

# **AGENDA**

## **ORDINARY COUNCIL MEETING**

### **22 JUNE 2016**

**MEMBERSHIP:**  
Administrator (Mr Michael Kneipp)

The meeting is scheduled to commence at 5.30pm.

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Page

**LOCAL GOVERNMENT PRAYER:**

May the words of our mouths and the meditation of our hearts be acceptable in thy sight, O 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 both past and present of the Wiradjuri Nation and extend that respect to other Aboriginal people who are present".

**CCL16/52 APOLOGIES**

**CCL16/53 DECLARATION OF INTERESTS**

**CCL16/54 CONFIRMATION OF ORDER OF BUSINESS**

**CCL16/55 CONFIRMATION OF MINUTES (ID16/850)** 9  
Confirmation of the minutes of the proceedings of the Western Plains Regional Council Ordinary Council meeting held on 25 May 2016 and the Extraordinary Council Meeting held on 8 June 2016.

**CCL16/56 PUBLIC ACCESS SESSION**

**GENERAL MANAGER'S REPORTS:**

- CCL16/57 STREET SEALING PROGRAMME - WONGARBON / BROCKLEHURST / EUMUNGERIE AND BALLIMORE (ID16/1095)** 40
- The Council had before it the report dated 14 June 2016 from the Interim General Manager regarding Street Sealing Programme - Wongarbron / Brocklehurst / Eumungerie and Ballimore.

**ORGANISATIONAL / CORPORATE SERVICES REPORTS:**

- CCL16/58 INVESTMENTS UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT (ID16/1071)** 78
- The Council had before it the report dated 8 June 2016 from the Director Organisational Services regarding Investments Under Section 625 of the Local Government Act.

- CCL16/59 DISCLOSURE OF INTEREST RETURNS (ID16/1117)** 87
- The Council had before it the report dated 16 June 2016 from the Manager Governance and Risk Services regarding Disclosure of Interest Returns.

- CCL16/60 DRAFT COUNCIL POLICY - USE OF COUNCIL COMMON SEAL (ID16/1073)** 89
- The Council had before it the report dated 8 June 2016 from the Manager Governance and Risk Services regarding Draft Council Policy - Use of Council Common Seal.

- CCL16/61 DRAFT COUNCIL POLICY - LOCAL PURCHASING POLICY (ID16/1074)** 93
- The Council had before it the report dated 8 June 2016 from the Manager Governance and Risk Services regarding Draft Council Policy - Local Purchasing Policy.

- CCL16/62 FORMATION OF OTHER COUNCIL COMMITTEES (ID16/1076)** 98
- The Council had before it the report dated 9 June 2016 from the Manager Governance and Risk Services regarding Formation of Other Council Committees.

**TECHNICAL SERVICES REPORTS:**

- CCL16/63 PUBLIC EXHIBITION OF DRAFT ROUTE PLANS OF PROPOSED PIPELINE FROM BURRENDONG DAM TO DUBBO (ID16/962)** 106  
The Council had before it the report dated 27 May 2016 from the Director Technical Services regarding Public Exhibition of Draft Route Plans of Proposed Pipeline from Burrendong Dam to Dubbo.
- CCL16/64 PROPOSED BOUNDARY ROAD EXTENSION AND ROUNDABOUTS AT THE INTERSECTIONS OF BOUNDARY ROAD WITH WHEELERS LANE AND ALEXANDRINA AVENUE, DUBBO (ID16/1110)** 112  
The Council had before it the report dated 15 June 2016 from the Manager Technical Support regarding Proposed Boundary Road Extension and Roundabouts at the Intersections of Boundary Road with Wheelers Lane and Alexandrina Avenue, Dubbo.
- CCL16/65 PROPOSED MEDIAN SEPERATION ISLAND - INTERSECTION BOUNDARY ROAD AND MACQUARIE STREET DUBBO (ID16/1111)** 123  
The Council had before it the report dated 15 June 2016 from the Manager Technical Support regarding Proposed Median Seperation Island - Intersection Boundary Road and Macquarie Street Dubbo.
- CCL16/66 PROPOSED GIVE WAY REGULATION - INTERSECTION OF BEDFORD AVENUE WITH MOUNTBATTEN DRIVE AND JENMARK ROAD, DUBBO (ID16/1112)** 129  
The Council had before it the report dated 15 June 2016 from the Manager Technical Support regarding Proposed Give Way Regulation - Intersection of Bedford Avenue with Mountbatten Drive and Jenmark Road, Dubbo.

**ENVIRONMENTAL SERVICES REPORTS:**

- CCL16/67 BUILDING SUMMARY - MAY 2016 (ID16/1118)** 134  
The Council had before it the report dated 16 June 2016 from the Director Environmental Services regarding Building Summary - May 2016.

