 13
APRIL 2023 (ID23/832)**

The Council had before it the report of the Culture and Community Committee meeting held 13 April 2023.

Moved by Councillor J Gough and seconded by Councillor S Chowdhury

MOTION

That the report of the Culture and Community Committee meeting held on 13 April 2023, be adopted, save and except CCC23/18 and CCC23/19 which will be dealt with separately.

CARRIED

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

Against: Nil

CCC23/18 MACQUARIE CONSERVATORIUM OF MUSIC FACILITY OPTIONS

The Committee had before it the report dated 30 March 2023 from the Director Organisational Performance regarding Macquarie Conservatorium of Music Facility Options.

RECOMMENDATION

Moved by Councillor M Wright and seconded by Councillor S Chowdhury

1. That Council gives permissions to the Chief Executive Officer to negotiate a Commercial Lease for Council Building with the Macquarie Conservatorium for maximum period of 5 years.
2. That Council offer an Interest Free Loan for the purpose of a fit out for any building is offered to the Macquarie Conservatorium to be repayable over a 5 year period equal annual repayments to the maximum loan value of \$500,000.

LOST

For: Councillor M Dickerson.

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

Moved by Councillor J Gough and seconded by Councillor S Chowdhury

MOTION

1. **That Council delegate authority to the Chief Executive Officer to negotiate the terms of the Lease Agreement for the Macquarie Conservatorium to occupy 139 Darling**

ORDINARY COUNCIL MEETING - 27 APRIL 2023

REPORT

Street, Dubbo including:

- a. A peppercorn corn lease per annum for a period of 5 years with an option for an additional 5 year term by mutual agreement,
 - b. That the lease amount be reviewed at the end of the initial 5 year period and
 - c. that the Macquarie Conservatorium be responsible for all outgoings under the lease arrangements including but not limited to utilities, fit out, repairs and maintenance on the agreed arrangement
2. That it be noted the lease amount is below market value and therefore can be considered as a financial assistance grant to the Macquarie Conservatorium under s356 of the Local Government Act 1993.
 3. That any necessary documentation in relation to this matter be executed under the Common Seal of Council.
 4. That it be noted that the preferred location for The Macquarie Conservatorium is part of a cultural hub that Dubbo Regional Council is considering in strategic analysis to be located adjacent to and including the Western Plains Cultural Centre, Dubbo.

CARRIED

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

Against: Councillors M Dickerson and D Mahon.

**CCC23/19 DUBBO AQUATIC LEISURE CENTRES REQUEST FOR PROPOSAL (RFP)
(ID23/513)**

The Committee had before it the report dated 13 March 2023 from the Director Organisational Performance regarding Dubbo Aquatic Leisure Centres Request for Proposal (RFP).

Moved by Councillor J Gough and seconded by Councillor S Chowdhury

MOTION

1. That Council calls for Request for Proposal for the Contract Management of the Dubbo Aquatic Centres including Dubbo Aquatic Leisure Centres, Wellington Aquatic Centre, and Geurie Pool.
 - a. That proposals could be for a single facility or for multiple facilities.
2. That the operational management of the contract is for a five (5) year period, commencing 1 July 2023 and concluding 30 June 2028. There is an option for an additional two (2) times twelve (12) month extensions, as indicated within the specification.
3. That the Dubbo Regional Council's Aquatic Leisure Centres operational setting within each of the facilities, are determined by the following:
 - a. Season Length – set by Dubbo Regional Council with a set minimum and maximum date for each centre.
 - b. Opening Hours – set by Dubbo Regional Council with a set minimum and maximum hours for each centre.
 - c. Kiosk hours – set by contractor
 - d. Slide opening hours – set by contractor

ORDINARY COUNCIL MEETING - 27 APRIL 2023

REPORT

4. That the Aquatic Leisure Centres Fees and charges setting within each of the facilities, are determined by the following:
 - a. Admissions – Dubbo Regional Council set a minimum and maximum fee
 - b. Other Fees - Dubbo Regional Council set a minimum and maximum fee
 - c. Kiosk – Contractor
 - d. Slide – Contractor
5. That the Contract is responsible for all operational maintenance
6. That Council is responsible for all Capital Works and asset maintenance over \$2,000 required at all any of the three facilities.

CARRIED

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

Against: Councillors J Black and P Wells

CCL23/99 REPORT OF THE CORPORATE SERVICES COMMITTEE - MEETING 13 APRIL 2023 (ID23/833)

The Council had before it the report of the Corporate Services Committee meeting held 13 April 2023.

Moved by Councillor D Mahon and seconded by Councillor J Black

MOTION

That the report of the Corporate Services Committee meeting held on 13 April 2023, be adopted.

CARRIED

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

Against: Nil

NOTICES OF MOTION:

CCL23/100 REPATRIATION OF AXE GRINDING GROOVE ROCK FROM WIRADJURI PARK TO TERRAMUNGAMINE RESERVE (ID23/808)

Council had before it a Notice of Motion dated 20 April 2023 from Councillor L Burns regarding the Repatriation of Axe Grinding Groove Rock.

Moved by Councillor L Burns and seconded by Councillor V Etheridge

MOTION

1. That the CEO provide formal communications to Transport for NSW regarding the large rock to be repatriated to Terramungamine Reserve.
2. That the CEO facilitate relevant stakeholder meetings to progress this initiative including the cost of repatriation be covered by Transport for NSW as part of the new

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Dubbo bridge project.**CARRIED**

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

Against: Nil

REPORTS FROM STAFF:**CCL23/101 REVIEW OF RATES STRUCTURE FOR 2023/2024 (ID23/433)**

The Council had before it the report dated 14 April 2023 from the Revenue Accountant regarding Review of Rates Structure for 2023/2024.

Moved by Councillor P Wells and seconded by Councillor M Wright

MOTION

1. That the 2023/2024 rate structure incorporate a General Income Variation increase (the rate pegging limit) of 3.7% being the maximum permitted for the 2023/2024 rating year as determined by IPART.
2. That the Rates Structure to be included in the Revenue Policy as part of the 2023/2024 Operational plan include newly defined boundaries for the Residential Dubbo Urban rating sub-category.
3. That the properties subject to a new rating category be notified by Council with a Declaration of Rate Category letter.
4. That the ad valorem amount applicable to Residential Village and Residential Geurie be set to ensure that the minimum rate is applicable to less than 50% of properties.
5. That it be noted the revenue policy containing the rating structure will go out on Public Exhibition once adopted.

CARRIED

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

Against: Nil

CCL23/102 DRAFT 2023/2024 BUDGET AND FEES/CHARGES (ID23/679)

The Council had before it the report dated 21 April 2023 from the Chief Financial Officer regarding Draft 2023/2024 Budget and Fees/Charges.

Moved by Councillor M Wright and seconded by Councillor S Chowdhury

MOTION

1. That the 2023/2024 draft Dubbo Regional Council Budget (including Fees and Charges) and Forward Forecasts for 2024/2025, 2025/2026 and 2026/2027 be adopted by Council for the purposes of public exhibition only.
2. That the 2023/2024 draft Dubbo Regional Council Budget (including Fees and

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REPORT

- Charges) and Forward Forecasts for 2024/2025, 2025/2026 and 2026/2027 be placed on public exhibition from Monday, 1 May 2023 until 5 pm Monday, 29 May 2023.
3. That the 2023/2024 draft Macquarie Regional Library Budget (including Fees and Charges) and Forward Forecasts for 2024/2025, 2025/2026 and 2026/2027 be adopted by Council for the purposes of public exhibition only.
 4. That the 2023/2024 draft Macquarie Regional Library Budget (including Fees and Charges) and Forward Forecasts for 2024/2025, 2025/2026 and 2026/2027 be placed on public exhibition from Monday, 1 May 2023 until 5 pm Monday, 29 May 2023.
 5. That community and stakeholder engagement be undertaken in accordance with the community engagement principles included in this report.
 6. That the interest rate on overdue rates and charges be the maximum, as advised by the Minister for Local Government for the 2023/2024 year.
 7. That the annual pensioner rebates on both water and sewerage charges be maintained at \$100.00 each for the 2023/2024 financial year.
 8. That the annual pensioner rebate on the Domestic Waste Management Service Charge – Three Bin Service be maintained at \$52.00 for the 2023/2024 financial year.

CARRIED

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

Against: Nil

CCL23/103 DRAFT 2023/2024 DELIVERY PROGRAM AND OPERATIONAL PLAN AND ASSOCIATED DOCUMENTS (ID23/571)

The Council had before it the report dated 22 March 2023 from the Director Strategy, Partnerships and Engagement regarding Draft 2023/2024 Delivery Program and Operational Plan and associated documents.

Moved by Councillor L Burns and seconded by Councillor P Wells

MOTION

1. That the draft 2023/2024 Delivery Program and Operational Plan (attached as Appendix 1), draft Macquarie Regional Library 2023/2024 Operational Plan (attached as Appendix 2), draft Long Term Financial Plan (attached as Appendix 3) and Strategic Asset Management Plan (attached as Appendix 4) be endorsed by Council for the purposes of public exhibition.
2. That the draft 2023/2024 Delivery Program and Operational Plan (attached as Appendix 1), draft Macquarie Regional Library 2023/2024 Operational Plan (attached as Appendix 2), draft Long Term Financial Plan (attached as Appendix 3) and Strategic Asset Management Plan (attached as Appendix 4) be placed on public exhibition from Monday, 1 May 2023 until 5 pm Monday, 29 May 2023.
3. That the Engagement Strategy as summarised in the report be endorsed.
4. That following completion of the public exhibition, a further report be presented to Council for consideration, addressing the outcomes of the public exhibition.

CARRIED

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

Against: Nil

CCL23/104 RESULTS OF PUBLIC EXHIBITION - AMENDMENTS TO THE DUBBO DEVELOPMENT CONTROL PLAN 2013 AND WELLINGTON DEVELOPMENT CONTROL PLAN 2013 - DETACHED DEVELOPMENT (ID23/247)

The Council had before it the report dated 5 April 2023 from the Team Leader Growth Planning Projects regarding Results of Public Exhibition - Amendments to the Dubbo Development Control Plan 2013 and Wellington Development Control Plan 2013 - Detached Development.

Moved by Councillor J Gough and seconded by Councillor M Wright

MOTION

1. That Council adopt the amendments to the Dubbo Development Control Plan 2013 (attached in Appendix 1) and Wellington Development Control Plan 2013 (attached in Appendix 2).
2. That the amendments to the Dubbo Development Control Plan 2013 and Wellington Development Control Plan 2013 come into effect on 1 May 2023.

CARRIED

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

Against: Nil

CCL23/105 RESULTS OF PUBLIC EXHIBITION - PLANNING PROPOSAL R22-002- CAVELLE DRIVE, DUBBO (ID23/666)

The Council had before it the report dated 5 April 2023 from the Growth Planner regarding Results of Public Exhibition - Planning Proposal R22-002- Cavelle Drive, Dubbo.

Moved by Councillor M Wright and seconded by Councillor J Black

MOTION

1. That Council adopt the Planning Proposal to amend the Dubbo Regional Local Environmental Plan 2022 (attached in Appendix 1) by rezoning part of Cavelle Drive, Dubbo (Lot 800 DP1280165, formerly Lot 700 DP1274329) from SP3 Tourist to R2 Low Density Residential and amending part of the Minimum Lot Size Area from No Minimum Lot Size to 800m².
2. That Council prepare drafting instructions and liaise with the NSW Government Department of Planning and Environment to arrange finalisation of the proposed amendment to the Dubbo Regional Local Environmental Plan 2022 and request gazettal of the Plan.
3. That the Chief Executive Officer (or delegate) be authorised to execute any required

ORDINARY COUNCIL MEETING - 27 APRIL 2023

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documentation to finalise the amendment to the Dubbo Regional Local Environmental Plan 2022.

CARRIED

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

Against: Nil

CCL23/106 COUNCIL RELATED DEVELOPMENT APPLICATION - CONFLICT OF INTEREST POLICY (ID23/665)

The Council had before it the report dated 3 April 2023 from the Manager Building and Development Services regarding Council Related Development Application - Conflict of Interest Policy.

Moved by Councillor M Wright and seconded by Councillor S Chowdhury

MOTION

1. That the draft Council-Related Development Application Conflict of Interest Policy (attached as Appendix 2) be noted and adopted.
2. That the adopted Council-Related Development Application Conflict of Interest Policy be placed on Council's website and an advertisement placed in the Daily Liberal (Council Column) confirming adoption of the Policy.
3. That relevant staff be notified of the adopted Council Policy and comply with the requirements contained therein.

CARRIED

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

Against: Nil

CCL23/107 DRAFT PLANNING AGREEMENT - SPICERS CREEK WIND FARM (ID23/310)

The Council had before it the report dated 17 April 2023 from the Development Contributions Planner regarding Draft Planning Agreement - Spicers Creek Wind Farm.

Moved by Councillor J Black and seconded by Councillor R Ivey

MOTION

1. That Council negotiate a draft Planning Agreement with Squadron Energy Pty Ltd in respect of the Spicers Creek Wind Farm Project.
2. That a draft Planning Agreement be for 1.5% of the Capital Investment Value of the project.
3. That any draft Planning Agreement be aligned with the offer letter provided by Squadron Energy Pty Ltd dated 26 April 2023.
4. That in respect of the 107 proposed wind turbines in the Dubbo Regional Local Government Area and the 10 wind turbines proposed in the Warrumbungle Local

ORDINARY COUNCIL MEETING - 27 APRIL 2023

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Government Area that Planning Agreement funding be considered on a pro rata basis per turbine.

5. That a draft Planning Agreement be prepared in accordance with the requirements of the Environmental Planning and Assessment Act, 1979 and the Environmental Planning and Assessment Regulation, 2021.
6. That a draft Planning Agreement prepared in accordance with recommendations 1-4 be publicly exhibited in accordance with the provisions of the Environmental Planning and Assessment Act, 1979.
7. 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, L Burns, S Chowdhury, M Dickerson, V Etheridge, J Gough, R Ivey, D Mahon, P Wells and M Wright.

Against: Nil

CCL23/108 D22-691 - SECONDARY DWELLING - LOT 461 DP565521, 12 CAVES ROAD APSLEY (ID23/753)

The Council had before it the report dated 11 April 2023 from the Senior Planner regarding D22-691 - Secondary Dwelling - Lot 461 DP565521, 12 Caves Road Apsley.

Moved by Councillor M Wright and seconded by Councillor J Black

MOTION

1. That Council defer this item for consideration at a future meeting of council if the recently submitted additional information once assessed is deemed to be inadequate.
2. That should the recently submitted additional information be deemed to be sufficient once assessed, that the application be determined under delegated authority.
3. That the applicant and those people making submissions be advised on Council's decision in this matter.

CARRIED

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

Against: Councillors S Chowdhury, P Wells

CCL23/109 MEMORIAL PLAQUES AND DONATION OF PARK FURNITURE AND TREES POLICY (ID23/736)

The Council had before it the report dated 5 April 2023 from the Manager Recreation and Open Space regarding Memorial Plaques and Donation of Park Furniture and Trees Policy.

Moved by Councillor J Gough and seconded by Councillor V Etheridge

MOTION

1. That a draft Council Policy – Plaques and Donation of Park Furniture and Trees Policy,

ORDINARY COUNCIL MEETING - 27 APRIL 2023

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based on the existing Management Policy, be placed on public exhibition for a period of 28 days during the first quarter 2023/2024 financial year.

2. That a subsequent report be provided to Council detailing the results of public exhibition.

CARRIED

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

Against: Nil

CCL23/110 FINANCIAL ASSISTANCE PROGRAM 2022/2023 ROUND TWO (ID23/466)

The Council had before it the report dated 9 March 2023 from the Manager Community Services regarding Financial Assistance Program 2022/2023 Round Two.

Moved by Councillor S Chowdhury and seconded by Councillor V Etheridge

MOTION

1. That Council approve the below grant recommendations, in line with the eligible criteria and notifications to be sent to each successful applicant:
 - RSPCA NSW \$7,800.00
 - Girls Brigade Dubbo NSW \$4,100.00
2. That all unsuccessful applicants be advised of Council's Grants Hub, as well as other funding opportunities and any advice to assist future applications for council financial assistance.
3. That surplus funds remaining from the 2022/2023 Round Two be rolled over to 2023/2024 Round One of the Financial Assistance Program.

CARRIED

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

Against: Nil

CCL23/111 COMMUNITY SERVICES FUND 2022/2023 ROUND 2 - COMMUNITY BENEFIT FUNDING IN ACCORDANCE WITH SECTION 356 LOCAL GOVERNMENT ACT 1993 (ID23/462)

The Council had before it the report dated 9 March 2023 from the Manager Community Services regarding Community Services Fund 2022/2023 Round 2 - Community Benefit Funding in Accordance with Section 356 Local Government Act 1993.

Moved by Councillor M Wright and seconded by Councillor S Chowdhury

MOTION

1. That Council allocate \$17,398.14 of the \$59,245.88 to the community based organisations the following funds in accordance with Section 356 of The Local Government Act 1993 and notification to be sent to each successful applicant:

ORDINARY COUNCIL MEETING - 27 APRIL 2023

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- | | | |
|---|---|------------|
| • | Dubbo & District Family History Society | \$957.44 |
| • | Dubbo and District Pipe Band | \$2,300.00 |
| • | Emmanuel Care Centre | \$3,400.00 |
| • | Orana Heights Public School P&C Association | \$9,244.70 |
| • | Orana Toy Library | \$996.00 |
| • | Red Cross, Wellington Branch | \$500.00 |
2. That all unsuccessful applicants be advised of Council's Grants Hub, as well as other funding opportunities and any advice to assist future applications for council financial assistance.
 3. That surplus funds remaining from the 2022/2023 Round Two be rolled over to 2023/2024 Round One of the Community Services Fund.

CARRIED

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

Against: Nil

CCL23/112 COMMENTS AND MATTERS OF URGENCY (ID23/690)

There were no matters recorded under this clause.

CONFIDENTIAL

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

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

- *CCL23/113 – Tender for the Heavy Patching Program – Road Maintenance Council Contract (RMSS) (ID23/768)*
(Section 10A(2)(d)(i)) - information that would, if disclosed, prejudice the commercial position of the person who supplied it.

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

At this juncture it was moved by Councillor S Chowdhury and seconded by Councillor J Black that the Council resolves into closed session, the time being 7.12pm.

The open session resumed at 7.17pm.

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

ORDINARY COUNCIL MEETING - 27 APRIL 2023
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**CCL23/113 TENDER FOR THE HEAVY PATCHING PROGRAM - ROAD MAINTENANCE
COUNCIL CONTRACT (RMCC) (ID23/768)**

The Council had before it the report dated 12 April 2023 from the Senior Project Engineer regarding Tender for the Heavy Patching Program - Road Maintenance Council Contract (RMCC).

Moved by Councillor S Chowdhury and seconded by Councillor J Black

MOTION

The Council recommends that members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned information that would, if disclosed, prejudice the commercial position of the person who supplied it (Section 10A(2)(d)(i)).

CARRIED

Moved by Councillor J Black and seconded by Councillor S Chowdhury

RECOMMENDATION

1. That the contract for VP342823 for the full service for heavy patching (including stabilising pavement) on the Golden Highway and the Goolma Road be awarded to Stabilised Pavements of Australia Pty Ltd for the amount of \$3,773,848.82 (including GST).
2. That all documentation in relation to this matter remain confidential to Council.
3. That all documentation in relation to this matter be signed under the Common Seal of Council.

CARRIED

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

Against: Nil

The meeting closed at 7.18pm.

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CHAIRPERSON



REPORT: Mayoral Appointments and Meetings

DIVISION: Chief Executive Officer
REPORT DATE: 5 May 2023
TRIM REFERENCE: ID23/1001

EXECUTIVE SUMMARY

Purpose	Provide review or update	
Issue	<ul style="list-style-type: none">Details of Mayoral appointments and meetings for the period 16 April 2023 through to 13 May 2023.	
Reasoning	<ul style="list-style-type: none">To ensure transparency of Mayoral appointments and meetings.	
Financial Implications	Budget Area	There are no financial implications arising from this report.
Policy Implications	Policy Title	There are no policy implications arising from this report.

STRATEGIC DIRECTION

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

Theme: 4 Leadership

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

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

RECOMMENDATION

That the information contained in the report be noted.

Murray Wood
Chief Executive Officer

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:

Sunday, 16 April 2023

- Attended along with Councillors Shibli Chowdhury, Lewis Burns and Pam Wells the Uniting Dads for Kids Festival.

Monday, 17 April 2023

- Attended radio interview with Zoo FM.
- Attended along with Deputy Mayor, Richard Ivey the Bodangora Wind Farm Community Benefit Cheque Presentations.
- Attended a meeting with Deputy Mayor, Councillor Richard Ivey.
- Attended the NSW Farmers meeting in Dunedoo.

Tuesday, 18 April 2023

- Attended Royce Simmons Big Walk Event at Kintyre Living.
- Attended along with Council's Chief Executive Officer, Murray Wood a meeting with Don Skinner.
- Submitted Mayoral Memo to the Daily Liberal.
- Submitted Mayoral Memo to the Wellington and District Leader.
- Attended along with Council's Chief Executive Officer, Murray Wood a meeting with representatives from Dubbo RSL Club.
- Attended a meeting with Councillor Damien Mahon.

Wednesday, 19 April 2023

- Attended the Dubbo Youth Week event.
- Attended a meeting with the Minister for Regional NSW, the Hon. Ron Hoenig, MP.
- Attended a meeting with the Minister for Regional Transport and Roads, the Hon. Jennifer Aitchison, MP.
- Attended along with Council's Chief Executive Officer, Murray Wood the Regional Cities NSW Dinner.

Thursday, 20 April 2023

- Attended radio interview with 2WEB

- Attended along with Council's Chief Executive Officer, Murray Wood the Regional Cities NSW April Board Meeting.
- Attended along with Councillors Josh Black; Lewis Burns; Jess Gough; Vicki Etheridge; Richard Ivey; Pam Wells; Matt Wright and Council's Chief Executive Officer, Murray Wood a Councillor Workshop – 2023/2024 Budget Asset Management Plans.

Friday, 21 April 2023

- Attended radio interview with 2DU.
- Attended a meeting with Councillor Matt Wright.
- Attended along with Council's Chief Executive Officer, Murray Wood a meeting with Wes Maas and Dominic Wilson.
- Attended along with Councillors Jess Gough; Richard Ivey and Council's Chief Executive Officer, Murray Wood the opening of Stage One of the Wellington Museum.

Saturday, 22 April 2023

- Recorded Mayoral Memo with Mark Barnes.

Monday, 24 April 2023

- Attended radio interview with 2BS.
- Attended radio interview with 2WEB.
- Attended along with Councillors Shibli Chowdhury; Josh Black; Lewis Burns; Vicki Etheridge; Jess Gough; Richard Ivey; Damien Mahon; Pam Wells; Matt Wright and Council's Chief Executive Officer, Murray Wood and Director Organisational Performance, Jane Bassingthwaite and Director Community, Culture and Places, Craig Arms a meeting with representatives from the Macquarie Conservatorium.

Tuesday, 25 April 2023

- *Councillors Pam Wells and Matt Wright attended the Eumungerie ANZAC Day Service, Deputy Mayor, Councillor Richard Ivey attended ANZAC Day services in Mumbil and Stuart Town, Councillor Vicki Etheridge attended the Geurie ANZAC Day service, and Councillor Josh Black attended the Wellington ANZAC Day Service.*
- Attended the ANZAC Day Dawn Service.
- Attended along with Councillors Shibli Chowdhury and Jess Gough and Council's Chief Executive Officer, Murray Wood the ANZAC Day Commemorative Service.
- Submitted Mayoral Memo to the Daily Liberal.
- Submitted Mayoral Memo to the Wellington and District Leader.

Wednesday, 26 April 2023

- Attended radio interview with Triple M.
- Completed Way Forward ISC Dubbo Settlement video.
- Attended interview about the Your Say Platform and the renewed approach to community engagement.

Thursday, 27 April 2023

- Attended the CWO REZ CRG in Mudgee.
- Attended Council Briefing.

- Attended Ordinary Council Meeting.

Friday, 28 April 2023

- Attended radio interview with 2DU.
- Attended radio interview with Binjang.
- Attended radio interview with DC FM.
- Attended a meeting with representatives from Orana Arts.

Saturday, 29 April 2023

- Recorded Mayoral Memo with Mark Barnes.

Sunday, 30 April 2023

- Attended the Sing Out Choir (Dementia) Concert.

Monday, 1 May 2023

- Attended radio interview with Zoo FM.
- Attended a meeting with Councillor Lewis Burns.
- Attended a meeting with Councillor Jess Gough.

Tuesday, 2 May 2023

- Submitted Mayoral Memo to the Daily Liberal.
- Submitted Mayoral Memo to the Wellington and District Leader.
- Attended along with Councillors Pam Wells, Matt Wright, Council's Chief Executive Officer, Murray Wood and Director Development and Environment, Stephen Wallace a tour of the Whylandra Waste and Recycling Centre.
- Attended interview on the Today Show.
- Attended a meeting with Mahalia from WIN.
- Attended a meeting with Councillor Vicki Etheridge.

Wednesday, 3 May 2023

- Attended along with Councillor Matt Wright the Media Launch of the 2023 DREAM Festival.
- Attended along with Council's Chief Executive Officer, Murray Wood, Director Community, Culture and Places, Craig Arms, Director Infrastructure, Luke Ryan and Director Development and Environment, Stephen Wallace the Public Spaces Tree Committee Meeting.

Thursday, 4 May 2023

- Attended the Assertive Outreach Walk.
- Attended a photo opportunity regarding funding for the Wellington Aerodrome along with Federal Member for Calare, the Hon. Andrew Gee MP.
- Attended interview with 2GB.
- Attended the opening of the new NDIS Specialist Disability Accommodation Villas.
- Attended an interview with Tijana from Dubbo News.
- Attended an interview with David Dixon from Photo News.

- Attended along with Councillors Josh Black; Vicki Etheridge; Pam Wells and Matt Wright, Council's Chief Executive Officer, Murray Wood, Director Infrastructure, Luke Ryan a Councillor Workshop regarding South Bridge, Blueridge Link Road and Sheraton Road Projects.

Friday, 5 May 2023

- Attended radio interview with 2DU.
- Attended along with Council's Chief Executive Officer, Murray Wood a meeting with Member for Dubbo, Dugald Saunders MP.

Saturday, 6 May 2023

- Recorded Mayoral Memo with Mark Barnes.
- Attended along with Councillor Vicki Etheridge the Official Opening and prize announcement for the Young Archie Dubbo.

Monday, 8 May 2023

- Attended radio interview with 2BS.
- Attended radio interview with 2WEB.
- Attended meeting with Deputy Mayor, Councillor Richard Ivey.
- Attended along with Council's Chief Executive Officer, Murray Wood a Regional Cities NSW Member City Site Visit Catch up meeting.
- Attended along with Councillors Josh Black; Shibli Chowdhury; Vicki Etheridge; Damien Mahon; Pam Wells and Matt Wright, Council's Chief Executive Officer, Murray Wood, Director Organisational Performance, Jane Bassingthwaite, Director Infrastructure, Luke Ryan, Director Strategy, Partnerships and Engagement, Natasha Comber, Director Community, Culture and Place, Craig Arms and Director Development and Environment, Stephen Wallace the Dubbo Regional Livestock Market Workshop.

Tuesday, 9 May 2023

- Submitted Mayoral Memo to the Daily Liberal.
- Submitted Mayoral Memo to the Wellington and District Leader.
- Attended a meeting with Councillor Pam Wells.
- Attended a meeting with Council's Chief Executive Officer, Murray Wood.
- Attended the Tony McGrane Scholarship Presentation.
- Attended a dinner with Charles Stuart University Vice-Chancellor, Professor Renee Leon PSM.

Wednesday, 10 May 2023

- Attended a radio interview with Triple M.
- Attended a media opportunity regarding John Gilbert Water Treatment Plant.
- Recorded Mayoral Memo with Mark Barnes.

Thursday, 11 May 2023

- Attended along with Councillor Matt Wright an interview with Prime 7.
- Attended radio interview with DC FM.
- Attended radio interview with Binjang.

- Attended radio interview with 2DU.
- Attended Standing Committee Briefing.
- Attended Standing Committee Meeting.

Friday, 12 May 2023

- Attended a phone meeting with Bowls NSW CEO, Tim Rowe.



**DUBBO REGIONAL
COUNCIL**

Report of the Infrastructure, Planning and Environment Committee - meeting 11 May 2023

AUTHOR: Governance Officer
REPORT DATE: 17 May 2023

The Council had before it the report of the Infrastructure, Planning and Environment Committee meeting held 11 May 2023.

RECOMMENDATION

That the report of the Infrastructure, Planning and Environment Committee meeting held on 11 May 2023, be adopted.



**REPORT
INFRASTRUCTURE, PLANNING AND
ENVIRONMENT COMMITTEE
11 MAY 2023**

PRESENT: Councillors J Black, L Burns, M Dickerson, 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, Governance Officer, the Communications Services Team Leader, the Chief Information Officer, the IT Infrastructure Specialist, the Director Development and Environment, the Director Infrastructure and the Director Community Culture and Places (C Arms) the Manager Regional Events (L Christoff) and the Manager Macquarie Regional Library.

Councillor J Black assumed the chair of the meeting.

The proceedings of the meeting commenced at 5.32pm

Councillor L Burns delivered an Acknowledgment to Country.

IPEC23/13 LEAVE OF ABSENCE (ID23/838)

Requests for leave of absence were received from Councillor S Chowdhury and V Etheridge who were absent from the meeting due to personal reasons.

Moved by Councillor P Wells and seconded by Councillor L Burns

MOTION

That such request for leave of absence be accepted and Councillor S Chowdhury and V Etheridge be granted leave of absence from this meeting.

Clr M Dickerson and R Ivey attended via audio visual link.

CARRIED

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

Against: Nil.

IPEC23/14 CONFLICTS OF INTEREST (ID23/841)

- Councillor J Black– non pecuniary – less than significant in IPEC3/16.

IPEC23/15 BUILDING SUMMARY - APRIL 2023 (ID23/829)

The Committee had before it the report dated 30 April 2023 from the Director Development and Environment regarding Building Summary - April 2023.

Moved by Councillor D Mahon and seconded by Councillor M Wright

MOTION

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

CARRIED

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

Against: Nil.

IPEC23/16 BUS SERVICE IMPROVEMENTS IN DUBBO - 16 CITIES PROGRAM (ID23/909)

The Committee had before it the report dated 2 May 2023 from the Senior Traffic Engineer regarding Bus Service Improvements in Dubbo - 16 Cities Program.

Moved by Councillor J Gough and seconded by Councillor L Burns

MOTION

1. **That Council approval be granted for the implementation of the Transport for New South Wales 16 Regional Cities Bus Services Improvement Program to 70 locations in Dubbo in accordance with Appendix 1 – Proposed New and Modified Bus Zone Locations for 16 Cities Dubbo (excel spreadsheet) and Appendix 2 – Bus Zone Locations incorporating:**

- a. **Modification/Formalisation to existing Bus Zones and Bus Stops (J-Pole signs).**
- b. **New Bus Zones and Bus Stops.**
- c. **Time restricted bus zones changed to full time zones (24/7).**
- d. **New and expanded bus routes.**
- e. **Bus Services on Sundays.**
- f. **Increased bus services to selected bus routes.**
- g. **New J-pole signs and additional bus shelters throughout the City.**
- h. **Removal of time restricted and unrestricted car parking spaces to achieve bus access to kerbside.**
- i. **Relocation of an existing accessible parking space.**
- j. **Conversion of some existing No Parking Zones.**
- k. **Modifications to on street line marking at selected locations.**

CARRIED

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

Against: R Ivey

Councillor J Black 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 J Black is employee as a teacher by Christian School which is part of the Bus Service Improvements – 16 Cities Program and therefore will not affect his decision making on this item.

**IPEC23/17 QUOTATION FOR SUPPLY AND DELIVERY OF ONE 32,000KG – 45,000KG
LANDFILL COMPACTOR (ID23/797)**

The Committee had before it the report dated 17 April 2023 from the Manager Fleet and Depot Services regarding Quotation for Supply and Delivery of One 32,000kg – 45,000kg Landfill Compactor.

Moved by Councillor L Burns and seconded by Councillor M Wright

MOTION

That this item be deferred to be dealt with in confidential session at the conclusion of the Corporate Services committee.

CARRIED

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

Against: Nil.

**IPEC23/18 PROCUREMENT FOR DESIGN OF RIVER STREET WEST/NEWELL HIGHWAY
INTERSECTION (ID23/911)**

The Committee had before it the report dated 3 May 2023 from the Manager Infrastructure Strategy and Design regarding Procurement for Design of River Street West/Newell Highway Intersection.

Moved by Councillor L Burns and seconded by Councillor M Wright

MOTION

That this item be deferred to be dealt with in confidential session at the conclusion of the Corporate Services committee.

CARRIED

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

Against: Nil.

The meeting closed at 5.45pm.

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CHAIRPERSON



**REPORT
CONFIDENTIAL INFRASTRUCTURE,
PLANNING AND ENVIRONMENT
COMMITTEE
11 MAY 2023**

PRESENT: Councillors J Black, L Burns, M Dickerson, 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, Governance Officer, the Communications Services Team Leader, the IT Infrastructure Specialist, the Director Development and Environment, the Director Infrastructure and the Director Community Culture and Places (C Arms).

Councillor D Mahon assumed the chair of the meeting.

The proceedings of the meeting commenced at 6.13pm

**IPEC23/17 QUOTATION FOR SUPPLY AND DELIVERY OF ONE 32,000KG – 45,000KG
LANDFILL COMPACTOR (ID23/797)**

The Committee had before it the report dated 17 April 2023 from the Manager Fleet and Depot Services regarding Quotation for Supply and Delivery of One 32,000kg – 45,000kg Landfill Compactor.

Moved by Councillor P Wells and seconded by Councillor L Burns

RECOMMENDATION

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 L Burns and seconded by Councillor J Black

MOTION

1. That the quotation from GCM Enviro to supply one Tana H320 landfill compactor fitted with Carlson GPS Compaction System for the price of \$920,650 (exclusive of GST) be approved.
2. That plant number 719, a Tana E260 landfill compactor be traded in to GCM Enviro for \$120,000 (exclusive of GST) for a changeover of \$800,650 (exclusive of GST).
3. That all documentation in relation to this matter remain confidential to Council.
4. That all documentation in relation to this matter be signed under the Common Seal of Council.

CARRIED

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

Against: Nil.

IPEC23/18 PROCUREMENT FOR DESIGN OF RIVER STREET WEST/NEWELL HIGHWAY INTERSECTION (ID23/911)

The Committee had before it the report dated 3 May 2023 from the Manager Infrastructure Strategy and Design regarding Procurement for Design of River Street West/Newell Highway Intersection.

Moved by Councillor P Wells and seconded by Councillor L Burns

RECOMMENDATION

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 L Burns and seconded by Councillor M Wright

MOTION

1. That the contract for the River Street West Stage 1 – Design of Intersection with Future Newell Highway be awarded to Jacobs Group (Australia) Pty Ltd in accordance with Local Government Act 1993 Section 55(3) in the amount of \$391,325.00 (including GST).
2. That Council delegate the Chief Executive Officer to approve the extension options for this contract if required.
3. That Council delegate the Chief Executive Officer to approve contract variations for this contract subject to budget limitations.
4. That all documentation in relation to this matter remain confidential to Council.
5. That all documentation in relation to this matter be signed under the Common Seal of Council.

CARRIED

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

Against: Nil.

Meeting Closed at 6.23pm

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CHAIRPERSON



**DUBBO REGIONAL
COUNCIL**

Report of the Culture and Community Committee - meeting 11 May 2023

AUTHOR: Governance Officer
REPORT DATE: 17 May 2023

The Council had before it the report of the Culture and Community Committee meeting held 11 May 2023.

RECOMMENDATION

That the report of the Culture and Community Committee meeting held on 11 May 2023, be adopted.



REPORT CULTURE AND COMMUNITY COMMITTEE 11 MAY 2023

PRESENT: Councillors J Black, L Burns, M Dickerson, 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, Governance Officer, the Communications Services Team Leader, the IT Infrastructure Specialist, the Director Development and Environment, the Director Infrastructure, the Director Community Culture and Places (C Arms), the Manager Regional Events (L Christoff) and the Manager Macquarie Regional Library.

Councillor J Gough assumed the chair of the meeting.

The proceedings of the meeting commenced at 5.46pm

CCC23/28 LEAVE OF ABSENCE (ID23/839)

Requests for leave of absence were received from Councillor S Chowdhury and V Etheridge who were absent from the meeting due to personal reasons.

Moved by Councillor M Wright and seconded by Councillor D Mahon

MOTION

That such requests for leave of absence be accepted and Councillor S Chowdhury and V Etheridge be granted leave of absence from this meeting.

Clr M Dickerson and R Ivey attended via audio visual link.

CARRIED

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

Against: Nil.

CCC23/29 CONFLICT OF INTEREST (ID23/842)

There were no Conflicts of Interests declared.

**CCC23/30 REPORT OF THE VILLAGES COMMITTEE - MEETING 15 FEBRUARY 2023
(ID23/907)**

The Committee had before it the report of the Villages Committee meeting held 15 February 2023.

Moved by Councillor R Ivey and seconded by Councillor P Wells

MOTION

That the report of the Villages Committee meeting held on 15 February 2023, be noted.

CARRIED

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

Against: Nil.

**CCC23/31 REPORT OF THE SISTER CITY COMMITTEE - MEETING 18 APRIL 2023
(ID23/904)**

The Committee had before it the report of the Sister City Committee meeting held 18 April 2023.

Moved by Councillor L Burns and seconded by Councillor M Wright

MOTION

That the report of the Sister City Committee meeting held on 18 April 2023, be noted.

CARRIED

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

Against: Nil.

**CCC23/32 REPORT OF THE SOCIAL JUSTICE ADVISORY COMMITTEE - MEETING 18 APRIL
2023 (ID23/906)**

The Committee had before it the report of the Social Justice Advisory Committee meeting held 18 April 2023.

Moved by Councillor P Wells and seconded by Councillor L Burns

MOTION

That the report of the Social Justice Advisory Committee meeting held on 18 April 2023, be noted.

CARRIED

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

Against: Nil.

**CCC23/33 REPORT OF THE RECONCILIATION ACTION PLAN WORKING GROUP - MEETING
26 APRIL 2023 (ID23/902)**

The Committee had before it the report of the Reconciliation Action Plan Working Group meeting held 26 April 2023.

Moved by Councillor L Burns and seconded by Councillor P Wells

MOTION

That the report of the Reconciliation Action Plan Working Group meeting held on 26 April 2023, be noted.

CARRIED

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

Against: Nil.

CCC23/34 REPORT OF THE YOUTH COUNCIL - MEETING 2 MAY 2023 (ID23/908)

The Committee had before it the report of the Youth Council meeting held 2 May 2023.

Moved by Councillor P Wells and seconded by Councillor L Burns

MOTION

That the report of the Youth Council meeting held on 2 May 2023, be noted.

CARRIED

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

Against: Nil.

**CCC23/35 REPORT OF THE PUBLIC SPACES TREE COMMITTEE - MEETING 3 MAY 2023
(ID23/901)**

The Committee had before it the report of the Public Spaces Tree Committee meeting held 3 May 2023.

Moved by Councillor M Dickerson and seconded by Councillor L Burns

MOTION

That the report of the Public Spaces Tree Committee meeting held on 3 May 2023, be noted.

CARRIED

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

Against: Nil.

CCC23/36 NSW TOUCH JUNIOR STATE CUP - EVENT REPORT (ID23/504)

The Committee had before it the report dated 28 April 2023 from the Manager Regional Events regarding NSW Touch Junior State Cup - Event Report.

Moved by Councillor P Wells and seconded by Councillor L Burns

MOTION

That Council note the tender submission for NSW Touch Junior State Cup (2024-2026).

CARRIED

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

Against: Nil.

CCC23/37 EVENT ATTRACTION - BOWLS NSW STATE CHAMPIONSHIPS (ID23/888)

The Committee had before it the report dated 28 April 2023 from the Events and Partnerships Team Leader regarding Event attraction - Bowls NSW State Championships.

Moved by Councillor M Dickerson and seconded by Councillor L Burns

MOTION

- 1. That Council provide financial assistance in the amount of \$25,000 in 2024, 2026, and 2028 to host the State Championships as per the request from Bowls NSW.**
- 2. Council supports the Bowls NSW State Championship event and encourages visitation to the Dubbo region.**

CARRIED

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

Against: Nil.

CCC23/38 RIVER REPAIR BUS - OZFISH FUNDING REVIEW (ID23/109)

The Committee had before it the report dated 24 January 2023 from the Manager Recreation and Open Space regarding River Repair Bus - OzFish Funding Review.

Moved by Councillor L Burns and seconded by Councillor M Wright

MOTION

That it be noted that no funding has been provided to the River Repair Bus in 2022/2023 Financial Year or in the Draft 2023/2024 Budget that is currently on display.

CARRIED

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

Against: Nil.

**CCC23/39 MACQUARIE REGIONAL LIBRARY PERFORMANCE REPORT
JANUARY TO MARCH 2023 (ID23/731)**

The Committee had before it the report dated 5 April 2023 from the Manager Macquarie Regional Library regarding Macquarie Regional Library Performance Report January to March 2023.

Moved by Councillor P Wells and seconded by Councillor D Mahon

MOTION

That the Macquarie Regional Library Quarterly Performance Report for January to March 2023 be noted.

CARRIED

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

Against: Nil.

The meeting closed at 6.09pm.

.....
CHAIRPERSON



**DUBBO REGIONAL
COUNCIL**

Report of the Corporate Services Committee - meeting 11 May 2023

AUTHOR: Governance Officer
REPORT DATE: 17 May 2023

The Council had before it the report of the Corporate Services Committee meeting held 11 May 2023.

RECOMMENDATION

That the report of the Corporate Services Committee meeting held on 11 May 2023, be adopted.



REPORT CORPORATE SERVICES COMMITTEE 11 MAY 2023

PRESENT: Councillors J Black, L Burns, M Dickerson, 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, Governance Officer, the Communications Services Team Leader, the IT Infrastructure Specialist, the Director Development and Environment, the Director Infrastructure and the Director Community Culture and Places (C Arms) the Manager Regional Events (L Christoff) and the Manager Macquarie Regional Library.

Councillor D Mahon assumed the chair of the meeting.

The proceedings of the meeting commenced at 6.10pm

CSC23/17 LEAVE OF ABSENCE (ID23/840)

Requests for leave of absence were received from Councillor S Chowdhury and V Etheridge who were absent from the meeting due to personal reasons.

Moved by Councillor J Gough and seconded by Councillor M Wright

MOTION

That such requests for leave of absence be accepted and Councillor S Chowdhury and V Etheridge be granted leave of absence from this meeting.

Clr M Dickerson and R Ivey attended via audio visual link.

CARRIED

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

Against: Nil.

CSC23/18 CONFLICT OF INTEREST (ID23/843)

There were no Conflicts of Interests declared.

CSC23/19 MONTHLY REPORTING SNAPSHOT FOR COUNCILLORS (ID23/765)

The Committee had before it the report dated 11 April 2023 from the Chief Executive Officer regarding Monthly Reporting Snapshot for Councillors.

Moved by Councillor J Black and seconded by Councillor M Wright

MOTION

- 1. That the report from the Chief Executive Officer dated 11 April 2023, be noted.**
- 2. That the report in the current format continue to be produced monthly until the end of the current Council term.**
- 3. That upon election of a new Council in September 2024, a review of the Monthly Report for Councillors be undertaken in consideration of the new Councillor's priorities.**

CARRIED

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

Against: Nil.

6.11

CSC23/20 INVESTMENT UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - APRIL 2023 (ID23/875)

The Committee had before it the report dated 2 May 2023 from the Graduate Accountant regarding Investment Under Section 625 of the Local Government Act - April 2023.

Moved by Councillor M Wright and seconded by Councillor J Black

MOTION

That the information contained within the Investment is under Section 625 of the Local Government Act Report, dated 2 May 2023, be noted.

CARRIED

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

Against: Nil.

CONFIDENTIAL COUNCIL

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:

- IPEC23/17 – Quotation for Supply and Delivery of one 32,000KG – 45,000KG Landfill Compactor
 - *Section 10A(2)(c) – confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*
- IPEC23/18 – Procurement for design of River Street West/Newell Highway Intersection
 - *Section 10A(2)(d)(ii) – commercial information of a confidential nature 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 a particular item.

At this juncture it was moved by Councillor P Wells and seconded by Councillor L Burns that the Council resolves into Closed Session, the time being 6.12pm.

The Open Session resumed at 6.21pm.

The Manager Corporate Governance read out the following resolutions made in the closed session of Council.

The meeting closed at 6.23pm.

.....
CHAIRPERSON



DUBBO REGIONAL
COUNCIL

NOTICE OF MOTION: Emergency Service Levy Increase

REPORT DATE: 16 May 2023

FILE: ID23/1104

Council had before it a Notice of Motion dated 16 May 2023 from Councillor R Ivey regarding the Emergency Service Levy Increase as follows:

I am calling on Councillors to support representations to the NSW Government in response to the highly damaging increase in the Emergency Services Levy (ESL) imposed on all councils without warning for the 2023/2024 financial year.

The ESL is a cost imposed on councils and insurance policy holders to fund the emergency services budget in NSW. The majority is paid as part of insurance premiums, with a further 11.7 per cent funded by councils and 14.6% by the NSW Government. The ESL represents cost shifting at its worse, as it is imposed on councils without any mechanism for councils to recover costs.

The levy increase for the State's 128 councils in 2023/2024 amounts to almost \$77 million, with the total cost imposed on the local government sector increasing from \$143 million in the current financial year to \$219 million next year. This represents a 53.1% increase, completely dwarfing Council's rate increase of 3.7%.

Reporting suggests that the increase in costs this year reflects a 73% increase in the State Emergency Service budget and an 18.5% funding increase to Fire and Rescue NSW. The impact of these large increases on councils' finances will be particularly severe in 2023/2024 as a result of the NSW Government deciding to scrap the subsidy for council ESL payments.

For many councils, the unexpected cost hit will absorb almost all of their IPART-approved rate rise for this year and in some cases absorb more than 100%. This is placing local government budgets under enormous pressure as they struggle from the combined impact of the pandemic, extreme weather events, high inflation and wage increases.

IPART-approved rate rises are intended to compensate for the impacts of inflation and increases in council costs. Instead, the rate increase will have to be largely diverted to the significantly higher ESL payments this year. NSW councils will have no option other than to make cuts to infrastructure and services expenditure.

For Council, the net budgeted ESL has increased by \$616,666 for 2023/2024, bringing the total Council contribution to \$1,836,094. This amounts to 42% of the expected increase in rate income for 2023/2024. If the NSW Government's decision is not reversed, there will be a severe impost on Council's ability to provide community services, especially as it has been imposed after we have publicly exhibited our Operational Plan and annual budget for 2023/2024.

All councils strongly support a well-funded emergency services sector and the critical contribution of emergency services workers and volunteers (many of whom are councillors and council staff). However, it is essential that these services be supported through an equitable, transparent and sustainable funding model.

Local Government NSW has raised the serious concerns of the local government sector with the NSW Government and is seeking the support of councils across NSW in amplifying this advocacy.

This Notice of Motion recommends that Council call on the NSW Government to take immediate action to:

- a. restore the ESL subsidy,
- b. decouple the ESL from the rate peg to enable councils to recover the full cost
- c. develop a fairer, more transparent and financially sustainable method of funding critically important emergency services.

The Notice of Motion also recommends that Council write to IPART advising of the financial sustainability impacts on of the ESL.

RECOMMENDATION

1. *That Council writes to the Treasurer, the Minister for Emergency Services, the Minister for Local Government and local State Member(s):*
 - a. *Expressing Council's strong opposition to the NSW Government's last minute decision to impose an enormous Emergency Services Levy (ESL) cost increase on councils for 2023/2024 by scrapping the ESL subsidy for councils and at a time after Council has publicly advertised its Operational Plan and annual budget to the community;*
 - b. *Noting that as a consequence of the unannounced 73% increase in the State Emergency Service budget and an 18% increase in the Fire and Rescue NSW budget, Council's 3.7% rate increase to provide essential community services and infrastructure has been significantly eroded.*
 - c. *Advising that the Government's decision may/will lead to a reduction in important local services and/or the cancellation of necessary infrastructure projects;*
 - d. *Calling on the NSW Government to take immediate action to:*
 - i. *restore the ESL subsidy in 2023/2024*
 - ii. *urgently introduce legislation to decouple the ESL from the rate peg to enable councils to recover the full cost*
 - iii. *develop a fairer, more transparent and financially sustainable method of funding critically important emergency services in consultation with local government.*
2. *Council writes to the Chair of the Independent Pricing and Regulatory Tribunal (IPART) advising that Council's forced emergency services contribution is manifestly disproportionate to the 2023/2024 rate cap, which has resulted in additional financial stress.*

3. *Council writes to the President of LGNSW seeking the Association's ongoing advocacy to bring about a relief in the burden of Councils' emergency services contribution.*
4. *That the impacts of the increase in the Emergency Services Levy be considered in the report to Council that determines the 2023/2024 Operational Plan and Budget.*

RECOMMENDATION

1. **That Council writes to the Treasurer, the Minister for Emergency Services, the Minister for Local Government and local State Member(s):**
 - a. **Expressing Council's strong opposition to the NSW Government's last minute decision to impose an enormous Emergency Services Levy (ESL) cost increase on councils for 2023/24 by scrapping the ESL subsidy for councils and at a time after Council has publicly advertised its Operational Plan and annual budget to the community;**
 - b. **Noting that as a consequence of the unannounced 73% increase in the State Emergency Service budget and an 18% increase in the Fire and Rescue NSW budget, Council's 3.7% rate increase to provide essential community services and infrastructure has been significantly eroded.**
 - c. **Advising that the Government's decision may/will lead to a reduction in important local services and/or the cancellation of necessary infrastructure projects;**
 - d. **Calling on the NSW Government to take immediate action to:**
 - i. **restore the ESL subsidy in 2023/24**
 - ii. **urgently introduce legislation to decouple the ESL from the rate peg to enable councils to recover the full cost**
 - iii. **develop a fairer, more transparent and financially sustainable method of funding critically important emergency services in consultation with local government.**
2. **Council writes to the Chair of the Independent Pricing and Regulatory Tribunal (IPART) advising that Council's forced emergency services contribution is manifestly disproportionate to the 2023/24 rate cap, which has resulted in additional financial stress.**
3. **Council writes to the President of LGNSW seeking the Association's ongoing advocacy to bring about a relief in the burden of Councils' emergency services contribution.**
4. **That the impacts of the increase in the Emergency Services Levy be considered in the report to Council that determines the 2023/2024 Operational Plan and Budget.**

RI
Councillor

APPENDICES:

- 1 [!\[\]\(d328bb1c8b293dce97ce8ae48fe06a23_img.jpg\)](#) Notice of Motion - Clr R Ivey - Emergency Services Levy Increase

Councillor Richard Ivey

PO Box 81

DUBBO NSW 2830

16 May 2023

The Chief Executive Officer

Dubbo Regional Council

PO Box 81

DUBBO NSW 2830

Dear Murray

NOTICE OF MOTION – EMERGENCY SERVICE LEVY INCREASE

I would like to place the following notice of motion on the agenda for the 25 May 2023 Ordinary meeting of Council.

I am calling on Councillors to support representations to the NSW Government in response to the highly damaging increase in the Emergency Services Levy (ESL) imposed on all councils without warning for the 2023/2024 financial year.

The ESL is a cost imposed on councils and insurance policy holders to fund the emergency services budget in NSW. The majority is paid as part of insurance premiums, with a further 11.7 per cent funded by councils and 14.6% by the NSW Government. The ESL represents cost shifting at its worse, as it is imposed on councils without any mechanism for councils to recover costs.

The levy increase for the State's 128 councils in 2023/2024 amounts to almost \$77 million, with the total cost imposed on the local government sector increasing from \$143 million in the current financial year to \$219 million next year. This represents a 53.1% increase, completely dwarfing Council's rate increase of 3.7%.

Reporting suggests that the increase in costs this year reflects a 73% increase in the State Emergency Service budget and an 18.5% funding increase to Fire and Rescue NSW. The impact of these large increases on councils' finances will be particularly severe in 2023/2024 as a result of the NSW Government deciding to scrap the subsidy for council ESL payments.

For many councils, the unexpected cost hit will absorb almost all of their IPART-approved rate rise for this year and in some cases absorb more than 100%. This is placing local government budgets under enormous pressure as they struggle from the combined impact of the pandemic, extreme weather events, high inflation and wage increases.

IPART-approved rate rises are intended to compensate for the impacts of inflation and increases in council costs. Instead, the rate increase will have to be largely diverted to the significantly higher ESL payments this year. NSW councils will have no option other than to make cuts to infrastructure and services expenditure.

For Council, the net budgeted ESL has increased by \$616,666 for 2023/2024, bringing the total Council contribution to \$1,836,094. This amounts to 42% of the expected increase in rate income for 2023/2024. If the NSW Government's decision is not reversed, there will be a severe impost on Council's ability to provide community services, especially as it has been imposed after we have publicly exhibited our Operational Plan and annual budget for 2023/2024.

All councils strongly support a well-funded emergency services sector and the critical contribution of emergency services workers and volunteers (many of whom are councillors and council staff). However, it is essential that these services be supported through an equitable, transparent and sustainable funding model.

Local Government NSW has raised the serious concerns of the local government sector with the NSW Government and is seeking the support of councils across NSW in amplifying this advocacy.

This Notice of Motion recommends that Council call on the NSW Government to take immediate action to:

- a. restore the ESL subsidy,
- b. decouple the ESL from the rate peg to enable councils to recover the full cost
- c. develop a fairer, more transparent and financially sustainable method of funding critically important emergency services.

The Notice of Motion also recommends that Council write to IPART advising of the financial sustainability impacts on of the ESL.

RECOMMENDATION

1. *That Council writes to the Treasurer, the Minister for Emergency Services, the Minister for Local Government and local State Member(s):*
 - a. *Expressing Council's strong opposition to the NSW Government's last minute decision to impose an enormous Emergency Services Levy (ESL) cost increase on councils for 2023/2024 by scrapping the ESL subsidy for councils and at a time after Council has publicly advertised its Operational Plan and annual budget to the community;*
 - b. *Noting that as a consequence of the unannounced 73% increase in the State Emergency Service budget and an 18% increase in the Fire and Rescue NSW budget, Council's 3.7% rate increase to provide essential community services and infrastructure has been significantly eroded.*
 - c. *Advising that the Government's decision may/will lead to a reduction in important local services and/or the cancellation of necessary infrastructure projects;*
 - d. *Calling on the NSW Government to take immediate action to:*
 - i. *restore the ESL subsidy in 2023/2024*
 - ii. *urgently introduce legislation to decouple the ESL from the rate peg to enable councils to recover the full cost*
 - iii. *develop a fairer, more transparent and financially sustainable method of funding critically important emergency services in consultation with local government.*

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- Emergency Services Levy Increase.docx*
Page 3

2. *Council writes to the Chair of the Independent Pricing and Regulatory Tribunal (IPART) advising that Council's forced emergency services contribution is manifestly disproportionate to the 2023/2024 rate cap, which has resulted in additional financial stress.*
3. *Council writes to the President of LGNSW seeking the Association's ongoing advocacy to bring about a relief in the burden of Councils' emergency services contribution.*
4. *That the impacts of the increase in the Emergency Services Levy be considered in the report to Council that determines the 2023/2024 Operational Plan and Budget.*

Yours faithfully



Richard Ivey
Councillor



NOTICE OF MOTION: The Voice Referendum

REPORT DATE: 15 May 2023

FILE: ID23/1079

Council had before it a Notice of Motion dated 15 May 2023 from Councillor P Wells regarding The Voice Referendum as follows:

In order to change the Australian Constitution a referendum has to be held to seek the approval of Australian voters. The Federal Government has announced that a referendum will take place between October 2023 and December 2023. The draft referendum question that will be put to voters in 2023 is *whether to alter the Constitution to recognise the First Peoples of Australia by establishing an Aboriginal and Torres Strait Islander Voice in Parliament.*

- 1. That Councillors attend a workshop to consider the educational material regarding the proposed Indigenous Voice in Parliament with a subsequent report to be provided to Council for consideration detailing any logistical or financial considerations.*
- 2. That Council develop a program centred on information, education and participation to support the community to make an informed decision on this subject.*
- 3. That council promote the importance of registering on the Australian Electoral Commission (AEC) to enable people to have a voice and counted vote.*

RECOMMENDATION

- 1. That Councillors attend a workshop to consider the educational material regarding the proposed Indigenous Voice in Parliament with a subsequent report to be provided to Council for consideration detailing any logistical or financial considerations.**
- 2. That Council develop a program centred on information, education and participation to support the community to make an informed decision on this subject.**
- 3. That council promote the importance of registering on the Australian Electoral Commission (AEC) to enable people to have a voice and counted vote.**

PW
Councillor

APPENDICES:

- [1](#) Notice Of Motion - Council P Wells - The Voice Referendum

Councillor Pam Wells

PO Box 81
DUBBO NSW 2830

18 May 2023

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

Dear Murray

NOTICE OF MOTION – THE VOICE REFERENDUM

I would like to place the following notice of motion on the agenda for the 25 May 2023 Ordinary meeting of Council.

In order to change the Australian Constitution a referendum has to be held to seek the approval of Australian voters. The Federal Government has announced that a referendum will take place between October 2023 and December 2023. The draft referendum question that will be put to voters in 2023 is *whether to alter the Constitution to recognise the First Peoples of Australia by establishing an Aboriginal and Torres Strait Islander Voice in Parliament.*

1. *That Councillors attend a workshop to consider the educational material regarding the proposed Indigenous Voice in Parliament with a subsequent report to be provided to Council for consideration detailing any logistical or financial considerations.*
2. *That Council develop a program centred on information, education and participation to support the community to make an informed decision on this subject.*
3. *That council promote the importance of registering on the Australian Electoral Commission (AEC) to enable people to have a voice and counted vote*

Yours faithfully



Pam Wells
Councillor



DUBBO REGIONAL
COUNCIL

NOTICE OF MOTION: Rehab Centre Location and Possible Relocation

REPORT DATE: 18 May 2023

FILE: ID23/1158

Council had before it a Notice of Motion dated 18 May 2023 from Councillor J Black regarding the Rehab Centre Location and Possible Relocation as follows:

1. *Council notes the recent announcement by the NSW Government that a site in residential Spears Drive is the preferred site for the Dubbo Alcohol and Other Drugs Rehabilitation Facility.*
2. *Council notes the community concern regarding the announcement.*
3. *Council notes Council's previous willingness in principle to provide land for such a facility.*
4. *Council requests the CEO to provide a report in June detailing:*
 - a) *The history and circumstances in which council previously offered to provide land for the facility, including all relevant council resolutions;*
 - b) *The history of any offers of land, or discussions of such a possibility, withdrawals of any such offers, formal or otherwise, and an analysis generally of Council's view on the provision of land and changes to that position;*
 - c) *The suitability of any Council owned land for such a facility, including land in the vicinity of Bunglegumby Road.*
 - d) *The prospects of Council engaging in a land swap with the NSW Government to provide suitable alternative land for the facility.*

RECOMMENDATION

1. **Council notes the recent announcement by the NSW Government that a site in residential Spears Drive is the preferred site for the Dubbo Alcohol and Other Drugs Rehabilitation Facility.**
2. **Council notes the community concern regarding the announcement.**
3. **Council notes Council's previous willingness in principle to provide land for such a facility.**
4. **Council requests the CEO to provide a report in June detailing:**
 - a) **The history and circumstances in which council previously offered to provide land for the facility, including all relevant council resolutions;**
 - b) **The history of any offers of land, or discussions of such a possibility, withdrawals of any such offers, formal or otherwise, and an analysis generally of Council's view on the provision of land and changes to that position;**
 - c) **The suitability of any Council owned land for such a facility, including land in the vicinity of Bunglegumby Road.**
 - d) **The prospects of Council engaging in a land swap with the NSW Government to provide suitable alternative land for the facility.**

JB
Councillor

APPENDICES:

- 1 [!\[\]\(ce77bba2916ff045bdb9f4584b191293_img.jpg\)](#) Notice of Motion - Clr J Black - Rehab Centre Location and Possible Relocation

Councillor Joshua Black
PO Box 81
DUBBO NSW 2830

18 May 2023

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

Dear Mr Wood,

NOTICE OF MOTION – REHAB CENTRE LOCATION AND POSSIBLE RELOCATION

I would like to place the following notice of motion on the agenda for the May 2023 Ordinary meeting of Council.

1. *Council notes the recent announcement by the NSW Government that a site in residential Spears Drive is the preferred site for the Dubbo Alcohol and Other Drugs Rehabilitation Facility.*
2. *Council notes the community concern regarding the announcement.*
3. *Council notes Council's previous willingness in principle to provide land for such a facility.*
4. *Council requests the CEO to provide a report in June detailing:*
 - a) *The history and circumstances in which council previously offered to provide land for the facility, including all relevant council resolutions;*
 - b) *The history of any offers of land, or discussions of such a possibility, withdrawals of any such offers, formal or otherwise, and an analysis generally of Council's view on the provision of land and changes to that position;*
 - c) *The suitability of any Council owned land for such a facility, including land in the vicinity of Bunglegumbie Road.*
 - d) *The prospects of Council engaging in a land swap with the NSW Government to provide suitable alternative land for the facility.*

Yours faithfully,


Josh Black
Councillor



DUBBO REGIONAL
COUNCIL

NOTICE OF MOTION: Proposal for a Dubbo Crime Summit

REPORT DATE: 18 May 2023

FILE: ID23/1159

Council had before it a Notice of Motion dated 18 May 2023 from Councillor J Black regarding the Proposal for a Dubbo Crime Summit as follows:

1. *That council notes community concern about crime rates.*
2. *That the Chief Executive Officer prepare a report to Council in regard to the facilitation and hosting of a Dubbo Crime Summit in the second half of 2023 focussing on effective and innovative initiatives to reduce crime rates.*
3. *That relevant NSW and Commonwealth Government Ministers be invited to attend, along with a range of other stakeholders and the community.*
4. *That up to \$10,000 be allocated from Council Reserves to cover any costs.*
5. *That the CEO prepare a report, following the summit, to Council on initiatives that could be implemented to reduce crime rates in the Dubbo LGA.*

RECOMMENDATION

1. **That council notes community concern about crime rates.**
2. **That the Chief Executive Officer prepare a report to Council in regard to the facilitation and hosting of a Dubbo Crime Summit in the second half of 2023 focussing on effective and innovative initiatives to reduce crime rates.**
3. **That relevant NSW and Commonwealth Government Ministers be invited to attend, along with a range of other stakeholders and the community.**
4. **That up to \$10,000 be allocated from Council Reserves to cover any costs.**
5. **That the CEO prepare a report, following the summit, to Council on initiatives that could be implemented to reduce crime rates in the Dubbo LGA.**

JB
Councillor

APPENDICES:

- 1 [↓](#) Notice of Motion - Clr J Black – Proposal for a Dubbo Crime Summit

Councillor Joshua Black

PO Box 81
DUBBO NSW 2830

18 May 2023

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

Dear Mr Wood,

NOTICE OF MOTION – Proposal For A Dubbo Crime Summit

I would like to place the following notice of motion on the agenda for the May 2023 Ordinary meeting of Council.

1. *That council notes community concern about crime rates.*
2. *That the Chief Executive Officer prepare a report to Council in regard to the facilitation and hosting of a Dubbo Crime Summit in the second half of 2023 focussing on effective and innovative initiatives to reduce crime rates.*
3. *That relevant NSW and Commonwealth Government Ministers be invited to attend, along with a range of other stakeholders and the community.*
4. *That up to \$10,000 be allocated from Council Reserves to cover any costs.*
5. *That the CEO prepare a report, following the summit, to Council on initiatives that could be implemented to reduce crime rates in the Dubbo LGA.*

Yours faithfully,



Josh Black
Councillor



REPORT: Amendments to the Kintyre Heights Estate Development Control Plan

DIVISION: Development and Environment
REPORT DATE: 4 May 2023
TRIM REFERENCE: ID23/1013

EXECUTIVE SUMMARY

Purpose	Seek endorsement	Fulfil legislated requirement
Issue	<ul style="list-style-type: none">Council adopted the Kintyre Heights Estate Development Control Plan (DCP) on 25 February 2019, which provides detailed planning and design guidance for development at 20R Peak Hill Road, Dubbo.Council received a request from the Proponent to amend the existing DCP. The objective of the amendment is to change the planning and design controls to facilitate a Torrens Title Subdivision of the land, in place of the planned Community Title Subdivision of the land.This site is located within the South West Urban Release Area under the provisions of the Dubbo Regional Local Environmental Plan 2022.Subject to endorsement by Council, the amended draft DCP will be placed on public exhibition for a minimum of 28 days.	
Reasoning	<ul style="list-style-type: none">Environmental Planning and Assessment Act, 1979.Clause 6.3 of the Dubbo Regional LEP 2022 requires a DCP to be prepared before development consent can be granted on land in an Urban Release Area.	
Financial Implications	Budget Area	Growth Planning
	Funding Source	Application fees
	Proposed Cost	Council received processing fees of \$5,000
	Ongoing Costs	Nil
Policy Implications	Policy Title	Kintyre Heights Estate Development Control Plan
	Impact on Policy	Upon adoption of this draft DCP, the existing Kintyre Heights Estate DCP will be replaced

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

RECOMMENDATION

- 1. That Council adopt the draft amended Kintyre Heights Estate Development Control Plan (attached in Appendix 1) for the purpose of public exhibition only.**
- 2. That the draft amended Kintyre Heights Estate Development Control Plan be placed on public exhibition for a period of not less than 28 days in accordance with the requirements of the Environmental Planning and Assessment Act 1979.**
- 3. That following completion of the public exhibition period, a further report be presented to Council for consideration, including the results of public exhibition.**

Stephen Wallace
Director Development and Environment

CC
Growth Planner

BACKGROUND

Previous Resolutions of Council

25 February 2019	<i>In part</i> That the Kintyre Heights Estate Development Control Plan, as provided here in Appendix 1, be adopted.
25 July 2019 (DA2018-637)	Development Approval for Community Title Subdivision – 144 residential lots and one (1) common
12 November 2019 (DA2018-637 Part 2)	Modification Application of the Community Title Subdivision
22 October 2020 (DA2018-637 Part 3)	Modification Application of the Community Title Subdivision

Council staff are currently assessing a modified development application on this site, which aims to change the approval from a Community Title subdivision to a Torrens Title subdivision.

What is a Development Control Plan

A Development Control Plan (DCP) provides detailed planning and design guidance to support the aims, objectives and planning controls in the Dubbo Regional Local Environmental Plan (LEP) 2022.

A DCP guides developers, landowners, Council and the community on how land may be developed and change over time. A DCP includes a range of planning principles, objectives, performance measures and acceptable solutions to ensure the region is developed in a logical manner, with an emphasis on overall liveability, quality and sustainability.

REPORT

Details of the Development Control Plan

Council received a request from the Proponent to amend the existing Kintyre Heights Estate DCP, which provides detailed planning and design guidance for development at 20R Peak Hill Road, Dubbo (shown in **Figure 1** below).

The existing and draft DCP consists of the following components:

- Introduction
- Residential Development and Subdivision
 - Residential Subdivision Controls
 - Residential Design

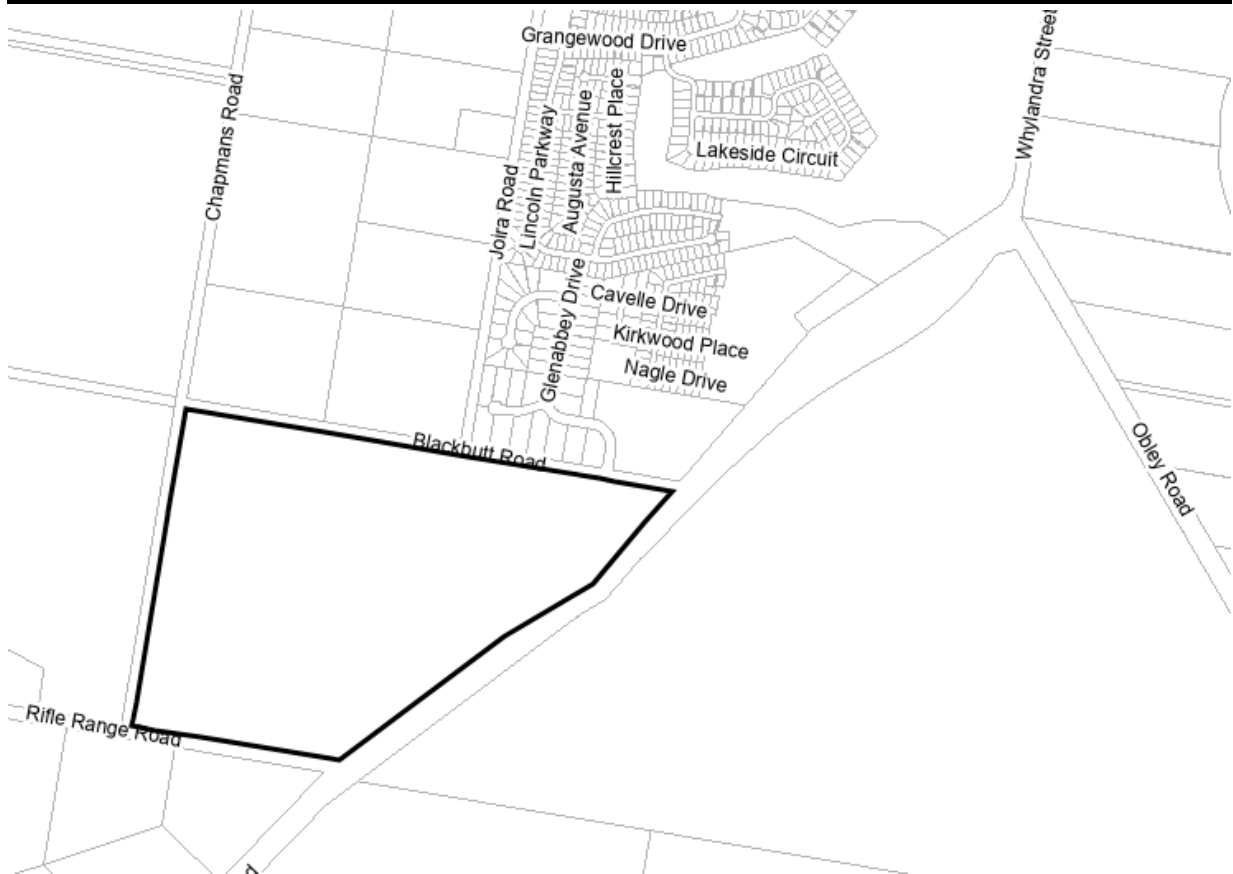


Figure 1 - Land to which this DCP applies

The objective of the amendment is to change the development from a Community Title subdivision to a Torrens Title subdivision. The proposed amendments will only revise planning and design controls under Part 2.1 Residential Subdivision Controls and will not materially change the proposed subdivision and development outcomes on the land.

The following provides a brief summary of the various components of the draft DCP:

Part 1 – Introduction

This section provides a number of administrative components and saving provisions required by the Environmental Planning and Assessment Act 1979. Some of existing contents will be removed to streamline the Plan.

Part 2 – Residential Development and Subdivision

Residential Subdivision Controls

This section guides the specific requirements to assist in the undertaking of residential subdivision, and seeks to ensure it takes into account required planning and infrastructure provisions. This section includes the following elements:

Element 1	Streetscape character and Building Design
Element 2	Lot Layout
Element 3	Landscaping
Element 4	Infrastructure
Element 5	Street Design and Road Hierarchy
Element 6	Pedestrian and Cycle Links
Element 7	Stormwater Management
Element 8	Water Quality Management

Amendments will be made to Element 4 Infrastructure and Element 7 Stormwater Quality Management to reflect long-term servicing requirements of the site and infrastructure ownership by Council.

Residential Design Controls

This section guides and provides specific requirements to assist in the planning, design and undertaking of residential development, and ensure it is responsive to site characteristics and the surrounding neighbourhood. This section includes the following elements:

Element 1	Streetscape Character
Element 2	Building Setbacks
Element 3	Solar Access
Element 4	Private Open Space and Landscaping
Element 5	Vehicular Access and Car Parking
Element 6	Visual and Acoustic Privacy

No amendments will be made to this section.

Consultation and Next Steps

Following Council's consideration, the draft DCP will be placed on public exhibition for a minimum of 28 days in accordance with the provisions of the Environmental Planning and Assessment Act 1979.

A notice will be placed on Council's website, in the Dubbo Customer Experience Centre, and in the Daily Liberal newspaper. Adjoining land owners will be notified by letter.

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

Resourcing Implications

Council received a processing fee of \$5,000 for the amendment of the Development Control Plan.

Total Financial Implications	Current year	Current year + 1	Current year + 2	Current year + 3	Current year + 4	Ongoing (\$)
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	(\$)	(\$)	(\$)	(\$)	(\$)	
a. Operating revenue	\$5,000	0	0	0	0	0
b. Operating expenses	\$5,000	0	0	0	0	0
c. Operating budget impact (a – b)	0	0	0	0	0	0
d. Capital Expenditure	0	0	0	0	0	0
e. Total net impact (c – d)	0	0	0	0	0	0
Does the proposal require ongoing funding?			No			
What is the source of this funding?			Not applicable			

Table 1. Ongoing Financial Implications

APPENDICES:

- 1 [🔗](#) Draft Amended Kintyre Heights Estate Development Control Plan



Kintyre Heights Estate Development Control Plan

Adopted by Council on ____ 2023

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Part 1 Introduction

1.1 Name and application of this Plan

This Development Control Plan is known as the Kintyre Heights Estate Development Control Plan (the Plan).

This Plan has been prepared by Council in accordance with Section 3.43 of the Environmental Planning and Assessment Act 1979 (the Act) and the Environmental Planning and Assessment Regulation 2021 (the Regulation).

1.2 Application of this Plan

This DCP applies to the land known as 'Kintyre Heights' being land identified (outlined red) as Lot 172 DP 753233 and as shown in Figure 1 below:



Figure 1. Area to which this Plan applies

1.3 Purpose of this Plan

The purpose of this Plan is to provide detailed planning and design guidelines for land within the South-West Urban Release Area, in line with Part 6 of the Dubbo Regional Local Environmental Plan 2022. Specifically the plan will:

- Provide guidance to developers/applicants/builders in the design of development proposals for land to which this Plan applies.
- Communicate the planning, design and environmental objectives and controls against which the Consent Authority will assess development applications in the Kintyre Heights Estate.
- Provide guidance on the orderly, efficient and environmentally sensitive development of the Kintyre Heights Estate.
- Promote quality urban design outcomes within the context of environmental, social and economic sustainability.

1.4 Commencement of the Plan

The Plan was adopted by Council and commenced on [REDACTED]. The Plan should be read in conjunction with the Dubbo Local Environmental Plan 2022 (LEP) and the Dubbo Development Control Plan 2013 (DCP).

1.5 Relationship to other Plans and documents

Under the Act, Council is required to take into consideration the relevant provisions of this Plan in determining an application for development on land to which this Plan applies.

In the event of any inconsistency between an Environmental Planning Instrument (EPI) and this Plan, the provisions of the EPI will prevail.

Council in the assessment of a development application will consider all matters specified in Section 4.15 of the Act. Compliance with any EPI or this Plan does not infer development consent will be granted.

1.6 Torrens Title Subdivision

The owner of the land, Highview Country Estates Pty Ltd intends to develop the subject land for the purposes of residential development.

The land is zoned R5 Large Lot Residential under the provisions of the Dubbo Regional LEP 2022. The Minimum Lot Size of the land can be categorised into three (3) sizes: 2000m², 4000m², and 10Ha. The land has existing vegetation with two (2) distinct ridgelines through the property dividing the land into a number of catchments.

The intent of the site is to be subdivided into allotments ranges from 2000m² to 6900m² and be developed as a Torrens Title Subdivision where all infrastructure services within the site (roads, stormwater drainage, sewer and water reticulation) will be maintained and managed in accordance with Council's engineering standards.

The subdivision will be required to comply with Council's requirements for public infrastructure.

DRAFT

Part 2 Residential Development and Subdivision

2.1 Residential Subdivision Controls

This section is designed to encourage current 'best practice' solutions for subdivision design. The achievement of pleasant, safe and functional subdivision is the main objective for subdivision design.

This section lists subdivision design elements under the following headings:

Element 1	Streetscape character and building design
Element 2	Lot layout
Element 3	Public open space and landscaping
Element 4	Infrastructure
Element 5	Street design and road hierarchy
Element 6	Pedestrian and cycle links
Element 7	Stormwater management
Element 8	Water quality management

Element 1. Streetscape Character and Building Design

Introduction

Successful neighbourhoods have a sense of community, are designed to promote social interaction, are pleasant to live in and have a high level of safety for residents and visitors. Good neighbourhood design considers how residents will interact within the neighbourhood and considers the street and pedestrian networks in addition to housing.

Objectives

- To efficiently utilise land and maintain the bushland character and ecological attributes of the estate.
- To emphasise the natural attributes of the site and reinforce neighbourhood identity through the incorporation of visible features such as bushland canopies, retention of existing established trees and vegetation corridors.
- To provide neighbourhoods that offer opportunities for social interaction.
- To ensure motor vehicles do not dominate the neighbourhood.
- To establish a clear residential structure that facilitates a 'sense of neighbourhood' and encourages walking and cycling within the Estate and connections into adjoining Estates.

Performance criteria The streetscape character and building design objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1 Residential neighbourhoods are focused on elements of the public domain such as a bushland reserves and wetlands that are typically within walking distance.	A1.1 Watercourses, natural vegetation and heritage items are retained and emphasised in the design.
P2 The layout provides for community focal points and public open space that promotes social interaction and caters for a range of uses by the community.	A2.1 Pedestrian connectivity is maximised within and between each residential neighbourhood with a particular focus on pedestrian routes connecting to public open space, bus stops, educational establishments and community/recreation facilities.
P3 The layouts of street blocks establish a clear urban structure and are of a size and length that promotes and encourages walking and cycling.	There is no applicable Acceptable Solution to this Performance Criteria.

<p>P4 Neighbourhood design provides for passive surveillance of residences and public areas to enhance personal safety and minimise the potential for crime.</p>	<p>A4.1 The subdivision layout minimises narrow pedestrian pathways between or behind development (for example, at cul-de-sac heads) and sound barriers and fencing which remove or reduce passive surveillance of higher order roads.</p> <p>A4.2 Neighbourhood design enhances legibility and way-finding through an easily-understood street layout and provides vistas towards natural features and buildings.</p> <p>A4.3 Neighbourhoods are designed with high levels of physical connectivity for pedestrians, cyclists and vehicles, both within and to adjacent neighbourhoods.</p>
<p>P5 Lot dimensions respond to the topography and the road layout to ensure the bushland character is maintained and enhanced.</p>	<p>A5.1 A minimum lot frontage of 25 metres measured at the front building line/street facing building line, as shown in Figure 4, should be provided to all lots.</p>
<p>P6 Street networks provide good external connections for local vehicle, pedestrian and cycle movements.</p>	<p>A6.1 The overall subdivision development shall achieve a minimum Internal Connectivity Index (ICI) score of 1.30.</p> <p>Note: The importance of a well-connected subdivision which can be achieved through a good ICI is further explained in the following section.</p>

Internal Connectivity Index

The Internal Connectivity Index (ICI) is calculated by the number of street links divided by the number of street nodes (Ewing, 1996). A link is defined as a segment of road between two intersections or from an intersection to a cul-de-sac, including road segments leading from the adjoining highway network or adjacent development.

A node is defined as an intersection and the end of a cul-de sac. They do not include the end of a stub-out at the property line. The higher the connectivity index, the more connected the roadway network. Residential subdivisions that are dominated by cul-de-sacs provide discontinuous street networks, reduce the number of footpaths, provide few alternate travel routes and tend to force all trips onto a limited number of arterial roads.

Figure 2 shows two examples of a subdivision. The example on the left shows a well-connected subdivision layout that minimises the distance to travel from a dwelling house to a focal point. The example on the right shows the same trip through a poorly connected subdivision.

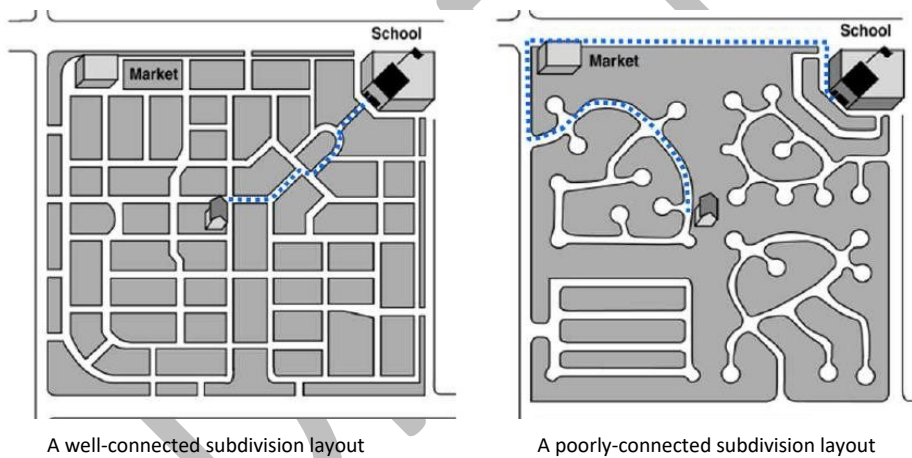
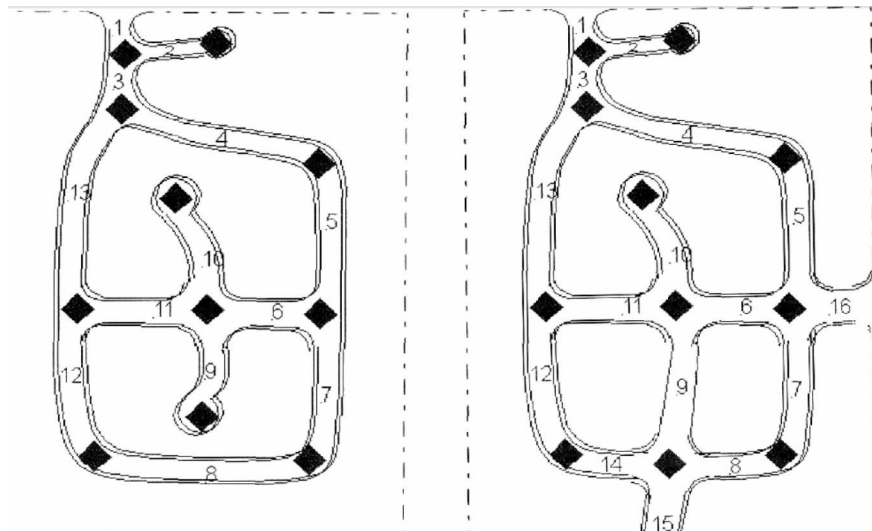


Figure 2. Subdivision connectivity examples



Example 1. 13 links/11 nodes = 1.18 ratio

Example 2. 16 links/11 nodes = 1.45 ratio

Figure 3. Calculation of the Internal Connectivity Index (ICI)

25 metre frontage width

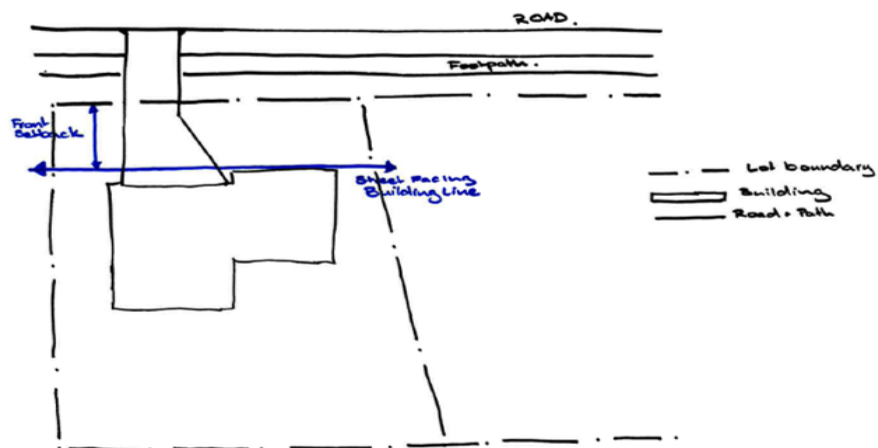


Figure 4. Example of minimum lot frontage of 25 metres measured at the front building line/street

Element 2. Lot Layout

Introduction

Provision of an efficient and effective lot layout can allow for the creation of neighbourhoods that encourage connectivity and achieve quality urban design outcomes.

The arrangement of future dwellings will have an important influence on the quality of the neighbourhood that develops and should be considered as part of the lot design.

Objectives

- To provide lot sizes to suit a variety of household types and requirements whilst considering the bushland setting of the area.
- To create attractive residential streets by carefully planning the location of garages and driveways within street frontages and improving the presentation of dwelling houses.

Performance criteria The lot layout objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1 Lots are designed to optimise outlook to the bushland bounding the subdivision.	A1.1 There is no applicable Acceptable Solution to this Performance Criteria.
P2 The design of lots provides vehicular access to the rear or side of lots where front access is restricted or not possible, particularly narrow lots where front garaging is not permitted.	A2.1 There is no applicable Acceptable Solution to this Performance Criteria.
P3 A range of lot types (area, frontage, depth and access) is provided to ensure a mix of housing designs and styles.	<p>A3.1 Within the Estate, the subdivision design shall provide varied lot frontages to promote a differentiation in design and housing product.</p> <p>A3.2 Where residential development adjoins the bushland reserve areas, the subdivision is to create lots to enable a living area within the dwelling to overlook the bushland reserve area.</p>

Performance criteria The lot layout objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
P4 Battle-axe lots shall only be provided in limited circumstances where the topography and development orientation results in regular subdivision not being able to be achieved.	A4.1 There is no applicable Acceptable Solution to this Performance Criteria.
P5 The visual impact to the streetscape of battle-axe entry ways and driveways should be ameliorated, where possible.	A5.1 There is no applicable Acceptable Solution to this Performance Criteria.
P6 To ensure corner lots are of sufficient dimensions and size to enable residential controls to be met.	A6.1 Corner lots are to be designed to allow residential accommodation to positively address both street frontages.

Element 3. Landscaping

Objectives

- To provide landscaping that contributes to the identity and environmental health of the community.
- To ensure streetscape components do not detrimentally affect solar access to individual dwellings.

Performance criteria The public open space and landscaping objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1 Landscaping is designed and located to not negatively impact on built infrastructure.	A1.1 Landscaping is provided in accordance with the requirements of a Landscaping Schedule that has been approved by Council's Community, Culture and Places Division.
P2 Landscaping is provided in an environmentally sustainable manner which limits the time and costs associated with maintenance.	<p>A2.1 Existing native trees are retained wherever possible.</p> <p>A2.2 Species selected are suitable for the local climate.</p> <p>A2.3 Species selected require a minimal amount of watering.</p> <p>A2.4 Landscaping does not impact ground-water levels by encouraging over-watering resulting in groundwater level increases or the pollution of waters.</p>
P3 Street trees are selected to provide summer shading while not impeding solar access to dwellings in winter.	<p>A3.1 Street trees are provided in accordance with the requirements of Council's Community, Culture and Places Division generally and any applicable tree planting standards.</p> <p>A3.2 Deciduous trees are selected where shadows would adversely impact solar access.</p>

Performance criteria The public open space and landscaping objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
	<p>A3.3 Taller tree species are planted on the northern side of east-west aligned streets, shorter species are planted on the southern side.</p> <p>A3.4 Endemic species or species with a proven tolerance to the local climate and conditions that preserve solar access of adjoining properties are provided.</p> <p>A3.5 Plantings with low maintenance and low water consumption are provided.</p> <p>A3.6 Evergreen species for windbreaks and planting along the south or west side of the area are protected against wind.</p>

Element 4. Infrastructure

Objectives

- To ensure the Estate is serviced with essential services in a cost-effective and timely manner.
- To ensure the Estate is adequately serviced with water and sewerage infrastructure.
- To ensure acoustic infrastructure adequately mitigates adverse noise impacts on residential development.

Performance criteria The infrastructure objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1 Design and provision of utility services including sewerage, water, electricity, gas, street lighting and communication services are cost-effective over their lifecycle and incorporate provisions to minimise adverse environmental impact in the short and long-term.	<p>A1.1 The design and provision of utility services conforms to the requirements of relevant service authorities.</p> <p>A1.2 Water and sewerage services are to be provided to each allotment at the full cost of the developer.</p> <p>A1.3 Telecommunications and National Broadband Network Infrastructure is provided to each lot in accordance with the requirements of the appropriate authority.</p> <p>A1.4 Energy efficient and appropriately located street lighting is provided in accordance with AS/NZS 1158.1.1. All cable reticulation is to be installed underground.</p> <p>A1.5 Subdivision of the land is to be undertaken as a Torrens Title Subdivision.</p> <p>A1.6 Electricity supply is to be provided in accordance with the requirements of the relevant electricity supply authority. All cable reticulation is to be installed underground.</p>
P2 Compatible public utility services are located in common trenching in order to minimise the land required and the costs for underground services.	A2.1 Services are located next to each other in accordance with Council's Policy for trenching allocation in footways (Standard Drawing 5268).

<p>P3 Water supply and sewerage networks are available and are accessible.</p>	<p>A3.1 Water and sewerage services are designed and constructed in accordance with Council's adopted AUS-SPEC#1 Development Specification Series – Design and Construction and Technical Schedules – Construction of Water Reticulation and Gravity Sewerage Reticulation and Water Services Association of Australia.</p> <p>A3.2 Any development application for subdivision of the land shall include an analysis of Council's downstream sewerage infrastructure, including information addressing the capacity of the downstream network.</p> <p>A3.3 A Drinking Water Quality Management Plan is required to be prepared, which addresses the 12 elements of the Australian Drinking Water Guidelines 2011 and requirements of NSW Health.</p> <p>A3.4 The water supply system for the subdivision shall be designed and provided as an in-line pressure booster pumping station to service all of the proposed Kintyre Heights subdivision, designed in accordance with s.6.2 – IN-LINE PRESSURE BOOSTER PUMPING STATIONS of the WSA Water Supply Code of Australia – Part 1: Planning and Design – Version 3.2. Whilst the entirety of s.6.2 needs to be reviewed and adhered to.</p> <p>The water supply system is to be designed in accordance with the following requirements:</p> <p>Section 6.2.2.9 – SITE SELECTION, the booster pump station is to be placed on land dedicated to Council.</p> <p>Section 6.2.8.5 – EMERGENCY POWER, an emergency primary supply generator is to be provided in the event mains power is interrupted. The generator shall be sufficiently sized to sustain at least 8 hours of full load operation.</p> <p>Section 6.2.9.4 – FIRE FLOW OPERATION, the booster pump station shall be designed to operate under fire flow conditions and allow for the usage of spring hydrant valves within the proposed subdivision.</p> <p>Appendix D – BOOSTER CONFIGURATION provides examples of booster pump station designs.</p>
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Element 5. Street Design and Road Hierarchy

Objectives

- To ensure streets fulfil their designated function within the street network.
- To facilitate public service utilities.
- Encourage street designs that accommodate drainage systems.
- Create safe and attractive street environments.

Performance criteria The street design and road hierarchy objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1 The street reserve width is sufficient to cater for all street functions, including: Safe and efficient movement of all users. Provision for parked vehicles. Provision for landscaping.	A1.1 The road hierarchy complies with the relevant Residential Release Strategy. A1.2 The road hierarchy is designed and constructed in accordance with Aus-Spec (Dubbo Regional Council version). A1.3 The road layout provides appropriate connectivity as approved by Council, between adjoining residential estates for both vehicular and pedestrian movement.
P2 The verge width is sufficient to provide for special site conditions and future requirements.	A2.1 The verge width is increased where necessary to allow space for: Larger scale landscaping. Indented parking. Future carriageway widening. Retaining walls. Cycle paths. Overland flow paths.
P3 Street design caters for all pedestrian users including the elderly, disabled and children by designing streets to limit the speed motorists can travel.	There is no applicable Acceptable Solution to this Performance Criteria.

Performance criteria The street design and road hierarchy objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
P4 Driveway egress movements do not create a safety hazard.	A4.1 Motorists can enter or reverse from a residential lot in a single movement.
P5 Bus routes have a carriageway width that: <ul style="list-style-type: none"> - Allows for the movement of buses unimpeded by parked cars. - Safely accommodates cyclists. - Avoids cars overtaking parked buses. 	A5.1 The geometry of streets identified as bus routes provides suitable turning, stopping sight distance, grade and parking for buses.
P6 Geometric design for intersections, roundabouts and slow points is consistent with the vehicle speed intended for each street.	A6.1 Sufficient area is provided at the head of cul-de-sacs for waste disposal vehicles to make a three point turn.
P7 Car parking is provided in accordance with projected needs determined by: <ul style="list-style-type: none"> - The number and size of probable future dwellings. - The car parking requirements of likely future residents. - Availability of public transports. - Likely future onsite parking provisions. - Location of non-residential uses such as schools/shops. - The occasional need for overflow parking. 	There is no applicable Acceptable Solution to this Performance Criteria.
P8 Car parking is designed and located to: <ul style="list-style-type: none"> - Conveniently and safely serve users, including pedestrians, cyclists and motorists. - Enable efficient use of car spaces and access ways including adequate manoeuvrability between the street and lots. - Fit in with adopted street network and hierarchy objectives and any related traffic movement plans. - Be cost effective. - Achieve relevant streetscape objectives. 	There is no applicable Acceptable Solution to this Performance Criteria.

Element 6. Pedestrian and Cycle Links

Objective

- To encourage walking and cycling by providing safe and convenient movement networks to points of attraction and beyond the development.

Performance criteria The pedestrian and cycle links objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>Planning</p> <p>P1 The residential street and path network provides a network of pedestrian and cyclist routes, with connections to adjoining streets, open spaces and activity centres.</p>	<p>A1.1 Where a Traffic Calming Plan or an approved Pedestrian and Cyclist Plan exist, pedestrian and cyclist paths are provided in accordance with that Plan.</p> <p>A1.2 Pedestrian and cycle paths are provided in accordance with the Dubbo Strategic Open Space Master Plan.</p> <p>A1.3 A network of footpaths and cycle routes is provided that accounts for: The need to encourage walking and cycling. Likely users (e.g. school children, parents with prams, aged people, commuters and cyclists). Opportunities to link open space networks and community facilities including public transport, local activity centres, schools and neighbouring shopping centres. Topography and cyclist and pedestrian safety.</p>
<p>P2 The alignment of paths allows safe and convenient use by pedestrians and cyclists and is varied to preserve trees and other significant features. A focus on vistas and landmarks adds visual interest where they exist.</p>	<p>There is no applicable Acceptable Solution to this Performance Criteria.</p>

Performance criteria The pedestrian and cycle links objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
P3 Provision is made for the location of seats in appropriate places.	A3.1 Seats to be provided in accordance with the requirements of Council's Community, Culture and Places Division, within the bushland reserve area.
P4 There is adequate provision for passing with paths widened at potential conflict points or junctions on high-use facilities to allow for passing of pedestrians/cyclists.	A4.1 Paths are widened at potential conflict points or junctions in areas of high use such as schools, corner stores etc.
P5 Pedestrian and cyclist paths are constructed to provide a stable surface for projected users and is easily maintained.	There is no applicable Acceptable Solution to this Performance Criteria.

Element 7. Stormwater Management

Objectives

- To provide major and minor drainage systems which:
 - Adequately protect people and the natural and built environments to an acceptable level of risk and in a cost effective manner in terms of initial costs and maintenance.
 - Contribute positively to environmental enhancement of catchment areas.
- To manage any water leaving the site (during construction and operation) with stormwater treatment measures.

Performance criteria The stormwater management objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1 Post development peak flows (up to 100 year ARI storm events) are limited to 'pre-development' levels.	A1.1 The system design allows for the safe passage of vehicles at reduced speeds on streets which have been affected by run-off from a 20% AEP event.
P2 The stormwater drainage system has the capacity to safely convey stormwater flows resulting from the relevant designed storm event under normal operating conditions, taking partial minor system blockage into account.	<p>A2.1 The design and construction of the stormwater drainage system is in accordance with the requirements of Australian Rainfall and Runoff 1987 and Aus-Spec (Council version) Development Specification Series – Design and Development Specification Series – Construction.</p> <p>A2.2 Infrastructure plans for subdivisions shall show all minor and major stormwater systems clearly defined and identified. Minor systems for residential areas are designed to cater for the 1-in-100 year storm event. These systems are to be evident as 'self-draining' without impacting on flooding of residential houses etc.</p>

Performance criteria The stormwater management objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
P3 Natural streams and vegetation are retained wherever practicable and safe, to maximise community benefit.	A3.1 Natural streams and vegetation are incorporated into the stormwater drainage system for the subdivision and open space requirements.
P4 The stormwater system/drainage network is designed to ensure that there are no flow paths which would increase risk to public safety and property.	There is no applicable Acceptable Solution to this Performance Criteria.
P5 The system design allows for the safe passage of vehicles at reduced speeds on streets which have been affected by run-off from the relevant designed storm event.	A5.1 The system allows for the safe passage of vehicles at reduced speeds on streets which have been affected by run-off from a 20% AEP event.
Site drainage P6 Subdivision design and layout provides for adequate site drainage.	A6.1 Site stormwater drainage systems are provided in accordance with Council's requirements. A6.2 The design and construction of the inter-allotment drainage system are in accordance with the requirements of Australian Rainfall and Runoff (1987) and Aus-Spec (Dubbo Regional Council version) Development. Specification Series – Design and Development Specification Series – Construction.

Performance criteria The stormwater management objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
Flooding P7.1 Where residences (new or existing) are proposed in flood-affected areas, these shall be protected from flood waters. P7.2 Flood-ways are developed in a manner which ensures that there is a low risk of property damage.	A7.1 The finished floor level of residential accommodation is located at or above the 'flood planning level' to provide protection to life and property in accordance with the accepted level of risk.

Element 8. Water Quality Management

Objective

- To provide water quality management systems which:
 - Ensure that disturbance to natural stream systems is minimised.
 - Stormwater discharge to surface and underground receiving waters, during construction and in developing catchments, does not degrade the quality of water in the receiving areas.

Performance criteria The water quality management objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1 Adequate provision is made for measures during construction to ensure that the land form is stabilised and erosion is controlled.	A1.1 An Erosion and Sediment Control Plan is prepared by suitably qualified professionals using the 'Blue Book – Managing Urban Stormwater: Soils and Construction' and provided to Council.
P2 The system design optimises the interception, retention and removal of water-borne pollutants through the use of appropriate criteria prior to their discharge to receiving waters.	A2.1 The Erosion and Sediment Control Plan is to comply with the document 'Managing Urban Stormwater: Soils and Construction', produced by NSW Department of Housing.
P3 The system design minimises the environmental impact of urban run-off on surfaces receiving water quality and on other aspects of the natural environment, such as creek configuration and existing vegetation, by employing techniques which are appropriate and effective in reducing run-off and pollution travel.	<p>A3.1 Water pollution control ponds or wetlands are developed (where appropriate) for final treatment before discharge to the wider environment and should be sited to minimise impacts on the natural environment.</p> <p>A3.2 Sensors are used to control watering systems.</p>

2.2 Residential Design

This section is designed to encourage 'best practice' solutions and clearly explain requirements for the development of Residential Accommodation.