- CCL16/68**      **DEVELOPMENT APPLICATION D14-043 FOR EARTHWORKS, HORSE STABLES AND ONSITE ACCOMMODATION**  
**PROPERTY: LOT 8 SECTION 76 DP 759073, 1A WARNE STREET, WELLINGTON**  
**OWNER/APPLICANT: MR A VAN TONDER (ID16/1096)**      144  
The Council had before it the report dated 15 June 2016 from the Director Environmental Services regarding Development Application D14-043 for Earthworks, Horse Stables and Onsite Accommodation.
- CCL16/69**      **CONTAMINATED LAND POLICY (ID16/1089)**      200  
The Council had before it the report dated 10 June 2016 from the Manager Environmental Control regarding Contaminated Land Policy.
- CCL16/70**      **DUBBO CBD PRECINCTS PLAN - STATUS REPORT (ID16/1055)**      215  
The Council had before it the report dated 10 June 2016 from the Manager City Strategy Services regarding Dubbo CBD Precincts Plan - Status Report.
- CCL16/71**      **NEW DRAFT SECTION 94 CONTRIBUTIONS PLAN FOR DUBBO OPEN SPACE AND RECREATION FACILITIES - PUBLIC EXHIBITION RESULTS (ID16/1053)**      229  
The Council had before it the report dated 7 June 2016 from the Manager City Strategy Services regarding New Draft Section 94 Contributions Plan for Dubbo Open Space and Recreation Facilities - Public Exhibition Results.
- CCL16/72**      **DEVELOPMENT APPLICATION D16-17 - CHILD CARE CENTRE (ADDITIONS AND ALTERATIONS) - LOT 5 DP 15672, 8 GOODE STREET, DUBBO**  
**APPLICANT: OXANDA CAPITAL MANAGEMENT**  
**OWNER: OXANDA MANAGEMENT DANKE PTY LTD**  
**LODGED: 18 JANUARY 2016 (ID16/1062)**      278  
The Council had before it the report dated 10 June 2016 from the Senior Planner 2 regarding Development Application D16-17 - Child Care Centre (Additions and Alterations) - Lot 5 DP 15672, 8 Goode Street, Dubbo.

- CCL16/73**      **DEVELOPMENT APPLICATION D16-146: HEALTH CONSULTING ROOM - LOT 831 DP 1065207, 33 CYPRESS POINT DRIVE, DUBBO**  
**APPLICANT: MR C DE BEER**  
**OWNER: MRS L THORNTON**  
**LODGED: 5 APRIL 2016 (ID16/1065)**      325
- The Council had before it the report dated 10 June 2016 from the Planner regarding Development Application D16-146: Health Consulting Room - Lot 831 DP 1065207, 33 Cypress Point Drive, Dubbo.
- CCL16/74**      **PROPOSED ROAD NAMING - 54 GRANGEWOOD DRIVE, DUBBO - DEVELOPMENT APPLICATION D14-395 (ID16/848)**      351
- The Council had before it the report dated 9 June 2016 from the Land Information Services Supervisor regarding Proposed Road Naming - 54 Grangewood Drive, Dubbo - Development Application D14-395.
- CCL16/75**      **PROPOSED ROAD NAMING - 559 WHEELERS LANE, DUBBO - DEVELOPMENT APPLICATION D15-541 (ID16/851)**      359
- The Council had before it the report dated 9 June 2016 from the Land Information Services Supervisor regarding Proposed Road Naming - 559 Wheelers Lane, Dubbo - Development Application D15-541.
- CCL16/76**      **PROPOSED ROAD NAMING OF NEW ROAD CREATED IN LOT 573 DP 615396 SPEARS DRIVE, DUBBO - DEVELOPMENT APPLICATION D13-409 (ID16/961)**      364
- The Council had before it the report dated 9 June 2016 from the Land Information Services Supervisor regarding Proposed Road Naming of New Road Created in Lot 573 DP 615396 Spears Drive, Dubbo - Development Application D13-409.
- PARKS AND LANDCARE SERVICES REPORTS:**
- CCL16/77**      **PARKS AND LEISURE AUSTRALIA (NSW/ACT) PUBLIC OPEN SPACE DEVELOPMENT 2016 WINNER - DRIFTWELLS PARK (ID16/1064)**      371
- The Council had before it the report dated 6 June 2016 from the Manager Horticulture Services regarding Parks and Leisure Australia (NSW/ACT) Public Open Space Development 2016 Winner - Driftwells Park.

- CCL16/78 FALCONRY TRIAL FOR STARLING MANAGEMENT IN MACQUARIE STREET, DUBBO (ID16/1077)** 374
- The Council had before it the report dated 9 June 2016 from the Manager Landcare Services regarding Falconry Trial for Starling Management in Macquarie Street, Dubbo.

**COMMUNITY SERVICES REPORTS:**

- CCL16/79 MACQUARIE REGIONAL LIBRARY AGREEMENT (ID16/1041)** 383
- The Council had before it the report dated 2 June 2016 from the Director Community Services regarding Macquarie Regional Library Agreement.

- CCL16/80 QUARTERLY REVIEW OF THE 2015/2016 DUBBO SOCIAL PLAN (ID16/832)** 419
- The Council had before it the report dated 23 May 2016 from the Manager Social Services regarding Quarterly Review of the 2015/2016 Dubbo Social Plan.

- CCL16/81 SIX MONTHLY REVIEW OF THE DUBBO AGEING STRATEGY (ID16/833)** 436
- The Council had before it the report dated 23 May 2016 from the Manager Social Services regarding Six monthly Review of the Dubbo Ageing Strategy.

**CORPORATE DEVELOPMENT REPORTS:**

- CCL16/82 DEVELOPMENT OF A NEW ECONOMIC DEVELOPMENT STRATEGY AND ACTION PLAN (ID16/1080)** 467
- The Council had before it the report dated 10 June 2016 from the Director Corporate Development regarding Development of a new Economic Development Strategy and Action Plan.

- CCL16/83 IGNITE PROGRAM STRATEGY DOCUMENT (ID16/1079)** 472
- The Council had before it the report dated 10 June 2016 from the Ignite Program Co-Ordinator regarding Ignite Program Strategy Document.

**WELLINGTON BRANCH REPORTS:**

- CCL16/84 APPLICATION FOR CLOSURE OF PART OF TARWONG LANE, MARYVALE (ID16/1087)** 498
- The Council had before it the report dated 10 June 2016 from the Director Wellington Branch regarding Application for closure of part of Tarwong Lane, Maryvale.