The objectives of this section are:

- To facilitate a mix of dwelling sizes complementing the character of the area and that provide accommodation for all sectors of the community.
- To facilitate low density residential accommodation with an economic use of infrastructure.

This section lists design elements under the following headings:

Element 1	Streetscape character
Element 2	Building setbacks
Element 3	Solar access
Element 4	Private open space and landscaping
Element 5	Vehicular access and car parking
Element 6	Visual and acoustic privacy

Element 1. Streetscape Character

Objectives

- To design residential housing development to complement the new streetscape and emerging neighbourhood character.
- To design residential housing in keeping with the desired future streetscape and neighbourhood character.
- To provide a mix of dwelling sizes complementing the character of the area and that accommodate for many sectors of the community.

Performance criteria The streetscape character objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
Built form P1 The frontage of buildings and their entries are readily apparent from the street.	A1.1 Buildings adjacent to the public street, address the street by having a front door facing the street. A1.2 The minimum frontage for dual occupancy developments is 25 metres.
P2 The development is to be designed to respect and reinforce the positive characteristics of the neighbourhood, including: <ul style="list-style-type: none"> • Built form. • Bulk and scale. • Vegetation. • Topography. 	A2.1 Design elements to consider include: <ul style="list-style-type: none"> • Massing and proportions. • Roof form and pitch. • Facade articulation and detailing. • Window and door proportions. • Features such as verandahs, eaves and parapets. • Building materials, patterns, textures and colours. • Decorative elements. • Vehicular footpath crossing (location and width). • Fence styles. • Building setbacks.
P3 Walls visible from the street are adequately detailed for visual interest.	A3.1 This may be achieved by recesses, windows, projections or variations of colour, texture or materials.

Performance criteria The streetscape character objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
P4 Garages and parking structures (carports) are sited and detailed to ensure they do not dominate the street frontage, integrate with features of the dwelling and do not dominate views of the dwelling from the street.	A4.1 Garages or parking structures are located in line with or behind the alignment of the front façade/entrance of the dwelling.
P5 Fencing is consistent with the bushland character of the area.	A5.1 The use of Colourbond fence materials is not encouraged.
P6 Front fences enable outlook from the development to the street or open space to facilitate surveillance and safety. Front fences provide noise attenuation on classified roads. Front fences provide security in areas where there is a difference of land use (eg residential, commercial or industrial).	A6.1 Front fences have a maximum height of 1.2 metres if solid or less than 20% transparent and 1.5 metres if greater than 50% transparent. A6.2 A front fence on the secondary frontage may have a maximum height of 1.8 metres for 50% of the length of the boundary to the secondary road, which is measured from the corner splay of the primary road boundary. In addition, <ul style="list-style-type: none"> The fence is constructed of materials which are consistent with those used in development on the site and is consistent with the bushland setting of the site. The fence is softened with the use of landscaping.
P7 Fencing style and materials reflect the local streetscape and do not cause undue overshadowing of adjoining development.	A7.1 Side fences on corner allotments are setback and/or articulated to provide for vegetation screening to soften the visual impact of the fence. A7.2 Side fences forward of the building line are not constructed of solid metal panels or chain wire fencing (including factory pre-coloured materials).

Performance criteria The streetscape character objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
P8 Fencing on corner allotments does not impede motorists' visibility at the intersection.	A8.1 Fencing is either splayed, setback, reduced in height or transparent to maintain visibility for motorists.
P9 Gates are designed to ensure pedestrian and motorist safety.	A9.1 Where a driveway is provided through a solid fence, adequate visibility for the driver is maintained.

Element 2. Building Setbacks

Objectives

- To ensure that the setback of a building from the property boundaries, the height and length of walls, site coverage and visual bulk are acceptable in the neighbouring setting.
- To ensure habitable rooms of dwellings and private open space within the development and in adjacent development can receive adequate sunlight, ventilation and amenity.

Performance criteria The building setback objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>P1 The setback of the development from the front boundary of the allotment is consistent with established setbacks, or is consistent with the desired amenity of the locality.</p> <p>Residential development on corner allotments shall address both street frontages.</p> <p>Note: The setback is measured from the property boundary to the first vertical structural element of the development. No portico, posts, etc shall be any closer than the stated setback.</p> <p>This applies to a dwelling house and any ancillary structure that is attached or detached to a dwelling house.</p>	<p>A1.1 Minimum setback of 10 metres from the front property boundary where no streetscape setback has been established.</p> <p>A1.2 The secondary (side) setback is 5 metres. Where the corner is splayed, residential development is designed accordingly.</p>
<p>P2 The setback of the development from the side and rear boundaries of the allotment is consistent with established setbacks or is consistent with the desired amenity of the locality.</p>	<p>A2.1 A minimum setback of 5 metres from the side and rear property boundary is to be provided to the residential development.</p>
<p>P3 The location of garages and carports does not diminish the attractiveness of the streetscape, does not dominate views of the dwelling from the street and integrates with features of associated dwellings.</p>	<p>A3.1 Garages and carports are setback a minimum of 10 metres from the front property boundary and in line with or behind the alignment of the front façade of the dwelling.</p>

Performance criteria The building setback objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
P4 The location of garages and carports does not diminish the attractiveness of the locality and integrates with features of associated dwellings.	A4.1 Garages and carports are setback such that they comply with the requirements of the Building Code of Australia.

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Element 3. Solar Access

Objectives

- To ensure all development provides an acceptable level of solar access for occupants.
- To ensure development does not significantly impact on the solar access and amenity of adjoining and adjacent allotments.

Performance criteria The solar access objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
Solar access <p>P1 Development is designed to ensure solar access is available to habitable rooms, solar collectors (photovoltaic panels, solar hot water systems etc.) private open space and clothes drying facilities.</p>	<p>A1.1 On lots with an east/west orientation, the setback on the northern side of the lot is increased to allow for maximum solar access to habitable rooms located on the north-side of the dwelling.</p> <p>A1.2 A roof area sufficient to meet the space requirements for a solar hot water service is provided where it faces within 20° of north and receives direct sunlight between the hours of 9 am and 3 pm on 22 June.</p> <p>A1.3 Outdoor clothes drying areas are located to ensure adequate sunlight and ventilation are provided between the hours of 9 am and 3 pm on 22 June to a plane of 1 metre above the finished ground-level under the drying lines.</p>
<p>P2 The proposed development does not reduce the level of solar access currently enjoyed by adjoining or adjacent allotments.</p>	<p>A2.1 Habitable rooms of adjoining development receive a minimum of four hours solar access between the hours of 9 am and 3 pm on 22 June.</p>

Performance criteria The solar access objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
	<p>A2.2 Landscaping is designed to ensure that when mature, required areas of private open space or established BBQ/pergola areas on adjoining allotments maintain solar access on 22 June in accordance with A2.2.</p> <p>A2.3 The solar impact of development shall be shown with the submission of shadow diagrams taken on 22 June (winter solstice).</p>

Element 4. Private Open Space and Landscaping

Objectives

- To provide private outdoor open space that is well-integrated with the development and is of sufficient area to meet the needs of occupants.
- To provide a pleasant, safe and attractive level of residential amenity.
- To ensure landscaping is appropriate in nature and scale for the site and the local environment.

Performance criteria The private open space and landscaping objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
Private open space P1 Private open space is of an area and dimension facilitating its intended use.	A1.1 Dwelling houses and dual occupancy developments shall have a Principal Private Open Space (PPOS) area, in addition to the general Private Open Space (POS). A1.2 The PPOS area has a minimum area per dwelling of 30 m ² and a minimum dimension of 5 metres. This area can include covered (not enclosed) outdoor entertainment areas.
P2 Private open space is easily accessible by the occupants of the development and provides an acceptable level of privacy.	A2.1 All Principal Private Open Space (PPOS) is directly accessible from the main living area. A2.2 All private open space is located behind the front building line and is screened to provide for the privacy of occupants and the occupants of adjoining properties.
P3 Landscaping is located to not impact infrastructure, development on the site or development adjoining the site.	A3.1 Species are selected and located taking into consideration the size of the root zone of the tree at maturity and the likelihood of potential for the tree to shed/drop material. A3.2 Landscape species are selected and located to ensure the amenity of adjoining and adjacent properties is not impacted.

Performance criteria The private open space and landscaping objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
	<p>This shall ensure that inappropriate vegetation is not provided that reduces the level of solar access enjoyed by adjoining and adjacent properties and is likely to provide any safety impacts to residents.</p>
<p>P4 Landscaping activities are undertaken in an environmentally sustainable manner which limits the time and costs associated with maintenance.</p>	<p>A4.1 Existing native trees are retained where possible.</p> <p>A4.2 Species selected are suitable for the local climate.</p> <p>A4.3 Species selected require a minimal amount of watering (Waterwise Garden).</p> <p>A4.4 Landscaping does not impact ground-water levels by over watering resulting in ground-water level increases or the pollution of waters.</p> <p>A4.5 Landscaping is provided with a timed watering system and moisture meter to determine if watering is required.</p> <p>A4.6 Sensors are used to control watering systems (see also Element 9).</p>

Element 5. Vehicular access and car parking

Objectives

- To provide adequate and convenient parking for residents, visitors and service vehicles.
- To ensure street and access ways provide safe and convenient vehicle access to dwellings and can be efficiently managed.
- To avoid parking and traffic difficulties in the development and the neighbourhood.

Performance criteria The vehicular access and car parking objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>Parking provision</p> <p>P1 Car parking is provided according to projected needs, the location of the land and the characteristics of the immediate locality.</p>	<p>A1.1 Dwelling houses and dual occupancy development provides the following vehicle parking: One bedroom dwelling – one car parking space per dwelling, situated behind the front building setback. Dwelling with two or more bedrooms – two car parking spaces per dwelling. At least one of the required spaces shall be situated behind the front building setback.</p>
<p>Design</p> <p>P2 Car parking facilities are designed and located to: Conveniently and safely serve users including pedestrians, cyclists and vehicles. Enable efficient use of car spaces and access ways including adequate manoeuvrability for vehicles between the street and the lot. Conform to the adopted street network hierarchy and objectives of the hierarchy and along with any related local traffic management plans. Be cost effective. Protect the streetscape.</p>	<p>A2.1 The dimensions of car spaces and access comply with AS2890.1.</p> <p>A2.2 Access ways and driveways are designed to enable vehicles to enter the designated parking space in a single turning movement and leave the space in no more than two turning movements.</p>

Performance criteria The vehicular access and car parking objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>Emergency vehicle access</p> <p>P3 Standing and turning areas for service, emergency or delivery vehicles are provided where access to any dwelling from a public street is remote or difficult.</p>	<p>A3.1 Access ways are designed to cater for an 'AUSTROADS 8.8 metre length Design Service Vehicle'.</p>

Element 6. Visual and Acoustic Privacy

Objectives

- To limit overlooking of private open space and views into neighbouring development.
- To substantially contain noise within each dwelling and to limit noise from communal areas or shared facilities affecting nearby dwellings.
- To protect internal living and sleeping areas from inappropriate levels of external noise.

Performance criteria The visual acoustic and privacy objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>Visual privacy</p> <p>P1 Private open space and living rooms of adjacent residential accommodation are protected from direct overlooking by an appropriate layout, screening device and distance.</p> <p>Note: No screening is required if:</p> <ul style="list-style-type: none"> - Bathrooms, toilets, laundries, storage rooms or other non-habitable rooms have translucent glazing or sill heights of at least 1.5 m. - Habitable rooms having sill heights of 1.5 m or greater above floor level or translucent glazing to any window less than 1.5 m above floor level. - Habitable rooms facing a property boundary have a visual barrier of at least 1.5 m high (fences and barriers other than landscaping are not to be any higher than 1.8 m) and the floor level of the room is less than 0.6 m above the level of the ground at the boundary. 	<p>A1.1 Windows of habitable rooms with an outlook to habitable room windows in adjacent development within 10 metres:</p> <ul style="list-style-type: none"> - Are offset a minimum distance of 1 metres from the edge of the opposite window in the proposed development; - Have a sill height of 1.5 metres above floor level; - Have a fixed obscure glazing in any window pane below 1.5 metres above floor level; or - Have screens which obscure the view from habitable room windows, balconies, stairs, landings, terraces and decks or other private, communal or public areas within a development into private open space and/or habitable rooms of existing residential accommodation. <p>A1.2 Screens are solid, translucent or perforated panels or trellis which:</p> <ul style="list-style-type: none"> - Have a minimum of 25% openings; - Are permanent and fixed; - Are of durable materials such as galvanised steel, iodised aluminium or treated timber;

Performance criteria The visual acoustic and privacy objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
	<ul style="list-style-type: none"> - Are painted or coloured to blend in with the surrounding environment. <p>A1.3 Windows and balconies of residential accommodation shall be designed to prevent overlooking of more than 50% of the private open space of any adjoining residential accommodation.</p>
Acoustic Privacy P2 The transmission of noise to and the impact upon habitable rooms within the proposed development and adjoining and adjacent development is minimised.	<p>A2.1 Living rooms or garages of residential development does not adjoin or abut bedrooms of adjacent residential development.</p> <p>A2.2 The plumbing of residential development and is separate and contained sufficiently to prevent transmission of noise.</p> <p>A2.3 Electrical, mechanical or hydraulic equipment or plant generating a noise level no greater than 5dBA above ambient L90 sound level at the boundary of the property.</p> <p>A2.4 Dividing walls and floors between residential uses are constructed in order to comply with the requirements of Part F5 of the BCA (Class 2 and 3 buildings only).</p> <p>A2.5 Residential development is constructed to ensure habitable rooms are not exposed to noise levels in excess of the standards contained in the relevant Australian Standard(s) including AS 3671 – Road Traffic.</p>

	A2.6 Residential development adjacent to the Newell Highway are to be constructed in accordance with the recommendations of a detailed Acoustic Study prepared by a suitably qualified acoustic consultant.
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REPORT: Draft Planning Agreement - Joira Road

DIVISION: Development and Environment
REPORT DATE: 5 May 2023
TRIM REFERENCE: ID23/1008

EXECUTIVE SUMMARY

Purpose	Seek endorsement	Fulfil legislative requirement
Issue	<ul style="list-style-type: none">A 59 lot residential subdivision of Lot 10 DP 1142232 was approved by Council on 11 August 2022. The land is currently owned by the Trustees of the Roman Catholic Church and it is understood was previously considered by the Church as a future School site for West Dubbo.The adjoining Lot 11 DP 1142232 consists of approximately 4 hectares and was 'gifted' to Council by the Catholic Church in 2004.Lot 11 DP 1142232 is owned by Council and now zoned RE1 Public Recreation under the provisions of the Dubbo Local Environmental Plan 2022.Council has received a request to enter into a Planning Agreement from The Trustees of the Roman Catholic Church for the Diocese of Bathurst.The terms of the draft Planning Agreement from the Proponent are for dedication of 1,196m² of land along the Minore Road frontage of Lot 10 DP 1142232 for the purposes of road widening, and for a partial credit in relation to transfer of Lot 11 DP 1142233 to Council in 2004 for the purposes of local open space.The draft Planning Agreement is required to be placed on public display for a minimum period of 28 days in accordance with the provisions of the Environmental Planning and Assessment Act, 1979.	
Reasoning	<ul style="list-style-type: none">Part 7.1 of the Environmental Planning and Assessment Act, 1979 and associated Regulation.	
Financial Implications	Budget Area	Growth Planning Branch
	Funding Source	Growth Planning Branch budget
	Proposed Cost	The developer is proposed to receive a credit of \$55,000 for the dedication of land for road widening purposes. The developer is proposed to receive a credit of \$229,125.91 for the prior transfer of land to Council for the purposes of local open space.
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:	2 Infrastructure
CSP Objective:	2.2 Infrastructure meets the current and future needs of our community
Delivery Program Strategy:	2.2.5 Council maintains infrastructure and delivers services at the adopted service levels as agreed with the community

RECOMMENDATION

1. That Council adopt the draft Planning Agreement (attached in Appendix 1) for the purposes of public exhibition.
2. That the draft Planning Agreement be placed on public exhibition in accordance with the provisions of the Environmental Planning and Assessment Act, 1979.
3. That following conclusion of the public exhibition period, a further report be prepared for the consideration of Council, including any submissions received.

Stephen Wallace
Director Development and Environment

JS
Development
Contributions Planner

BACKGROUND

What is a Planning Agreement

A Planning Agreement is an agreement entered into between Council and a developer where the developer agrees to fund public amenities or infrastructure, dedicate land at no cost to Council, or provide monetary contributions or any other material public benefit, for a public purpose. In accordance with Part 7, Division 7.1 of the Environmental Planning and Assessment Act 1979 (EP&A Act), a public purpose includes any of the following:

- The provision of public amenities or services;
- The provision of affordable housing;
- The provision of transport or other infrastructure relating to land;
- The funding or recurrent expenditure relating to the provision of public amenities or public services, affordable housing or transport or other infrastructure;
- The monitoring of the planning impacts of development;
- The conservation or enhancement of the natural environment.

The use of Planning Agreements has increased as a result of their flexibility in allowing councils to capture public benefits outside the infrastructure contributions system where there is a need for an innovative and flexible approach to deliver public infrastructure and services.

REPORT

Development Application D2021-820

A 59 lot residential subdivision of Lot 10 DP 1142232 was approved by Council on 11 August 2022. The land is currently owned by the Trustees of the Roman Catholic Church and it is understood was previously considered by the Church as a future School site for West Dubbo.

The land is also situated adjacent to Lot 11 DP 1142232, which consists of approximately 4 hectares. This land was 'gifted' to Council by the Catholic Church in 2004. Lot 11 DP 1142232 is owned by Council and now zoned RE1 Public Recreation under the provisions of the Dubbo Local Environmental Plan 2022.

In addition, the Dubbo City Transportation Strategy, which was adopted by Council in October 2021 includes a proposal for the widening of Minore Road up to the Joira Road intersection. To facilitate this road widening, it has been identified that Council will require 1,196m² of land along the Minore Road frontage of Lot 10 DP 1142232. The Proponent in the design of the subdivision has taken into account the required road widening area.

The subject lands are shown in Figure 1.

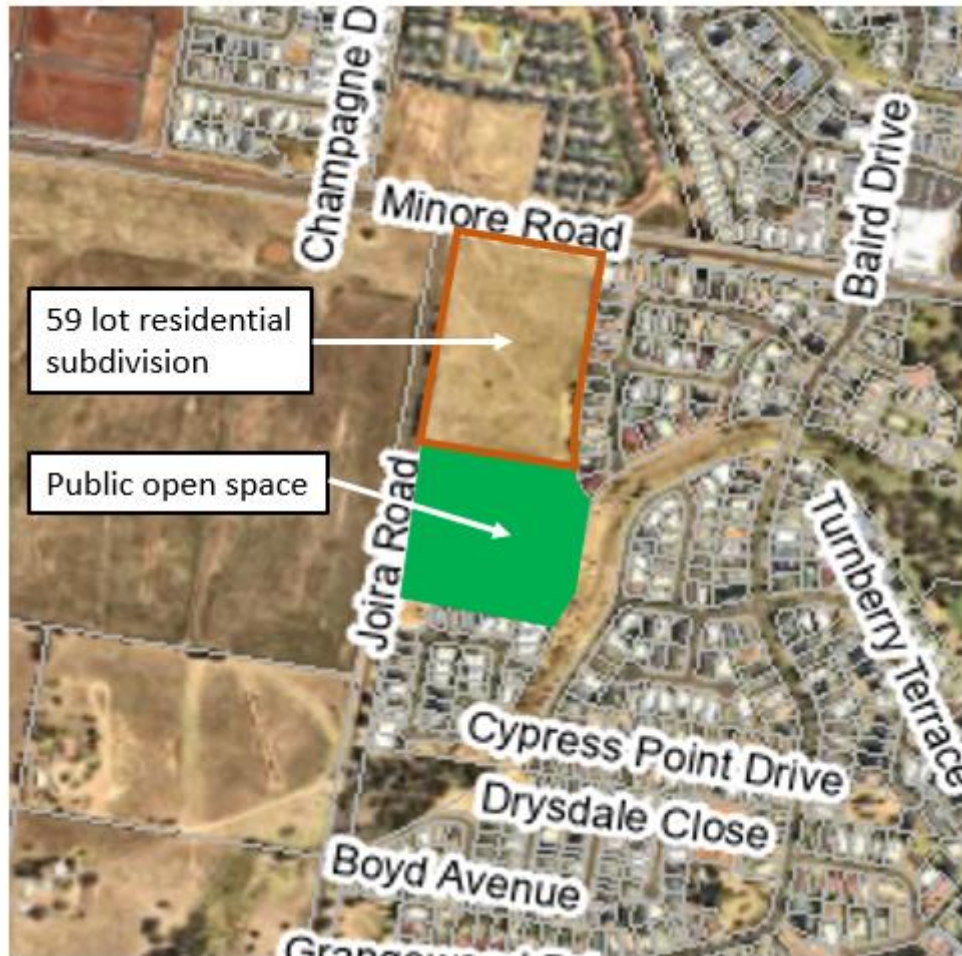


Figure 1 – Subject Lands

Planning Agreement

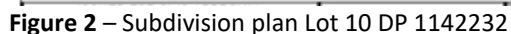
Council has received a request to enter into a Planning Agreement from The Trustees of the Roman Catholic Church for the Diocese of Bathurst. The draft Planning Agreement is attached here in **Appendix 1**.

The terms of the draft Planning Agreement are as follows:

- The developer will transfer 1,196m² of land along the Minore Road frontage of Lot 10 DP 1142232 to Council for the purposes of road widening.

The value of this land has been assessed by valuation as **\$55,000** (excluding GST) which will be credited to the overall amount payable for development contributions under Council's Section 94 Contributions Plan for Roads, Traffic Management and Car Parking (2016).

The subdivision plan, including the identified area for road widening is shown in Figure 2.



- The Proponent has sought a credit of \$229,125.91 for Local Open Space under the provisions of Council's Section 94 Contributions Plan for Open Space and Recreation Facilities (2016-2026). This is on the basis that Lot 11 DP 1142232 was gifted to Council and the local open space requirements of the subdivision will be fulfilled by the proximity of this land to the future residential development on Lot 10 DP 1142232.

- The Proponent will pay Development Contributions of **\$100,366.67** to Council in accordance with Open Space and Recreation Facilities Contributions Plan (2016-2026), which is the amount required for the subdivision for the purposes of City Wide Open Space and administration as included in the Section 94 Plan. These funds will be utilised by Council for the purposes of embellishing Lot 11 DP 1142232 as open space.

Council has considered and confirmed the suitability of entering into a Planning Agreement including whether it is in the public's best interests, whether it meets Council's strategic objectives, whether it meets the fundamental principles governing the use of Planning Agreements and whether it fits within the described circumstances in which Council can consider negotiating a Planning Agreement.

Following Council's consideration, the Planning Agreement and Explanatory Note will be placed on public exhibition for a minimum of 28 days in accordance with Section 7.5 of the Environmental Planning and Assessment Act 1979. A notice will be placed on Council's

website and in Customer Experience Centres, and the Daily Liberal newspaper, and letters will be sent to adjoining land owners.

Following completion of the public exhibition period, a further report will be presented to Council for consideration, including any submissions received.

APPENDICES:

1 [!\[\]\(a03a7eb2f4046e1d3c76772003e549ea_img.jpg\)](#) Planning Agreement

2 [!\[\]\(cbe2492b119e39e02a1dab2af4a4b296_img.jpg\)](#) Lot Layout Plan

PLANNING AGREEMENT for

Dedication of Land for Road Widening

Transfer of land for public recreation and sporting Infrastructure

Land to which the Agreement applies:

Part Lot 10 DP1142232

Dubbo Regional Council (Council)

**The Trustees of the Roman Catholic Church for the
Diocese of Bathurst** (Developer)





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Parties to this Agreement

Developer	Name	The Trustees of the Roman Catholic Church for the Diocese of Bathurst
	Address	118 Keppel Street Bathurst NSW 2795
	ABN	23 501 787 578
	Contact Name	Patrick Cooper
Council	Contact email	dfa@bathurst.catholic.org.au
	Phone	02 6334 6402
	Name	Dubbo Regional Council
	Address	PO Box 81, Dubbo NSW 2830
	ABN	53 539 070 928
	Contact email	infrastructurecontributions@dubbo.nsw.gov.au

Background

The Developer owns the subject land which is located in the Dubbo Local Government Area. The Developer has rights in respect of the Land and proposes to carry out Development on the Land in accordance with Development Consent D2021-820.

The Developer has offered to enter into this Agreement in relation to the dedication of **1,196m²** of part of the land for the purpose of road widening. Applicable credits under Section 7.11 Contributions for the dedication of the land is proposed in accordance with the terms of this Agreement.

Lot 11 DP 1142232 was transferred to Council in 2004. The Developer is seeking partial credit for the transfer of this land.



Operative provisions

Part 1 - Preliminary

1 Definitions and Interpretation

- 1.1 In this Agreement the following definitions apply:
- 1.1.1 **Act** means the Environmental Planning and Assessment Act 1979 (NSW).
 - 1.1.2 **Auditor** means an appropriately qualified auditor appointed by the Council.
 - 1.1.3 **Contributions Table** means the table in Schedule 1.
 - 1.1.4 **Contribution Year** means every 12 month period from 1 July each year.
 - 1.1.5 **Construction Commencement Date** is the same definition as provided in the Development Consent.
 - 1.1.6 **Costs** means a cost, charge, expense, outgoing, payment, fee and other expenditure of any nature.
 - 1.1.7 **Agreement** means this agreement and includes any schedules, annexures and appendices to this Agreement.
 - 1.1.8 **Development Application** has the same meaning as in the Act.
 - 1.1.9 **Development Consent** has the same meaning as in the Act.
 - 1.1.10 **Dispute** means a dispute or difference between the Parties under or in relation to this Agreement.
 - 1.1.11 **EP&A Act 1979** means the Environmental Planning and Assessment Act 1979 (NSW) as amended from time to time.
 - 1.1.12 **Event of Default** means a breach of this Agreement.
 - 1.1.13 **Index** means the Consumer Price Index – Sydney All Groups
 - 1.1.14 **Land** means Lot 10 DP1142232
 - 1.1.15 **Monetary Contribution** means the monetary contribution required to be made under this Agreement.
 - 1.1.16 **Party** means a party to this Agreement, including their successors and assigns.
 - 1.1.17 **Rectify** means rectify, remedy or correct.
 - 1.1.18 **Regulation** means the Environmental Planning and Assessment Regulation 2021.
 - 1.1.19 **Transfer Land** means 1,196m² of the Land to be dedicated as public road in accordance with the Development Consent.



- 1.1.20 **Value** means the \$ amount agreed between the Parties as the value of a Monetary Contribution made under this Agreement, as shown in the Contributions Table or as otherwise agreed between the Parties.

1.2 Interpretation

In the interpretation of this Agreement, the following provisions apply unless the context otherwise requires:

- 1.2.1 **Headings** are inserted for convenience only and do not affect the interpretation of this Agreement.
- 1.2.2 A reference in this Agreement to a **business day** means a day other than a Saturday or Sunday on which banks are open for business generally in Sydney.
- 1.2.3 If the day on which any act, matter or thing is to be done under this Agreement is not a business day, the act, matter or thing must be done on the next business day.
- 1.2.4 A reference in this Agreement to dollars or \$ means Australian dollars and all amounts payable under this Agreement are payable in Australian dollars.
- 1.2.5 A reference in this Agreement to a \$ value relating to a Monetary Contribution is a reference to the value exclusive of GST.
- 1.2.6 A reference in this Agreement to any law, legislation or legislative provision includes any statutory modification, amendment or re-enactment, and any subordinate legislation or regulations issued under that legislation or legislative provision.
- 1.2.7 A reference to a clause, part, schedule or attachment is a reference to a clause, part, schedule or attachment of or to this Agreement.
- 1.2.8 An expression importing a natural person includes any company, trust, partnership, joint venture, association, body corporate or governmental agency.
- 1.2.9 Where a word or phrase is given a defined meaning, another part of speech or other grammatical form in respect of that word or phrase has a corresponding meaning.
- 1.2.10 A word which denotes the singular denotes the plural, a word which denotes the plural denotes the singular, and a reference to any gender denotes the other genders.
- 1.2.11 References to the word 'include' or 'including' are to be construed without limitation.
- 1.2.12 A reference to this Agreement includes the agreement recorded in this Agreement.



- 1.2.13 A reference to a Party to this Agreement includes a reference to the employees, agents and contractors of the Party, the Party's successors and assigns.
- 1.2.14 A reference to 'dedicate' or 'dedication' in relation to land is a reference to dedicate or dedication free of cost.
- 1.2.15 Any schedules, appendices and attachments form part of this Agreement.
- 1.2.16 Notes appearing in this Agreement are operative provisions of this Agreement.

2 Planning agreement under the Act

- 2.1 This Agreement is a planning agreement governed by Subdivision 2 of Part 7 of the Act.

3 Application of this Agreement

- 3.1 This Agreement applies to the Land and the Development.
- 3.2 The parties acknowledge and agree that the Value of the Transfer Land as at the date of this Agreement is \$55,000 (excluding GST).
- 3.3 The parties acknowledge that the value of the Transfer Land will be offset against any Development Contribution to be imposed by Council in accordance with the applicable Contributions Plans when determining the Development Application.

4 Date upon which this Agreement takes effect

- 4.1 This Agreement takes effect when signed by both Parties. The date on which it takes effect is specified at the end of this Agreement.

5 Warranties

- 5.1 The Parties warrant to each other that they:
 - 5.1.1 Have full capacity to enter into this Agreement, and
 - 5.1.2 Are able to fully comply with their obligations under this Agreement.

6 Further agreements

- 6.1 The Parties may, at any time and from time to time, enter into agreements relating to the subject-matter of this Agreement that are not inconsistent with this Agreement for the purpose of implementing this Agreement.

7 Surrender of right of appeal

- 7.1 The Developer is not to commence or maintain, or to cause or procure the commencement or maintenance, of any proceedings in any court or tribunal or similar body appealing against, or questioning the validity of



this Agreement, or an Approval relating to the Development in so far as the subject-matter of the proceedings relates to this Agreement.

Part 2 - Payment of the Monetary Contributions

8 The Monetary Contribution under this Agreement

- 8.1 The Developer is required to make the Monetary Contribution described in the monetary contributions Table in Schedule 1 in accordance with the provisions of this Agreement.

9 Application of the Monetary Contribution

- 9.1 The Council will apply each Monetary Contribution towards the public purpose for which it is made.
- 9.2 Council will under no circumstances refund any monetary contribution made under this Agreement.

10 Application of Section 7.11, 7.12 and 7.24 of the Act to the Development

- 10.1 Section 7.11, 7.12 and 7.24 of the Act are not excluded to the extent that future development contributions may be payable.

11 Indexation of Monetary Contribution

- 11.1 All monetary contributions are to be indexed from the date of this Agreement to the date of payment in accordance with the following formula:

$$MC = \frac{A \times B}{C}$$

Where:

- MC** is the Monetary Contribution for the following Contribution year;
- A** is the Monetary Contribution payable during the Contribution Year just ended;
- B** is the most recent Index number (last published) before the end of the Contribution Year just ended
- C** is the most recent Index number (last published) before the commencement of the of the Contribution Year just ended

12 How money is paid



- 12.1 A monetary contribution is made for the purposes of this Agreement when the Council receives the full amount of the monetary contribution payable under this Agreement in cash or by unendorsed bank cheque or by the deposit by means of electronic funds transfer of cleared funds into a bank account nominated by the Council. Council will not accept any other forms of payment.
- 12.2 Despite clause 12.1, if Council agrees, in its absolute discretion, to accept payment of a monetary contribution by EFTPOS using a credit card, the Developer will be required to pay a surcharge in accordance with Council's adopted schedule of fees and charges.

Part 3 - Dedication of Land

13 Land Dedication Provisions

- 13.1 The land to be dedicated is part **Lot 10 DP1142232** as identified in Schedule 2 of this Agreement.

Part 4 - Carrying out of Work

14 Works Provisions

- 14.1 Not applicable under this Agreement

Part 5 - Review and Monitoring

15 Review of Agreement

- 15.1 If either Party is of the opinion that any change of circumstance has occurred, or is imminent, that materially affects the operation of this Agreement the Party may request a review of the whole or any part of this Agreement.
- 15.2 For the purposes of clause 15.1, the relevant changes include (but are not limited to) any change to a law that restricts or prohibits or enables the Council or any other Authority to restrict or prohibit any aspect of the Development.
- 15.3 If a review is requested in accordance with clause 15.1, the Parties are to use all reasonable endeavours, in good faith, to agree on and implement appropriate amendments to this Agreement.
- 15.4 If this Agreement becomes illegal, unenforceable or invalid as a result of any change to a law, the Parties agree to do all things necessary to ensure that an enforceable agreement of the same or similar effect to this Agreement is entered into.



15.5 A failure by a Party to agree to take action requested by the other Party as a consequence of a review referred to in clause 15.1 (but not 15.4) is not a Dispute for the purposes of this Agreement and is not a breach of this Agreement.

15.6 If the Parties agree to amend this Agreement under this clause 15, any such amendment must be in writing and signed by the Parties, and exhibited in accordance with the Act and Regulation.

16 Monitoring and Reporting

16.1 The Developer acknowledges that the Council will continuously monitor compliance with the Developer's obligations under this Agreement.

17 Notation on Planning Certificate

17.1 Not applicable under this Agreement.

Part 6 - Dispute Resolution

18 Notice of Dispute

18.1 If a party claims that a dispute has arisen under this agreement (Claimant), it must give written notice to the other party (**Respondent**) stating the matters in dispute and designating as its representative a person to negotiate the dispute (**Claim Notice**).

18.2 If a notice is given, the Parties are to meet within 10 business days of the notice in an attempt to resolve the Dispute.

18.3 If the Dispute is not resolved within a further 20 business days, the Dispute is to be referred to the President of the NSW Law Society to appoint an expert for expert determination.

18.4 The expert determination is binding on the Parties except in the case of fraud or misfeasance by the expert.

18.5 Each Party is to bear its own costs arising from or in connection with the appointment of the expert and the expert determination.

18.6 The Parties are to share equally the costs of the President, the expert, and the expert determination.

18.7 Nothing in the clause will prevent either party from seeking injunctive or urgent declaratory relief.

19 Mediation



- 19.1 This clause applies to any Dispute arising in connection with this Agreement other than a Dispute to which clause 18 applies.
- 19.2 Such a Dispute is taken to arise if one Party gives another Party a notice in writing specifying particulars of the Dispute.
- 19.3 If a notice is given under clause 19.2, the Parties are to meet within 14 days of the notice in an attempt to resolve the Dispute.
- 19.4 If the Dispute is not resolved within a further 20 business days, the Parties are to mediate the Dispute in accordance with the Mediation Rules of the Law Society of New South Wales published from time to time and are to request the President of the Law Society to select a mediator.
- 19.5 If the Dispute is not resolved by mediation within a further 20 business days, or such longer period as may be necessary to allow any mediation process which has been commenced to be completed, then the Parties may exercise their legal rights in relation to the Dispute, including by the commencement of legal proceedings in a court of competent jurisdiction in New South Wales.
- 19.6 Each Party is to bear its own costs arising from or in connection with the appointment of a mediator and the mediation.
- 19.7 The Parties are to share equally the costs of the President, the mediator, and the mediation.

Part 7 - Indemnities & Insurance

20 Risk

- 20.1 The Developer performs this Agreement at its own risk and its own cost.

21 Release

- 21.1 The Developer releases the Council from any Claim it may have against the Council arising in connection with the performance of the Developer's obligations under this Agreement except if, and to the extent that, the Claim arises because of the Council's negligence or default.

22 Indemnity

- 22.1 The Developer indemnifies the Council from and against all Claims that may be sustained, suffered, recovered or made against the Council arising in connection with the performance of the Developer's obligations under this Agreement except if, and to the extent that, the Claim arises because of the Council's negligence or default.

23 Insurance



- 23.1 The Developer is to take out and keep current to the satisfaction of the Council the following insurances in relation to Work required to be carried out by the Developer under this Agreement up until the Work is taken to have been completed in accordance with this Agreement:
- 23.1.1 contract works insurance, noting the Council as an interested party, for the full replacement value of the Works (including the cost of demolition and removal of debris, consultants' fees and authorities' fees), to cover the Developer's liability in respect of damage to or destruction of the Works,
 - 23.1.2 public liability insurance for at least \$20,000,000.00 for a single occurrence, which covers the Council, the Developer and any subcontractor of the Developer, for liability to any third party,
 - 23.1.3 workers compensation insurance as required by law, and
 - 23.1.4 any other insurance required by law.
- 23.2 If the Developer fails to comply with clause 23.1, the Council may effect and keep in force such insurances and pay such premiums as may be necessary for that purpose and the amount so paid shall be a debt due from the Developer to the Council and may be recovered by the Council as it deems appropriate including:
- 23.2.1 by calling upon the Security provided by the Developer to the Council under this Agreement, or
 - 23.2.2 recovery as a debt due in a court of competent jurisdiction.

The Developer is not to commence to carry out any Work unless it has first provided to the Council satisfactory written evidence of all of the insurances specified in clause 23.1.

Part 8 - Other Provisions

24 Confidentiality

- 24.1 This agreement is a public document and its terms are not confidential.
- 24.2 The parties acknowledge that:
- 24.2.1 Confidential Information may have been supplied to some or all of the Parties in negotiations leading up to the making of this agreement; and
 - 24.2.2 the Parties may disclose to each other further Confidential Information in connection with the subject matter of this agreement.
- 24.3 Subject to clauses 24.4 and 24.5, each Party agrees:



- 24.3.1 not to disclose any Confidential Information received before or after the making of this agreement to any person without the prior written consent of the Party who supplied the Confidential Information; or
- 24.3.2 to take all reasonable steps to ensure all Confidential Information received before or after the making of this agreement is kept confidential and protected against unauthorised use and access.
- 24.4 A Party may disclose Confidential Information in the following circumstances:
 - 24.4.1 in order to comply with the law, or the requirements of any Authority; or
 - 24.4.2 to any of their employees, consultants, advisers, financiers or contractors to whom it is considered necessary to disclose the information, if the employees, consultants, advisers, financiers or contractors undertake to keep the Confidential Information confidential.
- 24.5 The obligations of confidentiality under this clause do not extend to information which is public knowledge other than as a result of a breach of this clause.

25 Notices

- 25.1 Any notice, consent, information, application or request that is to or may be given or made to a Party under this Agreement is only given or made if it is in writing and sent in one of the following ways:
 - 25.1.1 delivered or posted to that Party at its address, or
 - 25.1.2 emailed to that Party at its email address.
- 25.2 For the purposes of this clause a Party's address and email address are as noted under '**Parties to this Agreement**'.
- 25.3 If a Party gives the other Party 5 business days' notice of a change of its address or email, any notice, consent, information, application or request is only given or made by that other Party if it is delivered, posted or emailed to the latest address.
- 25.4 Any notice, consent, information, application or request is to be treated as given or made if it is:
 - 25.4.1 delivered, when it is left at the relevant address,
 - 25.4.2 sent by post, 2 business days after it is posted, or
 - 25.4.3 sent by email and the sender does not receive a delivery failure message from the sender's internet service provider within a period of 24 hours of the email being sent.



- 25.5 If any notice, consent, information, application or request is delivered, or an error free transmission report in relation to it is received, on a day that is not a business day, or if on a business day, after 5pm on that day in the place of the Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next business day.

26 Approvals and Consent

The Developer must, at its cost, obtain all relevant approvals and consents for the Developer's Works, whether from the Council or from any other relevant Government Agency, including any necessary road opening permits. Before commencing the Developer's Work, the Developer must give to the Council copies of all approvals and consents for the Developer's Works, other than the project Consent.

27 Costs

- 27.1 The Developer is to pay to the Council the Council's costs of preparing, negotiating, executing and stamping and registering this Agreement, and any document related to this Agreement within 5 business days of a written demand by the Council for such payment.
- 27.2 The Developer is also to pay to the Council the Council's reasonable costs of enforcing this Agreement within 5 business days of a written demand by the Council for such payment.

28 Entire Agreement

- 28.1 This Agreement contains everything to which the Parties have agreed in relation to the matters it deals with.
- 28.2 No Party can rely on an earlier document, or anything said or done by another Party, or by a director, officer, agent or employee of that Party, before this Agreement was executed, except as permitted by law.

29 Further Acts

- 29.1 Each Party must promptly execute all documents and do all things that another Party from time to time reasonably requests to effect, perfect or complete this Agreement and all transactions incidental to it.

30 Governing Law and Jurisdiction

- 30.1 This Agreement is governed by the law of New South Wales.
- 30.2 The Parties submit to the non-exclusive jurisdiction of its courts and courts of appeal from them.
- 30.3 The Parties are not to object to the exercise of jurisdiction by those courts on any basis.

31 Joint and Individual Liability and Benefits



31.1 Except as otherwise set out in this Agreement:

31.1.1 any agreement, covenant, representation or warranty under this Agreement by 2 or more persons binds them jointly and each of them individually, and

31.1.2 any benefit in favour of 2 or more persons is for the benefit of them jointly and each of them individually.

32 No Fetter

32.1 The Parties acknowledge that Council is a consent authority with statutory rights and obligations pursuant to the Act.

32.2 This Agreement is not intended to operate, and shall not be construed as operating to fetter, in any unlawful manner:

32.2.1 the power of Council to make any law; or

32.2.2 the exercise by Council of any statutory power, discretion or duty.

32.3 Nothing in this Agreement shall be construed as requiring Council to do anything that would cause it to be in breach of any of its obligations at law.

33 Illegality

33.1 If this Agreement or any part of it becomes illegal, unenforceable or invalid as a result of any change to a law, the Parties are to co-operate and do all things necessary to ensure that an enforceable agreement of the same or similar effect to this Agreement is entered into.

34 Severability

34.1 If a clause or part of a clause of this Agreement can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way.

34.2 If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this Agreement, but the rest of this Agreement is not affected.

35 Amendment

35.1 No amendment of this Agreement will be of any force or effect unless it is in writing and signed by the Parties to this Agreement in accordance with section 203 of the Regulation.

36 Waiver

36.1 The fact that a Party fails to do, or delays in doing, something the Party is entitled to do under this Agreement, does not amount to a waiver of any obligation of, or breach of obligation by, another Party.



- 36.2 A waiver by a Party is only effective if it:
- 36.2.1 is in writing,
 - 36.2.2 is addressed to the Party whose obligation or breach of obligation is the subject of the waiver,
 - 36.2.3 specifies the obligation or breach of obligation the subject of the waiver and the conditions, if any, of the waiver,
 - 36.2.4 is signed and dated by the Party giving the waiver.
- 36.3 Without limitation, a waiver may be expressed to be conditional on the happening of an event, including the doing of a thing by the Party to whom the waiver is given.
- 36.4 A waiver by a Party is only effective in relation to the particular obligation or breach in respect of which it is given, and is not to be taken as an implied waiver of any other obligation or breach or as an implied waiver of that obligation or breach in relation to any other occasion.
- 36.5 For the purposes of this Agreement, an obligation or breach of obligation the subject of a waiver is taken not to have been imposed on, or required to be complied with by, the Party to whom the waiver is given.

37 GST

- 37.1 In this clause:
- 37.1.1 Adjustment Note, Consideration, GST, GST Group, Margin Scheme, Money, Supply and Tax Invoice have the meaning given by the GST Law.
 - 37.1.2 GST Amount means in relation to a Taxable Supply the amount of GST payable in respect of the Taxable Supply.
 - 37.1.3 GST Law has the meaning given by the A New Tax System (Goods and Services Tax) Act 1999 (Cth).
 - 37.1.4 Input Tax Credit has the meaning given by the GST Law and a reference to an Input Tax Credit entitlement of a party includes an Input Tax Credit for an acquisition made by that party but to which another member of the same GST Group is entitled under the GST Law.
 - 37.1.5 Taxable Supply has the meaning given by the GST Law excluding (except where expressly agreed otherwise) a supply in respect of which the supplier chooses to apply the Margin Scheme in working out the amount of GST on that supply.
- 37.2 Subject to clause 37.3, if GST is payable on a Taxable Supply made under, by reference to or in connection with this Agreement, the Party providing the Consideration for that Taxable Supply must also pay the GST Amount as additional Consideration.



- 37.3 No additional amount shall be payable by the Council under clause 37.2 unless, and only to the extent that, the Council (acting reasonably and in accordance with the GST Law) determines that it is entitled to an Input Tax Credit for its acquisition of the Taxable Supply giving rise to the liability to pay GST.
- 37.4 If there are Supplies for Consideration which is not Consideration expressed as an amount of Money under this Agreement by one Party to the other Party that are not subject to Division 82 of the A New Tax System (Goods and Services Tax) Act 1999, the Parties agree:
- 37.4.1 to negotiate in good faith to agree the GST inclusive market value of those Supplies prior to issuing Tax Invoices in respect of those Supplies;
- 37.4.2 that any amounts payable by the Parties in accordance with clause 37.2 (as limited by clause 37.3) to each other in respect of those Supplies will be set off against each other to the extent that they are equivalent in amount.
- 37.5 No payment of any amount pursuant to this clause 37, and no payment of the GST Amount where the Consideration for the Taxable Supply is expressly agreed to be GST inclusive, is required until the supplier has provided a Tax Invoice or Adjustment Note as the case may be to the recipient.
- 37.6 Any reference in the calculation of Consideration or of any indemnity, reimbursement or similar amount to a cost, expense or other liability incurred by a party, must exclude the amount of any Input Tax Credit entitlement of that party in relation to the relevant cost, expense or other liability.
- 37.7 This clause continues to apply after expiration or termination of this Agreement.

38 Explanatory Note

- 38.1 The Appendix contains the Explanatory Note relating to this Agreement required by s205 of the Regulation.
- 38.2 Pursuant to s205(5) of the Regulation, the Parties agree that the Explanatory Note is not to be used to assist in construing this Agreement



Schedule 1: Monetary Contribution

The terms of the monetary contribution and applicable credits are outlined below:

Development Contribution Roads	Value	Timing	Public Purpose
A credit will be applied to the overall amount payable for development contributions under the Amended Section 94	\$55,000 (excluding GST) will be the credit applied to the overall contributions payable under the Amended Section 94 Contributions	Prior to the release of the Subdivision Certificate.	Road widening



Contributions Plan for Roads, Traffic Management and Car Parking (2016)	Plan for Roads, Traffic Management and Car Parking (2016)		
Development Contribution Open Space	Value	Timing	Public Purpose
A credit will apply for development contributions applicable for Local Planning Unit West (South) under the Open Space and Recreation Facilities Contributions Plan (2016-2026)	\$229,125.91 will be the credit applied for Open Space Local Planning Unit West (South) under the Open Space and Recreation Facilities Contributions Plan (2016-2026).	Prior to the release of relevant Subdivision Certificate.	Recreation and sporting infrastructure
Development Contributions payable by the Developer for Citywide Planning Unit may be used for projects in local open space planning.	\$100,366.67 (open space and administration) for Citywide Planning Unit under the Open Space and Recreation Facilities (2016-2026). This amount is valid until 30 June 2023. CPI will apply from 1 July 2023 under (All Groups Index) Sydney.	Prior to the release of relevant Subdivision Certificate.	Recreation and sporting infrastructure

Council and the Developer agree to the following:

The dedication of land being **1,196m²** along the Minore Road frontage for road widening purposes as identified on the plan contained in Schedule 2 of this Agreement. A credit will apply under the Amended Section 94 Contributions Plan for Roads, Traffic Management and Car Parking (2016) equivalent to the value of the land as determined by a valuation being \$55,000 (excluding GST);

A credit of \$229,125.91 will apply under the Open Space and Recreation Facilities Development Contributions Plan (2016-2026) for Local Planning Unit for the prior transfer of land being Lot 11 DP 1142232 to Council for public recreation and sporting Infrastructure. Application of the credit will form part of the modification application consent conditions under D2021-820.



Schedule 2: Development Layout



Page 21 of 23



Executed as an Agreement

Dated: #

Executed by Dubbo Regional Council under seal in accordance with a resolution of Council dated ###

CEO

Witness

Mayor

Witness

Executed on behalf of the **Trustees of the Roman Catholic Church for the Diocese of Bathurst** by its attorney Patrick George Cooper and Fiona Lewis pursuant to power of attorney no. 57 book 4685.

Patrick George Cooper
Diocesan Financial Administrator

Fiona Lewis
Chancellor

APPENDIX







REPORT: Development Application D22-752 Multi-dwelling Housing (47 Units), 2 Monash Street, Dubbo

DIVISION: Development and Environment
REPORT DATE: 10 May 2023
TRIM REFERENCE: ID23/1031

EXECUTIVE SUMMARY

Purpose	Provide planning approval
Issue	<p>The key issues associated with the proposal include:</p> <ul style="list-style-type: none">• Traffic and access;• Noise attenuation;• Suitable urban design;• Overshadowing impacts; and• BASIX Certificate and NatHERS Certificate requirements.
Reasoning	<ul style="list-style-type: none">• With an estimated value of \$11,044,166.00, the application is being reported to Council for determination in accordance with Council's resolution of 9 May 2022 to limit the Chief Executive Officer's delegation, in the case of development with an estimated value higher than \$5 million.• Council received two public submissions raising concerns with the development proposal. Such matters are outlined within this report.• The proposal is a permitted land use in the R1 zone under the Dubbo Regional Local Environmental Plan 2022.• The proposal is considered to be consistent with the objectives of the R1 zone, in particular to provide for the housing needs of the community.• The proposal is consistent with the relevant provisions contained within the relevant State Environmental Planning Policies.• The proposal is generally compliant with the provisions of the Dubbo Development Control Plan 2013, any variations are considered justified.• The proposal incorporates adequate measures to ensure the development will not result in any adverse impacts on the natural and built environments.• The proposal is consistent with the public interest.• It is recommended the Development Application be approved, subject to conditions.

Financial Implications	Budget Area	Development contributions apply to the proposed development. Subject to payment of required developer contributions for water, sewer, stormwater drainage, open space and urban roads, the proposed development will have a beneficial financial impact on Council.
Policy Implications	Policy Title	<ul style="list-style-type: none"> • Dubbo Regional Local Environmental Plan 2022; • SEPP (Resilience and Hazards) 2021; • SEPP (Transport and Infrastructure) 2021; • SEPP (Building and Sustainability Index: BASIX) 2004; • Dubbo Development Control Plan 2013; and • Council's respective Water and Sewer, Recreation and Open Space, Urban Drainage, and Urban Roads contribution policies.
	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:	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

RECOMMENDATION

- 1. That Development Application D22-752 for multi-dwelling housing (47 units) at Lot 101 DP 1271696, 2 Monash Street, Dubbo, be approved subject to the conditions of consent set out in Appendix 2.**

Stephen Wallace
Director Development and Environment

SR
Statutory Planning
Services Team Leader

BACKGROUND

A Development Application was lodged 16 December 2022 for multi-dwelling housing at Lot 101 DP 1271696, 2 Monash Street, Dubbo.

The proposed development comprises 47 x two storey multi-dwelling units (the mix of which is shown in **Table 1**), stormwater drainage and other associated site works as shown in **Figure 1**.

DWELLING TYPES				
TYPES		NO OF BEDS	DWELLINGS NO	TOTAL NO
PLAN	ELEVATION			
TYPE 1	T1	5 BEDROOM	10,11,18&19	4
	T2	5 BEDROOM	12,13,16&17	4
	M1	5 BEDROOM	14&15	2
TYPE 2	T1	3 BEDROOM	26&27	2
	T2	3 BEDROOM	20&21	2
	M1	3 BEDROOM	22&23	2
	M2	3 BEDROOM	24&25	2
TYPE 3	T1	3 BEDROOM	1, 2,6&7	4
	M1	3 BEDROOM	5	1
TYPE 4	M1	3 BEDROOM	3 & 4	2
TYPE 5	M1	4 BEDROOM	8 & 9	2
TYPE 6	T1	4 BEDROOM	30,31,38,39,42&43	6
	T2	4 BEDROOM	32,33,36&37	4
	M1	4 BEDROOM	28,29,40&41	4
	M2	4 BEDROOM	34&35	2
TYPE 7	M1	4&2 BEDROOM	44	1
TYPE 8	M1	4 BEDROOM	45	1
TYPE 9	T1	4 BEDROOM	46	1
TYPE 10	T1	4 BEDROOM	47	1

Table 1: Proposed dwelling mix

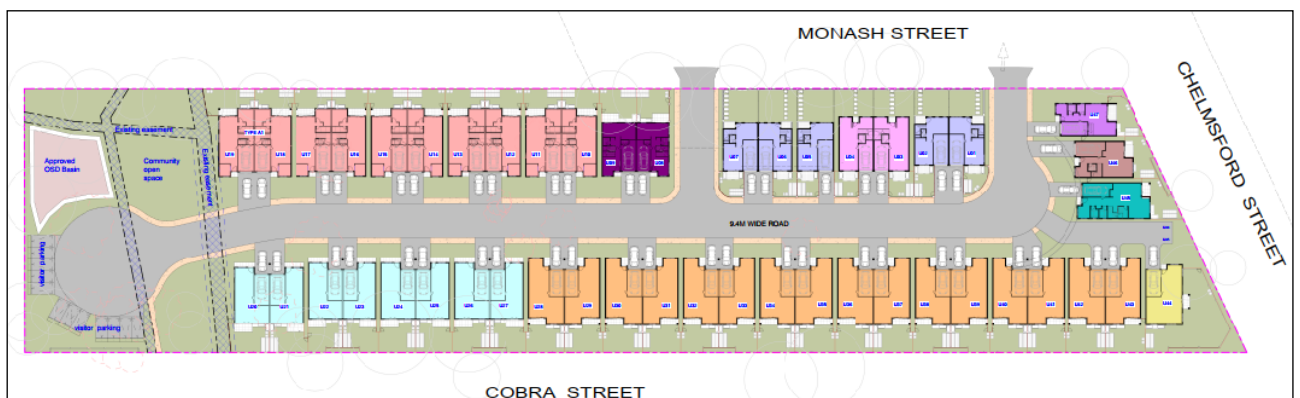


Figure 1: Proposed development

The full suite of development plans are provided in **Appendix 1**.

On 24 April 2023 and 8 May 2023, amended plans and documentation were submitted addressing issues with Council's additional information letter dated 13 March 2023 relating to overshadowing, car park manoeuvrability, BASIX/NatHERS Certificate requirements, and Essential Energy servicing requirements. As a consequence of some design concerns, the number of units was reduced from 48 (originally proposed) to 47.

With an estimated value of \$11,044,166 the proposed development does not require referral to the Western Region Planning Panel (WRPP) for determination, which requires a capital investment value of more than \$30 million to be considered regionally significant.

However, the Application is being reported to Council for determination in accordance with Council's 9 May 2022 resolution to limit the CEO delegation, in the case of development, with an estimated value higher than \$5 million.

Following consideration of the matters under Section 4.15(1) of the Environmental Planning and Assessment Act, 1979 (EP&A Act), the proposed development is consistent with the objectives of relevant State Environmental Planning Policies (SEPPs), the Dubbo Regional Local Environmental Plan (LEP) 2022, Development Control Plan 2013 (DCP) and Council policies. It is therefore recommended that, pursuant to Section 4.16(1)(a) of the EP&A Act, D22-737 be approved subject to the conditions of consent contained in **Appendix 2** of this report.

REPORT

Consultation

- Public Exhibition

The Development Application was placed on notification for a period of 19 days ending 28 January 2023, during which time adjoining property owners were notified in writing of the proposed development.

Two submissions were received by Council during the notification period. The matters raised are discussed within this report.

- Internal Consultation (Council)
 - Infrastructure Division

Council's Senior Development Engineer (SDE) did not raise any significant issues that require further investigation or that would prevent the application from being granted consent with conditions. The conditions recommended by the SDE will be included on the consent.

- Building Services Branch

Following the receipt of further information, Council's Senior Building & Development Certifier (SBDC) did not raise any significant issues that require further investigation or

that would prevent the Application from being granted consent with conditions. The conditions and notations recommended by the SBDC will be included on the consent.

- Environmental Compliance

Council's Environment and Health Specialist (EHS) 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 notation recommended by the EHS will be included on the consent.

- Resource Recovery and Efficiency

Council's Resource Recovery and Efficiency Coordinator provided comments regarding bin service provisions for this type of development. These comments have been noted and it is considered the development layout is such that waste collection vehicles can effectively access the site and undertake waste collection tasks.

Site Characteristics

Locality

The site has an area of 1.354ha and is located on the southern side of Monash Street. It also borders Chelmsford Street and Cobra Street. The land is the site of the former State Forestry Commission nursery. For a locality map of the site see **Figure 2**.



Figure 2: Aerial view of the site and locality

Slope

The site is relatively flat generally at 276.5mAHd with a fall to the north-west (274mAHd).

Vegetation

In addition to the plant nursery, the site contains minor ground vegetation and four (4) mature trees. There are also eight (8) mature trees in the adjoining Monash Street road reserve.

Access

Access to the site is obtained via Monash Street, a bitumen sealed public road with 'upright' kerb and guttering.

Drainage

Drainage would occur into Council's reticulated stormwater system on Monash Street.

Services

The site is connected to all utility services (water, sewer, stormwater and electricity).

Adjoining uses

The site is centrally located in the Dubbo urban area. It previously operated as a nursery with main brick building and shed improvements, as well as an irrigation system throughout.

The subject land is surrounded by a mix of development types including Apex Oval, low density residential within R1 zoned land, offices, and a depot. On the opposite side of Cobra Street is the former RAAF Base, which is subject to various mixed use re-development applications.

Site Inspection

An inspection of the site was conducted on 1 February 2023.

Site History

The site has been the subject of a number of Development Applications over the years. Relevant to this application are:

DA No.	Development Description
D84-43	Nursery – approved 16 April 1984
D17-52	Patio cover – approved 10 February 2017
D21-301	Multi dwelling housing (35 dwellings) – approved 26 August 2021

As per Development Consent D21-301 above, Council previously granted consent a similar development on the land, with that Application comprising 35 dwellings.

There are no issues from previous development approvals, which require further consideration.

Planning Assessment Section 4.15(1)

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

(a)(i) Environmental Planning instruments

SEPP (Building Sustainability Index: BASIX) 2004

A multi-dwelling BASIX Certificate has been lodged for the development, BASIX Certificate No. 1359934M issued on 7 December 2022. The BASIX Certificate is a valid certificate as it was generated within the last three months prior to the development application being lodged. However, not all the BASIX commitments were stated on the submitted plans as required by the BASIX certificate.

Following a request for additional information, the applicant on 24 April 2023 provided amended plans incorporating the BASIX commitments as stipulated in the BASIX certificate.

SEPP (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

The proposed development involves a change in the use of the site to a more sensitive land use and as such, the issue of contamination is relevant to the assessment of this development application.

Clause 4.6 requires that the issue of contamination and remediation be considered in the assessment of a DA. While the subject site is not listed on Council's register of potentially contaminated land, there are some concerns regarding previous activities.

The supporting Preliminary Site Contamination Assessment report dated 16 April 2021 and prepared by Barnson Pty.Ltd, made the following recommendations:

- *Based on the findings of the desktop review it can be stated with a reasonable level of confidence that the surface of the Subject Site is suitable for the proposed re-development as residential property.*
- *Given the uncertainties with regard to possible contamination of deeper soil layers, it is recommended that a Construction Environmental Management Plan (CEMP) be prepared, prior to further earthworks or construction activities being started. The purpose of the CEMP is for the management of soils excavated at the site and should include procedures for the management of sediment and erosion.*
- *The CEMP should further include an unexpected finds procedure to assist construction site managers or workers in the management of any contamination possibly uncovered during earthworks at the site.*
- *Given the observed damage to the former Forestry office building, it is further recommended that a geotechnical investigation of the site be undertaken to determine the composition and stability of the undelaying materials to support future construction at the site.*

Council's Environmental Compliance Branch considers the land suitable for the proposed residential use and has not recommended the undertaking of any remediation work in

accordance with Clause 4.7 of the SEPP as part of this application and that the standard condition regarding CEMP be included. No further investigations.

SEPP (Transport and Infrastructure) 2021

Chapter 2- Infrastructure

The application was referred to Essential Energy in accordance with Clause 2.48 for which they responded in separate correspondence dated 11 January 2023 and 5 May 2023, identifying that insufficient information was provided to fully assess the safety risks, and thus requested further information.

The Applicant has advised Council that they are liaising with Essential Energy regarding the development layout/design and its compliance with the requirements of the local electricity provider. In this regard, an appropriate notation will be included on the consent that the layout/design plans be in accordance with the requirements of Essential Energy.

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

Dubbo Regional Local Environmental Plan 2022

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

	Complies
Clause 1.2 Aims of the Plan	
The proposed development is not contrary to the relevant aims of the Plan.	Yes
Clause 1.4 Definitions	
The proposed development is defined as: multi dwelling housing means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.	Yes
Clause 2.2 Zoning of land to which Plan applies	
The subject site is zoned R1 - General Residential.	Yes
Clause 2.3 Zone objectives and Land Use Table	
The proposed development is permissible with consent in the R1 zone and is considered consistent with the following zone objectives: <ul style="list-style-type: none">• To provide for the housing needs of the community;• To provide for a variety of housing types and densities; and• To ensure development is consistent with the character of the immediate locality. While not contrary to, the remaining zone objective is not applicable in this instance.	Yes
Clause 2.7 Demolition requires development consent	
The Applicant has lodged a Demolition Management Plan, Waste Management Plan and Demolition Work Plan that demonstrate the demolition will be undertaken in an environmentally suitable manner. Conditions will be included on the consent that the demolition be undertaken in accordance with such documentation and generally in accordance with Australian Standard 2601-	Yes

2001 – <i>The Demolition of Structures.</i>	
Clause 5.10 Heritage conservation	
The proposed development is in the vicinity of heritage item No.191, being the (former) RAAF Stores Depot, located Palmer Street. However, it is considered that the proposed development will not compromise the heritage integrity of this item. See assessment against Section 3.4 – Heritage Conservation of Dubbo DCP 2013.	Yes
No aboriginal sites are likely to be found on this highly disturbed site. Standard condition recommended regarding any Aboriginal archaeological material being discovered during construction works.	Yes
Clause 5.14 Siding Spring Observatory – maintaining dark sky	
<p>The proposed development has been assessed as unlikely to adversely affect observing conditions at the Siding Spring Observatory, having regard to subclauses:</p> <ul style="list-style-type: none"> • 2(a) - the amount of light to be emitted; • 2(b) - the cumulative impact of the light emissions with regard to the critical level; • 2(c) - outside light fittings (shielded light fittings); • 2(d) - measures taken to minimise dust associated with the development; and • 2(e) - the Dark Sky Planning Guidelines published by the Secretary under clause 92 of the EP&A Regulation 2000. <p>Additionally, as per subclause (7) the proposed development is not considered likely to result in the emission of light of 1,000,000 lumens or more.</p> <p>Condition accordingly that the dwellings (individually) must not be provided with more than seven (7) outside light fittings, all of which must be shielded. If more than five (5) shielded outside light fittings are provided, those additional fittings must also be automatic light fittings.</p>	Yes
Clause 7.2 Earthworks	
<p>The proposed development will require earthworks to be undertaken on site, including the fill material to be brought onto site to level the site.</p> <p>To minimise any potential for land pollution, the application will be conditioned that only Virgin Excavated Natural Material (VENM) and/or Excavated Natural Material (ENM) shall be used as source of fill material.</p> <p>Condition accordingly that a VENM Certificate must be supplied prior to transporting VENM to the receiving site. VENM must be transported in accordance with a Notice under Section 143 of the Protection of the Environment Operations Act, 1997.</p> <p>A further condition will be included on the consent that erosion and sediment control measures are required before any earthworks commence.</p>	Yes
Clause 7.5 Groundwater vulnerability	
The site is mapped with one-eighth (eastern part) of the site included on the Natural Resource – Groundwater Vulnerability map. It is considered unlikely the proposed development will result in groundwater contamination. It is also considered unlikely that the proposed development will result in an adverse impact on groundwater dependent ecosystems or have a cumulative adverse impact on groundwater.	Yes
Clause 7.7 Airspace operations	

The subject site is located within the Obstacle Limitation Surface Map at height 380mAHD. The Finished Floor Level for the proposed development at its highest point is 276.95mAHD and with the development having a height of 8.54 metres, which equates to an overall height of 285.49mAHD, 94.51m below the surface map.	Yes
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(a)(ii) Draft Environmental Planning instruments

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

(a)(iii) Development control plans

Dubbo Development Control Plan 2013

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

Chapter 2.1 Residential Development and Subdivision

Chapter 2.1.2 Residential Design	Complies
Element 1 Streetscape character	
<p>The development site has frontage to three (3) streets. Notwithstanding the unique configuration of the site, the development has been designed to be consistent with the desired character of the locality.</p> <p>The frontage of dwellings and their entries are readily apparent from the internal road to be constructed.</p> <p>The design has incorporated various features to maximise the visual interest of the development both from the street and internally, including stepped/modulated front elevations of the dwelling/s; articulation through the provision of porches, variations in building materials, colours and roof profiles and also through the provision of landscaping.</p> <p>No component of the proposed development is a mirror reverse design.</p> <p>Garage doors are generally setback behind the front building line so as to not dominate the design.</p> <p>Side and rear boundary fencing in the locality is of predominantly 1.8m high of various materials including Colorbond construction. The development proposes a modular wall along the Cobra and Chelmsford Street boundaries. Its primary purpose is to assist with highway noise mitigation. Such fencing will be interspersed with landscaping to break up the blank wall treatment.</p> <p>To be consistent with the character of the locality, fencing along part of Monash Street (adjacent to Units 1-7) will be limited to a 1.5m brick posts with timber paling design. For the remainder of the northern boundary a 1.8m fence is proposed at the north/rear boundary of Units 8-19. All fencing types are considered acceptable.</p> <p>As part of the Multi Dwelling Housing considerations, the site exceeds a minimum area of 700m² and a frontage of 20m.</p>	Yes
Element 2 Building setbacks	
<p>The proposed development has been designed and sited so that the new dwellings access the new internal road from Monash Street.</p>	Yes

<p>The proposed development maintains the minimum setback of 4.5m from the front property boundary being Monash Street and a garage setback of 5.5m.</p> <p>Established dwellings are generally setback approximately 6-7m. The front setbacks for the proposed units facing Monash Street are consistent with the established setbacks.</p> <p>There is generally no proposed secondary frontage. Notwithstanding the proposed buildings along Chelmsford Street are setback greater than 3m.</p>	
<p>Element 3 Solar access</p>	
<p>Following a request for further information, amended shadow diagrams demonstrate that the proposed development is designed to enable sufficient solar access is available to habitable rooms, solar collectors, private open space and clothes drying facilities for all units at the winter solstice.</p> <p>Sufficient roof area exists for the installation of solar panels if desired in the future.</p> <p>Further, despite being a two (2) storey development, the proposed development will not reduce the level of solar access currently provided to adjoining properties.</p>	Justify
<p>Element 4 Private open space and landscaping</p>	
<p>The overall POS (excluding areas forward of the building line) to be 5% of the site area is as follows:</p> <p>Site Area = 13,540m² 5% of site area = 677m² Total POS = 2,808.3m²</p> <p>All proposed dwellings achieve one (1) area accessible from a living area that is a minimum 5m x 5m in area.</p> <p>It is proposed to retain all significant healthy trees including the mature trees along Monash Street. A variety of new landscape plantings are proposed to enhance the appearance of the developed site. New plantings will consist of a mixture of new trees, shrubs and groundcovers.</p> <p>A landscaping plan has been submitted as part of the application which indicates landscaping of suitable height, density and species to be provided to the site to adequately soften the development.</p> <p>The proposed landscaping will not impact existing infrastructure or the solar access to adjoining properties.</p>	Yes
<p>Element 5 Infrastructure</p>	
<p>Water and sewerage services are available to the site. Electricity supply is to be provided to each dwelling via underground trenching. Council's Senior Development Engineer has reviewed the proposed servicing strategy and is satisfied the all proposed development can be adequately serviced.</p>	Yes
<p>Element 6 Visual and Acoustic privacy</p>	
<p>The proposed development is not likely to result in visual privacy issues. The proposed development has been designed to ensure visual privacy is maintained between adjoining development and the subject dwellings. Additionally, appropriate fencing along allotment boundaries as well as between dwelling units will ensure privacy to the proposed dwellings and open space areas.</p> <p>No dwellings have habitable room windows or balconies with a direct outlook to the habitable room windows of private open space areas of adjacent dwellings.</p> <p>Noting the developments location adjacent to a highway, the supporting Noise Impact Assessment dated 25 November 2022 and prepared by Assured Environmental, concludes the following:</p> <p><i>Along with the individual dwellings, a 1.8 m high acoustic barrier will be constructed around</i></p>	Yes

<p><i>sections of the Lot boundary as indicated in the provided plans.</i></p> <p><i>Using the maximum predicted façade noise level that may be received at any of the 28 separate buildings, the internal noise level was assessed for each building type.</i></p> <p><i>The noise modelling and calculations indicate that the noise reduction achieved by the combination of the 1.8 m boundary noise barrier and the proposed building construction in Table 11 will achieve the required noise isolation, for all of the potential building types located at any of the proposed building locations within the Lot.</i></p> <p><i>In summary, the noise impact assessment predicts compliance with the Infrastructure SEPP, AS2107 and Acceptable Outcome A2.5 of the DDCP inside the habitable rooms of every proposed dwelling within the Lot. Utilising suggestions in Table 11</i></p> <p>Condition accordingly that prior to any Construction Certificate being issued by any Principal Certifying Authority, details shall be provided demonstrating compliance with the recommendations of the Noise Impact Assessment prepared by Assured Environmental, with construction completed prior to the issue of the Occupation Certificate.</p>	
<p>Element 7 Vehicular access and car parking</p>	
<p>Two (2) vehicular entrances are available to the development via Monash Street. The new internal road is generally 7 metres in width which will permit two (2) vehicles to pass, with no gates proposed.</p> <p>Required carparking spaces:</p> <ul style="list-style-type: none"> • 2+ bedroom dwellings (47) x 2 = 94 spaces • Visitor Parking $47 \div 4 = 11.75$ (say 12) spaces <p>Total spaces required = 106. Total spaces provided = 106</p> <p>Each of the dwellings are provided with two (2) spaces – a single car garage (i.e. behind the building line), and a stacked car parking space forward of the garage. This second space, although forward of the building line, will still ensure vehicles can park without conflicting with through traffic of the internal road.</p> <p>Twelve (12) visitor spaces are also available at the western end of the development site.</p> <p>Condition that all spaces to be clearly marked.</p>	<p>Justify</p>
<p>Element 8 Waste Management</p>	
<p>Some solid wastes will be produced during demolition works. In terms of waste management, Council's Environmental Compliance Branch provided the following comments:</p> <p><i>The SEE addresses the domestic waste and demolition and construction waste. Barnson recommends a demolition work plan be prepared and implemented. Standard conditions recommended.</i></p> <p>Noting the comments above, condition application that the demolition of the existing structure and infrastructure to be undertaken in accordance with AS 2601-2001 -The Demolition of Structures, including waste disposal.</p> <p>Domestic waste and recycling bins are to be stored at each unit behind the building line and emptied via Council's waste collection service. Internal roadways have been designed to accommodate waste collection vehicles.</p>	<p>Yes</p>
<p>Element 9 Site facilities</p>	
<p>The proposed development will provide mail boxes to each dwelling and adequate storage areas that combined will comply with the 8m³ minimum requirement.</p>	<p>Yes</p>

Element 10 Non-residential uses	
Not applicable to this application.	N/A
Element 11 Signage	
Not applicable to this application.	N/A
Chapter 2.1.3 Subdivision Controls	Complies
While an application has not been lodged for Strata or Community Titled Subdivision, all the elements are available to facilitate such development in the future.	N/A

(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 vegetation and as such negligible impact on the natural or built environment. It is considered there are only beneficial social and economic impacts resulting from the proposed development.

According to Chapter 3.3 of the Dubbo Development Control Plan 2013 multi-dwelling housing developments with 40 or more dwellings are required to be accompanied by a Social Impact Statement. Such a Statement has been submitted with this Application. The submitted Statement concludes there will only be beneficial social impacts as a consequence of this development, focussing on the additional supply of housing stock within the city. Its location has also been identified as being close to community facilities and public transport options.

In terms of the developments design, it is considered the design:

- Provides communal open space areas for passive recreation by residents;
- Reflects the existing built form and character of the locality; and
- Applies Crime Prevention Through Environmental Design (CPTED) principles to the design including opportunities for passive surveillance of communal areas, no entrapment areas, and suitable lighting and landscaping to minimise anti-social behaviour.

(c) Suitability of the site

(a) Context, setting and public domain

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

It is proposed to retain all significant healthy trees especially the mature trees along Monash Street. A variety of new landscape plantings are proposed to enhance the appearance of the developed site. New plantings will consist of a mixture of new trees, shrubs and groundcovers which will not have any adverse effect on the landscape/scenic quality, views/vista, and access to sunlight on adjacent properties or in the locality.

- (ii) *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.

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

It is considered the size and shape of the land is suitable for the proposed development.

- (iv) *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.

- (v) *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.

(b) Environmental considerations

- (i) *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?*

The proposed development is not likely to adversely impact the environment.

- (ii) *Is the development likely to cause noise pollution?*

Standard conditions relating to hours of construction will be placed on the consent.

Upon occupation, the residential development is unlikely to generate noise above that of adjoining development.

(c) Access, transport and traffic

- (i) *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 January 2023, during which time adjoining property owners were notified in writing of the proposed development.

Council received two submissions (**attached as Appendix 3**) during the notification period. The main issues raised are summarised below, with comment provided.

- *That crime and anti-social behaviour will increase*

Comment

Crime prevention strategies through surveillance, access control, territorial reinforcement and space management in accordance with the CPTED Guidelines have been considered in relation to the proposed development.

Clear sight lines from the dwellings to the adjacent car parks and access points from the street are proposed with effective lighting around buildings, driveways, pedestrian pathways and car parking areas to ensure night time visibility.

In addition, the development has been designed to make it clear what is private and public land and communal areas of the site will be well maintained.

These measures in combination are used to ensure that developments does not create or exacerbate crime risk.

- *That the dwellings in such a small area will be too small to subdivide in the future*

Comment

The proposed development is permissible with consent in the R1 – General Residential zone and is considered consistent with the following zone objectives:

- To provide for the housing needs of the community; and
- To provide for a variety of housing types and densities.

While an application has not been lodged for Strata or Community Titled Subdivision, all the elements are available to facilitate such development in the future.

- *That the proposed development is not consistent with the character of the immediate locality*

Comment

As noted above, the proposal meets the objective of the R1 zone. The development is considered to be innovative in design and the use of materials will make a positive contribution to the streetscape, being compatible in terms of form, character and design with other development in the locality.

It is considered that the development will be acceptable and within guidelines provided by the Dubbo Regional LEP and supporting DCP and will not place any unreasonable demands upon infrastructure or services within its locality.

- *Do not want low cost housing in this area of Dubbo, particularly adjacent to Apex Oval*

Comment

The development has not been identified as an affordable housing type, therefore the comments that it will be 'low cost housing' is unfounded. As identified, this development will provide an alternative type of housing for residents of Dubbo. The purported negative link between this development and Apex Oval is unknown.

- *That the proposed access arrangements from Monash Street will lead to traffic congestion and conflict. Recommend one entry/exit from Chelmsford Street*

Comment

The surrounding road network is considered to have sufficient capacity for the proposed development.

Monash Street is a 'collector road' and functions as a low-to-moderate capacity road which serves to move traffic from local streets to 'arterial roads'. However, unlike 'arterial roads', 'collector roads' are designed to provide access to properties.

The road width for Monash Street is of sufficient width to allow safe access for vehicles, being ten metres kerb to kerb. Having regard to the above considerations, it is considered that Monash Street has sufficient capacity to accommodate the additional traffic flow generated by the proposed development.

- *That there is a needle exchange on the corner of Cobra and Palmer Street, which leaves a number of needles lying around the streets already*

Comment

The needle exchange is administered by NSW Health. The purported link between this development and the needle exchange location is unknown.

- *That the proposed development should be a gated estate*

Comment

The development has been designed to integrate with its surrounds, and make a positive contribution to the character of the locality. It is considered a gated estate will give the feeling of excluding the proposed development from the rest of the community.

- *That the proposed 1.5m high back fencing fronting Monash Street should be increased to 1.8m to prevent dogs getting out*

Comment

The development site has a unique configuration with frontage to three streets. The frontage and entries of the proposed building will be readily apparent from the internal driveway construction. This leaves five dwellings with dual road frontages to Monash Street.

To be consistent with the character of the locality, fencing along this part of Monash Street will be limited to a 1.5m brick posts with timber paling.

Responsible dog ownership means ensuring adequate fencing to the breed, gates remain locked or shut and there are no holes or gaps where they can escape.

- *That the proposed development results in an adverse impact on streetscape and residential amenity.*

Comment

The proposed development is residential and it is considered that the external appearance of the development is appropriate having regard to the character of the locality. The proposed development is innovative in design and the use of materials and will make a positive contribution to the streetscape, being compatible in terms of bulk, design and scale.

It is considered that the development will not have any adverse effects on adjoining properties and is considered to be acceptable and within guidelines provided by Dubbo Regional LEP 2022 and Dubbo DCP 2013.

- *That the proposed development will detrimentally impact on residential values*

Comment

There is no conclusive evidence that the proposed development will devalue adjoining properties and should not be left to individual judgement and better answered on the basis

of long term objectivity (being truly reflected in future increases in market demand) verses individuals short term gains (implying current limited market activity).

(e) *Public interest*

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

Contributions Section 64 & Section 7.11

Contribution calculations based on 47 multi-dwelling units. Credit applied to existing allotment and the previous development for a nursery.

Contribution Type	Calculation	Sub Total
s.64 Water Headworks	<p>City Precinct ET rate: = \$6,235.30 ET for townhouses: = 0.5 No of dwellings units: = 47</p> <p>Note: The Policy does not identify an equivalent water usage for a nursery. However, based on Council records, when the property previously operated as a nursery (using 2021 quarterly water usage rates) average daily usage was 16,600.3L, or 3.12 ETs. This will therefore be used as a credit.</p> <p>Contribution: = \$rate x (no of units x 0.5 ETs) – credit = \$6,235.30x (47 x 0.5) – 3.12 = \$6,235.30x 20.38</p>	\$127,075.41
s.64 Sewer Headworks	<p>City Precinct ET rate: = \$6,235.30 ET for townhouses: = 0.5 No of dwellings units: = 47 Credit: = 1.0</p> <p>Note: The Policy does not identify an equivalent sewer impact for a nursery. Therefore it is considered appropriate to apply a 1 ET credit for the allotment.</p> <p>Contribution: = \$rate x (no of units x 0.5 ETs) – credit = \$6,235.30x (47 x 0.5) – 1 = \$6,235.30x 22.5</p>	\$140,294.25
Open Space Recreation Contribution	<p>The property is located within the Central (South) planning unit. The contribution would thus be calculated as follows:</p> <p>Rate: Central (South) = \$1,544.93 per person (including city wide and admin) No of persons per 3+ bedroom unit: = 2.6 No of 2+ bedroom units: = 47 Credit: Nil (as previous use not residential development)</p> <p>Contribution = \$rate x (no. 2+bed x persons) = \$rate x (47 x 2.6) = \$rate x 122.2</p> <p>Local Area: = \$890.65 x 122.2 City Wide: = \$627.65 x 122.2</p>	<p>\$108,837.43 \$76,698.83</p>

	Administration: = \$26.63 x 122.2	\$3,254.19
	Total:	\$188,790.45
Stormwater Contribution	<p>The site falls within the 1.5 Wingewarra Street Drainage Scheme under the <i>Section 94 Contribution Plan - Urban Stormwater Drainage Headworks Contributions</i>.</p> <p>For this catchment, Urban Stormwater contributions are applicable on a per hectare basis.</p> <p>The existing lot / nursery development was created / approved prior to the Plan and therefore the 1.54ha site has not contributed to the urban stormwater scheme, nor did it comprise of a significant impervious area, for which a credit may have been considered.</p> <p>Council's 2022/2023 Revenue Policy for the "1.5 Wingewarra Street Drainage Scheme" is \$1,107.35 per hectare.</p> <p>Contribution = \$1,107.35 x 1.54</p>	\$1,705.32
Urban Roads Headworks Contribution	<p>Residential per trip / day contribution \$639.10 (including admin)</p> <p>Daily trip generation per 3 bedroom unit: 6</p> <p>Number of 3 bedroom units: 15</p> <p>Daily trip generation per 4+ bedroom unit: 11</p> <p>Number of 4+ bedroom units: 32</p> <p>Credit: 152 trips</p> <p>Note: Credit based on former use of the land as a <i>garden centre</i>, which generates 40 trips per 100m² GFA. GFA determined as 380.35m².</p> <p>Contribution: = \$rate x [(no 3 bed x trip) + (no 4+ bed x trip) – credit] = \$rate x [(15 x 6) + (32 x 11) – 152] = \$rate x [90 + 352] – 152 = \$rate x [442 – 152] = \$rate x 290</p> <p>Urban Road: = \$633.10 x 290</p> <p>Administration: = \$6.00 x 290</p>	<p>\$183,599.00</p> <p>\$1,740.00</p> <p>\$185,339.00</p>

Appropriate conditions will be included on the consent for the payment of the above contributions prior to the issue of the relevant Occupation Certificate.

Options Considered

Council has the following options:

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

This is the recommended option.

2. That the application be deferred for further consideration.

This option will delay the determination of the development application.




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

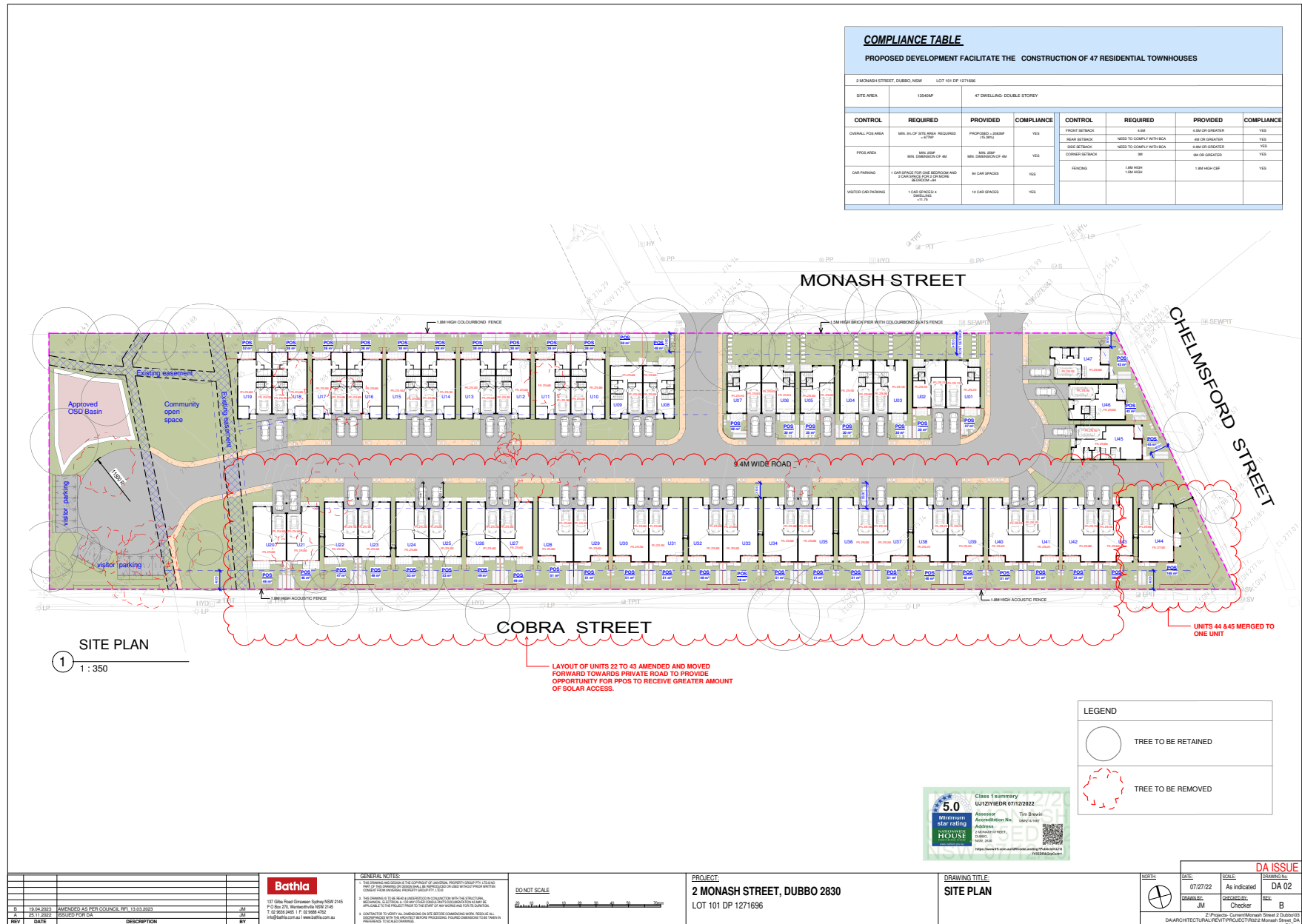
This option may result in an appeal to the Land and Environment Court.

APPENDICES:

1. Architectural Plans
2. Conditions and Notations

APPENDICES:

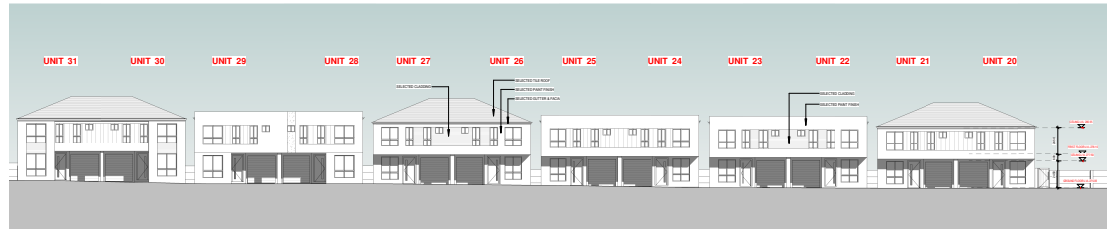
- 1  Development Plans
- 2  Conditions and Notations
- 3  Submissions





NORTH INTERNAL STREET ELEVATION - PART A

① 1:200



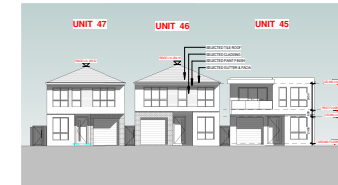
NORTH INTERNAL STREET ELEVATION - PART B

② 1:200



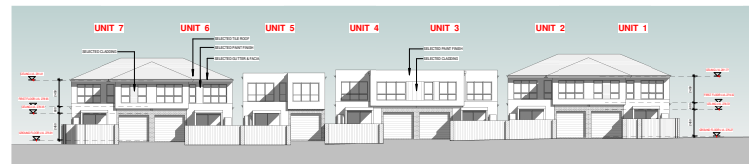
SOUTH INTERNAL ELEVATION - PART A

③ 1:200



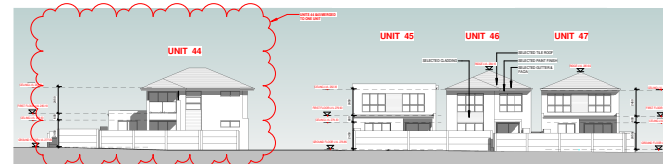
EAST INTERNAL ELEVATION

⑤ 1:200



SOUTH INTERNAL ELEVATION - PART B

④ 1:200



EAST ELEVATION

⑥ 1:200

REV	DATE	DESCRIPTION	BY
B	19.04.2023	AMENDED AS PER COUNCIL REF. 13.03.2023	JM
A	25.11.2023	ISSUED FOR DA	JM

Bathia
137 Gila Road Gunnedah NSW 2345
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info@bathia.com.au www.bathia.com.au

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3. THE CONSULTANT IS NOT RESPONSIBLE FOR THE ACCURACY OF ANY INFORMATION PROVIDED BY THE CLIENT OR ANY OTHER PARTY.