**ADMINISTRATOR MINUTES:**

- CCL16/85 ADMINISTRATORS APPOINTMENTS (ID16/1109)** 538
- The Council had before it the report dated 15 June 2016 from the Administrator regarding Administrators Appointments.

- CCL16/86 QUESTIONS WITHOUT NOTICE**

**CONFIDENTIAL MATTERS:**

- CCL16/87 ACCEPTANCE OF VARIATION IN SUPERVISION OF CONSTRUCTION OF SOUTH DUBBO WEIR ROCK RAMP AND FISHWAY (ID16/963)**
- The Council had before it the report dated 27 May 2016 from the Director Technical Services regarding Acceptance of Variation in Supervision of Construction of South Dubbo Weir Rock Ramp and Fishway.

*In accordance with the provisions of Section 9 (2A) of the Local Government Act 1993 the General Manager 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)).*

- CCL16/88 CONSTRUCTION OF DUBBO RURAL FIRE SERVICE HARDSTAND AREA (ID16/1075)**
- The Council had before it the report dated 10 June 2016 from the Director Technical Services regarding Construction of Dubbo Rural Fire Service Hardstand Area.

*In accordance with the provisions of Section 9 (2A) of the Local Government Act 1993 the General Manager is of the opinion that consideration of this item is likely to take place when the meeting is closed to the public for the following reason: commercial information of a confidential nature that would, if disclosed, reveal a trade secret (Section 10A(2)(d)(iii)).*

**CCL16/89      REPORT AND ADOPTION OF CONFIDENTIAL COMMITTEE**



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## Confirmation of Minutes

WESTERN  
PLAINS  
REGIONAL  
COUNCIL

Incorporating the former  
Dubbo City & Wellington councils

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Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 25 May 2016 and the Extraordinary Council meeting held on 8 June 2016.

### RECOMMENDATION

**That the minutes of the proceedings of the Western Plains Regional Council at the Ordinary Council meeting held on 25 May 2016 comprising pages 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 and 25 and the Extraordinary Council meeting held on 9 May 2016 comprising pages 34 and 35 of the series be taken as read, confirmed as correct minutes and signed by the Administrator and the Interim General Manager.**

#### Appendices:

- 1 Ordinary Council Meeting - 25 May 2016 - Minutes
- 2 Confidential Ordinary Council Meeting - 25 May 2016 - Minutes
- 3 Extraordinary Council Meeting - 8 June 2016 - Minutes
- 4 Confidential Extraordinary Council Meeting - 8 June 2016 - Minutes

# REPORT

## ORDINARY COUNCIL MEETING

### 25 MAY 2016

**PRESENT:**

Administrator (Mr Michael Kneipp)

**ALSO IN ATTENDANCE:**

The Interim General Manager, the Director Wellington Branch, the Director Technical Services – Wellington Branch, the Director Corporate Services – Wellington Branch, the Director Organisational Services – Dubbo Branch, the Manager Governance and Risk, the Supervisor Governance, the Administrative Officer Governance, the Manager Information Management Services, the Director Corporate Development – Dubbo Branch, the Corporate Communications Supervisor, the Media and Public Relations Coordinator, the Manager Commercial Facilities, the Director Technical Services – Dubbo Branch, the Manager Technical Support, the Manager Fleet Management Services, the Director Environmental Services – Dubbo Branch, the Director Community Services – Dubbo Branch, the Manager Business Support Community Services, the Manager Western Plains Cultural Centre, the Director Parks and Landcare Services – Dubbo Branch, the Director Macquarie Regional Library.

Mr M Kneipp assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 5.30pm with a prayer for Divine Guidance to the Council in its deliberations and activities. The acknowledgement of country was also read by the Administrator, Mr Kneipp.

**CCL16/1 APOLOGIES**

There were no requests for leave of absence recorded.

**CCL16/2 DECLARATION OF INTERESTS**

There were no declaration of interests recorded.

**CCL16/3 CONFIRMATION OF ORDER OF BUSINESS**

Moved by Mr M Kneipp

**MOTION**

**That the confirmation of order of business for the Ordinary Council meeting held 25 May 2016 be adopted.**

**CARRIED**

**CCL16/4 PUBLIC ACCESS SESSION**

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

- Mr Steven Guy, MAAS Group Properties regarding CCL16/15 - South-East Dubbo Residential Urban Release Area - Draft Stage 1 Structure Plan Public Exhibition Results and CCL16/16 - Draft Southlakes Estate Development Control Plan 1.
- Mr Leo Fardell, Fardell Investments Pty Ltd regarding CCL16/14 Modified Development Application D2016-15 - Depot Property: Lot 6 DP 234493, 5L Old Gilgandra Road, Brocklehurst.

**GENERAL MANAGER'S REPORTS:****CCL16/5 WESTERN PLAINS REGIONAL COUNCIL 2016/2017 DRAFT OPERATIONAL PLAN AND BUDGET (INCLUDING DRAFT REVENUE POLICY) (ID16/811)**

The Council had before it the report dated 16 May 2016 from the Interim General Manager regarding Western Plains Regional Council 2016/2017 Draft Operational Plan and Budget (Including Draft Revenue Policy).