DO NOT SCALE
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PROJECT:
2 MONASH STREET, DUBBO 2830
LOT 101 DP 1271696

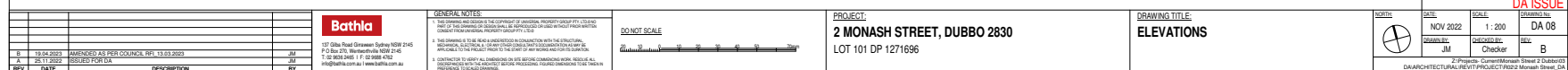
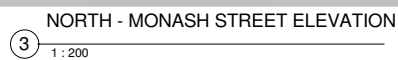
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ELEVATIONS

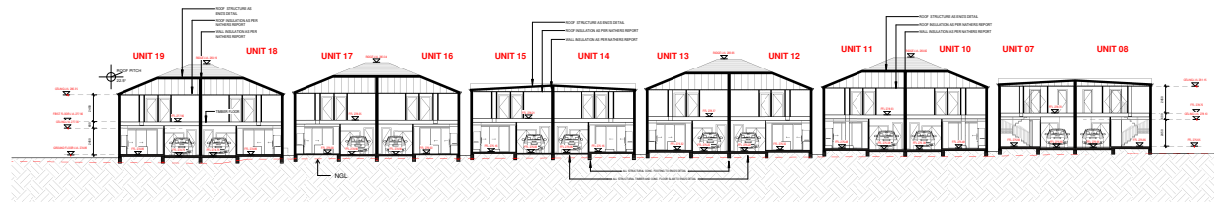


DA ISSUE			
DATE	SCALE	REVISION	DA
NOV 2022	1:200	DA 07	
PREPARED BY	CHECKED BY	REV	B
JM			

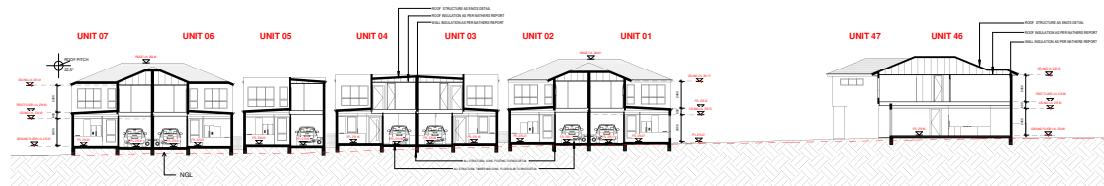
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2004.2023 10:07:54 AM A1

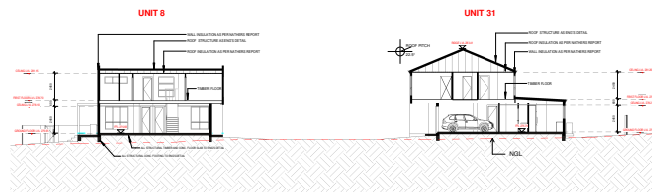




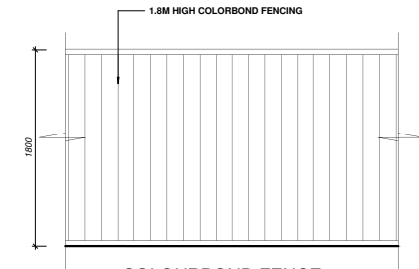
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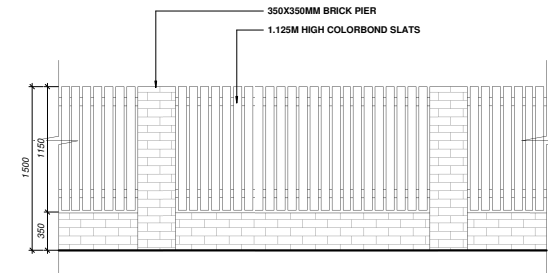
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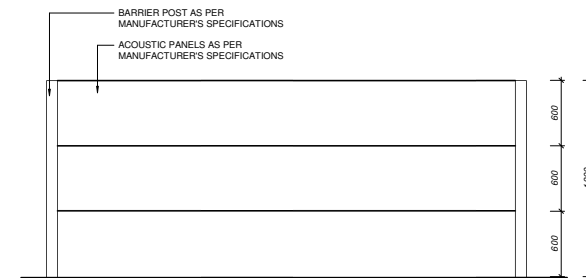
SECTION BB

3
1 : 200

COLOURBOND FENCE

4
1 : 20

BRICK PIER WITH COLOURBOND SLATS

5
1 : 20

ACOUSTIC FENCE

6
1 : 20

REV	DATE	DESCRIPTION	BY
1	19.04.2023	AMENDED AS PER COUNCIL RPT 13.03.2023	JM
2	25.11.2023	ISSUED FOR DA	JM

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DO NOT SCALE
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PROJECT:
2 MONASH STREET, DUBBO 2830
LOT 101 DP 1271696

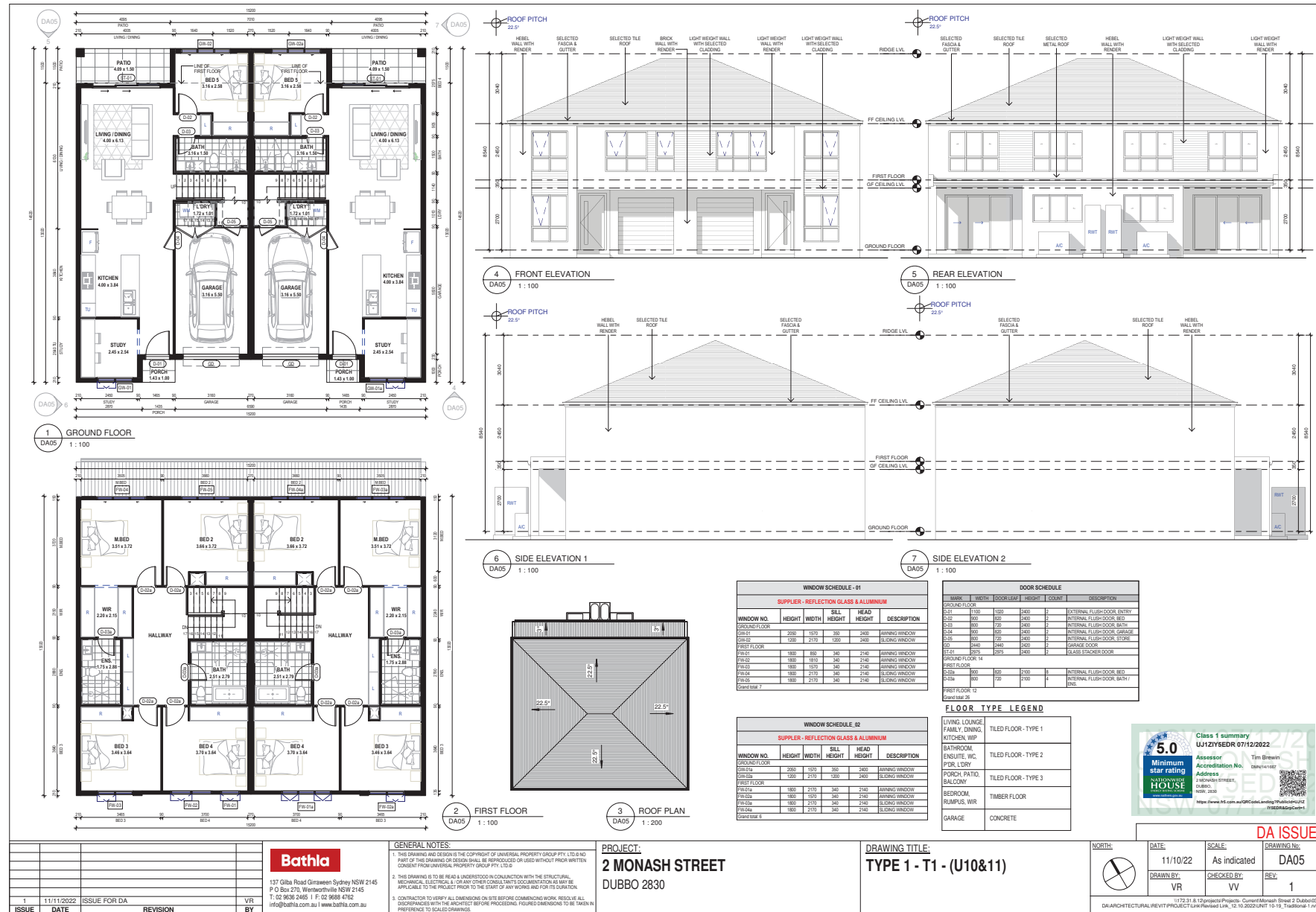
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SECTIONS

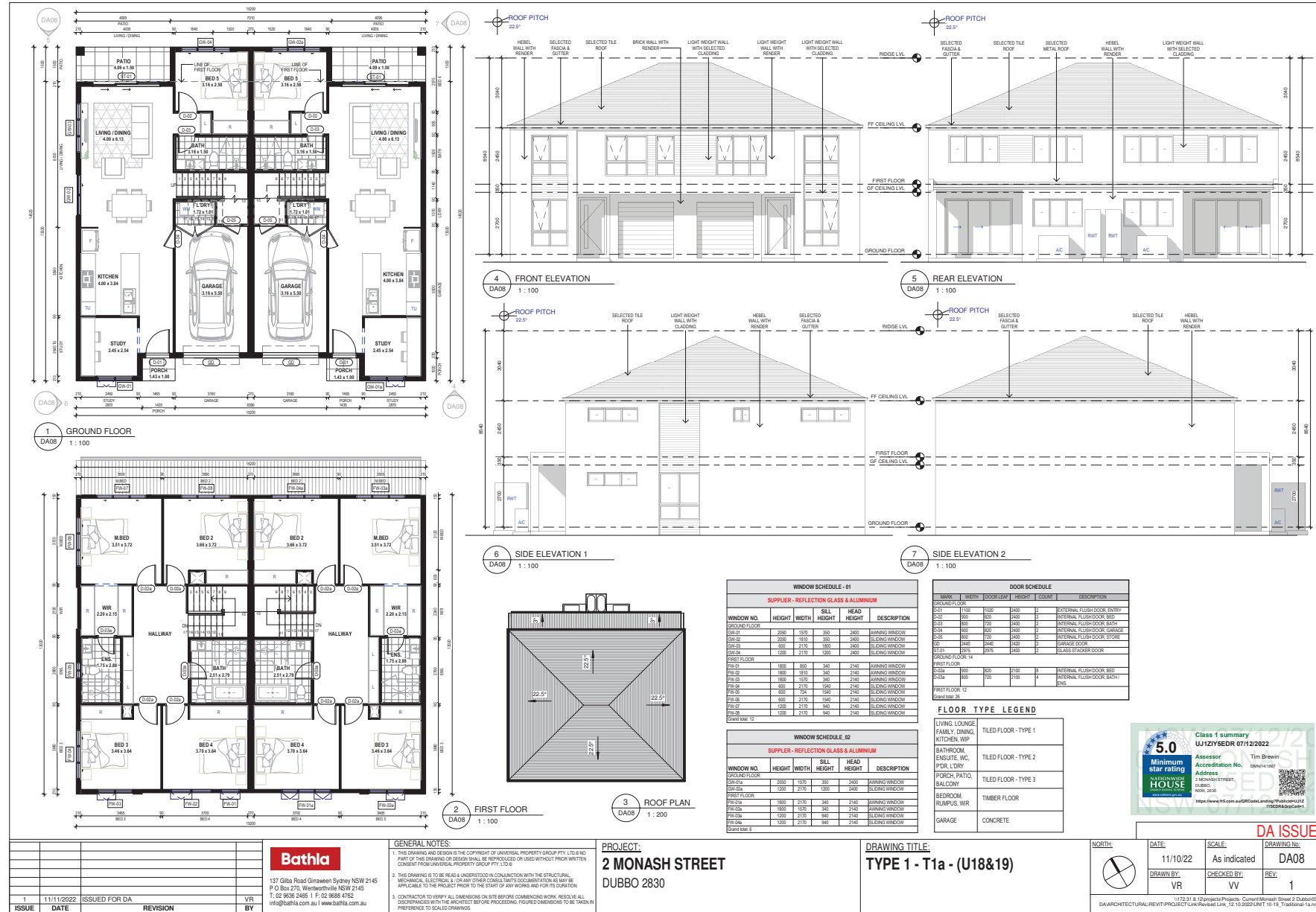
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NOV 2022	As indicated	DA 10
DRAWN BY: JM	CHECKED BY: JM	REV: B

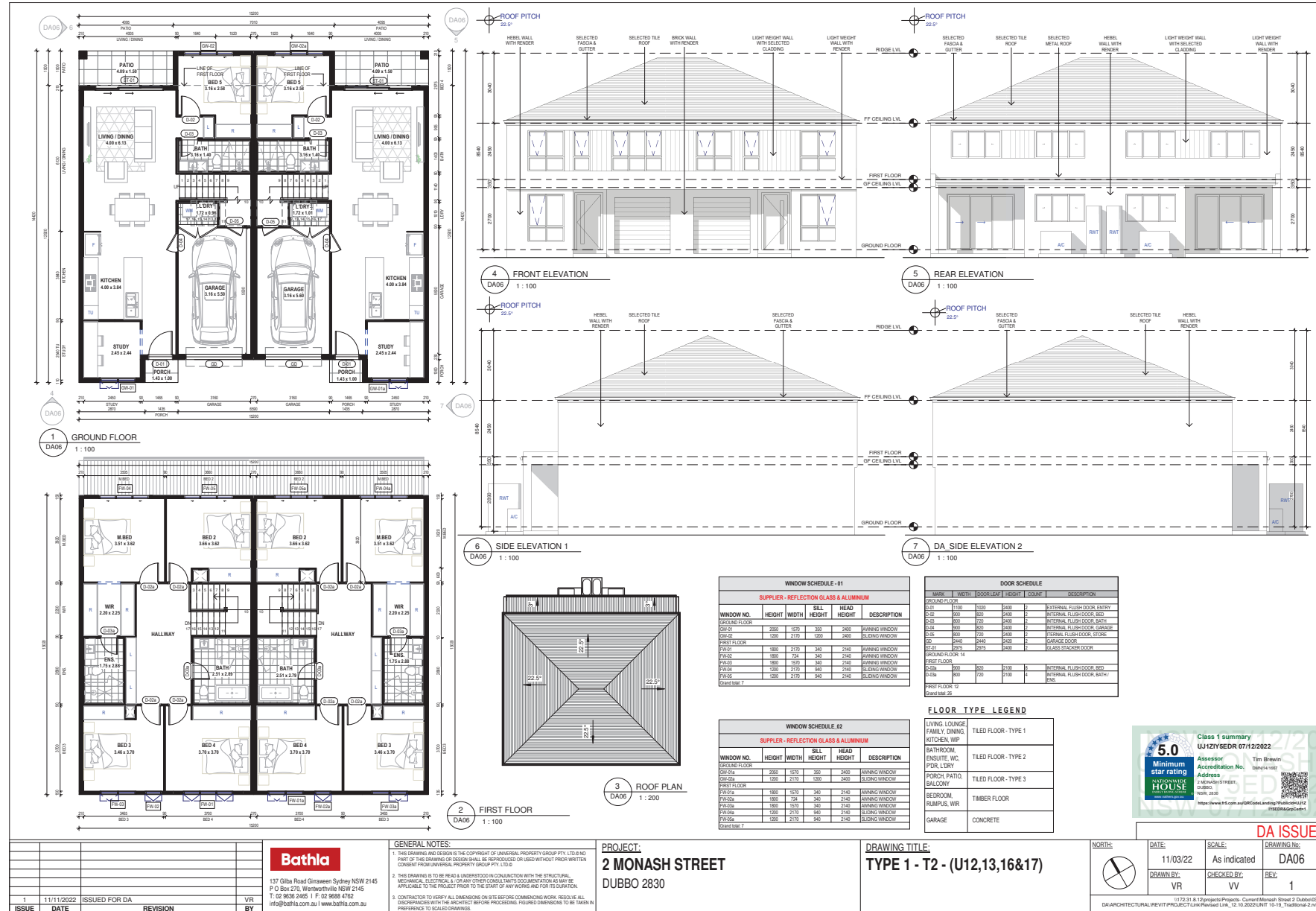
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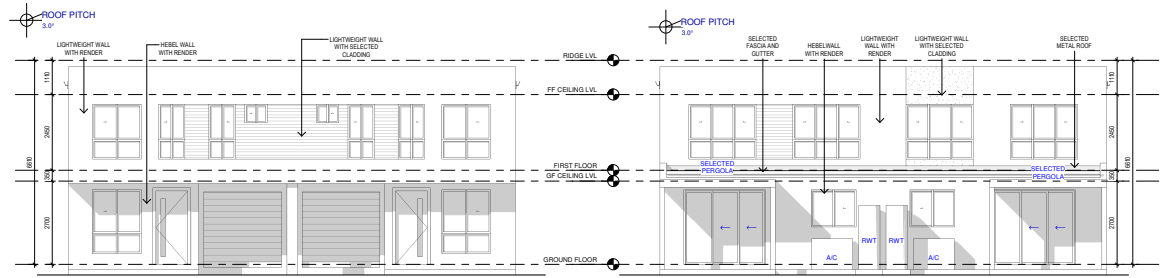
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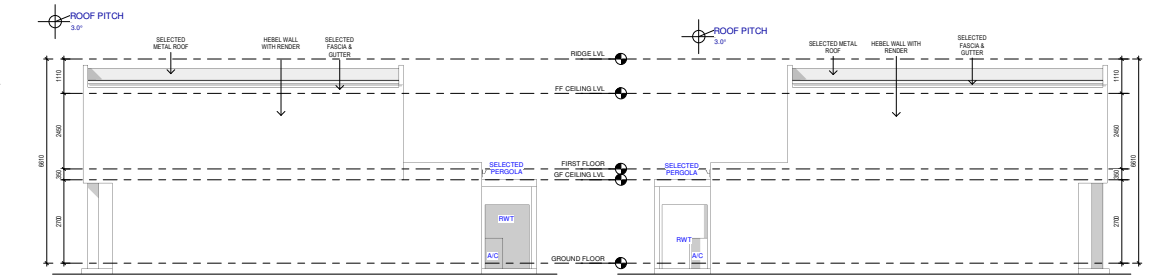




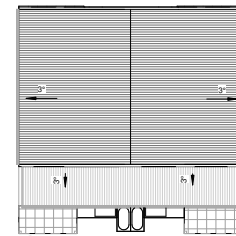




4 REAR ELEVATION
DA10 1:100




6 SIDE ELEVATION 2
DA10 1:100



		ROOF
		GARAGE

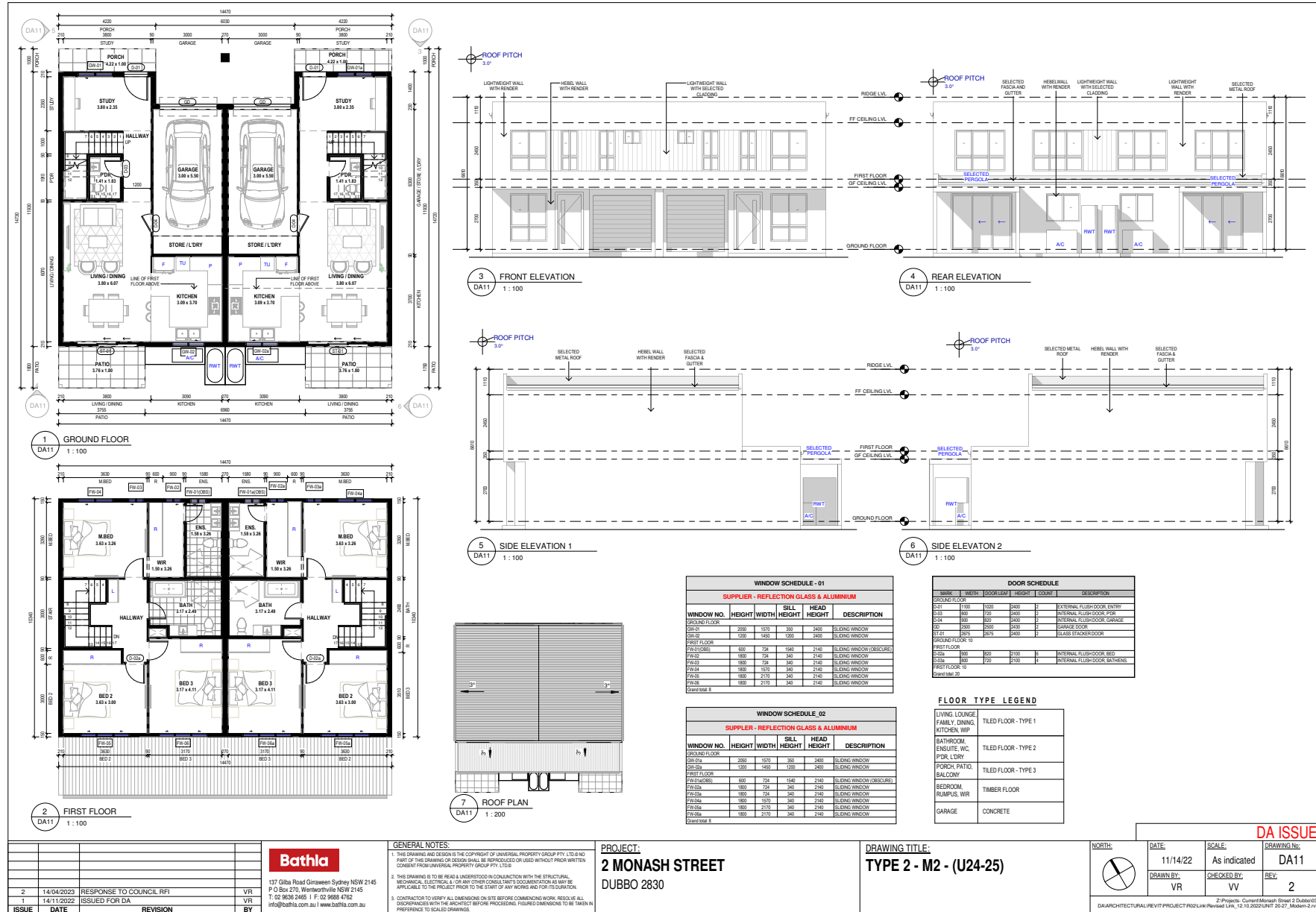
DOOR SCHEDULE					
MARK	WIDTH	DOOR LEAF	HEIGHT	COUNT	DESCRIPTION
GROUND FLOOR					
D-01	1700	1250	2400	2	EXTERNAL FLUSH DOOR, ENTRY
D-02	1000	725	2400	2	INTERNAL FLUSH DOOR, PASS
D-04	900	920	2400	2	INTERNAL FLUSH DOOR, GAR
G-01	2500	2500	2430	2	GARAGE DOOR
ST-01	2575	2675	2400	2	GLASS STACKER DOOR
GROUND FLOOR 10					
FIRST FLOOR					
D-02a	900	920	2100	5	INTERNAL FLUSH DOOR, BED
D-03a	800	725	2100	4	INTERNAL FLUSH DOOR, BATH
FIRST FLOOR 10					
Basement					

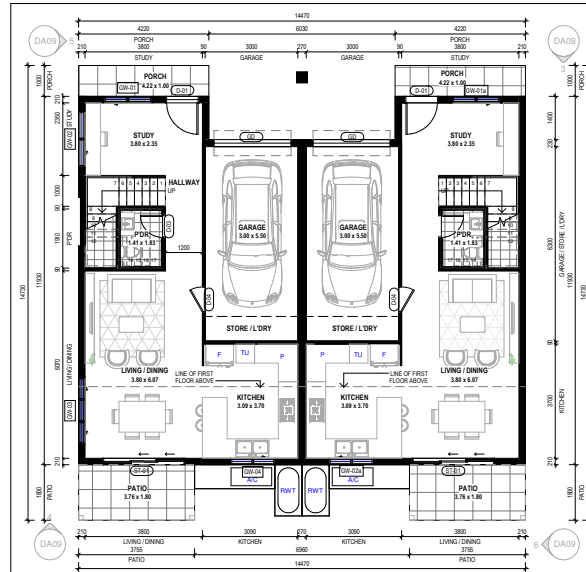
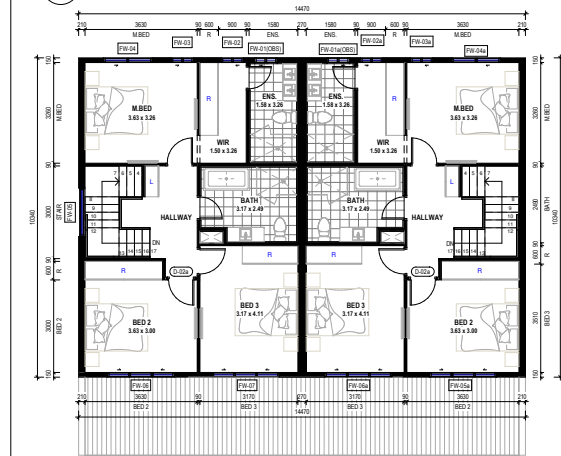
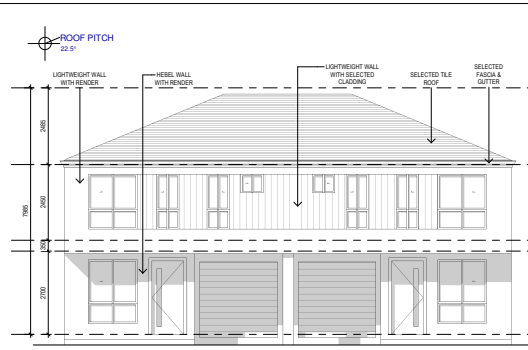
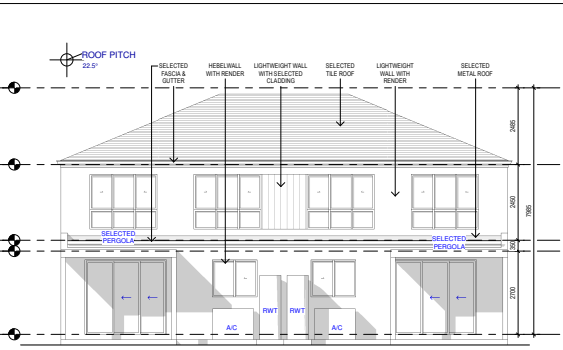
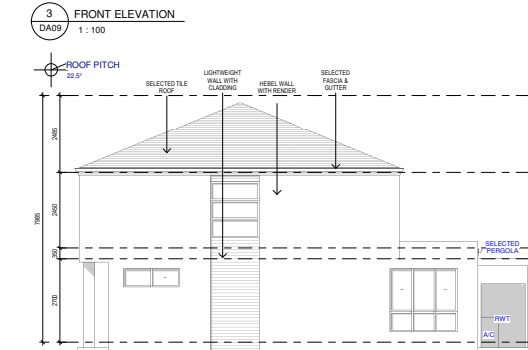
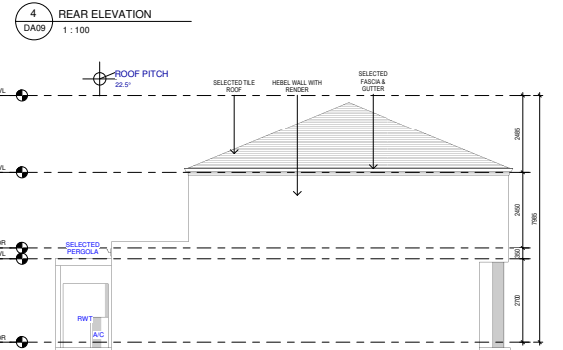
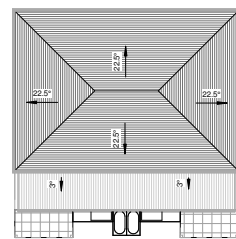
LIVING, LOUNGE, FAMILY, DINING, KITCHEN, WIP	TILED FLOOR - TYPE 1
BATHROOM, ENSUITE, WC, PDR, LDRY	TILED FLOOR - TYPE 2
PORCH, PATIO, BALCONY	TILED FLOOR - TYPE 3
BEDROOM, RUMPUS, WIR	TIMBER FLOOR
GARAGE	CONCRETE

NORTH:	DATE:	SCALE:	DRAWING NO:
	11/14/22	As indicated	DA10
	DRAWN BY:	CHECKED BY:	REV:
	VR	VV	2

Z:\Projects-Current\Monash Street 2 Dbb01\02

DA\ARCHITECTURAL\REVIT\PROJECT\02\Link\Revised Link_12.10.2022\UNIT 20.27_Modem-1.rvt



1 GROUND FLOOR
DA09 1:1002 FIRST FLOOR
DA09 1:1003 FRONT ELEVATION
DA09 1:1004 REAR ELEVATION
DA09 1:1005 SIDE ELEVATION 1
DA09 1:1006 SIDE ELEVATION 2
DA09 1:1007 ROOF PLAN
DA09 1:200

WINDOW SCHEDULE - 01					
SUPPLIER - REFLECTION GLASS & ALUMINIUM					
WINDOW NO.	HEIGHT	WIDTH	SILL HEIGHT	HEAD HEIGHT	DESCRIPTION
GROUND FLOOR					
GW-01	2050	1570	350	2400	SLIDING WINDOW
GW-02	1800	1910	1800	2400	SLIDING WINDOW
GW-03	2050	2170	100	2400	SLIDING WINDOW
GW-04	1200	1450	1200	2400	SLIDING WINDOW
FIRST FLOOR					
PW-01(BED)	1800	724	1540	2140	SLIDING WINDOW (OBSCURE)
PW-02	1800	724	240	2140	SLIDING WINDOW
PW-03	1800	724	340	2140	SLIDING WINDOW
PW-04	1800	1570	340	2140	SLIDING WINDOW
PW-05	1800	1570	340	2140	SLIDING WINDOW
PW-06	1800	2170	340	2140	SLIDING WINDOW
PW-07	1800	2170	340	2140	SLIDING WINDOW
Grand total 11					

WINDOW SCHEDULE - 02					
SUPPLIER - REFLECTION GLASS & ALUMINIUM					
WINDOW NO.	HEIGHT	WIDTH	SILL HEIGHT	HEAD HEIGHT	DESCRIPTION
GROUND FLOOR					
GW-01	2050	1570	350	2400	SLIDING WINDOW
GW-02	1200	1450	1200	2400	SLIDING WINDOW
FIRST FLOOR					
PW-01(BED)	1800	724	1540	2140	SLIDING WINDOW (OBSCURE)
PW-02	1800	724	240	2140	SLIDING WINDOW
PW-03	1800	724	340	2140	SLIDING WINDOW
PW-04	1800	1570	340	2140	SLIDING WINDOW
PW-05	1800	1570	340	2140	SLIDING WINDOW
PW-06	1800	2170	340	2140	SLIDING WINDOW
PW-07	1800	2170	340	2140	SLIDING WINDOW
Grand total 8					

DOOR SCHEDULE					
DOOR NO.	WIDTH	DOOR LEAF	HEIGHT	COUNT	DESCRIPTION
GROUND FLOOR					
D-01	1100	1500	2400	1	EXTERNAL FLUSH DOOR ENTRY
D-02	800	1200	2400	2	INTERNAL FLUSH DOOR POR
D-03	800	1200	2400	2	INTERNAL FLUSH DOOR GARAGE
D-04	2000	2000	2400	2	GARAGE DOOR
D-05	1500	1500	2400	1	GLASS SPOONER DOOR
FIRST FLOOR					
D-06	1000	1500	2100	1	INTERNAL FLUSH DOOR BED
D-07	1000	1200	2100	1	INTERNAL FLUSH DOOR BATHS
Grand total 20					

FLOOR TYPE LEGEND

LIVING LOUNGE, FAMILY, DINING, KITCHEN, WIP	TILED FLOOR - TYPE 1
BATHROOM, ENSUITE, WC, POR, LDWY	TILED FLOOR - TYPE 2
PORCH, PATIO, BALCONY	TILED FLOOR - TYPE 3
BEDROOM, RUMPUS, WIP	TIMBER FLOOR
GARAGE	CONCRETE

ISSUE	DATE	REVISION	BY
2	14/04/2023	RESPONSE TO COUNCIL RFI	VR
1	14/11/2022	ISSUED FOR DA	VR

Bathla

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P O Box 270, Wentworthville NSW 2145
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info@bathla.com.au | www.bathla.com.au

GENERAL NOTES:

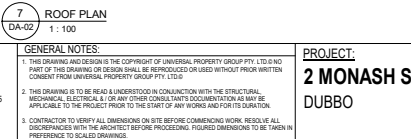
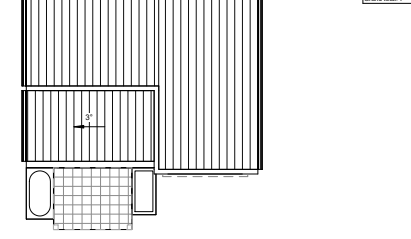
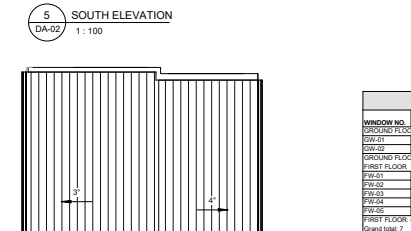
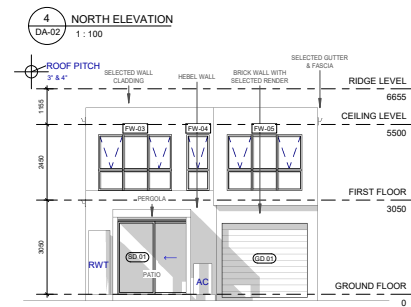
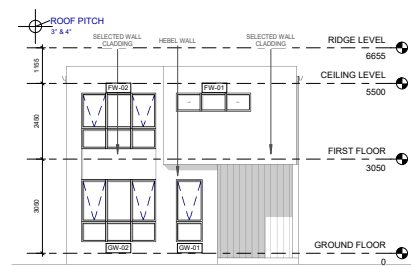
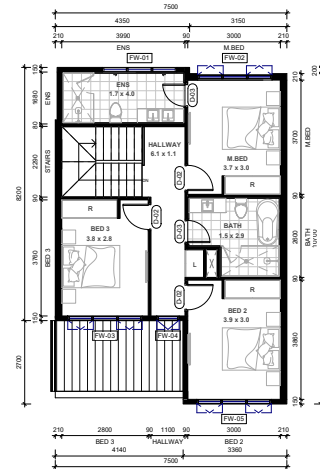
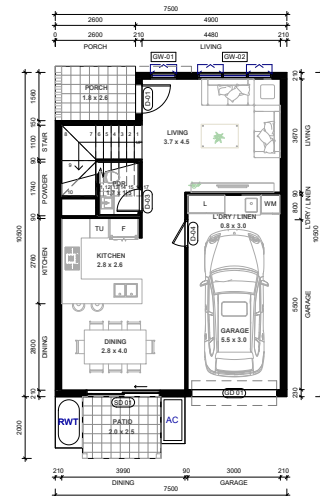
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PROJECT:
2 MONASH STREET
DUBBO 2830

DRAWING TITLE:
TYPE 2 - T2 - (U20-21)

NORTH:		DATE:	SCALE:	DRAWING NO:
		11/14/22	As indicated	DA09
		DRAWN BY:	CHECKED BY:	REV:
		VR	VV	2

DA ISSUE



DA_WINDOW_SCHEDULE					
WINDOW NO.	HEIGHT	WIDTH	SILL HEIGHT	HEAD HEIGHT	DESCRIPTION
GW-01	2050	850	350	2400	AWNING WINDOW WITH FIXED BOTTOM PANELS
GW-02	2050	2410	350	2400	AWNING WINDOW WITH FIXED BOTTOM PANELS
GROUND FLOOR 2					
FW-01	800	2410	1540	2140	SLIDING WINDOW
FW-02	1800	2410	340	2140	AWNING WINDOW WITH FIXED BOTTOM PANELS
FW-03	1800	2410	340	2140	AWNING WINDOW WITH FIXED BOTTOM PANELS
FW-04	1800	740	340	2140	AWNING WINDOW WITH FIXED BOTTOM PANELS
FW-05	1800	2410	340	2140	AWNING WINDOW WITH FIXED BOTTOM PANELS
FIRST FLOOR 5					
Grand total: 7					

DA_DOOR_SCHEDULE					
DOOR NO.	FLOOR LEVEL	HEIGHT	WIDTH	COUNT	DESCRIPTION
GROUND FLOOR					
D-01	GROUND FLOOR	2100	1000	1	EXTERNAL FLUSH DOOR WITH GLASS PANEL
D-02	GROUND FLOOR	2100	800	1	INTERNAL FLUSH DOOR
D-03	GROUND FLOOR	2100	800	1	INTERNAL FLUSH DOOR
D-04	GROUND FLOOR	2100	2100	1	INTERNAL FLUSH DOOR
D-05	GROUND FLOOR	2100	2100	1	INTERNAL FLUSH DOOR
FIRST FLOOR					
D-06	FIRST FLOOR	2100	800	3	INTERNAL FLUSH DOOR
D-07	FIRST FLOOR	2100	800	2	INTERNAL FLUSH DOOR
FIRST FLOOR 5					
Grand total: 10					

FLOOR TYPE LEGEND

LIVING, LOUNGE, FAMILY, DINING, KITCHEN, WP	TILED FLOOR - TYPE 1
BATHROOM, ENSUITE, WC, POOL, LDRY	TILED FLOOR - TYPE 2
PORCH, PATIO, BALCONY	TILED FLOOR - TYPE 3
BEDROOM, RUMPUS, WIR	TIMBER FLOOR
GARAGE	CONCRETE

ISSUE	DATE	REVISION	BY
A	17/11/2022	ISSUE FOR DEVELOPMENT APPLICATION	AK

Bathla
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PROJECT:
2 MONASH STREET
DUBBO

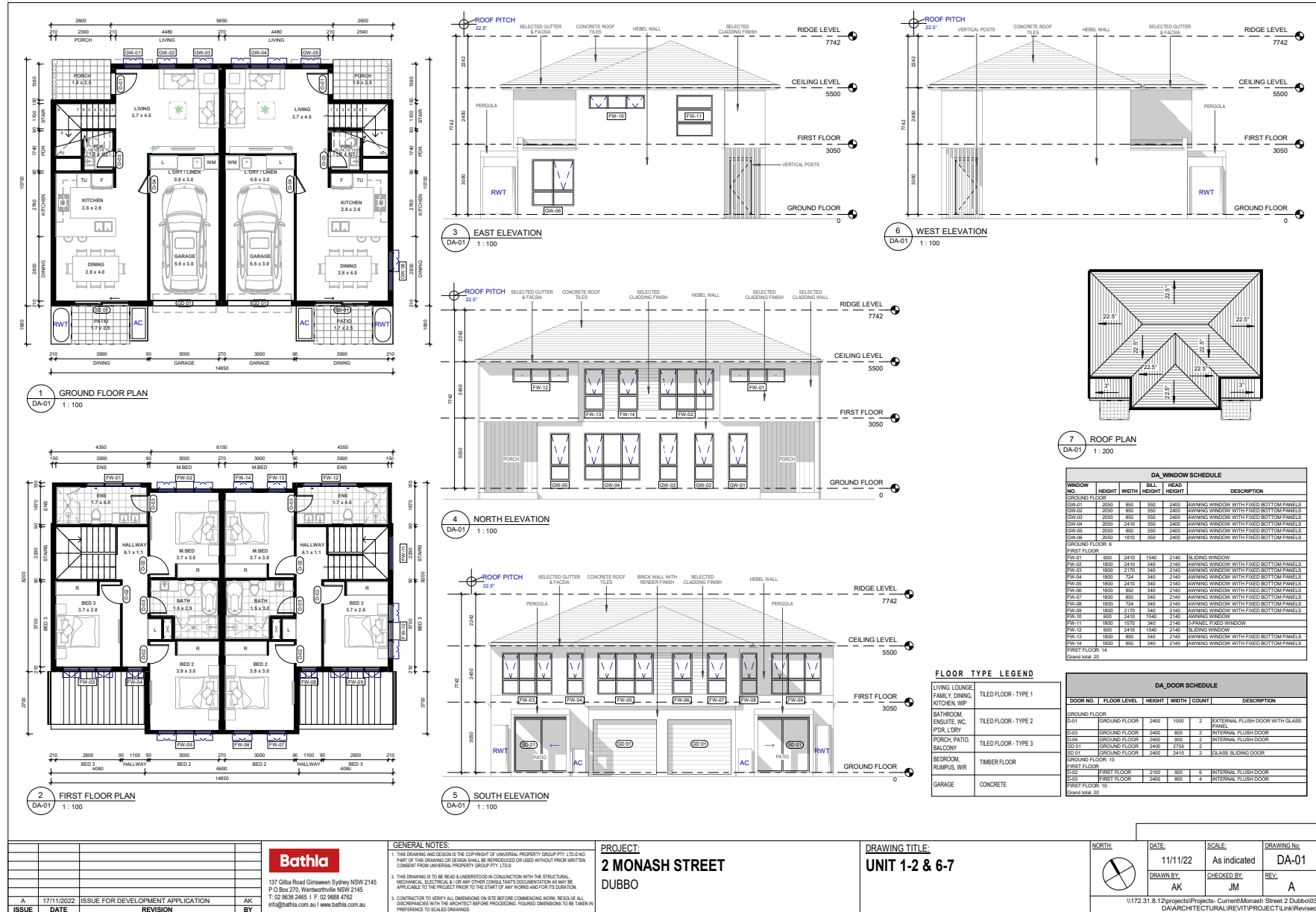
DRAWING TITLE:
UNIT 5

NORTH:	DATE:	SCALE:	DRAWING No:
	14/11/22	1:100	DA-02
DRAWN BY:	CHECKED BY:	REV:	
AK	JM	A	

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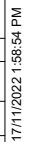
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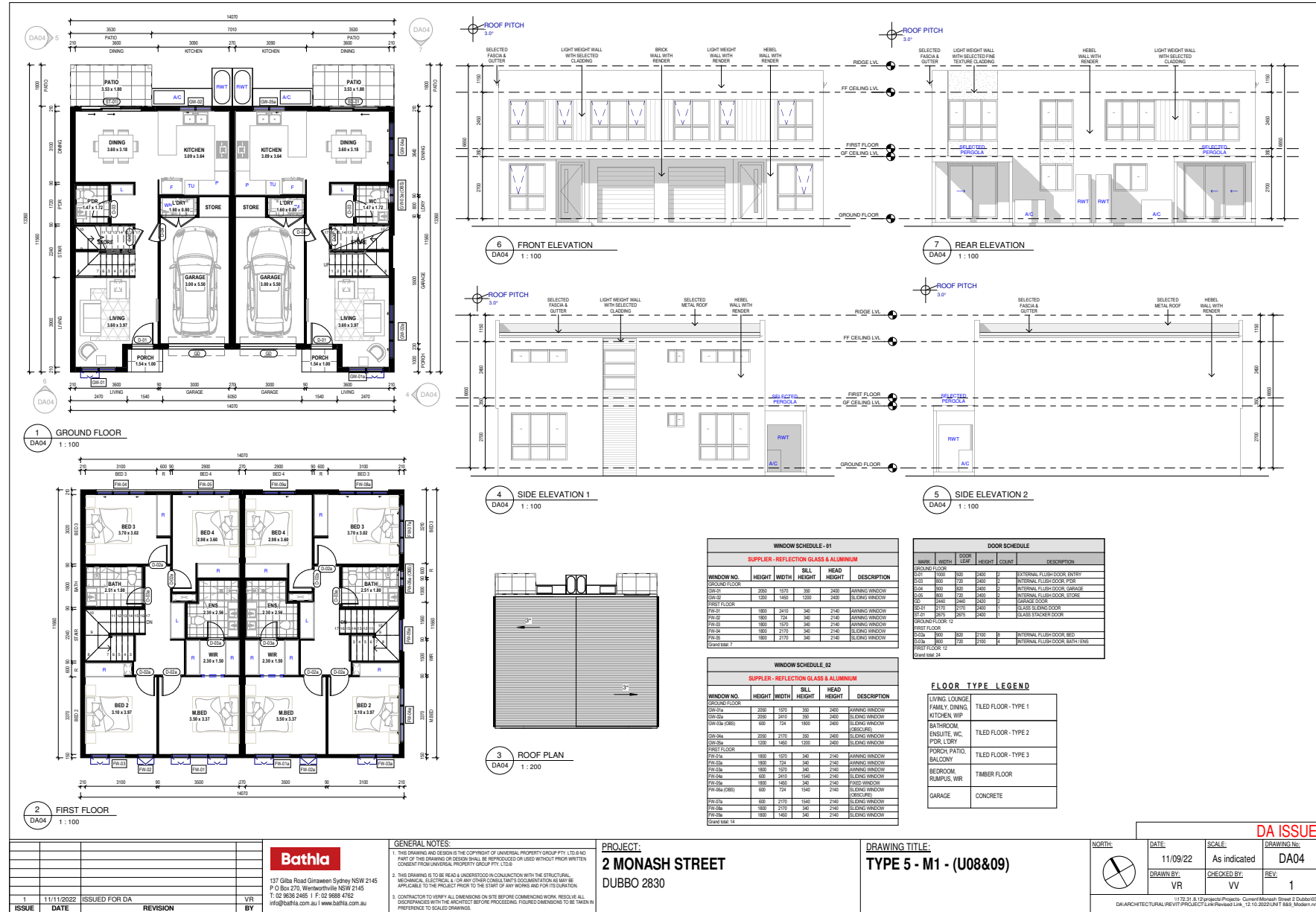
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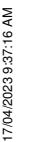


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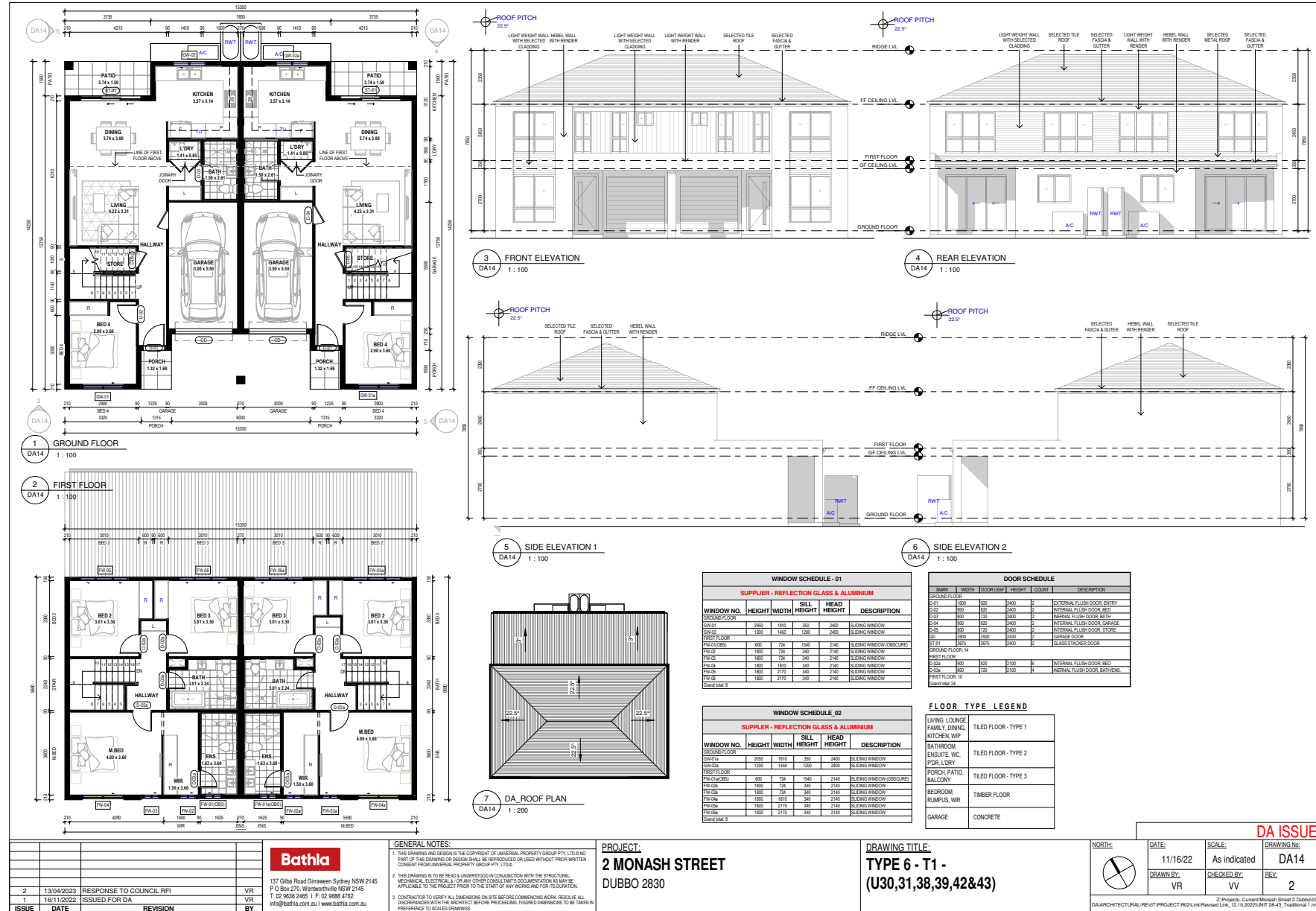
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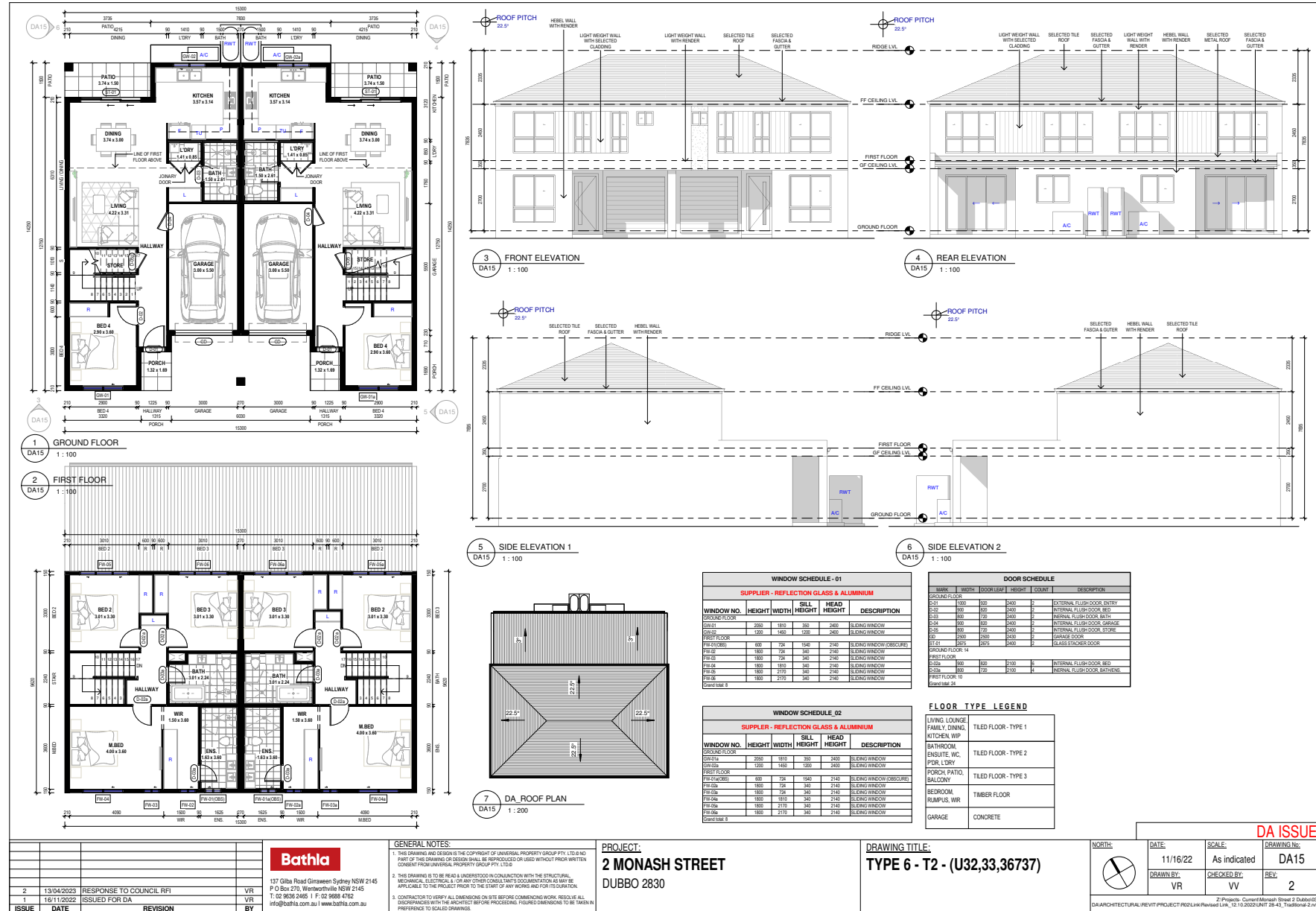






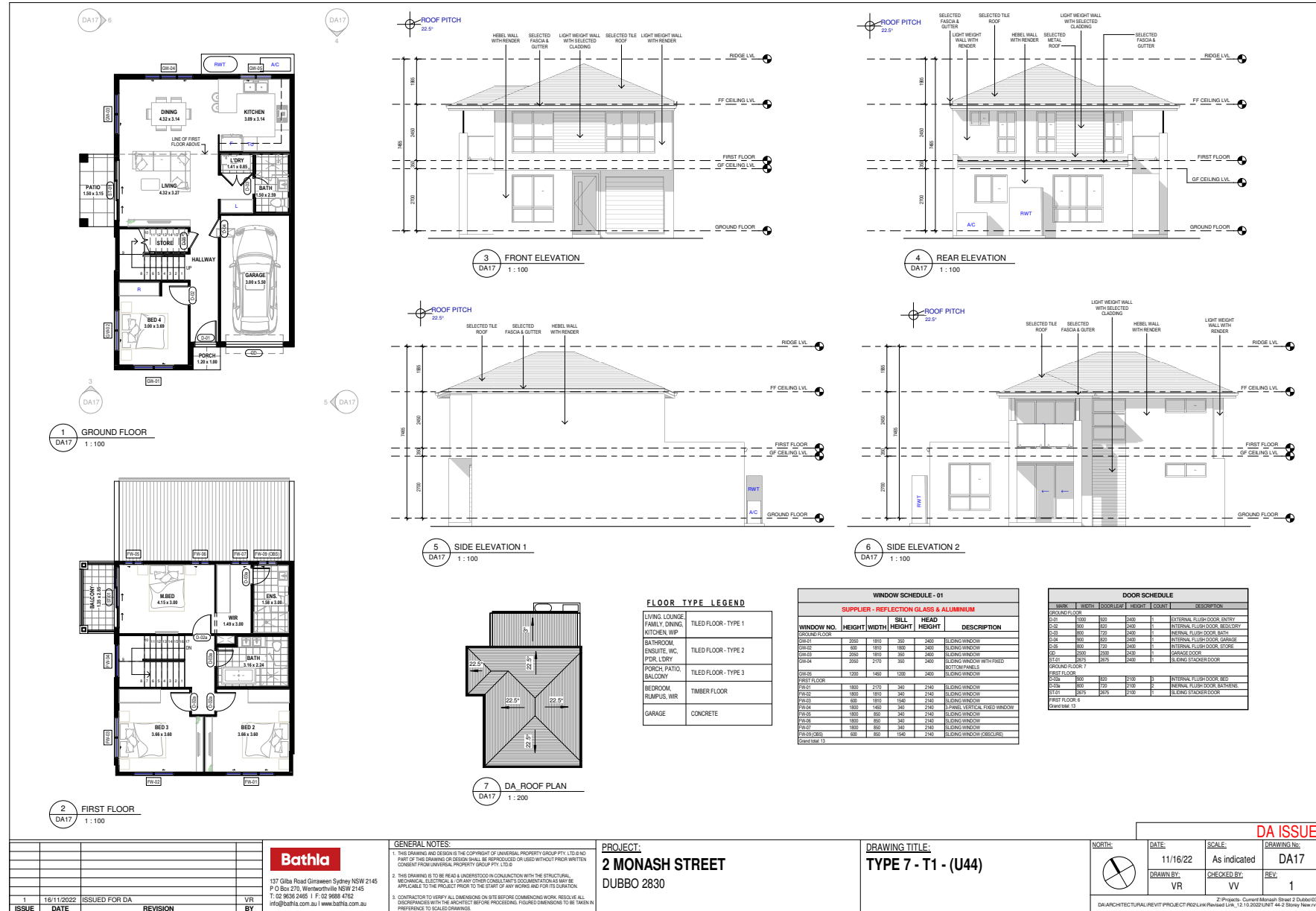
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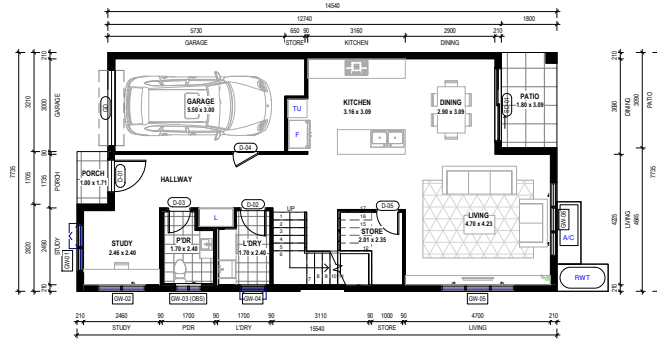
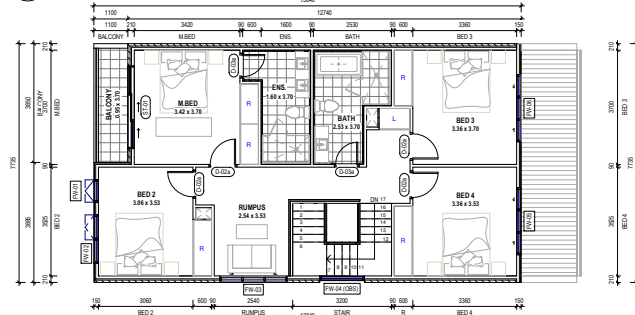
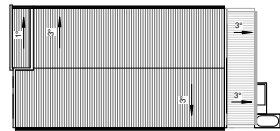
A2



17/04/2023 9:49:58 AM

A2



1 GROUND FLOOR
DA18 1:1002 FIRST FLOOR
DA18 1:1007 ROOF PLAN
DA18 1:200

WINDOW SCHEDULE - 01					
SUPPLIER - REFLECTION GLASS & ALUMINIUM					
WINDOW NO.	HEIGHT	WIDTH	1. BAL.	HEAD	DESCRIPTION
GW-01	2500	1500	350	2400	AWNING WINDOW
GW-02	600	1150	1800	2400	SLIDING WINDOW
GW-03 (OBSC)	600	800	1800	2400	SLIDING WINDOW (OBSCURE)
GW-04	2500	800	350	2400	AWNING WINDOW
GW-05	600	2400	1800	2400	SLIDING WINDOW
GW-06	2500	2400	350	2400	SLIDING WINDOW
FW-01	1800	724	340	2140	AWNING WINDOW
FW-02	1800	1150	340	2140	AWNING WINDOW
FW-03	600	2150	1540	2140	SLIDING WINDOW
FW-04 (OBSC)	1800	1450	340	2140	FIXED WINDOW (OBSCURE)
FW-05	1800	2150	340	2140	SLIDING WINDOW
FW-06	1800	2150	340	2140	SLIDING WINDOW

DOOR SCHEDULE				
MARK	WIDTH	DOOR LEAF	HEIGHT	DESCRIPTION
GD-01	1100	1000	2400	EXTERNAL FLUSH DOOR, ENTRY
GD-02	850	850	2400	INTERNAL FLUSH DOOR, LDRY
GD-03	850	1200	2400	INTERNAL FLUSH DOOR, PBR
GD-04	1800	800	2400	INTERNAL FLUSH DOOR, GARAGE
GD-05	800	720	2400	INTERNAL FLUSH DOOR, STORE
GD-06	2400	2400	2400	GARAGE DOOR
GD-07	2400	2400	2400	GLASS SLIDING DOOR
GROUND FLOOR				
GD-08	850	850	2100	INTERNAL FLUSH DOOR, BED
GD-09	850	720	2100	INTERNAL FLUSH DOOR, BATH (ENS)
GD-01	2075	2075	2100	GLASS SLIDING DOOR
FIRST FLOOR				
Grand total: 14				

FLOOR TYPE LEGEND

LIVING, LOUNGE, FAMILY, DINING, KITCHEN, WIP	TILED FLOOR - TYPE 1
BATHROOM, ENSUITE, W.C., IPDR, LDRY	TILED FLOOR - TYPE 2
PORCH, PATIO, BALCONY	TILED FLOOR - TYPE 3
BEDROOM, RUMPUS, WIR	TIMBER FLOOR
GARAGE	CONCRETE

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- CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK. RESOLVE ALL DISCREPANCIES WITH THE ARCHITECT BEFORE PROCEEDING. FIGURED DIMENSIONS TO BE TAKEN IN PREFERENCE TO SCALED DRAWINGS.

PROJECT:

2 MONASH STREET
DUBBO 2830

DRAWING TITLE:

TYPE 8 - M1 - (U45)

NORTH:



DATE:

11/15/22

SCALE:

As indicated

DRAWING NO:

DA18

DRAWN BY:
VR

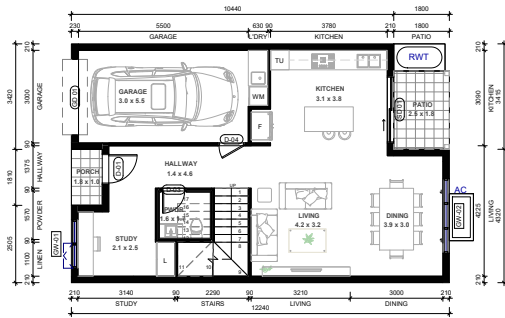
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VV

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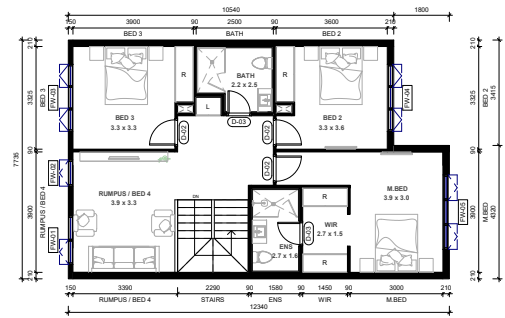
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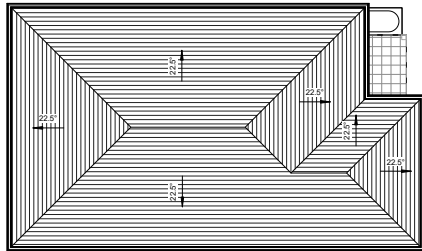
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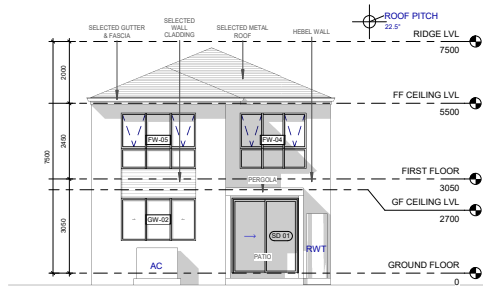
1 GROUND FLOOR
DA-19
1:100



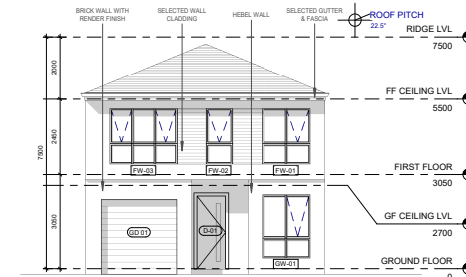
2 FIRST FLOOR
DA-19
1:100



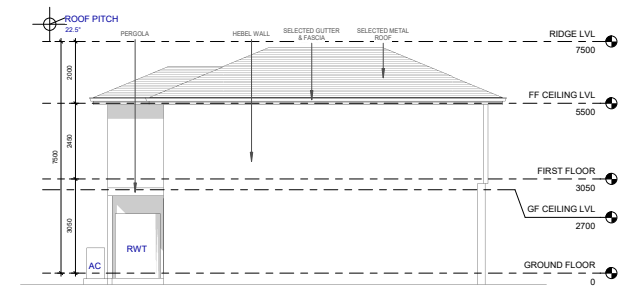
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DA-19
1:100



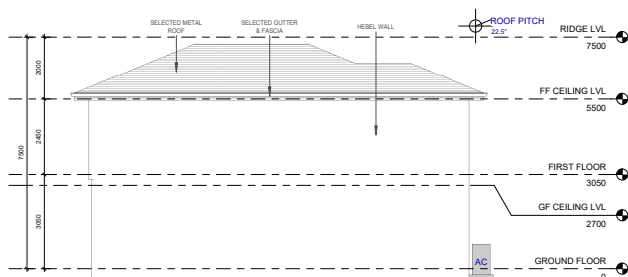
3 EAST ELEVATION
DA-19
1:100



6 WEST ELEVATION
DA-19
1:100



4 NORTH ELEVATION
DA-19
1:100



5 SOUTH ELEVATION
DA-19
1:100

DA_WINDOW SCHEDULE					
WINDOW NO.	HEIGHT	WIDTH	SILL HEIGHT	HEAD HEIGHT	DESCRIPTION
GROUND FLOOR					
GW-01	2050	1570	350	2400	AWNING WINDOW WITH FIXED BOTTOM PANELS
GW-02	1370	2410	1030	2400	SLIDING WINDOW
GROUND FLOOR: 2					
FIRST FLOOR					
FW-01	1800	1570	340	2140	AWNING WINDOW WITH FIXED BOTTOM PANELS
FW-02	1800	850	340	2140	AWNING WINDOW WITH FIXED BOTTOM PANELS
FW-03	1800	2170	340	2140	AWNING WINDOW WITH FIXED BOTTOM PANELS
FW-04	1800	2170	340	2140	AWNING WINDOW WITH FIXED BOTTOM PANELS
FW-05	1800	2410	340	2140	AWNING WINDOW WITH FIXED BOTTOM PANELS
FIRST FLOOR: 5					
Grand total: 7					

DA_DOOR SCHEDULE					
DOOR NO.	FLOOR LEVEL	HEIGHT	WIDTH	COUNT	DESCRIPTION
GROUND FLOOR					
D-01	GROUND FLOOR	2400	1000	1	EXTERNAL FLUSH DOOR WITH GLASS PANEL
D-03	GROUND FLOOR	2400	800	1	INTERNAL FLUSH DOOR
D-04	GROUND FLOOR	2400	800	1	INTERNAL FLUSH DOOR
GD 01	GROUND FLOOR	2420	2440	1	
SD 01	GROUND FLOOR	2400	2170	1	GLASS SLIDING DOOR
GROUND FLOOR: 5					
FIRST FLOOR					
D-02	FIRST FLOOR	2100	900	3	INTERNAL FLUSH DOOR
D-03	FIRST FLOOR	2400	800	2	INTERNAL FLUSH DOOR
FIRST FLOOR: 5					
Grand total: 10					

FLOOR TYPE LEGEND

LIVING, LOUNGE, FAMILY DINING, KITCHEN, WP	TILED FLOOR - TYPE 1
BATHROOM, ENSUITE WC, PORCH LOBBY	TILED FLOOR - TYPE 2
PORCH, PATIO, BALCONY	TILED FLOOR - TYPE 3
BEDROOM, RUMPUS, WIR	TIMBER FLOOR
GARAGE	CONCRETE

ISSUE	DATE	REVISION	BY
A	17/11/2022	ISSUE FOR DEVELOPMENT APPLICATION	AK

Bathla
137 Gibba Road Girraween Sydney NSW 2145 P O Box 270, Wentworthville NSW 2145 T: 02 9636 2465 F: 02 9688 4762 info@bathla.com.au www.bathla.com.au

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PROJECT:
2 MONASH STREET
DUBBO

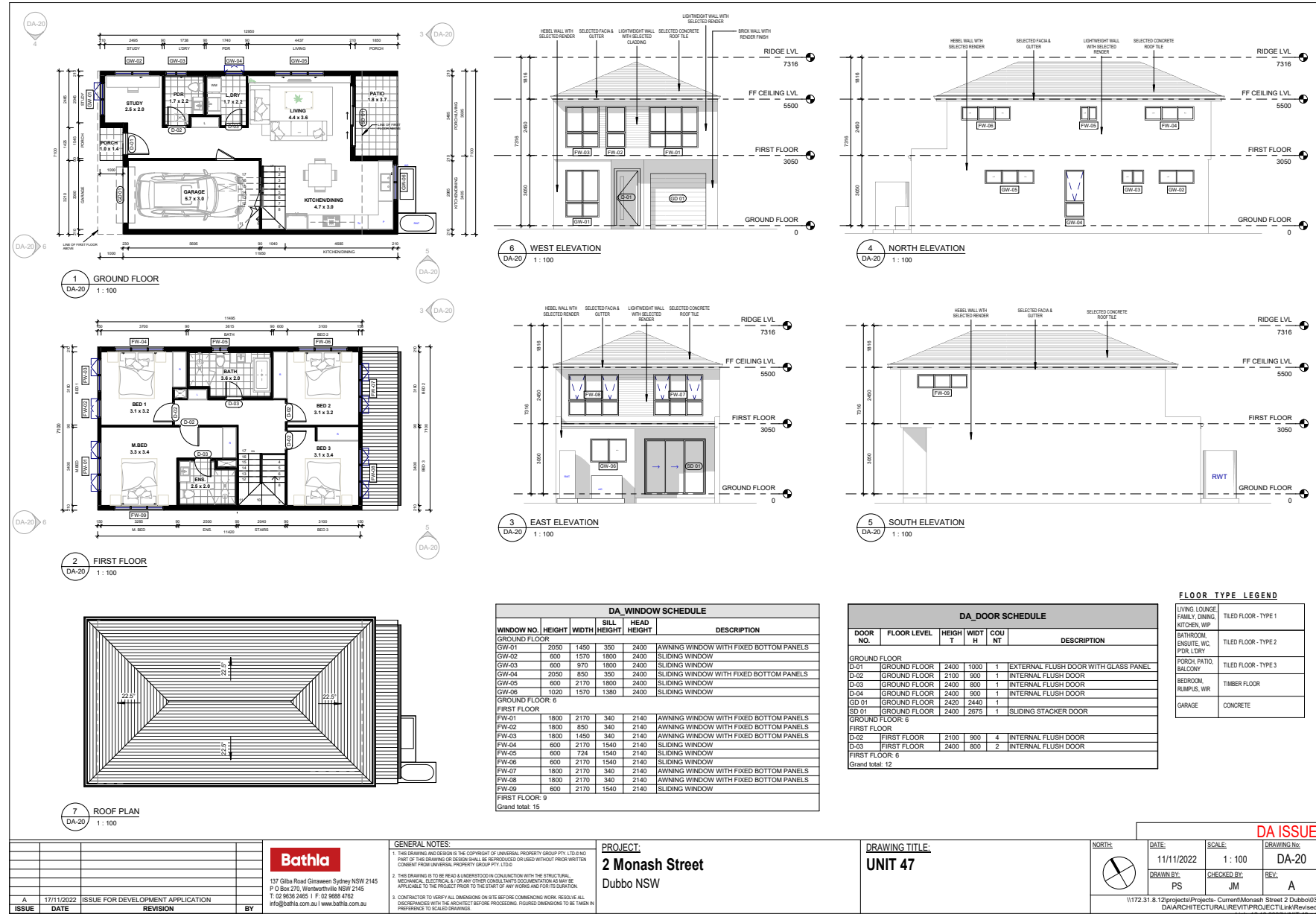
DRAWING TITLE:
UNIT 46

NORTH:	DATE:	SCALE:	DRAWING NO:
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DRAWN BY:	CHECKED BY:	REV:	
AK	JM		A

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A2



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A2

CONDITIONS

- (1) The development shall be undertaken generally in accordance with the Statement of Environmental Effects and stamped approved plans detailed as follows except where modified by any of the following conditions:

- BASIX Certificate No.1359934M dated 7 December 2022

Drawing Title: Site Plan
 Drawing Number: DA 02
 Dated: 19.04.2023
 Revision: B

Drawing Title: Elevations
 Drawing Number: DA 07
 Dated: 19.04.2023
 Revision: B

Drawing Title: Elevations
 Drawing Number: DA 08
 Dated: 19.04.2023
 Revision: B

Drawing Title: Sections (fence details)
 Drawing Number: DA 10
 Dated: 19.04.2023
 Revision: B

Drawing Title: Type 1 – M1 – (U14 & 15)
 Drawing Number: DA 07
 Dated: 11/11/2022
 Revision: 1

Drawing Title: Type 1 – T1 – (U10 & 11)
 Drawing Number: DA 05
 Dated: 11/11/2022
 Revision: 1

Drawing Title: Type 1 – T1a – (U18 & 19)
 Drawing Number: DA 08
 Dated: 11/11/2022
 Revision: 1

Drawing Title: Type 1 – T2 – (U12, 13, 16 & 17)
 Drawing Number: DA 06
 Dated: 11/11/2022
 Revision: 1

Drawing Title: Type 2 – M1 – (U22-23)
Drawing Number: DA 10
Dated: 14/04/2023
Revision: 2

Drawing Title: Type 2 – M2 – (U24-25)
Drawing Number: DA 11
Dated: 14/04/2023
Revision: 2

Drawing Title: Type 2 – T2 – (U20-21)
Drawing Number: DA 09
Dated: 14/04/2023
Revision: 2

Drawing Title: Unit 5
Drawing Number: DA 02
Dated: 17/11/2022
Revision: A

Drawing Title: Unit 1-2 & 6-7
Drawing Number: DA 01
Dated: 17/11/2022
Revision: A

Drawing Title: Unit 3 & 4
Drawing Number: DA 03
Dated: 17/11/2022
Revision: A

Drawing Title: Type 5 – M1 – (U08 & 09)
Drawing Number: DA 04
Dated: 11/11/2022
Revision: 1

Drawing Title: Type 6 – M1 – (U28, 29, 40 & 41)
Drawing Number: DA 13
Dated: 13/04/2022
Revision: 2

Drawing Title: Type 6 – M2 – (U34 & 35)
Drawing Number: DA 16
Dated: 13/04/2022
Revision: 2

Drawing Title: Type 6 – T1 – (U30, 31, 38, 39, 42 & 43)

Drawing Number: DA 14
 Dated: 13/04/2022
 Revision: 2

Drawing Title: Type 6 – T2 – (U32, 33, 36 & 37)
 Drawing Number: DA 15
 Dated: 13/04/2022
 Revision: 2

Drawing Title: Type 7 – T1 – (U44)
 Drawing Number: DA 17
 Dated: 13/04/2022
 Revision: 1

Drawing Title: Type 8 – M1 – (U45)
 Drawing Number: DA 18
 Dated: 15/11/2022
 Revision: 1

Drawing Title: Unit 46
 Drawing Number: DA 19
 Dated: 17/11/2022
 Revision: A

Drawing Title: Unit 47
 Drawing Number: DA 20
 Dated: 17/11/2022
 Revision: A

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

- (2) A separate application is required to be submitted to either Council or registered certifier to obtain a Construction Certificate to permit the erection of the proposed building works.

{Reason: Prescribed statutory condition under EP&A Act}

- (3) The demolition of the subject building(s) shall be carried out in accordance with the applicable provisions of AS 2601 – 2001 – *The Demolition of Structures*.

{Reason: To ensure the demolition works are undertaken in an appropriate manner}

- (4) All demolition works shall be undertaken in accordance with the following submitted documents:

- Demolition and Waste Management Plan – dated 07/03/2023 – Revision 1;
- Demolition Work Plan – prepared by Universal Property Group – dated March 2023; and
- Waste Management Plan – prepared by Universal Property Group – dated March 2023.

{Reason: To ensure demolition works are undertaken in an environmentally sustainable manner}

- (5) Documentary evidence shall be provided with the Construction Certificate that those recommendations of the Noise Impact Assessment prepared by Assured Environmental – dated 25/11/2022, have been incorporated into the development design.

{Reason: To ensure dwellings have appropriate noise attenuation treatment}

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

{Reason: To protect Aboriginal heritage}

- (7) All solid waste from construction and operation of the proposed development shall be assessed, classified and disposed of in accordance with the NSW Environment Protection Authority's Waste Classification Guidelines. Whilst recycling and reuse are preferable to landfill disposal, all disposal options (including recycling and reuse) must be undertaken with lawful authority as required under the Protection of the Environment Operations Act, 1997.

{Reason: To require compliance with the POEO Act, 1997}

- (8) Noise from the development (L_{Aeq}) shall not exceed the background (L_{A90}) by more than 5dB(A) at any time including any allowance for impulsiveness and tonal characteristics when measured at the most affected residence.

{Reason: To prevent the generation of a noise nuisance}

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

Monday to Friday:	7:00 am to 6:00 pm
Saturday:	8:00 am to 1:00 pm
Sunday and public holidays:	No construction work permitted

{Reason: To reduce the likelihood of noise nuisance}

- (10) The applicant shall prepare and submit a Construction Environmental Management Plan (CEMP) to Council for assessment and approval prior to issue of any Construction Certificate.

The CEMP shall detail acceptable methods for the adequate control and management of the following:

- **Construction noise and vibration** – Detail the implementation of noise and vibration mitigation measures to minimise construction noise and to limit the extent of the use of vibration compaction rollers and their impact on adjoining development.
- **Erosion and sedimentation control plan** – A Council approved plan shall be implemented onsite prior to any site disturbance works being commenced and shall remain, in a maintained condition, until all works are completed.

- **Dust suppression and mitigation** – Detail dust suppression and mitigation measures to be employed during works on the site to ensure dust is not emitted from the site at any time including during construction activity and when no activities are taking place on the site.
- **Waste management plan** – Detail the quantities and disposal procedures for any concrete wastes, excess soil and solid wastes from construction activity (including demolition work).

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

- (11) Should any contaminated, scheduled, hazardous or asbestos material be discovered before or during construction works, the applicant and contractor shall ensure the appropriate regulatory authority (eg Department of Planning, Industry and Environment (DPIE), WorkCover Authority, Council, Fire and Rescue NSW etc) is notified, and that such material is contained, encapsulated, sealed, handled or otherwise disposed of to the requirements of such Authority.

Note: Such materials cannot be disposed of to landfill unless the facility is specifically licensed by the Environment Protection Authority (EPA) to receive that type of waste.

{Reason: To prevent the contamination of the environment}

- (12) Only Virgin Excavated Natural Material (VENM) and Excavated Natural Material (ENM) shall be imported onto any proposed residential building area within the proposed development site.

A VENM Certificate must be supplied prior to transporting VENM to the receiving site. VENM must be transported in accordance with a Notice under section 143 of the *Protection of the Environment Operations Act, 1997*.

{Reason: To prevent potential contaminates from being imported to the proposed site}

- (13) Any ENM being imported to the residential building sites shall be tested to demonstrate the material does not contain high salinity content and is compliant with the parameters of Health Based Investigation Level – Residential A of the *National Environment Protection (Assessment of Site Contamination) Measure 1999*. Copies of the test result shall be provided to Council prior to any Occupation Certificate being issued.

{Reason: To ensure imported soil does not contain high salinity levels or other forms of contamination}

- (14) The finished floor level of the habitable areas of the proposed dwellings shall in respect of its height above the external finished ground level:

- (a) At the location of each dwelling's overflow (relief) gully achieve:
 - (i) A minimum of 225 mm above the finished surrounding ground level; or
 - (ii) 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, a minimum of 150 mm above the finished surrounding path or paved area; and
- (b) In all others areas achieve:
 - (i) A minimum of 150 mm above the finished surrounding ground level.

Any excavated areas around the perimeter of the dwellings shall be graded away from the building to ensure adequate surface drainage and prevent pondage.

{Reason: To provide adequate stormwater free board and drainage and ensure free board provisions of sanitary drainage regulations can be achieved}

- (15) 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 authority.

{Reason: Statutory and Council requirement}

- (16) Temporary closet accommodation shall be provided onsite before work on the proposed building is commenced.

{Reason: To preserve public hygiene}

- (17) The sanitary, water plumbing and drainage associated with the proposed building project requires the issue of its own approval from Council prior to being installed. 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 issued a permit authorising such works.

{Reason: Statutory requirement of Local Government Act 1993}

- (18) All sanitary plumbing and drainage and water plumbing work shall be carried out by a licensed plumber and drainer.

{Reason: Statutory requirement of Section 634 Local Government Act 1993}

- (19) The top of each dwelling's overflow (relief) gully shall be a minimum 150 mm below the lowest sanitary fixture serving the building.

{Reason: Statutory and sewerage authority requirement}

- (20) The top of each dwelling's overflow (relief) gully shall be a minimum 75mm above the finished surrounding ground level to prevent ingress of surface stormwater.

{Reason: Statutory and sewerage supply authority requirement}

- (21) Roof water not conveyed to each dwelling's rainwater tank pursuant to the approved BASIX Certificate and the overflow from the required rainwater tanks shall be conducted into Council's stormwater main located on the subject property by means of appropriate drainage pipework.

{Reason: To ensure satisfactory disposal of roof water}

- (22) The hot water delivered to each dwelling's outlets of the hand-basins, showers and baths shall not exceed 50°C.

{Reason: Statutory requirement of the Plumbing Code of Australia}

- (23) Surface water shall be directed away from the buildings to prevent ponding near the foundations of the buildings whilst ensuring surface water is not diverted to the detriment of adjoining properties.

{Reason: To ensure satisfactory drainage}

- (24) The applicant shall ensure that the responsible builder or contractor submits to Council, if Council is engaged to act as the Principal Certifier, a Certificate of Installation certifying that the wet areas of each dwelling have been protected by the installation of a water-proofing system conforming to AS 3740 'Waterproofing of domestic wet area'. Such Certificate must be provided prior to occupation or use of the building.
{Reason: To demonstrate the provision of an adequate moisture proofing system}
- (25) The dwellings shall not be occupied or used until the Principal Certifier (PC) has first issued an Occupation Certificate.
{Reason: To ensure the building is fit for occupation}
- (26) A site rubbish container shall be provided on the site for the period of the construction works prior to commencement of any such work.
{Reason: To prevent pollution of the environment by wind-blown litter}
- (27) All excavations associated with the erection of the buildings and installation of associated services must be properly guarded and protected to prevent them from being dangerous to life or property. Excavations undertaken across or in a public place must be kept adequately guarded and/or enclosed and lit between sunset and sunrise, if left open or otherwise in a condition likely to be hazardous to persons in the public place.
{Reason: For protection of public}
- (28) All building work must be carried out in accordance with the provisions of the Building Code of Australia.
{Reason: Prescribed statutory condition under EP&A Act}
- (29) 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 roads/public places}
- (30) Prior to works commencing the Applicant shall ensure that a sign is erected on the work site in a prominent position at the front of the property showing:
- (a) The name, address and telephone number of the Principal Certifier for the work;

- (b) The name of the principal contractor for the building/demolition work and a telephone number on which that person may be contacted outside of working hours; and
- (c) Stating that unauthorised entry to the work site is prohibited.

Such sign must be maintained on the site during the course of the building/demolition work and not be removed until the work has been completed.

Note: In respect of (a) above, where Council is engaged as the Principal Certifier, the Applicant can either prepare their own sign, or alternatively affix onsite the sticker that will be enclosed with the Council issued Construction Certificate. A larger sign in lieu of utilising the sticker is available upon request from Council's Civic Administration Building.
{Reason: Statutory condition imposed by Section 70 of the EP&A Regulation 2021}

- (31) The person having the benefit of this Development Consent, must unless that person is the principal contractor, ensure that the principal contractor has been notified of the critical stage inspections and any other inspections that are specified by the appointed Principal Certifier to be carried out.

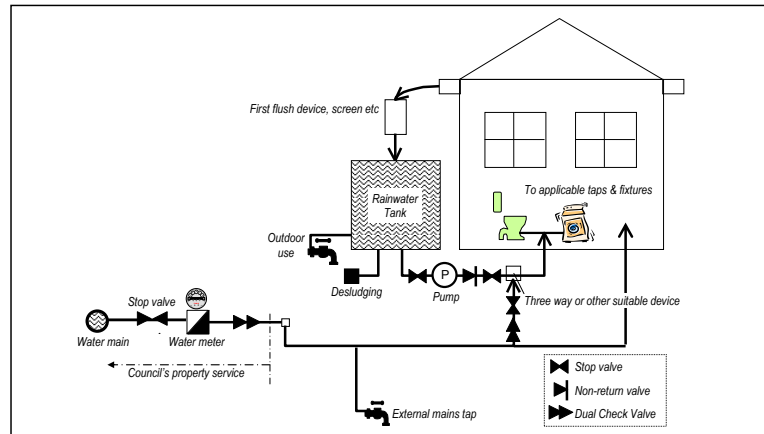
Note: The 'principal contractor' is the person responsible for the overall coordination and control of the carrying out of the building work.
{Reason: Statutory requirement imposed by the EP&A Act 1979}

- (32) Noise from the rainwater tank pumps shall be controlled such that offensive noise is not emitted. In this regard, the pumps shall be located in a position where it least affects neighbouring properties, and not exceed the background noise level (L_{A90}) by 5dB(A) measured at the worst effected residence.

Note: To minimise noise nuisance the pump should not be located adjacent to neighbouring bedrooms or between adjoining dwellings. If a complaint arises after installation consideration may need to be given to relocating the pump or providing an acoustic cover.
{Reason: To minimise the creation of offensive noise}

- (33) Where the owner's BASIX commitments requires the pipework from the proposed rainwater tanks to be inter-connected with pipework connected to Council's town reticulated water supply the following installation criteria shall apply:
 - (a) A stop valve shall be provided on the rainwater delivery side of the pump. A second stop valve and a non-return valve shall be provided on the outlet side of the pump;
 - (b) A stop valve and a dual check valve shall be provided on the delivery side of the town water supply pipework immediately upstream of the point of inter-connection with the rainwater pipework supply; and
 - (c) The inter-connection point of the pipework from the two different water sources is to be provided with a three-way flow switching device.

(Refer to the following diagram for an indicative installation arrangement)



Any proposed plumbing configuration different from the above arrangements shall be discussed with Councils' officers for conformity with the Plumbing Code of Australia and approved prior to installation.

{Reason: To prevent water cross-contamination}

- (34) The water supply pipework from the rainwater tank shall be clearly marked at intervals not exceeding 500mm where concealed in walls, or 1 metre where exposed or buried, with the word '**RAINWATER**'. Water outlets shall be identified as '**RAINWATER**' with a label or a rainwater tap identified by a green coloured indicator with the letters '**RW**'.

Note:

- ① All '**RAINWATER**' labels or signs are to have black lettering and pictogram on either a yellow or green background.



- ① Marking shall be in accordance with AS 1345.

{Reason: Statutory requirements of Plumbing Code of Australia}

- (35) Where a pump is required to distribute and pressurise water from the proposed rainwater tanks they shall be electrically powered.

{Reason: To minimise the creation of offensive noise}

- (36) The proposed rainwater tanks shall be provided with:

- A top or lid to shield the interior from light penetration; and
- A screen to all inlets and openings into the tank to prevent debris and mosquito entry.

{Reason: To reduce contamination of the supply and breeding of mosquitoes}

- (37) All roof and stormwater 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, prior to the issue of the Occupation Certificate, the licensee is required to submit to Council a Certificate of Compliance for the subject stormwater work within two (2) days of completion.

{Reason: Statutory and Council requirement}

- (38) If Council is appointed as the Principal Certifier documentary evidence is to be supplied to Council identifying that the commitments set out in the approved BASIX Certificate have been satisfied. Such evidence shall be supplied prior to the issue of an Occupation Certificate.

{Reason: To fulfil the statutory requirement of Environmental Planning and Assessment Regulation 2021}

- (39) Prior to the Occupation Certificate being issued, Council is to be given at least 24 hours notice for Council to carry out an inspection of the completed stormwater drainage, sanitary drainage and water installation.

{Reason: To enable an inspection of the building's plumbing and drainage to determine they have been satisfactorily completed}

- (40) The smoke alarms constituting each of the dwelling's automatic smoke detection and alarm system, if comprised of smoke alarms conforming to AS 3786, and where more than one alarm is required within the dwelling, they shall be interconnected with each other.

If Council is appointed the Principal Certifier (PC) a Certificate of Installation, completed by a licensed electrician, shall be submitted prior to the Occupation Certificate being issued.

{Reason: To ensure an appropriate level of fire safety as a consequence of audibility limitations associated with smoke alarms alerting young children}

- (41) The following applicable works shall be inspected and passed by an officer of Council, irrespective of any other inspection works undertaken by an accredited certifier, prior to them being covered. In this regard, at least 24 hours notice shall be given to Council for the inspection of such works. When requesting an inspection, please telephone Council's Development and Environment Division on 6801 4612 and quote Council's reference number **D2022-752**.

Advanced notification for an inspection can be made by emailing de.admin@dubbo.nsw.gov.au or by telephoning Council's Development & Environment Division on 6801 4612.

- Internal and external sanitary plumbing and drainage under hydraulic test;
- Water plumbing under hydraulic test; and

- Final inspection of the installed sanitary and water plumbing fixtures upon the building's completion prior to its occupation or use.

{Reason: Statutory provision and Council requirement being the water and sewerage authority}

- (42) Surface water shall be directed away from the dwellings to prevent ponding near the foundations of the building whilst ensuring surface water is drained into Council's stormwater main located on the subject property without being diverted to the detriment of adjoining properties.

In this regard, the plans to be submitted with the Construction Certificate application need to provide the finished surface levels and surface and stormwater drainage infrastructure, including pits for the interception of surface waters and an intra-allotment drainage system, sufficient to demonstrate compliance with Part 3.1.3 of the BCA and designed in accordance with AS/NZS 3500.3-2018 Stormwater Drainage.

Note: Regard also needs to be given to achieving the statutory overflow (relief) gully clearance heights as separately conditioned on this consent, fences/gates, landscaping etc and any future subdivision of the allotment.

{Reason: To ensure satisfactory stormwater drainage}

- (43) An Erosion and Sedimentation Control Plan is required to be submitted and approved as part of the Construction Certificate application. This approved Plan shall be implemented onsite prior to any site disturbance works being commenced and shall remain, in a maintained condition, until all site works are completed.

{Reason: To reduce sediment pollution}

- (44) A sediment and erosion control warning sign, as supplied by Council, shall be attached to the most prominent sediment fence on the subject site at all times whilst the building is under construction.

Note: Copies of such sign are available for collection free of charge from Council's Planning and Environment Division.

{Reason: Council requirement imposed in the public's interest under S4.15 of the EP&A Act 1979}

- (45) Under Section 88B of the Conveyancing Act, an easement to drain sewerage benefitting Lot 100 DP 1178129 (34 Hampden Street), shall be created over the private sanitary drainage pipework that crosses Lot 101 DP 1271696 (2 Monash Street) from Lot 100 DP 1178129, to its connection with Council's sewer main. Evidence of registration of such easement or lodgement of its dealing with Land Registry Services, shall be submitted to the Principal Certifier and Council prior to the issue of the Occupation Certificate for any building related to this Development Consent.

{Reason: To allow legal access to the sanitary drainage pipes encroaching into 2 Monash Street for the benefited party}

- (46) Due to Council's stormwater main being within close proximity of the western side of proposed Unit 19 and Unit 20, the buildings footings must be constructed in order that the building's loads are taken below the influence of such stormwater main. In this regard, a structural engineered design footing system shall be submitted with the Construction Certificate application demonstrating that the buildings loads are taken below the influence of Council's stormwater main. A minimum 1,000 mm between the building's infrastructure and centre line of the stormwater main shall also be achieved and the footings must also be located outside any existing stormwater easement.

{Reason: To prevent undermining of the structure}

- (47) The excavations created from the removal of the existing buildings, tanks, trees etc and their subsequent filling-in of such excavations, shall be compacted in accordance with AS 2870-2011 and AS 3798-2007. Where such excavations occur under the footprint of any proposed dwellings, compaction testing of the subsequent fill demonstrating conformity with AS 3798-2007, must be submitted with the relevant Construction Certificate application for each affected dwelling site.

{Reason: To ensure the adequacy of the buildings foundations}

- (48) A separate application is to be made to Council, with the appropriate fee being paid (if required), 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 required in respect to the provision of a suitably size domestic water meter and separate fire service meter to the development site.

{Reason: Council policy in respect of development}

- (49) Two (2) commercial standard concrete vehicular cross-overs and kerb and gutter vehicle entrances, constructed in accordance with Council's standards STD 5211 and STD 5235, with internal painted separation median islands which are not to encroach onto the footpath reserve area, shall be provided by and at full cost to the Developer to Council's satisfaction.

Such works shall also include the reinstatement of the redundant kerb and gutter vehicle crossing off Chelmsford Street back to 'upright' kerb and gutter at full cost to the Developer to Council's satisfaction.

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.

In this regard, prior to issue of the any Construction Certificate, a detailed (fully dimensioned) site plan for the two (2) proposed driveways is to be lodged with and approved by Council's Infrastructure Strategy Branch.

Should Council's Senior Development Engineer (or his representative) not undertake the required inspections as detailed in the abovementioned Council standard, then a

Compliance Certificate issued by an accredited private certifier will be required to be lodged with Council prior to release of the relevant Occupation Certificate.

{Reason: Implementation of Council Policy}

- (50) Prior to the issue of the Occupation Certificate, the following works are to be provided by and at full cost to the Developer to Councils satisfaction:

- Construction of a 1.5m wide concrete separation median island on Monash Street intersecting at 90 degree to Chelmsford Street with a 1.5m long pedestrian access gap and associated BB Centre Line for 15m, Raised Pavement Markers, Giveaway Sign and Hold Line to Chelmsford Street;
- In Chelmsford Street the existing BB Centreline is to be extended 30m on the north and south approaches to Monash Street;
- In Monash Street, edgelines are to be provided 1.5m off both kerb lines commencing from the kerb returns at Chelmsford Street west to the eastern side of the eastern driveway to the development to prevent vehicle parking; and
- Installation of a BB Centreline around the curve between Monash Street and Strickland Street with 15m straight BB Line approaches in both streets including raised pavement markers.

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.

Prior to issue of any Construction Certificate, a detailed (fully dimensioned) site plan showing all above is to be lodged with and approved by Council's Infrastructure Strategy Branch.

Should Council's Senior Development Engineer (or his representative) not undertake the required inspections as detailed in the abovementioned Council standard, then a Compliance Certificate issued by an accredited private certifier will be required to be lodged with Council prior to release of the relevant Occupation Certificate.

{Reason: Implementation of Council Policy}

- (51) Prior to issue of any Construction Certificate, a separate 'Road Opening Application' (Section 138 Application under the Roads Act 1993) will be required to be made to Council's Infrastructure Division, plus payment of appropriate fee/s, to permit works within the road reserve.

{Reason: Implementation of Council's Policy and Section 138 of the Roads Act}

- (52) Any alteration/damage to the footpath, kerbing and guttering, vehicular entrance/s, road or road shoulder including utility services, shall be repaired/restored at full cost to the developer and in accordance with Council's adopted AUS-SPEC #1 Development Specification Series - Construction Standards.

{Reason: Implementation of Council Policy}

- (53) No vehicles larger than a 'Service Vehicle/garbage truck' 8.8 metres in length (utilising the Austroads design templates) are permitted to access the subject land and the development proposal.
{Reason: The development will only facilitate a service vehicle up to 8.8 metres}
- (54) All vehicles must enter and exit the subject land and proposed development in a forward direction. No reversing of vehicles onto the public roadway system will be permitted.
{Reason: To provide safety for the travelling public utilising the public roadways}
- (55) All loading and unloading of goods related to construction of the development proposal shall be carried out within the confines of the allotment's boundary. Under no circumstances will the loading, or unloading, of goods on the public roadway system be permitted.
{Reason: So as not to create adverse traffic conditions}
- (56) Stormwater drainage design and construction shall be undertaken by the Developer, at their own expense and to the satisfaction of Council, including implementation of the following design requirements:
- Stormwater discharge location. The main discharge point is the existing 750mm dia stormwater line running south to north through the subject allotment. Connection to the existing DN 750 stormwater line to be hydraulically efficient. Discharge to the kerb and gutter at Monash Street is permitted, however this will be restricted by gutter flow width 2.5m wide at the next downstream pit;
 - Upstream flows must be accepted and managed through the site;
 - Stormwater or surface water runoff is not to be directed or concentrated onto adjoining properties, unless contained within an appropriate easement;
 - Stormwater discharge is limited to flows generated assuming the site was 0% impervious;
 - Discharge flow is limited to the equivalent 0% impervious flow, for all storm event flows up to and including 1% AEP;
 - Detention basin depth limited to 300mm otherwise further safety issues to be addressed;
 - Accurate location of the existing DN 750 dia stormwater pipe through the property is required. Construction is to be clear of the pipe's zone of influence, 45° angle from the existing stormwater pipe invert. Council's existing DN 750 stormwater pipe to be provided with an easement to drain water. Ensure DN 750 pipe is provided with adequate cover and clearance to services. Prove that the proposed units and associated footings are outside the DN 750 pipe's zone of influence;
 - Provide and reconstruct kerb and gutter, road pavement and verge at the corner of Monash Street and Strickland Street to manage and improve overland flow in this vicinity in consultation with Council's Infrastructure Strategy and Design Branch;
 - Provide and construct kerb and gutter, road pavement and verge along full frontage of Cobra Street in consultation with Transport for New South Wales (TfNSW) and Council's Infrastructure Strategy and Design Branch; and
 - Water quality to be addressed.

Additionally, prior to the discharge into Council's system, the Developer will be required to install at their own expense 'pollution control device(s)' which will collect oil, sediment and litter from the development proposal.

In this respect the Developer must have approved by Council, prior to the issue of the any Construction Certificate, full and detailed hydraulic design calculations and drawings of the proposed development's stormwater drainage system. Such work is required to be completed prior to the issue of the relevant Occupation Certificate.

{Reason: To achieve a satisfactory means and method of stormwater drainage disposal}

- (57) No buildings or structures 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 utilising the surrounding roadways}

- (58) No buildings or structures, with the exception of the proposed internal road and car parking spaces, shall be erected over or within the existing 'easement(s) to drain sewage' and 'easement to drain water' created over the subject parcel of land.

{Reason: Implementation of Council policy}

- (59) Council's sewer main alignment and depth shall be accurately located and the following criteria shall be achieved and adequately demonstrated to Council prior to any footings being poured:

- The exact location and depth of the Council's existing 225mm diameter sewer line and 825mm diameter stormwater main shall be identified;
- The proposed road infrastructure is permitted to be built over the sewer easement/main with concrete encasement. The footing system shall be designed so that piers extend 200mm past the zone of influence of Council's sewer main and its trench. The depths of the piers are to be determined by taking a line at an angle of 45° measured upwards from the lower corner of the sewer main trench as shown on Council's drawing STD 5846; and
- The piers of buildings are not permitted to be closer than 1 metre measured horizontally to the centre of the sewer main.

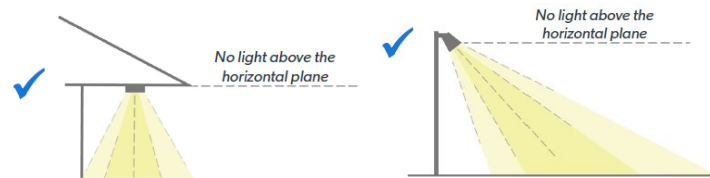
{Reason: To prevent undermining of structure}

- (60) Pursuant to Council's policy "*Building Over or Adjacent to Council's Sewerage Pipeline*", as a consequence of proposed driveway infrastructure being erected over an existing Council sewer main, the following matters must be complied with:

- The property owner accepts in writing that, he/she will be responsible for the restoration of any damage to the item if Council has to undertake works to access the sewer main; and
- Should at any time in the future there be the need for Council to dismantle the subject proposed road infrastructure for Council to gain access to its sewer main, any damage arising from its dismantling and/or re-erection shall be the

responsibility of the land owner to repair.
{Reason: The subject structures are to be erected over a Council sewer main}

- (61) Prior to the issue of the relevant Occupation Certificate, entry and exit points to and from the proposed development and off-street car parking (including visitor parking spaces) shall be delineated and signposted to at least the standard outlined in Chapter 3.5 of the Dubbo Development Control Plan 2013.
{Reason: To ensure appropriate vehicle access}
- (62) The proposed landscaping shown on the approved Landscape Plan (Drawing Number LP-01 dated 19/04/2023 – Revision B) shall be established and maintained to at least the standard specified on the approved plan. Such landscaping shall be established prior to the issue of the relevant Occupation Certificate.
{Reason: To ensure the aesthetic quality of the development}
- (63) Each proposed dwelling must not be provided with more than seven (7) outside light fittings each, all of which must be shielded. If more than five (5) shielded outside light fittings are provided those additional fittings must also be automatic light fittings.



automatic light fitting means a light fitting that is activated by a sensor and switches off automatically after a period of time.

horizontal plane, in relation to a light fitting, means the horizontal plane passing through the centre of the light source (for example, the bulb) of the light fitting.

outside light fitting means a light fitting that is attached or fixed outside, including on the exterior of a building.

shielded light fitting means a light fitting that does not permit light to shine above the horizontal plane.

{Reason: To limit light pollution, sky glow and to protect observation conditions at the Siding Spring Observatory}

- (64) Any new electrical metering/meter box to the property shall be provided in a location that is behind perimeter fencing, and in a location that is accessible to all residents and the service provider.
{Reason: To ensure that the meter box is provided in a suitable location}

(65) **Sec 64 Contribution – Water and Sewerage Supply Headworks**

Prior to the issue of the Occupation Certificate, payment is required in accordance with the following contributions plans:

PLAN	CALCULATION	TOTAL
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Note 1: Contribution rates are subject to CPI and adjusted annually from 1 July each year in accordance with Councils adopted fees and charges. The current rates are to be confirmed with Council prior to payment being made.
{Reason: Implementation of Council's adopted Combined Water Supply and Sewerage Contributions Policy, November 2002, operating from 1 January 2003}

Prior to the issue of the Occupation Certificate, payment is required in accordance with the following contributions plans:

Sec 94 Development Contributions Plan - Urban Stormwater Drainage and Headworks 1995	Calculation is based on total development area of 1.54 ha - draining into catchment 1.5 Wingewarra Street Drain. Current rate per hectare is \$1,107.35	\$1,705.32
Sec 94 Development Contributions Plan - Roads, Traffic Management and car parking 2016	Contribution Rate: Residential trip = \$633.10 Plan Administration = \$6.00 Calculation based on <u>290</u> residential trips. Trip generation / 3 bedroom unit: 6 No. 3 bedroom units: 15 Trip generation / 4+ bedroom unit: 11 No. 4+ bedroom units: 32 Credit: 152 Urban Roads contributions Plan Administration	 \$183,599.00 \$1,740.00
	Total	\$185,339.00
	Total Section 7.11/94 Contributions Payable for this application	\$375,834.77
	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.

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

NOTES

- (1) If Council is engaged to act as the Principal Certifier for the Construction Certificate application the following shall be included with such application:
- The location of all required smoke alarms together with a statement that they will be installed in conformity with AS 3786 and Part 3.7.5 of BCA;
 - Details of the proposed method of termite treatment showing that compliance will be achieved with AS 3660;
 - An Erosion and Sedimentation Control Plan;

- Provide the finished surface levels and stormwater drainage infrastructure sufficient to demonstrate compliance with the conditions of consent and the Part 3.1.3 of the BCA;
 - Details of the proposed stair construction i.e. goings and risers, handrails, slip – resistance etc in conformity with the BCA;
 - Details demonstrating the protection of openable windows on the first floor units in compliance with clause 3.9.2.6 & 3.9.2.7 of the BCA;
 - All structural details including specifications, tie-down and bracing plans and calculations, soil test reports and slab design details;
 - The intended means of sealing the gap between the top of each attached dwelling's fire wall and the roof covering;
 - The intended method of construction proposed for each attached dwelling's party wall to achieve compliance with the Fire Resistance Level and any applicable $R_w + C_{tr}$ weighted sound reduction index with spectrum adaption;
 - All BASIX Commitments required to be shown on the Construction Certificate plans.
- (2) Should the Geotechnical Site Investigation show a highly or extremely reactive site then, where the sanitary drainage pipework passes through the underside of the building flexible pipework, fittings must be fitted to permit articulation of the pipework equivalent with the expected soil movement. Reference should be made to AS 2870-2011 in this regard.
- (3) Council's Contribution Plans referred to in the conditions of this consent, may be viewed by the public without charge, at Council's Administration Building, Church Street, Dubbo between the hours of 9 am and 5 pm, Monday to Friday. The Plans can also be viewed on Council's website: www.dubbo.nsw.gov.au
- (4) Before occupation of the dwellings the street numbers of each dwelling unit should be displayed in a prominent position adjacent to respective dwellings.
- (5) The development 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.
- (6) The design plans shall be in accordance with those requirements as stipulated by Essential Energy in their correspondence dated 3 May 2023 (copy attached).



Barry Brebner

7 Canterbury Court

Dubbo NSW 2830

Ph: 0417 207 319

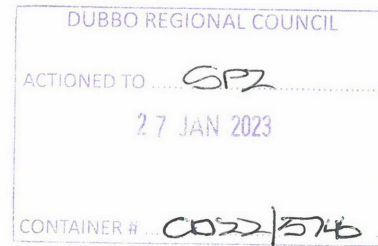
The Chief Executive Officer

Dubbo Regional Council

PO Box 81

Dubbo NSW 2830

Dear Sir,



I am writing to you with relation to the following development:

Reference: AU22/1321 Development Application: D2022-752 – 2 Monash Street
Dubbo NSW 2830

Whilst I am not against this development there are a couple of matters that I would like Dubbo Regional Council to consider with relation to this development.

Firstly, is the number of units overall. With 48 units and over 180 bedrooms I must admit I am concerned with the number of car parking spaces available should all the bedrooms be occupied. I would hate to see multiple cars parking out on Monash Street and Strickland Street. This could prove extremely dangerous and also be a target for car thieves.


Secondly is the traffic problems a large number of cars could cause in the immediate location especially in view of the Child Minding Centre just around the corner which is extremely busy in the morning and afternoon.

As a former Alderman on the Dubbo City Council I am aware that these matters are looked at by Council prior to final approval however I felt that I should advise of my concerns.

Regards

Barry Brebner

Archived: Thursday, 11 May 2023 1:41:10 PM
From: [Sam O'Leary](#)
Sent: Thu, 2 Feb 2023 08:35:33
To: [Dubbo Regional Council](#)
Cc: [Clr Shibli Chowdhury](#)
Subject: Development Application for 2 Monash Street Dubbo, AU22/1321
Importance: Normal
Sensitivity: None

 **CAUTION:** This email came from outside the organisation. Be cautious clicking links and do not open attachments unless they are expected.

Good Afternoon Beau,

Thanks for your time on the phone yesterday. Greatly appreciate you taking time to answer my questions.

As discussed there are several parts of the plan for this DA that have myself and my partner a little concerned. We are all for development at the site but the concerns are in relation to safety for the local residents. We also believe the proposal isn't consistent with the current zoning objectives for the area.

Road access to the site

- Currently the plans show two access points on Monash Street. One of the two access points is relatively close to the entry point of Monash Street, via Chelmsford Street. As a local to this part of Dubbo, we have witnessed many near accidents at this intersection of Monash and Chelmsford. We believe this is due to poor visibility of traffic on Chelmsford made by parked cars of the local residents to the north. Adding a large increase of traffic to access Monash Street so close to this intersection will increase the chances of serious accidents occurring for people who live at the site as well as adjoining locals using this intersection. I believe the location of the eastern entrance onto Monash needs to be reviewed or the intersection of Monash and Chelmsford Street needs to be upgraded so that this development doesn't have a serious impact to all using the road in this area. If this upgrade does not occur alongside this development, building houses so close to Chelmsford street will create poor visibility to the south of this intersection making it incredibly dangerous for all who use it. I would invite the developer and council representatives to walk along this intersection to see the challenges that are there on the ground.
- As you would be aware, Monash Street has three houses built along it. The DA has proposed 108 car spaces which does not include curb side parking. Having access to the site from only a street that has 3 houses built on it, without further development of the street, poses a great safety risk for the current residents along Monash as well as the residents on the southern end of Strickland Street. This also significantly changes the character of the immediate area. Most people on the street own two vehicles each, adding 108 car spaces in a small area is not consistent with zone objectives for R1 as it doesn't keep within the character of the immediate area. We believe changing the flow of traffic to and from the site via the traffic lights along Cobra Street will not only increase safety to the residents that live at the site, and along Monash, Chelmsford and Strickland Street but it will be more consistent with the objectives set for zone R1.
- At certain times of the year, there is a temporary blind spot made by the sun in the afternoon. It is a serious safety hazard for the locals that use Monash Street. Adding an additional 108 cars, including two entry and exit points into the site via Monash will significantly increase the hazard that is already in place for the current residents as well as the residents that will live in this site. Has there been any consideration of this within the planning of access to the proposed site?

I would welcome council undertaking a comprehensive traffic study of Monash and Chelmsford Streets – as well as Bultje outside Dubbo and District Preschool – to determine the possible impacts of this development on the safety of residents, motorists and pedestrians (including children) in this area.

I do understand that public submissions closed last week for this Development Application, however due to personal

circumstances we were unable to meet the deadline. If you could please take some of these points into consideration when preparing your report for the councillors it would be greatly appreciated. We believe the above points will make the final development safer for the current residents on the adjoining streets of Monash, the future residents of the site all while achieving the vital objectives of addressing the significant housing shortage in Dubbo.

I would be happy to meet any Councillors or Council staff here on Monash Street, to highlight our concerns.

If you have any further comments/questions to the above points, please feel free to give me a call

Best Regards

Sam O'Leary and Jennifer Hoar
32 Strickland Street, Dubbo
0488 005 515



REPORT: Section 8.2 Review of Determination – D20-608 for Service Station at Lot 51 DP 712802, 39 Cobbora Road, Dubbo

DIVISION: Development and Environment
REPORT DATE: 3 May 2023
TRIM REFERENCE: ID22/291

EXECUTIVE SUMMARY

Purpose	To advise Council of a 'Review of Determination' for a Service Station at 39 Cobbora Road, Dubbo, refused on 15 April 2021 under delegated authority, and to seek Council's resolution on the matter.	
Issues	The key issues associated with the review include: <ul style="list-style-type: none">• Site location; and• Impact on traffic generation, traffic conflict and traffic safety.	
Reasoning	<ul style="list-style-type: none">• A 'Review of Determination' of a development application is sought under Section 8.2 of the Environmental Planning and Assessment Act, 1979.• The 'Review of Determination' is sought on Council's refusal, attached as Appendix 1.• This report focuses on the reasons for refusal from the original determination.• The original determination (refusal) was under delegated authority signed by the Chief Executive Officer. A 'Review of Determination' cannot be made by another delegate of Council who is subordinate to the delegate who made the determination. As such, the appropriate body to determine the 'Review of Determination' is Council.	
Financial Implications	Budget Area	There are no direct financial implications arising from this report.
Policy Implications	Policy Title	There are no policy implications arising from this report.