Moved by Mr M Kneipp

**MOTION**

1. That it be noted that the 2016/2017 draft Operational Plan and Budget (including Revenue Policy and forward budgets for 2017/2018, 2018/2019 and 2019/2020) of the Western Plains Regional Council have been prepared on the basis of a consolidation of the former Dubbo City and Wellington councils' draft Operational Plans and budgets.
2. That the 2016/2017 draft Western Plains Regional Council Operational Plan and Budget (including Revenue Policy and Forward Budgets for 2017/2018, 2018/2019 and 2019/2020) comprising the components marked Dubbo and Wellington be adopted and placed on public exhibition from Thursday 26 May 2016 for the prescribed 28 days.
3. That the 2016/2017 draft Macquarie Regional Library Operational Plan and Budget be adopted and placed on public exhibition for the prescribed 28 days in conjunction with Council's planning documents.
4. That submissions and comments closing at 5.00 pm on Wednesday 22 June 2016 be invited in respect of the 2016/2017 draft Western Plains Regional Council Operational Plan and Budget and the draft Macquarie Regional Library Operational Plan and Budget.
5. That the list of recipients for financial assistance in 2016/2017 under Section 356 of the Local Government Act as detailed in the report of the Director Community Services dated 27 April 2016 be adopted.
6. That it be noted that the amount allocated to discretionary annual donations to the community has been increased from \$20,000 to \$30,000 in the 2016/2017 Operational Plan and Budget and the forward budgets for 2017/2018, 2018/2019 and 2019/2020.

7. That interest charged on overdue rates and charges be at the percentage rate of 8% being the maximum as prescribed by the Minister for Local Government for the 2016/2017 year.

CARRIED

#### ORGANISATIONAL / CORPORATE SERVICES REPORTS:

##### **CCL16/6 CODE OF MEETING PRACTICE (ID16/817)**

The Council had before it the report dated 17 May 2016 from the Manager Governance and Risk Services regarding Code of Meeting Practice.

Moved by Mr M Kneipp

#### MOTION

That the draft Code of Meeting Practice and Meeting Procedures as appended to the report of the Manager Governance and Risk Services dated 17 May 2016 be placed on public exhibition for 28 days with a further report being presented to Council following the submission period of 42 days.

CARRIED

##### **CCL16/7 COMPOSITION OF COMMITTEES AND MEETING TIMES/DATES (ID16/813)**

The Council had before it the report dated 16 May 2016 from the Manager Governance and Risk Services regarding Composition of Committees and Meeting Times/Dates.

Moved by Mr M Kneipp

#### MOTION

1. That Council create the following Committees with the membership as listed:
  - a. Planning and Development Committee comprising the Administrator
  - b. Works and Services Committee comprising the Administrator
  - c. Finance and Policy Committee comprising of the Administrator
  - d. Local Traffic Committee comprising Council's Administrator (Chairman) plus one (1) representative from each of the Roads and Maritime Service, the NSW Police Traffic Branch and the State Member for Dubbo or his nominee.
2. That meetings of Council's Committees as above, be held at the Dubbo Branch Chambers.
3. That the Ordinary meeting of Council be held at 5.30pm on the following dates:
 

Wednesday 22 June 2016 (Wellington)	<i>(Due to Code of Meeting Practice on public exhibition)</i>
Wednesday 27 July 2016 (Wellington)	
Monday 22 August 2016 (Dubbo)	<i>(Following adoption of Code of Meeting Practice)</i>
Monday 26 September 2016 (Wellington)	
Monday 24 October 2016 (Dubbo)	
Monday 28 November 2016 (Wellington)	

Monday 19 December 2016 (Dubbo) *(Due to Christmas)*  
*No meeting in January 2017*  
 Monday 27 February 2017 (Wellington)  
 Monday 27 March 2017 (Dubbo)  
 Monday 24 April 2017 (Wellington)  
 Monday 22 May 2017 (Dubbo)  
 Monday 26 June 2017 (Wellington)  
 Monday 24 July 2017 (Dubbo)  
 Monday 28 August 2017 (Wellington)  
*No meeting in September 2017 due to Local Government Elections*

4. That the dates and times of meetings of regular committees be as follows:
- a. Planning and Development Committee on the Monday preceding the day of the Ordinary Council meeting at 5.30pm, as required;
  - b. Works and Services Committee on the Monday preceding the day of the Ordinary Council meeting commencing immediately following the completion of the Planning and Development Committee noting that if there is no requirement to conduct a Planning and Development Committee it will be scheduled for 5.30pm on that day;
  - c. Finance and Policy Committee on the Monday preceding the day of the Ordinary Council meeting immediately following the completion of the Works and Services Committee;
  - d. Dubbo Local Traffic Committee on the second Friday commencing at 10.00am preceding the meeting of the Works and Services Committee.
5. That a further report be presented to the June 2016 Ordinary meeting of Council regarding the creation of the balance of Council committees, working parties and representation to external organisations.

**CARRIED**

**CCL16/8 ADOPTION OF COMMON SEAL OF COUNCIL (ID16/819)**

The Council had before it the report dated 18 May 2016 from the Manager Governance and Risk Services regarding Adoption of Common Seal of Council.

Moved by Mr M Kneipp

**MOTION**

**That the design of the Common Seal of the Council as illustrated in the body of the report of the Manager Governance and Risk Services dated 18 May 2016 be adopted, noting that the Australian Business Number shall be included once it has been provided to Council.**

**CARRIED**

**CCL16/9 DELEGATION OF AUTHORITY TO THE GENERAL MANAGER (ID16/825)**

The Council had before it the report dated 19 May 2016 from the Manager Governance and Risk Services regarding Delegation of Authority to the General Manager.

Moved by Mr M Kneipp

**MOTION**

**That the Delegation of Authority to the General Manager as contained in the document attached to the report of the Manger Governance and Risk Services dated 19 May 2016 as Appendix 1 be adopted subject to Delegation No 42 being amended to read, "To determine the opening and closing dates of each swimming season of the Council operated public pools at Dubbo, Geurie and Wellington following consultation with swimming clubs and respective pool management."**

**CARRIED**

**CCL16/10 AUDITING SERVICES FOR WESTERN PLAINS REGIONAL COUNCIL (ID16/812)**

The Council had before it the report dated 16 May 2016 from the Manager Governance and Risk Services regarding Auditing Services for Western Plains Regional Council.