STRATEGIC DIRECTION

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

Theme:	3 Economy
CSP Objective:	3.2 Employment opportunities are available in all sectors of our economy
Delivery Program Strategy:	3.2.1 Employment and investment opportunities for all sectors of the community are fostered

RECOMMENDATION

1. **That the Section 8.2 Review of Determination uphold the decision of 15 April 2021 and that the application be refused for the following reasons:**
 - a. **The intersection of Cobbora Road (Golden Highway) and White Street has insufficient capacity to service the proposed development and the approval of the proposed development would compromise the safety and efficiency of the intersection.**
 - b. **The amended traffic assessment is not practical nor self-enforcing. There is likely to be a high risk of non-compliance with the proposed traffic management strategies, including potential for queuing over the Rail Level Crossing and therefore these strategies are unlikely to alleviate traffic safety and management concerns at the intersection of Cobbora Road (Golden Highway) and White Street.**

Stephen Wallace
Director Development and Environment

BM
Senior Planner

BACKGROUND

On 25 November 2020 Council received Development Application D21-608 for a Service Station at 39 Cobbora Road (cnr White Street), Dubbo. On 18 December 2020 and again on 23 February 2021, requests for further information necessary to enable Council to undertake an assessment of the application were made. However, responses received did not adequately satisfy Council's or Transport for New South Wales (TfNSW) concerns and the application was refused under delegated authority on 15 April 2021 for the following reasons:

- Adversely impact traffic safety at the level railway crossing, with significantly increased road congestion in the immediate area.
- Adversely impact the efficiency of movement of people and freight along the classified road, to and from the site.
- Adversely impact traffic safety and significantly increase road congestion in the immediate and surrounding area.
- Inconsistent building design elements.
- The site (location) unsuitable for the development due to traffic generation and traffic conflict.
- The proposed development not in the public interest, in relation to traffic generation and traffic conflict.
- The proposed development includes prohibited advertising signage.

A copy of the Notice of Determination is provided in **Appendix 1**.

A meeting was held with Council, TfNSW and the applicant on 10 May 2021 to discuss the reasons for refusal and the additional information needed to address these matters.

On 11 October 2021 Council received a request for a 'Review of Determination' under Section 8.2 of the Environmental Planning and Assessment Act, 1979. This review was sought on Council's delegated decision to 'refuse' the application.

The 'Review of Determination' is accompanied by architectural plans and a Statement of Environmental Effects (including an updated Traffic Report), and includes the following design changes:

- Revised traffic access into the site. This includes the removal of the Cobbora Road exit point and signage as to restrict access into the site;
- Further 'SIDRA' modelling and traffic analysis to ensure the proposed development will not result in adverse traffic impacts to the local road network;
- Revised building façade design to increase building articulation; and
- Clarification on scrolling board signage on the north-east façade.

The proposed site, floor and elevation plans are attached in **Appendix 2**.

Proposed Development

The proposed Service Station the subject of the 'Review of Determination' comprises four single bays and 200m² convenience store. There are no work bays or restaurant components proposed. On-site parking is proposed for nine cars, including one accessible space. A 'left-in entry and left-in exit' vehicular access (entry) is proposed off Cobbora Road (Golden Highway), a 'classified road' maintained by TfNSW in addition to an upgraded vehicular entry/egress via White Street.

The proposed Service Station proposes a new vehicular access onto Cobbora Road (Golden Highway), which at this location is a 'classified road', governed by the provisions of Section 138(2) of the Roads Act, 1993, Council requested TfNSW to provide concurrence to these new access arrangements. As such, the 'Review of Determination' was referred to TfNSW for comment on 29 October 2021. A reply letter from TfNSW, dated 22 December 2021 was received requesting further information.

The applicant uploaded into the NSW Planning Portal on 9 June 2022 the following documents in response to Council's/TfNSW additional information requirements:

- Traffic Response Cobbora Road;
- Slip Lane;
- Site Access (SIDRA movement summaries);
- Cobbora Road - White St – (SIDRA movement summaries); and
- Updated Sidra Summary Table.

Following ongoing discussions with the applicant and TfNSW, Council, on 30 August 2022, sought clarification of the following:

- Critical Gap and Follow-up Headway;
- Cobbora Road - Access;
- Cobbora Road - Turning Paths; and
- Cobbora Road - Speed Hump.

On 10 November 2022 the applicant responded. Council's Infrastructure Division subsequently reviewed this information and agrees in principle with the 'left-in entry and left-out exit' onto Cobbora Road and the entry/exit to White Street, noting a number of recommended engineering conditions to manage the impact of the proposed development. These conditions were referred to TfNSW for comment on 12 December 2022. A reply letter from TfNSW, dated 13 March 2023 was received, not supporting the proposed development.

TfNSW is not satisfied that the proposed plans and supporting documents, incorporating a 'left-in entry and left-out exit' onto Cobbora Road (Golden Highway) satisfactorily address concerns raised previously by TfNSW. Specifically, TfNSW is concerned that it has not been demonstrated that the proposed development, including an egress onto Cobbora Road, will be able to operate without causing the Level of Service at the intersection of White Street and Cobbora Road to fail, presenting a significant risk to road safety and traffic efficiency.

Council remains concerned that without the inclusion of a left-out onto Cobbora Road, the efficiency and safety of the local road network will be compromised as all of the Service Station traffic will be redirected to White Street requiring an additional cross traffic turn in White Street to re-access Cobbora Road with a constrained left turn westbound across the Rail Level Crossing.

With the 'Review of Determination', a reassessment of the reasons for refusal has been undertaken, including potential impact on existing road safety environment in White Street and the interaction with the Rail Level Crossing and Cobbora Road intersection, which are discussed further in the report.

Site Characteristics

Locality

The allotment is located on the south eastern corner of the Cobbora Road and White Street intersection. The allotment has an area of 2,332m² with a frontage of 70.4m to Cobbora Road and 45.25m to White Street. For a locality map of the site see **Figure 1**.

Slope

The site slopes gently from the east down to the north west.

Vegetation

The site is void of native vegetation.

Access

Current access to the site is obtained via White Street, a bitumen sealed public road with kerb and guttering.



Figure 1: Site location

Drainage

Drainage currently occurs into Council's reticulated stormwater system on White Street.

Services

The site is connected to all utility services (water, sewer, stormwater and electricity).

Adjoining uses

North: Land used for stormwater detention within the RE1 - Public Recreation zone

South: Light industrial workshop within the IN2 - Light Industry zone

East: TAFE within the R2 - Low Density Residential zone

West: Light industrial workshop within the IN2 - Light Industrial zone

REPORT

Consultation

In accordance with Council's Community Participation Plan, the 'Review of Determination' was notified to adjoining owners for a period of 20 days ending 17 November 2021.

Council received no public submissions during the notification period.

- External Consultation
Transport for NSW

The 'Review of Determination' was sent via the NSW Planning Portal to Transport for NSW (TfNSW), for which they responded in correspondence dated 13 March 2023 (**Appendix 3**), with the following comments:

TfNSW has reviewed the information provided and is not satisfied that the proposed plans and supporting documents satisfactorily address concerns raised previously by TfNSW. Specifically, it has not been demonstrated that the proposed development, including an egress onto Cobbora Road, will be able to operate without causing the Level of Service at the intersection of White Street and Cobbora Road to fail, presenting a significant risk to road safety and traffic efficiency. Accordingly, TfNSW does not support DA2020-608, as currently submitted, and would withhold concurrence should an application be made under Section 138 of the Roads Act 1993.

- Internal Consultation
Dubbo Regional Council - Infrastructure Division

Council's Infrastructure Division has reviewed the submitted information and while it agreed in principle to a 'left-in entry and left-out exit' onto Cobbora Road, the following is noted:

Initial access for the proposed Service Station incorporated a separate entry and exit onto Cobbora Road and combined entry/exit to White Street.

Following further assessment, it was revealed that there would be an unnecessary impact on the road safety environment of White Street with additional traffic flows from

the Service Station, increasing traffic conflict with two way traffic and a right turn cross traffic movement in White Street to Cobbora Road and then negotiate the constrained left turn onto the rail level crossing competing with westbound Cobbora Road through traffic.

Additional queuing will also be experienced at the intersection and potential delays and inefficient vehicle movements in White Street and will be exacerbated with the mix of caravans, trailers and trucks up to 12.5m long. Council does not support all development traffic exiting the Service Station onto White Street due to the increase in road safety risk associated with the numerous turning movements required to get back to Cobbora Road.

Council is of the view that the nature of traffic generated to White Street would not be safely accommodated increasing the traffic conflict, this is attributed to the existing road alignment and the adjacent intersection with Cobbora Road and rail level crossing relative to the location of the proposed development.

Resourcing Implications

It is recommended that Council refuse the 'Review of Determination' under Section 8.2 of the Environmental Planning and Assessment Act, 1979, and uphold the decision of 15 April 2021. The applicant has the right to appeal to the NSW Land and Environment Court. As a result, Council would be required to defend that decision. Costs involved in such matter cannot be accurately quantified due to many variables.

Division 8.2 - Reviews

Environmental Planning and Assessment Act, 1979 enables an applicant to request a 'Review of Determination' by Council. The relevant provisions of Division 8.2 are addressed below:

Section 8.2 - Determinations and decisions subject to review

- (1) *The following determinations or decisions of a consent authority under Part 4 are subject to review under this Division -***
- (a) *the determination of an application for development consent by a council, ...***

Comment

On 15 April 2021 Council determined under delegated authority the application by way of refusal.

Section 8.3 - Application for and conduct of review

- (2) *A determination or decision cannot be reviewed under this Division -***
- (a) *after the period within which any appeal may be made to the Court has expired if no appeal was made, ...***

Comment

The application was determined by way of refusal on 15 April 2021. A Review of Determination is required to be made six months from the refusal date (15 October 2021). The 'Review of Determination' was received on 11 October 2021.

- (3) *In requesting a review, the applicant may amend the proposed development the subject of the original application for development consent ... but only if it is satisfied that it is substantially the same development.***

Comment

The application is substantially the same development as the development described in the original application. Noting that there are a number of amendments made to the proposal that address the reasons for refusal, as discussed in this report.

- (4) *The review of a determination or decision made by a delegate of a council is to be conducted -***

- (b) by another delegate of the council who is not subordinate to the delegate who made the determination or decision.***

Comment

As the initial application was determined by way of refusal under delegated authority by the Chief Executive Officer on 15 April 2021, the subject 'Review of Determination' is required to be determined by Council, thereby satisfying subclause (4)(b).

Planning Assessment Section 4.15(1)

While the application before Council specifically relates to the 'reasons of refusal', it should be noted that other matters as required to be assessed under the provisions of s4.15(1) of the Environmental Planning and Assessment Act, 1979, were undertaken with the original application and found to be satisfactory.

Only those matters the subject of the refusal dated 15 April 2021 (**see Appendix 1**) are considered as part of this 'Review of Determination' and are discussed below.

Reason for Refusal

The proposed is likely to adversely impact traffic safety at the level railway crossing, with significantly increased road congestion in the immediate area and as such is inconsistent with Clause 84(2)(b)(ii) of the State Environmental Planning Policy (Infrastructure) 2007.

Applicant Comment

The traffic assessment of the refusal shown in **Figure 2(a)**, to the amended development with the inclusion of the exit onto Cobbora Road, four lane widening of Cobbora Road, and a (proposed) realignment and channelisation of the White Street intersection as shown in **Figure 2(b)** has found that the proposed development would not adversely impact road safety at the level crossing or result in increased road congestion.

TfNSW requested that the exit onto Cobbora Road be removed. All egress would be via White Street. Anticipated swept paths are shown for car and caravan **Figure 3(a)**, Large Rigid Vehicle - 12.5m **Figure 3(b)** and Articulated Vehicle – 19.0m **Figure 3(c)** showing development traffic with egress (only) to White Street.

The modelling found that the provision of the left turn exit resulted in:

- No change in the level of service (LOS) for the right turn into White Street compared to no development scenarios;
- Minor change in average delays of one to two seconds per vehicle for the right turn into White Street compared to no development scenarios; and
- Minor increase in the 95% queue of one or two metres for the right turn into White Street compared to no development scenarios.

Council Comment

Between 2018 and 2021 there is a history of rear end crashes and queuing on Cobbora Road east bound on approach to and across the Rail Level Crossing (RLX) and the right turn into White Street. No cross traffic type intersection crashes have been recorded. There is existing vehicle queuing on the RLX (not permitted) that poses a risk to rail and has been flagged by Australian Rail Track Corporation (ARTC).

The traffic assessment incorporates queuing on the crossing as part of the right turn lane vehicle storage capacity. It is a traffic offence to queue over railway tracks and as such the right turn capacity as assessed is unsatisfactory. The additional increase in turning traffic across the RLX as a consequence of the development is considered to impact on the already identified road safety environment at the RLX and White Street intersection.

The SIDRA analysis undertaken by the applicant considered a value of 100% for Peak Flow Factor (PFF) for the eastbound and westbound through lanes on Cobbora Road during the morning peak period. This corresponds to a completely flat traffic flow without fluctuations.

SIDRA uses gap-acceptance methodology for intersection capacity estimation where gap-acceptance parameters are considered. This means that intersection (junction) and network capacity, level of service and performance analysis, and gap-acceptance modelling and network timing calculations are used to take into account the effect of an intersection on anticipated driver behaviour through gap-acceptance modelling.

TfNSW notes that based on the RMS Traffic Modelling Guidelines, SIDRA default Peak Flow Factor of 95% is acceptable, the proponents use of 100% is not satisfactory.

Justification has not been provided for using a PFF of 100% for the eastbound and westbound through lanes on Cobbora Road during the morning peak period, which will have the effect of misrepresenting the real situation that will be encountered by traffic during the peak time. As a result, intersection failure may cause unconsidered delay that may affect the LOS on the White Street. As stated, PFF of 95% percent allowance estimation is stipulated by SIDRA and

TfNSW due to the difficulty of calibrating accurate demand volumes. A higher value signifies little flow variation than what would be normally expected.

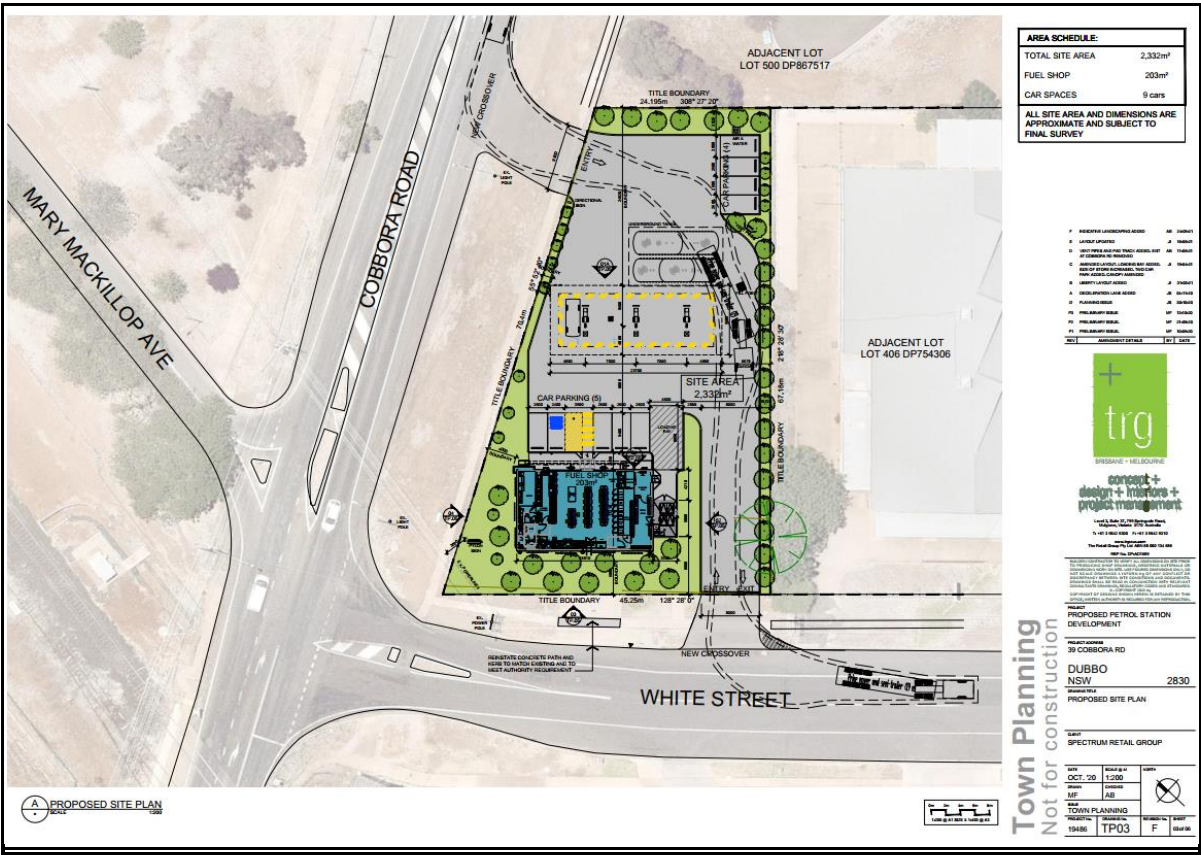


Figure 2(a): Refused proposal - with one entry from Cobbora Road and one entry/exit from White Street

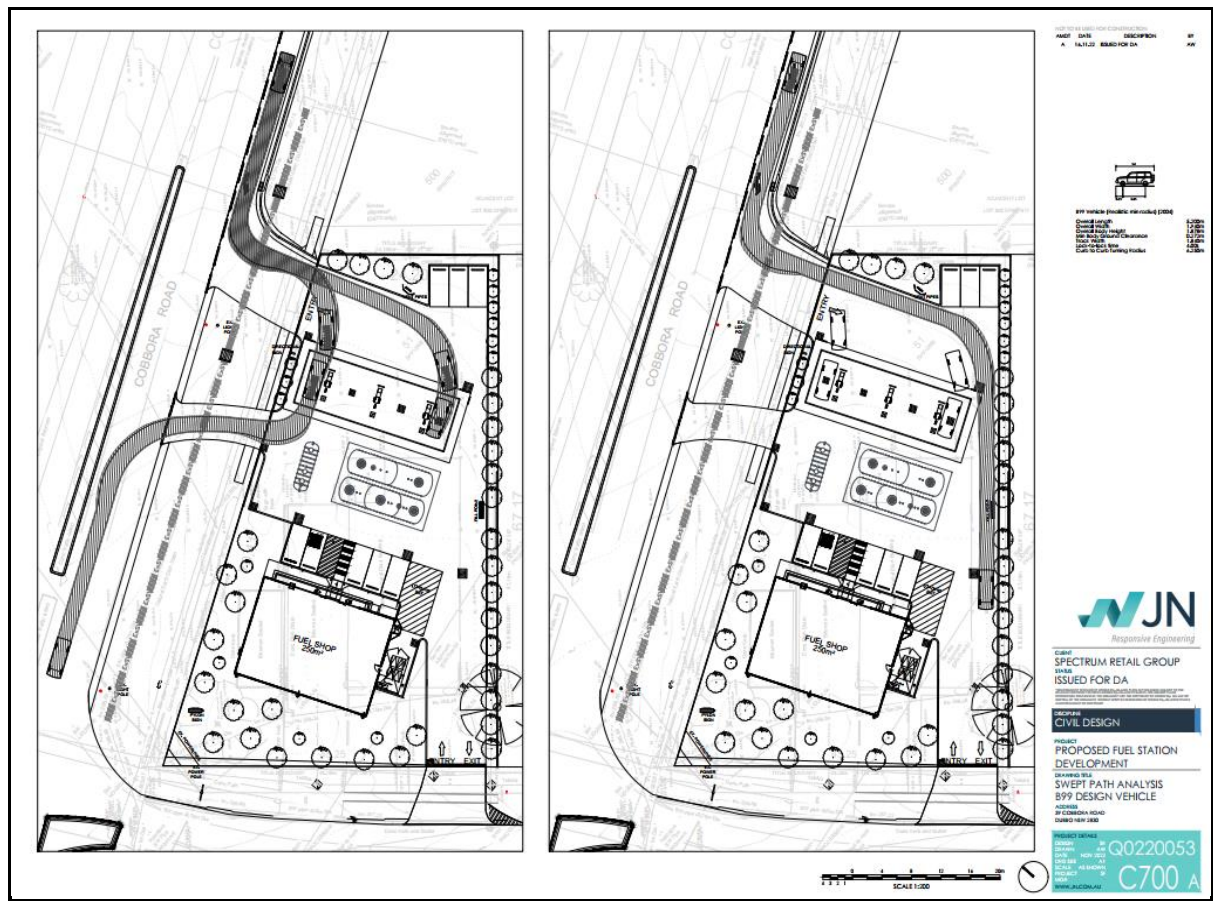
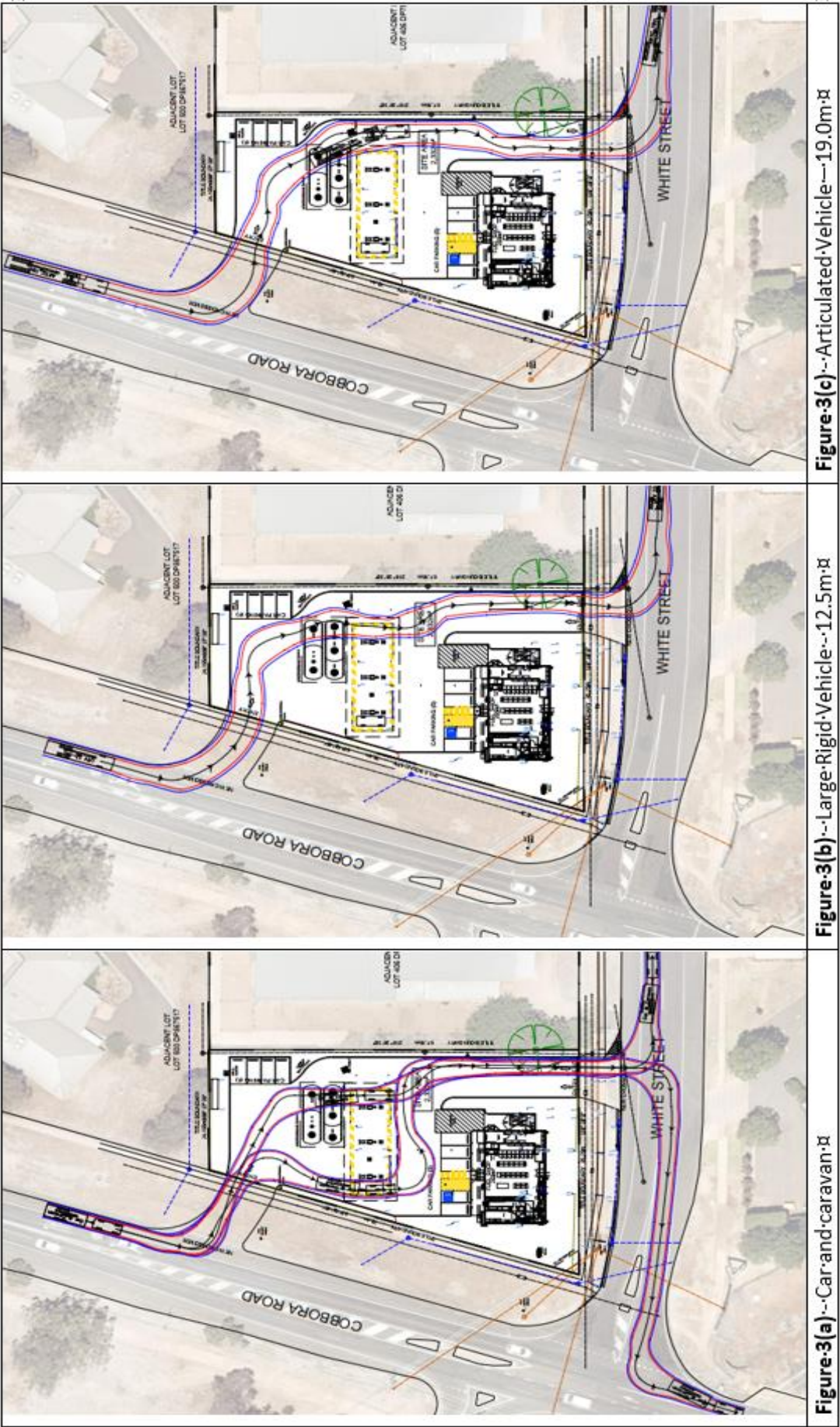


Figure 2(b): Amended proposal - with 'left-in entry and left-out exit' onto Cobbora Road in addition to an entry/exit from White Street for vehicle – 5.2m



Reason for Refusal

The proposed development is likely to adversely impact the efficiency of movement of people and freight along the classified road, to and from the site and as such is inconsistent with Clause 104(3)(b)(ii)(A) of the State Environmental Planning Policy (Infrastructure) 2007.

Applicant Comment

The amended traffic assessment has found that the proposed development would not adversely impact the efficiency of movement and freight along the 'classified road'.

The proposed exit driveway is located some 17 metres from the intersection with White Street and thus complies with AS2890.1-2004. With regards to the operation of the left turn exit, SIDRA modelling found it would operate at LOS B with existing traffic flows and LOS C with 2030 traffic flows (and no upgrade). Vehicles exiting onto Cobbora Road would give way to through traffic on Cobbora Road (including traffic turning left into White Street). Drivers exiting would be able to differentiate vehicles turning left into the petrol station from vehicles turning left into White Street as vehicles turning into petrol station would do so from the proposed deceleration lane. Therefore, decelerating left turning traffic into White Street, accelerating left turning traffic from the site, through traffic and diverging/merging of these vehicles can be safely managed.

Council Comment

To remove a significant 'turn risk' for pedestrians, the existing Cobbora Road pedestrian refuge could be closed with a new refuge constructed between the proposed 'left-in entry and left-out exit' driveways including the construction of new footpath connections to the existing footpaths on both sides of Cobbora Road.

However, TfNSW advised that the SIDRA analysis has considered a value of 5% for extra bunching for the eastbound and westbound through lanes on Cobbora Road. Based on Roads and Maritime Services Traffic Modelling Guidelines, an extra bunching value of 5% can be used if the distance to an upstream Traffic Control Signals (TCS) is between 600m – 800m and an extra bunching value of 0% is to be used if the distance to an upstream TCS is greater than 800m. The nearest TCS to the Cobbora Road and White Street/Mary McKillop Avenue is more than 850m away at the intersection of Cobbora Road and Bourke Street.

Therefore, as explained in Council's letter of 17 August 2022, the SIDRA analysis should adopt a value of 0% for extra bunching for all legs of the intersection. Adopting a value of 5% for extra bunching on the basis that nearby roundabout intersections operate in a similar way to TCS is not supported. Council is of the view that inclusion of 5% extra bunching lowers the efficiency of the intersection.

Reason for Refusal

The proposed development is likely to adversely impact traffic safety and significantly increase road congestion in the immediate and surrounding area and as such is inconsistent with Clause 104(3)(b)(iii) of the State Environmental Planning Policy (Infrastructure) 2007.

Applicant Comment

The amended traffic assessment has found that the proposed development would not adversely impact road safety or result in increased congestion in the immediate area.

Council Comment

TfNSW has reviewed the information provided and is not satisfied that the proposed plans and supporting documents satisfactorily address concerns raised previously by TfNSW. Specifically, it has not been demonstrated that the proposed development, including an egress onto Cobbora Road, will be able to operate without causing the Level of Service at the intersection of White Street and Cobbora Road to fail, presenting a significant risk to road safety and traffic efficiency.

As stated, Cobbora Road is an arterial road frequented by high volume of traffic while White Street is a collector road designated to carry limited capacity. In addition, White Street does not provide any other outlet to Cobbora Road to allow vehicles to re-join the intended road network. Therefore, traffic will be forced to filter into other local roads impacting their efficiency.

Reason for Refusal

The proposed development is likely to result in detrimental impacts, including impacts on the built environments, and social and economic impacts in the locality in relation to public safety concerns relating to traffic generation and traffic conflict.

Applicant Comment

A review of the five year crash history was provided in our March 2021 report. This found that there were seven crashes at or in the vicinity of the intersection of White Street/Cobbora Road. No crashes were associated with turning movements at the intersection.

The traffic assessment of the amended development has found that the proposed development would not adversely result in detrimental impacts in relation to public safety concerns relating to traffic generation and traffic conflict.

Council Comment

The intersection of Cobbora Road (Golden Highway), White Street and Mary Mackillop Avenue and adjoining road environment is already a sensitive location with respect to the current traffic movements and adjacent RLX environment. There is a history of traffic conflict

at this location as a consequence of the ongoing increase in traffic on Cobbora Road and the road alignment constraints and the interaction with the adjacent RLX.

The 1997 PPK Reports which informed Council's s94 Urban Roads Contribution Plan, noted that the widening of Cobbora Road to four lanes (from Myall Street roundabout and across the RLX) will be required to provide increased lane capacity where current traffic volumes reinforce this need.

The amended traffic assessment is not practical nor self-enforcing. There is likely to be a high risk of non-compliance with the proposed traffic management strategies (including potential for queuing over the RLX), and therefore these strategies are unlikely to alleviate traffic safety and management concerns at the intersection of Cobbora Road (Golden Highway) and White Street.

Reason for Refusal

The site (location) is considered unsuitable for the development due to traffic generation and traffic conflict.

Applicant Comment

The site is considered suitable for the proposed petrol station.

Council Comment

It is noted that in Section 4.3.2 of the Australian Guide to Traffic Management, Petrol Stations are typically located on corner blocks and should be designed to have separate entry and exit driveways with the entry located far enough away from the intersection so that a vehicle turning into the Petrol Station does not impact on through traffic.

During the pre-lodgement meeting held on 19 August 2020, Council expressed concerns as to the suitability of the site for the Service Station development due to the proposed only exit onto White Street for all vehicles entering the site thereby increasing the traffic conflict and road safety risk onto Council's local road network and the adjacent Cobbora Road intersection.

The impact of the proposed development on the traffic generation and traffic conflict in the locality includes:

- Increased traffic safety risk at the Cobbora and White Roads intersection without any acceptable mitigation adjustments;
- Unacceptable high risk generated by numerous turning movements encountered by traffic egress to White Street and ingress to Cobbora Road;
- With the Cobbora and White Roads intersection failing (see dot point above), undesignated heavy traffic movements would be generated to cross White Street (local road) from the Service Station increasing the turning vehicle conflict and queueing to re-join Cobbora Road; and

- The Traffic Impact Assessment (TIA) with regard to the traffic flow at the intersection. Amendments to the nominated SIDRA analysis has not been accompanied by adequate justification, a situation Council believes may affect the accuracy of intersection assessment.

Reason for Refusal

The proposed development is not in the public interest, in relation to traffic generation and traffic conflict

Applicant Comment

The public interest matters relating to traffic generation and traffic conflict have been addressed in the traffic responses related reasons for refusal.

Council Response

Throughout the 'Review of Determination' period there has been a continuous exchange of information and requests for further information by Council and TfNSW in order to adequately address the concerns to provide an appropriate assessment of the suitability (or otherwise) of the proposed Service Station development on this site.

Council has reviewed the further information provided by the applicant. However, given the above analysis and assessment, the proposal remains not in the public interest, in relation to traffic generation and traffic conflict.

Reason for Refusal

The proposed development is inconsistent with Element 2 in Chapter 2.3.3 of the Dubbo Development Control Plan 2013 in relation to building design (blank walls).

Applicant Comment

The revised scheme has sought to introduce articulation in the form of vertical battens on the south-western and north-western elevations. In addition, this design will enable growing creepers to add a natural aesthetic to the appearance of the wall.

Council Comment

The revised design scheme addresses this high profile location with a contemporary design and the use of materials and colours, providing for appropriate articulation of the building.

In particular, the introduction of articulation in the form of vertical battens on the south-western and north-western elevations, in addition to growing creepers to add a natural aesthetic to the appearance of the wall, addressing the requirements of Element 2 in Chapter 2.3.3 of the Dubbo Development Control Plan 2013 in relation to building design. Refer to architectural plans provided in **Appendix 2**.

Reason for Refusal

The proposed development includes advertising signage (scrolling poster board sign) which is prohibited development in the IN2 Light Industrial zone under the Dubbo Local Environmental Plan 2011.

Applicant Comment

The proposal seeks consent for a Service Station. Signage associated with the use is considered ancillary. Further, the signage is designed to have a low refresh rate, meaning that changes to the details on the sign will blend into the rest of the use. Further, the signage is well setback from all property boundaries, and is considered minor in the context of the broader development.

Council Comment

The price board pylon sign relates directly to the use of the land, the directional signs are provided for traffic safety and the remaining signs on the fascia, tower and beside the entrance doors are consistent with the use of the land and are considered appropriate given the nature and scale of the development.

The signage suite still includes a 1.7m (h) x 1m (w) scrolling poster board sign. Proposed signage needs to relate to the lawful use of the development. The proposed scrolling poster board sign does not. Therefore, the site plan is to be marked in red removing the proposed signage (scrolling poster board) in addition to a condition of consent expressly prohibiting this sign, should development consent be granted.

(a)(i) Environmental Planning instruments

Dubbo Local Environmental Plan 2011

As stated previously, the other matters of the proposed development comply with the aims and development standards of the Dubbo LEP 2011, as assessed under the provisions of s4.15(1) of the Environmental Planning and Assessment Act, 1979, which were undertaken with the original application.

(a)(ii) Draft Environmental Planning instruments

Draft Dubbo Regional Local Environmental Plan 2021

Draft Dubbo Regional Local Environmental Plan 2021 was gazetted 25 March 2022.

The 'Review of Determination' the subject of this report, was submitted to Council on 11 October 2021, prior to gazettal of Dubbo Regional Local Environmental Plan 2021.

However, none of the amendments associated with Dubbo Regional Local Environmental Plan 2021 specifically relate to the subject site or the proposed development.

(a)(iii) Development control plans

Dubbo Development Control Plan 2013

As stated previously, the other matters as required to be assessed under the provisions of s4.15(1) of the Environmental Planning and Assessment Act, 1979, were undertaken with the original application and found to be satisfactory.

Options Considered

Council has the following options:

1. Council refuse the Section 8.2 'Review of Determination' and uphold the decision of 15 April 2021.

This is the preferred option.

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

2. Council resolve to approve the application in principal subject to the compilation of appropriate conditions of consent, and that delegated authority be provided to the Chief Executive Officer to issue the finalised consent.

Preferred Option

Noting that through the 'Review of Determination', the application has not adequately addressed the planning/legislative requirements associated with traffic and transport, Option 1 is recommended.

However, regardless of Council's decision in this matter, the applicant has the right to appeal the decision to the NSW Land and Environment Court, and as a result Council would be required to defend the decision.

APPENDICES:

- 1 [↓](#) Notice of Determination - dated 15 April 2021
- 2 [↓](#) Architectural Plans
- 3 [↓](#) Response from TfNSW - dated 13 March 2023

D2020-608 Part 1
Parcel 5313
TRSM:JW

16 April 2021

Ms C Brennock
Spectrum Retail Group
C/- KDC Pty Ltd
Suite 2, 125 Bull Street
NEWCASTLE WEST NSW 2302

Dear Ms Brennock

NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION
Section 4.16(1)(b), Environmental Planning and Assessment Act 1979

Premises to which Notice refers: Lot 51 DP 712802, 39 Cobbora Road DUBBO

Proposed Development: Service station

It is desired to inform you that the application submitted by you for permission to undertake the above described development was considered by Council.

The application was subsequently determined by Council as a refusal with the reasons attached to this Notice.

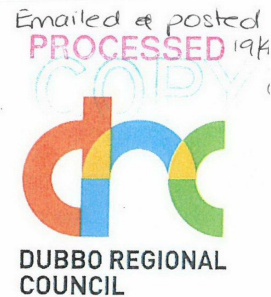
Development Application: D2020-608

Date of Refusal: 15 April 2021

REASONS FOR REFUSAL:

- The proposed is likely to adversely impact traffic safety at the level railway crossing, with significantly increased road congestion in the immediate area and as such is inconsistent with Clause 84(2)(b)(ii) of the *State Environmental Planning Policy (Infrastructure) 2007*.
(Section 4.15(1)(a)(i) Environmental Planning and Assessment Act 1979)
- The proposed development is likely to adversely impact the efficiency of movement of people and freight along the classified road, to and from the site and as such is inconsistent with Clause 104(3)(b)(ii)(A) of the *State Environmental Planning Policy (Infrastructure) 2007*.
(Section 4.15(1)(a)(i) Environmental Planning and Assessment Act 1979)

All communications to: **CHIEF EXECUTIVE OFFICER**
ABN 53 539 070 928
PO Box 81 Dubbo NSW 2830
T (02) 6801 4000 F (02) 6801 4259 E council@dubbo.nsw.gov.au
Civic Administration Building Church St Dubbo NSW 2830
W dubbo.nsw.gov.au



evocities
REGIONAL CITY LIVING

Page 2 of 2
Dubbo Regional Council

D2020-608

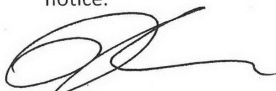
15 April 2021

- The proposed development is likely to adversely impact traffic safety and significantly increase road congestion in the immediate and surrounding area and as such is inconsistent with Clause 104(3)(b)(iii) of the *State Environmental Planning Policy (Infrastructure) 2007*.
(Section 4.15(1)(a)(i) *Environmental Planning and Assessment Act 1979*)
- The proposed development is inconsistent with Element 2 in Chapter 2.3.3 of the *Dubbo Development Control Plan 2013* in relation to building design (blank walls).
(Section 4.15(1)(a)(iii) *Environmental Planning and Assessment Act 1979*)
- The proposed development is likely to result in detrimental impacts, including impacts on the built environments, and social and economic impacts in the locality in relation to public safety concerns relating to traffic generation and traffic conflict.
(Section 4.15(1)(b) *Environmental Planning and Assessment Act 1979*)
- The site (location) is considered unsuitable for the development due to traffic generation and traffic conflict.
(Section 4.15(1)(c) *Environmental Planning and Assessment Act 1979*)
- The proposed development is not in the public interest, in relation to traffic generation and traffic conflict.
(Section 4.15(1)(e) *Environmental Planning and Assessment Act 1979*)
- The proposed development includes advertising signage (scrolling poster board sign) which is prohibited development in the IN2 Light Industrial zone under the *Dubbo Local Environmental Plan 2011*.
(Section 4.15(1)(a)(i) *Environmental Planning and Assessment Act 1979*)

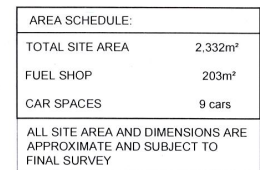
RIGHT OF REVIEW AND APPEAL:

Right of Review: Section 8.2 of the Environmental Planning and Assessment Act 1979 confers the right for an applicant to request the Council to review the determination. The request must be made in writing within six (6) months after the date on which you receive this notice, together with payment of the appropriate fee.

Right of Appeal: Section 8.7 and 8.10 of the Environmental Planning and Assessment Act 1979 confers the right for an applicant who is dissatisfied with Council's determination to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.



Dean Frost
Chief Executive Officer



F	INDICATIVE LANDSCAPING ADDED	AE	24-09-21
E	LAYOUT UPDATED	AI	16-06-21
D	VENT PILES AND PAD TRACK ADDED. EXIT AT COBBORA RD REMOVED	AD	11-06-21
C	AMENDED LAYOUT. LOADING BAY ADDED. SIZE OF STORE INCREASED. TWO CAR PARK ADDED. CANOPY AMENDED	AI	19-04-21
B	LIBERTY LAYOUT ADDED	AI	31-03-21
A	DECLARATION LANE ADDED	JS	06-11-20
F3	PLANNING ISSUE	JS	30-10-20
F2	PRELIMINARY ISSUE	MF	13-10-20
F1	PRELIMINARY ISSUE	MF	21-09-20
F1	PRELIMINARY ISSUE	MF	10-09-20
REV	AMENDMENT DETAILS	BY	DATE



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 COPYRIGHT OF DESIGNS SHOWN HEREIN IS RETAINED BY THIS OFFICE. WRITTEN AUTHORITY IS REQUIRED FOR ANY REPRODUCTION.


PROJECT

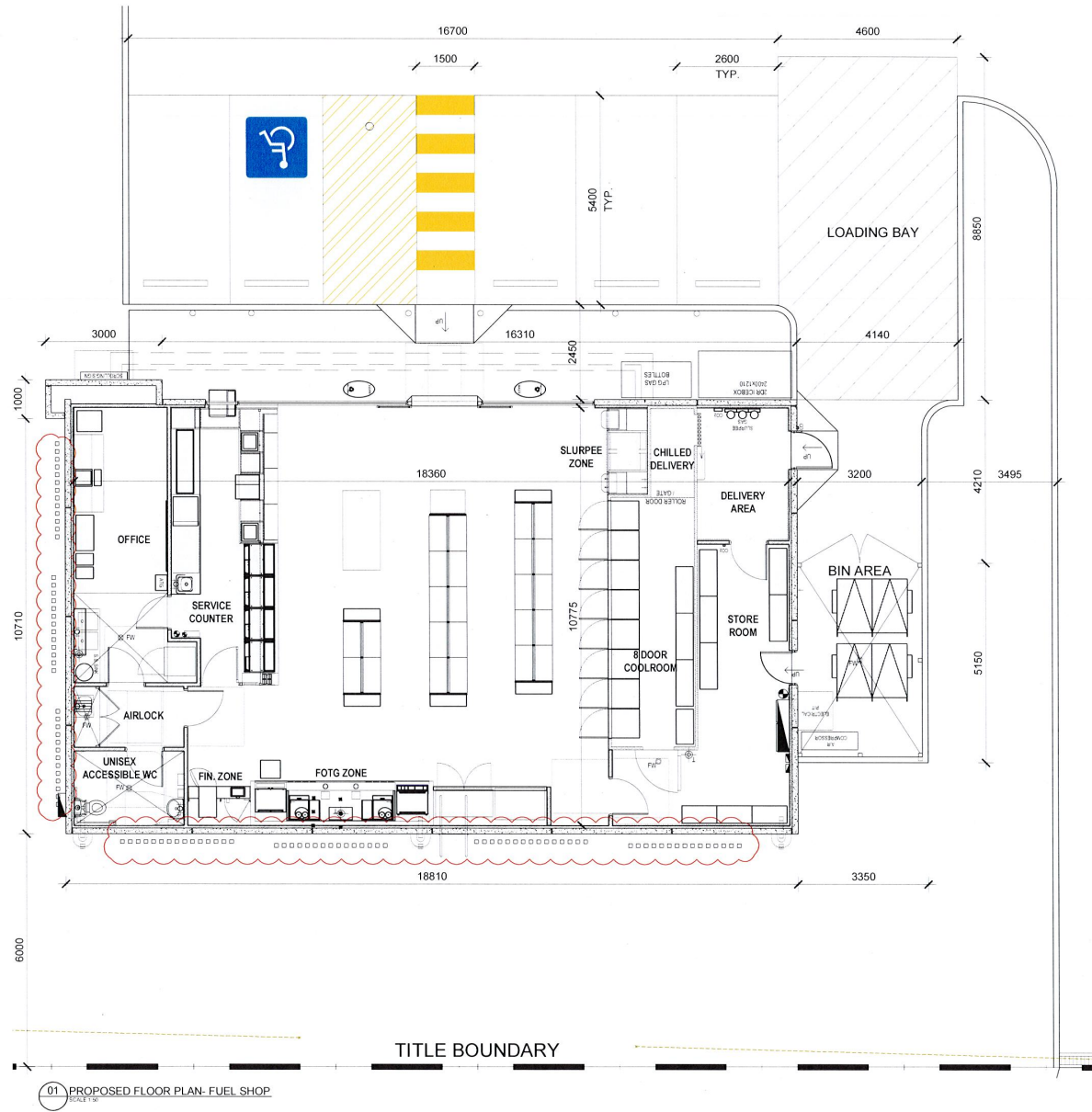
PROJECT ADDRESS
39 COBBORA RD

DUBBO
NSW 2830

DRAWING TITLE
PROPOSED SITE PLAN

CLIENT
SPECTRUM RETAIL GROUP

DATE OCT. '20	SCALE @ A1 1:200		
DRAWN MF	CHECKED AB		
TITLE TOWN PLANNING			
PROJECT No. 19486	DRAWING No. TP03		REV'S ON No. F



E	EXTERNAL BATTENS ADDED TO EXTERIOR WALLS	AB	24/09/2021
A	LAYOUT REVISED	J	16/06/21
C	PLANNING ISSUE	J	30/10/20
P2	PRELIMINARY ISSUE	MF	13/10/20
P1	PRELIMINARY ISSUE	MF	21/09/20
REV	AMENDMENT DETAILS	BY	DATE



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DESIGN: CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO PROCEEDING WITH CONSTRUCTION. CONSTRUCTION TO FOLLOW ALL CONCEPTUAL WORK ON SITE. USE PLANNED DIMENSIONS ONLY. DO NOT SCALE DRAWINGS. A WARNING OF ANY DISCREPANCY BETWEEN THE DRAWINGS SHALL BE READ IN CONNECTION WITH THE PROJECT'S CONTRACT DOCUMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DISCREPANCY.

PROJECT
PROPOSED PETROL STATION
DEVELOPMENT

PROJECT ADDRESS
39 COBBORA RD

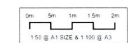
DUBBO
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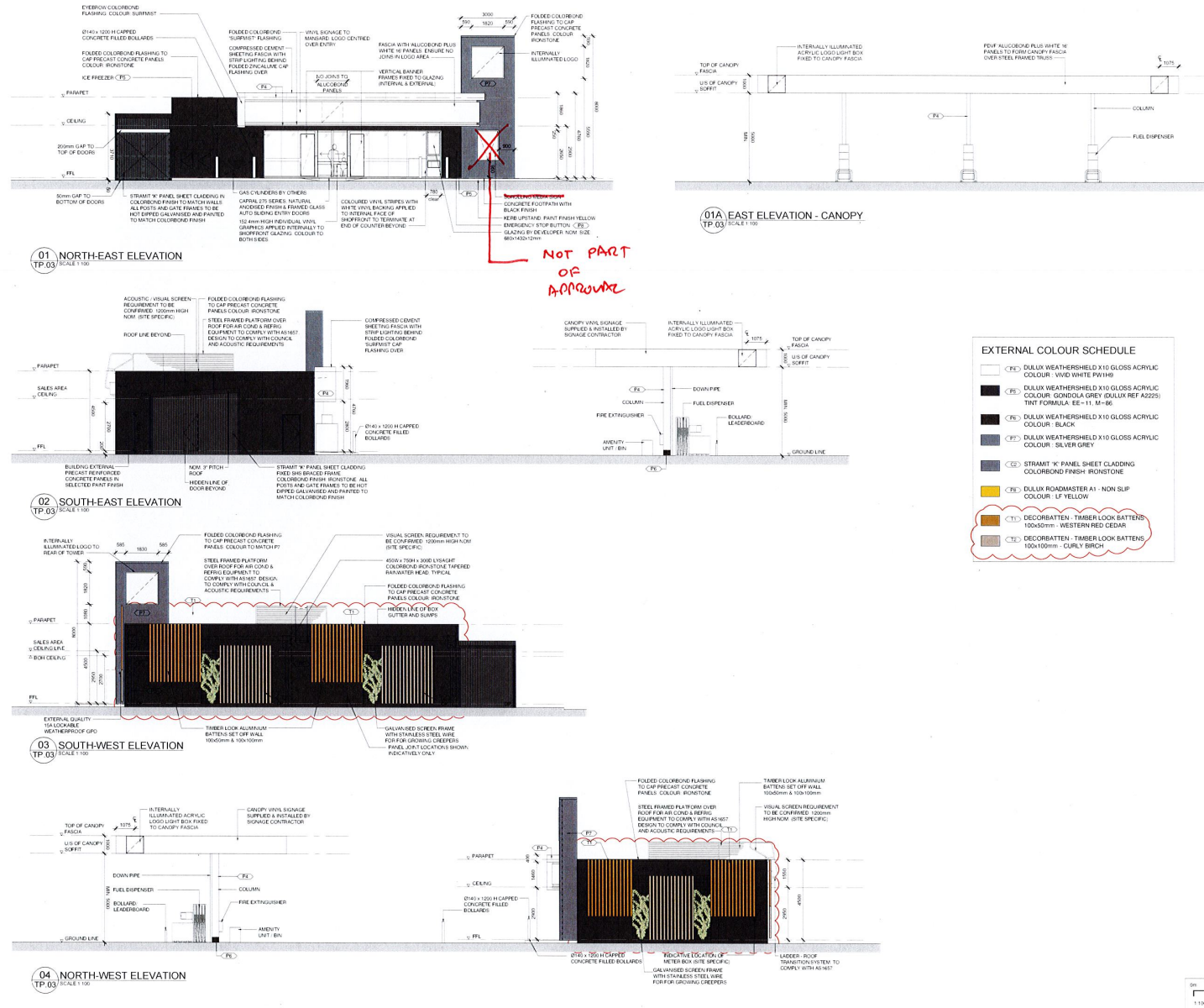
DRAWN BY
PROPOSED FLOOR PLAN -
FUEL SHOP

CLIENT
SPECTRUM RETAIL GROUP

DATE	SCALE @ A1	NORTH
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MF	AB	
SHEET	NO. OF SHEETS	DATE
TOWN PLANNING	19486	TP04
REVISED BY	REVISED DATE	REVISED DATE
B		04/06/20

Town Planning
Not for construction





C	TIMBER LOOK BATTENS ADDED TO EXISTING BATTENS WITH GROWING CREEPERS ADDED TO ELEVATION 3A	24-10-21
E	TIMBER LOOK BATTENS ADDED TO ELEVATIONS 3 & 4	24-10-21
A	BRAND DETAILS REMOVED FINISHES REVISED	25-11-20
D	PLANNING ISSUE	26-10-20
P	PRELIMINARY ISSUE	21-09-20
REV	AMENDMENT DETAILS	DATE



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The Retail Group Pty Ltd ABN 45 050 134 686
RFP No. CP-AD1618

CLIENT: COBBORA RETAIL GROUP
PROJECT: PROPOSED PETROL STATION DEVELOPMENT
PROJECT ADDRESS: 39 COBBORA RD
DUBBO NSW 2830
TOWN PLANNING
19486 TP05 C 05/06

DATE: OCT. 20
SCALE: 1:100
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TOWN PLANNING
19486 TP05 C 05/06

PROJECT ADDRESS: 39 COBBORA RD
DUBBO NSW 2830
TOWN PLANNING
19486 TP05 C 05/06

PROJECT ADDRESS: 39 COBBORA RD
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19486 TP05 C 05/06

PROJECT ADDRESS: 39 COBBORA RD
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Transport
for NSW

22/12/2021

WST20/00416/05 | SF2020/221884

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

Attention: Bo Moshage, Senior Planner

Dear Bo,

D2020/608: Lot 51 DP 712802; 39 Cobbora Road (HW27), Dubbo
Section 8.2 Review of Determination: Proposed Service Station

Thank you for referring Review of Determination D2020/608 via the NSW Planning Portal dated 29 October 2021 to Transport for NSW (TfNSW) for comment.

TfNSW notes, in relation to the current proposal:

- The proposal includes demolition of existing buildings, and construction and use of a new service station with convenience store (203 m² Gross Floor Area) proposed to operate 24/7, nominally 5m high awning, and 9 onsite parking spaces.
- The proposal submitted requires referral to TfNSW pursuant to section 138 of the *Roads Act 1993* and section 104 of *State Environmental Planning Policy (Infrastructure) 2007*. TfNSW previously responded to the proposal with formal letters dated 28 May 2020 (pre-lodgement advice), 17 February and 30 March 2021 (requests for information).
- The proposal includes removal of the opportunity for vehicles in White Street to turn right into Cobbora Road.
- Elevations were provided for an 8m high business identification sign partially integrated with the building and a scrolling media sign but were not found for a 6m high pylon sign (including fuel price displays) referenced in the report.

TfNSW provides the following comments pursuant to Clause 104 of the ISEPP, to assist Council in its determination of the review:

- Prior to issuance of any Occupation Certificate, the following signage shall be installed within the subject site's property boundaries:
 - At the White Street driveway facing internally to the site, two sign poles with combined 'NO RIGHT TURN' (r2-6n) for 'VEHICLES OVER 12.5m' (r9-223).
 - On either side of the White Street driveway facing the public road, two sign poles with combined 'NO ENTRY' (r2-4n) for 'VEHICLES OVER 12.5m' (r9-223).
 - On either side of the Cobbora Road entry driveway facing internally to the site, to prevent unauthorised egress, two sign poles with 'NO ENTRY' (r2-4n) signs.
 - At the Cobbora Road entry driveway facing westbound traffic on the highway, a sign pole Size A 'NO ENTRY' (r2-4n) for 'VEHICLES OVER 12.5m' (r9-223) and 'AUTHORISED VEHICLES EXCEPTED' (r9-4).

Transport for NSW

Level 1, 51-55 Currajong Street, Parkes NSW, 2870 | PO Box 334, Parkes NSW 2870 | DX20256
W transport.nsw.gov.au | E development.west@transport.nsw.gov.au | ABN 18 804 239 602

- At all stages of the development, parking, loading/unloading and materials shall be wholly contained within the site.
- Adequate turning circles, storage room and vertical clearances are to be provided in the site for the largest type of vehicle (19 metre articulated vehicle) that will visit the site during construction and operation. Fuel delivery vehicles are to be restricted to 19 metre or less in length.
- Fuel deliveries are to be scheduled outside of service station normal trading hours.
- A signposted "No Stopping" zone is to be created on the road shoulder adjoining the westbound travel lane on Cobbora Road between the Cobbora Road driveway and the intersection of White Street and Cobbora Road.

TfNSW provides concurrence under s138 of the *Roads Act 1993* with respect to the proposed roadworks on Cobbora Road, subject to the following conditions being met:

- Prior to requesting a Works Authorisation Deed pack a revised strategic design prepared in consultation with TfNSW is required to be submitted to TfNSW and Dubbo Regional Council for review and Roads Act approval/s.
- The developer will be required to privately finance, and construct works on a State classified road in which TfNSW has a statutory interest. The developer shall enter a Works Authorisation Deed (WAD) with TfNSW and obtain TfNSW consent to the detailed design under s64 of the Roads Act, prior to roadworks commencing.
- Prior to issuance of any Occupation Certificate, the following roadworks shall be practically completed to the satisfaction of, and at no cost to, TfNSW (WAD works) and Council (all other works):
 - An urban full Auxiliary Left turn treatment (AUL) at the westbound site entry driveway from Cobbora Road, in accordance with Figure 8.6 of Austroads Guide to Road Design Part 4A and relevant TfNSW Supplements to Austroads. The AUL length shall be increased for a 70 km/h design speed to a minimum deceleration length of 70m and taper of 23m, and a new widened shoulder (in addition to the AUL lane) of minimum 3.5m width as per the existing shoulder width.
 - A private entry driveway concrete crossover to Council's standard drawing from Cobbora Road designed to accommodate 19 metre semi-trailers turning from entirely within the AUL lane at a design speed of 10 km/h. To accommodate this movement the driveway will need to be widened further. The crossover is to include warning signs and/or pavement markings for pedestrians to look for turning vehicles.
 - A raised concrete median strip with barrier kerb, generally in accordance with the submitted plans, along Cobbora Road opposite the site ingress driveway, to prevent eastbound right turns into the site. The carriageway shall be widened with full depth pavement if required to compensate for any loss of lane or shoulder width.
 - If deemed required by Council, kerbing along the Cobbora Road frontage is to be standard barrier kerb (type 'SA'), to TfNSW or Council's standard drawing, ensuring runoff drains to Council's nearest pit(s).
 - The intersection of White Street and Cobbora Road is to be widened on the White Street northern approach to cater for the swept path of the largest vehicle permitted to operate on White Street turning left into Cobbora Road (currently 19 metre semi-trailer).
 - The driveway crossing in White Street shall be widened to enable two-way flow without vehicles crossing into oncoming vehicle paths or the opposing lane of travel when egressing the site by way of a left turn.
 - All road works shall maintain maximum compatibility with future widening of Cobbora Road to four lanes and upgrade (channelisation) of the White Street intersection, minimising future reconstruction that may be required, with concept outlines shown on a detailed design plan. Specifically, the AUL pavement shall cater for full highway design traffic and poles and utilities relocated as near as practicable to the property boundary.

- Street lighting to illuminate the AUL, median barrier kerb and White Street left-out only, to AS/NZS 1158.3.1 category V3 or higher.
- A concrete footpath to Council's specifications along all site road frontages.
- Provide details of ancillary works including (but not limited to) line marking, signage, drainage transitions, batter slopes, vegetation removal, services relocation, and road reserve widening acquisition if required.
- Prior to the commencement of construction work the proponent is to obtain a Road Occupancy Licence (ROL) from the TfNSW Road Access Unit through the OPLINC system using the link below. Please provide the consent number in the road occupancy licence application. Please note that up to 10 working days is required for Road Occupancy Licence applications to be assessed and processed. If the applicant needs assistance, contact the unit at road.access@transport.nsw.gov.au

OPLINC access via: <https://roads-waterways.transport.nsw.gov.au/business-industry/road-occupancy-licence/index.html>

Further, TfNSW notes in relation to *SEPP No. 64 (Advertising and Signage)* that the proposed advertising signage does not appear to exceed 8m in height or 20m² area, and TfNSW concurrence is therefore not required under clauses 17 and 18. All onsite signage should comply with the *Transport Corridor Outdoor Advertising and Signage Guidelines* (DPE, 2017) and specifically:

- The proposed scrolling sign and all digital signs shall comply with section 3.3.2 criteria including static display, minimum dwell and maximum transition times.
- Internally and externally illuminated signs shall meet the luminance limits in Tables 5 (non-digital) and 6 (digital signs). The luminance zone is to be determined by Council considering the Guidelines and the local and desired character of the area.
- All sign displays must be static, with no dynamic, flashing or animated elements.
- Displays shall not sequence images or messages, so drivers watch in anticipation of the next frame, including sequences of images or messages.
- Displays shall not imitate traffic regulatory, advisory, or emergency devices including use of similar colours, symbols, words and the like.

Please forward a copy of Council's determination to TfNSW at development.west@transport.nsw.gov.au when it is sent to the applicant. If you wish to discuss this matter further, please contact Bevan Crofts, Case Officer on 02 6861 1453.

Yours faithfully



Andrew McIntyre
Manager Development Services – West
Regional and Outer Metropolitan

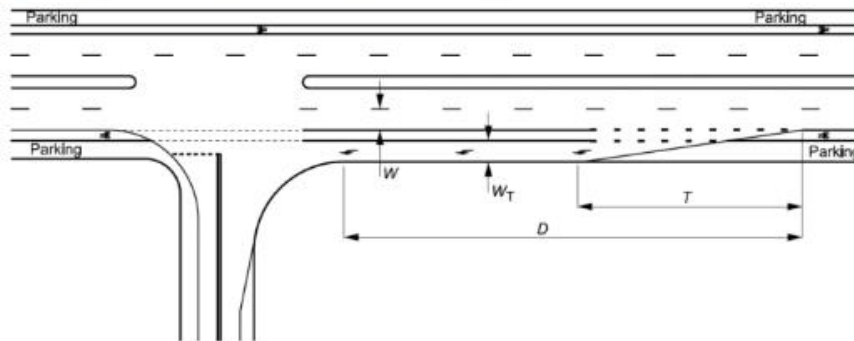
Enc. Austroads AUL layout

8.3 Urban Left-turn Treatments

8.3.1 Urban Auxiliary Left-turn Treatment (AUL) on the Major Road

A diagram of an AUL turn treatment on the major leg of a divided urban road is shown in Figure 8.6. The length of the auxiliary left-turn lane should not be restricted to the minimum if there is little difficulty in making it longer and the traffic demand warrants the treatment.

Figure 8.6: Auxiliary left-turn treatment (AUL) on the major leg of an urban road



Notes:

For setting out details of the left-turn geometry, use vehicle turning path templates.

The dimensions of the treatment are defined as:

W = Nominal through lane width (m) (incl. widening for curves).

W_T = Nominal width of turn lane (m) (incl. widening for curves based on the design turning vehicle) = 3.0 m minimum.

D = Diverge/deceleration length including taper – Table 5.2. (adjust for grade by applying the 'correction to grade' factor in Table 5.3).

T = Physical taper length (m) given by: $T = \frac{0.33VW_T}{3.6}$

V = Design speed of major road approach (km/h).

Source: Department of Main Roads (2006)⁴¹.

⁴¹ Department of Main Roads (2006) has been superseded and Figure 8.6 has not been carried forward into Queensland Department of Transport and Main Roads (2016).



REPORT: D22-737 - Seniors housing (32 Dwellings) - Stage 7 and Stage 9 at 57 Minore Road, Dubbo

DIVISION: Development and Environment
REPORT DATE: 5 May 2023
TRIM REFERENCE: ID23/820

EXECUTIVE SUMMARY

Purpose	Provide planning approval.	
Issues	<p>The key issues associated with the proposal include:</p> <ul style="list-style-type: none">• Traffic and access;• Lot layout;• Stormwater management; and• BASIX Certificate and NatHERS Certificate requirements.	
Reasoning	<ul style="list-style-type: none">• No submissions of objection were received.• With an estimated value of \$19,010,420.00, the application is being reported to Council for determination in accordance with Council's 9 May 2022 resolution to limit the Chief Executive Officer delegation, in the case of development, with an estimated value higher than \$5 million.• The proposal is a permitted land use in the R1 zone under Dubbo Regional Local Environmental Plan 2022.• The proposal is consistent with the objectives of the R1 zone under Dubbo Regional Local Environmental Plan 2022.• The proposal is consistent with the relevant provisions contained within the relevant State Environmental Planning Policies.• The proposal is generally compliant with the provisions of Dubbo Development Control Plan 2013, and any variations are considered justified.• The proposal incorporates adequate measures to ensure the development will not result in any adverse impacts on the natural and built environments.• The proposal is consistent with the public interest.• It is recommended that the application be approved, subject to conditions.	
Financial Implications	Budget Area	Development contributions apply to the proposed development. Subject to payment of required developer contributions for water, sewer, stormwater drainage, open space and urban roads, the

		proposed development will not have a significant financial impact on Council.
	Funding Source	Not applicable.
	Proposed Cost	Not applicable.
	Ongoing Costs	Not applicable.
Policy Implications	Policy Title	<ul style="list-style-type: none"> • Dubbo Regional Local Environmental Plan 2022. • SEPP (Housing) 2021. • SEPP (Resilience and Hazards) 2021. • SEPP (Transport and Infrastructure) 2021. • Amended S.94 Contributions Plan - Roads, Traffic Management and Car Parking - 2016. • Dubbo Development Control Plan 2013. • Open Space Section 94 Development Contributions Plan for Dubbo Open Space and Recreation Facilities - 2016-2026. • Water and Sewerage Contribution Policy - 2002.
	Impact on Policy	The proposal is consistent with these policies.

STRATEGIC DIRECTION

The Towards 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes six 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

RECOMMENDATION

- 1. That development application D22-737 for Seniors housing (32 Dwellings) at Lot 21 DP 1143984, 57 Minore Road, Dubbo be approved subject to the conditions of consent set out in Appendix 2.**

Stephen Wallace
Director Development and Environment

BM
Senior Planner

BACKGROUND

Application was lodged with Council on 17 January 2023 for Seniors housing at Lot 21 DP 1143984, 57 Minore Road, Dubbo.

The proposed development comprises 32 independent living units of a 217 Unit Retirement Village Masterplan approved by Council as a concept development application on 18 August 2006 under D05-899, and subsequently modified 19 May 2010 and 30 April 2013. This application forms part Stage 7 and Stage 9 of the overall village.

Specifically, part Stage 7 incorporates 13 independent living units which supersedes part of the existing Stage 7 approval granted on 17 January 2017 and comprises:

- Eight attached units made up of the following:
 - Six 'Macquarie' Villas (130-131, 141-142, and 174-175); and
 - Two 'Newell' Villas (207-208).
- Five detached units made up of the following:
 - Five 'Dulhunty' Villas (162-163, 195-196 and 206).

Stage 9 incorporates 19 new independent living units comprising:

- 14 attached units made up of the following:
 - Eight 'Macquarie' Villas (128-129, 143-144, 160-161, 176-177);
 - Five 'Newell' Villas (193-194 and 209-211); and
 - One 'Newell + ' Villa (212)
- Five detached units made up of the following:
 - Two 'Dulhunty' Villas (145 and 178); and
 - Three 'Premium' Villas (127, 159 and 192).
- Provision of infrastructure including roads, utility services, external fencing, landscaping, and street lighting;
- Provision of six visitor parking spaces; and
- Provision of fencing around private courtyards to provide privacy.

A visual reference of the proposed development is provided in **Figure 1**. Development site plans are provided in **Appendix 1**.

On 18 and 27 April 2023, amended plans and documentation were submitted addressing issues raised in Council's additional information letter dated 14 March 2023 relating to BASIX Certificate and NatHERS Certificate requirements.

With an estimated value of \$19,010,420.00, the proposed development does not trigger referral to the Western Region Planning Panel (WRPP) which requires a capital investment value of more than \$30 million to be considered as regionally significant development.

However, the application is being reported to Council for determination in accordance with Council's 9 May 2022 resolution to limit the CEO delegation, in the case of development, with an estimated value higher than \$5 million.

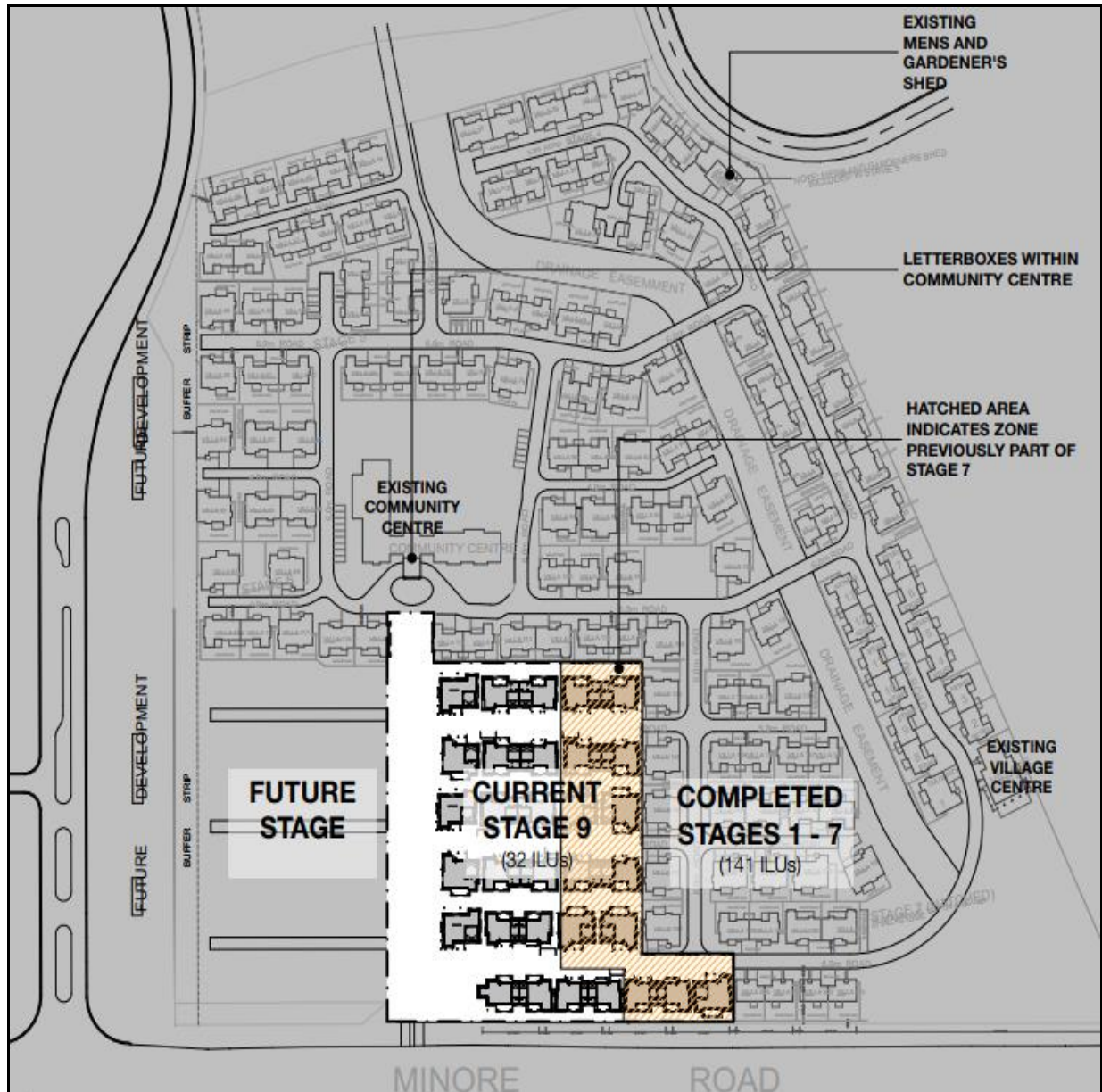


Figure 1: Development site plan (hatched area is Stage 7)

Following consideration of the matters under Section 4.15(1) of the Environmental Planning and Assessment Act, 1979 (EP&A Act), the proposed development is consistent with the objectives of relevant State Environmental Planning Policies (SEPPs), the Dubbo Regional Local Environmental Plan (LEP) 2022, Development Control Plan 2013 (DCP) and Council policies. It is therefore recommended that, pursuant to Section 4.16(1)(a) of the EP&A Act, D22-737 be approved subject to the conditions of consent contained in **Appendix 2** of this report.

REPORT

Consultation

- Public Notification

The development application was placed on notification for a period in excess of 14 days ending 6 February 2023, during which time a notification was placed in the Daily Liberal and adjoining property owners were notified in writing of the proposed development.

No submissions were received by Council during the notification period.

- Internal Consultation

- Infrastructure Division

Council's Senior Development Engineer (SDE) did not raise any significant issues that require further investigation or that would prevent the application from being granted consent with conditions. The conditions and notations recommended by the SDE will be included on the consent.

- Building Services Branch

Following submission of additional information, Council's Senior Building and Development Certifier (SBDC) did not raise any significant issues that require further investigation or that would prevent the application from being granted consent with conditions. The conditions and notations recommended by the SBDC will be included on the consent.

- Environmental Compliance

Council's Environment and Health Specialist (EHS) 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 EHS will be included on the consent.

Site Characteristics

Locality

The site has an area of 12.69 hectares (**Figure 1a**) and is located on the northern side of Minore Road. The specific development area is 12,500m² and is shown in **Figure 1b**.

Slope

The site slopes in a south easterly direction from 300mAHD to 285mAHD.

Vegetation

The site contains landscaping incorporated into the retirement village setting.

Access

Vehicle access is provided via the main entrance driveway connecting from Minore Road to the south and will include the construction of two new internal roads connecting the main entrance driveway with the road to the east.

Drainage

Stormwater from the property drains to a series of internal stormwater drainage channels which drain to a detention basin on the south-east corner of the property.

Services

The site would be connected to all utility services (water, sewer, stormwater and electricity).

Adjoining uses

The area surrounding the site is characterised by low to medium density residential development, being zoned R1 – General Residential to the north and east, and R2 – Low Density Residential to the west and south.

Site Inspection

An inspection of the site was conducted on 2 March 2023.



Figure 1a: Site location



Figure 1b: Specific development site

Site History

The site has been the subject of a number of development applications over the years. Relevant to this application is:

DA No.	Development Description
D05-899	Master Plan approval - 217 unit retirement village

A review was made of the most recent approval (D05-899 Part 4) with the following conditions relevant to this application:

- (2) *The Modified Development has been approved as a Staged Development. The subject development requires separate development applications to be approved by Council for individual dwellings, community facilities and ancillary buildings.*
{Reason: To ensure the development will comply with the EP&A Act 1979}

The 32 units which form this application are subject to a separate development application in accordance with the above condition.

- (10) *A 1.8m minimum high acoustic barrier shall be installed along the Minore boundary as proposed. Such barrier shall be constructed of hebel panels or other suitable materials in accordance with the recommendations and conclusion to the "Traffic Noise Assessment Proposed Retirement Village Delroy Park, Dubbo NSW" prepared by Spectrum Acoustics P/L, Project No. 05158.*

{Reason: Council requirement for protection of the environment and to mitigate any potential noise impacts}

There is an existing 1.8m high acoustic fence constructed along the southern boundary adjoining Minore Road.

- (45) *A minimum 300mm freeboard shall be maintained between the crest of the development's internal major storm event (100 year ARI) system flows and the habitable floor level of any adjoining/adjacent dwellings. Applicable details (where relevant) shall be submitted with each Construction Certificate application for the development's proposed dwellings.*

{Reason: Council requirement for conformity with Australian Rainfall and Runoff to avoid flooding of buildings in a major storm event}

The supporting Civil Engineering Plans Cross demonstrates the proposed units will have a Finished Floor Level (FFL) in excess of 300mm above the adjacent 1% AEP level as required.

There are no other matters from this consent, or any other consents pertaining to the property which may affect determination of this application.

Planning Assessment Section 4.15(1)

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

(a)(i) Environmental Planning instruments

SEPP (Building Sustainability Index: BASIX) 2004

The application requires BASIX documentation as the proposed dwellings are classed as 1a buildings under the Building Code of Australia (BCA). Legislation requires all buildings or parts of buildings of this classification to contain the relevant documentation.

A multi-dwelling BASIX Certificate has been issued for the dwellings, No: 1322326M_03 dated 14 March 2023; and NatHERS Certificates for each individual dwelling dated 5 August 2022. The BASIX Certificate is a valid certificate as it was generated within the last three months prior to the development application being lodged. The BASIX requirements and associated plans have been assessed and approved as meeting the objectives of the SEPP.

SEPP (Housing) 2021

Part 5 – Housing for seniors and people with a disability

Provides a state-wide approach to encouraging the development of housing that will meet the needs of more vulnerable members of the community, including very low to moderate income households, seniors and people with a disability.

In consideration of the SEPP, the following applicable sections have been addressed as follows:

Division 1: Land to which Part applies

Development for the purposes of seniors housing may be carried out with development consent on land zoned R1 - General Residential.

Division 3: Development standards

The following development standards apply:

Requirement	Response	Comply
The site area of the development is at least 1,000m ² .	The site has an area of 12.69ha with the development area contains 12,500m ² .	Yes
The frontage of the development site is at least 20m.	The street frontage to Minore Road is 436.5m in length.	Yes
For development involving independent living units and residential care facilities - an additional 25% of the maximum permissible floor space ratio if the additional floor space is used only for the purposes of independent living units or a residential care facility.	The floor space ratio is not applicable as the Master Plan for the entire Horizons Village has already been approved at a rate of 0.147:1.	Yes
The development will result in a building with a height of not more than 3.8m above the maximum permissible building height.	The maximum building height of the development is 4.8m and will not exceed 8m height requirement.	Yes

Restrictions on occupation of seniors housing

An appropriate condition to be included noting that only the people stated in Clause 88 may occupy the approved accommodation (i.e. seniors, the disabled, carers, and staff employed to assist in the administration and provision of services for those people). The condition will require a restriction on the title of the property pursuant to Section 88E of the Conveyancing Act, 1919 that only these people may occupy the accommodation. Note under the SEPP, the definition of seniors means people that are at least 60 years of age.

Division 4: Site-related requirements

Consideration has been given to the requirements of Section 93 of the SEPP including adequate access to facilities and services. Horizons Village has its own private bus service for residents which runs at frequent times throughout the week. The site is located within walking distance, connected via a concrete footpath along Minore Road, to Delroy Park Shopping Centre. The Shopping Centre offers residents medical, retail and postal services.

Section 95 requires that the proposed development be connection to reticulated water and sewer. All utility services (water, sewer, stormwater and electricity) are available to the development site.

Division 5: Design requirements

Design of in-fill self-care housing

D05-899 granted approval for a Master Plan for a seniors living development on the subject site. The proposed development is consistent with the approved Master Plan and the intended use of the land for seniors living. It is also considered that the application complies with the assessment criteria set out in the Department of Planning's *Seniors Living Policy: Urban Design Guideline for Infill Development* as provided below:

Responding to Context

Although the development will have an increased density to that of surrounding low density residential development, it is considered the development will maintain its links with the surrounding neighbourhood and does not detract from the neighbourhood amenity. This is achieved through effective built design features, landscaping and fencing styles.

Site Planning and Design

Design principles are achieved through providing a site layout with orientation of dwellings to achieve maximum solar access, effective landscaping, and compliance with SEPP controls.

Impacts on Streetscape

Design principles are achieved through built features that are sympathetic to surrounding development and providing adequate private open space areas.

Impacts on Neighbours

Design principles are achieved through not reducing solar access to neighbouring property, using landscaping to provide buffers, and achieving a design that does not reduce visual privacy.

Internal Site Amenity

Design principles are achieved through locating habitable rooms away from driveways and parking areas, providing communal open space areas that are easily accessible to all residents, providing mail facilities in a suitable and accessible location, and providing service connections in a suitable and accessible location.

Division 6: Design principles

This clause required that a consent authority must not consent to a development application made pursuant to this chapter unless it is satisfied that the proposed development demonstrates that adequate regard has been given to the principles.

Requirement	Response	Comply
Neighbourhood amenity and streetscape	<p>The proposed development has been architecturally designed with consideration of the existing character within the Horizons Village development.</p> <p>The mix of attached and detached single story dwellings provide 5.5m driveway setbacks which mirror existing dwellings within the estate.</p> <p>The landscaping design aims to embellish the existing main driveway with additional plantings within the nature strip.</p> <p>Screened plantings are proposed to the curtilage boundary of each unit area for added privacy and improved aesthetics.</p>	Yes
Visual and acoustic privacy	<p>To avoid conflicting uses, noise within the residencies will be reduced through separation of driveways and garages from bedroom areas.</p> <p>The management of Horizons Village also have strategies to control internal noise emissions.</p> <p>In addition, each unit contains fencing around private open space.</p>	Yes
Solar access and design for climate	<p>The proposed buildings will be single story and not to impact on solar access to adjoining properties.</p> <p>The proposed buildings will be orientated in a north south direction with 15 units benefitting from a northerly aspect to the rear private open space areas.</p>	Yes

	<p>Where dwellings front the north, large porch areas will provide residents with additional solar access opportunities. The proposed solar panels will further reduce energy costs and increase sustainability across the development.</p> <p>The rear PPOS areas will have access to sunlight at various times of the day due to the location in relation to the siting of the building.</p> <p>Generally, the alignment of the dwellings and internal floor layouts will enable an adequate level of solar access for each habitable room during most of the day.</p>	
Stormwater	The overall stormwater drainage plan was approved as part of the Master Plan approval (D05-899), with stormwater from the development site draining through a series of internal stormwater drainage channels to a detention basin on the south-east corner of the property.	Yes
Crime prevention	The layout of the site is designed to provide passive surveillance opportunities with the dwellings having the windows of living rooms and/or a bedroom overlooking dwelling entrances and internal driveway.	Yes
Accessibility	<p>Safe and convenient access will be provided to residents via footpath links to the existing pedestrian network which runs along Minore Road. The pedestrian footpath links the Estate to the facilities and services offered at Delroy Park Shopping Centre which is located east of the site. Horizons Village provides a private bus service to residents to enable access to additional services.</p> <p>In addition, six additional visitor spaces are also proposed throughout the new development which will enable additional access for taxis and private transport vehicles into the estate.</p>	Yes
Waste management	Each residency will be provided their own separate garbage bins including recycling. An onsite maintenance contractor will facilitate collection of the bins relocating them to the front of the Village, adjoining Minore Road, once a week for collection.	Yes

Division 7: Non-discretionary development standards

Section 108 - Non-discretionary development standards for independent living units—the Act, s4.15

Requirement	Response	Comply
No building has a height of more than 9.5m, excluding servicing equipment on the roof of a building.	The maximum height of the dwellings are single storey and are compatible with existing dwellings within the Horizons Village, which will be less than 9.5m in height. Aside from solar panels, servicing equipment is not proposed to the roof of the buildings.	Yes
Density and scale of the building when expressed as a floor space ratio is 0.5:1 or less.	A floor space ratio is proposed 0.36:1.	Yes
At least 30% of the site (3,750m ²) is to be landscaped.	Just under 42% (5,217m ²) of the site is landscaped.	Yes
A deep soil zone on at least 15% (1,875m ²) of the site area, where each deep soil zone has minimum dimensions of 3m.	It is considered that of the total landscaped area, at least 29% (3,625m ²) will have the soils that are able to support deep rooted tree species associated with the landscaping of the village.	Yes
At least 70% of the dwellings receive at least 2 hours of direct solar access between 9am and 3pm at mid-winter in living rooms and private open spaces.	All living areas will receive at least three (3) hours of sunlight during various times of the day between 9am to 3pm.	Yes
For a dwelling in a single storey building: - at least 15m ² of private open space per dwelling; and - at least 1 private open space with minimum dimensions of 3m accessible from a living area located on the ground floor.	The minimum areas of private open space provided (Dulhunty Design) is 22.84m ² (hard) and 37.44m ² (soft) with a minimum 3.1m dimension.	Yes
At least 0.5 parking spaces for each bedroom	All dwellings will contain two bedrooms, requiring one carparking space.	Yes

	The Newell design contains a single garage, while the Dulhunty, Macquarie and Premium Design(s) are double garaged.	
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An assessment is made against the relevant provisions of *Schedule 4 - Standards concerning accessibility and usability for hostels and independent living units*.

Requirement	Response	Comply
Part 1 - Standards concerning accessibility and usability for hostels and independent living unit		
Siting Standards	<p>All dwellings have been provided with access by way of paved pathways.</p> <p>The gradient of this site is less than 1:10 to the front door of the dwellings, to all common areas and to the property entry on Minore Road.</p>	Yes
Letterboxes	A common use letterbox facilities will be provided within the Community Centre. Accessible paths of travel to be provided from the mailing facilities to all units.	Yes
Private Car Accommodation	<p>All dwellings will contain two bedrooms, requiring one carparking space.</p> <p>The Newell design contains a single garage, while the Dulhunty, Macquarie and Premium Design(s) are double garaged.</p> <p>All garages having a width greater than 3.8m, with access to power operated roller doors.</p>	Yes
Accessible Entry	<p>All external doors will be built at ground level and be constructed in accordance with AS 4299 being 920mm wide to allow wheelchair access.</p> <p>Newell – 1:40 grade internal path. Dulhunty, Macquarie and Premium – 1:20 grade internal path.</p>	Yes
Interior: General	All internal door widths comply with	Yes

	AS1428.1 being greater than 850mm. In addition, the internal corridor widths are greater than the required 1,000mm.	
Bedroom	A queen size bed has been detailed within the bedrooms.	Yes
Bathroom/Toilet	Complies with the special requirements.	Yes
Surface finishes	Capable of compliance with non-slip surfaces.	Yes
Door hardware	Capable of compliance with AS-4299 - Adaptable Housing.	Yes
Ancillary items	Capable of compliance with AS-4299 - Adaptable Housing.	Yes
Part 2 - Additional standards for independent living units		
Living room and dining room	Circulation space capable of complying with AS-4299 - Adaptable Housing.	Yes
Kitchen	No Kitchen doors are provided in addition to 1,550mm of clear space provided in accordance with AS-4299 - Adaptable Housing.	Yes
Laundry	Capable of compliance with AS-4299 - Adaptable Housing.	Yes
Storage for linen	Linen storage provided in accordance with AS-4299 - Adaptable Housing.	Yes
Garbage	Garbage storage area provided in an accessible room.	Yes

Note: The plans themselves are not sufficient to conduct a detailed assessment as to full compliance, which will be undertaken prior to issue of any Construction Certificate.

Condition accordingly.

SEPP (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

Clause 4.6 requires that the issue of contamination and remediation be considered in the assessment of a development application.

A preliminary contamination investigation was carried out as part of the Master Plan approval under D05-899, with the site being determined as being suitable for residential development.

Since this study was undertaken, there is no evidence that any contaminating activities has occurred on the development site. The study is considered to be valid and no further investigations in relation to contamination necessary.

Condition accordingly in relation to any unexpected finds.

SEPP (Transport and Infrastructure) 2021

Chapter 2- Infrastructure

The application was referred to Essential Energy in accordance with Clause 2.48 for which they responded in correspondence dated 25 January 2023, seeking proposed electrical design plans for the proposed 32 units in this stage.

On 18 April 2023, the applicant provided the electrical design plans to Essential Energy, noting that the existing transformers were sized for all the future stages of the development. It was also noted that the Essential Energy electrical easement is within the Stage 9 area, incorporating the final location of the Essential Energy easement and High Voltage line are located in the middle of the entry road.

On 28 April 2023 Essential Energy responded raising no issues, and their correspondence will be included on the development consent as notations, as Council is unable to enforce such requirements.

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

Dubbo Regional Local Environmental Plan 2022

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

Clause 1.2 Aims of Plan

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

Clause 1.4 Definitions

The proposed development is defined under the Dubbo Regional Local Environmental Plan 2022 as **seniors housing**, which is defined as a:

- (a) residential care facility, or
- (b) hostel within the meaning of State Environmental Planning Policy (Housing) 2021, Chapter 3, Part 5, or
- (c) group of independent living units, or
- (d) combination of any of the buildings or places referred to in paragraphs (a)–(c),

and that is, or is intended to be, used permanently for—

- (e) seniors or people who have a disability, or
- (f) people who live in the same household with seniors or people who have a disability, or
- (g) staff employed to assist in the administration of the building or place or in the provision of services to persons living in the building or place,

Independent living unit means a dwelling or part of a building, whether or not attached to another dwelling—

- (a) used to house seniors or people with a disability, and
- (b) containing private facilities for cooking, sleeping and bathing, and
- (c) where clothes washing facilities or other facilities for use in connection with the dwelling or part of a building may be provided on a shared basis,

*Note - Independent living units are a type of **seniors housing**.*

Clause 2.2 Zoning of land to which Plan applies

The subject site is zoned R1 - General Residential with Senior Housing permissible with consent.

Clause 2.3 Zone objectives and Land Use Table

The proposed development is consistent with the following zone objectives:

- To provide housing needs of the community;
- To provide for a variety of housing types and densities; and
- To ensure development is consistent with the character of the immediate locality.

While not contrary to, the remaining zone objective is not applicable in this instance.

Clause 5.10 Heritage Conservation

European Heritage

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

Aboriginal Heritage

An assessment of Aboriginal heritage was undertaken as part of the Master Plan approval under D05-899, which revealed that no items of Aboriginal cultural heritage significance are located on site.

Standard condition recommended regarding any Aboriginal archaeological material being discovered during construction works.

Clause 5.14 Siding Spring Observatory – maintaining dark sky

1) The proposed development has been assessed as unlikely to adversely affect observing conditions at the Siding Spring Observatory, having regard to subclauses:

2)

- 2(a) - the amount of light to be emitted;
- 2(b) - the cumulative impact of the light emissions with regard to the critical level;
- 2(c) - outside light fittings (shielded light fittings);
- 2(d) - measures taken to minimise dust associated with the development; and
- 2(e) - the Dark Sky Planning Guidelines published by the Secretary under clause 92 of the EP&A Regulation 2000.

3)

4) Additionally, as per subclause (7) the proposed development is not considered likely to result in the emission of light of 1,000,000 lumens or more. Condition to be included on the consent that no more than seven (7) outside light fittings be provided per dwelling.

5)

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 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 site is located within the Obstacle Limitation Surface (OLS) map for Dubbo Regional Airport. The relevant level on the OLS map is 323.5mAHD. The natural topography of the highest point of the development site is 297.5mAHD. At a maximum building height of 4.8m, the proposed development does not infringe on the OLS.

Clause 7.8 Development in Areas Subject to Aircraft Noise

The subject allotment is located approximately 3.3 kilometres from the Dubbo Airport runway. However the allotments location is not in any direct flight path and therefore not expected to be negatively impacted upon by aircraft noise.

(a)(ii) Draft Environmental Planning instruments

No draft environmental planning instruments apply to the land to which the development application relates.

(a)(iii) Development control plans

Dubbo Development Control Plan 2013

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

Chapter 2.1 Residential Development and Subdivision

Section 2.1.1 Residential Design – Dwellings, Dual Occupancy and Multi-Dwelling Housing

Element 1 – Streetscape Character

As the development will be a type of ‘gated estate’, built features will not present to external public areas and instead address the internal road linkages and common facilities. Therefore, much of the performance criteria is not relevant with the development designed to be consistent with the desired character of the locality.

The frontage of buildings and their entries are readily apparent from the new road to be constructed.

The design incorporates various features to maximise the visual interest of the development both from the street and internally, including stepped/modulated front elevations of the dwelling/s, articulation through the provision of porches, variations in building materials, colours and roof profiles and also through the provision of considered landscaping.

No component of the proposed development is a mirror reverse design.

Garages/parking structures are accessed via the internal road and do not represent more than 50% of the front facade of any proposed unit.

No fencing is to be forward of the front building line of any allotment, with side and rear boundary fencing predominantly 1.8m high.

As part of the Multi Dwelling Housing considerations, the site exceeds a minimum area of 700m² and a frontage of 20m.

Element 2 – Building Setbacks and Heights

The development is slightly different to standard development designs in that the development presents internally to the site rather than to the external boundaries. Therefore, as dwellings do not present externally, traditional front setbacks are not able to be readily assessed.

Nevertheless, the proposed development maintains a minimum setback of 4.5metres.

Element 3 – Solar Access

Solar access requirements will be achieved as discussed under Division 6 Design principles of Part 5 - Housing for Seniors and People with a Disability in SEPP (Housing) 2021.

Element 4 – Private Open Space and Landscaping

Private Open Space and Principle Private Open Space requirements will be achieved as discussed under *Division 7: Non-discretionary development standards* of Part 5 - Housing for Seniors and People with a Disability in SEPP (Housing) 2021.

The landscaping requirements of the proposed development will be achieved as discussed under *Division 7: Non-discretionary development standards* of Part 5 - Housing for Seniors and People with a Disability in SEPP (Housing) 2021.

Condition accordingly that all relevant landscaping requirements be established prior to the issue of the relevant Occupation Certificate.

Element 5 – Infrastructure

The provision of infrastructure services will be achieved as discussed under *Division 4: Site - Related Requirements* of Part 5 - Housing for Seniors and People with a Disability in SEPP (Housing) 2021.

Element 6 – Visual and Acoustic Privacy

Visual and acoustic privacy considerations will be achieved as discussed under *Division 6 Design principles* of Part 5 - Housing for Seniors and People with a Disability in SEPP (Housing) 2021.

Element 7 – Vehicular Access and Car Parking

Vehicular access and car parking requirements of the proposed development will be achieved as discussed under *Division 7: Non-discretionary development standards* of Part 5 - Housing for Seniors and People with a Disability in SEPP (Housing) 2021.

Element 8 – Waste Management

Waste management requirements of the proposed development will be achieved as discussed under *Division 6: Design Principles* of Part 5 - Housing for Seniors and People with a Disability in SEPP (Housing) 2021.

Element 9 – Site Facilities

Site facility requirements of the proposed development will be achieved as discussed under *Schedule 4 Standards concerning accessibility and usability for hostels and independent living units* of Part 5 - Housing for Seniors and People with a Disability in SEPP (Housing) 2021.

Chapter 3.1 – Access and Mobility

Section 3.1.2 Legislative Requirements

Access and mobility requirements of the proposed development will be achieved as discussed under *Schedule 4 Standards concerning accessibility and usability for hostels and independent living units* of Part 5 - Housing for Seniors and People with a Disability in SEPP (Housing) 2021.

Chapter 3.5 – Parking

Car parking requirements of the proposed development will be achieved as discussed under *Division 7: Non-discretionary development standards* of Part 5 - Housing for Seniors and People with a Disability in SEPP (Housing) 2021.

(a)(iia) planning agreements

There are no planning agreements applicable to the subject land.

(a)(iv) the regulations

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

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

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

(c) suitability of the site

Context, setting and public domain

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

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

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

It is considered the external appearance of the proposed development is deemed appropriate in the context of the locality.

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

It is considered the size and shape of the land is suitable for the proposed development.

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

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.

To minimise the impact for the potential for noise to be generated from the rainwater tank pumps, condition accordingly that this be controlled such that offensive noise is not emitted.

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.

Contributions Section 64 & Section 7.11

The following contribution plans are available to the subject lot:

- Water and Sewerage Contributions Policy – 2002
- Amended s.94 Contributions Plan - Roads, Traffic Management and Car Parking - 2016
- Open Space Section 94 Development Contributions Plan for Dubbo Open Space and Recreation Facilities - 2016-2026

No Credit has been applied to the allotment which is considered a residue development allotment.

In the event the application is approved, the following contributions totalling **\$350,406.08** would be payable.

- \$99,764.80 – Water Headworks (\$3,117.65 per unit at 0.5 ETs per unit)
- \$99,764.80 – Sewer Headworks (\$3,117.65 per unit at 0.5 ETs per unit)
- \$109,974.08 – Open Space Recreation Contribution (\$3,436.69 per unit at 1.6 persons per unit)
- \$40,902.40 – Urban Roads Contribution (\$1,278.20 per unit at 2 residential trips per unit)

Note with regards to stormwater drainage contributions, the land is located within catchment 6.8 – *West Joira Future Scheme*. Such catchment does not incur contributions.

Options Considered

Council has the following options:

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

This is the recommended option.

2. That the application be deferred for further consideration.

This option will delay the determination of the development application.

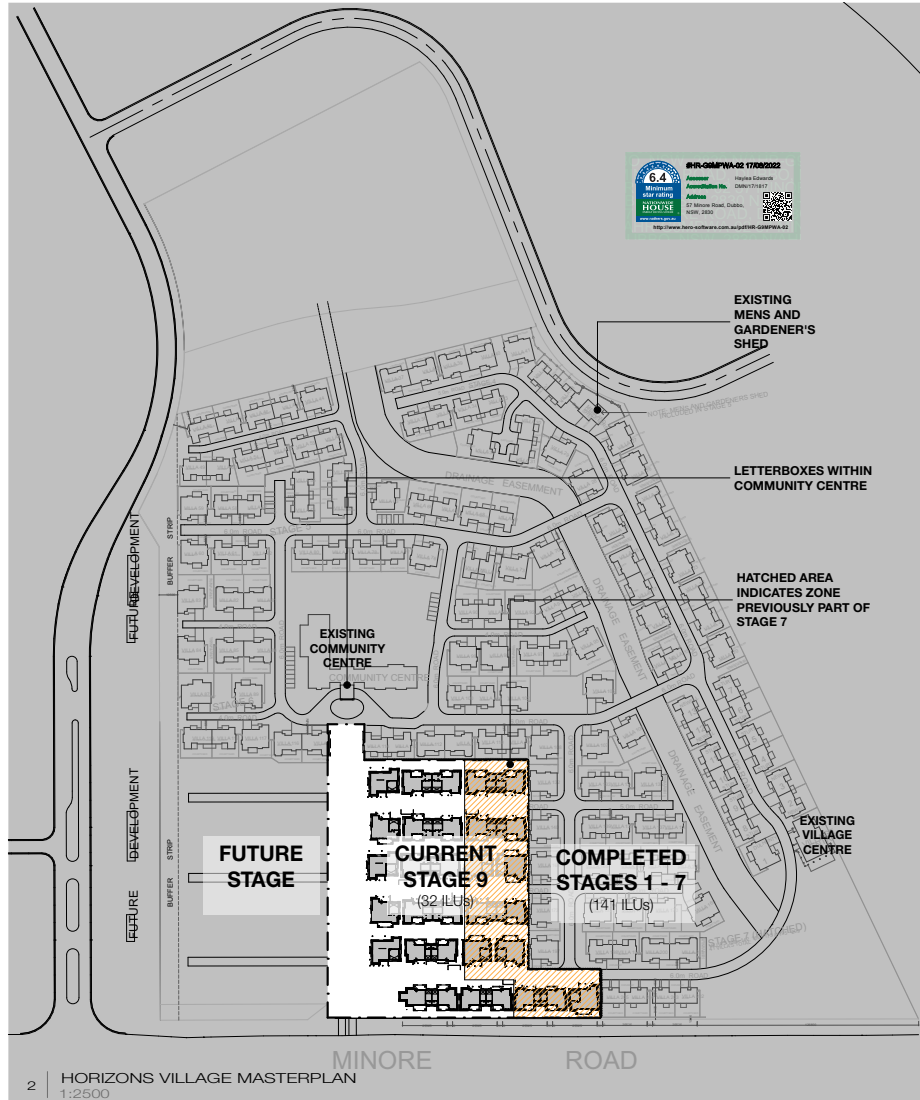
3. The application be refused for identified reasons.