Moved by Mr M Kneipp

**MOTION**

- 1. That the Luka Group be confirmed as the Auditor to conduct audits of the former Dubbo City Council and Wellington Council for the period 1 July 2015 to 12 May 2016.**
- 2. That the Luka Group be confirmed as the Auditor to conduct audits of the Western Plains Regional Council for the period 13 May 2016 to 30 June 2017.**
- 3. That the General Manager be authorised to negotiate audit fees with the Luka Group for these services.**
- 4. That the necessary documentation be executed under the Common Seal of Council.**

**CARRIED**

**CCL16/11 PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR THE ADMINISTRATOR (ID16/826)**

The Council had before it the report dated 19 May 2016 from the Manager Governance and Risk Services regarding Payment of Expenses and Provision of Facilities for the Administrator.

Moved by Mr M Kneipp

**MOTION**

**That the policy "Payment of Expenses and Provision of Facilities for the Administrator" as appended to the report of the Manager Governance and Risk Services dated 19 May 2016, be placed on Public Exhibition for a period of twenty eight (28) days inviting the public to make submissions.**

**CARRIED**

**CCL16/12 INVESTMENTS UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT (ID16/787)**

The Council had before it the report dated 16 May 2016 from the Director Organisational Services – Dubbo Branch regarding Investments Under Section 625 of the Local Government Act.

Moved by Mr M Kneipp

**MOTION**

**That the information contained within the report of the Director Organisational Services – Dubbo Branch dated 16 May 2016 be noted.**

**CARRIED**

**STRATEGIC, PLANNING AND ENVIRONMENTAL SERVICES REPORTS:**

**CCL16/13 MODIFIED DEVELOPMENT APPLICATION (D15-310) FOR CHILD CARE CENTRE  
PROPERTY: LOT 12 DP 1190170, 16-18 SPEARS DRIVE, DUBBO  
APPLICANT: GOWRIE NSW  
OWNER: GOWRIE NSW (ID16/580)**

The Council had before it the report dated 16 May 2016 from the Senior Planner 1 regarding Modified Development Application (D15-310) for Child Care Centre.

Moved by Mr M Kneipp

**MOTION**

1. **That condition 55 of development consent D15-310 be amended to read as follows:**  
*“Prior to the issue of the Occupation Certificate, the contribution by the developer of \$15,089.25 (2.75ET) for Water Supply Headworks contributions, calculated on a per ET basis pursuant to Section 64 of the Local Government Act, 1993, Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000, and in accordance with Council’s adopted Combined Water Supply and Sewerage Contributions Policy dated November 2002.*

*Such contribution rate per ET is adjusted annually in accordance with Section 3 of the Combined Water Supply and Sewerage Contributions Policy becoming effective from 1 July each year and as adopted in Council’s Revenue Policy.*

*Note 1: Council’s adopted 2015/2016 rate is \$5,487.00 per ET. An appropriate credit was applied to the contribution calculation.*

*Note 2: As the above contribution rate is reviewed annually, the ‘current contribution rate’ is to be confirmed prior to payment.*

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

2. That the request to delete condition 57 of Development Consent D2015-310 to waive Section 94 Urban Roads contributions not be acceded to as the justification provided is not consistent with the Section 94 Plan – Roads, Traffic Management and Car Parking.

**CARRIED**

In accordance with s375A(2) of the Local Government Act 1993, a division was duly called, the following votes on the motion were recorded:

FOR	AGAINST
Mr M Kneipp	
<b>Total (1)</b>	<b>Total (0)</b>

**CCL16/14 MODIFIED DEVELOPMENT APPLICATION D2016-15 - DEPOT PROPERTY: LOT 6 DP 234493, 5L OLD GILGANDRA ROAD, BROCKLEHURST APPLICANT: FARDELL INVESTMENTS PTY LTD OWNER: FARDELL INVESTMENTS PTY LTD (ID16/753)**

The Council had before it the report dated 16 May 2016 from the Senior Planner 1 regarding Modified Development Application D2016-15 – Depot.

Moved by Mr M Kneipp

#### **MOTION**

1. That Modified Development Application D2016-15 Part 2 for a depot at Lot 6 DP 234493, 5L Old Gilgandra Road, Brocklehurst, be modified by way of deleting condition 4 and modifying condition 25 as per the conditions of consent attached as Appendix 1 of the report of the Senior Planner 1 dated 16 May 2016.
2. That those people who made submissions in respect of this Modified Development Application be advised of the outcome of the matter.

**CARRIED**

In accordance with s375A(2) of the Local Government Act 1993, a division was duly called, the following votes on the motion were recorded:

FOR	AGAINST
Mr M Kneipp	
<b>Total (1)</b>	<b>Total (0)</b>



**CCL16/15 SOUTH-EAST DUBBO RESIDENTIAL URBAN RELEASE AREA - DRAFT STAGE 1  
STRUCTURE PLAN PUBLIC EXHIBITION RESULTS (ID16/134)**

The Council had before it the report dated 17 May 2016 from the Manager City Strategy Services regarding South-East Dubbo Residential Urban Release Area - Draft Stage 1 Structure Plan Public Exhibition Results.

Moved by Mr M Kneipp

**MOTION**

1. That the draft Stage 1 Structure Plan for the South-East Dubbo Residential Urban Release Area as provided in Appendix 1 of the report of the Manager City Strategy Services dated 17 May 2016, be adopted by Council.
2. That the people who provided submissions, included in Appendix 2 and Appendix 3 of the report of the Manager City Strategy Services dated 17 May 2016, be advised of the outcome of Council's considerations and thanked for their submission.