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

APPENDICES:

- 1 Architectural Plans
- 2 Conditions and Notations

NOT FOR CONSTRUCTION



SEPP SENIORS LIVING REQUIREMENTS		SITE: 12500m ²
ITEM	REQUIREMENT	COMPLIANCE
A. BUILDING HEIGHT	< 8M	YES, < 8M, ALL SINGLE STOREY
B. DENSITY AND SCALE	< 0.5:1 (< 6,250m ²)	YES, 4,506m ²
C. LANDSCAPED AREA	> 35m ² / DWELLING, 30% SITE (< 3750m ²)	YES, > 35m ² / DWELL, SITE (5,217m ²)
D. DEEP SOIL ZONES	> 15% SITE (<1875m ²)	YES, SITE (3,625m ²)
E. SOLAR ACCESS	70% DWELLINGS, 3HRS JUNE 21	YES, 100%, ALL LIVING ROOMS FACE NORTH
F. PRIVATE OPEN SPACE	> 15m ² , MIN. 3 x 3m	YES, POS > 15m ² , MIN. 3 x 3m
H. PARKING	0.5 / BED	YES, > 1 GARAGE + DRIVEWAY

* AREA CALCULATED WITHIN PROPOSED LOT BOUNDARY AND EXCLUDES COMMUNAL ROADS AND FOOTPATHS

DWELLING SCHEDULE						
HOUSE NUMBER	HOUSE TYPE	OCCUPANCY	LOT AREA	SEPP GFA	INT. AREA	GARAGE AREA
127	PREMIUM	2 x BED + STUDY 2 x BATH 2 x CAR	451.26	162.49	139.90	34.62
128	MACQUARIE	2 x BED + STUDY 2 x BATH 2 x CAR	390.40	140.73	119.47	33.12
129	MACQUARIE	2 x BED + STUDY 2 x BATH 2 x CAR	396.54	140.73	119.47	33.12
130	MACQUARIE	2 x BED + STUDY 2 x BATH 2 x CAR	398.34	140.73	119.47	33.12
131	MACQUARIE	2 x BED + STUDY 2 x BATH 2 x CAR	390.26	140.73	119.47	33.12
141	MACQUARIE	2 x BED + STUDY 2 x BATH 2 x CAR	385.35	140.73	119.47	33.12
142	MACQUARIE	2 x BED + STUDY 2 x BATH 2 x CAR	367.60	140.73	119.47	33.12
143	MACQUARIE	2 x BED + STUDY 2 x BATH 2 x CAR	388.15	140.73	119.47	33.12
144	MACQUARIE	2 x BED + STUDY 2 x BATH 2 x CAR	363.60	140.73	119.47	33.12
145	DULHUNTY	2 x BED + STUDY 2 x BATH 2 x CAR	456.38	160.14	139.90	34.03
159	PREMIUM	2 x BED + STUDY 2 x BATH 2 x CAR	437.10	162.49	139.90	34.62
160	MACQUARIE	2 x BED + STUDY 2 x BATH 2 x CAR	372.02	140.73	119.47	33.12
161	MACQUARIE	2 x BED + STUDY 2 x BATH 2 x CAR	373.26	140.73	119.47	33.12
162	DULHUNTY	2 x BED + STUDY 2 x BATH 2 x CAR	405.82	160.14	139.90	34.03
163	DULHUNTY	2 x BED + STUDY 2 x BATH 2 x CAR	422.64	160.14	139.90	34.03
174	MACQUARIE	2 x BED + STUDY 2 x BATH 2 x CAR	387.78	140.73	119.47	33.12
175	MACQUARIE	2 x BED + STUDY 2 x BATH 2 x CAR	388.11	140.73	119.47	33.12
176	MACQUARIE	2 x BED + STUDY 2 x BATH 2 x CAR	369.72	140.73	119.47	33.12
177	MACQUARIE	2 x BED + STUDY 2 x BATH 2 x CAR	381.64	140.73	119.47	33.12
178	DULHUNTY	2 x BED + STUDY 2 x BATH 2 x CAR	454.06	160.14	139.90	34.03
192	PREMIUM	2 x BED + STUDY 2 x BATH 2 x CAR	494.81	162.49	139.90	34.62
193	NEWELL	2 x BED 2 x BATH 1 x CAR	380.69	115.23	108.04	20.56
194	NEWELL	2 x BED 2 x BATH 1 x CAR	335.57	115.23	108.04	20.56
195	DULHUNTY	2 x BED + STUDY 2 x BATH 2 x CAR	439.20	160.14	139.90	34.03
196	DULHUNTY	2 x BED + STUDY 2 x BATH 2 x CAR	466.69	160.14	139.90	34.03
206	DULHUNTY	2 x BED + STUDY 2 x BATH 2 x CAR	393.44	160.14	139.90	34.03
207	NEWELL	2 x BED 2 x BATH 1 x CAR	332.30	115.23	108.04	20.56
208	NEWELL	2 x BED 2 x BATH 1 x CAR	327.39	115.23	108.04	20.56
209	NEWELL	2 x BED 2 x BATH 1 x CAR	313.96	115.23	108.04	20.56
210	NEWELL	2 x BED 2 x BATH 1 x CAR	329.67	115.23	108.04	20.56
211	NEWELL	2 x BED 2 x BATH 1 x CAR	329.83	115.23	108.04	20.56
212	NEWELL (MODIFIED)	2 x BED 2 x BATH 1 x CAR	372.05	120.70	112.86	22.14
TOTAL		32 DWELLINGS	12,495.63 m ²	4,505.98 m ²	3,940.72 m ²	971.81 m ²

ARCHITECT

INTEGRATED
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NOTES

1. Figured dimensions take precedence over scaled drawings
2. Contractors to check and verify all levels datum and dimensions on site
3. All materials and workmanship to be in accordance with current written manufacturers instructions, local regulations and SAA codes
4. Conflicting information to be brought to notice of the architect and clarification sought before proceeding with any works
5. All drawings are not for construction and are subject to further design development, consultant input, council and legislative requirements.
6. Refer to General notes page for legend and abbreviations

DISCIPLINES

Access	Vista Access Consultants	Planner	Premise
BAISIX	Efficient living	QS	MCA
BCA	Logic	Surveyor	Premise
Civil	Premise	Structure	Startec
Electrical	Marine		
Geotech	Barrison		
Landscape	Group GSA		

PROJECT

Horizons Village DUBBO -
STAGE 9SITE: 57 Minore Road Dubbo NSW 2830
CLIENT: RSL LIFE CARE
REF: RSL-2001

REVISION

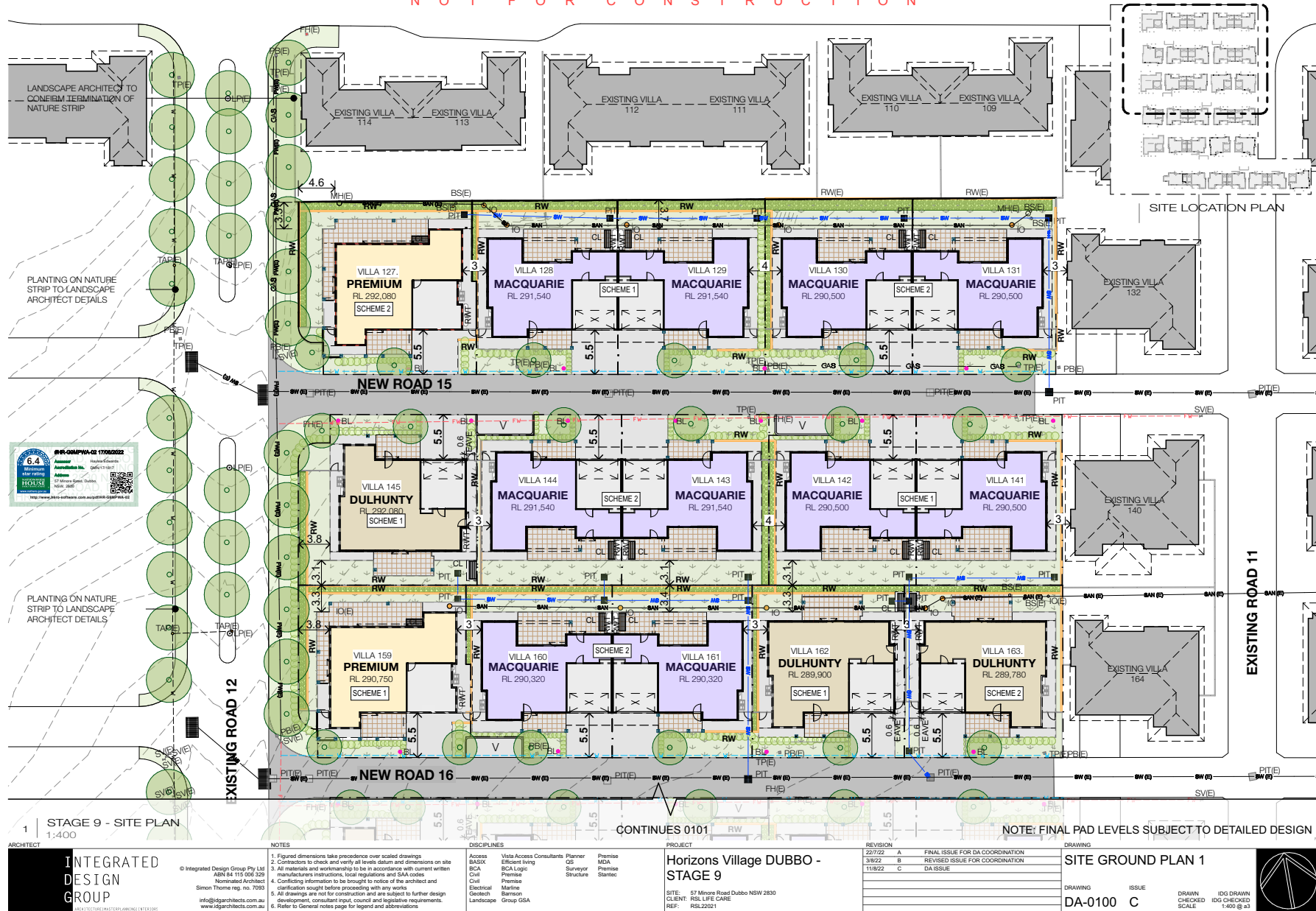
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19/02/23	B	REVISED ISSUE FOR COORDINATION
11/02/23	C	DA ISSUE

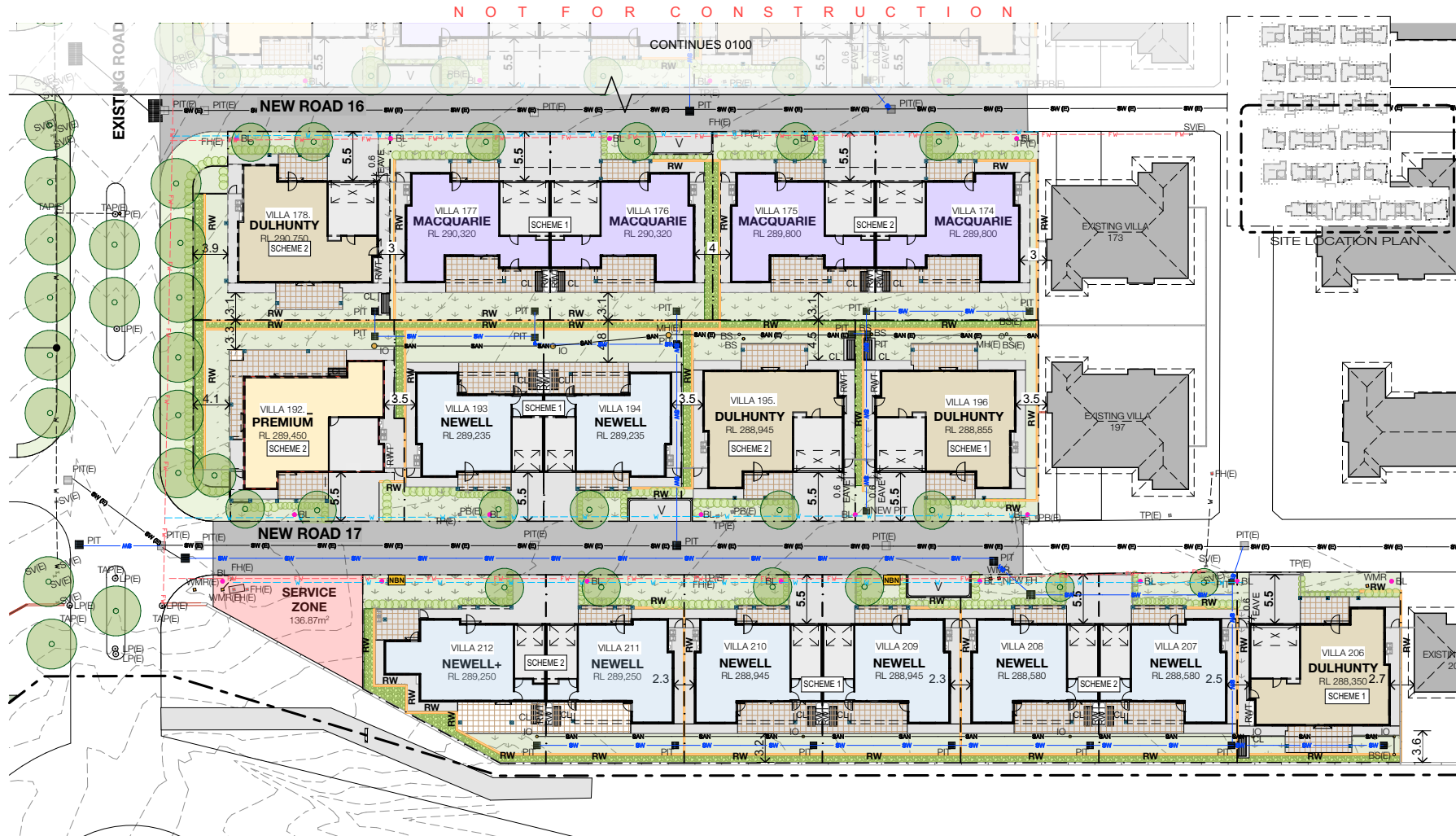
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PROJECT SUMMARY

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NOT FOR CONSTRUCTION





1 | STAGE 9 - SITE PLAN
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ARCHITECT

**INTEGRATED
DESIGN
GROUP**

14/01/2024 (HNTERTS) 08/01/2024 14/01/2024

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DISCIPLINES

Access
BASIX
BCA
Civil
Electrical
Geotech
Landscape

Vista Access Consultants: Planner
Efficient living
BCA Logic
Premise
Premise
Marine
Barron
Group GSA

Premise
MDA
Premise
Structure
Premise
Structure
Premise
Structure

PROJECT

Horizons Village DUBBO -
STAGE 9
SITE: 57 Minore Road Dubbo NSW 2830
CLIENT: RSL LIFE CARE
REF: RSL-22001

REVISION

22/7/22	A	FINAL ISSUE FOR DA COORDINATION
11/8/22	B	REVISED ISSUE FOR COORDINATION
11/8/22	C	DA ISSUE

DRAWING

SITE GROUND PLAN 2

DRAWING
DA-0101

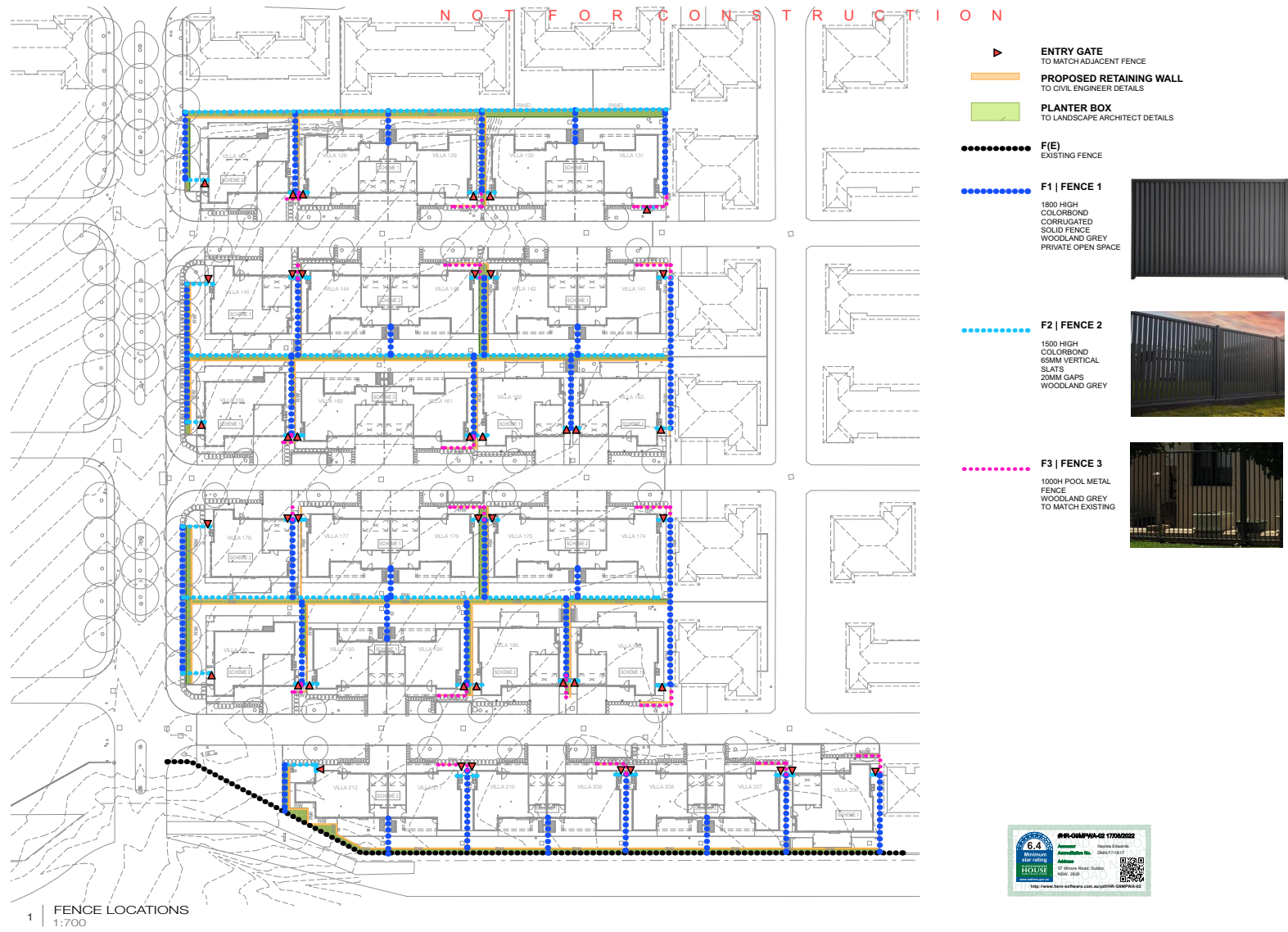
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NOTE: FINAL PAD LEVELS SUBJECT TO DETAILED DESIGN



ARCHITECT

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DISCIPLINES

Access: Vista Access Consultants: Planner
BASIX: Efficient living: QS
BCA: BCA Logic: MDA
Civil: Premise: Structure
Electrical: Marine
Geotech: Barrison
Landscape: Group GSA

PROJECT

**Horizons Village DUBBO -
STAGE 9**

SITE: 57 Minore Road Dubbo NSW 2830
CLIENT: RSL LIFE CARE
REF: RSL-20201

REVISION

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11/8/22	B	DA ISSUE

DRAWING

FENCE LOCATIONS

DRAWING

DA-0120

ISSUE

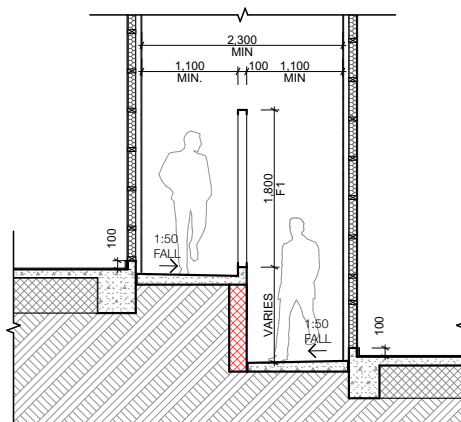
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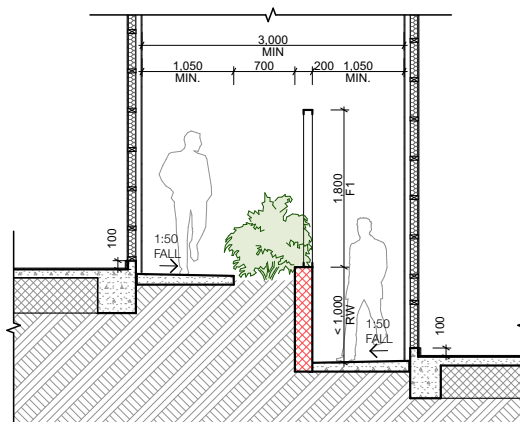
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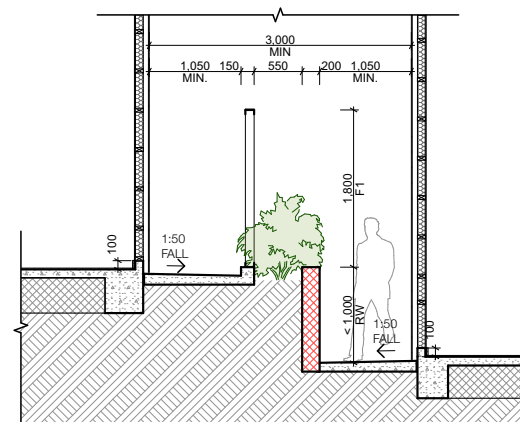
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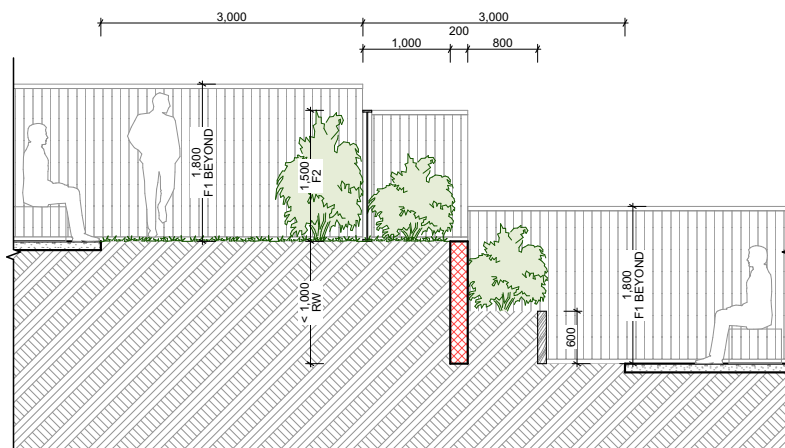
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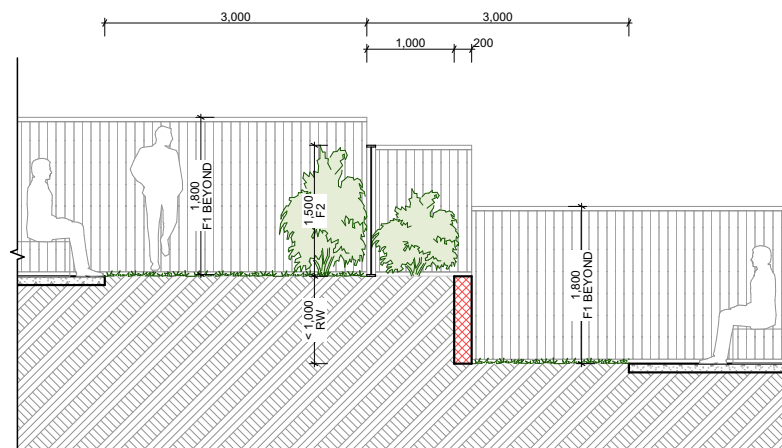
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SIDE FENCE - RETAINING WALL < 1M



REAR FENCE - RETAINING WALL > 1M

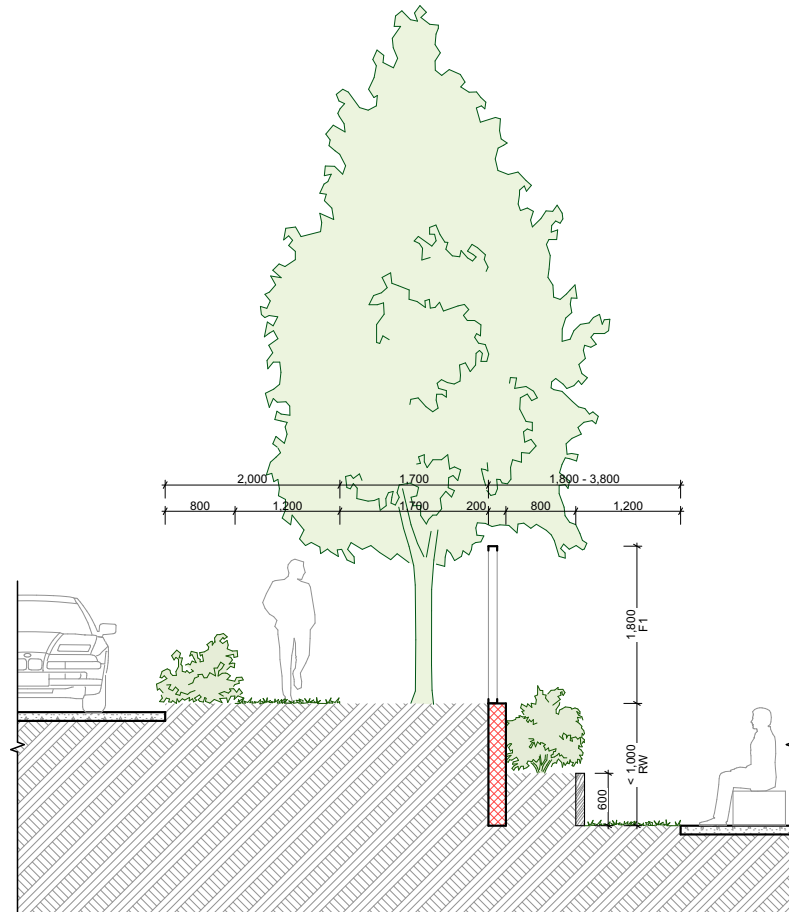


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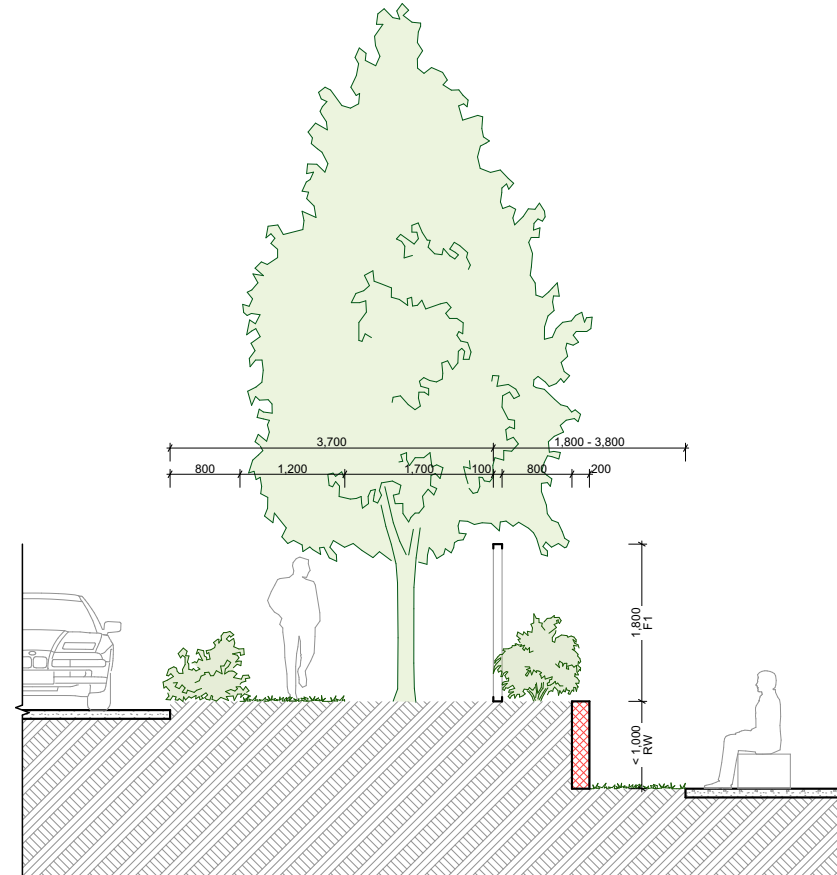


ARCHITECT		NOTES		DISCIPLINES		PROJECT		REVISION		DRAWING		
<div>INTEGRATED DESIGN GROUP</div> <div>© Integrated Design Group Pty Ltd ABN 14 115 006 329 Nominated Architect Simon Thorne reg. no. 7093 info@idgarchitects.com.au www.idgarchitects.com.au</div>		1. Figure dimensions take precedence over scaled drawings 2. Contractors to check, verify all levels datum and dimensions on site 3. All materials and workmanship to be in accordance with current written manufacturers instructions, local regulations and SAA codes 4. Conflicting information to be brought to notice of the architect and clarification sought before proceeding with any works 5. All drawings are not for construction and are subject to further design development, consultant input, council and legislative requirements. 6. Refer to General notes page for legend and abbreviations		Access Vista Access Consultants Planner Premise BMSK Efficient Energy BCA BCA Logic Civil Premise Nominated Architect Electrical Premise Marine Geotech Barrmon Landscape Group GSA		Horizons Village DUBBO - STAGE 9 SITE 57 Minore Road Dubbo NSW 2830 CLIENT RSL LIFE CARE REF: RSL22/021		22/7/22 A FINAL ISSUE FOR DA COORDINATION 11/8/22 B DA ISSUE		FENCE DETAILS 1 DRAWING ISSUE DA-0121 B DRAWN CHECKED SCALE 1:50 (a3)		

NOT FOR CONSTRUCTION



ROAD 12 SIDE FENCE - RETAINING WALL > 1M



ROAD 12 SIDE FENCE - RETAINING WALL < 1M

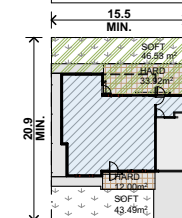


ARCHITECT	NOTES	DISCIPLINES	PROJECT	REVISION	DRAWING
INTEGRATED DESIGN GROUP <small>© Integrated Design Group Pty Ltd ABN 64 115 088 329 Nominated Architect Simon Thorne reg. no. 70991 info@idgarchitects.com.au www.idgarchitects.com.au</small>	1. Figured dimensions take precedence over scaled drawings 2. Contractors to check and verify all levels datum and dimensions on site 3. All materials and workmanship to be in accordance with current written manufacturers instructions, local regulations and SAA codes 4. Conflicting information to be brought to notice of the architect and clarification sought before proceeding with any works 5. All drawings are not for construction and are subject to further design development, consultant input, council and legislative requirements. 6. Refer to General notes page for legend and abbreviations	Access: BASIX BCA Civil Electrical Geotech Landscape Vista Access Consultants: Planner Efficient living BCA Logic Premise Premise Marine Barron Group GSA Premise MDA Surveyor Structure Premise Premise Premise	Horizons Village DUBBO - STAGE 9 SITE: 57 Minore Road Dubbo NSW 2830 CLIENT: RSL LIFE CARE REF: RSL-20201	22/7/22 A FINAL ISSUE FOR DA COORDINATION 11/8/22 B DA ISSUE	FENCE DETAILS 2 DRAWING ISSUE DA-0122 B DRAWN CHECKED SCALE IDG DRAWN IDG CHECKED 1:50 @ A3





NEWELL

DUPLEX
2 BED |
2 BATH | 1 CAR






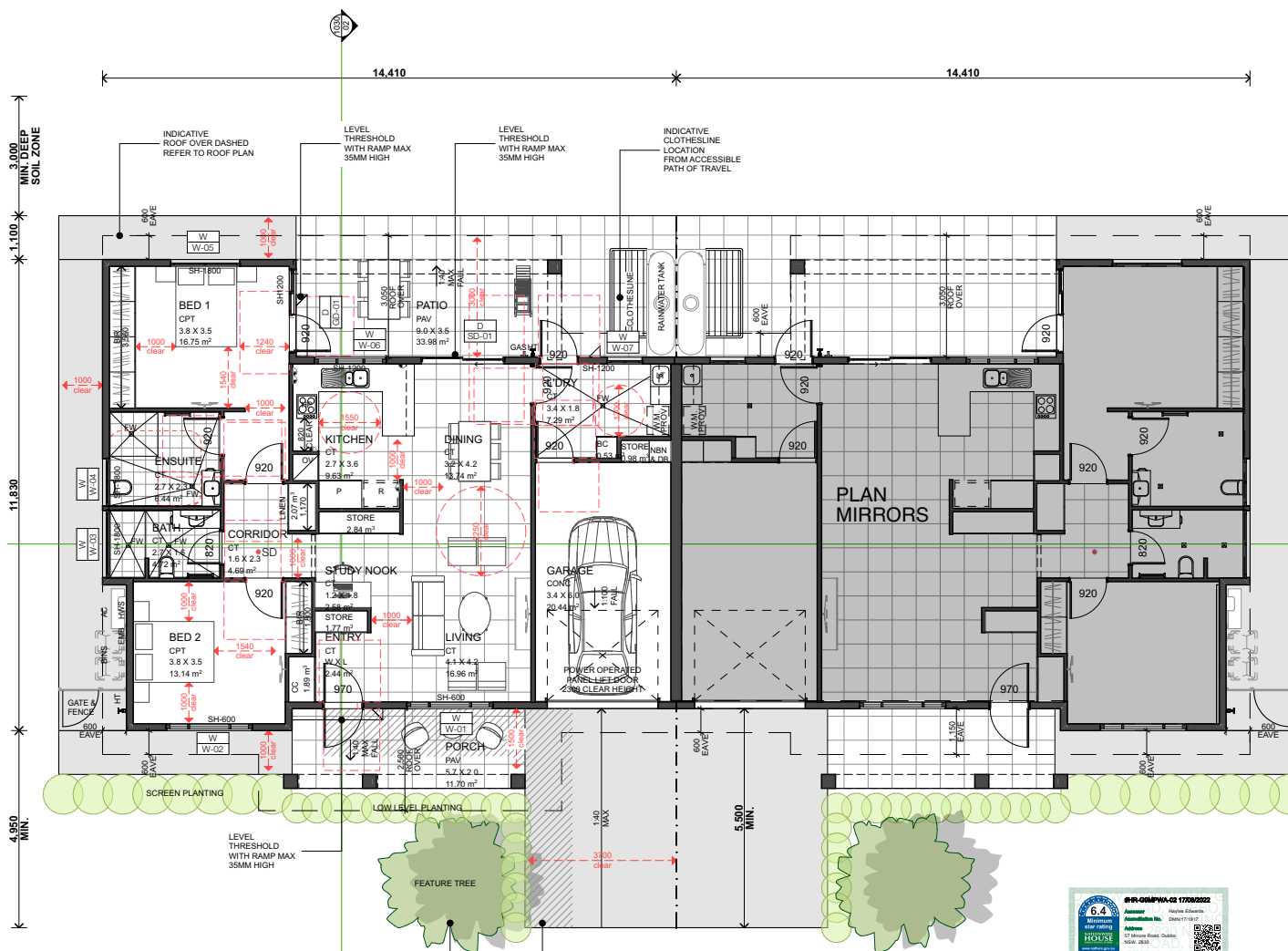
SITE: > 324.05 m²

INTERNAL AREAS

	LIVING:	109.13 m ²
	GARAGE :	21.24 m ²
	TOTAL:	128.87m²

SEPP SENIOR LIVING

	GFA:	115.81m ²
	GARAGE:	21.24m ²
	LANDSCAPING:	> 135.94m ²
	DEEP SOIL:	> 90.22m ²
	PRIVATE OPEN SPACE:	> 86.91m ²
	STORAGE:	9.84m ²

01 | PROPOSED NEWELL - PLAN
1:100

INTEGRATED
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GROUP

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6. Refer to General notes map for legend and abbreviations

Access	Vista Access Consultants	Planner	Premise
BASIX	Efficient living	QS	MDA
BCA	BCA Logic	Surveyor	Premise
Civil	Premise	Structure	Stantec
Civil	Premise		
Electrical	Marline		
Geotech	Barnson		
Landscape	Group GSA		

Horizons Village DUBBO -
STAGE 9

SITE: 57 Minore Road Dubbo NSW 2830
CLIENT: RSL LIFE CARE
REF: RSL 22021

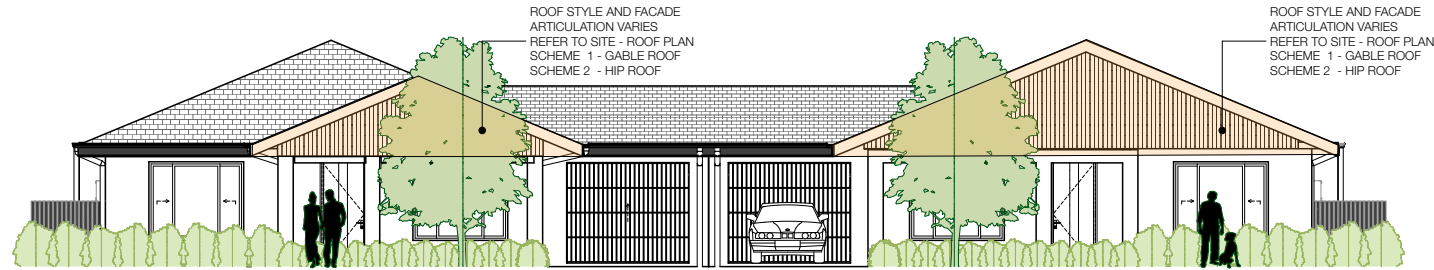
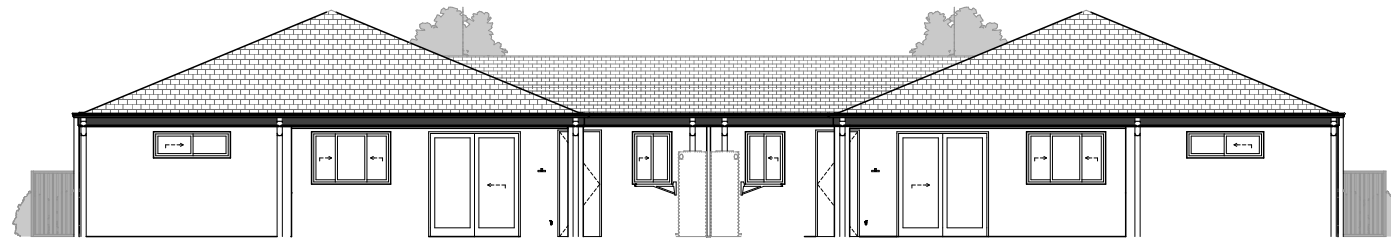
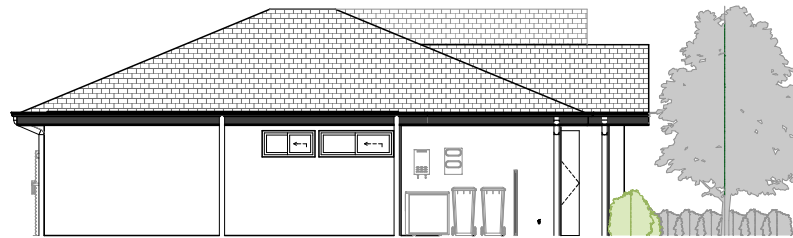
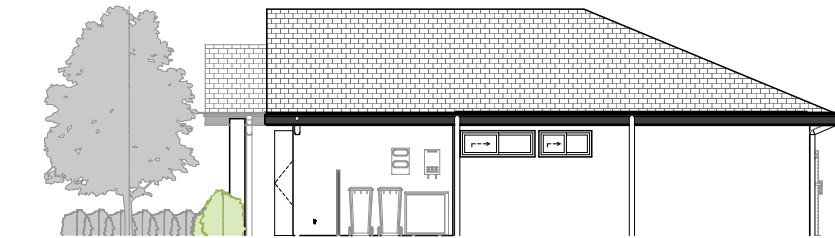
1/6/22	A	PRELIMINARY ISSUE FOR COORDINATION
22/7/22	B	FINAL ISSUE FOR DA COORDINATION
3/8/22	C	REVISED ISSUE FOR COORDINATION
11/8/22	D	DA ISSUE

NEWELL FLOOR PLAN

DRAWING	ISSUE
DA-1000	D



NOT FOR CONSTRUCTION

01 | ELEVATION FRONT
1:10002 | NEWELL E3 ELEVATION REAR
1:10003 | NEWELL E2 ELEVATION SIDE
1:10004 | NEWELL E4 ELEVATION SIDE
1:100

ARCHITECT

**INTEGRATED
DESIGN
GROUP**

14/01/2023 (HAYES EDWARDS) 14/01/2023

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NOTES

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5. All drawings are not for construction and are subject to further design development, consultant input, council and legislative requirements.
6. Refer to General notes page for legend and abbreviations

DISCIPLINES

Access
BASIX
BCA
Civil
Electrical
Geotech
Landscape

Vista Access Consultants
Planner
QS
BCA Logic
Premise
Premise
Marine
Barron
Group GSA

Premise
MDA
Premise
Stantec

PROJECT

**Horizons Village DUBBO -
STAGE 9**

SITE: 57 Minore Road Dubbo NSW 2830
CLIENT: RSL LIFE CARE
REF: RSL-2001

REVISION

11/22 A PRELIMINARY ISSUE FOR COORDINATION
22/22 B FINAL ISSUE FOR DA COORDINATION
11/22 C DA ISSUE

DRAWING

NEWELL ELEVATIONS

DRAWING

DA-1020

ISSUE

C

DRAWN

IDG

CHECKED

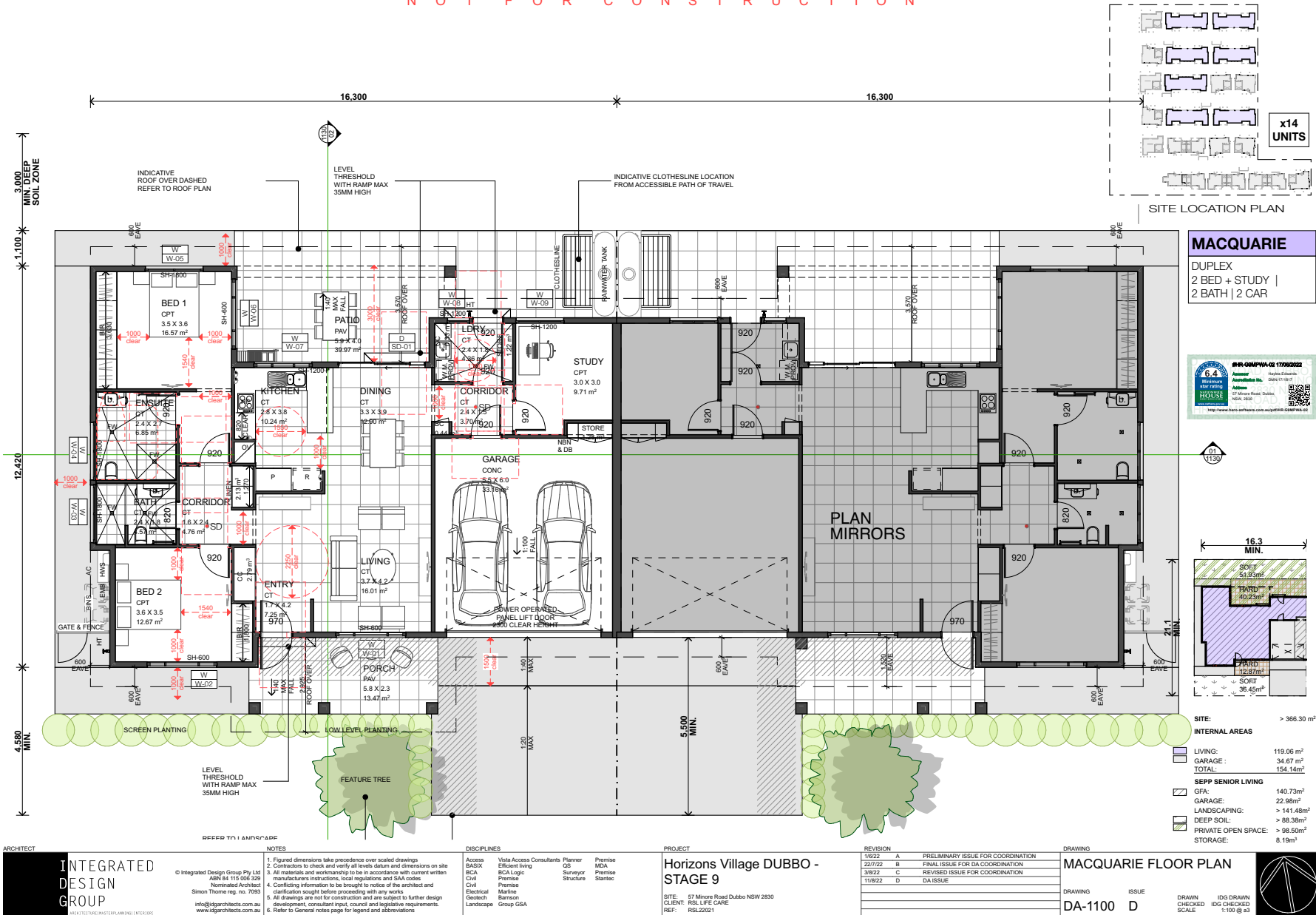
SCALE

IDG CHECKED

1:100 @ A3



NOT FOR CONSTRUCTION



NOT FOR CONSTRUCTION

ROOF STYLE AND FACADE
ARTICULATION VARIES
REFER TO SITE - ROOF PLAN
SCHEME 1 - GABLE ROOF
SCHEME 2 - HIP ROOF

ROOF STYLE AND FACADE
ARTICULATION VARIES
REFER TO SITE - ROOF PLAN
SCHEME 1 - GABLE ROOF
SCHEME 2 - HIP ROOF

01 | MACQUARIE E1 ELEVATION FRONT
1:100

02 | MACQUARIE E3 ELEVATION REAR
1:100

03 | NEWELL E2 ELEVATION SIDE
1:100

04 | NEWELL E4 ELEVATION SIDE
1:100



ARCHITECT

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NOTES

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6. Refer to General notes page for legend and abbreviations

DISCIPLINES

Access	Vista Access Consultants	Planner	Premise
BASIX	Efficient living	QS	MCA
BCA	BCA Logic	Surveyor	Premise
Premise	Premise	Structure	Staircase
Civil	Premise		
Electrical	Marine		
Geotech	Barron		
Landscape	Group GSA		

PROJECT

Horizons Village DUBBO -
STAGE 9

SITE: 57 Minore Road Dubbo NSW 2830
CLIENT: RSL LIFE CARE
REF: RSL-2001

REVISION

1/6/22	A	PRELIMINARY ISSUE FOR COORDINATION
2/7/22	B	FINAL ISSUE FOR DA COORDINATION
11/8/22	C	DA ISSUE

DRAWING

MACQUARIE ELEVATIONS

DRAWING
DA-1120

ISSUE

C

DRAWN
CHECKED
SCALE

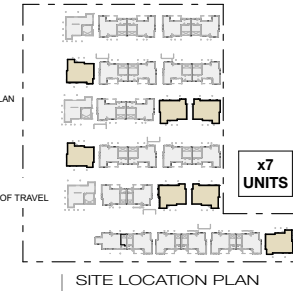
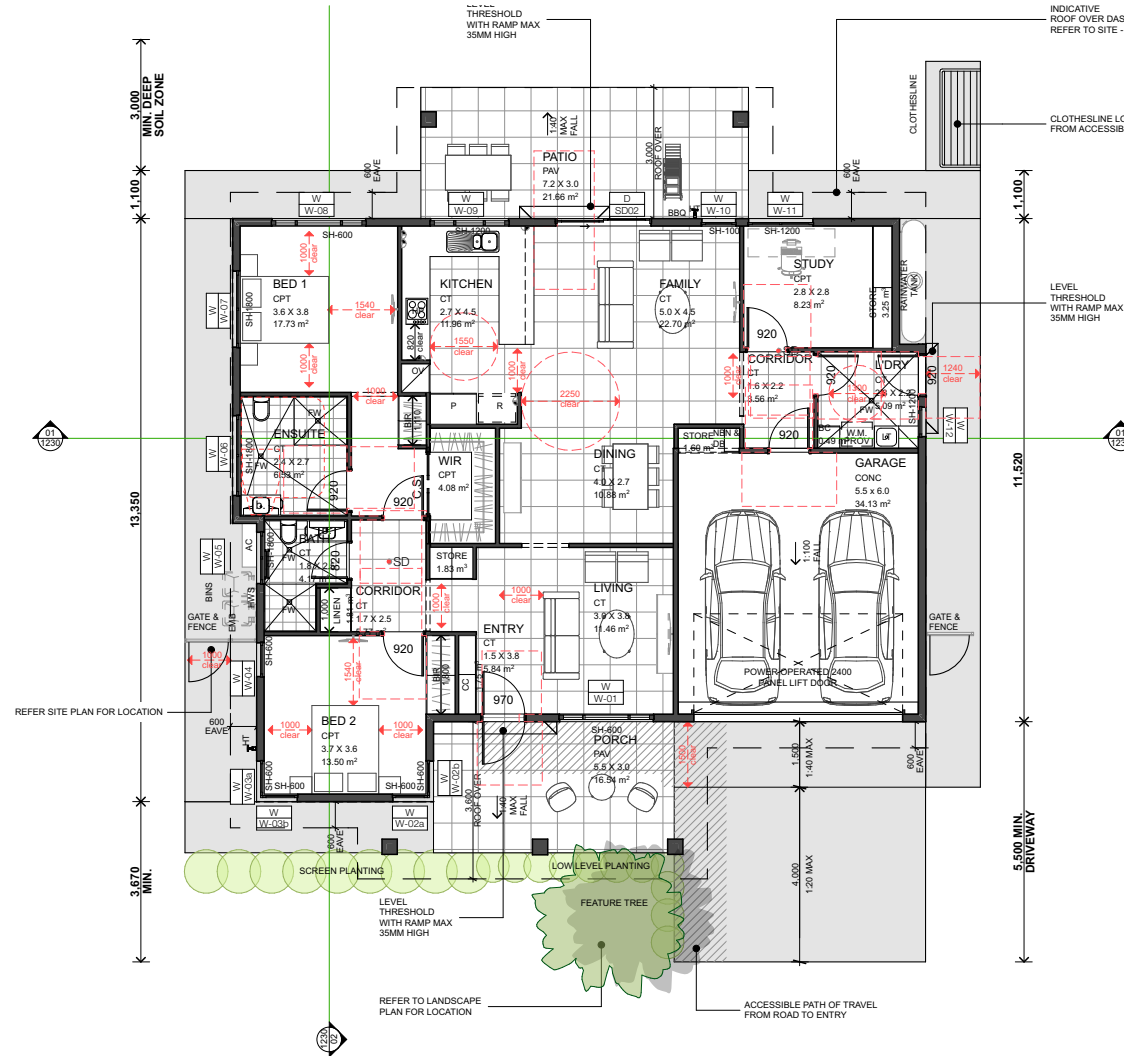
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IDG CHECKED

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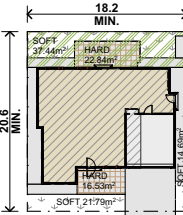


NOT FOR CONSTRUCTION



DULHUNTY

DETACHED HOUSE
2 BED + STUDY |
2 BATH | 2 CAR



SITE: > 374.52 m²

INTERNAL AREAS

LIVING:	141.36 m²
GARAGE:	33.78 m²
TOTAL:	175.19 m²

SEPP SENIOR LIVING

GFA:	161.56m²
GARAGE:	22.80m²
LANDSCAPING:	> 113.29m²
DEEP SOIL:	> 73.92m²
PRIVATE OPEN SPACE:	> 74.67m²
STORAGE:	11.25m²

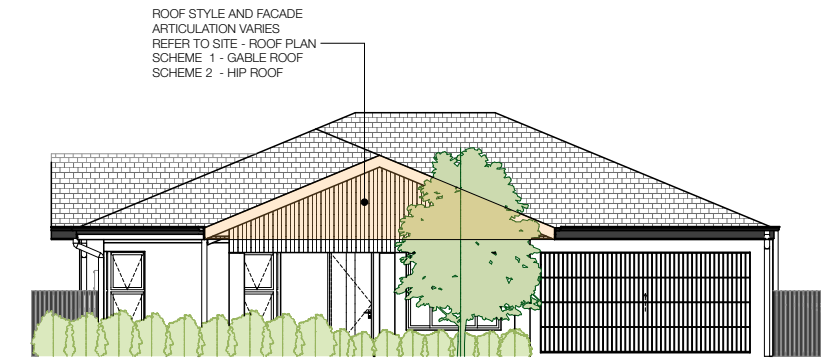


ARCHITECT

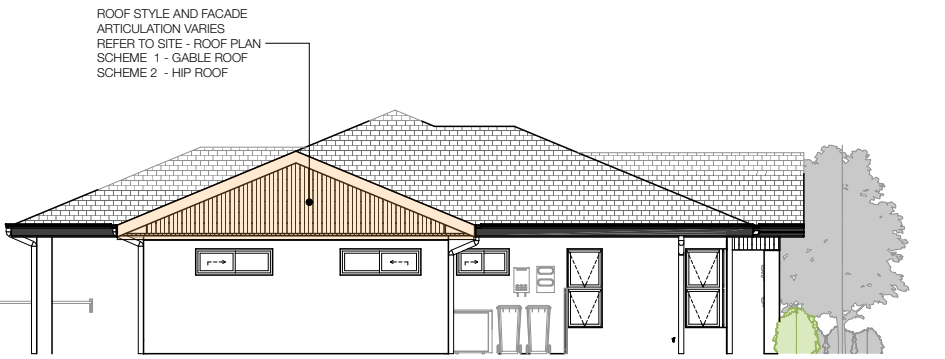
INTEGRATED
DESIGN
GROUP

14/15/16/17/18/19/20/21/22/23/24/25/26/27/28/29/30/31/32/33/34/35/36/37/38/39/40/41/42/43/44/45/46/47/48/49/50/51/52/53/54/55/56/57/58/59/60/61/62/63/64/65/66/67/68/69/70/71/72/73/74/75/76/77/78/79/80/81/82/83/84/85/86/87/88/89/90/91/92/93/94/95/96/97/98/99/100/101/102/103/104/105/106/107/108/109/110/111/112/113/114/115/116/117/118/119/120/121/122/123/124/125/126/127/128/129/130/131/132/133/134/135/136/137/138/139/140/141/142/143/144/145/146/147/148/149/150/151/152/153/154/155/156/157/158/159/160/161/162/163/164/165/166/167/168/169/170/171/172/173/174/175/176/177/178/179/180/181/182/183/184/185/186/187/188/189/190/191/192/193/194/195/196/197/198/199/200/201/202/203/204/205/206/207/208/209/210/211/212/213/214/215/216/217/218/219/220/221/222/223/224/225/226/227/228/229/230/231/232/233/234/235/236/237/238/239/240/241/242/243/244/245/246/247/248/249/250/251/252/253/254/255/256/257/258/259/260/261/262/263/264/265/266/267/268/269/270/271/272/273/274/275/276/277/278/279/280/281/282/283/284/285/286/287/288/289/290/291/292/293/294/295/296/297/298/299/300/301/302/303/304/305/306/307/308/309/310/311/312/313/314/315/316/317/318/319/320/321/322/323/324/325/326/327/328/329/330/331/332/333/334/335/336/337/338/339/340/341/342/343/344/345/346/347/348/349/350/351/352/353/354/355/356/357/358/359/360/361/362/363/364/365/366/367/368/369/370/371/372/373/374/375/376/377/378/379/380/381/382/383/384/385/386/387/388/389/390/391/392/393/394/395/396/397/398/399/400/401/402/403/404/405/406/407/408/409/410/411/412/413/414/415/416/417/418/419/420/421/422/423/424/425/426/427/428/429/430/431/432/433/434/435/436/437/438/439/440/441/442/443/444/445/446/447/448/449/450/451/452/453/454/455/456/457/458/459/460/461/462/463/464/465/466/467/468/469/470/471/472/473/474/475/476/477/478/479/480/481/482/483/484/485/486/487/488/489/490/491/492/493/494/495/496/497/498/499/500/501/502/503/504/505/506/507/508/509/510/511/512/513/514/515/516/517/518/519/520/521/522/523/524/525/526/527/528/529/530/531/532/533/534/535/536/537/538/539/540/541/542/543/544/545/546/547/548/549/550/551/552/553/554/555/556/557/558/559/560/561/562/563/564/565/566/567/568/569/570/571/572/573/574/575/576/577/578/579/580/581/582/583/584/585/586/587/588/589/590/591/592/593/594/595/596/597/598/599/600/601/602/603/604/605/606/607/608/609/610/611/612/613/614/615/616/617/618/619/620/621/622/623/624/625/626/627/628/629/630/631/632/633/634/635/636/637/638/639/640/641/642/643/644/645/646/647/648/649/650/651/652/653/654/655/656/657/658/659/660/661/662/663/664/665/666/667/668/669/670/671/672/673/674/675/676/677/678/679/680/681/682/683/684/685/686/687/688/689/690/691/692/693/694/695/696/697/698/699/700/701/702/703/704/705/706/707/708/709/710/711/712/713/714/715/716/717/718/719/720/721/722/723/724/725/726/727/728/729/730/731/732/733/734/735/736/737/738/739/740/741/742/743/744/745/746/747/748/749/750/751/752/753/754/755/756/757/758/759/760/761/762/763/764/765/766/767/768/769/770/771/772/773/774/775/776/777/778/779/780/781/782/783/784/785/786/787/788/789/790/791/792/793/794/795/796/797/798/799/800/801/802/803/804/805/806/807/808/809/810/811/812/813/814/815/816/817/818/819/820/821/822/823/824/825/826/827/828/829/830/831/832/833/834/835/836/837/838/839/840/841/842/843/844/845/846/847/848/849/850/851/852/853/854/855/856/857/858/859/860/861/862/863/864/865/866/867/868/869/870/871/872/873/874/875/876/877/878/879/880/881/882/883/884/885/886/887/888/889/890/891/892/893/894/895/896/897/898/899/900/901/902/903/904/905/906/907/908/909/910/911/912/913/914/915/916/917/918/919/920/921/922/923/924/925/926/927/928/929/930/931/932/933/934/935/936/937/938/939/940/941/942/943/944/945/946/947/948/949/950/951/952/953/954/955/956/957/958/959/960/961/962/963/964/965/966/967/968/969/970/971/972/973/974/975/976/977/978/979/980/981/982/983/984/985/986/987/988/989/990/991/992/993/994/995/996/997/998/999/1000/1001/1002/1003/1004/1005/1006/1007/1008/1009/1010/1011/1012/1013/1014/1015/1016/1017/1018/1019/1020/1021/1022/1023/1024/1025/1026/1027/1028/1029/1030/1031/1032/1033/1034/1035/1036/1037/1038/1039/1040/1041/1042/1043/1044/1045/1046/1047/1048/1049/1050/1051/1052/1053/1054/1055/1056/1057/1058/1059/1060/1061/1062/1063/1064/1065/1066/1067/1068/1069/1070/1071/1072/1073/1074/1075/1076/1077/1078/1079/1080/1081/1082/1083/1084/1085/1086/1087/1088/1089/1090/1091/1092/1093/1094/1095/1096/1097/1098/1099/1100/1101/1102/1103/1104/1105/1106/1107/1108/1109/1110/1111/1112/1113/1114/1115/1116/1117/1118/1119/1120/1121/1122/1123/1124/1125/1126/1127/1128/1129/1130/1131/1132/1133/1134/1135/1136/1137/1138/1139/1140/1141/1142/1143/1144/1145/1146/1147/1148/1149/1150/1151/1152/1153/1154/1155/1156/1157/1158/1159/1160/1161/1162/1163/1164/1165/1166/1167/1168/1169/1170/1171/1172/1173/1174/1175/1176/1177/1178/1179/1180/1181/1182/1183/1184/1185/1186/1187/1188/1189/1190/1191/1192/1193/1194/1195/1196/1197/1198/1199/1200/1201/1202/1203/1204/1205/1206/1207/1208/1209/1210/1211/1212/1213/1214/1215/1216/1217/1218/1219/1220/1221/1222/1223/1224/1225/1226/1227/12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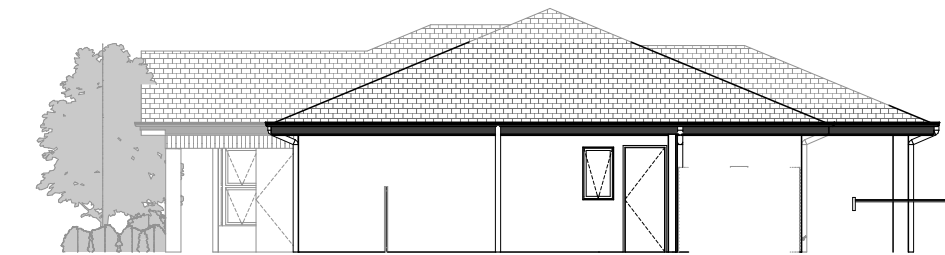
01 | DULHUNTY E01 ELEVATION FRONT
1:100



03 | DULHUNTY E02 ELEVATION SIDE
1:100



02 | DULHUNTY E03 ELEVATION REAR
1:100



04 | DULHUNTY E04 ELEVATION SIDE
1:100



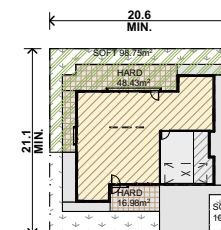
ARCHITECT	INTEGRATED DESIGN GROUP <small>© Integrated Design Group Pty Ltd ABN 64 115 086 325 Nominated Architect Simon Thorne reg. no. 7093 info@idgarchitects.com.au www.idgarchitects.com.au</small>	NOTES 1. Figured dimensions take precedence over scaled drawings 2. Contractors to check and verify all levels datum and dimensions on site 3. All materials and workmanship to be in accordance with current written manufacturers instructions, local regulations and SAA codes 4. Conflicting information to be brought to notice of the architect and clarification sought before proceeding with any works 5. All drawings are not for construction and are subject to further design development, consultant input, council and legislative requirements. 6. Refer to General notes page for legend and abbreviations	DISCIPLINES Access BASIX BCA Civil Electrical Geotech Landscape Vista Access Consultants Efficient living BCA Logic Premise Premise Marine Barrison Group GSA Planner QS Surveyor Structure Premise Premise Premise Premise	PROJECT Horizons Village DUBBO - STAGE 9 SITE: 57 Minore Road Dubbo NSW 2830 CLIENT: RSL LIFE CARE REF: RSL22001	REVISION	DRAWING
					1/6/22 A PRELIMINARY ISSUE FOR COORDINATION	DULHUNTY ELEVATIONS
					2/7/22 B FINAL ISSUE FOR DA COORDINATION	
					11/8/22 C DA ISSUE	
			DRAWING	ISSUE	DRAWN	IDG DRAWN
			DA-1220	C	CHECKED	IDG CHECKED
					SCALE	1:100 @ a3



| SITE LOCATION PLAN






PREMIUM

DETACHED HOUSE
2 BED + STUDY +
MEDIA ROOM |
2 BATH | 2 CAR



SITE: > 434.65 m²

INTERNAL AREAS

	LIVING:	139.90 m ²
	GARAGE :	34.62 m ²
	TOTAL:	174.52m²
SEPP SENIOR LIVING		
	GFA:	162.49m ²
	GARAGE:	22.80m ²
	LANDSCAPING:	> 174.32m ²
	DEEP SOIL:	> 108.91m ²
	PRIVATE OPEN SPACE:	> 109.05m ²
	STORAGE:	8.16m ³

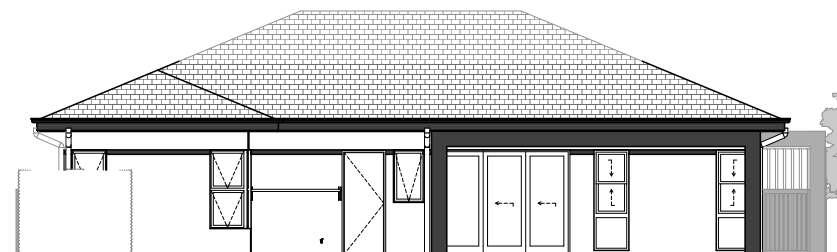
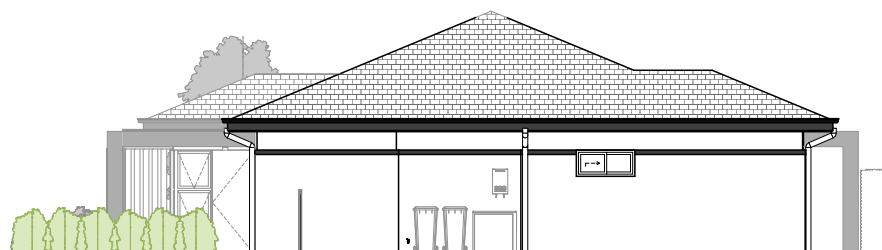


ARCHITECT	NOTES	DISCIPLINES	PROJECT	REFER TO LANDSCAPE			DRAWING									
				ISSUE												
INTEGRATED DESIGN GROUP	© Integrated Design Group Pty Ltd ABN 84 115 008 329 Normanville Architect Simon Thomas reg. no. 7093 info@idgarchitects.com.au www.idgarchitects.com	Access BASIX BCA Civil Premise Electrical Geotech Landscape Group GSA	Vista Access Consultants Efficient living BCA Logic Premise Structure Marline Electrical Barnson Group GSA	Planner CE Surveyor Premise Startec	Horizons Village DUBBO - STAGE 9			18/22 22/7/22 3/8/22 11/8/22	A B C D	PRELIMINARY ISSUE FOR COORDINATION FINAL ISSUE FOR DA COORDINATION REVISED ISSUE FOR COORDINATION DA ISSUE	DRAWING DA-1300	ISSUE D	DRAWN CHECKED	IDG DRAWN IDG CHECKED	PREMIUM FLOOR PLAN	
					SITE: 67 Mmore Road Dubbo NSW 2830 CLIENT: RSL LIFE CARE REF: RSL 2021											

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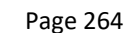


01 | PREMIUM E1 ELEVATION FRONT
1:100

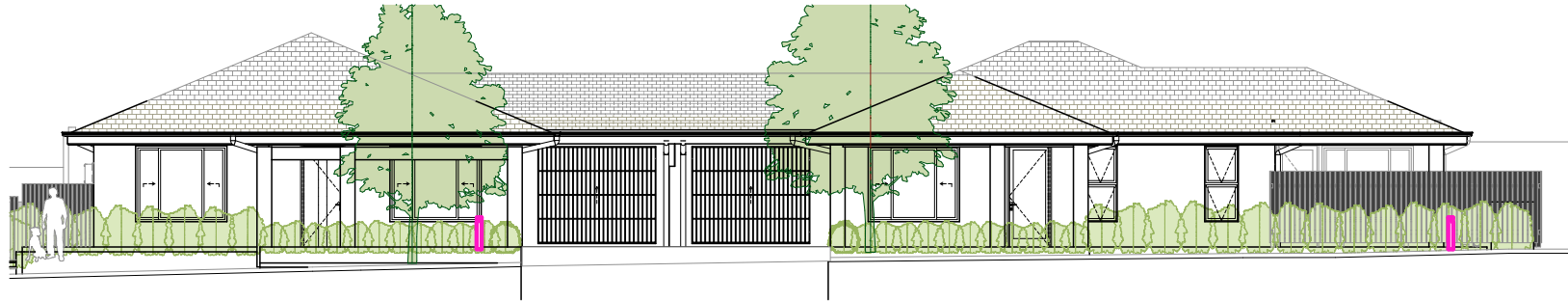
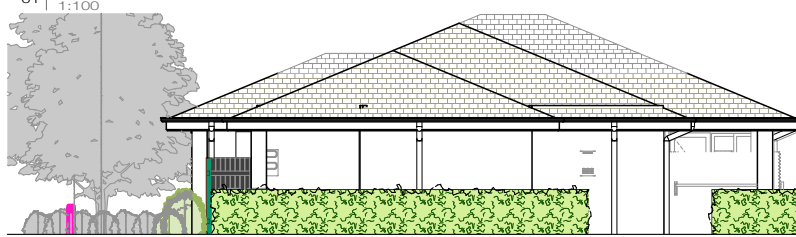
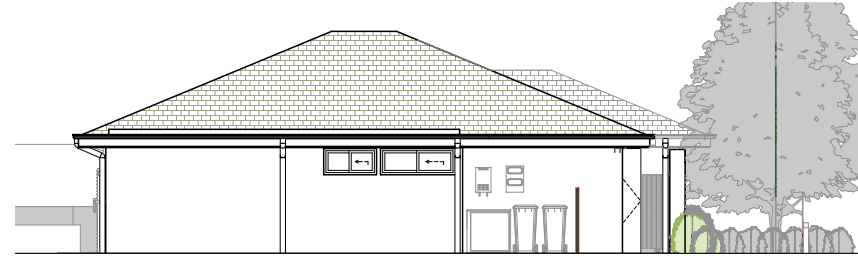
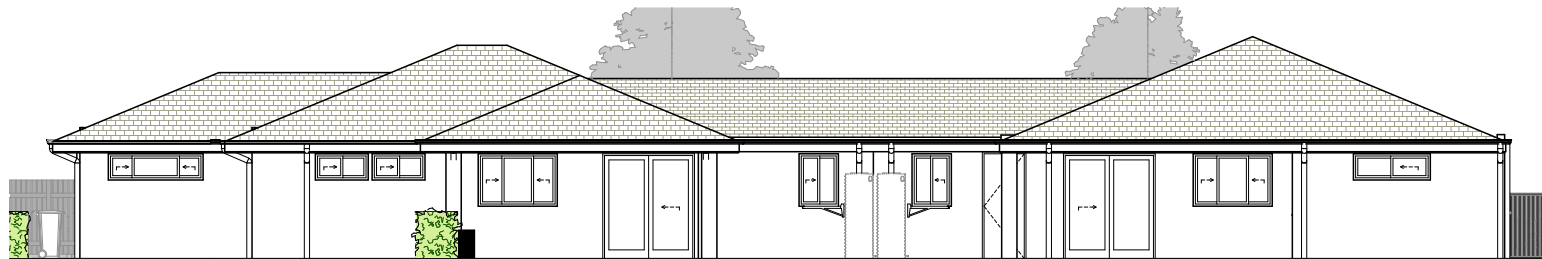
02 | PREMIUM E3 ELEVATION REAR
1:10003 | PREMIUM E2 ELEVATION SIDE
1:10004 | PREMIUM E4 ELEVATION SIDE
1:100

ARCHITECT	TITLE	NOTES	DISCIPLINES	PROJECT	REVISION	DRAWING
INTEGRATED DESIGN GROUP © Integrated Design Group Pty Ltd ABN 84 115 098 329 Simon Thorne reg. no. 7093 info@idgarchitects.com.au www.idgarchitects.com.au		1. Figured dimensions take precedence over scaled drawings. 2. Contractors to check and verify all levels datum and dimensions on site. 3. All materials and workmanship to be in accordance with current written manufacturers instructions, local regulations and SAA codes. 4. Nominated Architect. 5. Clarification sought before proceeding with any works 6. All drawings are not for construction and are subjective to further design development, consultant input, council and legislative requirements. 7. Refer to General notes page for legend and abbreviations.	Access Vista Access Consultants M&E Efficient living BICA BICA Logic Civil Premise Natural Premise Electrical Marline Geotech Bamson Landscape Group GSA	Horizons Village DUBBO - STAGE 9	1/1/22 A PRELIMINARY ISSUE FOR COORDINATION 2/7/22 B FINAL ISSUE FOR DA COORDINATION 11/9/22 C DA ISSUE	PREMIUM ELEVATIONS
				SITE: 57 Minore Road Dubbo NSW 2830 CLIENT: RSL LIFE CARE REF: RSL22/01		DRAWING ISSUE
						DA-1320 C
						CHECKED IDG CHECKED SCALE 1:100 @ a3

N O T F O R C O N S T R U C T I O N



NOT FOR CONSTRUCTION

01 | NEWELL 2 E1 ELEVATION FRONT
1:10002 | NEWELL 2 E2 ELEVATION SIDE
1:10004 | NEWELL 2 E4 ELEVATION SIDE
1:10003 | NEWELL 2 E3 ELEVATION REAR
1:100

ARCHITECT		NOTES	DISCIPLINES	PROJECT	REVISION	DRAWING
<div>INTEGRATED DESIGN GROUP</div> <div>© Integrated Design Group Pty Ltd ABN 64 115 086 229 Nominated Architect Simon Thorne reg. no. 7093 info@idgarchitects.com.au www.idgarchitects.com.au</div>	<div>1. Figured dimensions take precedence over scaled drawings</div> <div>2. Contractors to check and verify all levels datum and dimensions on site</div> <div>3. All materials and workmanship to be in accordance with current written manufacturers instructions, local regulations and SAA codes</div> <div>4. Conflicting information to be brought to notice of the architect and clarification sought before proceeding with any works</div> <div>5. All drawings are not for construction and are subject to further design development, consultant input, council and legislative requirements.</div> <div>6. Refer to General notes page for legend and abbreviations</div>	<div>Access BASIX BCA Civil Electrical Geotech Landscape</div> <div>Vista Access Consultants Planner QS Surveyor Structure</div> <div>Premise MDA Premise Startec</div> <div>Group GSA</div>	<div>Horizons Village DUBBO - STAGE 9</div> <div>SITE: 57 Minore Road Dubbo NSW 2830 CLIENT: RSL LIFE CARE REF: RSL-2021</div>	11/22 A PRELIMINARY ISSUE FOR COORDINATION	NEWELL+ ELEVATIONS	
				22/22 B FINAL ISSUE FOR DA COORDINATION		
				11/22 C DA ISSUE		
					DRAWING	ISSUE
					DRAWN	IDG DRAWN
					CHECKED	IDG CHECKED
					SCALE	1:100 @ A3
					DA-1420 C	

Amendments	Issue Description	Date
A	ISSUE FOR ICA	12/08/2022



- LEGEND
- PROPOSED TREE
REFER TO PLANTING SCHEDULE
 - MP- MASS PLANTING
PROPOSED
 - TU- TURF
PROPOSED
 - P1- RESIDENTIAL CONCRETE
PAVEMENT
 - P2- RESIDENTIAL PAVING
(FEATURE)
 - P3- PROPOSED CONCRETE
ROAD + DRIVEWAY
 - P4- ROAD THRESHOLD
 - W1- PROPOSED RETAINING WALL
 - BOLLARD LIGHT AND CONNECTION
 - BOUNDARY FENCE- REFER
ARCHITECTURE FOR FENCE TYPES
 - EXTENT OF WORKS
 - TYPICAL VILLA LANDSCAPE PLANS

Client
RSL LifeCare
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architecture interior design urban design landscape
non architect Mr. Shikhan 2000

Project Title
Horizons Village
57 Minore Rd,
Dubbo, NSW 2830
Drawing Title
**STAGE 9
LANDSCAPE STREET LAYOUT**

Scale 1:400 (A1)
Drawing created (date) 28/08/2022
By SNA
Plotted and checked by SNA
Verified FPL
Approved FPL
Drawing No. A220774 L-1000 Issue A
File Date
P108 30/08/22

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All heights and dimensions are to be checked and verified
on site prior to the commencement of any work, making
it clear drawings are not a substitute for site visits.
Do not scale drawings. Use figured dimensions.



Amendments	Issue Description	Date
A	ISSUE FOR DA	12/08/2022



CONDITIONS

- (1) The development shall be undertaken generally in accordance with the Statement of Environmental Effects and stamped approved plans (as amended in red) detailed as follows except where modified by any of the following conditions:

- BASIX Certificate No: 1322326M_03 dated 15 March 2023

Plan/Report Title	Reference No	Revision	Date
Project Summary	DA-0002	C	11/8/22
Site Ground Plan 1	DA-0100	C	11/8/22
Site Ground Plan 2	DA-0101	C	11/8/22
Fence Locations	DA-0120	B	11/8/22
Fence Details 1	DA-0121	B	11/8/22
Fence Details 2	DA-0122	B	11/8/22
Newell Floor Plan	DA-1000	D	11/8/22
Newell Elevations	DA-1020	C	11/8/22
Macquarie Floor Plan	DA-1100	D	11/8/22
Macquarie Elevations	DA-1120	C	11/8/22
Dulhunty Floor Plan	DA-1200	D	11/8/22
Dulhunty Elevations	DA-1220	C	11/8/22
Premium Floor Plan	DA-1300	D	11/8/22
Premium Elevations	DA-1320	C	11/8/22
Newell + Floor Plan	DA-1400	D	11/8/22
Newell + Elevations	DA-1420	C	11/8/22
Landscape Street Layout	L-1000	A	12/8/22
Landscape Street Layout 1	L-1001	A	12/8/22
Landscape Street Layout 2	L-1002	A	12/8/22

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

- (2) A separate application is required to be submitted to either Council or registered certifier to obtain a Construction Certificate to permit the erection of the proposed building works.

{Reason: Prescribed statutory condition under EP&A Act}

- (3) Prior to the release of any Construction Certificate the applicant shall prepare and submit a Construction Environmental Management Plan (CEMP) to Council's Environmental Compliance Branch for assessment and approval. The CEMP shall detail acceptable methods for the adequate control and management of the following:

- Noise impacts – Detailing the implementation of noise mitigation measures to minimise noise and to limit the impact on adjoining development.
- Dust Suppression and Mitigation – Detailing dust suppression and mitigation measures to be employed during works on the site to ensure dust is not emitted from the site at all times including when no activities are taking place on the site.

- Erosion and Sedimentation Control Plan – Detailing the methods to be employed to ensure the adequate management of the surface and stormwater associated with subdivision activities.
- Waste Management Plan – Detailing the reuse or relocation of spoil and disposal of solid and liquid wastes.

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

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

- (4) Suppression and mitigation of dust shall be employed during works on the site to ensure dust is not emitted from the site at any time including when no activities are taking place on the site.

{Reason: To prevent dust becoming a nuisance to the surrounding properties}

- (5) An Erosion and Sediment Control Plan shall be submitted to and approved by Council's Environmental Compliance Branch prior to the issue of any Construction Certificate. The Plan, as approved, shall be implemented onsite prior to any site disturbance works being commenced and shall remain, in a maintained condition, until all site works are completed.

{Reason: To reduce the risk of polluting Council's storm water system.}

- (6) A sediment and erosion control warning sign, as supplied by Council, shall be attached to the most prominent sediment fence on the subject site at all times whilst the building is under construction.

Note: Copies of such sign are available for collection free of charge from Council's Development and Environment Division.

{Reason: Imposed in the public's interest under S4.15 of the EP&A Act 1979}

- (7) Waste construction materials including soil arising from the development must be disposed of at an appropriately licensed waste facility.

{Reason: To prevent possible environmental pollution}

- (8) A site rubbish enclosure shall be provided on the site for the period of the proposed construction works prior to commencement of any such work.

{Reason: To prevent environmental pollution}

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

{Reason: To protect Aboriginal heritage}

- (10) Should any contaminated, scheduled, hazardous or asbestos material be discovered before or during construction works, the applicant and contractor shall ensure the

appropriate regulatory authority (eg Department of Planning, Industry and Environment (DPIE), WorkCover Authority, Council, Fire and Rescue NSW etc) is notified, and that such material is contained, encapsulated, sealed, handled or otherwise disposed of to the requirements of such Authority.

Note: Such materials cannot be disposed of to landfill unless the facility is specifically licensed by the Environment Protection Authority (EPA) to receive that type of waste.

{Reason: To prevent the contamination of the environment}

- (11) The proposed landscaping shown on the approved plans (see condition 1) shall be established and maintained to at least the standard specified in the overall landscape plans prepared by Group GSA dated 12 August 2022. Landscaping around each dwelling unit shall be established prior to the issue of the each dwelling unit's Occupation Certificate.

{Reason: To maintain and improve the aesthetic quality of the development}

- (12) A minimum 300mm freeboard shall be maintained between the crest of the development's internal major storm event (100 year ARI) system flows and the habitable floor level of any adjoining/adjacent dwellings. Applicable details (where relevant) in Australian Height Datum (AHD), shall be submitted with each Construction Certificate application for the development's proposed dwellings.

{Reason: To avoid flooding of buildings in a major storm event}

- (13) 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 and approved prior to any work commencing.

{Reason: Implementation of Dubbo DCP 2013}

- (14) The proposed dwellings (individually) must not be provided with more than seven (7) outside light fittings, all of which must be shielded. If more than five (5) shielded outside light fittings are provided those additional fittings must also be automatic light fittings.



automatic light fitting means a light fitting that is activated by a sensor and switches off automatically after a period of time.

horizontal plane, in relation to a light fitting, means the horizontal plane passing through the centre of the light source (for example, the bulb) of the light fitting.

outside light fitting means a light fitting that is attached or fixed outside, including on the exterior of a building.

shielded light fitting means a light fitting that does not permit light to shine above the horizontal plane.

{Reason: To limit light pollution, sky glow and to protect observation conditions at the Siding Spring Observatory}

- (15) Any alteration/damage to the footpath, kerbing and guttering, vehicular entrance/s, road or road shoulder including utility services, shall be repaired/restored at full cost to the developer and in accordance with Council's adopted AUS-SPEC #1 Development Specification Series - Construction Standards.

{Reason: Implementation of Council Policy}

- (16) All vehicles must enter and exit the subject land and proposed development in a forward direction. No reversing of vehicles onto the public roadway system will be permitted.

{Reason: To provide safety for the travelling public utilising the public roadways}

- (17) All loading and unloading of goods related to the development proposal shall be carried out within the confines of the allotment's boundary. Under no circumstances will the loading, or unloading, of goods on the public roadway system be permitted.

{Reason: Not to create adverse traffic conditions}

- (18) The design and construction by the Developer, at their own expense and to the satisfaction of Council, of a 'stormwater drainage system' suitably sized to accommodate the proposed seniors housing (32 dwellings), noting that such system is to fully identify the 'minor' flow system (i.e., the system to be piped, 1 in 10 ARI); plus overland flow paths for the 'major' system (i.e., the 1 in 100 ARI).

In addition, the existing stormwater basin is to be repaired to the satisfaction of council. Headwall inlets constructed during previous stages of development require repair, erosion protection and sediment control within the basin to the satisfaction of council.

Prior to the discharge into Council's stormwater drainage system, the Developer will be required to install at their own expense 'pollution control device(s)' which will collect all oil, sediment and litter from the proposed development.

All works are to be undertaken in accordance with Council's adopted AUS-SPEC #1 Development Specification Series – Design and Construction, with detailed engineering plans being submitted to, and approved by Council prior to issue of any Construction Certificate.

{Reason: To achieve a satisfactory standard of stormwater disposal from the proposed development}

- (19) The finished floor level of the habitable areas of the proposed dwellings shall in respect of its height above the external finished ground level:

- (a) At the location of each dwelling's overflow (relief) gully achieve:
(i) A minimum of 225 mm above the finished surrounding ground level; or

- (ii) 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, a minimum of 150 mm above the finished surrounding path or paved area; and
- (b) In all others areas achieve:
 - (i) A minimum of 150 mm above the finished surrounding ground level.

Any excavated areas around the perimeter of the dwellings shall be graded away from the building to ensure adequate surface drainage and prevent pondage.

{Reason: To provide adequate stormwater free board and drainage and ensure free board provisions of sanitary drainage regulations can be achieved}

- (20) 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 authority.

{Reason: Statutory and Council requirement}

- (21) Temporary closet accommodation shall be provided onsite before work on the proposed building is commenced.

{Reason: To preserve public hygiene}

- (22) The sanitary, water plumbing and drainage associated with the proposed building project requires the issue of its own approval from Council prior to being installed. 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.

{Reason: Statutory requirement of Local Government Act 1993}

- (23) Construction work shall only be carried out within the following times:

Monday to Friday:	7:00 am to 6:00 pm
Saturday:	8:00 am to 1:00 pm
Sunday or public holidays:	No construction work permitted

{Reason: To reduce likelihood of noise nuisance}

- (24) All sanitary plumbing and drainage, and water plumbing work shall be carried out by a licensed plumber and drainer.

{Reason: Statutory requirement of Section 634 Local Government Act 1993}

- (25) The top of each dwelling's overflow (relief) gully shall be a minimum 150 mm below the lowest sanitary fixture serving the building.

{Reason: Statutory and sewerage authority requirement}

- (26) The top of each dwelling's overflow (relief) gully shall be a minimum 75 mm above the finished surrounding ground level to prevent ingress of surface stormwater.

{Reason: Statutory and sewerage supply authority requirement}

- (27) Roof water not conveyed to each dwelling's rainwater tank pursuant to the approved BASIX Certificate and the overflow from the required rainwater tanks shall be conducted into the existing onsite stormwater detention basin Council's stormwater main located on the subject property by means of appropriate drainage pipework.
{Reason: To ensure satisfactory disposal of roof water}
- (28) The hot water delivered to the dwelling's outlets of the hand-basins, baths and showers shall not exceed 45°C.
Note: Thermostatic mixing valves are required to be installed to achieve the maximum temperature setting of 45°C.
{Reason: Council policy and statutory requirement of the Plumbing Code of Australia}
- (29) Surface water shall be directed away from the buildings to prevent ponding near the foundations of the buildings whilst ensuring surface water is not diverted to the detriment of adjoining properties.
{Reason: To ensure satisfactory drainage}
- (30) The applicant shall ensure that the responsible builder or contractor submits to Council, if Council is engaged to act as the Principal Certifier (PC), a Certificate of Installation certifying that the wet areas of each dwelling have been protected by the installation of a water-proofing system conforming to AS 3740 'Waterproofing of domestic wet area'. Such Certificate must be provided prior to occupation or use of the building.
{Reason: To demonstrate the provision of an adequate moisture proofing system}
- (31) The dwellings shall not be occupied or used until the Principal Certifier (PC) has first issued an Occupation Certificate.
{Reason: Statutory requirement to ensure the building is fit for occupation}
- (32) A site rubbish container shall be provided on the site for the period of the construction works prior to commencement of any such work.
{Reason: To prevent pollution of the environment by wind-blown litter}
- (33) All excavations associated with the erection of the buildings and installation of associated services must be properly guarded and protected to prevent them from being dangerous to life or property. Excavations undertaken across or in a public place must be kept adequately guarded and/or enclosed and lit between sunset and sunrise, if left open or otherwise in a condition likely to be hazardous to persons in the public place.
{Reason: For protection of public}
- (34) All building work must be carried out in accordance with the provisions of the Building Code of Australia.
{Reason: Prescribed statutory condition under EP&A Act}
- (35) 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 roads/public places}

- (36) Prior to works commencing the Applicant shall ensure that a sign is erected on the work site in a prominent position at the front of the property showing:
- (a) The name, address and telephone number of the Principal Certifier (PC) for the work;
 - (b) The name of the principal contractor for the building work and a telephone number on which that person may be contacted outside of working hours; and
 - (c) Stating that unauthorised entry to the work site is prohibited.

Such sign must be maintained on the site during the course of the building 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 (PC), the Applicant can either prepare their own sign, or alternatively affix onsite the sticker that will be enclosed with the Council issued Construction Certificate. A larger sign in lieu of utilising the sticker is available upon request from Council's Civic Administration Building.

{Reason: Statutory condition imposed by Section 70 of the EP&A Regulation 2021}

- (37) The person having the benefit of this Development Consent, must unless that person is the principal contractor, ensure that the principal contractor has been notified of the critical stage inspections and any other inspections that are specified by the appointed Principal Certifier (PC) to be carried out.

Note: The 'principal contractor' is the person responsible for the overall coordination and control of the carrying out of the building work.

{Reason: Statutory requirement imposed by the EP&A Act 1979}

- (38) Noise from the rainwater tank pumps shall be controlled such that offensive noise is not emitted. In this regard, the pumps shall be located in a position where it least affects neighbouring properties, and not exceed the background noise level (L_{A90}) by 5dB(A) measured at the worst effected residence.

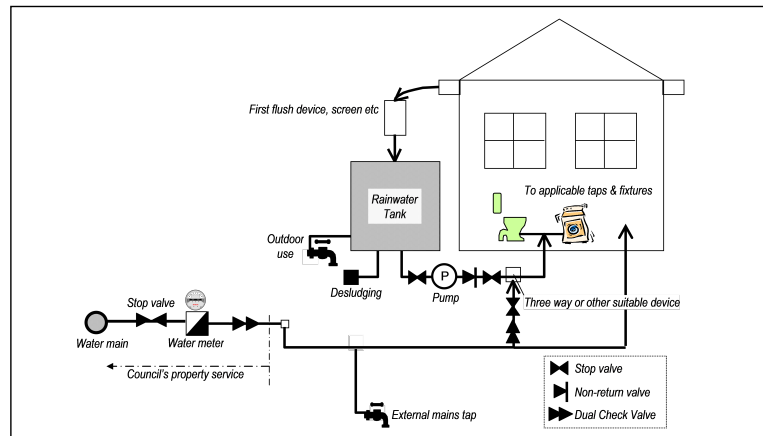
Note: To minimise noise nuisance the pump should not be located adjacent to neighbouring bedrooms or between adjoining dwellings. If a complaint arises after installation consideration may need to be given to relocating the pump or providing an acoustic cover.

{Reason: To minimise the creation of offensive noise}

(39) Where the owner's BASIX commitments requires the pipework from the proposed rainwater tanks to be inter-connected with pipework connected to Council's town reticulated water supply the following installation criteria shall apply:

- (a) A stop valve shall be provided on the rainwater delivery side of the pump. A second stop valve and a non-return valve shall be provided on the outlet side of the pump;
- (b) A stop valve and a dual check valve shall be provided on the delivery side of the town water supply pipework immediately upstream of the point of inter-connection with the rainwater pipework supply; and
- (c) The inter-connection point of the pipework from the two different water sources is to be provided with a three-way flow switching device.

(Refer to the following diagram for an indicative installation arrangement)



Any proposed plumbing configuration different from the above arrangements shall be discussed with Councils' officers for conformity with the Plumbing Code of Australia and approved prior to installation.

{Reason: To prevent water cross-contamination}

(40) The water supply pipework from the rainwater tank shall be clearly marked at intervals not exceeding 500mm where concealed in walls, or 1 metre where exposed or buried, with the word 'RAINWATER'. Water outlets shall be identified as 'RAINWATER' with a label or a rainwater tap identified by a green coloured indicator with the letters 'RW'.

Note:

- ① All 'RAINWATER' labels or signs are to have black lettering and pictogram on either a yellow or green background.



① Marking shall be in accordance with AS 1345.

{Reason: Statutory requirements of Plumbing Code of Australia}

- (41) Where a pump is required to distribute and pressurise water from the proposed rainwater tanks they shall be electrically powered.

{Reason: To minimise the creation of offensive noise}

- (42) The proposed rainwater tanks shall be provided with:

- A top or lid to shield the interior from light penetration; and
- A screen to all inlets and openings into the tank to prevent debris and mosquito entry.

{Reason: To reduce contamination of the supply and breeding of mosquitoes}

- (43) All roof and stormwater 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, prior to the issue of the Occupation Certificate, the licensee is required to submit to Council a Certificate of Compliance for the subject stormwater work within two days of completion.

{Reason: Statutory and Council requirement}

- (44) If Council is appointed as the Principal Certifier (PC) documentary evidence is to be supplied to Council identifying that the commitments set out in the approved BASIX Certificate have been satisfied. Such evidence shall be supplied prior to the issue of an Occupation Certificate.

{Reason: Statutory requirement of Environmental Planning and Assessment Regulation 2021}

- (45) Prior to the Occupation Certificate being issued, Council is to be given at least 24 hours notice for Council to carry out an inspection of the completed stormwater drainage, sanitary drainage and water installation.

{Reason: To enable an inspection of the building's plumbing and drainage to determine they have been satisfactorily completed}

- (46) The smoke alarms constituting each of the dwelling's automatic smoke detection and alarm system, if comprised of smoke alarms conforming to AS 3786, and where more than one alarm is required within the dwelling, they shall be interconnected with each other.

If Council is appointed the Principal Certifier (PC) a Certificate of Installation, completed by a licensed electrician, shall be submitted prior to the Occupation Certificate being issued.

{Reason: To ensure an appropriate level of fire safety as a consequence of audibility limitations associated with smoke alarms alerting young children}

- (47) The following applicable works shall be inspected and passed by an officer of Council, irrespective of any other inspection works undertaken by an accredited certifier, prior to them being covered. In this regard, at least 24 hours notice shall be given to Council for the inspection of such works. When requesting an inspection, please telephone Council's Development and Environment Division on 6801 4612 and quote Council's reference number **D2022-737**.

Advanced notification for an inspection can be made by emailing de.admin@dubbo.nsw.gov.au or by telephoning Council's Development & Environment Division on 6801 4612.

- Internal and external sanitary plumbing and drainage under hydraulic test;
- Water plumbing under hydraulic test; and
- Final inspection of the installed sanitary and water plumbing fixtures upon the building's completion prior to its occupation or use.

{Reason: Statutory provision and Council requirement being the water and sewerage authority}

- (48) Surface water shall be directed away from the dwellings to prevent ponding near the foundations of the building whilst ensuring surface water is drained into the existing stormwater detention basin located on the subject property without being diverted to the detriment of adjoining properties.

In this regard, the plans to be submitted with the Construction Certificate application need to provide the finished surface levels and surface and stormwater drainage infrastructure, including pits for the interception of surface waters and an intra-allotment drainage system, sufficient to demonstrate compliance with Part 3.1.3 of the BCA and designed in accordance with AS/NZS 3500.3-2018 Stormwater Drainage.

Note: Regard also needs to be given to achieving the statutory overflow (relief) gully clearance heights as separately conditioned on this consent, fences/gates, landscaping etc and any future subdivision of the allotment.

{Reason: To ensure satisfactory stormwater drainage}

- (49) The development may only be occupied by:
- (a) Seniors or people who have a disability;
 - (b) People who live within the same household with seniors or people who have disability; and
 - (c) Staff employed to assist in the administration of and provision of services to housing provided under this Part.

{Reason: To ensure compliance with State Environmental Planning Policy (Housing) 2021}

- (50) The Developer shall create under Section 88E of the Conveyancing Act, 1919, a restriction 'as to the user' against the title of the property that the building be only used as per the requirements stated in Condition (49) above. Evidence of such restriction shall be provided to Council prior to the issue of any Occupation Certificate.

{Reason: To ensure compliance with Clause 88(2) of State Environmental Planning Policy (Housing) 2021}

- (51) The dwellings and associated works shall be designed and constructed in accordance with 'Schedule 4 Standards concerning accessibility and usability for hostels and independent living units' set out in State Environmental Planning Policy (Housing) 2021.

Prior to the issue of any Construction Certificate for any dwelling by any Principle Certifying Authority, the Applicant and/or registered proprietor shall provide detailed plans and an accompanying written schedule showing how the independent living units approved by this development consent comply with the requirements of Schedule 4 of State Environmental Planning Policy (Housing) 2021.

{Reason: To ensure compliance with State Environmental Planning Policy (Housing) 2021}

- (52) Sec 64 Contribution – Water and Sewerage Supply Headworks

Prior to the issue of the Construction Certificate, payment is required in accordance with the following contributions plans:

PLAN	CALCULATION	TOTAL
Dubbo Regional Councils Water and Sewerage Contribution Plan 2002 (water)	Per ET basis (16) – pursuant to Sec 64 of the Local Government Act 1993 (Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000). Current rate is \$6,235.30 per ET Levied at 0.5 ETs per dwelling unit.	
	Contribution Payable WATER	\$99,764.80 (\$3,117.65 per unit)
Dubbo Regional Councils Water and Sewerage Contribution Plan 2002 (sewer)	Per ET basis (16) – pursuant to Sec 64 of the Local Government Act 1993 (Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000). Current rate is \$6,235.30 per ET Levied at 0.5 ETs per dwelling unit.	
	Contribution payable SEWER	\$99,764.80 (\$3,117.65 per unit)

	Total 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.	\$199,529.60 (\$6,235.30 per unit)
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Note: Contribution rates are subject to CPI and adjusted annually from 1 July each year in accordance with Councils adopted fees and charges. The current rates are to be confirmed with Council prior to payment being made.

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

(53) Sec 7.11/Sec 94 Development Contributions

Prior to the issue of the Construction Certificate, payment is required in accordance with the following contributions plans:

PLAN	CALCULATION	TOTAL
Sec 94 Development Contributions Plan - Open Space and Recreation Facilities 2016-2026	Calculation based on 1.6 persons per dwelling (32 units). Contribution rate is per person: City Wide = \$627.65 West (south) = \$1,493.65 Admin = \$26.63	 \$32,135.68 \$76,474.88 \$1,363.46
	Total	\$109,974.02 (\$3,436.69 per unit)
Sec 94 Development Contributions Plan - Roads, Traffic Management and car parking 2016	Calculation is based on 64 trips for urban roads headworks from 32 units: <i>per residential trip is \$633.10</i>	 \$40,518.40
	Plan administration is \$6.00 <i>per trip</i>	\$384.00
	Total	\$40,902.40 (\$1,278.20 per unit)
	Total Contributions Payable for this application Note: this amount includes all applicable contributions payable under Councils Sec 94/7.11 Development Contributions Plans.	\$150,876.42 (\$4,714.89 per unit)

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

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

NOTES

- (1) The Council Section 7.11/64 Contribution Plans referred to in the conditions of this consent may be viewed without charge at Council's Civic Administration Building, Church Street, Dubbo between the hours of 9 am and 5 pm, Monday to Friday. Copies are also available from www.dubbo.nsw.gov.au

- (2) The development shall be carried out in accordance with Essential Energy's correspondence dated 28 April 2023 (copy attached).

- (3) The fire walls separating the attached dwellings are required to be carried through to the underside of the roof covering with no timber or other combustible material crossing such walls (other than roof purlins not greater than 75mm x 50mm or roof sarking).

The gap between the top of the fire wall and the underside of the roof covering must be packed with mineral fibre or other suitable fire-resisting material.

Where the fire wall joins a masonry veneer external wall, any gap between the fire wall and the external masonry veneer must be:

- (a) Not more than 50 mm; and
 - (b) Packed with a mineral fibre or other suitable fire resistant material with the packing arranged to maintain any weatherproofing requirements of Part 3.3.4. of the BCA.
- (4) Should the Geotechnical Site Investigation show a highly or extremely reactive site then, where the sanitary drainage pipework passes through the underside of the building flexible pipework, fittings must be fitted to permit articulation of the pipework equivalent with the expected soil movement. Reference should be made to AS 2870-2011 in this regard.
- (5) If Council is engaged to act as the Certifying Authority for the Construction Certificate application the following shall be submitted in conjunction with such application:
 - The location of all smoke detectors/alarms together with a statement that they will be installed in accordance with AS 3786 and BCA;
 - The intended method of construction proposed to achieve the Fire Resistance Level (FRL) for the attached dwelling's fire walls. Note: such details may need to specify the test report upon which such FRL has been verified;
 - The intended means of sealing the gap between the top of the dwelling's fire walls (separating each sole-occupancy unit) and the roof covering;

- The intended method of construction proposed to achieve compliance with the dwelling fire walls obtaining an $R_w + C_{tr}$ weighted sound reduction index with spectrum adaption of 50 as required under the Dts BCA;
 - Levels indicating that the statutory requirement for the top of the building's overflow (relief) gully to be a minimum 150 mm below the lowest sanitary fixture/fitting will be achieved;
 - Adequately detailed drawings to indicate the buildings' design compliance with the Senior Living SEPP;
 - Location of required onsite fire hydrants demonstrating the subject dwellings can be protected;
 - All relevant stormwater design and disposal details as indicated in the conditions of consent;
 - A copy of the appropriate geotechnical report for the site to which each building's footing/slab system has been designed;
 - An alternative building solution for the buildings proposed external wall cladding must be submitted with the construction certificate application, if such material and/or system is neither approved under the Dts BCA, or the subject of an accreditation certificate under the CodeMark scheme;
 - Details of the proposed method of termite treatment showing that compliance will be achieved with AS 3660; and
 - 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.
- (6) Offensive noise as defined under the Protection of the Environment Operations Act 1997 shall not be emitted from the proposed development.
- (7) Air impurities as defined under the Protection of the Environment Operations Act 1997 shall not be released or emitted into the atmosphere in a manner which is prejudicial to the health and safety of occupants, the surrounding inhabitants or the environment.



REPORT: D22-723 - Intensive Livestock Agriculture (Poultry Farm) - Lot 5 DP 664334, 21 Gladstone Road Bodangora

DIVISION: Development and Environment
REPORT DATE: 3 May 2023
TRIM REFERENCE: ID23/879

EXECUTIVE SUMMARY

Purpose	Provide planning approval	
Issue	<ul style="list-style-type: none">The estimated cost of works for the subject development application is in excess of \$5 million and as such requires determination by Council rather than under delegated authority.	
Reasoning	<ul style="list-style-type: none">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 Intensive Livestock Agriculture (Poultry Farm) at Lot 5 DP 664334, 21 Gladstone Road, BodangoraOne (1) submission, objecting to the proposal was received.The proposal is a permitted land use in the RU1 zone under the Dubbo Regional Local Environmental Plan 2022.The proposal is consistent with the objectives of the RU1 zone under Dubbo Regional Local Environmental Plan 2022.The proposal is generally compliant with the provisions of the Wellington Development Control Plan 2013, and any variations are considered justified.The proposal incorporates adequate measures to ensure the development will not result in any 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 conditions.	
Financial Implications	Budget Area	There are no financial implications arising from the report
Policy Implications	Policy Title	<ul style="list-style-type: none">Dubbo Regional Local Environmental Plan 2022State Environmental Planning Policy (Resilience and Hazards) 2021State Environmental Planning Policy (Transport and Infrastructure) 2021

		<ul style="list-style-type: none">Wellington Development Control Plan 2013Wellington Council Development Servicing Plan No.1Section 94A Development Contributions Plan 2012
	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:	3.2.3 The growth, development and diversification of the agricultural industry is supported
Theme:	3 Economy
CSP Objective:	3.2 Employment opportunities are available in all sectors of our economy
Delivery Program Strategy:	3.2.1 Employment and investment opportunities for all sectors of the community are fostered

RECOMMENDATION

1. That development application D22-723 – Intensive Livestock Agriculture (poultry farm) – 21 Gladstone Road, Bodangora 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

TS
Senior Planner

REPORT

Consultation

- Internal
 - The application was referred to Council's Building Services Branch to which the referral response dated 28 March 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 will be included on the consent.
 - The application was referred to Council's Infrastructure Division to which the referral response dated 1 February 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 recommended will be included on the consent.
 - The application was referred to Council's Environmental Compliance Branch to which the referral response dated 16 January 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 recommended will be included on the consent.
- External

The Development Application was placed on notification for a period of 39 days (noting Council Christmas Closure and public holidays) ending 29 January 2023, during which time adjoining property owners were notified in writing of the proposed development.