**CARRIED**

In accordance with s375A(2) of the Local Government Act 1993, a division was duly called, the following votes on the motion were recorded:

FOR	AGAINST
Mr M Kneipp	
<b>Total (1)</b>	<b>Total (0)</b>

**CCL16/16 DRAFT SOUTHLAKES ESTATE DEVELOPMENT CONTROL PLAN 1 (ID16/294)**

The Council had before it the report dated 17 May 2016 from the Manager City Strategy Services regarding Draft Southlakes Estate Development Control Plan 1.

Moved by Mr M Kneipp

**MOTION**

1. That the draft Southlakes Estate Development Control Plan 1 as provided here in Appendix 1 of the Manager City Strategy Services dated 17 May 2016 be adopted for the purposes of public exhibition.
2. That the draft Southlakes Estate Development Control Plan 1 be placed on public exhibition for a period of no less than 28 days in accordance with Clause 18 of the Environmental Planning and Assessment Regulation, 2000.
3. That a further report be presented to Council for consideration following completion of the public exhibition period.

**CARRIED**

In accordance with s375A(2) of the Local Government Act 1993, a division was duly called, the following votes on the motion were recorded:

FOR	AGAINST
Mr M Kneipp	
<b>Total (1)</b>	<b>Total (0)</b>

**CCL16/17 PLANNING PROPOSAL (R15-1) - ADDITIONAL PERMITTED USE (HOTEL OR MOTEL ACCOMMODATION) - PUBLIC EXHIBITION RESULTS  
PROPERTY: 20L CHAPMANS ROAD DUBBO  
APPLICANT: GEOLYSE PTY LTD  
OWNER: STANAWAY PTY LTD (ID16/353)**

The Council had before it the report dated 17 May 2016 from the Manager City Strategy Services regarding Planning Proposal (R15-1) - Additional Permitted Use (Hotel or Motel Accommodation) - Public Exhibition Results.

Moved by Mr M Kneipp

#### MOTION

1. That the Planning Proposal to amend the Dubbo Local Environmental Plan 2011 to include 'hotel or motel accommodation' as an additional permitted use of Lot 3 DP 554158, 20L Chapmans Road, Dubbo only, be endorsed.
2. That Council request Parliamentary Counsel to prepare the draft amendment to the Dubbo Local Environmental Plan 2011 under Section 59(1) of the Environmental Planning and Assessment Act, 1979.
3. That the people who made a submission be thanked and advised of Council's determination in this matter.

**CARRIED**

In accordance with s375A(2) of the Local Government Act 1993, a division was duly called, the following votes on the motion were recorded:

FOR	AGAINST
Mr M Kneipp	
<b>Total (1)</b>	<b>Total (0)</b>

**CCL16/18 PLANNING PROPOSAL (R15-2) - SECONDARY DWELLING PROVISIONS - PROPOSED AMENDMENT TO CLAUSE 5.4(9)(B) OF THE DUBBO LOCAL ENVIRONMENTAL PLAN 2011 - RESULTS OF PUBLIC EXHIBITION (ID16/356)**

The Council had before it the report dated 17 May 2016 from the Manager City Strategy Services regarding Planning Proposal (R15-2) - Secondary Dwelling Provisions - Proposed Amendment to Clause 5.4(9)(b) of the Dubbo Local Environmental Plan 2011 - Results of Public Exhibition.

Moved by Mr M Kneipp

**MOTION**

1. That the Planning Proposal to amend Clause 5.4(9)(b) of the Dubbo Local Environmental Plan 2011 to increase the maximum floor area of a secondary dwelling from 40% of the total floor area of the principal dwelling to 65% of the total floor area of the principal dwelling, be adopted.
2. That Council request the Department of Planning and Environment to prepare the draft amendment to the Dubbo Local Environmental Plan 2011 and provide Council with an Opinion that the Plan be made.
3. That the people who made a submission be thanked and advised of Council's determination in this matter.

**CARRIED**

In accordance with s375A(2) of the Local Government Act 1993, a division was duly called, the following votes on the motion were recorded:

FOR	AGAINST
Mr M Kneipp	
<b>Total (1)</b>	<b>Total (0)</b>

**CCL16/19 DUBBO BUILDING SUMMARY - APRIL 2016 (ID16/777)**

The Council had before it the report dated 17 May 2016 from the Director Environmental Services – Dubbo Branch regarding Dubbo Building Summary - April 2016.

Moved by Mr M Kneipp

**MOTION**

**That the information contained in the report of the Director Environmental Services – Dubbo Branch dated 17 May 2016 be noted.**

**CARRIED**

**CCL16/20 NOMINATIONS FOR THE WESTERN JOINT REGIONAL PLANNING PANEL (JRPP)  
(ID16/820)**

The Council had before it the report dated 18 May 2016 from the Director Environmental Services – Dubbo Branch regarding Nominations for the Western Joint Regional Planning Panel (JRPP).

Moved by Mr M Kneipp

**MOTION**

**That Council's two nominations to represent Council on the NSW Western Joint Regional Planning Panel during its period of Administration ending September 2017 be Mr Lindsay Dunstan and Mr Lindsay Mathieson.**

**CARRIED**

**PARKS AND LANDCARE SERVICES REPORTS:****CCL16/21 LICENCE AGREEMENT FOR THE DUBBO RUGBY CLUBHOUSE (ID16/788)**

The Council had before it the report dated 16 May 2016 from the Manager Sporting Facilities regarding Licence Agreement for the Dubbo Rugby Clubhouse.