Council received one (1) submissions during the notification period. The concerns raised are listed below with a planning comment attached:

- i. Odour associated with the incinerator

The submission details when the existing incinerators are used the dwellings to the north and west experience odour issues. As the proposed development is to be closer to the sensitive receivers such concerns in relation to further odour issues are raised.

Comment: The applicant has provided further details in relation to odour management as follows:

Aviagen Australia can purchase "clean air" incinerators that "double burn" – i.e. have a burner in the exhaust to minimise incompletely combusted particles, which reduces the odour. 'Dual chamber' systems operate by incinerating materials in a primary chamber and then incinerating the gases for a second time in a secondary combustion chamber. Resulting emissions from this system are cleaner and safer for the environment.

A condition of consent will require dead animals to be disposed of using this proposed method.

ii. Plastics and green waste disposal

The submission details that the existing operations have been known to burn green waste and other refuse such as plastics. Concerns in relation to using this method given the increase in fuel loads the area is experiencing.

Comment: The applicant has provided further details in relation to waste management as follows:

General Waste from staff amenities, packaging, etc. is placed in covered Skip Bins and removed by both Sam's Waste Removal to the Council Waste Centre at Dubbo.

A condition of consent will be imposed that prevents waste being burned on site (other than dead animals).

Proposed Development

Council is in receipt of a Development Application for intensive livestock agriculture (poultry farm) at Lot 5 DP 664334, 21 Gladstone Road, Bodangora.

The proposed development comprises the following:

- Accommodate up to 50,000 birds;
- 4 x tunnel-ventilated fully enclosed, climate controlled poultry sheds measuring 110m x 16.54m (1,819.4m²) each;
- 14.2m x 11.6m (164.72m²) packing and bedding shed with loading dock;
- Amenities/office building;
- 20m x 10m (200m²) storage shed;
- 2 x 500KL water tanks and associated infrastructure;
- Dead bird Incinerator;
- Stormwater retention basin and associated infrastructure;
- 2 x sets of silos (four in each set);
- One (1) batch silo to service each poultry shed;
- Surface water drainage and management system;
- Extension of water and electricity infrastructure;
- Back-up power generator;
- LPG tanks;
- Chemical storage; and
- Internal vehicular access driveway from Gladstone Road to the proposed site.

The proposed poultry farm will operate as part of the larger Aviagen business and the poultry farms operating from Lot 46 DP 1110608, 808 Saxa Road and Lot 6 DP 750760, 104 Gladstone Road.

The submitted site layout plan is provided in **Figure 1** for visual reference.

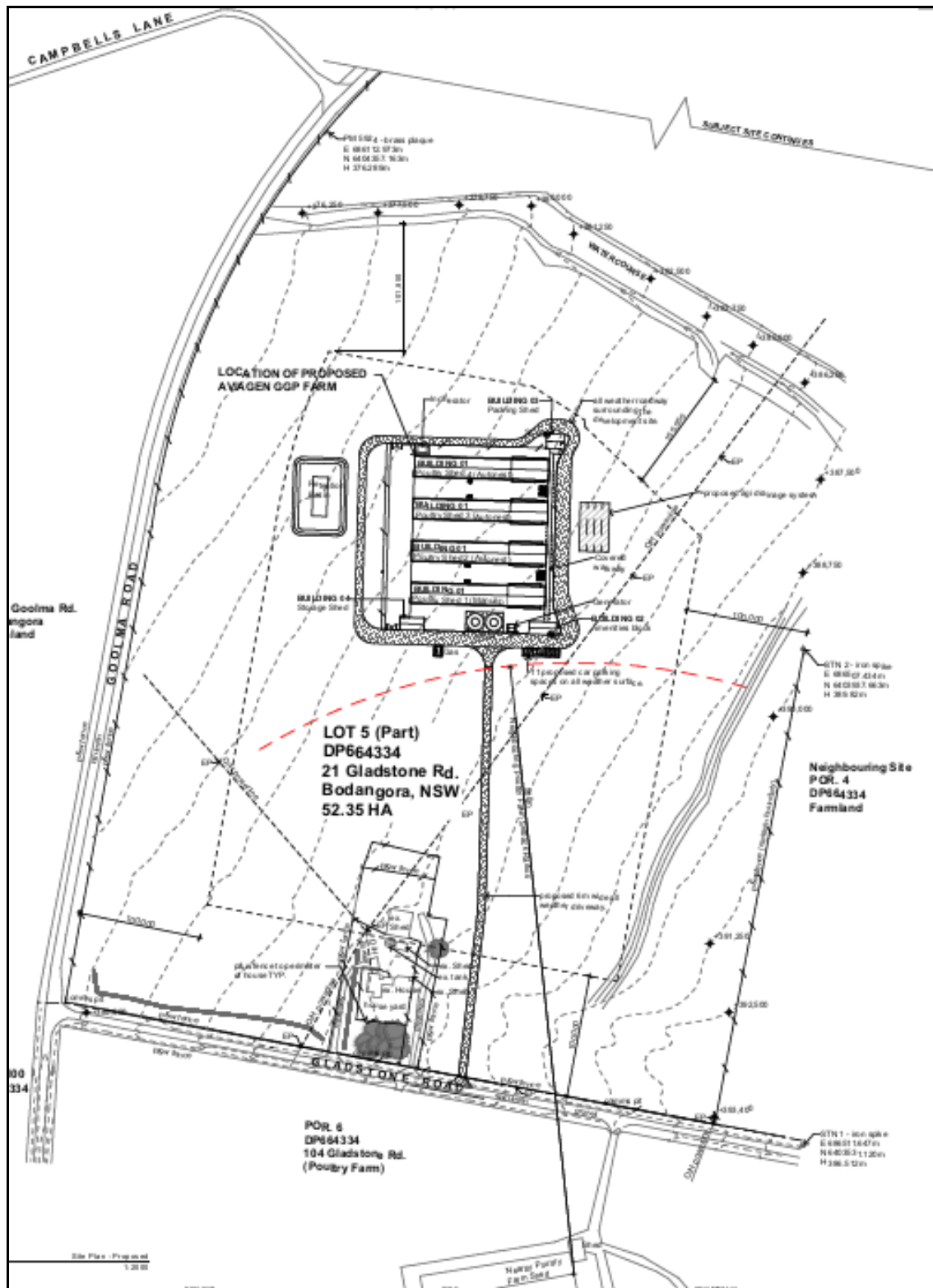


Figure 1: Submitted site layout plan

The poultry farm will operate 24 hours a day 7 days a week with on-call staff available outside the normal office hours to attend to any emergencies or alarms. The proposed development will employ up to 10 full time staff.

The production cycle length of poultry breeding in the proposed sheds is approximately 60 weeks followed by a 12 week cleaning phase per shed.

Site Characteristics

Locality

The allotment is located on the northern side of Gladstone Road. The allotment has an area of 52.35ha. For a locality map of the site see **Figure 2**.

Slope

The site slopes from the south down to the north towards an unnamed watercourse.

Vegetation

The site is void of native vegetation noting the highly disturbed agricultural use of the land for cropping and grazing.

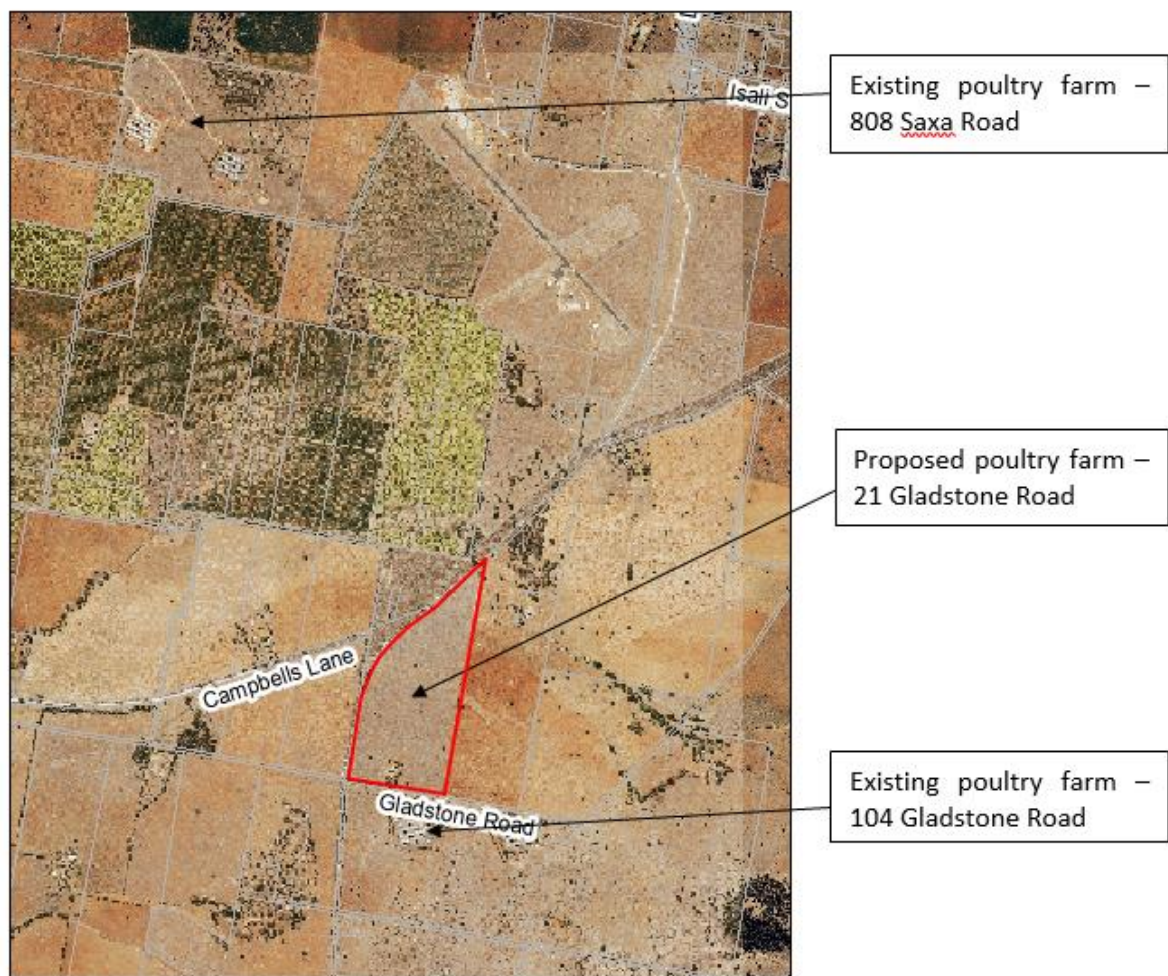


Figure 2: Site location Lot 5 DP 664334, 21 Gladstone Road BODANGORA.

Access

Access to the site is obtained via Gladstone Road, a bitumen sealed public road with kerb and guttering.

Drainage

Drainage would occur into the proposed onsite stormwater system and retention basin.

Services

The site would be connected to water and electricity infrastructure. Stormwater and effluent will be managed onsite.

Adjoining uses

North:	Agricultural within the RU1 Primary Production zone
South:	Intensive agricultural (poultry farm) within the RU1 Primary Production zone
East:	Agricultural within the RU1 Primary Production zone
West:	Agricultural within the RU1 Primary Production zone

Site Inspection

An inspection of the site was conducted on 21 February 2023. It is noted an existing dwelling is located on the site which operates as a manager's residence for one of the poultry farm sheds to the south.

Site History

There are no development applications related to the site that are relevant to the proposed development noting the agricultural use of the land and the age of the dwelling. No further action required.

Legislative Assessment - Section 4.10 Designated Development

Schedule 3, Part 2, Section 39 Poultry farms, states:

- (1) *Development for the purposes of a poultry farm is designated development if the poultry farm—*
 - (a) *accommodates more than 250,000 birds, or*
 - (b) *is located within 500 metres of another poultry farm.*

COMMENT: In relation to (a) above, the proposed development seeks to accommodate 50,000 birds (well below the 250,000 stated above) and the proposed development and its associated works are located in excess of 500m from another poultry farm (**see Figure 1**).

- (2) *Development for the purposes of a poultry farm is designated development if the poultry farm—*
 - (a) *accommodates more than 10,000 birds, and*
 - (b) *is located within—*
 - (i) *100 metres of a natural waterbody or wetland, or*
 - (ii) *a drinking water catchment, or*

- (iii) *500 metres of a residential zone or 150 metres of a dwelling not associated with the development and, in the consent authority's opinion, considering topography and local meteorological conditions, is likely to significantly affect the amenity of the neighbourhood because of noise, odour, dust, lights, traffic or waste.*

COMMENT: The proposed development seeks to accommodate 50,000 birds. The submitted plans indicate the proposed development is setback a minimum 100m from the unnamed watercourse to the north. The proposed development is more than 500 metres from a residential zone and more than 150 metres from a dwelling not associated with proposed development. As such, the development application is not considered to be designated development under (2) above.

Schedule 3, Part 1, Section 2 provides details in relation to measuring distances as follows:

- (3) *The distance from a dwelling is measured as the shortest distance between—*
(a) *the edge of the dwelling, excluding associated works such as access roads, and*
(b) *the boundary of the development or works to which the development application applies.*
- (6) *The distance between poultry farms is measured as the shortest distance between—*
(a) *the edge of facilities or works associated with an existing poultry farm, and*
(b) *the facilities or works to which the development application applies, excluding access roads.*
- (9) *The distance from a waterbody is measured as the shortest distance between—*
(a) *the boundary of the development site, and*
(b) *the top of the high bank, if present, or, if no high bank is present—*
(i) *the mean high water mark in tidal waters, or*
(ii) *the mean water level in non-tidal waters.*

Concerns were raised with the applicant in relation to cumulative number of animals over the poultry farm operations (existing 4 farms). The applicant has responded stating:

The mature birds are never transported between farms. The one exception to this rule is, the genetic line imported through the Quarantine facility are approximately 12 weeks old when they get DAWR (Department of Agriculture, Water and the Environment), clearance. These birds have been hatched and reared in a strict quarantine environment and pose no biosecurity hazard. We would therefore argue this is not a designated development.

Also please note the neighbouring farms contain fewer than 50,000 birds each, so factoring in all 5 farms (considered as 5 separate developments in any case), the total still falls below the 250,000 birds that triggers the "designated development" limit.

No further concerns are raised.

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 (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

The proposed development seeks consent for an Intensive Livestock Agricultural land use. The site is currently used for extensive agriculture. Council Environmental Systems Planner in the memo dated 16 January 2023, states:

The proposed site is currently not listed on Council’s register of potentially contaminated land.

Despite the potential for contamination from past agricultural practises the proposed use for the site continues to be agricultural with correspondingly low levels of potential community impact, care with managing animal waste in particular from the proposal must continue to be taken. This issue is discussed below under “Waste”.

The nature of the proposal and particularly the safeguards proposed should see limited impact from any on site contamination.

Councils’ standard unexpected finds condition will be recommended.

Given the proposed and existing development are the same primary use, no concerns in relation to contamination are raised. Standard condition to be included on consent.

SEPP (Transport and Infrastructure) 2021

Chapter 2- Infrastructure

The application was referred to Essential Energy in accordance with Clause 2.48 for which they responded in correspondence dated 12 January 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.

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

Dubbo Regional Local Environmental Plan 2022

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

Clause 1.2 Aims of Plan

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

Clause 1.4 Definitions

The proposed development is defined under the Dubbo Regional Local Environmental Plan 2022 as a *poultry farm*, which is defined as:

... land that is used to keep or breed poultry for animal production, whether for meat or egg production (or both) and whether an indoor, outdoor, free-range or other type of operation.

Note—

Poultry farms are a type of intensive livestock agriculture—see the definition of that term in this Dictionary.

Clause 2.2 Zoning of land to which Plan applies

The subject site is zoned RU1 Primary Production.

Clause 2.3 Zone objectives and Land Use Table

The proposed development for a *poultry farm* is permitted with development consent and is consistent with the objectives of the RU1 zone.

Clause 5.10 Heritage Conservation

- Built Environment

The subject land is not listed under Schedule 5 of the LEP and as such does not hold any heritage listed items. No further action.

- Aboriginal Heritage

Council's Environmental Systems Planner in the memo dated 16 January 2023, states:

The proponents have undertaken an Aboriginal Heritage Information Management System (AHIMS) search which revealed no known sites of heritage significance on the proposed project site. The proponents have also, appropriately, undertaken a Due Diligence Code of Practise for the Protection of Aboriginal Objects review. Again this review has identified no issues and has confirmed that there is no need to submit an Aboriginal Heritage Impact Permit application.

Council's standard unexpected finds condition will be recommended.

Standard condition to be included on consent.

Clause 5.14 Siding Spring Observatory – maintaining dark sky

6) The proposed development has been assessed as unlikely to adversely affect observing conditions at the Siding Spring Observatory, having regard to subclauses:

7)

- 2(a) - the amount of light to be emitted;
- 2(b) - the cumulative impact of the light emissions with regard to the critical level;
- 2(c) - outside light fittings (shielded light fittings); and
- 2(d) - measures taken to minimise dust associated with the development.

8)

9) Additionally, as per subclause (7) the proposed development is not considered likely to result in the emission of light of 1,000,000 lumens or more.

10)

No further action.

Clause 7.1 Terrestrial Biodiversity

The subject land is included on the Terrestrial Biodiversity Map as having biodiversity value within the northern portion of the lot. The proposed development will not impact this area. No further action required.

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.

(a)(ii) Draft Environmental Planning instruments

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

(a)(iii) Development control plans

Wellington Development Control Plan 2013

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

	Complies? Y/N
SECTION B – ENVIRONMENTAL REQUIREMENTS	
B1 Soil and Water Management	
<p>Council's Environmental Systems Planner in the memo dated 16 January 2023 states:</p> <p>(a) <i>The proposed constructions will not occur proximal to any creeklines or waterways. The nearest identified waterway is a small flow path approximately 170m to the north.</i></p> <p>(b) <i>While erosion and sediment controls will be required it is not anticipated that erosion from this predominantly flat site will be significant, or that if erosion were to occur, and the erosion controls were to be breached any noticeable sedimentation would occur. This is through the filtering effects of the surrounding grasslands which will be retained throughout the construction and operation phases of the proposal.</i></p> <p>(c) <i>While there will be a minor increase in volume of runoff generated from the site by the newly constructed sheds and additional hard surfaces, the proposed stormwater retention basin is sufficient to mitigate potential negative environmental outcomes, no conditions are required beyond standard erosion and sediment controls.</i></p> <p>Standard conditions recommended.</p>	Yes
B3 Waste Management and Recycling	
<p>Council's Environmental Systems Planner in the memo dated 16 January 2023 states:</p> <p><i>Construction waste material will be generated through the establishment of this proposal, appropriate disposal of this material will be recommended.</i></p> <p><i>Operational waste will also be generated through the presence of large numbers of animals in a tightly constrained space generating waste and through natural mortality of animals in these conditions.</i></p>	Yes, condition.

<p><i>The proponents have stated the following in the SEE;</i></p> <p><i>“For the GGP sheds, at the end of each rearing cycle (refer Section 3.8) the spent bedding material (poultry litter) will be promptly removed from the sheds and transported off site in covered trucks. When possible, the handling of poultry litter will be avoided during adverse climatic conditions. The shed ventilation systems will not be used during the removal of poultry litter.”</i></p> <p><i>Section 3.8 states (in part) that the production cycle will be approximately 60 weeks in duration and that;</i></p> <p><i>“4. Removal of Poultry Litter - when all birds have been removed, after approximately 60 weeks, the spent bedding material (poultry litter) will be removed from the sheds and transported off-site in a covered vehicle for disposal or re-use by farmers.</i></p> <p><i>5. Cleanout – the poultry sheds will be cleaned and sanitised to reduce the risk of pathogens and disease, first by dry cleaning the sheds to remove all the dust and loose organic materials. Then using high pressure low volume water to spray down the sheds. Water from this washdown is diverted in to the washdown / stormwater retention basin. The water used will be allowed to naturally evaporate during the next cycle. Additional activities will include scrubbing feeders, cleaning out water lines, cleaning the feed silos and scrubbing fan blades and other equipment.”</i></p> <p><i>The cleaning phase of each production cycle is predicted to require 12 weeks.</i></p> <p><i>Council’s Environmental Systems Planner states:</i></p> <p><i>The proponents have designed for dead animals to be incinerated and disposed of efficiently on farm and have described “litter” (excrement and other waste) as being removed from the site and disposed of “off-site”, through independent commercial arrangements. The proposed waste disposal is acceptable to Council.</i></p> <p><i>Councils standard construction waste disposal conditions will also be recommended.</i></p> <p>A condition of consent will detail that waste generated during the clean out phase be removed from site as part of the clean out phase and not to be stored on site (outside the sheds).</p>	
<p>B4 On-Site Waste Management Systems</p>	
<p>Council’s Building Service Team Leader states:</p> <p><i>There is no gravity sewer available to which the proposed development can drain. Consequently, a sewage management facility will be required to be provided for treating the human sewage arising from the amenities...Such effluent will need to be disposed of onsite. Given the large area of the allotment, there should be sufficient area available for the provision of an effluent disposal field(s).</i></p> <p>No further action required apart from the imposition of standard conditions.</p>	<p>Yes</p>
<p>B6 Potable Water and Stormwater</p>	
<p><i>Water</i></p> <p>The proposed development will be connected to the reticulated town water supply and no additional water access licence is required nor sought.</p>	<p>Yes</p>

<p><i>Stormwater</i></p> <p>The submitted application has an indicative stormwater layout, which indicates that both the development's roof and surface water is to be conveyed to a retention basin. Overflow from such dam would follow the fall of the land to the road verge of Goolma Road. Standard conditions will be imposed in relation to stormwater management and Construction Certificate requirements.</p>	
SECTION D – DEVELOPMENT DESIGN REQUIREMENTS	
D1 Car parking	
<p>The application and plans demonstrate 11 parking spaces will be provided adjacent to the office/amenities building. Based on staffing this provision is considered appropriate. A condition of consent will require 11 spaces to be provided the site prior to the issue of an Occupation Certificate.</p>	Yes, condition.
D4 Landscaping	
<p>A landscaping plan was submitted which included the retention of all trees and the planting of vegetation along the eastern boundary of the site within the sight line of the dwelling to the north east. The landscaping plan is indicative only. A detailed landscaping plan will be required prior to the issue of a CC as part of a condition of consent.</p> <p>Existing landscaping along the western boundary will suitable buffer the proposed development from the dwelling to the west and from passing motorists along the Goolma Road/Gladstone Road.</p>	Yes, condition.
D7 Social and Economic Impacts	
<p>The proposed development is unlikely to result in adverse social and economic impacts. The proposed development will generate an additional 10 employment opportunities to the Wellington and surrounding areas.</p>	Yes

Planning for Bushfire Protection 2019

Part of the land is mapped as being bushfire prone, primarily from a grassland risk. The subject land is serviced by reticulated water. Additionally, the proposed tanks have a large storage capacity and could be used for firefighting purposes should the need arise. No concerns in relation to bushfire protection measures are raised.

(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.

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.

- *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.

Environmental considerations

- *Air Quality*

The applicant has stated the following mitigation measures will be used to manage air quality associated with the development:

Odour

- *Vegetative screens will be planted and maintained at selected areas on the property boundaries as soon as practicable following construction. Vegetation screens reduce the magnitude and frequency of any adverse air quality impacts by effectively slowing and filtering air movement, which enhances dust deposition and odour dispersion.*
- *The poultry sheds will be tunnel-ventilated, which will allow improved control over internal moisture levels and promote optimum shed conditions and bird health.*
- *The sheds will be best practice design which reduces the potential for additional moisture in the sheds which lowers the risk of high litter moisture content, which is known to be a potential risk.*
- *The feed silos will be fully enclosed to both prevent the entry of rainwater, with wet feed also identified as a potential odour source, and minimise emissions of dust/particulate matter when loading and unloading.*

- *Regular monitoring and maintenance of the tunnel ventilation systems and bird drinkers will be performed*
- *Stocking densities and bird health within each of the poultry sheds will be regularly checked and, if necessary, appropriate corrective measures will be implemented to ensure compliance with relevant standards.*
- *Daily monitoring and maintenance of the bedding material will occur to minimise wet spots.*
- *Litter will be promptly removed from the sheds and transported off-site in covered trucks at the end of each production cycle during the clean-out phase.*
- *The insides of the poultry sheds and the surrounds will be maintained at all times to ensure a clean and sanitary environment.*
- *Shed access points will remain closed at all times other than for allowing access to the sheds.*
- *Where possible, activities that may increase odour emissions (for example, bedding material replacement) will be performed during daytime hours.*

Dust

- *The feed silos will be fully enclosed to minimise emissions of particulate matter when loading/unloading.*
- *Vehicles will not exceed a general speed limit of 40 km/hr within the site and will be confined, where possible, to the internal access roads.*
- *Internal access roads will be appropriately maintained to minimise dust emissions.*
- *The poultry shed ventilation systems will be maintained to ensure air movement is at design levels.*
- *The poultry sheds will be thoroughly cleaned between batches, with a focus on the fan end of the sheds.*
- *Generators will be contained in lockable acoustic enclosures with vertical air discharge.*
- *The emergency standby generators will meet the relevant emission standards in Schedule 4 of the Clean Air Regulation.*
- *Where possible, the handling of bedding material and litter will be avoided during adverse climatic conditions and shed ventilation systems will not be used during litter removal.*
- *Poultry litter will be promptly transported off-site in covered trucks at the end of each production cycle.*

Council's Environmental Systems Planner in the memo dated 16 January 2023, states:

... the nearest sensitive receivers are approximately 750m from the proposed facility and it is deemed likely that mitigating measures proposed for the site will reduce any air pollution impacts to an acceptable level. Importantly the proponents state in their Statement of Environmental Effects (SEE) that cumulative odours from the proposed shed as well as the two existing neighbouring poultry sheds will not exceed acceptable standards at all neighbouring receptors.

Any failures of the proposed mitigating actions could pose an air pollution risk to the immediate landscape, including the nearest sensitive receivers.

Appropriate and effective maintenance of the proposed mitigating actions will be conditioned.

No further action required apart from the imposition of standard conditions.

- *Noise pollution*

The applicant has stated the following mitigation measures will be used to manage noise pollution associated with the development:

- *The poultry farms may operate over a 24 hour period.*
- *Speed restriction signs should be erected at regular intervals along all access roads. A speed limit of 40km/hr should be imposed.*
- *All access roads should be kept in good condition, i.e. no potholes, etc.*
- *The generator is to be located in a shed or similar shielded building. The generator is to be fitted with a residential grade silencer.*
- *Any lightweight clear roof sheeting, i.e. alsanite, makralon, laserlight, or similar, proposed to provide natural lighting for the workshop will reduce the overall noise transmission loss of the building. Therefore, sheets must only be used sparingly at regular intervals along the roof or wall length, i.e. no more than 6m² for each 45m² roof/wall area.*
- *A regular maintenance schedule should be adopted for all mobile and fixed plant items. Items found producing high noise should be stood down until repairs are completed.*
- *The site manager should take responsibility and be available to consult with community representatives, perhaps only during opening hours. Response to complaints or comments should be made in a timely manner and action taken reported to the concerned party.*
- *All staff and employees directly involved with the facility should receive informal training with regard to noise control procedures. Additional ongoing on the job environmental training should be incorporated with the introduction of any new process or procedure. This training should flow down contractually to all sub-contractors.*

Council's Environmental Systems Planner in the memo dated 16 January 2023, states:

The closest sensitive receivers in relation to this proposal are approximately 750m to the west. This distance will buffer the receivers from construction noise impacts, as will Councils standard condition limiting hours of work which is designed to ensure noise impacts on neighbours are mitigated.

Any vibrations associated with the proposal will be created during the construction phase, they are anticipated to be minor and will again be mitigated by Councils standard limitation to construction hours.

Noise and vibration produced during operation of the breeding facility is anticipated to be significantly buffered by the building itself and ambient agricultural noises which already exist in this landscape.

Councils standard construction hour limitations will be recommended.

No further action required apart from the imposition of standard conditions.

Access, transport and traffic

The surrounding road network is considered to have sufficient capacity to cater for additional traffic movements generated by this development. Council's Senior Traffic Engineer in his memo dated 1 February 2023 has raised no concerns in relation to the proposed development subject to the imposition of a condition requiring a rural vehicular access be provided to the site.

(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.

Biodiversity Conservation Act 2016 and Fisheries Management Act 1994

Council's Environmental Systems Planner in the memo dated 16 January 2023, stated:

Proposed works will be occurring on recently cropped land, thereby alleviating the proposal of any Biodiversity Offset Scheme obligations.

The proposed development site is a flat previously cropped area with no woody vegetation to be impacted. No conditions are recommended.

No further action required.

Contributions

Section 64 – Wellington Development Servicing Plan No. 1

- Sewer

The subject land is not serviced by reticulated sewer and as such contributions shall not be imposed.

- Water

The subject land is serviced by reticulated water supply and as such the following contribution shall be imposed on the consent. The condition will require the applicable contributions prior to the issue of an Occupation Certificate.

The Plan states in order to calculate contributions for non-residential development it is necessary to estimate the number of standard residential dwellings required to generate an equivalent demand or loading to the non-residential development. The Plan goes on to state the average annual water demand for a standard residential lot is 200KL.

Actual water usage from similar poultry farms owned and operated by the same company as the proposed development was obtained through Council's records. These farms are located at 104 Gladstone Road, Bodangora and contain two separate poultry farms. Separately each of the farms have the same capacity and operational details as the proposed. As part of the calculations, the actual water usage will be halved in order to obtain the usage for one farm only as applicable to the development.

Contribution = 63.29KL per quarter (90 days)
= 365 days / 90
= 4.055(reoccurring) x 63,290L
= 256,676.11L
= 256.68KL (rounded up) / 2 (to get rate for one farm)
= 128.34KL / 200KL (Wellington DSP ET rate)
= 0.64ET x \$5,542.63 (rate)
= \$3,556.71

Section 7.12

The estimated cost of works is stated as \$7,700,000.00

Proposed cost of development	Contribution rate
Proposed cost of development \$100,000 or less	Nil
Proposed cost of development is between \$100,001 and \$200,000	0.5% of the proposed cost of development
Proposed cost of development exceeds \$200,001	1% of the proposed cost of development

Contribution = 1% x \$7,700,000.00
= \$77,000.00.

A condition of consent will require Section 7.12 contributions be paid prior to the issue of any Occupation Certificate.

APPENDICES:

- 1 [D22-723 - Conditions and Notations - 21 Gladstone Road Bodangora](#)
- 2 [D22-723 - Site Plans - 21 Gladstone Road Bodangora](#)

CONDITIONS

- (1) The development shall be undertaken generally in accordance with the Statement of Environmental Effects and stamped approved plans detailed as follows except where modified by any of the following conditions:

Title: Farm Layout
Drawing No.: F01
Revision: D
Dated: 21/10/2022

Title: Shed Layout
Drawing No.: F02
Revision: D
Dated: 21/10/2022

Title: Shed Elevations
Drawing No.: F03
Revision: D
Dated: 21/10/2022

Title: Packing Shed Layout
Drawing No.: PS01
Revision: D
Dated: 21/10/2022

Title: Packing Shed Elevations
Drawing No.: PS02
Revision: D
Dated: 21/10/2022

Title: Storage Shed Layout
Drawing No.: SS01
Revision: D

Title: Site Plans
Drawing No.: 00DA101
Revision: 01
Dated: 17 March 2023

Title: South and West Elevations - Amenities
Drawing No.: 02DA401
Revision: 01
Dated: 17 March 2023

Title: North and East Elevations - Amenities
Drawing No.: 02DA400

Revision: 01
Dated: 17 March 2023

Title: Floor Plan - Amenities
Drawing No.: 02DA220
Revision: 01
Dated: 17 March 2023

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

- (2) A separate application is required to be submitted to either Council or registered certifier to obtain a Construction Certificate to permit the erection of the proposed building works.
{Reason: Prescribed statutory condition under EP&A Act}
- (3) The approved poultry farm shall operate 24 hours a day, 7 days a week.
{Reason: To identify the approved hours of operation}
- (4) Erosion and sedimentation control measures shall be implemented onsite prior to any site disturbance works being commenced and shall remain, in a maintained condition, until all site works are completed.
{Reason: To reduce sediment pollution}
- (5) A detailed plan of the landscaping for the site shall be submitted to Council's Building and Development Services Branch, prior to the release of any Construction Certificate. The plan shall include the species name, density, mature width and height of the proposed vegetation and shall be of a suitable scale to provide a visual buffer. The landscaping as approved shall be established and maintained to at least the standard specified on the approved plans.
{Reason: To ensure the aesthetic quality of the development}
- (6) A separate application for any proposed onsite advertising/signage shall be submitted to Council if such signage does not comply with Part 2, Division 2 of State Environmental Planning Policy (Exempt and Complying Development Codes), 2008.
{Reason: To ensure onsite advertising/signage is appropriate for the site and the locality}
- (7) Any lighting on the site must be designed so as not to cause nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity or surrounding area by light overspill. All lighting must comply with the Australian Standard AS 48282 – 1997 Control of the Obtrusive Effects of Outdoor Lighting.
{Reason: To ensure compliance with the Protection of the Environment Operations Act, 1997}
- (8) The burning of solid waste is prohibited (apart from deceased animals).
{Reason: To ensure air quality is preserved}
- (9) A 'clean air' incinerator that utilises a 'double burn' shall be used to dispose of deceased animals.
{Reason: To ensure air quality is preserved}

- (10) Waste generated from the sheds during the clean out phase shall be removed from site as part of the clean out phase and not to be stored on site (outside the sheds).
{Reason: To ensure waste does not impact adjoining properties}

- (11) The proposed development shall be provided with 11 parking spaces adjacent to the office/amenities building. The parking area shall be provided with a compacted gravel surface.
{Reason: To ensure appropriate parking spaces are provided to the development}

- (12) 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}

- (13) Should any contaminated, scheduled, hazardous or asbestos material be discovered before or during construction works, the applicant and contractor shall ensure the appropriate regulatory authority (e.g. Department of Planning and Environment (DPE), SafeWork NSW, Council, Fire and Rescue NSW etc) is notified, and that such material is contained, encapsulated, sealed, handled or otherwise disposed of to the requirements of such Authority.

Note: Such materials cannot be disposed of to landfill unless the facility is specifically licensed by the DPE to receive that type of waste.
{Reason: To prevent the contamination of the environment}

- (14) Waste construction materials, including soil arising from the development, must be disposed of at an appropriately licensed waste facility.
{Reason: To ensure environmentally safe disposal}

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

Monday to Friday:	7.00 am to 6.00 pm
Saturday:	8.00 am to 1.00 pm
Sunday and public holidays:	No construction work permitted

{Reason: To reduce likelihood of noise nuisance}

- (16) Prior to building works commencing, the applicant shall ensure that a sign is erected on the work site in a prominent position at the front of the property showing:

- (a) The name, address and telephone number of the Principal Certifier (PC) for the work;
- (b) The name of the principal contractor for the building 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.

{Reason: Statutory condition imposed by section 74 the EP&A Regulation, 2021}

- (17) The person having the benefit of this development consent must, unless that person is the principal contractor, ensure that the principal contractor has been notified of the critical stage inspections and any other inspections that are specified by the appointed Principal Certifier (PC) to be carried out.

Note: The 'principal contractor' is the person responsible for the overall coordination and control of the carrying out of the building work.

{Reason: Statutory requirement imposed by the EP&A Act, 1979}

- (18) The applicant must submit with the construction certificate application, a detailed design of the buildings proposed stormwater drainage system which shall include diversion drains, roofwater disposal, hydraulic design, surface levels and grades, pipe and pit sizes, invert levels and sediment control measures. Such details shall be approved as part of the buildings Construction Certificate(s).

The design is to demonstrate that for the required design storm as stipulated under the Building Code of Australia (BCA), that surface flows from the development are contained within the property and discharged to Council's stormwater drainage system.

{Reason: To ensure stormwater design is appropriately assessed}

- (19) The sanitary drainage associated with the proposed amenities building requires the separate approval of Council prior to being installed. In this regard a Sewage Management Facility Application form is available from Council and must be completed and returned to Council with all associated design, installation details and fees. No drainage must be installed until after such application has been submitted to Council.

{Reason: Council and statutory requirement of Section 68 Local Government Act, 1993}

- (20) All sanitary plumbing, drainage and water plumbing work shall be carried out by a licensed plumber and drainer.

{Reason: Statutory requirement of Section 634 of the Local Government Act, 1993}

- (21) The top of each applicable building's overflow (relief) gully shall be a minimum 150mm below that building's lowest sanitary fixture.

The building's overflow (relief) gully shall also:

- (a) Be a minimum 75 mm above the finished surrounding ground level; or
- (b) Where the overflow (relief) gully is located in a path or paved area which is finished such that surface water cannot enter it and is graded away from the building, it may be finished level with such path or paved area.

{Reason: Statutory requirement}

- (22) 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 the inspection of such works. When requesting an inspection, please quote Council's reference number **D2022-723**.

Advanced notification for an inspection can 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;
- The development's sewage management facility installation and disposal field; and
- Final inspection of the installed sanitary and water plumbing fixtures and sewage management facility upon the building's completion prior to its occupation or use.

{Reason: Statutory provision and Council requirement being the water utility authority and delegated Plumbing Regulator}

- (23) Hot water delivered to the outlets of the amenities hand basins and shower fixtures shall not exceed a temperature of 50°C, except for any disabled/ambulant hand basin and shower facilities which must not exceed 45°C.

Note: Thermostatic mixing valve(s) are required to be installed to achieve the maximum temperature setting of 45°C.

{Reason: Council policy and statutory requirement of the Plumbing Code of Australia}

- (24) The buildings shall not be occupied or used until the Principal Certifier (PC) has first issued an Occupation Certificate.

{Reason: To ensure the building is fit for occupation}

- (25) A site rubbish container shall be provided on the site for the period of the construction works prior to commencement of any such work.

{Reason: To prevent pollution of the environment by wind-blown litter}

- (26) All excavations associated with the erection of the buildings and installation of associated services must be properly guarded and protected to prevent them from being dangerous to life or property.

{Reason: Protection of occupants, construction workers & visitors}

- (27) All building work must be carried out in accordance with the provisions of the Building Code of Australia.

{Reason: Prescribed statutory condition under the Environmental Planning and Assessment Act}

- (28) If Council is engaged to act as the Principal Certifier (PC), 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 satisfy Council as the PC that the applicable work has been undertaken in conformity with the BCA}

- (29) Prior to the issue of any Occupation Certificate for the proposed building work, the development's external works, which includes landscaping, car park and hardstand areas, traffic signage and line marking, vehicular cross-overs, and any conditioned road upgrading must have been completed in conformity with this development consent; unless the deferment of such works in part or in stages, has been agreed to in writing by the Consent Authority.

{Reason: To ensure all infrastructure is completed}

- (30) The proposed water storage tanks shall be provided with:

- A top or lid to shield the interior from light penetration; and
- A screen to all inlets and openings into the tank to prevent mosquito entry and breeding.

{Reason: To reduce contamination of the supply and breeding of mosquitoes}

- (31) Prior to the issue of the Occupation Certificate, a rural vehicular cross-over shall be constructed in accordance with Council's standards STD 7246/STD 1264 being provided by and at full cost to the Developer to Council's satisfaction to service the proposed development off Gladstone Road.

However, prior to any construction works being undertaken on this access driveway a detailed (fully dimensioned) site plan is to be lodged with and approved by Council. The access driveway is to be designed and constructed of sufficient width at the roadway (kerb and gutter alignment) and the property boundary alignment such that a semi-trailer (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 Gladstone Road 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.

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 a satisfactory means of access from the roadway to the boundary of the subject land}

- (32) Prior to issue of the Construction Certificate, a separate 'Road Opening Application' (Section 138 Application under the Roads Act 1993) will be required to be made to Council's Infrastructure Division, plus payment of appropriate fee/s, to permit works within the road reserve.

{Reason: Implementation of Council's Policy and Section 138 of the Roads Act}

- (33) Prior to the issue of the Occupation Certificate, any damage/alterations to the road or road shoulder or table drains or any other utility services, shall be repaired/restored at full cost to the Developer and in accordance with Council's adopted AUS-SPEC #1 Development Specification Series - Construction standards.

{Reason: Implementation of Council policy}

- (34) All deceased animals shall be disposed using clean air incinerators that utilise a double burn.

{Reason: To minimise odour impacts on neighbouring properties during the incineration process}

- (35) Prior to the issue of an Occupation Certificate, payment is required in accordance with the following contributions plan:

PLAN	CALCULATION	TOTAL
Section 94A Development Contributions Plan 2012 (former Wellington Council Plan)	Based on total cost of development of \$7,700,000.00 as follows: \$200,000 and above = 1% levy for total cost of development = 1% x \$7,700,000.00 = \$77,000.00	\$77,000.00
	Total Contribution Payable - based on the above table	\$77,000.00

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

{Reason: Implementation of Council's Section 94A Development Contributions Plan 2012}

- (36) Prior to the issue of an Occupation Certificate, payment is required in accordance with the following contributions plans:

PLAN	CALCULATION	TOTAL
Dubbo Regional Councils Development Servicing Plan	Per ET basis (0.64ET) - pursuant to Sec 64 of the Local Government Act 1993 (Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000).	

No. 1 – Wellington Council 2006	Current rate for water supply is \$5,542.62 per ET (Wellington) = 0.64 x \$5,542.63	\$3,547.28
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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.

NOTES

- (1) Details of any required disabled facilities (including access paths, toilets, signage and location of any tactile ground surface indicators) need to be adequately detailed on the Construction Certificate application plans to permit assessment and compliance evaluation with the Premises Standards and the BCA. In particular, the submitted details for any proposed disabled and ambulant toilets should include elevations and floor plans of the facilities drawn to a scale of 1:20. Reference should be made to AS 1428.1, the Access Code under the Premises Standards and AS/NZS 2890.6 regarding specific design parameters.
- (2) On completion of the erection of the subject poultry sheds and office building, the owner of the buildings 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 buildings - 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 applicable building in a prominent position.

- (3) The owner of the buildings is required to submit to Council at least once in each period of 12 months following the completion of the building an Annual Fire Safety Statement(s) with respect to each essential fire safety measure associated with each building.

Copies of the subject Annual Fire Safety Statements must also be forwarded by the owner to the Commissioner of Fire and Rescue NSW and displayed within the subject building in a prominent position. In this regard Fire and Rescue NSW has requested that only electronic copies of the statement be forwarded to their dedicated email address, being afss@fire.nsw.gov.au

- (4) The deemed-to-satisfy provisions of the Building Code of Australia (BCA) require that a continuous accessible path of travel for disabled persons must be provided from the point of pedestrian entry at the development's allotment boundary at Goolma Road to each principle pedestrian entrance of the proposed Poultry sheds and office/amenities buildings.

If a design for such access cannot be achieved or exempted in accordance with the deemed-to-satisfy provisions of the BCA and Access Code, then compliance with the relevant Performance Requirements of the BCA and Access Code must be addressed in the Construction Certificate application utilising a Performance Solution.

- (5) If Council is engaged to act as the Principal Certifier (PC) for the Construction Certificate application the following shall be included with such application:

- (a) The Applicant must indicate in the construction certificate application plans the type of Class 7/8 building type to which the poultry sheds have been designed too i.e. 'Farm Shed' or 'Farm Building', as defined under the BCA. Such details are also to include occupancy numbers/calculations to justify either of the building types;
- (b) Specifications demonstrating the office building's floor, wall and ceiling lining materials conform with C1.10 of the BCA with respect to their fire hazard;
- (c) Location of any required exit signs, directional exit signs, emergency lighting and portable fire extinguishers;
- (d) Details of the manner in which compliance with E1.9 of the BCA will be achieved;
- (e) Specifications detailing each class 5 & 7-8 building's compliance with the relevant provisions of Section J *Energy Efficiency* of the BCA;
- (f) Specification for the buildings exit door hardware (i.e. door handle and latch);
- (g) Details demonstrating the provision of disabled access to and within the subject Class 5 & 7/8 buildings as required by the BCA and Access Code; including any exemption relied upon under clause D3.4 (if deemed-to-satisfy solution utilised), or a performance solution prepared under Part A2 of the BCA to address the applicable Performance Requirements under the BCA and Access Code;
- (h) Plans indicating compliance with AS 1428.1 as adopted by the BCA with respect to the design of any required disabled accessible and ambulant sanitary compartments. Submitted plans should detail the specific set-out dimensions of all proposed fixtures, not only for the benefit of the Principal Certifier, but also the subsequent installation tradesmen. Attention should also be given to the following aspects under the BCA and AS 1428.1, and be appropriately detailed in any submitted plans/specifications-
 - Doors having a clear unobstructed width of at least 850 mm (clause 13.2, AS 1428.1);
 - Luminance contrast at doorways (clause 13.1, AS 1428.1);
 - Floor and ground surfaces having tolerances as specified under section 7, AS 1428.1;
 - Carpets having maximum pile height/thickness under BCA clause D3.3(g) and (h);

- Tactile ground surface indicators (TGSIs) under BCA clause 3.8 and provided with a luminance contrast as specified under clause 13.1 of AS 1428.1;
 - Signage as specified under section 8 AS1428.1 and BCA clause D3.6;
 - Door controls (clause 13.5, AS 1428.1);
 - Electrical switches (clause 14.2, AS 1428.1);
 - Accessible car parking spaces under BCA clause D3.5 and AS/NZS 2890.6:2009;
 - Bollard to the disabled car parking spaces 'shared area' under AS/NZS 2890.6:2009; and
 - Solid opaque 75 mm wide contrast line across all fully glazed doors (clause 6.6, AS 1428.1) ;
- (i) Plans indicating compliance with AS 1428.1-2009 as adopted by the BCA with respect to the design of any required ambulant sanitary compartment(s). The Dts BCA and Access Code both require that at each bank of toilets, a sanitary compartment suitable for a person with an ambulant disability in accordance with AS 1428.1 must be provided for use by males and females, after the provision of the unisex disabled accessible toilet. Submitted plans should detail the specific set-out dimensions of the ambulant toilets. Attention should be given in part, to the following aspects of the ambulant sanitary compartment design:
- Compartment width tolerance of only 900 – 920 mm (measured between the completed wall linings and finishes) ;
 - Minimum clear compartment door width of 700 mm;
 - Minimum circulation space of 900 mm in front of the pan, clear of any door encroachment; and
 - 900 x 900 mm circulation space in front of the compartment entry door;
- (j) A drawing of any required disabled car parking space(s) and its shared areas should be clearly detailed to indicate the design criteria specified under AS/NZS 2890.6:2009. In particular, it should be noted that the outline of both the car space and shared area (and any walkway within the shared area) must be delineated by yellow non-raised pavement markings having unbroken lines 80 to 100 mm wide. Further the shared area (excluding any walkway within) must be marked with diagonal (45 ± 10 degrees) stripes 150 to 200 mm wide with spaces 200 mm to 300 mm between the stripes;
- (k) All relevant stormwater design and disposal details as indicated in the conditions of consent;
- (l) Existing and finished site contours and levels indicating the extent of fill and excavated cuts; and methods (eg retaining walls) proposed to be implemented to retain the batters associated with any such fill/excavation;
- (m) 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;
- (n) Appropriate geotechnical investigation report(s) indicating the site's reactivity classification in terms of AS 2870;
- (o) Provision of a Performance Solution and/or Limitation justification to address Performance Requirement FP1.4 pursuant to clause F1.0 of the BCA, with respect to the weatherproofing of the external walls of those proposed buildings which do not

- have a Class 1 or 10 classification;
- (p) Submission of a list of all proposed essential fire safety measures applicable to the new buildings. Note: Such list must consider all essential fire safety measures associated with the buildings, include such external measures such as on-site hydrants.

- (6) The sanitary, water plumbing and drainage associated with the proposed building work requires the issue of a separate approval from Council prior to being installed. 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 an application for approval to undertake such works.

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.

- (7) Council's Contribution Plans referred to in the conditions of this consent, may be viewed by the public without charge, at Council's Administration Building, Church Street, Dubbo between the hours of 9:00 am and 5:00 pm, Monday to Friday. The Plans can also be viewed on Council's website: www.dubbo.nsw.gov.au
- (8) The development shall be carried out in accordance with Essential Energy's correspondence dated 12 January 2023 (copy attached).
- (9) Offensive noise as defined under the Protection of the Environment Operations Act, 1997 shall not be emitted from the proposed development.

Air impurities as defined under the Protection of the Environment Operations Act, 1997 shall not be released or emitted into the atmosphere in a manner which is prejudicial to the health and safety of occupants, the surrounding inhabitants or the environment.



PRELIMINARY	DRAWING NO.	REVISION
	00DA101	01



REPORT: March 2023 Quarterly Budget Review Statement

DIVISION: Organisational Performance
REPORT DATE: 16 May 2023
TRIM REFERENCE: ID23/1042

EXECUTIVE SUMMARY

Purpose	<ul style="list-style-type: none">• Seek endorsement• Adopt funding• Provide review or update• Fulfil legislated requirement/Compliance	
Issue	The quarterly review for the period ending 31 March 2023 of Council's 2022/2023 Budget Review Statements shows satisfactory implementation with the current financial position estimated to be a balanced budget.	
Reasoning	In accordance with the requirements of Section 203(2) of the Local Government (General) Regulations 2021, I now advise that the Chief Financial Officer, as the Responsible Accounting Officer of Dubbo Regional Council has reported that they consider the attached Quarterly Operational Plan Review Statements indicate that the financial position of the Council is satisfactory. This is on the basis that the "result" for the year is a balanced budget.	
Financial Implications	Budget Area	Organisational Performance
	Funding Source	Cost of proposed variations are within the adopted budget 2022/2023.
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: 4.1.4 Statutory requirements are met and services are provided in a cost-effective and timely manner

RECOMMENDATION

- 1. That the Quarterly Budget Review Statements as at 31 March 2023, as attached to the report of the Chief Executive Officer dated 16 May 2023, be adopted and such sums voted for such purpose.**
- 2. That the Statement of the Responsible Accounting Officer that Council is in a satisfactory financial position having regard to the changes herewith to the original budget, be noted.**

Murray Wood
Chief Executive Officer

MH
Chief Financial Officer

BACKGROUND

The Local Government (General) Regulation 2021 requires the Responsible Accounting Officer to submit, on a quarterly basis to Council, a budget review statement that shows a revised estimate of the income and expenditure for the year as follows:

Section 203 of the Local Government (General) Regulation 2021 provides as follows:

- (1) *“Not later than two months after the end of each quarter, the responsible accounting officer of a council must prepare and submit to the council a budget review statement that shows, by reference to the estimate of income and expenditure set out in the statement of the council’s revenue policy including in the Operational Plan for the relevant year, a revised estimate of the income and expenditure for that year.*
- (2) *A budget review statement must include or be accompanied by:*
 - (a) *a report as to whether or not the responsible accounting officer believes that the statement indicates that the financial position of the council is satisfactory, having regard to the original estimate of income and expenditure; and*
 - (b) *if that position is unsatisfactory, recommendations for remedial action.*
- (3) *A budget review statement must also include any information required by the Code to be included in such a statement.”*

REPORT

Consultation

Quarterly Budget Review Statements (QBRs) are presented to Council for adoption following each quarter, allowing for public as well as Council scrutiny.

The Financial Performance Committee meeting held 16 May 2023 discussed the results and any remedial action required.

Resourcing Implications

Resourcing is appropriate for staff that ensure Council’s Financial Position is maintained and reviewed.

March 2023 Quarterly Review

The Responsible Accounting Officer has reported in respect of the March 2023 Quarterly Review of Council’s Budget as follows:

*In accordance with the requirements of Section 203(2) of the Local Government (General) Regulation 2021, I now advise that, as the Responsible Accounting Officer of Dubbo Regional Council, it is considered that the attached Quarterly Financial Review Statements indicate that the financial position of the Council is satisfactory. This is on the basis that the forecast “**result**” for the year is a balanced budget.*

The Quarterly Budget Review Statement for the March 2023 quarter (**Appendix 1**) includes:

- The adopted budget for 2022/2023.
- The budget variations approved for the September and December 2022 quarters.
- The budget variations proposed for approval for the March 2023 quarter.

The key highlights of Council's third quarter for 2022/2023 are:

- Council's performance has been impacted by the recent flooding events since late June 2022 and continues to face the ongoing impacts.
- The Income and Expenses Budget Review Statement shows that the surplus from operations (including capital grants and contributions) for the year is forecast as \$28.61M comprising Income of \$190.47M and Expenses of \$161.86M.
- After deducting \$36.39M of projected Grants and Contributions to be received for Capital Purposes the projected net operating deficit for the year is a \$7.78M.
- Projected full year Capital Expenditure is expected to be \$64.88M, which is \$15.15M lower than forecasted in the December 2022 Quarterly Budget Review.
- Total Cash and Investments of \$238.50M at 31 March 2023 including a significant portion being restricted for specific purposes.

Property and land development income and development expenditure for both Keswick Estate and Moffatt Estate has been adjusted and reallocated to next financial year to reflect updated deliverability. This has resulted in a profit reduction of \$6.77M in the 2022/2023 financial year that is not anticipated to be realised until next financial year.

Budget Variations and Variances

The tables below provide the projected full year operating position for the consolidated, general, sewer and water funds before capital items.

OP Ratio: Operating performance Ratio; this measures Council's achievement of containing operating expenditure within operating revenue and the benchmark is greater than 0.0%.

OSI Ratio: Own source operating revenue ratio; this ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions and the benchmark is greater than 60.0%.

	Original Budget			December 2022 Revised Budget \$ '000	March 2023 Revised Budget		
	OP Ratio	OSI Ratio	\$ '000		OP Ratio	OSI Ratio	\$ '000
Consolidated	(2.4%)	72.1%	(\$3,491)	(\$2,241)	(5.0%)	65.4%	(\$7,779)
General	(11.1%)	65.9%	(\$11,208)	(\$13,466)	(17.2%)	57.5%	(\$18,626)
Sewer	26.7%	95.3%	\$5,152	\$7,195	33.2%	95.1%	\$7,064
Water	11.2%	82.1%	\$2,565	\$4,030	15.5%	79.4%	\$3,783

	Original Budget \$ '000	September 2022 Variations \$ '000	December 2022 Variations \$ '000	March 2023 Variations \$ '000	Revised Budget \$ '000	March 2023 Actuals \$ '000
Income						
Rates and annual charges	71,239	510	27	61	71,837	71,873
User charges and fees	40,749	(487)	(37)	2,443	42,668	33,369
Other revenues	1,966	472	110	315	2,863	2,049
Operating grants and contributions	21,852	563	1,022	6,041	29,479	15,478
Capital grants and contributions	25,089	5,546	2,710	3,049	36,395	19,106
Interest and investment revenue	1,621	2,016	3,339	297	7,273	5,452
Net gain from disposal of assets	5,590	(2,345)	3,480	(6,769)	(44)	(49)
Total income from continuing operations	168,106	6,276	10,651	5,438	190,470	147,278
Expenses						
Employee benefits and on-costs	51,335	33	(1,538)	640	50,469	39,157
Materials and services	31,730	1,191	2,254	7,239	42,414	21,848
Borrowing costs	2,795	-	-	-	2,795	1,763
Depreciation and amortisation	45,103	-	4,480	19	49,601	40,589
Other expenses	15,545	702	300	29	16,575	12,708
Total expenses from continuing operations	146,507	1,925	5,496	7,927	161,855	116,064
Net operating result from continuing operations	21,599	4,351	5,155	(2,490)	28,615	31,214
Net Operating Result before Capital Items	(3,491)	(1,195)	2,446	(5,539)	(7,779)	12,108

The table below provides the projected full year operating position for the key financial units of Council.

Key Service Units	Original Budget			December 2022 Revised Budget	March 2023 Revised Budget		
	OP Ratio	OSI Ratio	\$ '000		OP Ratio	OSI Ratio	\$ '000
Aquatic Leisure Centres	(203.9%)	100.0%	(\$1,901)	(\$2,017)	(245.60%)	100.00%	(\$2,346)
Dubbo Regional Airport	(8.7%)	94.5%	(\$378)	(\$752)	(25.00%)	83.20%	(\$1,255)
Dubbo Regional Livestock Markets	(6.7%)	100.0%	(\$249)	(\$1,256)	(42.90%)	100.00%	(\$1,304)
Property and Land Development	74.0%	100.0%	\$4,150	\$5,600	N/A	100%	(\$1,069)
Rainbow Cottage	(36.3%)	56.2%	(\$455)	(\$447)	(30.30%)	38.40%	(\$406)

The table below provides detail on underlying movements to the 2022/2023 operating budget.

Account Group	Explanation	\$ '000 Increase/ (Decrease)
<u>Income</u>		
Capital grants and contributions	Breakdown of major variances: 1. \$774K increase in local infrastructure contributions 2. \$3.557M for the NSW RFS Aviation Centre of Excellence 3. \$5.074M for the Regional and Local Roads Repair Program 4. \$848K for the Stronger Country Communities Round 5 5. \$1.799M for the Destination Dubbo project no longer anticipated to be received this financial year 6. \$450K for the Dubbo CBD Macquarie River Shared Pathway no longer anticipated to be received this financial year 7. \$2.253M of LRCI Phase 3 funding for Comobella Bridge Saxa Road, Eulalie Lane Stage 1 and Wheelers Lane (Birch Ave to Rail Crossing) no longer anticipated to be received this financial year 8. \$1.326M Fixing Country Bridges no longer anticipated to be received this financial year 9. \$2.45M for the Groundwater Infrastructure Project no longer anticipated to be received this financial year 10. Other minor adjustments	\$3,049
Gain/(Loss) on Disposal Real Estate Assets	Settlement income and development expenditure for both Keswick Estate and Moffatt Estate developments has been adjusted and reallocated to next financial year to reflect updated	(\$6,769)

	deliverability.	
Interest and investment revenue	Higher than anticipated return on cash investments due to the recent cash rate increases and maturing investment portfolio.	\$297
Operating grants and contributions	Breakdown of major variances: 1. \$490K for Council and Taronga Western Plains Zoo to develop a business case for further expansions at the zoo, including a tourism and hospitality vocational training centre 2. \$108K for the Central West Green Energy Hub 3. \$155K for the North-West Dubbo Precinct project 4. \$118K for Natural Disaster Mitigation 5. \$5.0M for the Serengeti Visitor Experience Project (Stage 1) 6. Other minor adjustments	\$6,041
Other revenues	Breakdown of major variances: 1. \$120K additional income from parking fines 2. \$86K additional income from property rent 3. Other minor adjustments	\$315
Rates and annual charges	Various minor adjustments	\$61
User charges and fees	Breakdown of major variances: 1. \$1.5M increase in Whylandra Waste Tipping Fee income 2. \$170K increase in Development Application Fees 3. \$153K increase in Dubbo Regional Theatre and Convention Centre ticket sales income 4. \$212K Dubbo Regional Airport security screening recoupment 5. Other minor adjustments	\$2,443
	Total Income Variation Increase/(Decrease)	\$5,438
<u>Expenses</u>		
Employee benefits and on-costs	Breakdown of major variances: 1. \$379K additional Aquatic Leisure Centre Casual Wages 2. \$132K reduction in superannuation due to due to vacant positions 3. Other minor adjustments	\$640
Depreciation and amortisation	Minor adjustments	\$19
Materials and contracts	Breakdown of major variances: 1. Increase in budget for pothole and road maintenance costs due to the impact of the recent flood events 2. Increases related to grant income, including: • North-West Dubbo Precinct project • Bell River Stabilisation • Central West Green Energy Hub expenditure • Council and Taronga Western Plains Zoo to develop a business case for further expansions at the zoo • The Serengeti Visitor Experience Project (Stage 1) 3. Expenditure related to increased Dubbo Regional Theatre and	\$7,239

	Convention Centre ticket sales income 4. Expenditure related to increased Dubbo Regional Airport security screening security screening income 5. Expenditure no longer anticipated to be incurred this financial year, including: <ul style="list-style-type: none"> Urban Drainage CCTV Inspection External Consultants for traffic projects 6. Other minor adjustments	
Other expenses	Breakdown of major variances: 1. \$167K expenditure no longer anticipated to be incurred this financial year relating to property and land development 2. \$338K additional expenditure for an EPA statutory licence fee 3. Other minor adjustments	\$29
	Total Expense Variation Increase/(Decrease)	\$7,927
	Net Increase (Decrease) to Operating Surplus	(\$2,490)

Projected full year Capital Expenditure is expected to be \$64.88M, which is \$15.15M lower than forecasted in the December 2022 Quarterly Budget Review. The deliverability of our capital program is impacted by the recent floods and was reviewed in further detail during preparation of the March 2023 Quarterly Budget Review Statement. The major adjustments are as follows:

	Original Budget	December 2022 Revised Budget	March 2023 Variation	Annual Forecast
Wiradjuri Tourism Centre - Building	3,243,618	1,000,000	(693,256)	306,744
Macquarie Foreshore - Event Precinct	1,494,427	1,494,427	(1,361,642)	132,785
Wellington Bore and Pipeline	1,575,000	4,860,343	(783,311)	4,077,032
Groundwater Infrastructure	-	3,297,547	(645,370)	2,652,177
Troy Gully Upgrade Switch Board	1,739,227	797,333	(497,333)	300,000
Benolong Bridge Replacement	2,493,837	1,537,337	(1,326,658)	210,679
Burrendong Bridge No 2	-	1,452,267	(421,657)	1,030,610
LRCI 3 Wheelers Ln (Birch to Rail X)	1,400,000	1,912,494	(1,674,996)	237,498
Fixing Local Roads				
Old Mendooran Rd Seal Extension	1,366,047	3,316,736	(493,780)	2,822,956
Dubbo CBD Macquarie River Shared Pathway	2,400,000	858,696	(569,140)	289,556
Benolong Rd Heavy Patching	-	-	1,200,000	1,200,000
Mumbil Rising Water Main-200AC	-	1,159,811	(1,119,811)	40,000
Upgrade Fluoride Dosing System	-	1,500,000	(1,225,196)	274,804
Blueridge Link Road	-	2,200,000	(2,160,000)	40,000
LRCI 3 - Eulalie Lane Stg 1	-	1,492,258	(1,400,000)	92,258
Keswick Stage 5 - Release 2	29,000	1,567,755	(1,517,755)	50,000
Northern Apron Expansion	600,000	2,100,000	(200,000)	1,900,000
NSW RFS Aviation Centre of Excellence	400,000	1,942,543	3,557,457	5,500,000

Monitoring and reporting on financial position

Despite being in a strong financial position, staff are closely monitoring and controlling Council's financial position. Procedures include:

- Weekly assessment of cash balances.
- Fortnightly assessment of Actuals versus Budget.
- Monitoring of daily cash inflows from rates and other sources.
- Monthly monitoring of financial performance is provided to the Executive Leadership Team.
- Bi-monthly meetings are held with the Financial Performance Committee
- Continuous monitoring of opportunities to reduce expenditure or increase revenue in order to close the forecast deficit.
- Review and discussion on the impact of any proposed budget adjustments or new initiatives.

Council will be informed on the financial position on an ongoing basis via:

- Quarterly budget reviews
- Financial Performance Committee meetings
- Ad-hoc briefings as required

APPENDICES:

- 1 [↓](#) March 2023 Quarterly Budget Review Statement

Dubbo Regional Council
Quarterly Budget Review Statement
for the quarter ended 31 March 2023

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Dubbo Regional Council
Quarterly Budget Review Statement
for the quarter ended 31 March 2023

1. Report by responsible accounting officer

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

31 March 2023

It is my opinion that the Quarterly Budget Review Statement for Dubbo Regional Council for the quarter ended 31/03/23 indicates that Council's projected financial position at 30/6/23 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed: Michael Howlett

Date: 16-May-23

Michael Howlett
Responsible accounting officer

Dubbo Regional Council
Quarterly Budget Review Statement
for the quarter ended 31 March 2023

2. Income & expenses budget review statement

Income & expenses - Council Consolidated

(\$000's)	Original budget 2022/23	Approved Changes Sep Qtr	Changes Dec Qtr	Variations for this Mar Qtr	Projected year end result	Actual YTD figures
Income						
Rates and annual charges	71,239	510	27	61	71,837	71,873
User charges and fees	40,749	(487)	(37)	2,443	42,668	33,369
Other revenues	1,966	472	110	315	2,863	2,049
Grants and contributions - operating	21,852	563	1,022	6,041	29,479	15,478
Grants and contributions - capital	25,089	5,546	2,710	3,049	36,395	19,106
Interest and investment revenue	1,621	2,016	3,339	297	7,273	5,452
Net gain from disposal of assets	5,590	(2,345)	3,480	(6,769)	(44)	(49)
Share of interests in joint ventures	-	-	-	-	-	-
Total income from continuing operations	168,106	6,276	10,651	5,438	190,470	147,278
Expenses						
Employee benefits and on-costs	51,335	33	(1,538)	640	50,469	39,157
Materials and services	31,730	1,191	2,254	7,239	42,414	21,848
Borrowing costs	2,795	-	-	-	2,795	1,763
Depreciation and amortisation	45,103	-	4,480	19	49,601	40,589
Other expenses	15,545	702	300	29	16,575	12,708
Net Loss from disposal of assets	-	-	-	-	-	-
Total expenses from continuing operations	146,507	1,925	5,496	7,927	161,855	116,064
Net operating result from continuing operations	21,599	4,351	5,155	(2,490)	28,615	31,214
Net Operating Result before Capital Items	(3,491)	(1,195)	2,446	(5,539)	(7,779)	12,108

Dubbo Regional Council
Quarterly Budget Review Statement
for the quarter ended 31 March 2023

2. Income & expenses budget review statement

Income & expenses - General Fund

(\$000's)	Original budget 2022/23	Approved Changes Sep Qtr	Changes Dec Qtr	Variations for this Mar Qtr	Projected year end result	Actual YTD figures
Income						
Rates and annual charges	48,397	207	(1)	105	48,708	48,679
User charges and fees	22,340	(708)	(126)	2,236	23,743	18,496
Other revenues	1,818	459	104	287	2,669	1,981
Grants and contributions - operating	21,604	563	1,032	6,030	29,230	15,229
Grants and contributions - capital	19,416	1,602	3,119	5,144	29,281	16,096
Interest and investment revenue	998	1,993	1,200	(40)	4,150	3,087
Net gain from disposal of assets	5,590	(2,345)	3,480	(6,769)	(44)	(49)
Share of interests in joint ventures	-	-	-	-	-	-
Total income from continuing operations	120,164	1,771	8,809	6,993	137,737	103,517
Expenses						
Employee benefits and on-costs	45,835	9	(1,132)	563	45,275	35,799
Materials and services	17,370	1,234	2,562	6,773	27,939	10,929
Borrowing costs	931	-	-	-	931	640
Depreciation and amortisation	35,455	-	4,480	19	39,953	31,085
Other expenses	12,365	620	345	(347)	12,984	9,925
Net Loss from disposal of assets	-	-	-	-	-	-
Total expenses from continuing operations	111,956	1,863	6,255	7,009	127,082	88,377
Net operating result from continuing operations	8,208	(92)	2,555	(16)	10,654	15,140
Net Operating Result before Capital Items	(11,208)	(1,694)	(564)	(5,160)	(18,626)	(955)

Dubbo Regional Council
Quarterly Budget Review Statement
for the quarter ended 31 March 2023

2. Income & expenses budget review statement

Income & expenses - Sewer Fund

(\$000's)	Original budget 2022/23	Approved Changes Sep Qtr	Changes Dec Qtr	Variations for this Mar Qtr	Projected year end result	Actual YTD figures
Income						
Rates and annual charges	14,347	141	30	(66)	14,453	14,518
User charges and fees	4,424	206	84	117	4,831	3,978
Other revenues	99	13	5	16	133	57
Grants and contributions - operating	118	-	(2)	-	116	116
Grants and contributions - capital	822	-	53	95	970	905
Interest and investment revenue	289	7	1,061	358	1,716	1,342
Net gain from disposal of assets	-	-	-	-	-	-
Share of interests in joint ventures	-	-	-	-	-	-
Total income from continuing operations	20,099	367	1,231	521	22,219	20,915
Expenses						
Employee benefits and on-costs	2,985	0	(411)	12	2,586	1,415
Materials and services	5,099	(12)	(114)	256	5,229	3,400
Borrowing costs	547	-	-	-	547	330
Depreciation and amortisation	4,483	-	-	-	4,483	4,174
Other expenses	1,012	27	12	289	1,340	1,093
Net Loss from disposal of assets	-	-	-	-	-	-
Total expenses from continuing operations	14,125	15	(512)	557	14,185	10,411
Net operating result from continuing operations	5,974	353	1,743	(36)	8,034	10,504
Net Operating Result before Capital Items	5,152	353	1,691	(131)	7,064	9,599

Dubbo Regional Council
Quarterly Budget Review Statement
for the quarter ended 31 March 2023

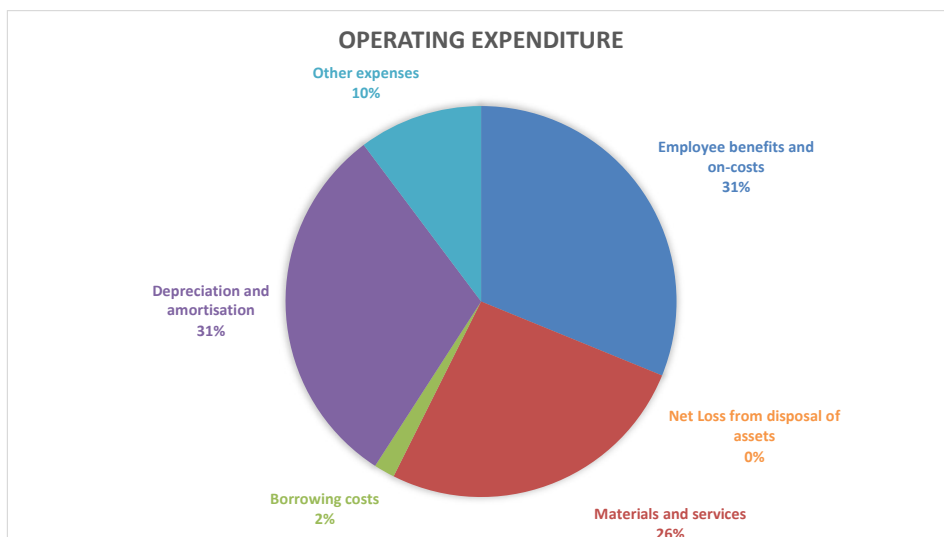
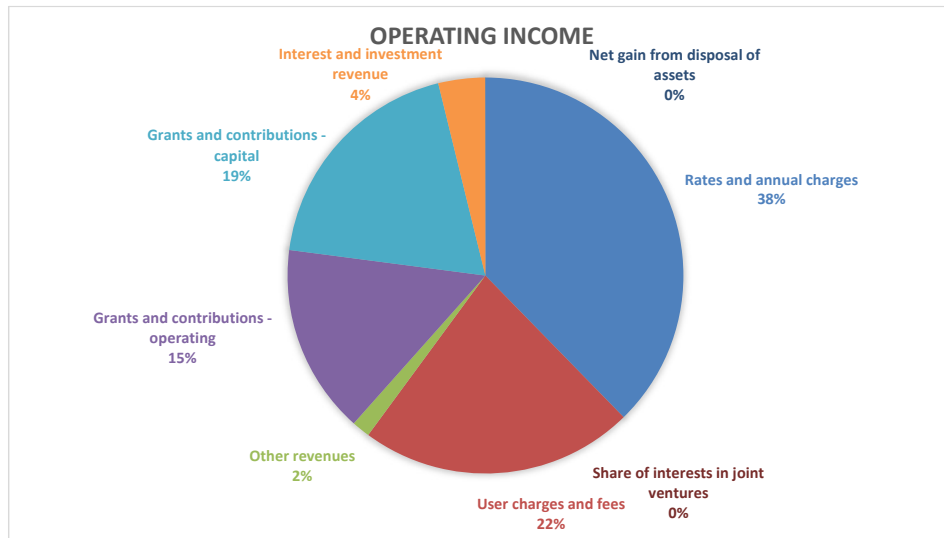
2. Income & expenses budget review statement

Income & expenses - Water Fund

(\$000's)	Original budget 2022/23	Approved Changes Sep Qtr	Changes Dec Qtr	Variations for this Mar Qtr	Projected year end result	Actual YTD figures
Income						
Rates and annual charges	8,495	161	(2)	22	8,676	8,676
User charges and fees	13,984	16	4	90	14,094	10,896
Other revenues	49	-	-	13	61	11
Grants and contributions - operating	130	-	(8)	11	133	133
Grants and contributions - capital	4,852	3,945	(462)	(2,191)	6,144	2,106
Interest and investment revenue	333	16	1,078	(21)	1,406	1,024
Net gain from disposal of assets	-	-	-	-	-	-
Share of interests in joint ventures	-	-	-	-	-	-
Total income from continuing operations	27,843	4,138	611	(2,076)	30,515	22,846
Expenses						
Employee benefits and on-costs	2,515	24	5	66	2,609	1,944
Materials and services	9,261	(32)	(194)	210	9,245	7,519
Borrowing costs	1,317	-	-	-	1,317	792
Depreciation and amortisation	5,165	-	-	-	5,165	5,330
Other expenses	2,168	55	(57)	86	2,252	1,690
Net Loss from disposal of assets	-	-	-	-	-	-
Total expenses from continuing operations	20,426	47	(247)	362	20,588	17,275
Net operating result from continuing operations	7,417	4,091	858	(2,438)	9,927	5,570
Net Operating Result before Capital Items	2,565	146	1,319	(247)	3,783	3,464

Dubbo Regional Council
Quarterly Budget Review Statement
for the quarter ended 31 March 2023

3. Quarterly Income and Expenditure Summary



Dubbo Regional Council
Quarterly Budget Review Statement
for the quarter ended 31 March 2023

4. Recommended Budget Variations

Budget Variations being recommended include the following material items:

Resource Group	Function	Budget Increase / (Decrease) \$'000	Details Of Material Movements
<i>Income</i>			
<i>User charges and fees</i>			
	Dubbo Regional Airport	212	Security Screening recoupment offset by related expense
	Building and Development Services	170	Increase in Certificate and Planning income
	Regional Theatre and Convention Centre	153	Additional Ticket Sales income anticipated
	Waste Management - Other	1,500	Additional Waste Tipping Charges - Whylandra
<i>Other revenues</i>			
	Compliance	120	Additional Revenue Parking Fines
<i>Grants and contributions - operating</i>			
	Dubbo Regional Airport	229	DITRD&C - RASI Operating Costs Funding
	Dubbo Regional Airport	(240)	Regional Airports Program R2 - GA Apron Moved from Operational to Capital
	Fire and Emergency Services	118	Natural Disaster Mitigation
	Growth Planning	155	North-West Dubbo Precinct
	Strategic Strategy Partnerships and Engagement	5,000	Serengeti project (RTAF2-0075)
	Strategic Strategy Partnerships and Engagement	490	Reg NSW - Business Case & Strategic Development Fund
	Strategic Strategy Partnerships and Engagement	108	Reg NSW - Strategic Development Fund - Green Energy
<i>Grants and contributions - capital</i>			
	BILT	(1,799)	Destination Dubbo
	Dubbo Regional Airport	240	Regional Airports Program R2 - GA Apron Moved from Operational to Capital
	Fire and Emergency Services	3,557	NSW RFS Aviation Centre of Excellence
	Fire and Emergency Services	252	Bushfire Equipment Grant - Appliance Eulomogo Cat 7 CC
	Open Space	322	Stronger Country Communities Round 5
	Open Space	120	Disaster Risk Reduction Fund - Bell River Stabilisation
	Open Space	(450)	Dubbo Macquarie River Shared Pathway
	Recreation and Sporting	848	Stronger Country Communities Round 5
	Roads Network	(800)	LRCI 3 - Comabella Bridge Saxa Road
	Roads Network	5,074	Regional and Local Roads Repair Program
	Roads Network	(666)	LRCI 3 - Eulalie Lane Stg 1
	Roads Network	(787)	LRCI 3 - Wheelers Ln (Birch to Rail X)
	Roads Network	(1,326)	Fixing Country Bridges - Benolong
	Sewerage Services	108	Section 64 Contributions - Sewerage
	Traffic Management	407	Section 7.11 Contributions - Dubbo
	Water for the Future	(2,450)	Drought Groundwater Infrastructure Project
	Water Supply	259	Section 64 Contributions - Water
<i>Interest and investment revenue</i>			
	Sewerage Services	350	Interest income forecast has been increased to reflect the increasing interest rates and the impact on cash at bank and the maturing investment portfolio.
<i>Net gain from disposal of assets</i>			
	Fleet Services	138	Net accounting profit on the sale of various fleet assets
	Property and Land Development	(6,775)	Keswick S5R2 land sales income to be received next year less associated expenses recognised in future years.

Expenditure

Employee benefits and on-costs

Aquatic Leisure Centres
Employment Overheads
Waste Management - Domestic

379 Aquatic Leisure Centre Casual Wages
(132) Reduction in Superannuation
154 Additional wage costs

Materials and services

Dubbo Regional Airport
Fire and Emergency Services
Growth Planning

Open Space
Regional Theatre and Convention Centre
Sewerage Services
Strategic Strategy Partnerships and Engagement

Strategic Strategy Partnerships and Engagement

Strategic Strategy Partnerships and Engagement

Stormwater
Traffic Management

Waste Management - Other

Water Supply
Water Supply
Water Supply

648 Revised Security Screening contract
105 Major Storm Event 09/02/2023
155 North-West Dubbo Precinct expenditure associated with grant income
120 Grant funded Bell River Stabilisation
140 Hirer - Ticket Recoup expenses offset by additional income
166 Reallocating funds to the correct resource
108 Central West Green Energy Hub expenditure associated with grant income
490 TWPZ & Reg Hosp & Tourism Centre expenditure associated with grant income
5,000 Serengeti project (RTAF2-0075) expenditure associated with grant income
(170) Urban Drainage CCTV Inspection not proceeding
(143) Reduction in External Consultants Traffic Projects returned to S7.11
199 Additional Landfill Operations Expenses Whylandra offset by additional income
(701) Reduction Water Treatment Operations Dubbo
569 Additional chemical expenditure
166 Reallocating funds to the correct resource

Other expenses

Property and Land Development

Sewerage Services

(167) Reduction of expenses no longer required inline with sales expected next financial year
240 EPA Statutory Licence Fee for Dubbo

Net Loss from disposal of assets

Note:

These are the material variance, defined as greater than \$100,000 or 10% of the total budget
Council has the opportunity to review and approve variances to the original budget for the year in the QBRS. Any changes to the budget must be approved by Council and Councillors need to be aware by resolving to accept this QBRS they are approving the proposed changes.

Dubbo Regional Council
Quarterly Budget Review Statement
for the quarter ended 31 March 2023

5. Cash & investments budget review statement

Cash & investments - Council Consolidated

(\$000's)

**Projected
year end
result**

Externally restricted ⁽¹⁾

General Fund

44,840

Water Fund

66,885

Sewer Fund

71,226

Total externally restricted

182,951

(1) Funds that must be spent for a specific purpose

Internally restricted ⁽²⁾

General Fund

55,547

Total internally restricted

55,547

(2) Funds that Council has earmarked for a specific purpose

Unrestricted (ie. available after the above Restrictions)

-

Total Cash & investments

238,498

Investments

Investments have been invested in accordance with Council's Investment Policy.

Cash

The Cash at Bank figure included in the Cash & Investment Statement totals \$238,497,718

This Cash at Bank amount has been reconciled to Council's physical Bank Statements.
The date of completion of the 31 March 2023 bank reconciliation is 03/04/23

Dubbo Regional Council
Quarterly Budget Review Statement
for the quarter ended 31 March 2023

6. Key performance indicators budget review statement - Industry KPI's (OLG)

Budget review for the quarter ended 31 March 2023

NSW local government industry key performance indicators (OLG):

General Fund

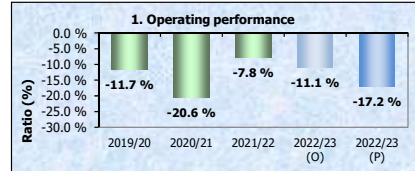
1. Operating performance

Operating revenue (excl. capital) - operating expenses
Operating revenue (excl. capital grants & contributions)

Benchmark

> 0.00%

This ratio measures Council's achievement of containing operating expenditure within operating revenue.

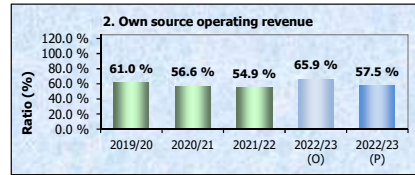


2. Own source operating revenue

Operating revenue (excl. ALL grants & contributions)
Total Operating revenue (incl. capital grants & cont)

> 60.00%

This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions.



Sewer Fund

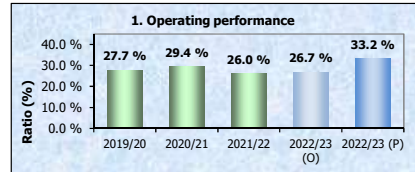
1. Operating performance

Operating revenue (excl. capital) - operating expenses
Operating revenue (excl. capital grants & contributions)

Benchmark

> 0.00%

This ratio measures Council's achievement of containing operating expenditure within operating revenue.

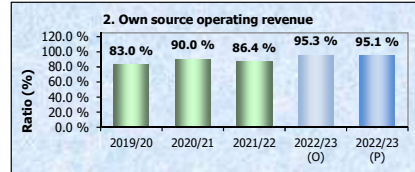


2. Own source operating revenue

Operating revenue (excl. ALL grants & contributions)
Total Operating revenue (incl. capital grants & cont)

> 60.00%

This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions.



Dubbo Regional Council
Quarterly Budget Review Statement
 for the quarter ended 31 March 2023

6. Key performance indicators budget review statement - Industry KPI's (OLG)

Budget review for the quarter ended 31 March 2023

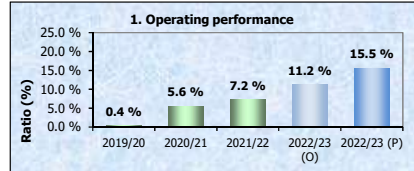
Water Fund

1. Operating performance

$$\frac{\text{Operating revenue (excl. capital)} - \text{operating expenses}}{\text{Operating revenue (excl. capital grants \& contributions)}}$$

Benchmark
> 0.00%

This ratio measures Council's achievement of containing operating expenditure within operating revenue.

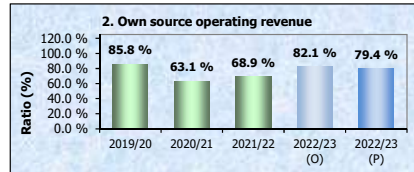


2. Own source operating revenue

$$\frac{\text{Operating revenue (excl. ALL grants \& contributions)}}{\text{Total Operating revenue (incl. capital grants \& cont)}}$$

Benchmark
> 60.00%

This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions.



Dubbo Regional Council
Quarterly Budget Review Statement
for the quarter ended 31 March 2023

7. Capital Budget Review

	Original Budget	September Adjustment	December Adjustment	March Adjustment	Annual Forecast	YTD Actuals to 31 March 2023
Capital						
Expenditure						
Community Culture and Places						
Aquatic Leisure Centres						
01.09470 - Asset Renewal - Other Structures						
7311 - DALC Laneropes Rollers - 50m Pool	7,000	-7,000	0	0	0	0
7320 - DALC Fencing Renewal	24,611	0	1,989	0	26,600	26,600
01.09470 - Asset Renewal - Other Structures Total	31,611	-7,000	1,989	0	26,600	26,600
Aquatic Leisure Centres Total	31,611	-7,000	1,989	0	26,600	26,600
Cemeteries						
01.09403 - Cemetery - Land Improvements						
7180 - New Concrete Beams	0	46,661	0	-16,661	30,000	5,462
7182 - Landscaping/Furniture/Signage	40,000	0	0	0	40,000	27,613
7186 - Tubba-Gah Burial Ground Improvements	10,000	0	-10,000	0	0	0
01.09403 - Cemetery - Land Improvements Total	50,000	46,661	-10,000	-16,661	70,000	33,075
Cemeteries Total	50,000	46,661	-10,000	-16,661	70,000	33,075
Community Services						
01.09415 - Community Services - Buildings (Renewals)						
7241 - Pre School Family Day Care Centre - Roof	49,595	-49,595	0	0	0	0
7247 - Stuart Town Railway Hotel/Post Office	15,000	0	0	0	15,000	0
7249 - Wellington Child Care Centre - Roof	0	100,000	-90,000	0	10,000	0
01.09415 - Community Services - Buildings (Renewals) Total	64,595	50,405	-90,000	0	25,000	0
01.09507 - Community Services - Other Assets						
7302 - CCTV Purchase & Installation	50,000	0	-19,581	2,874	33,293	33,293
01.09507 - Community Services - Other Assets Total	50,000	0	-19,581	2,874	33,293	33,293
Community Services Total	114,595	50,405	-109,581	2,874	58,293	33,293
Library Services						
01.09442 - Library - Buildings Renewal						
7245 - Building Improvements	30,000	-30,000	0	25,000	25,000	2,955
7246 - Wellington Library Living Lounge Room	0	595	0	0	595	595
7272 - External Customer Return Chute Upgrade	0	44,505	0	0	44,505	0
01.09442 - Library - Buildings Renewal Total	30,000	15,100	0	25,000	70,100	3,550
01.09443 - Library - Other Structures						
7250 - Electric Vehicle Destination Chargers	0	16,435	0	0	16,435	14,167
01.09443 - Library - Other Structures Total	0	16,435	0	0	16,435	14,167
01.09444 - Furniture and Fittings						
7251 - Furniture & Fittings-Outdoor Living Room	40,000	-40,000	0	0	0	0
01.09444 - Furniture and Fittings Total	40,000	-40,000	0	0	0	0
Library Services Total	70,000	-8,465	0	25,000	86,535	17,717
Old Dubbo Gaol						
01.09455 - Old Dubbo Gaol - Buildings						
5916 - Padded Cell Upgrade	0	15,455	0	-80	15,375	15,375
01.09455 - Old Dubbo Gaol - Buildings Total	0	15,455	0	-80	15,375	15,375
01.09456 - Infrastructure						
5802 - Paving & Underground Infrastructure	250,000	-14,200	0	0	235,800	6,010
5803 - Roof and Guttering	0	0	176,200	7,059	183,259	168,909
5804 - Gallery Wall Repointing	50,000	0	0	0	50,000	0
01.09456 - Infrastructure Total	300,000	-14,200	176,200	7,059	469,059	174,919
01.09458 - Assets Purchased - Other Assets						
6504 - Storage & Shelving	25,000	0	0	0	25,000	0
01.09458 - Assets Purchased - Other Assets Total	25,000	0	0	0	25,000	0
Old Dubbo Gaol Total	325,000	1,255	176,200	6,979	509,434	190,294
Open Space						
01.09555 - Horticultural Services - Other Structures						
7518 - Wellington Osawano Japanese Garden	0	61,224	0	-8,175	53,049	34,819
7557 - Drought Resilient - Warne St	0	19,200	0	0	19,200	19,200
7558 - Drought Resilient - Gipps St	0	18,000	0	0	18,000	18,000
7559 - Drought Resilient - Healey St	0	2,700	0	0	2,700	2,700
7560 - Drought Resilient - Plamer St	0	8,274	8,826	0	17,100	17,100
9017 - Elston Park Amenities (S7.11)	0	2,500	0	0	2,500	2,500
9019 - Victoria Park Shade & Equipment (S7.11)	0	163,680	45,022	0	208,702	208,702
9428 - Cameron Park Pedestrian Bridge	0	647,898	0	-68,918	578,980	575,443
9465 - Dubbo CBD Macquarie River Sharded Pathwa	2,400,000	-1,541,304	0	-569,140	289,556	183,523
9552 - Triathlon Stairs	0	21,000	0	-15,620	5,380	5,380
01.09555 - Horticultural Services - Other Structures Total	2,400,000	-596,828	53,848	-661,853	1,195,167	1,067,367
01.09556 - Landcare Services - Land Improvement						
7408 - Tracker Riley & Riverside Signage	0	249,777	0	-237,777	12,000	820

7. Capital Budget Review

	Original Budget	September Adjustment	December Adjustment	March Adjustment	Annual Forecast	YTD Actuals to 31 March 2023
7410 - G - SWF - Tracker Riley Cycle Way	0	0	0	82,430	82,430	820
7411 - G - SWF - Tracker Riley Fencing	0	0	0	30,000	30,000	0
01.09556 - Landcare Services - Land Improvement Total	0	249,777	0	-125,347	124,430	1,640
01.09558 - Renewal of Assets-Asset Capital Program-West						
7501 - Terramungamine Reserve BBQs	10,000	0	-1,116	0	8,884	8,884
01.09558 - Renewal of Assets-Asset Capital Program-West Total	10,000	0	-1,116	0	8,884	8,884
01.09563 - Horticultural Service- Other Structures (Renewals)						
7463 - Victoria Park Duck Pond	0	116,394	396	0	116,790	116,790
7521 - Brocklehurst Playground (SCCF3)	0	110,535	0	5,197	115,732	107,442
7558 - Cameron Park Fountain Restoration	0	614	-614	0	0	0
8545 - Victoria Park-Playground Equip 1 Replace	0	185,664	-64,116	2,978	124,526	123,653
01.09563 - Horticultural Service- Other Structures (Renewals) Total	0	413,207	-64,334	8,175	357,048	347,885
01.09566 - Horticultural Services - Amenities (Renewals)						
7514 - Lions Park West - Amenities	350,000	0	0	-300,000	50,000	820
01.09566 - Horticultural Services - Amenities (Renewals) Total	350,000	0	0	-300,000	50,000	820
Open Space Total	2,760,000	66,156	-11,602	-1,079,025	1,735,529	1,426,596
Recreation and Sporting						
01.09596 - Sporting Facilities - Other Structures						
7826 - SCCF Project - TBA	100,000	-100,000	0	0	0	0
01.09596 - Sporting Facilities - Other Structures Total	100,000	-100,000	0	0	0	0
01.09600 - Sporting Fac. -Other Structures (Renewals)						
7544 - Pioneer Oval Irrigation Pump	0	0	12,984	2,121	15,105	13,287
7778 - Victoria Park No. 1 Grandstand Seating	0	53,386	0	12,755	66,141	66,141
7896 - Apex Oval - Floodlighting	20,000	0	0	-20,000	0	0
7908 - Victoria Park No. 2 Irrigation	90,000	0	-77,560	0	12,440	12,440
7909 - Victoria Park No. 3 - Irrigation	100,000	0	-93,600	0	6,400	6,400
7923 - John McGrath Sports Lighting	438,724	371,044	0	0	809,768	140,546
7924 - Nita McGrath Netball Courts (SCCF)	300,000	200,000	0	0	500,000	0
7925 - Nita McGrath Access Improvement	0	0	157,365	-15,878	141,487	141,487
7932 - Pioneer Park Pathway & Footpath	0	0	0	283,500	283,500	820
01.09600 - Sporting Fac. -Other Structures (Renewals) Total	948,724	624,430	-811	262,498	1,834,841	381,121
01.09601 - Sporting Facilities - Buildings - Amenities						
7668 - Jubilee Oval Amenities	0	226,418	99,692	2,280	328,390	328,390
7675 - Lady Cutler Amenities Upgrade	0	0	0	12,630	12,630	12,630
7742 - Kennard Park Amenities (SCCF R2)	0	60,198	0	0	60,198	60,198
01.09601 - Sporting Facilities - Buildings - Amenities Total	0	286,616	99,692	14,910	401,218	401,218
Recreation and Sporting Total	1,048,724	811,046	98,881	277,408	2,236,059	782,339
Regional Experiences						
01.09048 - Regional Experiences - Acquisition of Assets						
1002 - Western Plains Digitisation Hub	0	0	99,600	0	99,600	39,589
01.09048 - Regional Experiences - Acquisition of Assets Total	0	0	99,600	0	99,600	39,589
Regional Experiences Total	0	0	99,600	0	99,600	39,589
Regional Theatre and Convention Centre						
01.09551 - DRTCC - Furniture & Fittings						
9018 - LED House Lights	0	76,281	0	0	76,281	76,275
01.09551 - DRTCC - Furniture & Fittings Total	0	76,281	0	0	76,281	76,275
01.09578 - DRTCC - Furniture & Fittings						
7302 - External LED Sign	0	209,098	-672	0	208,426	207,625
7304 - Air Conditioners	15,000	0	-15,000	0	0	0
7306 - Heating Water Pressurisation Tank	6,000	0	-6,000	0	0	0
7308 - DRTCC - Stage Lighting to LED Luminaires	900,000	150,000	0	0	1,050,000	837,565
7316 - Upgrade POS system (DRTCC and WCC)	35,000	0	0	0	35,000	12,539
01.09578 - DRTCC - Furniture & Fittings Total	956,000	359,098	-21,672	0	1,293,426	1,057,729
01.09582 - Wellington Civic Centre - Buildings						
7002 - Fire System	225,000	0	-225,000	0	0	0
01.09582 - Wellington Civic Centre - Buildings Total	225,000	0	-225,000	0	0	0
Regional Theatre and Convention Centre Total	1,181,000	435,379	-246,672	0	1,369,707	1,134,004
Showgrounds						
01.08221 - Asset Renewals						
7002 - Wellington Showground Upgrade	50,000	0	-50,000	0	0	0
01.08221 - Asset Renewals Total	50,000	0	-50,000	0	0	0
01.09290 - Showground - Furniture & Fittings						
7123 - Function Equipment	40,000	21,964	-59,464	-2,500	0	0
01.09290 - Showground - Furniture & Fittings Total	40,000	21,964	-59,464	-2,500	0	0
01.09291 - Showground - Water Infrastructure						
7200 - Bore	50,000	-50,000	0	0	0	0
01.09291 - Showground - Water Infrastructure Total	50,000	-50,000	0	0	0	0
01.09292 - Showground -Buildings						
7119 - Grant - Pavillion Piazza	0	495,264	0	0	495,264	180,467

7. Capital Budget Review

	Original Budget	September Adjustment	December Adjustment	March Adjustment	Annual Forecast	YTD Actuals to 31 March 2023
01.09292 - Showground - Buildings Total	0	495,264	0	0	495,264	180,467
01.09295 - Showground - Buildings						
0056 - Heritage Grand Stand	0	30,000	-30,000	0	0	0
7130 - Wellington Showground - Disabled Access	50,000	0	-50,000	0	0	0
01.09295 - Showground - Buildings Total	50,000	30,000	-80,000	0	0	0
01.09297 - Showground - Other Assets						
7141 - OEC Toilets (Grandstand)	0	46,545	-46,545	0	0	0
7202 - Toilet Block - Grandstand	0	148,055	65,165	-66,350	146,870	146,870
7204 - Electrical Safety Upgrade	0	152,978	27,389	0	180,367	180,367
01.09297 - Showground - Other Assets Total	0	347,578	46,009	-66,350	327,237	327,237
Showgrounds Total	190,000	844,806	-143,455	-66,850	822,501	507,704
Wellington Caves Complex						
01.08150 - Caravan Park - Other Structures						
5003 - Lighting Upgrade	30,000	0	-29,210	0	790	300
01.08150 - Caravan Park - Other Structures Total	30,000	0	-29,210	0	790	300
01.08153 - Caravan Park - Furniture & Fittings						
5100 - Cabin Furniture & Fittings	20,000	0	-14,967	0	5,033	0
01.08153 - Caravan Park - Furniture & Fittings Total	20,000	0	-14,967	0	5,033	0
01.08171 - Wellington Caves - Furniture & Fittings						
7054 - Conference Room Furniture	20,000	0	0	0	20,000	0
01.08171 - Wellington Caves - Furniture & Fittings Total	20,000	0	0	0	20,000	0
01.08172 - Wellington Caves - Other Structures						
7002 - Caves Entrance Sign	0	2,698	-2,698	0	0	-1,315
7049 - Bring Back the Bats - Restoration Projec	0	50,953	0	20,820	71,773	0
7050 - Electric Vehicle Desintantion Chargers	0	18,482	0	0	18,482	0
01.08172 - Wellington Caves - Other Structures Total	0	72,133	-2,698	20,820	90,255	-1,315
01.08200 - Land & Buildings						
7109 - Thunder Caves Stairs	0	65,000	0	20,000	85,000	0
7110 - Gaden Caves Hand Rails	0	40,000	0	0	40,000	0
7112 - Garage Removal and Landscaping	0	20,424	0	0	20,424	461
7113 - Maintenance Shed - Compound	30,000	0	0	-30,000	0	0
7116 - Mine Entrance	30,000	0	-30,000	0	0	0
7121 - Motel Rooms Hot Water Systems	20,000	0	0	0	20,000	0
7124 - Motel Room Door Replacements	15,000	0	-15,000	0	0	0
7127 - Pool Pump	10,000	0	-2,702	0	7,298	7,298
01.08200 - Land & Buildings Total	105,000	125,424	-47,702	-10,000	172,722	7,759
01.08201 - Other Infrastructure						
7105 - Caravan Park - Power heads	15,000	0	-15,000	0	0	0
01.08201 - Other Infrastructure Total	15,000	0	-15,000	0	0	0
01.08202 - Plant and Equipment						
7002 - Caravan Park - Security Upgrade	45,000	-45,000	0	0	0	0
7049 - Carbon Monoxide Monitors Fixed	10,000	0	0	0	10,000	0
01.08202 - Plant and Equipment Total	55,000	-45,000	0	0	10,000	0
Wellington Caves Complex Total	245,000	152,557	-109,577	10,820	298,800	6,744
Western Plains Cultural Centre						
01.08251 - Asset Renewals - Other Infrastructure						
7000 - Museum	20,000	0	0	0	20,000	0
01.08251 - Asset Renewals - Other Infrastructure Total	20,000	0	0	0	20,000	0
01.09533 - WPCC - Furniture & Fittings						
7307 - Fan Coil Unit	0	50,000	0	-50,000	0	0
7332 - Toilet Hand Fan Upgrades	8,000	-8,000	0	0	0	0
01.09533 - WPCC - Furniture & Fittings Total	8,000	42,000	0	-50,000	0	0
01.09535 - WPCC - Other Structures						
7054 - Security DVR Upgrade	0	9,050	0	5,995	15,045	15,045
01.09535 - WPCC - Other Structures Total	0	9,050	0	5,995	15,045	15,045
01.09541 - WPCC - Furniture & Fittings						
7123 - Corporate Office Space	10,000	-10,000	0	0	0	0
01.09541 - WPCC - Furniture & Fittings Total	10,000	-10,000	0	0	0	0
01.09544 - Ex Dubbo High School - Buildings						
7372 - Carpark Reseal	9,000	-9,000	0	0	0	0
01.09544 - Ex Dubbo High School - Buildings Total	9,000	-9,000	0	0	0	0
01.09545 - Cultural Facilities - Buildings						
7410 - Minor Purchases	5,000	-5,000	0	0	0	0
7415 - BMS System	25,000	39,176	0	0	64,176	52,099
7416 - Store & Music Facility WPCC	0	1,236	-1,236	0	0	0
01.09545 - Cultural Facilities - Buildings Total	30,000	35,412	-1,236	0	64,176	52,099
Western Plains Cultural Centre Total	77,000	67,462	-1,236	-44,005	99,221	67,144