Moved by Mr M Kneipp

**MOTION**

- 1. That Council enter into a licence agreement with the Dubbo Rugby Union Club for the use of the Dubbo Rugby Union Clubhouse at Victoria Park No. 1.**
- 2. That the licence agreement be for a period of five (5) years with an option to extend the licence by further five (5) years.**
- 3. That any necessary documentation be executed under the Common Seal of the Council.**

**CARRIED**

**CCL16/22 LICENCE AGREEMENT FOR THE NITA MCGRATH NETBALL CLUBHOUSE (ID16/789)**

The Council had before it the report dated 17 May 2016 from the Manager Sporting Facilities regarding Licence Agreement for the Nita McGrath Netball Clubhouse.

Moved by Mr M Kneipp

**MOTION**

1. That Council enter into a licence agreement with the Dubbo Netball Association Club for the use of the Nita McGrath Clubhouse at Nita McGrath Netball Courts.
2. That the licence agreement be for a period of five (5) years with an option to extend the licence by further five (5) years.
3. That any necessary documentation be executed under the Common Seal of the Council.

**CARRIED**

**COMMUNITY SERVICES REPORTS:****CCL16/23 STATUE OF CIVIL RIGHTS PIONEER BILL FERGUSON (ID16/776)**

The Council had before it the report dated 16 May 2016 from the Director Community Services – Dubbo Branch regarding Statue of Civil Rights Pioneer Bill Ferguson .

Moved by Mr M Kneipp

**MOTION**

1. That Council concur with the proposal to locate a statue of Mr Bill Ferguson at the Church Street Rotunda Precinct.
2. That the Administrator and Interim General Manager be authorised to approve the actual location of the statue in the precinct and other necessary matters as relating to Council in respect of this project.

**CARRIED**

**CORPORATE DEVELOPMENT REPORTS:****CCL16/24 RECLASSIFICATION OF LOT 27 DP 837818 SILKWOOD CLOSE (ID16/573)**

The Council had before it the report dated 16 May 2016 from the Manager Commercial Facilities regarding Reclassification of Lot 27 DP 837818 Silkwood Close.

Moved by Mr M Kneipp

**MOTION**

1. That Council commence the land reclassification in respect of changing the classification of Lot 27 DP 837818, Silkwood Close, Dubbo from Community Land to Operational Land under the Local Government Act, 1993.
2. That the proposed reclassification be pursued on the basis that the subject land is considered unsuitable as public open space due to its location, limited access arrangements and the provision of stormwater infrastructure.
3. That Council place the proposed land reclassification on public exhibition for a period of no less than 28 days and undertake consultation with adjoining and adjacent property owners.
4. That following completion of the public exhibition period, Council hold a Public Hearing in accordance with Section 29 of the Local Government Act, 1993.
5. That a subsequent report be presented to Council following conclusion of the public exhibition period and the Public Hearing process.

**CARRIED**

**CCL16/25 LICENCE AGREEMENT FOR WEATHER SATELLITE DISHES - DUBBO CITY REGIONAL AIRPORT (ID16/648)**

The Council had before it the report dated 16 May 2016 from the Airport Operations Manager regarding Licence Agreement for Weather Satellite Dishes - Dubbo City Regional Airport.

Moved by Mr M Kneipp

**MOTION**

1. That Council enter into a licence agreement with Meteologix Australia Pty Ltd for a period of 3 years, with an option to renew for a further 3 years upon expiry of the first term of the licence.
2. That the fee being \$1,000 plus GST per annum, due upon the approval of the development application, plus an increase annually on the anniversary of the licence based on Consumer Price Index (Sydney All Groups).
3. That the Licensee be responsible for up to \$1,500 to cover Council's legal fees in preparing and entering into such agreement.
4. That the Licensee is responsible for all outgoings (electricity and internet fees) as well as all site establishment costs.
5. That any necessary documents be executed under the Common Seal of the Council.

**CARRIED**

**CCL16/26 APPROVAL FOR ROYAL FLYING DOCTOR SERVICE TO LEASE LAND FOR CONSTRUCTION OF FACILITIES AT DUBBO CITY REGIONAL AIRPORT (ID16/759)**

The Council had before it the report dated 16 May 2016 from the Airport Operations Manager regarding Approval for Royal Flying Doctor Service to Lease Land for Construction of Facilities at Dubbo City Regional Airport.

Moved by Mr M Kneipp

**MOTION**

1. That Council agree in principal to the area of land to be allocated to these projects.
2. That Council make provision to subdivide this parcel of land for future long term lease purposes to the Royal Flying Doctor Service.
3. That the Royal Flying Doctor Service be responsible for fees associated with the cost of subdivision, including lodgement, Council's legal fees and survey costs.
4. That Council undertake a valuation of land for the new lot by registered valuer.
5. That a further report be prepared once a lease is ready to be prepared between Council and the Royal Flying Doctor Service.

**CARRIED**

**TECHNICAL SERVICES REPORTS:****CCL16/27 KEEPING IT CLEAN WASTE INITIATIVE - NANIMA VILLAGE (ID16/821)**

The Council had before it the report dated 18 May 2016 from the Interim General Manager regarding Keeping it Clean Waste Initiative - Nanima Village.

Moved by Mr M Kneipp

**MOTION**

**That Council provide in-kind and financial support to the Keeping it Clean Initiative as follows:**

1. Use of equipment and work crews provided on a fee-for-service cost-neutral basis.
2. Access to landfill and a fee waiver for removed waste.
3. Advice and support through Council's Technical Services staff, Wellington Branch.

**CARRIED**

**ADMINISTRATOR MINUTES:****CCL16/28 INTERIM ORGANISATIONAL STRUCTURE**

The Council had before it the Administrator Minute regarding Interim Organisational Structure.

Moved by Mr M Kneipp

**MOTION**

**That the interim structure to senior staff level as attached as Appendix 1 to this Administrator Minute be adopted.**

**CARRIED**

**CCL16/29 LOCAL REPRESENTATION COMMITTEE**

The Council had before it the Administrator Minute regarding Local Representation Committee.