7. Capital Budget Review

	Original Budget	September Adjustment	December Adjustment	March Adjustment	Annual Forecast	YTD Actuals to 31 March 2023
Wiradjuri Tourism Centre						
01.05486 - Wiradjuri Tourism Centre - Buildings						
1000 - Stage 2 - Educational Safe Keeping Place	0	1,499,987	-1,499,987	0	0	0
01.05486 - Wiradjuri Tourism Centre - Buildings Total	0	1,499,987	-1,499,987	0	0	0
Wiradjuri Tourism Centre Total	0	1,499,987	-1,499,987	0	0	0
Community Culture and Places Total	6,092,930	3,960,249	-1,755,440	-885,460	7,412,279	4,265,099
Development and Environment						
Building and Development Services						
01.09318 - Building Control - Office Equipment						
7000 - e-Planning Portal Integration Software	36,901	-36,901	0	0	0	0
01.09318 - Building Control - Office Equipment Total	36,901	-36,901	0	0	0	0
Building and Development Services Total	36,901	-36,901	0	0	0	0
Compliance						
01.09361 - Compliance - Furniture & Fittings						
7000 - Minor Furniture and Fittings	20,000	0	-20,000	0	0	0
01.09361 - Compliance - Furniture & Fittings Total	20,000	0	-20,000	0	0	0
01.09365 - Compliance - Other Structures						
7001 - Animal Shelter	1,500,000	-1,400,000	0	0	100,000	81,388
7002 - Parking Sensors	153,000	-10,000	-68,012	0	74,988	74,988
01.09365 - Compliance - Other Structures Total	1,653,000	-1,410,000	-68,012	0	174,988	156,376
Compliance Total	1,673,000	-1,410,000	-68,012	0	174,988	156,376
Resource Recovery and Efficiency						
01.09410 - Acquisition of Assets - Other Structures						
7209 - Electric Vehicle Charging Stations	0	2,979	0	0	2,979	0
01.09410 - Acquisition of Assets - Other Structures Total	0	2,979	0	0	2,979	0
Resource Recovery and Efficiency Total	0	2,979	0	0	2,979	0
Waste Management - Domestic						
01.09103 - DWM - Plant & Equipment Purchases Total	1,290,000	-1,290,000	12,273	0	12,273	12,273
Waste Management - Domestic Total	1,290,000	-1,290,000	12,273	0	12,273	12,273
Waste Management - Other						
01.08113 - Other Assets						
6506 - Minor Other Assets	15,000	0	0	0	15,000	10,413
01.08113 - Other Assets Total	15,000	0	0	0	15,000	10,413
01.09114 - Other Waste - Plant & Equipment Total	0	458,424	0	35,260	493,684	458,424
01.09120 - Other Waste - Land Improvements						
6784 - Landfill Rehabilitation - Wellington Tip	178,282	0	0	0	178,282	26,853
01.09120 - Other Waste - Land Improvements Total	178,282	0	0	0	178,282	26,853
Waste Management - Other Total	193,282	458,424	0	35,260	686,966	495,690
Development and Environment Total	3,193,183	-2,275,498	-75,739	35,260	877,206	664,339
Infrastructure						
BILT						
01.09372 - Destination Dubbo						
1000 - Old Dubbo Gaol Plaza	0	1,234,291	0	-982,498	251,793	151,793
1001 - Wiradjuri Tourism Centre - Building	3,243,618	-2,243,618	0	-693,256	306,744	206,744
1002 - Macquarie Foreshore - Event Precinct	1,494,427	0	0	-1,361,642	132,785	72,785
1003 - Ollie Robbins Event Substation	0	400,000	-400,000	0	0	0
1957 - Heritage Plaza Substation	0	400,000	-400,000	0	0	0
01.09372 - Destination Dubbo Total	4,738,045	-209,327	-800,000	-3,037,396	691,322	431,322
BILT Total	4,738,045	-209,327	-800,000	-3,037,396	691,322	431,322
Depot Services						
01.09693 - Depot - Plant & Equipment						
7945 - Pallet Jack	0	11,322	0	0	11,322	11,322
01.09693 - Depot - Plant & Equipment Total	0	11,322	0	0	11,322	11,322
01.09696 - Depot - Other Structures						
7964 - Gates and Fencing	0	25,000	0	0	25,000	19,914
01.09696 - Depot - Other Structures Total	0	25,000	0	0	25,000	19,914
01.09697 - Depot - Buildings						
7846 - Hawthorn St Build 15 - 5 Bay Ganger Shed	0	37,270	17,869	48,191	103,330	99,891
7849 - Hawthorn St Depot Inf Office Block	0	636,039	0	-472,907	163,132	54,215
7854 - Hawthorn St Depot Materials Storage Bays	0	150,000	0	-41,162	108,838	88,638
7969 - Hawthorn St Depot Improvements	309,519	-216,322	-17,869	-75,328	0	0
7971 - Solar Panels - Amaroo Dr Depot	35,000	0	0	-8,198	26,802	26,802
01.09697 - Depot - Buildings Total	344,519	606,987	0	-549,404	402,102	269,746
Depot Services Total	344,519	643,309	0	-549,404	438,424	300,982
Fleet Services						
01.09619 - Assets Purchased - Minor Plant (\$50000 to \$149999) Total	863,274	-62,595	-161,204	-126,175	513,300	98,837
01.09621 - Assets Purchased - Major Plant (>\$150 & 000) Total	1,645,178	379,738	-440,059	-328,894	1,255,963	523,351
01.09623 - Assets Purchased - Light Vehicles Total	2,214,583	433,704	-221,787	-367,960	2,058,540	1,148,904

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	Original Budget	September Adjustment	December Adjustment	March Adjustment	Annual Forecast	YTD Actuals to 31 March 2023
01.09625 - Assets Purchased - Small Plant (\$10000 to \$49999) Total	254,812	136,654	10,775	-148,665	253,576	134,008
Fleet Services Total	4,977,847	887,501	-812,275	-971,694	4,081,379	1,905,100
Roads Network						
01.09004 - Paved Footpaths - Reconstruction						
6687 - Gipps St (Wingewarra to Bultje)	325,000	-325,000	3,070	159	3,229	3,070
6689 - Brisbane St (Reakes to Mitchell)	444,864	-444,864	0	0	0	0
01.09004 - Paved Footpaths - Reconstruction Total	769,864	-769,864	3,070	159	3,229	3,070
01.09006 - Paved Footpaths - Construction						
6600 - Macquarie St	29,301	0	0	-29,301	0	0
6604 - Fence various walkways	0	32,370	0	-19,506	12,864	12,864
6607 - Orana Heights School to Jubilee Oval	0	99,615	0	0	99,615	0
6608 - Dubbo North PS - Barden Park	0	139,213	0	0	139,213	157,144
6609 - Websdale Drive Footpath	0	177,458	0	0	177,458	683
6610 - Orana Mall to Homemaker Centre Footpath	0	51,684	0	0	51,684	30
6611 - Bultje and Fitzroy St Roundabout Cnrs	0	10,000	4,339	3,743	18,082	18,082
6612 - Cobra St Footpath (Fitzroy to Gipps)	0	80,000	-3,329	5,170	81,841	81,841
01.09006 - Paved Footpaths - Construction Total	29,301	590,340	1,010	-39,894	580,757	270,644
01.09041 - Urban Road Construction & Reconstruct						
6668 - Sheraton Road (South of SH7)	0	15,842	0	0	15,842	14,073
6685 - Swift Street (Arthur to Railway Station)	0	9,248	6,075	1,224	16,547	16,027
6697 - Boundary Rd Extension Stage 2	0	43,641	14,743	-80	58,304	62,372
6702 - FLR- Wheelers/Keswick Roundabout 20/21	0	0	451,197	0	451,197	294,331
6703 - Fixing Local Roads Urban 2020 - 2021	0	63,604	0	0	63,604	63,604
6704 - Boundary Rd Shop Precinct Beautification	0	17,482	0	1,182	18,664	18,664
6709 - Wheelers Lane (Rail to Myall)	2,336,238	96,472	-2,372,710	0	60,000	29,587
6710 - LRCI(2) Tamworth St(Fitzroy to Sterling)	0	181,230	244,859	45,931	472,020	471,616
6711 - Gisbourne St (Lee to Thornton St)	0	274,996	-274,996	0	0	0
6714 - Percy St - Warne to Swift	0	66,691	0	0	66,691	24,335
6722 - LRCI 3 Wheelers Ln (Birch to Rail X)	1,400,000	213,241	299,253	-1,674,996	237,498	58,430
6730 - Blueridge Link Road	0	0	2,200,000	-2,160,000	40,000	19
01.09041 - Urban Road Construction & Reconstruct Total	3,736,238	982,447	568,421	-3,786,739	1,500,367	1,053,058
01.09043 - Preconstruction						
6617 - Project Development	206,000	-51,642	-21,750	-123,035	9,573	2,732
01.09043 - Preconstruction Total	206,000	-51,642	-21,750	-123,035	9,573	2,732
01.09044 - Urban Roads - Renewals						
6730 - Annual Reseal Program	607,873	0	-607,873	986	986	986
6731 - Heavy Patching Program	408,000	1,586,622	-674,287	0	1,320,335	2,272,327
01.09044 - Urban Roads - Renewals Total	1,015,873	1,586,622	-1,282,160	986	1,321,321	2,273,313
01.09055 - K&G Construct / Reconstruction						
6677 - Gipps St (Wingewarra to Bultje)	233,181	-230,756	15,007	348	17,780	17,780
6694 - Darling St (W) - Bultje to Wingewarra	50,000	-50,000	0	0	0	0
6695 - Brisbane St (Reakes to Mitchell)	170,000	-170,000	6,432	0	6,432	6,432
6698 - Brisbane St (Erskine to Macleay)	0	0	6,574	1,015	7,589	7,589
01.09055 - K&G Construct / Reconstruction Total	453,181	-450,756	28,013	1,363	31,801	31,801
01.09072 - Rural Road-Major Construction & Reconstruction						
5002 - RLRRP - Benolong Rd Heavy Patching	0	0	0	1,200,000	1,200,000	23,799
5004 - RLRRP - Collie Road Heavy Patching	0	0	0	0	0	75
5016 - RLRRP - Dripstone Rd Heavy Patching	0	0	0	250,000	250,000	0
5018 - RLRRP - Obbley Rd Heavy Patching	0	0	0	105,000	105,000	75
5020 - RLRRP - Mogriguy Rd Heavy Patching	0	0	0	0	0	75
5022 - RLRRP - Saxa Rd Heavy Patching	0	0	0	111,849	111,849	0
6658 - Regional Roads Upgrading Program	800,000	-800,000	0	0	0	0
6683 - Old Dubbo Road	0	0	0	179,875	179,875	0
6768 - Muronbung Road Stage 4	0	0	0	0	0	556
6783 - Boonthenba/Livestock Market Intersection	1,004,785	726,396	4,407,206	0	6,138,387	5,645,183
6785 - SRP - Burrendong Way	5,204,200	-4,194,542	-500,000	0	509,658	238,037
6787 - Fixing Local Roads Rural 2020 - 2021	0	19,742	0	0	19,742	19,742
6788 - FLR - Old Mendooran Rd Seal Extension	1,366,047	2,127,881	-177,192	-493,780	2,822,956	2,822,956
6809 - Boonthenba/Old Mendooran Intersection	0	86,286	0	0	86,286	29,288
6818 - Burrendong Way - Dripstone Seg 50	0	138,669	0	-138,669	0	0
6819 - FLR3 Ballimore Rd (Windora-Wongajong Rd)	1,182,167	75,000	0	0	1,257,167	264,975
6820 - FLR4 Ballimore Rd (Wongajong-Westella)	0	47,703	9,448	-60,789	-3,638	454,698
6821 - Ballimore Rd (Comobella to Windora Rd)	0	7,577	0	-7,577	0	0
6823 - LRCI 3 - Eulalie Lane Stg 1	0	1,492,258	0	-1,400,000	92,258	12,524
6825 - Eulalie Ln Stg 2 (Weonga Rd to Seal)	0	0	2,062	1,128	3,190	3,190
6828 - Eulalie Lane Stage 3	0	0	58	3,208	3,266	2,118
6835 - Nulla Road	120,000	-120,000	0	0	0	0
6844 - TINSW 22/23 - Stuart Town Rehab	0	800,000	0	0	800,000	96,608
6849 - Old Dubbo Road - Geurie	0	0	0	2,850	2,850	2,850
6850 - River St West Collector Rd (Stage 1)	0	0	0	77,774	77,774	57,985
6851 - FCR - Saxa Rd (Maryvale Rd - Bakers Ln)	0	0	0	290,493	290,493	0
01.09072 - Rural Road-Major Construction & Reconstruction Total	9,677,199	406,970	3,741,582	121,362	13,947,113	9,674,734
01.09073 - Rural Road- Construction & Reconstruction Backlog						
6713 - Rural Road Backlog Construction	1,000,000	-164,386	-147,665	-404,611	283,338	0

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	Original Budget	September Adjustment	December Adjustment	March Adjustment	Annual Forecast	YTD Actuals to 31 March 2023
01.09073 - Rural Road- Construction & Reconstruction Backlog Total	1,000,000	-164,386	-147,665	-404,611	283,338	0
01.09076 - Roads To Recovery Program						
6680 - Planned Roads to Recovery Program	2,146,498	-2,146,498	0	0	0	0
01.09076 - Roads To Recovery Program Total	2,146,498	-2,146,498	0	0	0	0
01.09077 - Rural Roads - Renewals						
6690 - Resheet West Terranungamine Rd	0	118,236	0	0	118,236	0
6691 - Resheet North Terranungamine Rd	0	112,897	0	0	112,897	0
6695 - Annual Reseal Program	898,044	0	-895,939	0	2,105	2,105
6697 - Rural Unsealed - Resheeting (West)	292,762	1,112,508	0	-986	1,404,284	312,952
6698 - Rural Unsealed - Resheeting (East Zone)	683,112	-683,112	0	0	0	0
01.09077 - Rural Roads - Renewals Total	1,873,918	660,529	-895,939	-986	1,637,522	315,057
01.09079 - Land Acquisition						
6704 - Sweeney's Lane	0	0	108	0	108	108
6705 - Lot 1 and Lot 2 Curra Creek Intersection	0	0	3,500	0	3,500	3,500
6706 - Skinner Lands - Southern Distributor	0	0	0	13,000	13,000	0
01.09079 - Land Acquisition Total	0	0	3,608	13,000	16,608	3,608
01.09082 - Bridge Improvements Program						
6682 - Terrabella Bridge	0	1,057,149	0	-351,681	705,468	635,468
6683 - Burrendong Bridge No 2	0	862,267	590,000	-421,657	1,030,610	501,654
6685 - Benolong Bridge Replacement	2,493,837	-1,010,337	53,837	-1,326,658	210,679	54,293
6686 - Burrendong Bridge No 1	1,031,000	-956,000	-25,000	0	50,000	27,994
6688 - Molong St Stuart Town	1,078,000	-1,058,000	0	0	20,000	0
6689 - Comabella Bridge - Saxa Road	0	0	1,082,160	-982,127	100,033	42,518
01.09082 - Bridge Improvements Program Total	4,602,837	-1,104,921	1,700,997	-3,082,123	2,116,790	1,261,927
01.09981 - Plant and Equipment						
7002 - Base Station	0	0	0	35,816	35,816	0
7009 - Traffic Counters	0	0	0	20,220	20,220	20,220
01.09981 - Plant and Equipment Total	0	0	0	56,036	56,036	20,220
Roads Network Total	25,510,909	-461,159	3,699,187	-7,244,482	21,504,455	14,910,164
Sewerage Services						
03.08051 - Pumps & Equipment						
5120 - Telemetry RTU Upgrades	0	33,411	0	5,156	38,567	36,047
5143 - 2 submersible pumps for Bunglegumbe SPS	0	90,000	0	-9,076	80,924	80,924
03.08051 - Pumps & Equipment Total	0	123,411	0	-3,920	119,491	116,971
03.08053 - Plant & Equipment Purchases Total	115,287	116,554	-10,747	57,251	278,345	237,320
03.08055 - Other Structures						
5138 - Fencing - Various Sites	0	0	16,234	0	16,234	16,234
5145 - Brewery Lane - Pump Gantry (C)	50,000	0	0	0	50,000	0
03.08055 - Other Structures Total	50,000	0	16,234	0	66,234	16,234
03.08056 - New House Services						
5101 - Fletcher Sub Division pressure sewer	0	0	0	15,000	15,000	2,522
03.08056 - New House Services Total	0	0	0	15,000	15,000	2,522
03.08071 - Augmentation						
5002 - Augmentation Program	150,000	-102,546	-26,088	-21,366	0	0
5989 - Upgrade Sewer R (incl all component) (C)	0	1,879	6,088	6,413	14,380	12,680
6060 - Troy Gully Upgrade Switch Board	1,739,227	-941,894	0	-497,333	300,000	37,812
6100 - Inlet Channel Band Screen	0	89,213	0	0	89,213	89,213
6105 - Wellington STP Aerator Upgrade	400,000	-400,000	0	0	0	0
6203 - Pierce/Paringa St SPS Replace	0	0	0	20,201	20,201	20,201
6204 - DSTP - Bio Solids Handling	1,500,000	-1,450,000	0	-14,000	36,000	36,000
6211 - Arthur St SPS - Emergency Storage	50,000	-50,000	0	0	0	0
6212 - Huckle Street Pressure Sewer	0	0	0	130,000	130,000	22,158
6216 - 195 Wingewarra St	0	12,546	0	0	12,546	12,546
6217 - D16-55 Moffatt Estate Stg 3 Pressure Sew	0	0	0	7,091	7,091	7,441
03.08071 - Augmentation Total	3,839,227	-2,840,802	-20,000	-368,994	609,431	238,051
03.08072 - Assets Constructed Roads						
5616 - Access Road - Bunglegumbe Bore	0	0	0	27,013	27,013	27,013
03.08072 - Assets Constructed Roads Total	0	0	0	27,013	27,013	27,013
03.08073 - Asset Replacement/Refurbishment >\$10K						
6510 - Dubbo STP Grit Removal 2	0	65,000	0	-9,678	55,322	55,322
6533 - Dubbo STP Switchboard	600,000	-600,000	0	0	0	0
6534 - Dubbo STP Waste Activated Sludge Pump	0	0	0	19,375	19,375	19,375
6613 - Geurie STP Inlet Concrete Resurfacing	0	0	0	18,600	18,600	18,600
6614 - Mumbil AC Creek Crossing (C)	0	200,000	0	-200,000	0	0
6617 - Mech/Elect Renewals	200,000	92,791	-173,000	-37,975	81,816	61,592
6621 - Arthur St SPS Electric Switchboard	0	0	35,000	-35,000	0	0
6622 - Cooreenna Rd SPS refurbishment	0	0	70,000	-50,000	20,000	0
6623 - Bunglegumbe SPS Access replacement	0	0	68,000	-6,020	61,980	0
03.08073 - Asset Replacement/Refurbishment >\$10K Total	800,000	-242,209	0	-300,698	257,093	154,889
03.08077 - Main Rehabilitation						

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	Original Budget	September Adjustment	December Adjustment	March Adjustment	Annual Forecast	YTD Actuals to 31 March 2023
5653 - Mains Rehabilitation	2,000,000	1,100,000	0	-1,044,343	2,055,657	2,066,502
5662 - Manhole Rectification Program	100,000	-100,000	0	0	0	0
03.08077 - Main Rehabilitation Total	2,100,000	1,000,000	0	-1,044,343	2,055,657	2,066,502
Sewerage Services Total	6,904,514	-1,843,046	-14,513	-1,618,691	3,428,264	2,859,502
Stormwater						
01.09127 - Asset Renewals/Maintenance						
6807 - Gipps St - Wingewarra St to Bultje St	100,000	-100,000	0	0	0	0
6819 - Devils Hole Outfall Reconstruction	792,873	-592,393	0	-155,013	45,467	35,467
6836 - Wellington Bridge Outfall Reconstruction	0	120,000	0	0	120,000	0
6840 - Pipe Relining	422,580	52,040	0	-464,620	10,000	0
6883 - Wellington Simpson St Outfall	0	9,792	0	0	9,792	0
7000 - West Dubbo Main Drain Reconstruction	150,000	-150,000	0	0	0	0
7002 - Marsh St Outfall Relocation	60,000	-60,000	0	0	0	0
01.09127 - Asset Renewals/Maintenance Total	1,625,453	-720,561	0	-619,633	185,259	35,467
01.09135 - Drainage Extensions						
6835 - Bourke Street - Myall St to River St	1,386,510	-1,386,510	5,580	0	5,580	5,580
6841 - Laughton St Extension	130,000	-130,000	0	0	0	0
6845 - Taylor/Jubilee St Flooding Rectification	0	106,583	-76,583	-24,801	5,199	199
6849 - Elizabeth St Extension	0	71,044	0	0	71,044	69,747
6851 - Macquarie St (Margaret to Fitzroy)	0	0	15,000	0	15,000	0
6867 - Melaleuca Dr Montefiores Extension	0	0	0	1,213	1,213	1,213
6873 - Macquarie St - (Dianne to Fitzroy St)	0	0	10,000	-9	9,991	9,991
6880 - Palmer St - Goode St Roundabout	0	0	20,000	-7,129	12,871	12,871
01.09135 - Drainage Extensions Total	1,516,510	-1,338,883	-26,003	-30,726	120,898	99,601
01.09142 - Hennessy Road Detention Basin Section 7.11						
4620 - Hennessy Rd Detention Basin Construction	1,000,000	-800,000	-150,000	-50,000	0	0
01.09142 - Hennessy Road Detention Basin Section 7.11 Total	1,000,000	-800,000	-150,000	-50,000	0	0
01.09144 - Troy Basin						
4628 - Troy Gully Floodplain Reconstruction	0	72,992	0	-60,402	12,590	12,590
01.09144 - Troy Basin Total	0	72,992	0	-60,402	12,590	12,590
01.09145 - Wongarbon Drainage Scheme						
4628 - Wongarbon Drainage Scheme	500,000	-500,000	0	0	0	0
4629 - 23 Derribong St Drainage	0	0	20,000	11,370	31,370	31,370
01.09145 - Wongarbon Drainage Scheme Total	500,000	-500,000	20,000	11,370	31,370	31,370
01.09147 - Keswick Estate Development - Section 7.11						
4627 - Northern Stormwater Channel - Stage 5	0	3,325	0	0	3,325	3,325
01.09147 - Keswick Estate Development - Section 7.11 Total	0	3,325	0	0	3,325	3,325
Stormwater Total	4,541,963	-3,283,127	-156,003	-749,391	353,442	182,353
Traffic Management						
01.09023 - Intersection Improvement Program						
4938 - Dubbo North PS (Gipps and Myall)	0	0	0	7,637	7,637	352
4983 - Geurie Public School Pedestrian Fence	0	18,108	0	0	18,108	7,391
5003 - Kerb Ramps - Cnr Belmore and Fitzroy Sts	0	0	7,637	0	7,637	22,923
5016 - Black Spot (AGBS) - Thornton St	0	0	0	64,500	64,500	15,594
5018 - 21/22 At Walking - Dalton St	0	0	0	0	0	53,788
5020 - Pram Ramps Tamworth and Jubilee Sts	0	0	0	48,000	48,000	0
6596 - Dubbo School Zones Walking Route	0	63,357	-7,637	-7,637	48,083	95,088
01.09023 - Intersection Improvement Program Total	0	81,465	0	112,500	193,965	195,136
Traffic Management Total	0	81,465	0	112,500	193,965	195,136
Water for the Future						
02.09701 - Acquisition of Assets						
2000 - Water Security Trade	0	0	10,636	0	10,636	0
3000 - Groundwater Infrastructure	0	6,000,000	-2,702,453	-645,370	2,652,177	2,217,976
3001 - Non-Potable Pipeline	275,000	210,000	-369,822	117,585	232,763	76,632
3351 - Advanced Water Treatment Plant	1,575,000	-1,397,750	-171,010	0	6,240	6,240
4500 - Geurie Bore and Pipeline	0	247,500	-8,696	87,497	326,301	226,414
4502 - Wellington Bore and Pipeline	1,575,000	2,835,000	450,343	-783,311	4,077,032	3,264,676
4504 - Northern Borefields	200,000	-200,000	1,410,294	-894,594	515,700	22,963
4506 - Groundwater Contingency	505,600	-313,107	137,507	-310,000	20,000	0
4620 - PFAS Bore Investigation	0	0	16,000	0	16,000	3,095
02.09701 - Acquisition of Assets Total	4,130,600	7,381,643	-1,227,201	-2,428,193	7,856,849	5,817,996
Water for the Future Total	4,130,600	7,381,643	-1,227,201	-2,428,193	7,856,849	5,817,996
Water Supply						
02.08051 - Works Plant - Purchases Total	89,391	183,688	9,629	38,731	321,439	47,095
02.08053 - Pumps & Equipment >\$10 & 000						
5100 - Various minor pumps and equipment	0	0	0	33,855	33,855	33,855
02.08053 - Pumps & Equipment >\$10 & 000 Total	0	0	0	33,855	33,855	33,855
02.08057 - Land Improvements						
5181 - 13R Nulla Road	0	0	84,775	0	84,775	84,775
02.08057 - Land Improvements Total	0	0	84,775	0	84,775	84,775
02.08059 - Land Acquisitions						

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5181 - 50R Bunglegumbe Rd (Nevadon)	0	0	0	335	335	335
02.08059 - Land Acquisitions Total	0	0	0	335	335	335
02.08069 - Augmentation Works						
3050 - Automated Meter Reading Equipment	0	88,883	0	0	88,883	88,883
5438 - Pipelines - Obley/Newell (C)	0	1,412	0	425	1,837	1,837
5613 - Wheelers Lane Water Main and PRV	0	12,855	1,191	203	14,249	16,129
5648 - Airport Water Supply Upgrade	600,000	-550,000	-50,000	0	0	0
6210 - Lime Dosing Unit (C)	200,000	-200,000	0	0	0	0
6502 - Additional UV Treatment (Wellington)	0	31,860	50,362	0	82,222	36,506
6506 - Additional UV Treatment (Geurie)	0	28,689	70,000	0	98,689	89,508
6520 - Wellington-A/C Pipe Replacement	150,000	-150,000	0	0	0	0
6521 - Mumbil Rising Water Main-200AC	0	159,811	1,000,000	-1,119,811	40,000	10,572
6524 - Sedimentation Lagoon Wellington	500,000	-450,000	0	0	50,000	0
6526 - Filter Upgrade JGWTP (C)	677,512	-347,093	0	0	330,419	0
6527 - JGWTP Additional UV Treatment	727,379	-727,379	0	1,816	1,816	1,816
6535 - Geurie Water Treatment Plant upgrade	2,500,000	-2,300,000	-135,000	-49,682	15,318	15,318
6543 - Upgrade Fluoride Dosing System	0	1,500,000	0	-1,225,196	274,804	49,454
6544 - Optimisation Study	0	200,000	-100,000	-60,000	40,000	0
6545 - 5R Hennessy Dr	0	0	19,232	0	19,232	19,232
6546 - Hennessy Rd Mains Extension	0	0	15,000	-15,000	0	0
02.08069 - Augmentation Works Total	5,354,891	-2,700,962	870,785	-2,467,245	1,057,469	329,255
02.08071 - Asset Replacement / Refurbishment >\$10 & 000						
5572 - Minor Plant and Equipment	50,000	-50,000	0	0	0	0
5664 - Clarifier No. 1 Remediation Works	0	0	0	87,620	87,620	0
5717 - Bore Asset Renewal	50,000	0	0	-50,000	0	0
5719 - Booster Pump Stations	50,000	-25,000	0	-25,000	0	0
5720 - Reservoir Asset Renewals	30,000	-5,000	0	-25,000	0	0
5766 - SCADA RTU Upgrades	80,000	0	0	-42,425	37,575	33,295
5809 - WTP Filter Valve Rehabilitation	600,000	-500,000	0	-100,000	0	0
6502 - WTP Online Instrument Replacement	80,000	0	0	-63,205	16,795	16,795
6565 - Sand Filter No 6-media- Wellington	400,000	-175,000	0	0	225,000	0
6575 - Powder Activated Carbon Unit	0	20,000	0	0	20,000	0
6608 - Geurie Raw Water Pump 1	0	0	0	30,290	30,290	30,290
6609 - Dubbo Mech/Elect	100,000	0	0	-30,290	69,710	0
6619 - Wellington WTP Electrical Renewals	50,000	37,549	0	0	87,549	0
02.08071 - Asset Replacement / Refurbishment >\$10 & 000 Total	1,490,000	-697,451	0	-218,010	574,539	80,380
02.08073 - Mains Replacement						
5673 - Jubilee and Sterling St	0	7,227	0	22,773	30,000	1,649
5701 - Allison St Main Replacement	0	10,638	0	0	10,638	2,614
5781 - Macquarie St Main Replacement	0	5,250	0	-5,000	250	250
5833 - North St (Baird to Bent Sts)	0	0	0	8,717	8,717	8,717
6700 - Buttle St Main Replacement	0	5,463	21,588	5,687	32,738	32,738
6742 - Kennedy St	0	0	0	360,752	360,752	360,587
6747 - Darling St (Wingewarra to Buttle)	0	53	0	0	53	53
6753 - Mains replacement	1,500,000	-1,284,563	-205,121	-9,525	791	791
6760 - Tamworth St - Fitzroy to Taylor Sts	0	299,365	23,533	25,037	347,935	373,783
6771 - Buttle St (Darling to Bourke)	0	0	489	0	489	489
6772 - Flood Damage - Oxley Ave Creek Crossing	0	18,384	-489	300	18,195	18,195
6774 - Quinn St - Bourke to Gipps	0	150,000	-130,000	6,094	26,094	26,094
6775 - Whylandra -Alfred north past caravan pk	0	100,000	-90,000	-1,213	8,787	8,787
6776 - Turnberry Terrace - Relocation	0	250,000	-240,000	1,731	11,731	10,731
6777 - Nancarrow - Mary to Gipps	0	180,000	0	-145,597	34,403	34,403
6778 - Dulhunty Ave	0	138,183	0	-89,889	48,294	76,361
6781 - Welchman Street	0	120,000	0	-80,000	40,000	16,089
6782 - Mary Street	0	0	160,000	60,000	220,000	130,315
02.08073 - Mains Replacement Total	1,500,000	0	-460,000	159,867	1,199,867	1,092,646
Water Supply Total	8,434,282	-3,214,725	505,189	-2,452,467	3,272,279	1,668,341
Infrastructure Total	59,582,679	-17,466	1,194,384	-18,939,218	41,820,379	28,270,896
Organisational Performance						
Building Assets						
01.09665 - CAB - Furniture & Fittings						
7954 - 139 Darling Street	0	0	0	13,205	13,205	13,205
01.09665 - CAB - Furniture & Fittings Total	0	0	0	13,205	13,205	13,205
01.09672 - Capital Renewals - Dubbo CAB						
5021 - BMS System	0	59,517	0	15,948	75,465	61,057
01.09672 - Capital Renewals - Dubbo CAB Total	0	59,517	0	15,948	75,465	61,057
Building Assets Total	0	59,517	0	29,153	88,670	74,262
Corporate Governance						
01.09510 - Executive Services - Office Equipment						
7312 - Council Chambers Streaming System	0	79,120	0	-79,120	0	0
01.09510 - Executive Services - Office Equipment Total	0	79,120	0	-79,120	0	0
Corporate Governance Total	0	79,120	0	-79,120	0	0
Dubbo Regional Airport						
01.09201 - Airport Furniture & Fittings						
6940 - Cafe Equipment	5,000	0	-5,000	0	0	0
01.09201 - Airport Furniture & Fittings Total	5,000	0	-5,000	0	0	0

7. Capital Budget Review

	Original Budget	September Adjustment	December Adjustment	March Adjustment	Annual Forecast	YTD Actuals to 31 March 2023
01.09206 - Airport - Buildings						
6951 - Replace Air-Conditioning Unit	36,000	-36,000	0	0	0	0
6953 - New Workshop in Compound	0	0	536	0	536	536
6956 - Baggage Conveyor Motor	5,000	-5,000	0	0	0	0
6963 - Wellington Aerodrome - Hangar	0	30,000	110,000	0	140,000	108,869
01.09206 - Airport - Buildings Total	41,000	-11,000	110,536	0	140,536	109,405
01.09208 - Airport - Other Structures						
6951 - CCTV Enhancement	9,000	2,276	0	0	11,276	13,820
6961 - Carpark Lighting	0	30,550	0	0	30,550	30,550
01.09208 - Airport - Other Structures Total	9,000	32,826	0	0	41,826	44,370
01.09212 - Airport - Infrastructure Pavements						
6953 - Environmental Impact Study Runway extents	150,000	-150,000	0	0	0	0
6975 - NSRF - Stage 4 - Electricity/Comms	0	0	0	0	0	690
7000 - RPT - Southern Apron expansion	0	0	0	11,994	11,994	2,194
7002 - Northern Apron Expansion	600,000	900,000	600,000	-200,000	1,900,000	1,821,562
7009 - RAP2 - GA Apron Upgrade Stage 2	0	300,000	-300,000	0	0	0
7027 - RAP3 - GA Drainage Upgrade	0	0	0	5,000	5,000	310
7030 - RAP3 - WARP Apron & Runway Renewal	0	0	0	50,000	50,000	0
01.09212 - Airport - Infrastructure Pavements Total	750,000	1,050,000	300,000	-133,006	1,966,994	1,824,756
Dubbo Regional Airport Total	805,000	1,071,826	405,536	-133,006	2,149,356	1,978,531
Dubbo Regional Livestock Markets						
01.09167 - Livestock Markets - Other Structures						
6951 - Cattle Yards Rubber Matting	51,150	0	-41,150	-4,000	6,000	2,285
01.09167 - Livestock Markets - Other Structures Total	51,150	0	-41,150	-4,000	6,000	2,285
01.09173 - Livestock Markets - Buildings						
6901 - Main Visitor Centre Upgrade	3,500,000	-3,500,000	0	0	0	0
01.09173 - Livestock Markets - Buildings Total	3,500,000	-3,500,000	0	0	0	0
01.09177 - Livestock Markets - Other Structures						
6895 - Security Cameras	20,000	0	0	913	20,913	1,770
01.09177 - Livestock Markets - Other Structures Total	20,000	0	0	913	20,913	1,770
Dubbo Regional Livestock Markets Total	3,571,150	-3,500,000	-41,150	-3,087	26,913	4,055
Fire and Emergency Services						
01.09156 - Fire Control - Plant & Equipment						
6840 - BFC Catalogue Items - Capital	0	0	0	252,500	252,500	252,500
01.09156 - Fire Control - Plant & Equipment Total	0	0	0	252,500	252,500	252,500
01.09164 - Fire Control - Buildings						
6903 - NSW RFS Aviation Centre of Excellence	400,000	97,085	1,445,458	3,557,457	5,500,000	2,684,830
6904 - Bodangora Station	0	744	1,481	4,056	6,281	3,008
6907 - Wuuluman Station	43,883	0	0	0	43,883	1,102
01.09164 - Fire Control - Buildings Total	443,883	97,829	1,446,939	3,561,513	5,550,164	2,688,940
Fire and Emergency Services Total	443,883	97,829	1,446,939	3,814,013	5,802,664	2,941,440
Property and Land Development						
01.09232 - Assets Construction Future Releases						
6982 - Assets Future Releases	0	0	0	3,672,766	3,672,766	0
01.09232 - Assets Construction Future Releases Total	0	0	0	3,672,766	3,672,766	0
01.09234 - Assets Const - Land Development - Stormwater						
7048 - Moffat Estate Stage 3	76,000	0	0	0	76,000	0
7076 - Keswick Stage 5 - Release 2	29,000	1,514,548	24,207	-1,517,755	50,000	36,394
7085 - RSL Development	0	0	150,000	-150,000	0	0
7086 - Open Space	0	0	1,500,000	0	1,500,000	1,474,944
01.09234 - Assets Const - Land Development - Stormwater Total	105,000	1,514,548	1,674,207	-1,667,755	1,626,000	1,511,338
01.09238 - Assets Const - Land Development - Water						
7048 - Moffat Estate Stage 3	76,000	0	0	0	76,000	0
7076 - Keswick Stage 5 - Release 2	29,000	73,681	0	0	102,681	102,681
7085 - RSL Subdivision	0	0	125,000	-125,000	0	0
01.09238 - Assets Const - Land Development - Water Total	105,000	73,681	125,000	-125,000	178,681	102,681
01.09240 - Assets Const - Land Development - Sewer						
7048 - Moffat Estate Stage 3	76,000	0	0	0	76,000	0
7078 - Keswick Stage 5 - Release 2	29,000	9,694	0	0	38,694	38,694
7085 - RSL Subdivision	0	0	125,000	-125,000	0	0
01.09240 - Assets Const - Land Development - Sewer Total	105,000	9,694	125,000	-125,000	114,694	38,694
01.09242 - Assets Const - Land Development - Roads						
7052 - Moffatt Estate Stage 3	76,000	0	0	0	76,000	0
7089 - Keswick Stage 5 - Rel 2 - Works Services	29,000	0	0	0	29,000	22,674
7090 - Keswick Stage 5 - Release 2 - Final Seal	0	793,169	0	56,831	850,000	848,694
7099 - Cobra St Crossing	440,000	-220,000	-214,000	20,725	26,725	26,725
7100 - RSL Subdivision	0	0	600,000	-579,206	20,794	20,794
01.09242 - Assets Const - Land Development - Roads Total	545,000	573,169	386,000	-501,650	1,002,519	918,887
01.09245 - Acquisition of Assets - Land						

7. Capital Budget Review

	Original Budget	September Adjustment	December Adjustment	March Adjustment	Annual Forecast	YTD Actuals to 31 March 2023
7000 - 10 Montefiores St Wellington	0	2,588	0	0	2,588	0
7001 - RSL Land Swap	348,000	0	-276,499	-71,501	0	0
01.09245 - Acquisition of Assets - Land Total	348,000	2,588	-276,499	-71,501	2,588	0
Property and Land Development Total	1,208,000	2,173,680	2,033,708	1,181,860	6,597,248	2,571,600
Organisational Performance Total	6,028,033	-18,028	3,845,033	4,809,813	14,664,851	7,569,888
Strategy Partnerships and Engagement						
Information Services						
01.09653 - Office Equipment						
7909 - Internal Comms Project - Intranet	0	60,000	0	0	60,000	0
7928 - Hardware Purchases - Server	70,000	0	0	-70,000	0	0
7962 - Upgrade Network at Remote Sites	150,000	-50,000	-50,000	0	50,000	3,490
8352 - Hardware Purchases-Storage Area Network	200,000	-11,198	-88,802	-100,000	0	0
01.09653 - Office Equipment Total	420,000	-1,198	-138,802	-170,000	110,000	3,490
Information Services Total	420,000	-1,198	-138,802	-170,000	110,000	3,490
Strategy Partnerships and Engagement Total	420,000	-1,198	-138,802	-170,000	110,000	3,490
Expenditure Total	75,316,825	1,648,059	3,069,436	-15,149,605	64,884,715	40,773,712
Capital Total	75,316,825	1,648,059	3,069,436	-15,149,605	64,884,715	40,773,712
Total	75,316,825	1,648,059	3,069,436	-15,149,605	64,884,715	40,773,712

Dubbo Regional Council
Quarterly Budget Review Statement
for the quarter ended 31 March 2023

7. Contracts budget review statement

Budget review for the quarter ended 31 March 2023

Part A - Contracts listing - contracts entered into during the quarter

Contractor		Contract value	Commencement date	Budgeted	
				(Y/N)	
Figgis & Jefferson Tapa Pty Ltd T/as	Sub Consultancy - New Animal Shelter Facility	\$ 150,022	04/01/2023	Y	
Taggle Systems Pty Ltd	Aqualus Subscription and Data Delivery of 19900 metres	\$ 67,202	06/01/2023	Y	
Orana Motor Group T/as Sainsbury	Supply one Isuzu DMax SX Dual Cab	\$ 54,765	09/01/2023	Y	
Orana Motor Group T/as Sainsbury	Supply one Isuzu DMax SX 4x4 Dual Cab	\$ 54,765	09/01/2023	Y	
JAC Pump Services Pty Ltd	Mechanical Refurbishment and the supply of 2x 11kW Pumps for Coorena Rd	\$ 74,666	10/01/2023	Y	
Techni-Clean Dubbo Pty Ltd	Open Space public amenities & Surrounding Villages Monthly Clean	\$ 125,370	11/01/2023	Y	
SNG Engineering Pty Ltd	Emergency water main replacement - Mary Street	\$ 72,479	11/01/2023	Y	
Mass Products Pty Ltd	MASS Products to Fabricate and Install Access Covers	\$ 68,178	12/01/2023	Y	
Crossroads Civil Design Pty Ltd	Birch Ave to Railway Crossing - Road Rehabilitation - Detailed Design	\$ 80,861	13/01/2023	Y	
WheelConn-Crete Pty Ltd	Saxa Road - Culvert Slab	\$ 60,000	19/01/2023	Y	
Ian Troy Paton T/as Concrete World	Supply of Concrete Materials for Emergency Saxa Causeway reconstruction	\$ 60,000	19/01/2023	Y	
Tracserv Pty Ltd T/as Tracserv	VP340947 - Please supply one Isuzu Single Cab Tipping Truck	\$ 92,714	20/01/2023	Y	
Water NSW	Statutory Charges for River Water Access and Usage	\$ 90,000	23/01/2023	Y	
Tracserv Pty Ltd T/as Tracserv	VP340949 - Please supply one Isuzu Single Cab Tipping Truck	\$ 221,394	01/02/2023	Y	
Tracserv Pty Ltd T/as Tracserv	VP340948 - Please supply one Isuzu Single Cab Tipping Truck	\$ 221,394	01/02/2023	Y	
Westrac Pty Ltd	VP340950 - Please supply one Caterpillar Multi Tyre Roller	\$ 254,217	09/02/2023	Y	
Civil Independence Industries Pty Ltd	VP341155 - AC Mill and Fill as Night Works - Wheeler lane Keswick	\$ 159,885	10/02/2023	Y	
Cadia Group	Precast Concrete Stormwater Products for Henty Drive	\$ 78,769	14/02/2023	Y	
Polpure Pty Ltd	Desludging from Lagoon 3 at JGWTP	\$ 110,921	14/02/2023	Y	
McNaught Group Pty Ltd	CAB render repair work- VP332081	\$ 65,450	17/02/2023	Y	
Ixom Operations Pty Ltd	Supply and delivery of 250 TON Ferric chloride at Dubbo	\$ 147,400	17/02/2023	Y	
Department of Regional NSW T/as NSW	PM Services - Macquarie Event Precinct - Shared Pathway	\$ 229,136	17/02/2023	Y	
Glenn Healey Constructions	Dubbo Showground - Pavilion Piazza - Centenary Kitchenette	\$ 57,543	17/02/2023	Y	
Redox Pty Ltd	Supply and delivery of 190 T Soda Ash at the Dubbo Water Treatment Plant	\$ 146,300	20/02/2023	Y	
BTX Group Pty Ltd	Supply and delivery of 58 Tonnes of PAC at the Dub	\$ 148,611	20/02/2023	Y	
Tesla Motors Australia Pty Ltd	Supply one Tesla Model 3 EV Sedan	\$ 65,700	22/02/2023	Y	
Tesla Motors Australia Pty Ltd	Supply one Tesla Model 3 EV Sedan	\$ 65,700	22/02/2023	Y	
Centium Pty Ltd	Stakeholder Consultancy Services - Service Review	\$ 50,000	22/02/2023	Y	
Balmoral Group Australia	BCSD1-0129 - Central West Orana Green Energy Hub Business Case	\$ 95,199	24/02/2023	Y	
Holcim (Australia) Pty Ltd	Roadbase HD FA	\$ 50,000	28/02/2023	Y	
Zoological Parks Board of NSW T/as	Regional NSW - BCSD1-0133 - Regional Hosp. Tourism Business Case	\$ 490,000	28/02/2023	Y	
OMNI Building Group Pty Ltd	Old Dubbo Gaol - Roof restoration project	\$ 92,900	01/03/2023	Y	
Cabonne Council	Water Access Charges - North Yeoval	\$ 80,099	02/03/2023	Y	
BOC Ltd	Supply and delivery of CO2 gas and vessels rental	\$ 100,000	02/03/2023	Y	
Ixom Operations Pty Ltd	Supply and delivery of 250 TON Ferric chloride	\$ 147,400	02/03/2023	Y	
Regional Quarries Australia Pty Ltd	Mewburn's Pit Crushing - Regional Quarries	\$ 76,589	02/03/2023	Y	
HIWAY Stabilizers Australia Pty Ltd	Supply of Labour, Plant & Equipment, & Stabilisation Product	\$ 182,918	02/03/2023	Y	
ArborCarbon Pty Ltd	Heat mapping and canopy assessment of Dubbo and Wellington Urban	\$ 74,777	03/03/2023	Y	
BTX Group Pty Ltd	Supply 250 Ton of Quicklime at the Dubbo WTP	\$ 142,931	06/03/2023	Y	
Department of Regional NSW T/as NSW	T22-004 - Proposal - Dubbo WTP Fluoride Upgrade Project	\$ 120,447	06/03/2023	Y	
GB Geotechnics Australia Pty Ltd	DWS025 - Macquarie River Underbore HDD investigation	\$ 104,385	08/03/2023	Y	
Trident Services Australia Pty Ltd	Airport - Screening Services Contract	\$ 684,200	08/03/2023	Y	
Environment Protection Authority	EPA Statutory Licence Fee for Dubbo STP Licence Number 3850	\$ 249,034	09/03/2023	Y	
Cadia Group	STORMWATER PIPES, HEADWALLS & CULVERTS	\$ 56,477	09/03/2023	Y	
Social Pinpoint Pty Ltd	The Hive Engagement Platform Year 1	\$ 109,461	20/03/2023	Y	
Country Wide Asphalt Pty Ltd	Site Establishment & disestablishment, The supply Bitumen & Stone	\$ 129,567	21/03/2023	Y	
Computer Systems Australia Pty Ltd	VMware Enterprise License Agreement - 1 Year Renew	\$ 60,690	21/03/2023	Y	
Dionysus Group Pty Ltd T/as Western	Engagement to manage Disaster Recovery claims	\$ 246,829	21/03/2023	Y	
Weiley Electrical Pty Ltd	Instrument calibration at Water Treatment Plants	\$ 87,010	22/03/2023	Y	
Department of Regional NSW T/as NSW	Concept and Technical Specification for Clarifier	\$ 96,382	22/03/2023	Y	
Jardine Lloyd Thompson T/as AssetVal	2023 asset revaluation	\$ 68,750	29/03/2023	Y	
McNamara Landscape Operations P/L T/as	Supply and Installation of Keswick Stage 5 Release 2 Street Trees	\$ 86,240	31/03/2023	Y	
Audio Plus Pty Ltd	DRTCC - Zactrack for stage lighting	\$ 98,416	31/03/2023	Y	

Notes:

1. Minimum reporting level is 1% of estimated income from continuing operations of Council or \$50,000 - whatever is the lesser.
2. Contracts listed are those entered into during the quarter being reported and exclude contractors on Council's Preferred Supplier list.
3. Contracts for employment are not required to be included.

Dubbo Regional Council
Quarterly Budget Review Statement
for the quarter ended 31 March 2023

8. Consultancy & legal expenses budget review statement

Consultancy & legal expenses overview

Expense	YTD expenditure (actual dollars)	Budgeted (Y/N)
Consultancies	473,809	Y
Legal Fees	257,944	Y

Definition of a consultant:

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

Dubbo Regional Council
Quarterly Budget Review Statement
for the quarter ended 31 March 2023

9. Income & expenses budget review statement

Income & expenses - Dubbo Regional Airport

(\$000's)	Original budget 2022/23	Approved Changes Sep Qtr	Changes Dec Qtr	Variations for this Mar Qtr	Projected year end result	Actual YTD figures
Income						
Rates and annual charges	-	-	-	-	-	-
User charges and fees	3,774	(24)	66	259	4,075	2,736
Other revenues	338	37	0	45	420	319
Grants and contributions - operating	240	192	115	(12)	534	685
Grants and contributions - capital	-	-	-	375	375	-
Interest and investment revenue	-	-	-	-	-	-
Net gain from disposal of assets	-	-	-	-	-	-
Share of interests in joint ventures	-	-	-	-	-	-
Total income from continuing operations	4,352	204	181	667	5,404	3,740
Expenses						
Employee benefits and on-costs	637	25	-	42	704	599
Materials and services	2,295	(7)	(21)	753	3,020	1,521
Borrowing costs	-	-	-	-	-	-
Depreciation and amortisation	1,497	-	787	-	2,284	1,843
Other expenses	301	-	(25)	0	276	247
Net Loss from disposal of assets	-	-	-	-	-	-
Total expenses from continuing operations	4,730	18	741	795	6,284	4,210
Net operating result from continuing operations	(378)	186	(560)	(129)	(880)	(471)
Net Operating Result before Capital Items	(378)	186	(560)	(504)	(1,255)	(471)

Dubbo Regional Council
Quarterly Budget Review Statement
for the quarter ended 31 March 2023

9. Income & expenses budget review statement

Income & expenses - Dubbo Regional Livestock Markets

(\$000's)	Original budget 2022/23	Approved Changes Sep Qtr	Changes Dec Qtr	Variations for this Mar Qtr	Projected year end result	Actual YTD figures
Income						
Rates and annual charges	-	-	-	-	-	-
User charges and fees	3,678	3	(683)	3	3,001	2,344
Other revenues	34	2	2	-	38	29
Grants and contributions - operating	-	-	-	-	-	-
Grants and contributions - capital	-	-	-	-	-	-
Interest and investment revenue	-	-	-	-	-	-
Net gain from disposal of assets	-	-	-	-	-	-
Share of interests in joint ventures	-	-	-	-	-	-
Total income from continuing operations	3,712	5	(681)	3	3,039	2,373
Expenses						
Employee benefits and on-costs	780	3	(9)	1	774	555
Materials and services	1,714	3	(117)	50	1,650	998
Borrowing costs	-	-	-	-	-	-
Depreciation and amortisation	1,285	-	448	-	1,733	1,340
Other expenses	181	1	3	-	185	98
Net Loss from disposal of assets	-	-	-	-	-	-
Total expenses from continuing operations	3,961	6	325	51	4,343	2,991
Net operating result from continuing operations	(249)	(0)	(1,007)	(48)	(1,304)	(617)
Net Operating Result before Capital Items	(249)	(0)	(1,007)	(48)	(1,304)	(617)

Dubbo Regional Council
Quarterly Budget Review Statement
for the quarter ended 31 March 2023

9. Income & expenses budget review statement

Income & expenses - Property and Land Development

(\$000's)	Original budget 2022/23	Approved Changes Sep Qtr	Changes Dec Qtr	Variations for this Mar Qtr	Projected year end result	Actual YTD figures
Income						
Rates and annual charges	-	-	-	-	-	-
User charges and fees	-	-	-	-	-	-
Other revenues	2	41	12	0	55	-
Grants and contributions - operating	-	-	-	-	-	-
Grants and contributions - capital	-	-	-	-	-	-
Interest and investment revenue	15	-	-	-	15	-
Net gain from disposal of assets	5,590	(2,345)	3,530	(6,775)	-	-
Share of interests in joint ventures	-	-	-	-	-	-
Total income from continuing operations	5,607	(2,304)	3,542	(6,775)	70	-
Expenses						
Employee benefits and on-costs	553	-	-	-	553	427
Materials and services	731	115	(323)	62	586	257
Borrowing costs	-	-	-	-	-	-
Depreciation and amortisation	-	-	-	-	-	25
Other expenses	173	-	(5)	(167)	1	1
Net Loss from disposal of assets	-	-	-	-	-	-
Total expenses from continuing operations	1,457	115	(328)	(105)	1,139	711
Net operating result from continuing operations	4,150	(2,419)	3,869	(6,670)	(1,069)	(711)
Net Operating Result before Capital Items	4,150	(2,419)	3,869	(6,670)	(1,069)	(711)

Dubbo Regional Council
Quarterly Budget Review Statement
for the quarter ended 31 March 2023

9. Income & expenses budget review statement

Income & expenses - Rainbow Cottage

(\$000's)	Original budget 2022/23	Approved Changes Sep Qtr	Changes Dec Qtr	Variations for this Mar Qtr	Projected year end result	Actual YTD figures
Income						
Rates and annual charges	-	-	-	-	-	-
User charges and fees	705	4	(197)	1	514	407
Other revenues	-	-	-	-	-	0
Grants and contributions - operating	549	-	212	64	825	658
Grants and contributions - capital	-	-	-	-	-	-
Interest and investment revenue	-	-	-	-	-	-
Net gain from disposal of assets	-	-	-	-	-	-
Share of interests in joint ventures	-	-	-	-	-	-
Total income from continuing operations	1,254	4	15	66	1,339	1,066
Expenses						
Employee benefits and on-costs	1,270	-	-	-	1,270	923
Materials and services	347	13	4	23	386	241
Borrowing costs	-	-	-	-	-	-
Depreciation and amortisation	73	-	(5)	-	69	55
Other expenses	19	-	(1)	2	20	15
Net Loss from disposal of assets	-	-	-	-	-	-
Total expenses from continuing operations	1,709	13	(2)	25	1,745	1,234
Net operating result from continuing operations	(455)	(9)	17	41	(406)	(168)
Net Operating Result before Capital Items	(455)	(9)	17	41	(406)	(168)

Dubbo Regional Council
Quarterly Budget Review Statement
for the quarter ended 31 March 2023

9. Income & expenses budget review statement

Income & expenses - Aquatic Leisure Centre

(\$000's)	Original budget 2022/23	Approved Changes Sep Qtr	Changes Dec Qtr	Variations for this Mar Qtr	Projected year end result	Actual YTD figures
Income						
Rates and annual charges	-	-	-	-	-	-
User charges and fees	932	-	71	(48)	955	898
Other revenues	-	-	-	-	-	0
Grants and contributions - operating	-	-	-	-	-	-
Grants and contributions - capital	-	-	-	-	-	-
Interest and investment revenue	-	-	-	-	-	-
Net gain from disposal of assets	-	-	-	-	-	-
Share of interests in joint ventures	-	-	-	-	-	-
Total income from continuing operations	932	-	71	(48)	955	898
Expenses						
Employee benefits and on-costs	1,412	0	20	379	1,811	1,519
Materials and services	526	27	-	44	597	584
Borrowing costs	9	-	-	-	9	5
Depreciation and amortisation	530	-	-	-	530	477
Other expenses	355	-	-	0	355	289
Net Loss from disposal of assets	-	-	-	-	-	-
Total expenses from continuing operations	2,832	27	20	423	3,302	2,873
Net operating result from continuing operations	(1,901)	(27)	51	(470)	(2,346)	(1,975)
Net Operating Result before Capital Items	(1,901)	(27)	51	(470)	(2,346)	(1,975)



REPORT: Councillor and Mayoral Fees - 2023/2024

DIVISION: Organisational Performance
REPORT DATE: 15 May 2023
TRIM REFERENCE: ID23/1074

EXECUTIVE SUMMARY

Purpose	Seek direction or decision	Fulfil legislated requirement
Issue	<ul style="list-style-type: none">The Local Government Remuneration Tribunal has handed down its determination in regard to Councillor and Mayoral Fees for 2023/2024.	
Reasoning	<ul style="list-style-type: none">In accordance with section 248 of the Local Government Act 1993, Council is required to pay each Councillor an annual fee.	
Financial Implications	Budget Area	Governance and Internal Control
	Funding Source	Members' Expenses
	Proposed Cost	Councillor Annual Fee to be set between minimum \$14,810 to maximum \$26,070. Additional Mayoral Annual Fee to be set between minimum \$30,820 to maximum \$64,390.
	Ongoing Costs	Total cost for all Councillors and Mayor will be between minimum \$178,920 to maximum \$325,090 pa. This is budgeted for in the Governance and Internal Control budget for Members' Expenses.
Policy Implications	Policy Title	There are no policy implications arising from this report
	Seek direction or decision	Fulfil legislated requirement

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: 4.2.3 A highly skilled, diverse and motivated workforce is maintained

RECOMMENDATION

- 1. 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 2023 be set at \$26,070.**
- 2. 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 2023 be set at \$64,390.**

Jane Bassingthwaight
Director Organisational Performance

SW
Governance Team Leader

BACKGROUND

In accordance with section 248 of the Local Government Act 1993, Council is required to pay each Councillor an annual fee. It further states that Council may fix the annual fee, and if it does, the annual fee must be in accordance with the appropriate determination of the Local Government Remuneration Tribunal.

It should also be noted that the annual fee must be the same for each Councillor, acknowledging that the Mayor also receives a Mayoral Fee in addition to the Councillor Fee and that if Council does not fix the annual fee, the minimum fee determined by the Remuneration Tribunal must be paid.

Section 239 of the Local Government Act (the Act) requires the Remuneration Tribunal to determine the categories of councils and mayoral offices at least once every three years. In 2020, the Tribunal determined that Dubbo Regional Council would be re-categorised as a Regional Centre Council, from Regional Rural Council.

REPORT

Consultation

Adopting the fees payable to Councillors is a legislative requirement. The Local Government Act 1993 requires the Local Government Remuneration Tribunal to report to the Minister for Local Government by 1 May each year on its determination of categories of councils and the maximum and minimum amounts of fees to be paid to Mayors and Councillors. The Tribunal conducts a review each year, including consultation. The results of this consultation are detailed in the Tribunal's Annual Report and Determination, 27 April 2023 (**Appendix 1**).

At the most recent review, the Tribunal determined a 3% per annum increase in the minimum and maximum fees applicable to each category.

For Regional Centre Councils, the Councillor Annual Fee is a minimum of \$14,810 and a maximum of \$26,070. The Mayor's additional fee is a minimum of \$30,820 and a maximum of \$64,390.

Resourcing Implications

- The Local Government Remuneration Tribunal has determined a 3% increase in both the minimum and maximum annual fees for Councillors and Mayors.
- The minimum fee payable to Councillors in a Regional Centre in 2023/2024 is \$14,810, and the maximum is \$26,070 (2022/2023 minimum was \$14,380 and maximum was \$25,310).
- The minimum additional fee payable to Mayors in a Regional Centre in 2023/2024 is \$30,820, and the maximum is \$64,390 (2022/2023 minimum was \$29,920 and maximum was \$62,510).
- The draft 2023/2024 Budget for Councillor fees and the Mayoral fee includes a 3 % increase on the previous financial year, which reflects the maximum fee as outlined above.

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	315,610	325,090	344,650*	351,160*	351,160*	351,160*
c. Operating budget impact (a – b)	-315,610	-325,090	-344,650*	-351,160*	-351,160*	-351,160*
d. Capital Expenditure	0	0				
e. Total net impact (c – d)	-315,610	-325,090	-344,650*	-351,160*	-351,160*	-351,160*
Does the proposal require ongoing funding?			Yes			
What is the source of this funding?			Continued budget required from Governance and Internal Control			

Table 1. Ongoing Financial Implications

Note - Current Year and Year + 1 based on 10 Councillors

**Year + 2 allows for an 11th Councillor following the September 2024 Local Government Election (9 months) and 11 Councillors for each full year after that. As the increase of fees is determined by Office of Local Government Remuneration Tribunal we cannot determine the increases for these years.*

Options Considered

- Council to resolve the setting of this fee within the range determined, as set out below.

For Councillors:

- Minimum is set as \$14,810
- Maximum is set at \$26,070

For Mayors:

- Minimum is set as \$30,820
- Maximum is set at \$64,390

Preferred Option

- It is proposed that council adopt the maximum fees as determined by the Local Government Remuneration Tribunal for 2023/2024 for Councillor and Mayoral Fees.

Planned Communications

- Upon adoption, the annual fees will be communicated to Council's payroll team so the changes can be implemented accordingly, commencing 1 July 2023.

Timeframe

Key Date	Explanation
1 July 2023	New fee comes into place
May 2024	The Tribunal's determination for 2024/2025 is expected

APPENDICES:

- 1 [↓](#) Annual Report and Determination - Local Government Remuneration Tribunal 2023/2024

**Local Government
Remuneration Tribunal**

Annual Determination

Report and determination under sections
239 and 241 of the Local Government Act
1993

27 April 2023



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Executive Summary

The *Local Government Act 1993* (the LG Act) requires the Local Government Remuneration Tribunal (the Tribunal) to report to the Minister for Local Government by 1 May each year on its determination of categories of councils and the maximum and minimum amounts of fees to be paid to mayors, councillors, and chairpersons and members of county councils.

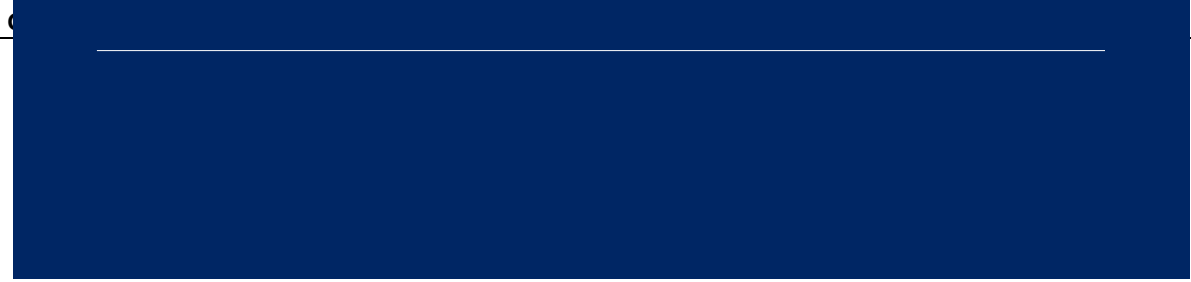
Categories

Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years.

In accordance with the LG Act the Tribunal undertook a review of the categories and allocation of councils into each category as part of this review.

Accordingly, the revised categories of general purposes councils are determined as follows:

Metropolitan	Non-Metropolitan
Principal CBD	Major Regional City
Major CBD	Major Strategic Area
Metropolitan Major	Regional Strategic Area
Metropolitan Large	Regional Centre
Metropolitan Medium	Regional Rural
Metropolitan Small	Rural Large
	Rural



Fees

The Tribunal determined a 3 per cent per annum increase in the minimum and maximum fees applicable to each category.

For the new categories, the Tribunal has determined fees having regard to the relevant factors and relativities of remuneration ranges for existing categories.

Twenty six (26) councils are recategorised into a higher existing category or placed in a new category.

Section 1 – Introduction

1. Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years. The Tribunal last undertook a significant review of the categories and the allocation of councils into each of those categories in 2020.
2. Section 241 of the LG Act provides that the Tribunal determine the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils for each of the categories determined under section 239.
3. Section 242A(1) of the LG Act requires the Tribunal to give effect to the same policies on increases in remuneration as those of the Industrial Relations Commission.
4. The Tribunal can also determine that a council can be placed in another existing or new category with a higher range of fees without breaching the Government's Wages Policy as per section 242A (3) of the LG Act.
5. Natural disasters have a significant impact on the way mayors in particular work. There is an increase on time demands from the community, and media during these events as well as an increase in workloads. Whilst it is worth noting these issues, it is not within the Tribunal's authority to determine additional remuneration in recognition of the increasing demands on a mayor's time for these events.
6. The Tribunal's determination takes effect from 1 July each year.

Section 2 – 2022 Determination

7. In 2022, the Tribunal received eight (8) submissions, which included five (5) requests for recategorisation. Three of these requests sought the creation of new categories.
8. The Tribunal found that the current categories and allocation of councils to these categories remained appropriate but noted that some councils may have a case for recategorisation at the next major review of categories in 2023.
9. The Tribunal determined that fees would increase 2 per cent in the minimum and maximum fees applicable to each category from 1 July 2022.

Section 3 – 2023 Review

2023 Process

10. The Tribunal's annual review commenced in October when it wrote to all councils inviting submissions regarding fees, categorisation and any other general matters. The invitation noted that it is expected that submissions are endorsed by the respective council.
11. The Tribunal also wrote to the President of Local Government NSW (LGNSW) inviting a submission.
12. The Tribunal received 18 written submissions, of which 15 were from individual councils, 1 submission from LGNSW, 1 from Australian National University academic, Associate Professor Tanya Jakimow, and 1 from the United Services Union (USU).
13. The Tribunal notes that 12 of the 15 council submissions were endorsed by the representative councils.
14. The Tribunal acknowledges and thanks all parties for their submissions.
15. Noting its comments in its reports of 2021 and 2022, the Tribunal met Central NSW Joint Organisation member representatives in Orange, and Far South West Joint Organisation member representatives in Broken Hill. The Tribunal also gave an overview of its work to a meeting of the Country Mayors' Association in Newcastle. While in Broken Hill the Tribunal met with LGNSW representatives.
16. The Tribunal and Assessors met as required to discuss submissions, review category criteria and allocation of councils

Categories

17. Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every three years. The Tribunal last reviewed the categories in 2020.
18. In determining categories, the Tribunal is required to have regard to the following matters that are prescribed in Section 240 of the LG Act:
- *the size of areas;*
 - *the physical terrain of areas;*
 - *the population of areas and the distribution of the population;*
 - *the nature and volume of business dealt with by each council;*
 - *the nature and extent of the development of areas;*
 - *the diversity of communities served;*
 - *the regional, national and international significance of the council;*
 - *such matters as the Remuneration Tribunal considers relevant to the provision of efficient and effective local government; and*
 - *such other matters as may be prescribed by the regulations.*
19. The 2020 Determination established the following categories:

Metropolitan	Non-Metropolitan
Principal CBD	Major Regional City
Major CBD	Major Strategic Area
Metropolitan Large	Regional Strategic Area
Metropolitan Medium	Regional Centre

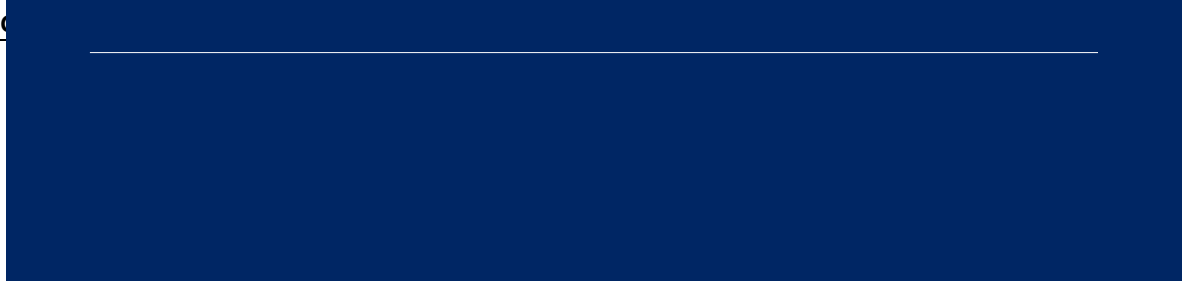
Metropolitan Small Regional Rural

Rural

20. For its 2023 review, the Tribunal undertook an extensive examination of the categories, criteria and allocation of councils into each of the categories.
21. The Tribunal examined statistical and demographical data, with population data sourced from Australian Bureau of Statistics (ABS) 2021 Census (the latest available data).
22. Having regard to section 239 of the LG Act, information examined and provided through submissions, the Tribunal has determined the categories of general purpose councils as follows:

Metropolitan	Non-Metropolitan
Principal CBD	Major Regional City
Major CBD	Major Strategic Area
Metropolitan Major	Regional Strategic Area
Metropolitan Large	Regional Centre
Metropolitan Medium	Regional Rural
Metropolitan Small	Rural Large
	Rural

23. In reviewing the current model, the Tribunal sought to improve consistency of criteria.
24. In examining the criteria for each of the categories, the Tribunal is of the view that non-resident population criteria should also be included for consistency in the following categories:



- Major Strategic Area
 - Regional Strategic Area
 - Regional Centre
 - Regional Rural
25. Three (3) councils will be reclassified as a result of meeting criteria thresholds into an existing category.
26. The Tribunal has determined the creation of two (2) new categories, being Metropolitan Major and Rural Large.
27. In determining the 2 new categories the Tribunal gave significant consideration to section 239 of the LG Act, statistical data, the existing categories and relativities between each category.
28. It was determined that the existing Rural category did not differentiate between large and small rural councils, in population, size, and terrain. Evidence demonstrated that a number of Rural councils are large in geographic area, requiring great distances to be covered. The Tribunal also examined a range of data that it believes goes to the delivery of efficient and effective local government.
29. Hence a new category Rural Large is created. The determination is amended to reflect the new category and criteria that includes a population greater than ten thousand, and a councillor to resident ratio of 1 to 1200. The Tribunal notes there are a number of Rural councils on the cusp of this new category.
30. The revised category also shows more clearly the differences for large rural and remote councils. It is becoming apparent these councils require

different considerations regarding the role Mayors and Councillors in servicing the community across such large distances.

31. Evidence reviewed established the need to differentiate between some Large Metropolitan councils. Comparison data reviewed included population, operating revenue, and submission evidence relevant to section 239 of the LG Act. This examination further exposed the gap between Metropolitan Large and Major CBD categories, thus resulting in the Tribunal establishing a new category to bridge the gap.
32. The determination is amended to reflect a new category, Metropolitan Major, with a population criteria threshold of 400,000 (including non-resident).
33. Accordingly, the Tribunal has identified a number of councils that will be recategorised into these new categories.
34. Given the relativities in population threshold criteria, the Tribunal is of the view that the population criteria for Regional Strategic Area be adjusted from 200,00 down to 100,000.
35. As a result, three (3) councils will be reclassified as Regional Strategic.
36. Whilst the Tribunal did explore additional criteria points that may go to efficient and effective local government, within the bounds of statutory provisions no further changes to the criteria could be determined in this review.
37. The category County Councils remain unchanged, retaining the categories of Water and Other.

38. **Appendix 1 Criteria that apply to categories** has been amended to reflect changes outlined above.

Submissions Received – Categorisation

39. Nine (9) submissions received from councils requested recategorisation and five (5) of these requested the creation of new categories.
40. A summary of matters raised in submissions and the Tribunal's consideration of those matters is outlined below

Request for New Categories

41. Requests were received for the creation of new categories namely, Metropolitan Large Growth Area, Metropolitan Major, Metropolitan Medium Growth and Regional Growth.
42. Blacktown City Council again requested the creation of a new category, Metropolitan Large - Growth Area. Council stated its current categorisation in Metropolitan Large "*does not reflect the complexities of servicing their rapid rate of growth and economic influence*".
43. Blacktown City Council contends that a new category would allow a criteria to be set that reflects:
- Size
 - Rate of growth
 - Economic influence
 - Operational budget

- Complexities of remaining financially sustainable whilst maintaining services and providing new infrastructure

44. Penrith Council reiterated previous submissions, again requesting the creation of a new category, Metropolitan Large Growth Centre. Council argues they are unique compared to other similar sized councils, providing significant regional services to Greater Western Sydney.
45. Penrith Council contends its claim for creation and inclusion in a new category is enhanced through their leading role in the region demonstrating the exponential growth that will occur in the Penrith Local Government area. Council submits they are playing a leading role in several significant city-shaping projects and initiatives such as:
 - Western Sydney Airport
 - Western Sydney Priority Growth Area
 - Penrith Health and Education Precinct
 - The Greater Sydney Commission District planning process
 - National Growth Areas Alliance
 - Sydney Science Park
 - Defence Industries Precinct and
 - South Creek Corridor
46. While the Tribunal understands that areas of Western Sydney are developing rapidly, not least with the new airport and associated infrastructure it is not persuaded to create a new category, Metropolitan Large - Growth Area/Centre. These councils are experiencing growth and will in the future have populations of residents and non-residents that meet the thresholds for recategorisation. It is not within the Tribunal's legislative

remit to anticipate growth. However as dealt with earlier in this determination, the Tribunal acknowledges the need for a new Metropolitan category to reflect increasing population and bridge gap between current categories, Metropolitan Large and Major CBD.

47. Canterbury Bankstown Council proposed the creation of a new category, Metropolitan Major, that would sit in between current category of Metropolitan Large and Major CBD.
48. Council based its argument for a new category on the following grounds:
 - Categories need to have consistent criteria
 - A new category of Metropolitan Major would capture increased population and workloads post amalgamation process
 - New criteria should be based on population size and councillor to resident ratio
 - Councils size, with a current population of 372,322 across five wards
 - Population and distribution of population
 - Councils' area and physical terrain
 - Diversity of communities served
 - Nature and volume of business dealt with by Council
49. Council proposed a new criteria could include population threshold and councillor to resident ratio, with thresholds being 350,000 and 1 to 24,000.
50. The Tribunal considered the suggested criteria of a councillor to resident ratio for all categories. Whilst the Tribunal has included this criteria for

Rural Large category, it has not included it for all categories. It may warrant further consideration for other categories in future reviews.

51. The Tribunal is persuaded to include a new category, Metropolitan Major, with a population criteria threshold of 400,000 in the determination.
52. Camden Council's submission requests the creation of a growth category for Metropolitan Medium councils. They argue the proposed new category would allow criteria to be established to better reflect their growth rate, economic influence and complexities involved in servicing growth.
53. Council proposes the new category be called Metropolitan Medium – Growth Area. Council submits that its inclusion into this new category is based on the following:
 - Population growth
 - Development corridors
 - Growing assets and major infrastructure
 - Major services and institutions
54. The Tribunal has already determined a new metropolitan category, taking into account population and relatives in population between existing categories. It is not persuaded to include another new metropolitan category.
55. Maitland City Council requested the creation of a new category, Regional Growth Area to bridge the gap between Regional Centre and Regional Strategic.
56. Council based its argument for a new category on the following grounds:

- Maitland is the fastest growing regional city in NSW
- significant role in accommodation growth
- Council being an emerging health centre, with the \$470 million investment in the new Maitland Hospital
- Significant role in delivery of state goals, including Greater Newcastle Metropolitan Plan 2036 and a state partner in infrastructure delivery including roads and facilities

57. Council also contends the current categorisation model for non-metropolitan is inadequate. It argues that the application of the population criteria is flawed as increments initially rise by 20,000 before leaping up by 160,000.
58. The current population criteria thresholds for non-metropolitan councils are outlined in the table below:

Category	Population Criteria
Rural	<20,000
Regional Rural	>20,000
Regional Centre	>40,000
Regional Strategic Area	>200,000
Major Strategic Area	>300,000

59. The Tribunal has considered the issues raised in Council's submission but is not persuaded for reasons noted earlier for anticipation of growth versus actual population, to create a new category, Regional Growth Area.

60. The Tribunal acknowledges the point made in Council's submission regarding incremental increases for non-metropolitan categories population criteria.
61. As outlined earlier the Tribunal has determined to change the population criteria for Regional Strategic from 200,000 to 100,000. This will result in Maitland Council being reclassified.

Requests for Recategorisation

62. The Tribunal received four (4) requests for recategorisation. Liverpool, Byron, Tweed and Burwood Councils put forward individual cases for recategorisation for the Tribunal's consideration.
63. A summary of council's requests and the Tribunal's findings are outlined in the paragraphs below.
64. Liverpool Council requested to be reclassified from their current classification of Metro Large to Major CBD category. Liverpool Council's case to be included in Major CBD category is based on the following grounds:
- Population forecast to grow by 59.23% in the next 20 years from 242,817 to 386,646
 - A GDP estimated at \$13.03 billion, with 91,000 jobs in the LGA
 - Significant development in the LGA that includes new council offices and chambers, new city library, childcare facility, and the \$106 million Liverpool Quarter development consisting of retail, commercial, food and beverage spaces

- Liverpool being an integral part of Western Sydney Deal to deliver transformative change
- Liverpool being home to several significant infrastructure projects, including Western Sydney Airport, Western Sydney Infrastructure plan, Holsworthy Barracks and Liverpool Hospital upgrades
- Diversity of population

65. The Tribunal notes that the current criteria for Major CBD remains unchanged. It includes being a major provider of business and government services, and secondary CBD to metropolitan Sydney.
66. Having regard to section 239 of the LG Act, the criteria, the submission put forward, and for reasons outlined earlier in regard to anticipated growth versus actual growth, the Tribunal is not persuaded to include Liverpool Council in Major CBD category.
67. Byron Shire Council requested to be reclassified from their current category of Regional Rural into Regional Centre.
68. Council noted, based on ABS 2021 census data, with a population of 36,077, it is on the cusp of reaching the population threshold of 40,000 residents.
69. Council believes they meet several other additional criteria that supports their case for reclassification. Council's request is based on the following grounds:
 - Non-resident population of 4,817 travel from surrounding locations to work in the LGA

- A population growth increase of 7.2% over the last 5 years, which is above the state increase of 5.3%
- Proximity to Gold Coast and Ballina/Byron airports
- Byron being home to internationally renowned Hinterland region
- Byron being home to a large number of festivals and events

70. As outlined earlier in this determination, the criteria for Regional Centre has been amended to include non-resident population as a criteria point.

71. This result is Byron Shire Council will be reclassified to Regional Centre.

72. Tweed Shire Council once again requested reclassification from Regional Centre to Regional Strategic Area on the following grounds:

- Proximity to Sydney via Gold Coast airport
- Proximity to Brisbane and Gold Coast
- Tweed being a major city centre and population centre for Northern Rivers Joint Organisation
- Tweed being the largest employer and strongest growth area in the Northern Rivers
- The construction of new state of the art Tweed Valley Hospital due to open in late 2023

73. Tweed Shire Council will be reclassified as a result of changes to Regional Strategic Area criteria outlined earlier in this determination.

74. Burwood Council requested to be reclassified from their current classification of Metropolitan Small to Metropolitan Medium. Council acknowledged that they do not currently meet the population criteria to be

placed into the requested category. The criteria as outlined in the 2022 Determination, Appendix 1 of the criteria that apply to categories states

“Councils categorised as Metropolitan Medium will typically have a minimum residential population of 100,000.”

75. If Burwood Council's non-resident working population was included, the total population would be 53,435 well short of exceeding the population threshold for Metropolitan Medium.
76. Further examination demonstrates that Burwood council does not meet the broader criteria for Metropolitan Medium. Accordingly, Burwood Council will remain in current classification of Metropolitan Small.
77. The matters raised generally in submissions of Berrigan, Cowra, Inner West, Kur-ring-gai, Singleton and Temora Councils are outside of the scope of the Tribunal statutory functions, but in the view of the Tribunal are worthy of further consideration. These matters relate to the current remuneration principles and structures that apply to mayors and councillors in NSW and the potential impacts of these constraints. These are discussed further below.

Section 4 – 2023 Fees

78. In determining the maximum and minimum fees payable in each of the categories, the Tribunal is required by section 242A of the LG Act, to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under section 146C of the *Industrial Relations Act 1996* (IR Act), when making or varying awards or orders relating to the conditions of employment of public sector employees.
79. Pursuant to section 146C (1) (a) of the IR Act, the current government policy on wages is expressed in the Industrial Relations (Public Sector Conditions of Employment) Regulation 2014 (IR Regulation). The IR Regulation provides that public sector wages cannot increase by more than 3 per cent per annum and the tribunal therefore has the discretion to determine an increase of up to 3 per cent per annum.
80. Four (4) submissions received addressed the issue of the fees quantum increase. These submissions sought an increase of 2.5% or greater.
81. The LGNSW submission requested that the Tribunal increase fees by the maximum 3 per cent, but further argued that the maximum increase is *“inadequate and does not address the historic undervaluation of work performed by elected representatives and the substantial responsibility associated with local government.”*
82. LGNSW used economic and wage data to support their argument, that included:
- Consumer Price Index (CPI)
 - National and State Wage cases
 - Market comparability

83. LGNSW in their meeting with The Tribunal and Assessors, further emphasised that remuneration for Councillors and Mayors has been reduced in real terms due to impacts of inflation and capping of remuneration increases.
84. The Tribunal received a late submission from the USU, advocating for the maximum increase to be applied. The USU argued that all work carried out in local government needed to be fairly remunerated and reflect the rise in cost of living.
85. Whilst only five of the eighteen submissions received addressed the issue of quantum increase of fees, more than half of the submissions provided commentary on a range of remuneration issues.
86. Submissions suggested that the current remuneration structure is inadequate and requires further review. It has been suggested that the current remuneration structure does not adequately reflect:
- Role, responsibilities, and commitment required to perform functions successfully
 - Workloads
 - Complexity of role
 - Commitment and skills required
 - Fairness
87. Furthermore, it has been suggested that the low level of remuneration is a barrier to encouraging participation and diversity of candidates that reflects communities.

88. Associate Professor Jakimow of the Australian National University provided a detailed submission outlining the negative impacts of inadequate remuneration. The substance of the submission is that current remuneration levels do not adequately reflect the hours and complexity of work. Furthermore, low remuneration is a barrier to participation and diversity.
89. Associate Professor Jakimow argues that:
- “inadequate pay has significant negative consequences: low quality local democracy, an unacceptable burden on councillors and their families, and poor councillor diversity.”*
90. A number of submissions provided comparison data to demonstrate that the current remuneration principles and structure are not reflective of time, skills and competencies required to effectively perform the roles of councillor and mayor.
91. Comparisons were made to State and Federal parliamentary members, councillors and mayors in the Queensland and Victorian local government jurisdictions, average remuneration of a chairperson of a board, not for profit organisations and national minimum wage. The basis of the argument is that NSW mayor and councillors are paid below these organisations.
92. One submission noted that legislative change would be required to change remuneration model.
93. The Tribunal acknowledges issues raised in submissions regarding remuneration principles, structure and potential impacts. Many of these issues are worth serious consideration, they are however not currently

within the Tribunal's remit. The Tribunal concludes these matters should be given further investigation and consideration.

94. The Tribunal has considered key economic indicators, including the Consumer Price Index and Wage Price Index, and has determined that the full 3 per cent increase will apply to the minimum and maximum fees applicable to existing categories.
95. As an initial determination, the ranges for new categories are not subject to the wages policy. Future increases in those categories, as is the case for existing categories, will be subject to wages policy in accordance with section 242A(4) of the LG Act.
96. The minimum and maximum fees for the new categories have been determined having regard to the relativities of existing categories

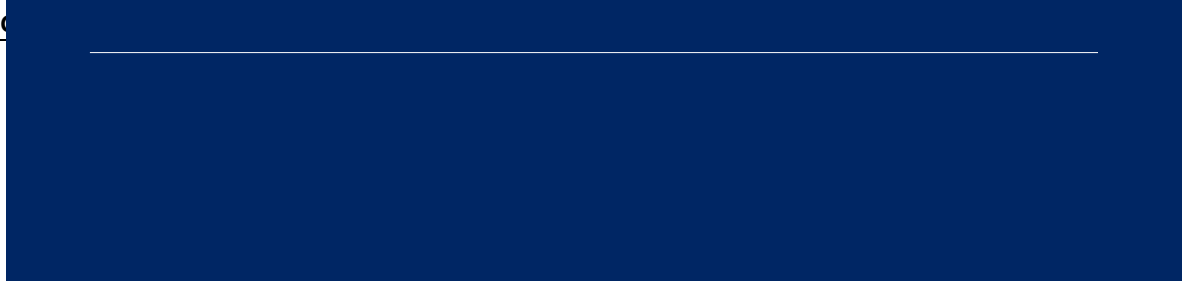
Time for Fresh Thinking

97. Submissions made to the 2023 review and the Tribunal's own conclusions from evidence it has examined, suggest that there are significant issues underlying the concerns raised about mayor and councillor remuneration. It is apparent to the Tribunal that those issues which include a lack of diversity in representation, changing nature of work required to be undertaken and changed community expectations cannot be easily resolved under the existing framework. In the Tribunal's view, there would be merit in a comprehensive review of the framework for mayor and councillor remuneration.
98. The criteria under which the Tribunal makes these determinations has



been in existence since 1994 and at that time NSW had 177 Councils.
Much has changed over the past 30 years, but the criteria has not.

99. As noted earlier in this determination the Tribunal and Assessors met with two Joint Organisation member representatives. While much of what was discussed has been dealt with in this determination it is worthy for the record to restate the view of LGNSW of the *“need for major reform”*.
100. Key themes and issues raised during discussions by mayors, councillors and general managers with the Tribunal and Assessors include:
- Changes to ways of working including expectations of increased use of social media and online platforms (“always on” expectations from constituents)
 - Impacts of future development
 - Impact of changes to legislation and regulation on workload
 - Serving constituents in regional centres, country areas regional areas, rural and remote areas
 - Remuneration principles
 - Natural Disasters including floods, fires, mice, locusts and tragedies generally
 - Confusion in roles and responsibilities – need for compulsory and consistent training of candidates prior to election and induction of those elected



- Popularly elected mayors and two-year mayoral terms and the role of the Deputy Mayor when a mayor is absent, as distinct from temporarily unavailable
- Questioning whether the guidelines by the Office of Local Government for the payment of expenses and the provision of facilities for mayors and councillors that were issued in 2009 are still fit for purpose. There appears to be significant variation in the interpretation of the guidelines and subsequent council policies
- The optional payment of superannuation being used for political purposes
- Paid parental leave for councillors
- Is remuneration holding back quality candidates or are behavioural issues – both in and out of meeting environment
- Parity in the payment differential in existing categories between councillors and mayors
- A possible alignment in categories of councillor to resident and ratepayer ratios and rateable property ratios
- Clarity in the payment of fees for chairpersons and voting members of Joint Organisations for additional workloads

101. Diversity was a strong theme heard by the Tribunal, both diversity of communities served and diversity of representation. We heard that

younger people, women, Aboriginal and Torres Strait Islander people and members of culturally and linguistically diverse communities among others, are underrepresented in many councils.

102. The Tribunal acknowledges that it is not within its authority to address many of the issues that were raised in submissions.
103. The Tribunal is not suggesting a fundamental review of the role of councillors and notes that people enter local government representation from a sense of civic service rather than for remuneration.

Conclusion

104. The Tribunal is of the view that a broader consideration is required of the matters raised in this determination. If the Minister decided to refer these matters under section 238 (2) of the LG Act the Tribunal would be willing to assist noting that it would require considerable consultation with the sector and access to suitable resources from Government.
105. The Tribunal's determinations have been made with the assistance of the Assessors Ms Kylie Yates, Gail Connolly PSM (in her role as Acting Deputy Secretary) and Mr Brett Whitworth.
106. It is the requirement of the Tribunal that in the future all submissions have council endorsement.
107. Determination 1 outlines the allocation of councils into each of the categories as per section 239 of the LG Act.
108. Determination 2 outlines the maximum and minimum fees paid to



councillors and mayors and members and chairpersons of county councils
as per section 241 of the LG Act.

109. The Tribunal acknowledges and thanks the secretariat for their excellent
research and support in completing the 2023 determination.

Viv May PSM

Local Government Remuneration Tribunal

Dated 27 April 2023

Section 5 – Determinations

Determination No. 1 – Allocation of councils into each of the categories as per section 239 of the LG Act effective 1 July 2023

General Purpose Councils – Metropolitan

Principal CBD (1)

- Sydney

Major CBD (1)

- Parramatta

Metropolitan Major (2)

- Blacktown
- Canterbury-Bankstown

Metropolitan Large (10)

- Bayside
- Cumberland
- Fairfield
- Inner West
- Liverpool
- Northern Beaches
- Penrith
- Ryde
- Sutherland
- The Hills

Metropolitan Medium (8)

- Campbelltown
- Camden
- Georges River
- Hornsby
- Ku-ring-gai
- North Sydney
- Randwick
- Willoughby

Metropolitan Small (8)

- Burwood
- Canada Bay
- Hunters Hill
- Lane Cove
- Mosman
- Strathfield
- Waverley
- Woollahra

General Purpose Councils - Non-Metropolitan

Major Regional City (2)

- Newcastle
- Wollongong

Major Strategic Area (1)

- Central Coast

Regional Centre (23)

- Albury
- Armidale
- Ballina
- Bathurst
- Blue Mountains
- Byron
- Cessnock
- Clarence Valley
- Coffs Harbour
- Dubbo
- Eurobodella
- Hawkesbury

Regional Strategic Area(4)

- Lake Macquarie
- Maitland
- Shoalhaven
- Tweed
- Lismore
- Mid-Coast
- Orange
- Port Macquarie-Hastings
- Port Stephens
- Queanbeyan-Palerang
- Shellharbour
- Tamworth
- Wagga Wagga
- Wingecarribee
- Wollondilly

Regional Rural (12)

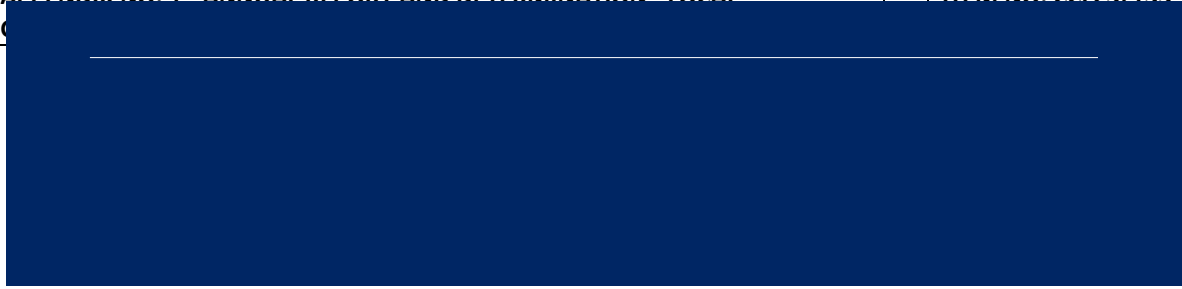
- Bega
- Broken Hill
- Goulburn Mulwaree
- Griffith
- Kempsey
- Kiama
- Lithgow
- Mid-Western
- Nambucca
- Richmond Valleys
- Singleton
- Snowy Monaro

Rural Large (18)

- Bellingen
- Cabonne
- Cootamundra-Gundagai
- Cowra
- Federation
- Greater Hume
- Gunnedah
- Hilltops
- Inverell
- Leeton
- Moree Plains
- Murray River
- Muswellbrook
- Narrabri
- Parkes
- Snowy Valleys
- Upper Hunter
- Yass

Rural (38)

- Balranald
- Berrigan
- Bland
- Blayney
- Bogan
- Bourke
- Brewarrina
- Carrathool
- Central Darling
- Cobar
- Coolamon
- Coonamble
- Dungog
- Edward River
- Forbes
- Gilgandra



- Glen Innes Severn
- Gwydir
- Hay
- Junee
- Kyogle
- Lachlan
- Liverpool Plains
- Lockhart
- Murrumbidgee
- Narrandera
- Narromine
- Oberon
- Temora
- Tenterfield
- Upper Lachlan
- Uralla
- Walcha
- Walgett
- Warren
- Warrumbungle
- Weddin
- Wentworth

County Councils

Water (4)

- Central Tablelands
- Goldenfields Water
- Riverina Water
- Rous

Other (6)

- Castlereagh-Macquarie
- Central Murray
- Hawkesbury River
- New England Tablelands
- Upper Hunter
- Upper Macquarie

Determination No. 2 - Fees for Councillors and Mayors as per section 241 of the LG Act effective from 1 July 2023

The annual fees to be paid in each of the categories to Councillors, Mayors, Members and Chairpersons of County Councils effective on and from 1 July 2023 as per section 241 of the *Local Government Act 1993* are determined as follows:

Table 4: Fees for General Purpose and County Councils

General Purpose Councils – Metropolitan

Councillor/Member Annual Fee (\$) effective 1 July 2023

Category	Minimum	Maximum
Principal CBD	29,610	43,440
Major CBD	19,760	36,590
Metropolitan Major	19,760	34,590
Metropolitan Large	19,760	32,590
Metropolitan Medium	14,810	27,650
Metropolitan Small	9,850	21,730

Mayor/Chairperson Additional Fee* (\$) effective 1 July 2023

Category	Minimum	Maximum
Principal CBD	181,210	238,450
Major CBD	41,960	118,210
Metropolitan Major	41,960	106,960
Metropolitan Large	41,960	94,950
Metropolitan Medium	31,470	73,440
Metropolitan Small	20,980	47,390

General Purpose Councils - Non-Metropolitan

Councillor/Member Annual Fee (\$) effective 1 July 2023

Category	Minimum	Maximum
Major Regional City	19,760	34,330
Major Strategic Area	19,760	34,330
Regional Strategic Area	19,760	32,590
Regional Centre	14,810	26,070
Regional Rural	9,850	21,730
Rural Large	9,850	17,680
Rural	9,850	13,030

Mayor/Chairperson Additional Fee* (\$) effective 1 July 2023

Category	Minimum	Maximum
Major Regional City	41,960	106,960
Major Strategic Area	41,960	106,960
Regional Strategic Area	41,960	94,950
Regional Centre	30,820	64,390
Regional Rural	20,980	47,420
Rural Large	15,735	37,925
Rural	10,490	28,430

County Councils

Councillor/Member Annual Fee (\$) effective 1 July 2023

Category	Minimum	Maximum
Water	1,960	10,870
Other	1,960	6,490

Mayor/Chairperson Additional Fee* (\$) effective 1 July 2023

Category	Minimum	Maximum
Water	4,200	17,850
Other	4,200	11,860

*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2))



Viv May PSM

Local Government Remuneration Tribunal

Dated 27 April 2023

Appendices

Appendix 1 Criteria that apply to categories

Principal CBD

The Council of the City of Sydney (the City of Sydney) is the principal central business district (CBD) in the Sydney Metropolitan area. The City of Sydney is home to Sydney's primary commercial office district with the largest concentration of businesses and retailers in Sydney. The City of Sydney's sphere of economic influence is the greatest of any local government area in Australia.

The CBD is also host to some of the city's most significant transport infrastructure including Central Station, Circular Quay and International Overseas Passenger Terminal. Sydney is recognised globally with its iconic harbour setting and the City of Sydney is host to the city's historical, cultural and ceremonial precincts. The City of Sydney attracts significant visitor numbers and is home to 60 per cent of metropolitan Sydney's hotels.

The role of Lord Mayor of the City of Sydney has significant prominence reflecting the CBD's importance as home to the country's major business centres and public facilities of state and national importance. The Lord Mayor's responsibilities in developing and maintaining relationships with stakeholders, including other councils, state and federal governments, community and business groups, and the media are considered greater than other mayoral roles in NSW.

Major CBD

The Council of the City of Parramatta (City of Parramatta) is the economic capital of Greater Western Sydney and the geographic and demographic centre of Greater Sydney. Parramatta is the second largest economy in NSW (after Sydney CBD) and the sixth largest in Australia.

As a secondary CBD to metropolitan Sydney the Parramatta local government area is a major provider of business and government services with a significant number of organisations relocating their head offices to Parramatta. Public administration and safety have been a growth sector for Parramatta as the State Government has promoted a policy of moving government agencies westward to support economic development beyond the Sydney CBD.

The City of Parramatta provides a broad range of regional services across the Sydney Metropolitan area with a significant transport hub and hospital and educational facilities. The City of Parramatta is home to the Westmead Health and Medical Research precinct which represents the largest concentration of hospital and health services in Australia, servicing Western Sydney and providing other specialised services for the rest of NSW.

The City of Parramatta is also home to a significant number of cultural and sporting facilities (including Sydney Olympic Park) which draw significant domestic and international visitors to the region.

Metropolitan Major

Councils categorised Metropolitan Major will typically have a minimum residential population of 400,000.

Councils may also be categorised Metropolitan Major if their residential population combined with their non-resident working population exceeds 400,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$300M per annum
- the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- significant industrial, commercial and residential centres and development corridors
- high population growth.

Councils categorised as Metropolitan Major will have a sphere of economic influence and provide regional services considered to be greater than those of other metropolitan councils.

Metropolitan Large

Councils categorised as Metropolitan Large will typically have a minimum residential population of 200,000.

Councils may also be categorised as Metropolitan Large if their residential population combined with their non-resident working population exceeds 200,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$200M per annum
- the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- significant industrial, commercial and residential centres and development corridors
- high population growth.

Councils categorised as Metropolitan Large will have a sphere of economic influence and provide regional services considered to be greater than those of other metropolitan councils.

Metropolitan Medium

Councils categorised as Metropolitan Medium will typically have a minimum residential population of 100,000.

Councils may also be categorised as Metropolitan Medium if their residential population combined with their non-resident working population exceeds 100,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$100M per annum
- services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- industrial, commercial and residential centres and development corridors
- high population growth.

The sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Large councils.

Metropolitan Small

Councils categorised as Metropolitan Small will typically have a residential population less than 100,000.

Other features which distinguish them from other metropolitan councils include:

- total operating revenue less than \$150M per annum.

While these councils may include some of the facilities and characteristics of both Metropolitan Large and Metropolitan Medium councils the overall sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Medium councils.

Major Regional City

Newcastle City Council and Wollongong City Councils are categorised as Major Regional City. These councils:

- are metropolitan in nature with major residential, commercial and industrial areas
- typically host government departments, major tertiary education and health facilities and incorporate high density commercial and residential development

- provide a full range of higher order services and activities along with arts, culture, recreation, sporting and entertainment facilities to service the wider community and broader region
- have significant transport and freight infrastructure servicing international markets, the capital city and regional areas
- have significant natural and man-made assets to support diverse economic activity, trade and future investment
- typically contain ventures which have a broader State and national focus which impact upon the operations of the council.

Major Strategic Area

Councils categorised as Major Strategic Area will have a minimum population of 300,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum

- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Central Coast Council meets the criteria to be categorised as a Major Strategic Area. Its population, predicted population growth, and scale of the Council's operations warrant that it be differentiated from other non-metropolitan councils. Central Coast Council is also a significant contributor to the regional economy associated with proximity to and connections with Sydney and the Hunter Region.

Regional Strategic Area

Councils categorised as Regional Strategic Area are differentiated from councils in the Regional Centre category on the basis of their significant population and will typically have a residential population above 100,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum

- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Lake Macquarie Council meets the criteria to be categorised as a Regional Strategic Area. Its population and overall scale of council operations will be greater than Regional Centre councils.

Regional Centre

Councils categorised as Regional Centre will typically have a minimum residential population of 40,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- a large city or town providing a significant proportion of the region's housing and employment
- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$100M per annum
- the highest rates of population growth in regional NSW

- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Councils in the category of Regional Centre are often considered the geographic centre of the region providing services to their immediate and wider catchment communities.

Regional Rural

Councils categorised as Regional Rural will typically have a minimum residential population of 20,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- a large urban population existing alongside a traditional farming sector, and are surrounded by smaller towns and villages
- health services, tertiary education services and regional airports which service a regional community
- a broad range of industries including agricultural, educational, health, professional, government and retail services
- large visitor numbers to established tourism ventures and events.

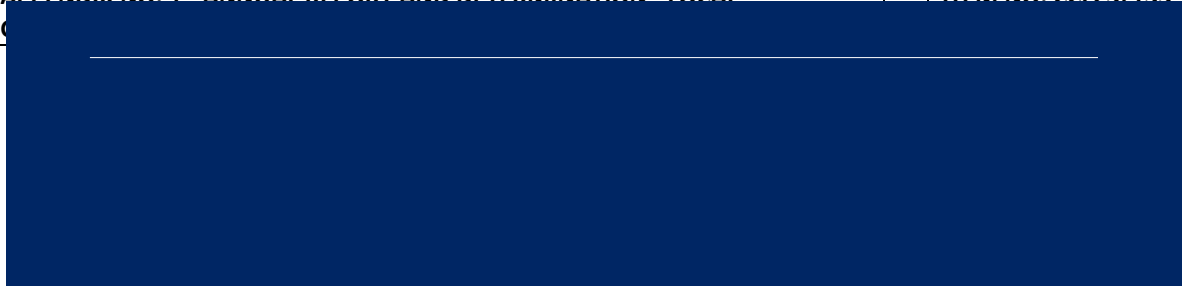
Councils in the category of Regional Rural provide a degree of regional servicing below that of a Regional Centre.

Rural Large

Councils categorised as Rural Large will have a residential population greater than 10,000, and a councillor to resident ratio of at least 1 to 1200.

Other features may include:

- one or two significant townships combined with a considerable dispersed population spread over a large area and a long distance from a major regional centre
- a limited range of services, facilities and employment opportunities compared to Regional Rural councils
- local economies based on agricultural/resource industries.



Rural

Councils categorised as Rural will typically have a residential population less than 10,000.

County Councils - Water

County councils that provide water and/or sewerage functions with a joint approach in planning and installing large water reticulation and sewerage systems.

County Councils - Other

County councils that administer, control and eradicate declared noxious weeds as a specified Local Control Authority under the Biosecurity Act 2015.



REPORT: Execution of Compulsory Acquisition of Crown Land for Public Road, Upgrade of Goolma Road and Twelve Mile Road Intersection

DIVISION: Organisational Performance
REPORT DATE: 7 May 2023
TRIM REFERENCE: ID23/1012

EXECUTIVE SUMMARY

Purpose	Seek decision
Issue	<ul style="list-style-type: none">• Execute the compulsory acquisition of Crown Land from the Wellington Correctional Centre for public road, for the upgrade of Goolma Road and Twelve Mile Road intersection.• Making of the application to the Minister for Local Government to issue the Proposed Acquisition Notice(s) under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> (LAJTC Act 1991).• Making of the application to the Governor of NSW for the Publication of an Acquisition Notice in the NSW Government Gazette under the LAJTC Act 1991.• Delegating to the Chief Executive Officer (CEO) the power to negotiate, execute and finalise any applications, notices, documents and compensation claims that are required to complete the compulsory acquisition process.
Reasoning	<ul style="list-style-type: none">• For Council to make the specific resolution that is required for Council to execute the compulsory acquisition of Lots 11, 12 and 13 in Deposited Plan 1292444 for the purpose of Public Road under the <i>Roads Act 1993</i>.• For Council to note that Council staff have come to an agreement with the Department of Communities and Justice (DCJ) to proceed by compulsory acquisition, and that staff have undertaken sufficient pre-acquisition work for Council to now execute the compulsory acquisition.• For Council to note that a compensation valuation has been undertaken and that the estimated compensation that Council can expect to pay to Crown Lands - Minister for Justice is \$66,000.00 excluding GST, subject to any determination by the Valuer General.• For Council to note that the costs that Council can expect to be invoiced by the Valuer General costs will be approximately \$20,000.00 excluding GST.

	<ul style="list-style-type: none"> For Council to note that other interests and claims for compensation may arise in the course of the compulsory acquisition that require attention. For Council to note that Squadron Energy Pty Ltd (SEP) (previously CWP Renewables) shall reimburse Council for all its land acquisition costs and work in the matter. 	
Financial Implications	Budget Area	Initially – Property and Land Development
	Funding Source	Initially – Property and Land Development (Operational Expenses), however acquisition will be at full cost recovery from SEP.
	Proposed Cost	\$66,000.00 excluding GST land acquisition costs (including disturbance costs) subject to any determination by the Valuer General, and \$20,000.00 excluding GST NSW Valuer General costs, subject to final invoice from the NSW Valuer General.
	Ongoing Costs	Property and Land Development and Marsdens Legal estimated operational costs, to be recovered from SEP in the matter: \$7,500 excluding GST 2022/2023 \$20,000 excluding GST 2023/2024 \$10,000 excluding GST 2024/2025
Policy Implications	Policy Title	Not Applicable
	Impact on Policy	Not Applicable
Consultation	<ul style="list-style-type: none"> DCJ obo Crown Lands – Minister for Corrections Marsdens Law Group (Marsdens) SEP 	Various telephone attendances, meetings and e-mails.

STRATEGIC DIRECTION

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

Theme: 2 Infrastructure

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

Delivery Program Strategy: 2.1.5 Council works collaboratively with the government and stakeholders on transport-related issues

Theme:	6 Environmental Sustainability
CSP Objective:	6.1 We achieve net zero emissions
Delivery Program Strategy:	6.1.1 Investment in renewable energy opportunities is encouraged and supported

RECOMMENDATION

1. That Council approve compulsory acquisition of the land noted within the report pursuant to sections 177 and 178 of the *Roads Act 1993 (NSW)* and undertake all necessary actions accordingly, if agreement cannot be reached between Council and the relevant owner of the land.
2. That Council acquire by compulsory acquisition under sections 177 and 178 of the *Roads Act 1993 (NSW)*, Lot 11, Lot 12 and Lot 13 in registered acquisition plan DP1292444 for the purposes of public road.
3. That Council approve the making of an application to the Minister for Local Government to issue Proposed Acquisition Notice(s) under the *Land Acquisition (Just Terms Compensation) Act 1991 (NSW)* for Council to compulsorily acquire Lot 11, Lot 12 and Lot 13 in registered acquisition plan DP1292444.
4. That Council approve the making of an application to the Governor of NSW for the publication of an Acquisition Notice in the NSW Government Gazette under the *Land Acquisition (Just Terms Compensation) Act 1991 (NSW)* for Council to compulsorily acquire Lot 11, Lot 12 and Lot 13 in registered acquisition plan DP 1292444.
5. That upon acquisition, Lot 11, Lot 12 and Lot 13 in registered acquisition plan 1292444 be classified as operational land in conformity with the *Local Government Act 1993 (NSW)*.
6. That Council delegate to the Chief Executive Officer the power to negotiate, finalise and execute any applications, notices, documents and compensation claims required to be executed as part of the process for Council to compulsorily acquire Lot 11, Lot 12 and Lot 13 in registered acquisition plan 1292444.
7. That any documents which may not be executed by the Chief Executive Officer under delegation be executed under the Common Seal of Council.

Luke Ryan
Director Infrastructure

AN
Property Development
Officer

BACKGROUND

Council at its meeting held 23 February 2023 reported that Department of Community and Justice (DCJ) acting on behalf of Crown Lands – Minister for Corrections had required Council to acquire the whole of Lot 2 DP1141897, rather than only part of Lot 2 DP1141897, if Council wished to make an agreement on the matter. This additional acquisition of land was adopted by Council necessitating the registration of an expanded plan of acquisition against the subject land.

Previous Resolutions of Council

23 February 2023	<p>CW23/43 Report: Acquisition of Crown Land for Public Road, Upgrade of Goolma Road and Twelve Mile Road Intersection:</p> <ol style="list-style-type: none"><i>That Council approve the compulsory acquisition of the whole of Lot 2 on DP1141897, and 2,703m² of Lot 1 on DP1141897, and upon acquisition, classify the land as operational land.</i><i>That Council register an acquisition plan in accordance with the details outlined in the body of this report, against Lot 1 on DP1141897 and Lot 2 on DP1141897.</i><i>That Council agrees to enter into an agreement with Squadron Energy Pty Ltd for the maintenance of part of the acquisition areas described in no. 1 (above) for the life of the Ungula Wind Farm, and to register such agreement against the relevant title/s upon acquisition.</i><i>That a further report be submitted to Council when all pre-acquisition procedures for the acquisition areas described in no. 1 (above) have been undertaken.</i><i>That it be noted that Squadron Energy Pty Ltd shall cover all Council's costs in the matter.</i>
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Council staff have now registered a new plan of acquisition DP1292444 against the titles of Wellington Correctional Complex Lot 1 and Lot 2 DP 1141897 for this to occur.

The plan of acquisition DP1292444 shows that it is intended to acquire Lot 11, Lot 12 and Lot 13 for public road from the Wellington Correctional Complex, being Part Lot 1 and the whole of Lot 2 DP1141897. Please refer to **Appendix 1**.

In respect of Council acquiring the whole of Lot 2 DP 1141897, DCJ have agreed that they shall vary the Correctional Complex Proclamation off the subject Lots 11, 12 and 13 and the Road reserve (R) in DP 1141897. DCJ have agreed to publish their notice to vary the proclamation at the same time that Council is ready to publish the Acquisition Notice in the government gazette.

Moreover, DCJ has now agreed that Council can proceed to acquire the subject land by compulsory acquisition processes under the LAJTC Act 1991, and move to issue Proposed Acquisition Notices (PANs) on the Crown Lands – Minister for Corrections for this to occur.

Separately, Council staff have now procured a compensation valuation from Preston Rowe Paterson dated 28 March 2023 for Council's acquisition of the subject lots. The Compensation Valuation has confirmed a market value rate of \$11,000.00 per hectare for the land, and estimated that compensation of \$66,000.00 exc GST (including \$10,000.00 exc GST for DCJ's disturbance costs) shall be payable to DCJ.

Based on recent invoices that Council has recently paid for its compulsory acquisition of Crown Land, Council should anticipate that it will also pay an amount equal to, but not less than, \$20,000.00 excl GST for the Valuer General's work in the matter.

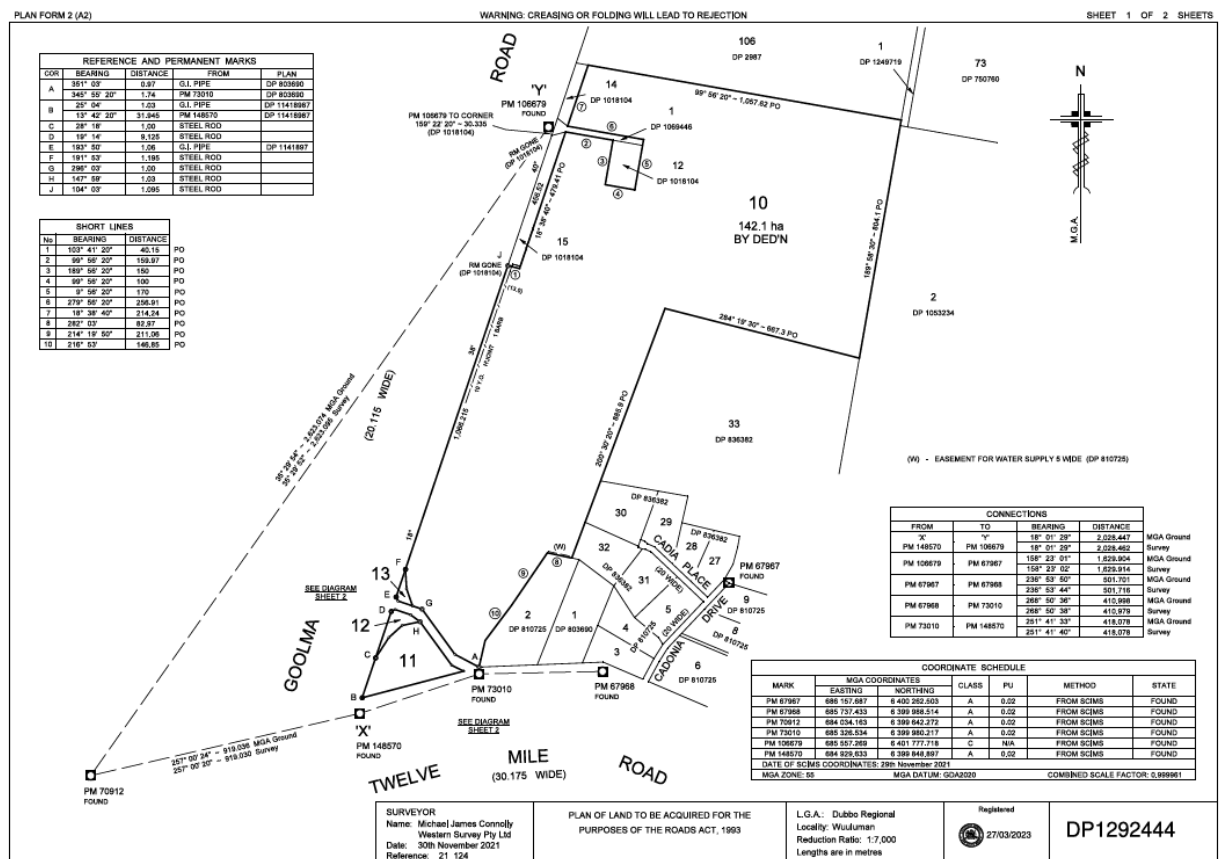


Figure 1: Registered Plan of Acquisition DP1292444 – ready for resolution to execute compulsory acquisition of Lot 11, lot 12 and Lot 13 for public road.



Figure 2: Showing the existing Goolma Road and Twelve Mile Road intersection that will be replaced by the new intersection.

REPORT

Council staff have now:

- agreed to the scope of the acquisition with DCJ;
- agreed that DCJ shall vary the Correctional Complex Proclamation off the subject lands and the Road Reserve (R) in DP1141897 in consideration of Council resolving to acquire the whole of Lot 2 DP1141897, being Lot 11 and Lot 12 in Plan of Acquisition DP 1292444;
- agreed with DCJ that the land shall be acquired by compulsory acquisition under the LAJTC Act 1991;
- undertaken all due diligence necessary to identify and address any apparent interests in the land to be acquired;
- registered the Plan of Acquisition DP 1292444 ready for the acquisition to be executed;
- procured a compensation valuation which estimates that the compensation payable to Crown Lands-Minister for Corrections shall be \$66,000.00 exc GST;
- established that the Valuer General's costs shall be approximately \$20,000.00 exc GST; and
- established that total estimated costs for Council's acquisition of the subject lots will be \$86,000.00 excl GST or more, subject to submissions from the DCJ and any other legitimate claims for compensation that may arise.

In addition, Council staff have:

- agreed with SEP that SEP shall reimburse Council for all land acquisition costs as indicated above and finally determined and invoiced by the Valuer General; and

- agreed with SEP that SEP shall reimburse all Council staff and legal costs in the matter.

Accordingly, the purpose of this report is to seek a resolution of Council to now:

- execute the compulsory acquisition of Lot 11, Lot 12, and Lot 13 in registered plan of acquisition DP 1292444.
- make the necessary application to the NSW Office of Local Government (OLG) for approval for Council to issue PANs to each person with an interest in the land including:
 - Department of Planning and Environment (DPE);
 - Department of Communities and Justice (DCJ);
 - NSW Aboriginal Land Council (NSW ALC);
 - Native Title Service Corporation (NTS Corp); and
 - any other interested parties.
- make the necessary application to the Governor of NSW to publish the Acquisition Notice (AN) in the NSW Government Gazette 90 days after the PANs are issued.
- enable the Chief Executive Officer to negotiate, finalise and execute any applications, notices, documents and compensation claims that are necessary for Council to publicly advise and facilitate the completion of the compulsory acquisition process. These include but are not limited to executing:
 - application to the OLG;
 - application to the Governor of NSW;
 - Proposed Acquisition Notices (PANs);
 - Acquisition Notice in Government Gazette;
 - Acquisition Notice in a local newspaper;
 - correspondence providing copies of the Acquisition Notices to interested parties, including the Valuer General, OLG and Register General (LRS);
 - unexpected claims for compensation;
 - compensation deeds; and
 - payment of compensation in accordance with compensation deeds.

Please note that as a result of executing the acquisition and the issuing of the notices and documents above, there is a risk that unexpected legitimate claims for compensation may arise. If this arises Council will have to pay additional compensation in accordance with further determinations of the Valuer General.

Consultation

Subject	Consultation	Comment
Compensation Valuation	Preston Rowe Paterson (consultant valuer)	PRP compensation valuation estimated that the compensation payable to Crown lands – Minister for Justice would be \$66,000.00 exc GST.

Compulsory acquisition process	Marsdens Legal (DRC Legal Counsel)	<p>Council is now in a position to execute the compulsory acquisition of the subject Lots 11, 12 and 13 in DP1292444, as agreed with DCJ, subject to Council resolving to adopt the specific recommendations of this report.</p> <p>Most accurately from a legal perspective, the 'agreement' with DCJ referred to throughout this report, is a 'non-objection' from DCJ to proceed by compulsory acquisition.</p> <p>That is, it is an understanding to proceed by compulsory acquisition that does not constitute or warrant a formal LAJTC Act 1991 s30 Agreement being entered into between the parties as it is sufficiently evidenced by e-mail exchanges between the parties.</p>
Variation of Wellington Correctional Complex Proclamation	<p>DCJ (Vendor)</p> <p>On behalf of: Minister for Corrections and Commissioner for Corrective Services.</p>	<p>DCJ have acknowledged Council's resolution of 23 February 2023 to expand the scope of the acquisition to include part Lot 1 DP1141897 and the whole of Lot 2 DP1141897 as requested.</p> <p>DCJ have confirmed that they have already commenced working with the Department of Planning and Environment to prepare a new map to vary the Proclamation off the acquisition lots.</p> <p>DCJ and DRC have agreed that the acquisition of the subject Lot 11, 12 and 13 in DP 1292444 can now proceed by compulsory acquisition.</p>

Resourcing Implications

The following actions will need to be undertaken by Council staff to complete the project:

- Property and Land Development (PALD) staff to attend to the compulsory acquisition, deed, and all other legal agreements and requirements until completion of the acquisition project.
- It is expected that this acquisition project will take 12-18 months to complete with the assistance of Marsdens.
- All costs, including staff and Marsdens' time shall be recovered from SEP.
 - Invoices have already been served on SEP and paid for the work Council and Marsdens have undertaken to date and will continue to be so until completion.
- Council delegating to the Chief Executive Officer the power to negotiate, finalise and execute any documents and claims required to finalise the compulsory acquisition will assist the matter being finalised as expediently as possible.
- Note: Below is a 12-18 month project timeline that outlines the operational cash flow associated with the project. The timeline is conservative for Council to acknowledge that additional time that may need to be taken by the external parties, i.e. OLG, Governor of NSW, NSW Valuer General, to complete their parts of the process that are out of Council staff's control.

18 Month Project Timeline			
	8 weeks to EOFY 2022/2023	52 weeks to EOFY 2023/2024	16 weeks to EOFY 2024/2025
Expenses	Estimated Cost (exc GST)	Estimated Cost (exc GST)	Estimated Cost (exc GST)
DRC staff time	\$2,500	\$15,000	\$5,000
Marsdens	\$5,000	\$5,000	\$5,000
Valuer General costs		\$20,000	
Estimated compensation for acquisition		\$86,000	
Revenue	Estimated Revenue (exc GST)	Estimated Revenue (exc GST)	Estimated Revenue (exc GST)
Reimbursement of estimated staff and Marsdens costs by SEP	\$7,500	\$20,000	\$10,000
Valuer General costs			\$20,000
Estimated land compensation for acquisition			\$86,000

Total Financial Implications	Current year (\$)	Current year + 1 (\$)	Current year + 2 (\$)	Current year + 3 (\$)	Current year + 4 (\$)	Ongoing (\$)
a. Operating revenue	\$7,500	\$20,000	\$10,000 +\$20,000 +\$86,000	0	0	0
b. Operating expenses	\$7,500	\$20,000 +\$20,000 +\$86,000	0	0	0	0
c. Operating budget impact (a – b)	0	0	0	0	0	0
d. Capital Expenditure	0	0	0	0	0	0
e. Total net impact (c – d)	0	0	0	0	0	0
Does the proposal require ongoing funding?			Yes – For 12 to 18 months by Council until the compulsory acquisition has been settled. All Council's land acquisition costs and compensation in the matter shall be reimbursed by SEP.			
What is the source of this funding?			SEP shall cover all Council's costs in the matter – as described above.			

Table 1. Ongoing Financial Implications

Options Considered

Option 1: Execute compulsory acquisition of Lots 11, 12 and 13 in DP1292444

- Pros:
 - Acquisition proceeds smoothly in accordance with Council and DCJ agreement to acquire by compulsory acquisition, with the assistance of Marsdens Legal.
 - LAJTC Act 1991 compulsory acquisition framework provides Council and DCJ with transparent processes and procedures to navigate a complex acquisition of Crown Land.
 - LAJTC Act 1991 compulsory acquisition framework is the normal procedure by which Crown Land is acquired from the NSW State Government and all Native Title and Aboriginal Land Claims and other interests may be properly addressed.
 - All Council's costs shall be reimbursed by SEP, including additional Valuer General costs anticipated to be \$20,000.
 - Making a resolution of Council to execute the compulsory acquisition of the land now will ensure that SEP financial close deadline of 20 June 2023 for the financing of Uungula Windfarm will not be jeopardised. Financial close is

relying heavily on Council's formal resolution to execute the acquisition of the subject lots by compulsory acquisition.

- Cons:
 - Proceeding by compulsory acquisition is perceived to take longer and will be protracted.
 - However, acquisitions of Crown Land are inherently complex, and compulsory acquisitions are the most appropriate method of navigating them and satisfying all interests in the land.
 - Proceeding by compulsory acquisition will cost Council approximately \$86,000 exc GST, including anticipated Valuer General costs of \$20,000.
 - Proceeding by compulsory acquisition means that unexpected interested parties may arise and make additional claims for compensation that Council will have to attend to.

Option 2: Withdraw from compulsory acquisition of Lot 11, 12, and 13 in DP 1292444

- Pros:
 - Council does not have carry costs of SEP to undertake the compulsory acquisition, estimated to be \$37,500 excluding GST over three financial years.
 - Council does not have to pay compensation to DCJ for the subject land, estimated to be \$86,000.00 exc GST.
 - Council does not have to pay \$20,000.00 exc GST to the NSW Valuer General for their work in the matter.
- Cons:
 - Council loses the opportunity to work with DCJ and SEP to reposition and upgrade the dangerous Goolma Road and Twelve Mile Road intersection to enhance the safety of the Council road network and the community.
 - Council loses the opportunity to work with SEP to facilitate the Uungula Windfarm and support the Wellington Renewable Energy Zone (REZ).
 - Council exposes itself to compensation claims from SEP for jeopardising the financial close of Uungula Windfarm and not fulfilling its agreements and licenses with SEP to deliver the land acquisition.

Preferred Option – Option 1

- Option 1 is the preferred option.

Resolving to execute the compulsory acquisition as agreed with DCJ will ensure that the acquisition proceeds as soon as possible is required for SEP financial close of 20 June 2023, and that the acquisition will be done in accordance with the LAJTC Act 1991 processes that suit the acquisition of Crown Land from the NSW State Government.

Timeframe

Key Date	Explanation
May 2023	Application to Office of Local Government (OLG) to issue Proposed Acquisition Notices (PAN) – approval within 90 days.
June 2023	SEP financial close period for financing of Uungula Wind Farm. Upon financial close, SEP commence upgrade of Goolma Road and

	Twelve Mile Road intersection in newly acquired Road Reserve. Upgraded intersection constructed by SEP becomes Council's public road asset – expected 6 month road build.
August 2023	Council issues PAN to DCJ and other persons/entities with interest in subject land – interested parties make claim for compensation.
August 2023	Council seeks approval of the Governor of NSW to issue Acquisition Notices – 90 days after PANs are issued.
September 2023	Council publishes Acquisition Notice in Government Gazette and local newspaper, and provides post acquisition notices to interested parties and Valuer General and Registrar General – 90-120 days after PANs are issued. DCJ publishes Notice to Vary (reduce) Correctional Complex in Government Gazette off subject Lots 11, 12 and 13 DP 1292444 and Road Reserve (R) in DP1141897. As a result of the publication of the acquisition notice the land is vested in Council as Public Road. i.e. becomes Council land.
December 2023- February 2024	Valuer General issues compensation determinations – expected Valuer General window, but can be any time following receipt of PANs.
February 2024	Council issues Council and any interest holders with compensation notice, acceptance of offer form, and compensation deed.
March 2024	DCJ and any interest holders accept offer, and DRC pays land acquisition compensation. Compulsory acquisition settled and finalised.
April 2024	SEP reimburses Council for all compulsory acquisition land acquisition costs.

Next Steps

- Upon Council resolving to adopt these recommendations, Council staff shall immediately work with Marsdens to prepare and lodge the Application to Office of Local Government (OLG) to seek their approval to issue the formal Proposed Acquisition Notices to DCJ and any other interested parties.

APPENDICES:

- 1 [🔗](#) ATTACHMENT - Registered Plan of Acquisition DP1292444 for acquisition of Lot 11, Lot 12 and Lot 13 for the Public as Road

APPENDIX NO: 1 - ATTACHMENT - REGISTERED PLAN OF ACQUISITION DP1292444 FOR ACQUISITION OF LOT 11, LOT 12 AND LOT 13 FOR THE PUBLIC AS ROAD

ITEM NO: CCL23/134

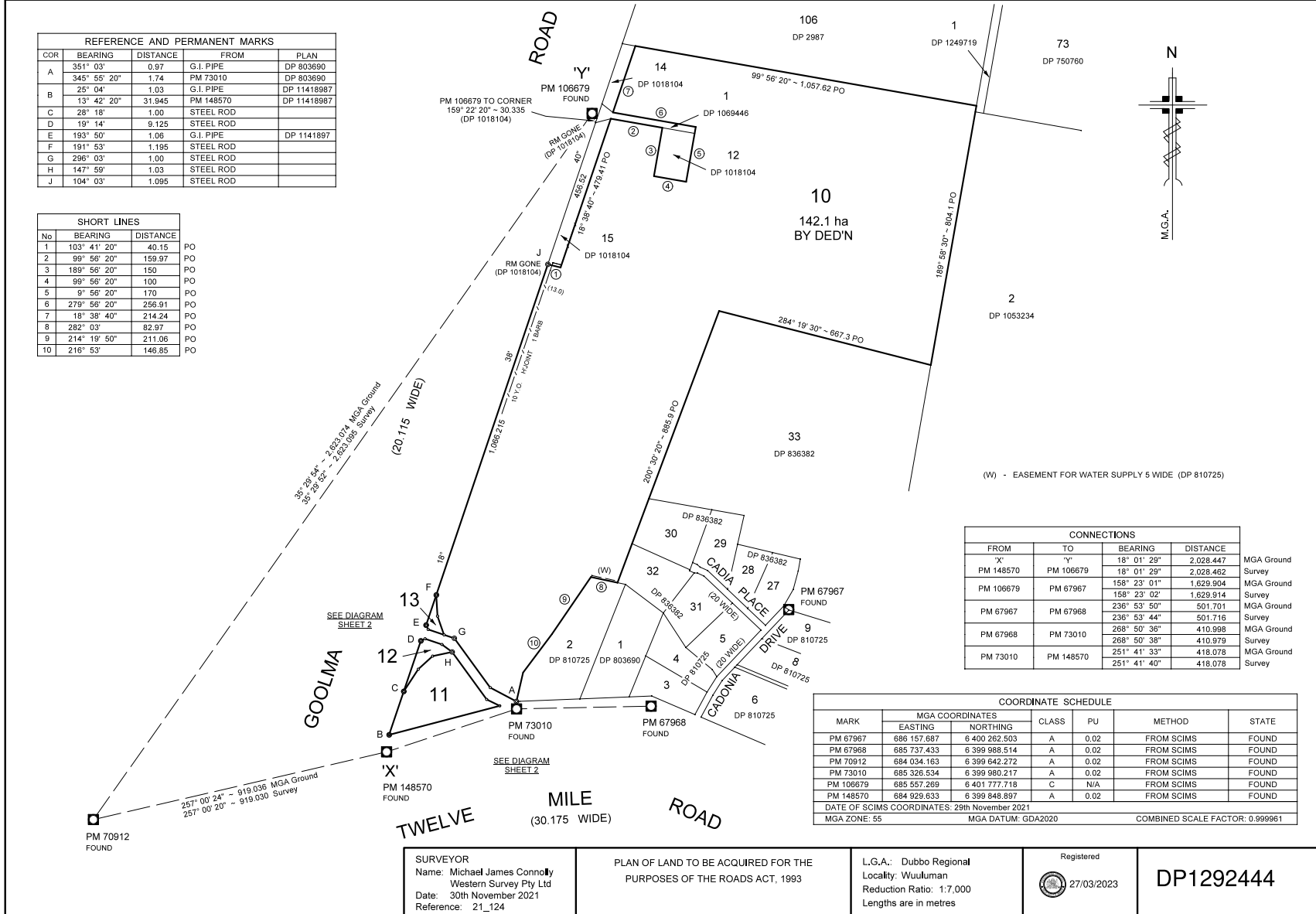
PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

SHEET 1 OF 2 SHEETS

REFERENCE AND PERMANENT MARKS				
COR	BEARING	DISTANCE	FROM	PLAN
A	351° 03'	0.97	G.I. PIPE	DP 803690
	345° 55' 20"	1.74	PM 73010	DP 803690
B	25° 04'	1.03	G.I. PIPE	DP 11418987
	13° 42' 20"	31.945	PM 148570	DP 11418987
C	28° 18'	1.00	STEEL ROD	
D	19° 14'	9.125	STEEL ROD	
E	193° 50'	1.06	G.I. PIPE	DP 1141897
F	191° 53'	1.195	STEEL ROD	
G	296° 03'	1.00	STEEL ROD	
H	147° 59'	1.03	STEEL ROD	
J	104° 03'	1.095	STEEL ROD	

SHORT LINES		
No	BEARING	DISTANCE
1	103° 41' 20"	40.15
2	99° 56' 20"	159.97
3	189° 56' 20"	150
4	99° 56' 20"	100
5	9° 56' 20"	170
6	279° 56' 20"	256.91
7	18° 38' 40"	214.24
8	282° 03'	82.97
9	214° 19' 50"	211.06
10	216° 53'	146.85



CONNECTIONS			
FROM	TO	BEARING	DISTANCE
'X'	'Y'	18° 01' 29"	2,028.447
PM 148570	PM 106679	18° 01' 29"	2,028.462
PM 106679	PM 67967	158° 23' 01"	1,629.904
PM 67967	PM 67968	158° 23' 02"	1,629.914
PM 67968	PM 73010	236° 53' 50"	501.701
PM 73010	PM 148570	236° 53' 44"	501.716
PM 67968	PM 73010	268° 50' 36"	410.998
PM 73010	PM 148570	268° 50' 38"	410.979
PM 148570	PM 67968	251° 41' 33"	418.078
PM 67968	PM 148570	251° 41' 40"	418.078

COORDINATE SCHEDULE					
MARK	MGA COORDINATES		CLASS	PU	METHOD
	EASTING	NORTHING			
PM 67967	686 157.687	6 400 262.503	A	0.02	FROM SCIMS
PM 67968	685 737.433	6 399 988.514	A	0.02	FROM SCIMS
PM 70912	684 034.163	6 399 642.272	A	0.02	FROM SCIMS
PM 73010	685 326.534	6 399 980.217	A	0.02	FROM SCIMS
PM 106679	685 557.289	6 401 777.718	C	N/A	FROM SCIMS
PM 148570	684 929.633	6 399 848.897	A	0.02	FROM SCIMS
DATE OF SCIMS COORDINATES: 29th November 2021					
MGA ZONE: 55 MGA DATUM: GDA2020 COMBINED SCALE FACTOR: 0.999961					

SURVEYOR
Name: Michael James Connolly
Western Survey Pty Ltd
Date: 30th November 2021
Reference: 21_124

PLAN OF LAND TO BE ACQUIRED FOR THE
PURPOSES OF THE ROADS ACT, 1993

L.G.A.: Dubbo Regional
Locality: Wuuluman
Reduction Ratio: 1:7,000
Lengths are in metres

Registered
27/03/2023

DP1292444

Reg:R337242 /Doc:DP 1292444 P /Rev:28-Mar-2023 /NSW LRS /Prt:29-Mar-2023 06:30 /Seq:1 of 4
© Office of the Registrar-General /Src:PORTAL /Ref:lrs:eplan-eplan FOR SURVEYORS USE ONLY

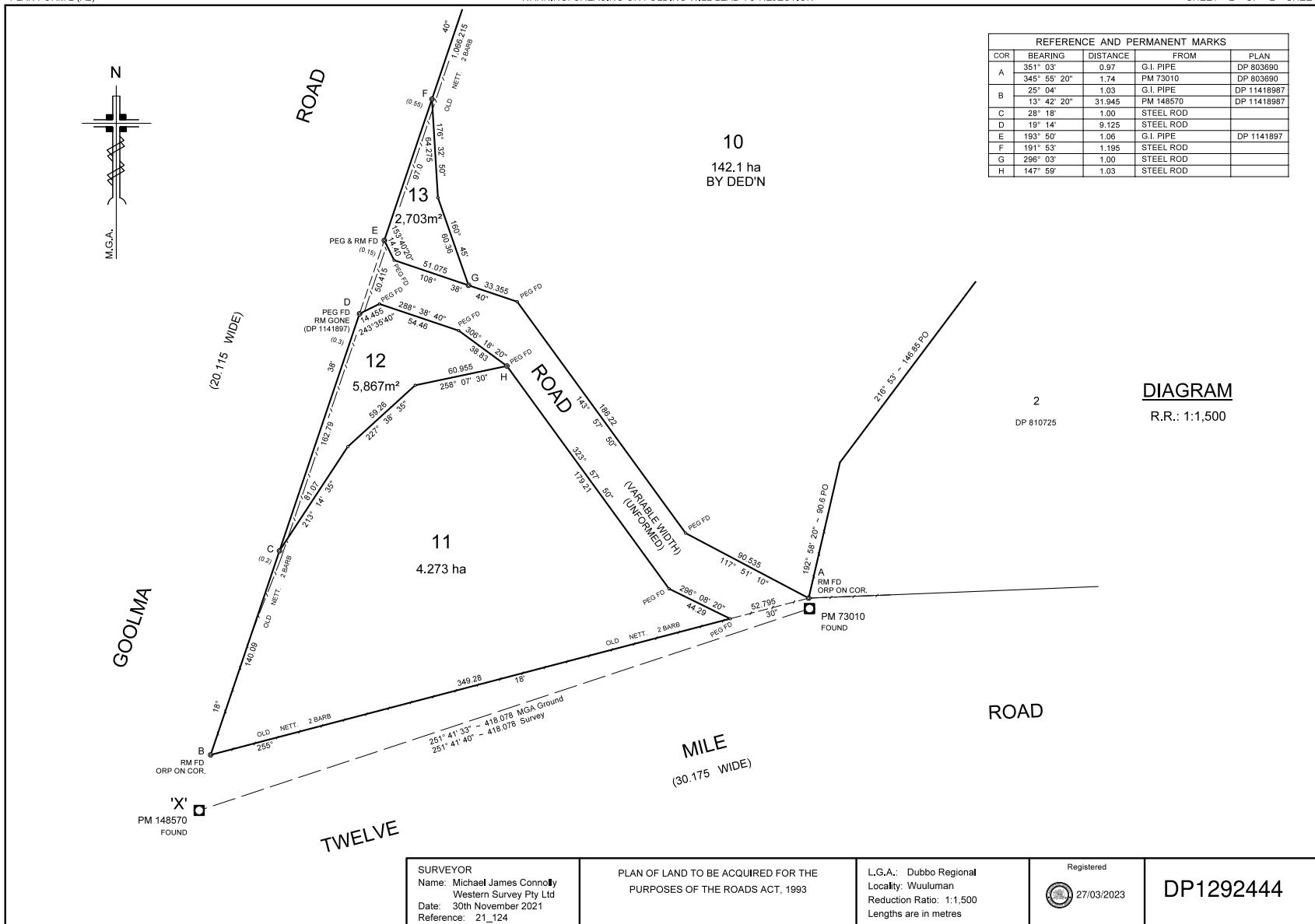
APPENDIX NO: 1 - ATTACHMENT - REGISTERED PLAN OF ACQUISITION DP1292444 FOR ACQUISITION OF LOT 11, LOT 12 AND LOT 13 FOR THE PUBLIC AS ROAD

ITEM NO: CCL23/134


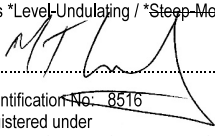
PLAN FORM 2 (A2)


WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

SHEET 2 OF 2 SHEETS



Reg:R337242 /Doc:DP 1292444 P /Rev:28-Mar-2023 /Prt:29-Mar-2023 06:30 /Seq:2 of 4
© Office of the Registrar-General /Src:PORTAL /Ref:1rs:epian-eplan FOR SURVEYORS USE ONLY

PLAN FORM 6 (2017)		DEPOSITED PLAN ADMINISTRATION SHEET		Sheet 1 of 2 sheet(s)	
Registered:  27/03/2023 Title System: TORRENS		Office Use Only		Office Use Only	
		DP1292444			
PLAN OF LAND TO BE ACQUIRED FOR THE PURPOSES OF THE ROADS ACT, 1993		LGA: Dubbo Regional Locality: Wuuluman Parish: Nanima County: Bligh			
Survey Certificate I, Michael James Connolly of Western Survey Pty Ltd PO Box 234, Dubbo NSW 2830 a surveyor registered under the <i>Surveying and Spatial Information Act 2002</i> , certify that: *(a) The land shown in the plan was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2017</i> , is accurate and the survey was completed on or *(b) The part of the land shown in the plan (*being/*excluding **Lots 11, 12, 13 and connections) was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2017</i> , the part surveyed is accurate and the survey was completed on 30 th November 2021, the part not surveyed was compiled in accordance with that Regulation, or *(c) The land shown in this plan was compiled in accordance with the <i>Surveying and Spatial Information Regulation 2017</i> . Datum Line: 'X' - 'Y' Type: *Urban/*Rural The terrain is *Level-Undulating / *Steep-Mountainous. Signature:  Dated: 1 / 12 / 2021 Surveyor Identification No: 8516 Surveyor registered under the <i>Surveying and Spatial Information Act 2002</i> *Strike out inappropriate words. **Specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey.		Crown Lands NSW/Western Lands Office Approval I, (Authorised Officer) in approving this plan certify that all necessary approvals in regard to the allocation of the land shown herein have been given. Signature: Date: File Number: Office: Subdivision Certificate I, *Authorised Person/*General Manager/*Accredited Certifier, certify that the provisions of s.109J of the <i>Environmental Planning and Assessment Act 1979</i> have been satisfied in relation to the proposed subdivision, new road or reserve set out herein. Signature: Accreditation number: Consent Authority: Date of endorsement: Subdivision Certificate number: File number:			
Plans used in the preparation of survey/compilation. DP 803690 DP 1018104 DP 1141897		Statements of intention to dedicate public roads, create public reserves and drainage reserves, acquire/resume land. IT IS INTENDED TO ACQUIRE LOTS 11, 12 AND 13 FOR PUBLIC ROAD			
Surveyor's Reference: 21_124		Signatures, Seals and Section 88B Statements should appear on PLAN FORM 6A			

PLAN FORM 6A (2017)		DEPOSITED PLAN ADMINISTRATION SHEET		Sheet 2 of 2 sheet(s)	
		27/03/2023		Office Use Only	
Registered:		DP1292444			
PLAN OF LAND TO BE ACQUIRED FOR THE PURPOSES OF THE ROADS ACT, 1993					
Subdivision Certificate number: Date of Endorsement:		This sheet is for the provision of the following information as required: <ul style="list-style-type: none"> • A schedule of lots and addresses - See 60(c) <i>SSI Regulation 2017</i> • Statements of intention to create and release affecting interests in accordance with section 88B <i>Conveyancing Act 1919</i> • Signatures and seals- see 195D <i>Conveyancing Act 1919</i> • Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets. 			
Note: Street addresses for all lots are not available					
If space is insufficient use additional annexure sheet					
Surveyor's Reference: 21_124					



REPORT: Cameron Park Playground Fence - Results of Community Consultation

DIVISION: Community, Culture and Places
REPORT DATE: 19 April 2023
TRIM REFERENCE: ID23/807

EXECUTIVE SUMMARY

Purpose	Seek endorsement	
Issue	Advise Council of the results of the community consultation regarding the construction of a fence at the Cameron park playground.	
Reasoning	Council sought feedback from the Wellington community to identify whether or not a fence was needed.	
Financial Implications	Budget Area	Community Culture and Places – Recreation and Open Space
	Funding Source	Not required
	Proposed Cost	Not required
	Ongoing Costs	Not required
Policy Implications	Policy Title	No Policy
	Impact on Policy	N/A

STRATEGIC DIRECTION

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

Theme: 5 Liveability

CSP Objective: 5.5 Our community has access to a diverse range of recreational opportunities

Delivery Program Strategy: 5.5.1 Passive and active open space is located to maximise access and use by the community

RECOMMENDATION

- 1. That Council determine that either:**
 - a. A fence be installed around Cameron Park playground as part of the 2023/2024 budget and operational plan similar to Victoria park playground in Dubbo; or**
 - b. No fence be installed around the Cameron Park playground.**
- 2. That submitters be thanked for their contribution and advised of Council's resolution.**

Craig Arms
Director Community, Culture and Places

IM
Manager Recreation and
Open Space

BACKGROUND

During the community consultation surrounding the identification of the preferred supplier of the Cameron Park play space there were discussions around the need of a fully enclosed fence. As a result of these discussions a hybrid fence was developed installed, using timber posts and sandstone blocks, to reduce the risk of small children escaping from their carers whilst maintaining an open and inviting site.



Figure 1. Cameron Park playground showing the hybrid fence.

Previous Resolutions of Council

28 October 2021 CCL21/267	RENEWAL OF VICTORIA PARK PLAYGROUND - RESULTS OF COMMUNITY CONSULTATION (ID21/1911) Moved by Councillor A Jones and seconded by Councillor J Ryan 6. <i>That \$72,500 be reallocated to Cameron Park playground for a suitable fence subject to Community Consultation.</i>
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REPORT

Consultation

To determine the Wellington community's feelings towards the installation of a fence around the play space a survey was developed and placed on public exhibition for 28 days commencing 23 March and concluding 20 April 2023. The survey was promoted through the Council website, social media platforms (including QR codes installed at the playground

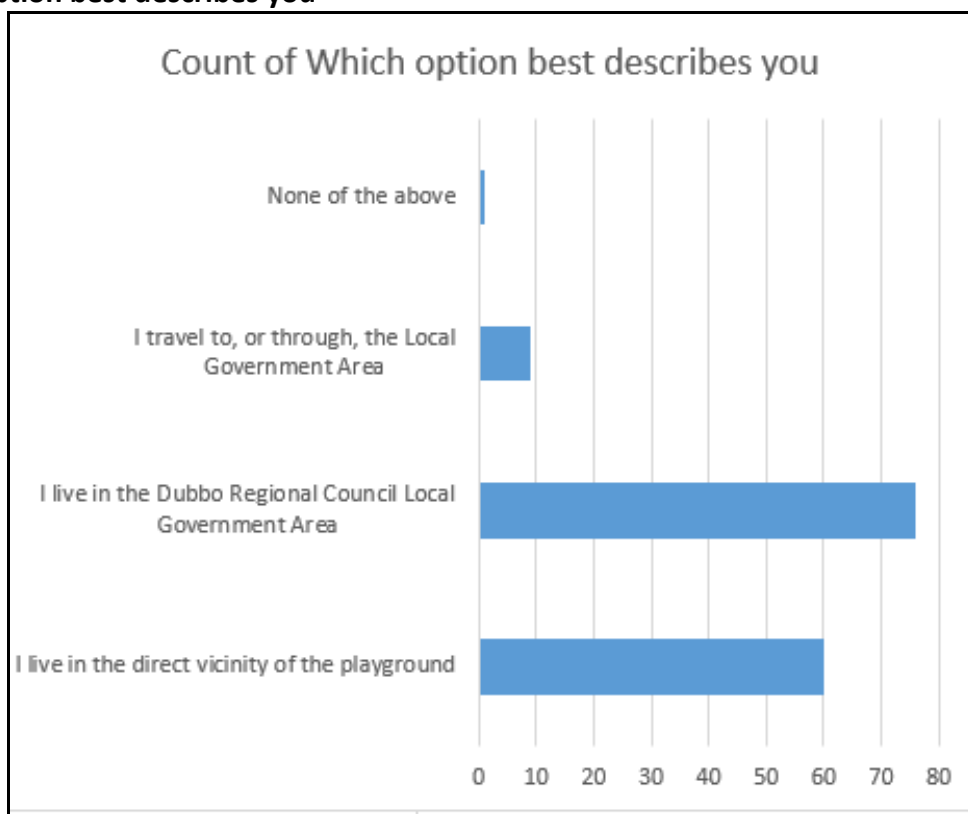
itself). Wellington Times and hard copies of the survey were placed at both the Wellington Administration Building and Wellington Library.

At the conclusion of the public exhibition period Council had received 146 responses to the survey.

Apart from the typical customer information that Council collects, eg: name and contact details, the survey asked 5 questions.

The questions and responses are shown below:

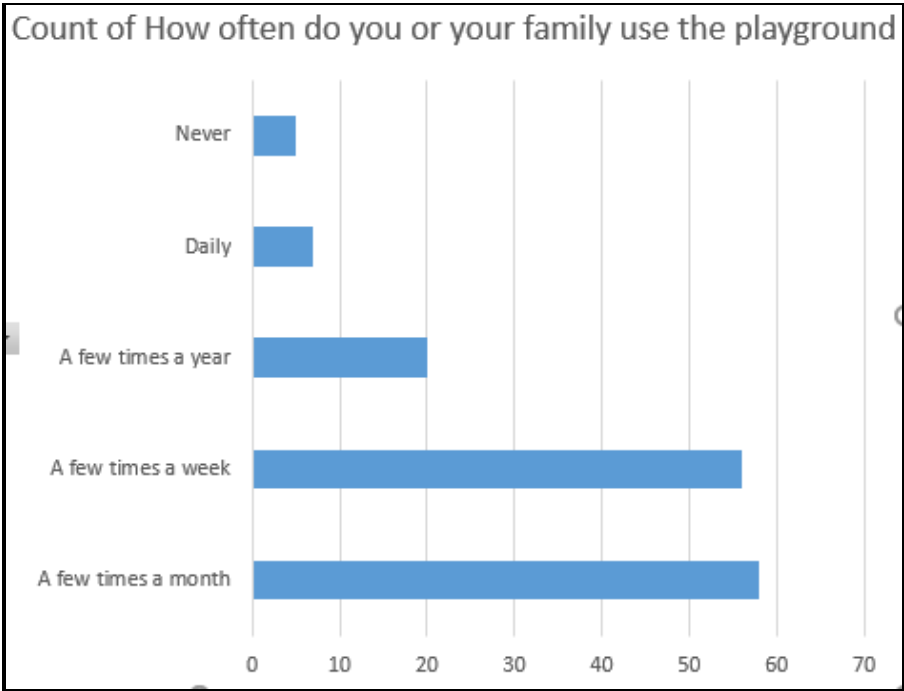
Which option best describes you



Summary: 60 (41%) of the 146 respondents indicate that they live in Wellington, with a further 76 (52%) respondents stating that they live in the Dubbo local government area. This represents 93% of respondents.

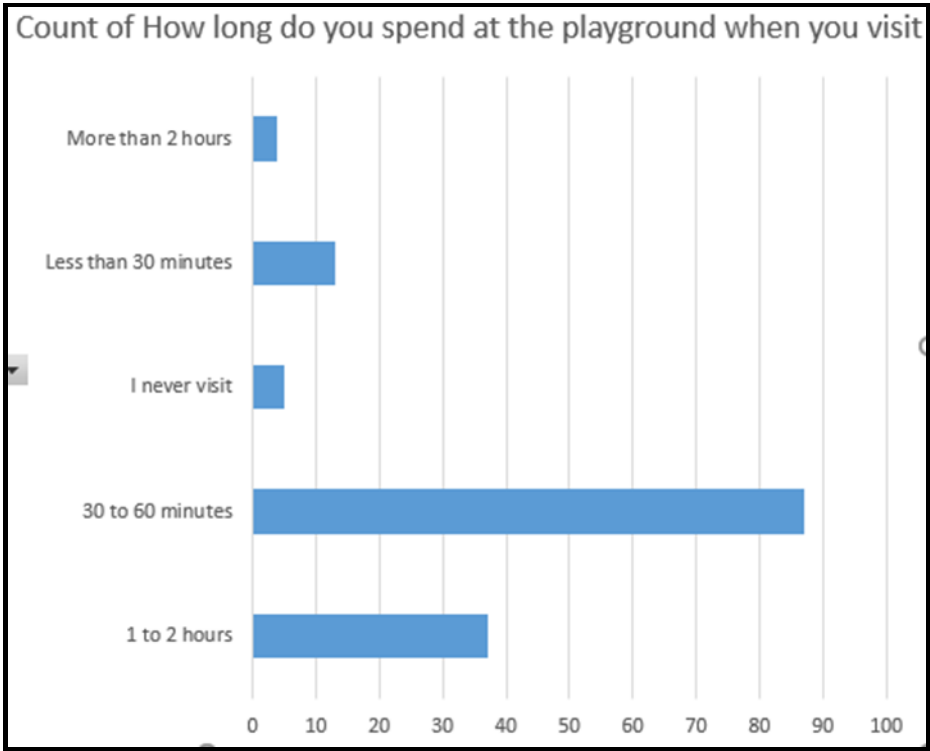
This strong response shows the importance of the playground to the Wellington community, and to the broader community of the local government area.

How often do you or your family use the playground



Summary: “A few times a month” was provided as a response on 58 (39.7%) occasions. “A few times a week” was a response on 56 (38.3%) occasions. Together they represent 78% of respondents. This strong response indicates that the playground has a high visitation rate in its current form.

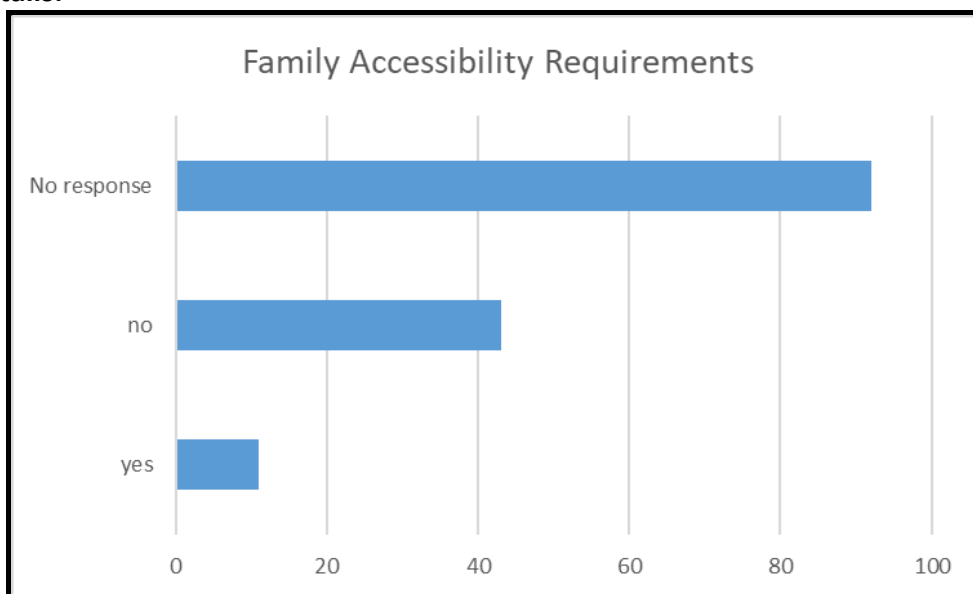
How long do you spend at the playground when you visit



Summary: The two most frequently recorded responses were – “30 to 60 minutes” – with 87 responses (59.5%) and “1 to 2 hours” with 37 responses (25.3%).

This indicates that there is a good array of play equipment available at the playground to keep children and their carers engaged.

**Does a member of your family have accessibility requirements for entering the playground?
If so, add details.**

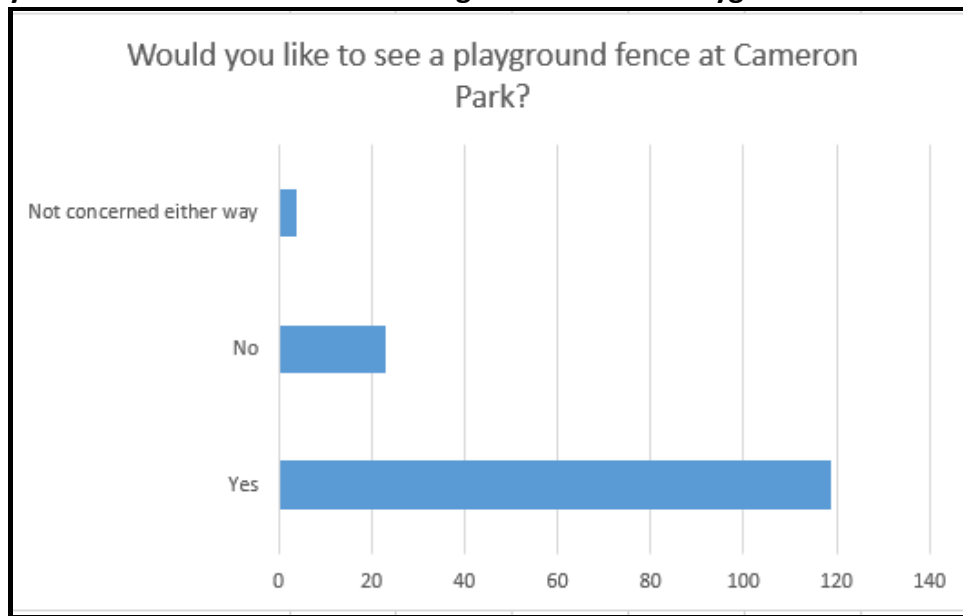


Summary: 11 responses (7.5%) were received identifying mobility and access issues. The responses received identified what their issues were and not necessarily issues with the design of playground itself. For example: require wheelchair access, use of walking aids etc.

The Cameron Park playground received approximately \$200,000 from the NSW Government under their “Everyone Can Play” funding (2018/2019). A requirement of securing this funding was the high level of accessibility of the playground, as determined as outlined in the “Everyone Can Play” guidelines.

This low response reflects the high success of Council in providing an accessible playspace for the Wellington community.

Would you like to see a fence surrounding Cameron Park Playground?



Summary: 122 of the 146 respondents identified that they would like to see a fence installed. This represents 83.5% of respondents.

Of the 122 respondents who have identified with a need or preference for a fence at the playground 53 respondents (37.8%) provided the reason of the proximity of the highway as the main reason.

Submissions: 1, 5, 6, 7, 8, 10, 14, 15, 18, 21, 22, 24, 26, 28, 29, 37, 41, 44, 45, 47, 48, 50, 54, 60, 61, 62, 63, 65, 69, 71, 73, 74, 78, 83, 84, 86, 87, 88, 90, 92, 93, 99, 100, 103, 104, 107, 108, 115, 125, 126, 127, 139, 142 and 145.

A secondary reason for the need / preference of the fence was the proximity of the Bell River to the playground (15%).

Submissions: 14, 26, 29, 54, 57, 60, 61, 63, 74, 75, 78, 83, 87, 90, 92, 99, 100, 104, 107, 108, 110 and 139.

One respondent identified the preference for a fence to stop dog attacks on children.

There have no reported dog attacks on children in this area since the installation of the playground.

Submission: 82

Of the 24 respondents (6.5%) that believed that fence should not be installed 15 written responses were received.

Submissions: 3, 4, 33, 43, 51, 76, 77, 102, 109, 120, 138, 140, 141 and 143.

The themes of these responses can be categorised into two main groups:

1. That a fence will reduce the amenity value of the park.
A number of these submissions commented on the attractiveness of Cameron Park and felt that the inclusion of a fence would significantly impact on the beauty of the park.
2. That parents/carers should be responsible for supervising their wards and not rely on a fence to keep them safe.

It should be noted that since the playground was opened in July 2020 there have been no reported near misses from children running onto the road or down to Bell River.

As identified earlier in the report – a hybrid fence was designed through a consultative process with the community that reduces the risk of children running off. This hybrid fence provides good supervisory sightlines, but still maintaining a high level of aesthetics to the park. By its hybrid nature it encourages intergeneration interaction and supervision by parents/carers.

In the event that Council decides to install a fence around the playground this hybrid fence will need to be removed to ensure compliance with fall zones.

In addressing a number of other concerns/comments raised by the submissions received:

Accessibility of the playground:

Submissions: 22, 26, 27, 59, 64, 79, 83, 108, 115, 145 and 146

The playground was designed and constructed in line with the NSW Government's "Every One Can Play" guidelines. As a result the playground is highly accessible and provides a range of playground equipment that children of all ages and abilities can use safely. The surfacing of the playground has also been installed in a manner that ensures that less mobile carers also feel comfortable in. For example the vast majority of the playground has been installed at ground level, and where appropriate ramps have been provided to assist in changes of level.

Play Equipment Safety:

Submissions: 41, 70, 74, 85, 118, 121, 122, 123, 124, 133, 144 and 146

Council has received a number of comments around one particular piece of playground equipment installed at the playground. This equipment has a narrow gap that children have to transverse. While it has been suggested that this piece of equipment and a number of other elements are dangerous, they all comply with the Australian Standards for playground equipment and have signed off by a certified playground inspector. While for some children these elements provide a challenge, it provides opportunities for them to build confidence to eventually overcome these challenges as well as encouraging social interaction and the building of core strength and fitness. For some children overcoming these challenges may take longer, and for younger children a level of supervision is recommended.

There was also a request to include more elements to accommodate toddlers. During the design of the playground the community was approached to identify their preference between two options. Both options provided for an array of equipment targeted to accommodate a wide spread of ages within the defined budget. While additional items can be added, including a Liberty Swing (wheelchair Swing), these will be at an additional costs and are currently unfunded.

Further additions will be limited by the inclusion of a fence around the existing elements.

General comment about reduction of amenity value of Cameron Park:

Submission: 143

A Cameron Park master plan was developed with the assistance of the Wellington community in 2017. Within this master plan it was identified that a new playground would be constructed at a site that was more central to park, with higher visibility to passing traffic and closer to supporting facilities. The Cameron Park master plan was subsequently adopted October 2017 and Council has progressively made improvements in an effort to restore the park back to its former glory. Examples of these improvements have included:

1. Re-decking and painting of the rotunda
2. Restoration work on the cenotaph and Winged Victory
3. Restoration work on the heritage fountain
4. Renewal of the former Wellington Pool
5. Replacement of the bridge across the Bell River, and interpretative signage of the old Rotary Bridge.
6. Planting of replacement garden beds, avenue trees and palm.
7. Renewal of amenity block
8. Reactivation of the old Visitor Information Centre.

Further restoration works will continue as internal funds or grants are secured.

Resourcing Implications

In the event that a fence is installed there will be ongoing maintenance and repair to the fence, and ultimate renewal approximately every 15 years.

If the fence is not installed there are no resourcing implications.

In the event that Council wishes to proceed with the installation of the fence the following is provided:

Total Financial Implications	Current year (\$)	Current year + 1 (\$)	Current year + 2 (\$)	Current year + 3 (\$)	Current year + 4 (\$)	Ongoing (\$)
a. Operating revenue	0	0	0	0	0	0
b. Operating expenses	0	1,000	1,000	1,000	1,000	1,000
c. Operating budget impact (a – b)	0	-1,000	-1,000	-1,000	-1,000	-1,000
d. Capital Expenditure	72,500	0	0	0	0	0
e. Total net impact (c – d)	-72,500	-1,000	-1,000	-1,000	-1,000	-1,000
Does the proposal require ongoing funding?			Yes – maintenance and repairs			
What is the source of this funding?			General Rates			

Table 1. Ongoing Financial Implications

Planned Communications

Following the decision of Council at the May Council meeting on whether or not a fence shall be installed at Cameron Park, Wellington, the community will be advised through media on its decision.



MEDIA RELEASE

23 MARCH 2023

FENCE CONSULTATION FOR CAMERON PARK PLAYGROUND

Would you like to see a fence around the Cameron Park playground in Wellington?

Dubbo Regional Council would like to hear from residents and visitors who use the playground to understand if they would like a fence, following a council resolution on 28 October 2021.

During the council meeting, Councillors had before them a report regarding the Community Consultation on the Renewal of Victoria Park Playground.

Following the consultation, in which the Cameron Park playground was raised by community members, the discussion lead to Councillors deciding to reallocate some of the funding to Cameron Park playground for a suitable fence, subject to further community consultations.

"This consultation gives residents the opportunity to have their say and let council know if they would like to see a fence surrounding the Cameron Park playground or not," Manager Recreation and Open Space Ian McAlister said

"The fencing proposed would be similar to the Victoria Park Playground fencing in Dubbo and we encourage residents to let us know what they think.

"It is only through consultation such as this that Council can make sure we understand what residents need within the community," Mr McAlister said.

Dubbo Regional Council is now in a position to undertake the works and is asking the community to have their say.

Residents are invited to have their say on the matter on Council's website dubbo.nsw.gov.au/public-exhibition.

Opportunity to provide feedback closes at 5pm Thursday, 20 April 2023.

For further details, or to provide feedback visit www.dubbo.nsw.gov.au/public-exhibition.

ENDS

CONTACT: Mandy Turner | 0456 954 904

APPENDICES:

- 1 [Cameron Park Playground Fence Community Responses](#)

Cameron Park – Community Feedback Response

Submission ID	Date Submitted	First name	Surname	Residential address	Contact number	Email	Which option best describes you	How often do you or your family use the playground	How long do you spend at the playground when you visit	Does a member of your family have accessibility requirements for entering the playground?	If so please add details.	Would you like to see a playground fence at Cameron Park	Please add any further comments to your submission
1	23 Mar 2023 13:07						I live in the direct vicinity of the playground	A few times a month	30 to 60 minutes	No		Yes	As a Family Day Care Educator we can not attend community events held in the park due to no fencing, being so close to the river and also the highway. It is considered too risky.
5	23 Mar 2023 13:48						I live in the direct vicinity of the playground	A few times a month	1 to 2 hours	No	but pram	Yes	Yes! Being right next to a highway I believe it's a requirement! My toddler is quick! And with the proximity of the playground to the physical highway being so close it will drastically minimise risk
3	23 Mar 2023 13:19						I live in the Dubbo Regional Council Local Government Area	A few times a year	30 to 60 minutes	No		No	Cameron Park is an absolutely beautiful park and play space. It's so naturally stunning with the Bell River as a back drop. A fence would ruin the beauty of the park. If there have been no reported incidents so far why change it.
4	23 Mar 2023 13:23						I live in the Dubbo Regional Council Local Government Area	A few times a month	30 to 60 minutes	no		No	A fence around this playground could give a false sense of security to carers of children. It would also detract from the aesthetics of the current landscape which has been well designed to allow for

6	23 Mar 2023 13:49					I live in the Dubbo Regional Council Local Government Area	Never	I never visit	No response	Yes	interaction with children and movement through the area by children and adults. Children should be supervised in any playground environment so there should be no need for fencing. I never am able to visit the playground because it is so close to the road and I don't want to take the risk of my child running out onto the road, would love to see a fence so I can visit the park
7	23 Mar 2023 13:49					I live in the Dubbo Regional Council Local Government Area	A few times a week	30 to 60 minutes	No response	Yes	It's close to the river and the main street road a fence would be perfect the before a kid gets hurt or worse
8	23 Mar 2023 14:04					I live in the Dubbo Regional Council Local Government Area	A few times a year	30 to 60 minutes	No response	Yes	Children are fast, there is a main road in very close proximity and a river not far behind. A fence would be great especially for parents with more than one child they are trying to watch.
10	23 Mar 2023 14:32					I live in the Dubbo Regional Council Local Government Area	A few times a month	30 to 60 minutes	No response	Yes	The playground is so close to a main road and cars reverse parking, we would stay longer at the park if it wasn't as stressful keeping the kids away (all the space to play and they want to play in the edge). The park doesn't even have to be completely enclosed just a bigger fence along the path to slow the kids down/stop the kids from standing on top of current divider/fence.

14	23 Mar 2023 16:21	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	I travel to, or through, the Local Government Area	A few times a week	More than 2 hours	No response	Yes	I am a mother of 5, ranging from 18 months to 17yrs. We currently live in Dubbo, however, my family was on of the first First Nation families to settle at the Common. We still have a lot of family that resides in Wellington & often travel several times a week to meet up & have dinner together at the park. Our only concern is, It's difficult feeling constantly panicked & unable to enjoy our time together without a fence ensuring the safety of all our babies given the closeness of the main Street & the Bell river
15	23 Mar 2023 16:30	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	I live in the Dubbo Regional Council Local Government Area	A few times a month	30 to 60 minutes	No response	Yes	Being right next to a highway I believe it's a requirement! And with the proximity of the playground to the physical highway being so close it will drastically minimise risk
18	23 Mar 2023 16:49	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	I live in the Dubbo Regional Council Local Government Area	A few times a month	1 to 2 hours	No	Yes	We visit Cameron park every fortnight or so, & a fence would be of great use. With a toddler & a baby it would let us have some peace of mind that small children wouldn't be able to run near traffic seeing as the park is so close to a main road.
21	23 Mar 2023 18:10	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	I live in the Dubbo Regional Council Local Government Area	A few times a month	1 to 2 hours	No response	Yes	As a mother of a 3yr old I would be much more comfortable taking my child to the park if it was secured with a fence . The Main Street in wellington can be at time very busy with traffic and with the park being so close I'm not comfortable with

													my child playing there very often
22	23 Mar 2023 18:32						I live in the Dubbo Regional Council Local Government Area	A few times a year	30 to 60 minutes	Yes	We use a big pram	Yes	Although we would still be conscious of watching our children, we strongly support additional safety measures for children, which would encourage us to utilise the playground more and also provide extra peace of mind given there is a busy road nearby,
24	23 Mar 2023 18:44						I live in the direct vicinity of the playground	A few times a week	30 to 60 minutes	No response		Yes	Would benefit it greatly, as that way it's one more barricade between the children and the main road and even the river. Wil help greatly on those parents who have multiple children and wanting to be able to go out for the day and not have to worry about their children running off
26	23 Mar 2023 18:51						I live in the direct vicinity of the playground	A few times a week	1 to 2 hours	Yes	, my dad requires wheelchair access.	Yes	The park is located between a main road and a river, while we are always there to supervise our children it's hard to monitor two or more children when you are by yourself.
2	23 Mar 2023 13:19						I live in the direct vicinity of the playground	A few times a month	30 to 60 minutes	No response		Yes	
9	23 Mar 2023 14:24						I live in the Dubbo Regional Council	A few times a week	30 to 60 minutes	No response		Yes	

11	23 Mar 2023 14:46						Local Government Area I live in the Dubbo Regional Council Local Government Area	A few times a month	30 to 60 minutes	No response	Yes	Please put a net underneath the section where kids have to jump/lean over to get to the top section of the large slide. It is quite dangerous and smaller kids could easily fall and injure themselves.
12	23 Mar 2023 15:51						I live in the direct vicinity of the playground	A few times a month	1 to 2 hours	No response	Yes	
13	23 Mar 2023 16:09						I live in the direct vicinity of the playground	A few times a week	30 to 60 minutes	No response	Yes	
16	23 Mar 2023 16:31						I live in the direct vicinity of the playground	A few times a month	1 to 2 hours	No response	Yes	
17	23 Mar 2023 16:40						I live in the Dubbo Regional Council Local Government Area	A few times a year	30 to 60 minutes	No response	Yes	
23	23 Mar 2023 18:39						I live in the direct vicinity of the playground	A few times a week	30 to 60 minutes	No	I am not concerned either way	I think part fencing making a deterring barrier for children on the road side and river side of the park would be a good compromise. This would mean kids could only exit via the 2 foot paths for parents to keep an eye on. Fully fencing with gates makes it harder for kids

to enjoy the gazebo or for parents sitting at the Cafe to be up and down to unlatch.

19	23 Mar 2023 17:47	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	I live in the Dubbo Regional Council Local Government Area	A few times a year	30 to 60 minutes	No	Yes	Whilst I have viewed the proposal - please do not have the fence interfere with the current heritage fence bordering Nanima Crescent, or the pathways within Cameron Park. I am unsure of the fencing material, however steel would be best, with a flat top to ensure no penetrating wounds caused by a falling child. Also, have the palings close enough together to inhibit climbing by young children. Thank you
20	23 Mar 2023 18:09	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	I live in the direct vicinity of the playground	A few times a month	30 to 60 minutes	No	Yes	
25	23 Mar 2023 18:46	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	I live in the direct vicinity of the playground	A few times a week	30 to 60 minutes	No response	Yes	Will help bigger families wanting to head out for the day, adds extra security to those children with additional needs

27	23 Mar 2023 19:12						I live in the Dubbo Regional Council Local Government Area	A few times a week	30 to 60 minutes	Yes	My 2 children frequent the park with either parent or both. A fence around the play equipment is a no brainer with the highway and bell river pretty close to the playground.	Yes	
28	23 Mar 2023 19:13						I live in the direct vicinity of the playground	A few times a week	30 to 60 minutes	No response		Yes	Very unsafe with the main road metres away
29	23 Mar 2023 19:31						I live in the direct vicinity of the playground	A few times a week	30 to 60 minutes	No response		Yes	Being near a river and main road is a safety concern
30	23 Mar 2023 19:32						I live in the direct vicinity of the playground	A few times a week	1 to 2 hours	No response		Yes	

31	23 Mar 2023 19:37						I live in the Dubbo Regional Council Local Government Area	A few times a month	30 to 60 minutes	No	Yes	
32	23 Mar 2023 19:37						I live in the Dubbo Regional Council Local Government Area	A few times a month	30 to 60 minutes	No response	Yes	
33	23 Mar 2023 19:46						I live in the Dubbo Regional Council Local Government Area	A few times a week	30 to 60 minutes	No	No	Wellington has enough fences, bars and areas that promote an image of fear and crime. Cameron park is a shining light in a street off closed businesses and dilapidated shopfronts. As a society we need to encourage and promote a culture of taking care of our dependents and work towards reducing the reliance of systems and processes to protect those around us.
34	23 Mar 2023 20:02						I live in the direct vicinity of the playground	A few times a week	30 to 60 minutes	No response	I am not concerned either way	
35	23 Mar 2023 20:06						I live in the direct vicinity of the playground	Never	I never visit	No	No	Why put a fence around a playground? It just makes it seem off limits and a total waste of council money. I pass by the park daily and enjoy seeing folk enjoy the facilities. I hate to think that they were being fenced in (or out)

36	23 Mar 2023 20:27	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	I live in the Dubbo Regional Council Local Government Area	A few times a week	1 to 2 hours	No response	Yes	
37	23 Mar 2023 20:33	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	I live in the Dubbo Regional Council Local Government Area	A few times a month	30 to 60 minutes	No response	Yes	The playground is close to the road, therefore it should be a fence around it.
38	23 Mar 2023 20:33	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	I live in the Dubbo Regional Council Local Government Area	A few times a year	30 to 60 minutes	No	Yes	
39	23 Mar 2023 20:44	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	I live in the Dubbo Regional Council Local Government Area	Daily	30 to 60 minutes	No response	Yes	
40	23 Mar 2023 20:49	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	I live in the direct vicinity of the playground	A few times a week	1 to 2 hours	No response	Yes	
41	23 Mar 2023 21:52	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	I live in the Dubbo Regional Council Local Government Area	Never	I never visit	No response	Yes	The reasons my family and I dont visit are: No fence to contain little ones Dangerous connection climbing up to the only fun activity which is the slide The playground is only intersting for little kids. Our older kids find it boring

42	23 Mar 2023 22:02					I live in the direct vicinity of the playground	A few times a month	30 to 60 minutes	No response	Yes	
43	24 Mar 2023 05:33					I live in the Dubbo Regional Council Local Government Area	A few times a week	Less than 30 minutes	No response	No	Cameron Park is/was once a beautiful park. I wask through there almost every day and in my opinion, It does not need to be divided by fencing.
44	24 Mar 2023 05:55					I live in the Dubbo Regional Council Local Government Area	A few times a week	30 to 60 minutes	No	Yes	When my friends or family have had play dates or parties at the park it becomes evident it would be very beneficial for a fence to be there to restrict the children trying to get towards the road which is a HIGHWAY. Just another measure of Safety and a deterrent for children.
45	24 Mar 2023 07:18					I live in the direct vicinity of the playground	A few times a week	1 to 2 hours	No	Yes	For the safety of the children using the playground equipment, a fence would be the best option considering the close proximity to the busy main street/highway traffic.
46	24 Mar 2023 09:05					I live in the direct vicinity of the playground	A few times a month	30 to 60 minutes	No response	Yes	
47	24 Mar 2023 09:14					I live in the Dubbo Regional Council Local Government Area	A few times a month	30 to 60 minutes	No	Yes	My boys are getting older now but I've seen a couple of near misses on the road over the last couple of years. Toddlers and young children can just run in any which direction and they are quick. Even the most vigilant mums and dads hovering over their children

can make mistakes or space out for 30 secs for a disaster to occur.

48	24 Mar 2023 10:03					I live in the direct vicinity of the playground	A few times a year	Less than 30 minutes	No response	Yes	Parents of spirited children would appreciate a fence. We often feel unsafe having a busy road so close at the Cameron Park playground. We have a 4yo and 2yo, our 4yo is a 'runner'.
49	24 Mar 2023 10:32					I travel to, or through, the Local Government Area	A few times a year	Less than 30 minutes	No	No	
50	24 Mar 2023 11:18					I live in the Dubbo Regional Council Local Government Area	A few times a month	30 to 60 minutes	No response	Yes	Given the playground is located directly next to a highway, this is a no brainer! The safety of children should be paramount.
51	24 Mar 2023 14:23					I live in the Dubbo Regional Council Local Government Area	Never	I never visit	No	No	My children are older now, but we used to use this park alot when they were young. I feel that it would take away the inviting look of this park. The park should be a appealing, pleasurable place for all, whether you are using it or just visiting the space. If this is being proposed as a safety reason for young children, this ownership should be on the parent not council.
52	24 Mar 2023 15:59					I live in the direct vicinity of	A few times a month	1 to 2 hours	No response	Yes	

					the playground						
53	24 Mar 2023 16:42				I live in the Dubbo Regional Council Local Governmen t Area	A few times a year	30 to 60 minutes	No response		I am not concerned either way	
54	24 Mar 2023 16:58				I live in the Dubbo Regional Council Local Governmen t Area	A few times a month	30 to 60 minutes	No	Yes	The proximity of the park to the highway near by and the river not far off would make a fence invaluable in helping keep little ones safe especially where more than one child in the family requires assistance on the playground. When my kids were little playgrounds that were fenced and also had shaded seating areas within the fence were my preference to unfenced playgrounds. Also helps if there are off leash dogs around as a bit of a deterrent.	
55	24 Mar 2023 17:31				I live in the direct vicinity of the playground	A few times a month	1 to 2 hours	No response	Yes		
56	25 Mar 2023 09:27				I live in the direct vicinity of the playground	A few times a week	30 to 60 minutes	No	Yes		
57	25 Mar 2023 16:05				I live in the Dubbo Regional Council Local	A few times a month	30 to 60 minutes	No	Yes	While my own children are old enough to know not to run towards the road or river, I have watched other parents of much younger children struggle to keep them safe	

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carers, guardians to look after children.

The money would be better spent on making our Park's Restroom Facilities bigger than they presently are for when tourist access the park & now our new Indigenous Tourism Facility.

73	29 Mar 2023 20:57						Council Local Government Area I live in the direct vicinity of the playground	A few times a week	30 to 60 minutes	No response	Yes	It is concerning being so close to the main road and toddlers could wander quickly to the road
74	30 Mar 2023 07:02						I live in the direct vicinity of the playground	A few times a week	1 to 2 hours	No response	Yes	The access to the big slide is dangerous needs a net underneath in case kids fall. The fence would be great as the park is right next to a river and Main Street.
75	30 Mar 2023 07:30						I live in the direct vicinity of the playground	A few times a month	30 to 60 minutes	No response	Yes	I think its a necessity because of the proximity to the Bell River.
76	30 Mar 2023 09:32						I live in the direct vicinity of the playground	A few times a month	30 to 60 minutes	No	No	The current sandstone blocks and careful consideration of the timber poles creates a passive barrier which is both functional and practical. Not having a fence encourages parents to actively supervise their children rather than sitting on phones or other distractions and watching their kids. An intrusive fence would affect the street appeal of this beautiful play space that is accessible to all.
77	30 Mar 2023 09:37						I live in the Dubbo Regional Council Local Government Area	A few times a week	30 to 60 minutes	No response	No	It would look ugly, it's nice to be able to sit on the grass and have a view of the kids. A fence would make it hard or impossible to see the kids.

78	30 Mar 2023 12:48						I live in the Dubbo Regional Council Local Government Area	A few times a month	30 to 60 minutes	No response		Yes	The risk for a parent with more than one child of using the playground is high. Not only supervising the children on the equipment but risks with the river and road
79	31 Mar 2023 08:39						None of the above	A few times a month	Less than 30 minutes	Yes	The kids grandparents like to come	I am not concerned either way	
80	31 Mar 2023 22:07						I live in the direct vicinity of the playground	A few times a week	1 to 2 hours	No response		Yes	
81	01 Apr 2023 18:16						I live in the direct vicinity of the playground	A few times a month	30 to 60 minutes	No response		Yes	
82	01 Apr 2023 21:26						I live in the Dubbo Regional Council Local Government Area	A few times a week	30 to 60 minutes	No		Yes	I think it is really important to secure the playground with a fence. One time I was there with my toddler and an aggressive Dog came running in and tried to attack him. This is one example.
83	01 Apr 2023 21:38						I live in the Dubbo Regional Council Local Government Area	A few times a month	1 to 2 hours	Yes	uses a walker (elder member of the family).	Yes	As a parent of young children, fenced play and recreational areas are highly valuable and I would implore the DRC to invest in one for this facility asap. Being situated near a main road, as well as major river, and a number of other hazards, I think a fence is a must-have. Thanks, Charlie

84	01 Apr 2023 23:14	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	I live in the direct vicinity of the playground	A few times a month	Less than 30 minutes	No response	Yes	Given the proximity of the playground to to Mitchell Hwy (A32) I believe it's critical for a fence to be placed around the play ground. It only takes a few seconds for a child to wonder in the wrong direction. There is no physical barrier between the playground and the highesy. A tragedy waiting to happen.
85	05 Apr 2023 18:27	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	I travel to, or through, the Local Government Area	A few times a month	30 to 60 minutes	No response	Yes	I would also like to see an alternate way up to the slide, or a ledge beneath the climbing walls so everyone can access the large slide without falling between the 2!
86	05 Apr 2023 20:53	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	I live in the Dubbo Regional Council Local Government Area	A few times a year	30 to 60 minutes	No response	Yes	My famiy loved the old playground. Have not used the new playground, but the next generation is soon going to. It would be better with a fence around - excluding the toilet block! Style of fence looks okay.
87	08 Apr 2023 11:01	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	I live in the direct vicinity of the playground	A few times a month	Less than 30 minutes	No response	Yes	A fence is necessary because keeping our children safe this near to the highway and to the river bank is paramount. It must be almost illegal not to fence public playgrounds.
88	09 Apr 2023 09:46	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	I live in the Dubbo Regional Council Local Government Area	A few times a year	30 to 60 minutes	No response	Yes	I won't allow my small grandchildren to play in the current playground because of lack of fencing and close proximity to busy Highway, whereas they were safe in the previous fenced playground which Council demolished.
89	10 Apr 2023 20:27	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	I live in the direct vicinity of	A few times a week	Less than 30 minutes	No response	Yes	

90	11 Apr 2023 09:02						the playground	I live in the Dubbo Regional Council Local Government Area	A few times a month	30 to 60 minutes	No response	Yes	I have a 3 year old daughter who has on more than one occasion run off towards the sunken gardens while playing in the park as well as towards the busy Main Street of Wellington. We use the park often as the Stuart town park has very limited play equipment.
91	12 Apr 2023 12:55							I live in the Dubbo Regional Council Local Government Area	A few times a year	1 to 2 hours	No response	Yes	
92	14 Apr 2023 12:09							I live in the direct vicinity of the playground	A few times a week	30 to 60 minutes	No response	Yes	To close to thw River and main road
93	14 Apr 2023 12:16							I live in the direct vicinity of the playground	A few times a week	30 to 60 minutes	No response	Yes	The Highway presents a huge problem for parents of young children, especially those (like my grandson) who sometimes do a runner. Kids are so quick, even when you're watching them and the more you chase, the faster and more determined they get. It's like a game to them! My grandson has, at various times, ran down the path towards the road. Now with the coffee shop there and other things for parents/carers to focus on while the kids are playing, it could be disastrous. It does all

come down to the parents/caters and supervision, but nobody's perfect and disasters do happen, even if you're just there! Better to be safe than sorry, and try and prevent it now. Perhaps a couple more toilets would be appropriate too?

94	14 Apr 2023 12:20					I travel to, or through, the Local Government Area	A few times a year	30 to 60 minutes	No response	Yes
95	14 Apr 2023 12:20					I live in the direct vicinity of the playground	A few times a week	30 to 60 minutes	No response	Yes
96	14 Apr 2023 12:31					I live in the Dubbo Regional Council Local Government Area	A few times a week	30 to 60 minutes	No	Yes
97	14 Apr 2023 12:37					I live in the Dubbo Regional Council Local Government Area	Daily	More than 2 hours	No response	No
98	14 Apr 2023 12:50					I live in the Dubbo Regional Council	A few times a year	1 to 2 hours	No response	Yes

99	14 Apr 2023 12:58						Local Government Area I live in the direct vicinity of the playground	A few times a week	30 to 60 minutes	No	Yes	The highway is busy and the sunken garden area is not visible from the playground area - there should be a fence here.
100	14 Apr 2023 14:09						I live in the direct vicinity of the playground	A few times a week	Less than 30 minutes	No response	Yes	I would love to see a fence around the playground it is dangerous because the kids can run on the road to the water
101	14 Apr 2023 14:16						I live in the Dubbo Regional Council Local Government Area	A few times a month	More than 2 hours	No response	No	
102	14 Apr 2023 14:35						I live in the Dubbo Regional Council Local Government Area	A few times a year	30 to 60 minutes	No	No	Wast off money
103	14 Apr 2023 14:53						I live in the Dubbo Regional Council Local Government Area	Daily	30 to 60 minutes	No	Yes	It's just common sense to have a fence around every single playground to keep children safe.. it's like wearing a seatbelt in a car.
104	14 Apr 2023 15:00						I live in the direct vicinity of the playground	A few times a year	1 to 2 hours	No response	Yes	This park is a double threat to children and families. The Road - the park is located next to a very busy road with both cars and trucks. The River - how have the lessons from the Dubbo Tragedy not been

learnt. This proved how a child can wander silently through adults and drown in the River. How is this even a question or has everyone on council forgotten?

110	14 Apr 2023 18:07	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	I live in the Dubbo Regional Council Local Government Area	A few times a year	30 to 60 minutes	No	Yes	Even if it has a wider proximity so you can still sit on the grass, with the kids. It's needed so they don't wonder down to the river as the bank is becoming closer.
111	14 Apr 2023 18:50	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	I live in the direct vicinity of the playground	A few times a week	1 to 2 hours	No response	Yes	Should al so have a Swing for wheel chair children
112	14 Apr 2023 20:11	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	I live in the Dubbo Regional Council Local Government Area	A few times a month	30 to 60 minutes	No response	Yes	
113	14 Apr 2023 20:28	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	I live in the direct vicinity of the playground	A few times a month	30 to 60 minutes	No response	No	
114	14 Apr 2023 20:54	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	I live in the Dubbo Regional Council Local Government Area	A few times a month	30 to 60 minutes	No response	No	

115	14 Apr 2023 21:31						I live in the Dubbo Regional Council Local Government Area	A few times a year	30 to 60 minutes	Yes	Son has multiple disabilities ASD level 3, trisomy 21, talipes, hearing & vision so has many needs when accessing the park & play equipment. Colours used with high contrast for depth perception, level surfaces for paths & walkways.	Yes	If the playground doesn't have any fenced area my son can't play independently as he can wander away & has no sense of danger or traffic. We as parents can't relax also if there is no fence. Parents need to see most of the play area to keep child in line of sight & know they are safe at a glance. Having too many things blocking the view makes it difficult.
116	14 Apr 2023 22:44						I live in the Dubbo Regional Council Local Government Area	A few times a week	1 to 2 hours	No response		Yes	
117	14 Apr 2023 23:17						I live in the direct vicinity of the playground	A few times a month	1 to 2 hours	No response		Yes	

118	14 Apr 2023 23:34						I live in the direct vicinity of the playground	A few times a month	1 to 2 hours	No response	Yes	There is a dangerous gap when trying to climb up to the large slide that makes it impossible for most children to easily make it across.
119	15 Apr 2023 08:25						I live in the direct vicinity of the playground	A few times a month	30 to 60 minutes	No response	No	
120	15 Apr 2023 09:27						I live in the Dubbo Regional Council Local Government Area	Daily	1 to 2 hours	No response	No	Cameron park should stay unfenced as it is clear and open
121	15 Apr 2023 16:32						I live in the Dubbo Regional Council Local Government Area	A few times a week	30 to 60 minutes	No response	Yes	Please also consider adding other playground activities that would be suitable for toddler aged kids. The way to get up to the big slide is so unsafe.
122	15 Apr 2023 17:08						I live in the Dubbo Regional Council Local Government Area	A few times a week	30 to 60 minutes	No	Yes	I think there should be a rail on the side of the rock climbing wall to get to the big slide so children have something to also hold onto whilst climbing if needed
123	15 Apr 2023 17:17						I live in the Dubbo Regional Council Local Government Area	A few times a week	1 to 2 hours	No	Yes	I think there should be a railing or another way to access the top of the big slide, I understand that it probably for older children but considering most children who regularly use the park are under 6 it should have another access point

124	15 Apr 2023 17:20					I live in the Dubbo Regional Council Local Government Area	A few times a week	30 to 60 minutes	No	Yes	The access to the big slide needs to be changed as it is unsafe and not at all practical to a vast majority of kids
125	15 Apr 2023 19:02					I live in the Dubbo Regional Council Local Government Area	A few times a week	30 to 60 minutes	No response	Yes	Extremely dangerous for younger children running around with the traffic so close, especially trucks that do not do the speed limit and take a while to stop. The very least, fence just the playground.
126	15 Apr 2023 19:23					I live in the direct vicinity of the playground	A few times a week	1 to 2 hours	No response	Yes	As a mother with 5 kids it is so much harder to focus on all of them at once while so close to the road and nothing to keep them in, A fence would certainly make it easier and give mothers/parents like me peace of mind knowing they cant sneak away and get taken or run over while tending to another child or 2.
127	15 Apr 2023 19:42					I live in the direct vicinity of the playground	A few times a month	1 to 2 hours	No response	Yes	The park is situated on a main street/highway. I personally had my child escape the old fence to the old park and get near the road before I got to her. All children run and little ones dont understand. A suitable safe fence is necessary to keep our kids safe
128	15 Apr 2023 20:02					I live in the direct vicinity of the playground	A few times a week	1 to 2 hours	No response	Yes	

129	17 Apr 2023 09:09						I live in the direct vicinity of the playground	A few times a week	30 to 60 minutes	No response	Yes
130	17 Apr 2023 18:59						I travel to, or through, the Local Government Area	A few times a month	1 to 2 hours	No	Yes
131	17 Apr 2023 19:10						I live in the Dubbo Regional Council Local Government Area	A few times a month	30 to 60 minutes	No response	Yes
132	17 Apr 2023 19:12						I live in the Dubbo Regional Council Local Government Area	A few times a month	30 to 60 minutes	No response	Yes
133	17 Apr 2023 19:55						I travel to, or through, the Local Government Area	A few times a month	30 to 60 minutes	No response	Yes
134	17 Apr 2023 20:02						I travel to, or through, the Local Government Area	A few times a month	1 to 2 hours	No response	Yes
135	17 Apr 2023 20:11						I live in the Dubbo Regional Council Local Government Area	A few times a month	1 to 2 hours	No response	Yes

The large slide is absolutely a hazard to small children. I don't know how council passed it the way it is. It's a broken limb waiting to happen.

136	17 Apr 2023 20:51					I live in the direct vicinity of the playground	A few times a week	Less than 30 minutes	No	No	
137	17 Apr 2023 21:09					I travel to, or through, the Local Government Area	A few times a week	1 to 2 hours	No response	Yes	
138	17 Apr 2023 22:05					I live in the direct vicinity of the playground	A few times a month	30 to 60 minutes	No	No	The park looks open and welcoming without a fence. No fence encourages parents to have more interaction with children, encouraging conversations about safety of the river behind and the road in front. A fence will not stop vandalism however a fence is another asset that needs to be maintained and up kept to make sure the park looks good.
139	17 Apr 2023 23:49					I live in the direct vicinity of the playground	A few times a week	30 to 60 minutes	No response	Yes	I feel that the location of the playground and not being fenced in is a great risk to mums and their children. Having small kids so close to the road and then having the river the other side poses so many risks for kids and difficulties for parents and careers especially if they have more than 1 child.
140	18 Apr 2023 16:58					I live in the Dubbo Regional Council Local Government Area	A few times a month	30 to 60 minutes	No	No	Children need to be part of the park community, with their carers responsible for their behaviour. Not shut away and ignored

141	18 Apr 2023 20:58						I live in the direct vicinity of the playground	Daily	More than 2 hours	No response	No	Fencing this playground would ruin and divide the award-winning and beautiful Cameron Park as the granite walking track down the centre of the park goes through this area- it would also ruin the visual line through the park. Parents should be supervising their children at all times so there is no need for a fence- please DO NOT put an ugly and unnecessary fence around this area as it will put an ugly barrier through the park which will segment and divide the park and provide access issues for walking from end of the park to another and from entering the playground from either end
142	20 Apr 2023 14:55					simtray27r@gmail.com	I live in the Dubbo Regional Council Local Government Area	A few times a month	30 to 60 minutes	No	Yes	My grandson's partner has 2 children, 4yrs and 8 months. The 4 year old is very quick and if mum is attending to the 8 month old he could easily take off and perhaps run across road.
143	05 Apr 2023 00:00					x	I live in the Dubbo Regional Council Local Government Area	A few times a month	Less than 30 minutes	No	No	Children must be supervised in the playground at all times (??). Toilets are far to close to leave children alone. No. A fence around the eye sore playground would be a final nail in the coffin by DRC in destroying the beauty of Cameron Park.
144	05 Apr 2023 00:00					Unknown	I live in the Dubbo Regional Council	A few times a week	30 to 60 minutes	No response	Yes	My concerns. No fence around play area. Tunnel slip & slide. Rock climbing no safety net.

145	24 Apr 2023 00:00						Local Government Area I live in the Dubbo Regional Council Local Government Area	A few times a month	30 to 60 minutes	Yes	Yes I use a walking aid. Steps are difficult.	Yes	I feel it is a very dangerous situation with parents often caring for more than 1 child to keep safe. Also grandparents caring for their grandchildren unable to run quickly if necessary.
146	24 Apr 2023 00:00						I live in the direct vicinity of the playground	Daily	1 to 2 hours	Yes	Yes difficulty with balance and walking requiring smooth surfaces without steps.	Yes	Also one of the equipment structures is extremely dangerous. My nephew almost had a serious fall on them and I've seen countless other children in this situation. I could meet someone at the park to show them. Cheers Kate



REPORT: Questions on Notice - Councillor Shibli Chowdhury

DIVISION: Elected Members
REPORT DATE: 16 May 2023
TRIM REFERENCE: ID23/1115

QUESTIONS ON NOTICE

Council has received the following Questions on Notice from Councillor S Chowdhury. The questions are submitted below for the information of Councillors.

Councillor S Chowdhury

What are the details on:

- 1. The Waste Strategy currently being developed? (Including how it aligns with the NSW Waste and Sustainable Materials Strategy 2041 and the State targets)?*
- 2. What measures are being taken time achieve the NSW Environment Protection Authority's waste reduction and recovery foals by 2030?*
- 3. The current contact obligations (with JR Richards)?*

Response

1. Waste Strategy being developed?

Council are currently producing a Specific Waste Strategy, which will align with the strategic direction of the NSW Waste and Sustainable Materials Strategy 2041, Stage 1 included (2021-2027). Information can be found by the community on the Department Planning and Environment Website.

NSW Waste and Sustainable Materials Strategy 2041.

The Council Waste Strategy will outline the current and future challenges, targets, processes (e.g. Education Strategy, Infrastructure required) and identify how Council will meet the required waste reduction targets set by the NSW EPA. The Waste Strategy will be developed using a four-phase approach:

- Identify drivers for change:
 - Review key policy in the context of delivering positive waste management change in the DRC Region.
- Where are we today?
 - Document current council waste management operations, infrastructure, services and contracts, issues and challenges.
 - Estimate the total amount of waste to be managed over the next 10 years

and calculate current resource recovery rates.

- Where do we want to get to?
 - Develop a strategic vision and objectives.
- How are we going to get there?
 - Prepare a detailed action plan.

2. What measures are being taken to achieve the NSW Environment Protection Authority's waste reduction and recovery goals by 2030?

Council are currently implementing numerous measures to achieve the required waste reduction targets set by the NSW EPA. These measures include, but are not limited to:

- Implementation of Food Organics and Garden Organics (FOGO) Collection Service Stream in 2018/2019;
- Conducting Community Education and Awareness Programs (since 2020, current Resource Recovery Education Officer is Hamish Campbell); and
- Producing a Council Specific Waste Strategy (identify how we will achieve the recovery goals).

3. Current Contract Obligations with JR Richards?

Council are currently 5 years into a 10 year Waste Management Services Contract with JR Richards (Contract completion date - June 30, 2028). JR Richards conduct the below operations in accordance with the current contract:

- Domestic Operations:
 - Provide and deliver the Netwaste bins (new and replacement bins);
 - Collection service of General Waste Bins and Recycling Bins (Street Bins exempt);
 - Disposal of General Waste to Whylandra Waste and Recycling Facility;
 - Collating and Packaging Recycling Material for transport to VISY for final sorting;
 - Manage and Operate the FOGO Facility (located at Whylandra Waste and Recycling Facility); and
 - Conduct an annual community bulky collection service (Kerbside collection).

RECOMMENDATION

That the information contained in the report be noted.

SC
Councillor



REPORT: Questions on Notice - Councillor Damien Mahon

DIVISION: Elected Members
REPORT DATE: 3 May 2023
TRIM REFERENCE: ID23/915

QUESTION ON NOTICE

As per section 3 clause 3.13 of Council's Code of Meeting practice a Councillor may, by way of a notice submitted under clause 3.9, ask a question for response by the Chief Executive Officer about the performance or operations of the council.

Clause 3.15 permits the Chief Executive Officer or their nominee, to respond by way of a report included in the business papers for the relevant meeting of the council.

This allows the question and response to be public. Councillors are not able to further debate these responses it is only for notation.

Council has received the following Questions on Notice from Councillor D Mahon. The questions are submitted below for the information of Councillors.

Councillor D Mahon:

1. *Smart city strategy: Given the explosion in AI technologies in recent times & the expectation that this will continue to rapidly expand in development & capability, has DRC actively considered opportunities to adapt AI in day to day processes to increase productivity & possibly reduce processing times of approvals or other mainstream activities?*

Response

Council adopted a Smart Council Strategy on 21 September 2022 which provides the strategic backbone for continuing digital transformation of Council, and delivery of the accompanying Smart Region Strategy. This corporate focused strategy identifies the pursuit of greater productivity across Council through digital integration by design.

Specific actions undertaken to explore and implement automated technology, albeit not specifically using artificial intelligence) for Council's internal processing and mainstream services activities include:

- Automation Feasibility Assessment: Investment in independent opportunity analysis on business transformation opportunities: 18 candidates were identified within Accounts receivable, Rates, IT and Customer Experience. Internal group reviewed recommendation to identify key opportunities. Review identified an estimated investment of \$200,000, however advice of staff was for the organisation to explore improvements in partnership with platform providers rather than invest in

applications to run over the top. Two identified process candidates related to invoice request processing have automated using internal IT capability. This automation will save 2 weeks of staff processing time annually, and more importantly increases turnaround time for issues invoices and receiving funds.

- Aero Ranger Camera Car: Council have recently completed a free trial of Aero Ranger, a parking enforcement technology. Use of this technology will streamline collection of data and a number of associated internal processes. The cameras were used only to collect data in order to inform a future report to Council to determine if we go ahead with using this technology to enforce timed parking on the streets and within private car parks.
- Procure to Pay/E-invoicing: Council has introduced e-invoicing (peppol) this framework enables the effective exchange of information between financial systems and as a result it reducing manual keying of invoices therefore improves turnaround internally and therefore payments made to suppliers quicker.
- Your Say consultation platform: investment in this platform centralises consultation activity and generates reports on submissions and online interactions with community. This greatly reduces time of corporate information officers and related project managers in recording and collating community submissions and online activity and sentiment.
- Business processing: In-house development of application based checklist and meter read register/database for the Livestock markets. Substantial reduction in data entry times and resulted in a paperless process. Saving 30 days a year administration.
- Numerous mobile computing initiatives including: capability for outdoor staff to retrieve/complete customer requests on mobile devices without the need to return to the office, Plant start up application that allows plant start-up checks to be completed on a mobile device removing the need for manual scanning of hundreds of paper forms per week, and Plant defect reporting enabling plant defects to be captured and reported electronically improving risk management and response time.
- Subdivision Service Review: a recent review of the subdivision approval process was conducted to clearly define approval timeframes. As a result a deficiency in the technology integration from the mandated NSW Planning portal to council's corporate system was identified. Council is currently investing funds to further integrate the two system platforms, allowing two way communication to the NSW Planning Portal and council's corporate system, which as a result will increase productivity and reduce processing times of approvals. A number of refined back of house processing has been implemented to assist with timely lodgements of subdivision certificates, reducing protracted timelines for assessment, including a dedicated temporary LIS administrative support officer to drive business improvement and develop council framework when dealing with development applications.

- In house capability using Drone technology to undertake surveys and assets inspections reducing risk by examining more places and difficult spaces and increased efficiency. Staff are continuing to look at ways to utilise drone technology.

Under the Strategy, Partnerships and Engagement division there remains ongoing focus on ensuring structure and capability to align and deliver to business goals of continuous improvement. This includes the design of our information management services, and opportunity to move operational resources to support a more strategic focus on business improvement and automation. Any associate risk of this change to current operational support levels will need to be considered in line with the strategic benefits. Staff are also continuing to champion need platform improvements to system providers.

2. *Can DRC staff please provide a detailed update on the plan for Keswick land sales including marketing, pricing considerations in current markets and intended method to market?*

Response

- The current sales situation and plan is that Keswick Estate Stage 5 (Release 2) is currently being sold Off-The Plan – Private Treaty Sales, a confidential Council Report in October 2022 set the current pricing at the m² for all lots (not previously sold at Auction). This was a reduction in m² previously set in confidential Council Report in April 2022 and August 2022.
- The Real Estate Property Officer is still taking sales calls directly, with sales status of the 52 lots available for purchase outlined below:
 - 12 lots sold at auction (fully signed and exchanged contracts).
 - 3 lots under offer, contracts yet to be exchanged (Council has accepted offer).
- The Property and Land Development team are advertising via billboard on Cobra Street Mitchell highway, on Domain Website (Month to Month), and had recently done radio and digital marketing. In the last 2-3months Property and Land Development team/Real Estate Property Officer has simultaneously been running a real estate project to get local real estate agents on board under 'Open Agency Agreements' to also sell the lots independently for us. The following agents are now on board:
 - Platinum Property
 - Bob Berry Real Estate
 - Ray White Real Estate
 - SJ Shooter Real Estate
 - Matt Hansen Real Estate
 - Dubbo Real Estate
- Ray White have started online advertising (on Domain), all other agents have not yet stated advertising. Registration of the Survey Plan may occur in the next two (2) months, staff are working on as high priority.

RECOMMENDATION

That the information contained in this report be noted.

DM
Councillor