Moved by Mr M Kneipp

**MOTION**

- 1. That a Local Representation Committee be formed comprising:**
  - **Graham Cross (former Councillor of Wellington Council)**
  - **David Grant (former Councillor of Wellington Council)**
  - **Anne Jones (former Councillor of Wellington Council)**
  - **Kevin Parker (former Councillor of Dubbo City Council)**
  - **Ben Shields (former Councillor of Dubbo City Council)**
  - **Pip Smith (former Councillor of Wellington Council)**
  - **Rod Towney (former Councillor of Dubbo City Council)**
  - **John Walkom (former Councillor of Dubbo City Council)**
- 2. That the "Model Terms of Reference for Local Representation Committees" as attached to the Administrator's Minute be adopted as the Terms of Reference for the Western Plains Regional Council Local Representation Committee.**

**CARRIED**



**CCL16/29(a) EXTRAORDINARY MEETING OF COUNCIL 29 JUNE 2016**

The Council had before it the Administrator Minute regarding Extraordinary Meeting of Council 29 June 2016.

Moved by Mr M Kneipp

**MOTION**

**That an Extraordinary meeting of Council be conducted at 12 noon on Wednesday 29 June 2016 at the Western Plains Regional Council, Wellington Branch, for the purpose of considering and adopting the 2016/2017 Operational Plan and Budget.**

**CARRIED**

**CCL16/30 QUESTIONS WITHOUT NOTICE**

There were no matters recorded under this clause.

**CONFIDENTIAL MATTERS:**

At this juncture the meeting adjourned, the time being 6.34pm.

The meeting recommenced at 6.44pm.

**CCL16/41 REPORT AND ADOPTION OF CONFIDENTIAL COUNCIL**

The Director Organisational Services – Dubbo Branch read to the meeting the Report of Closed Council held on 25 May 2016.

Moved by Mr M Kneipp

**MOTION**

**That the report of the meeting of Closed Council held on 25 May 2016 be adopted.**

**CARRIED**

The meeting closed at 6.52pm.

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CHAIRMAN

# **REPORT CONFIDENTIAL ORDINARY COUNCIL MEETING 25 MAY 2016**

**PRESENT:**

Administrator (Mr Michael Kneipp)

**ALSO IN ATTENDANCE:**

The Interim General Manager, the Director Wellington Branch, the Director Technical Services – Wellington Branch, the Director Corporate Services – Wellington Branch, the Director Organisational Services – Dubbo Branch, the Manager Governance and Risk, the Supervisor Governance, the Administrative Officer Governance, the Manager Information Management Services, the Director Corporate Development – Dubbo Branch, the Corporate Communications Supervisor, the Media and Public Relations Coordinator, the Manager Commercial Facilities, the Director Technical Services – Dubbo Branch, the Manager Technical Support, the Manager Fleet Management Services, the Director Environmental Services – Dubbo Branch, the Director Community Services – Dubbo Branch, the Manager Business Support Community Services, the Manager Western Plains Cultural Centre, the Director Parks and Landcare Services – Dubbo Branch, the Director Macquarie Regional Library.

Mr M Kneipp assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 6.35pm.

**CCL16/31 TENDERS FOR THE DOCUMENTATION AND CONSTRUCTION OF FENCES, RAMPS AND COMPRESSED AIR FOR THE DRAFT AREA, STACK PENS AND SALE PENS AT THE DUBBO REGIONAL LIVESTOCK MARKETS (ID16/785)**

The Council had before it the report dated 16 May 2016 from the Director Corporate Development – Dubbo Branch regarding Tenders for the documentation and construction of fences, ramps and compressed air for the draft area, stack pens and sale pens at the Dubbo Regional Livestock Markets.

Moved by Mr M Kneipp

**MOTION**

**That members of the press and public be excluded from the meeting during consideration of this item, the reason being that commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council (Section 10A(2)(d)(ii)).**

**CARRIED**

Moved by Mr M Kneipp

**MOTION**

1. That in accordance with Clause 178 (1)(b) of the Local Government (General) Regulation 2005, Council decline to accept any tenders received for the Documentation and Construction of Fences, Ramps and Compressed Air for the Draft Area, Stack Pens and Sale Pens at the Dubbo Regional Livestock Markets as the tenders received both exceed the funds allocated in the project budget for these components.
2. That in accordance with Clause 178 (3)(e), Council enter into negotiations with the lowest tender being Proway Livestock Equipment.
3. That Council not invite fresh tenders for the Documentation and Construction of Fences, Ramps and Compressed Air for the Draft Area, Stack Pens and Sale Pens at the Dubbo Regional Livestock Markets as a fresh tender process is unlikely to provide a better result for Council.
4. That following negotiations with the Proway Livestock Equipment a further report be presented to Council for consideration.
5. That any necessary documentation be executed under the Common Seal of the Council.
6. That the documents and considerations in regard to this matter remain confidential to Council.

**CARRIED**

**CCL16/32 COUNCIL ACQUISITION OF LOT 1 DP 322844 AND LOT 8 DP 10459  
TAMWORTH STREET - LAND ADJOINING REGAND PARK PUBLIC OPEN SPACE  
(ID16/797)**

The Council had before it the report dated 16 May 2016 from the Manager Commercial Facilities regarding Council acquisition of Lot 1 DP 322844 and Lot 8 DP 10459 Tamworth Street - land adjoining Regand Park Public Open Space.

Moved by Mr M Kneipp

**MOTION**

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

**CARRIED**

Moved by Mr M Kneipp

**MOTION**

1. That Council acquire Lot 1 DP 322844 and Lot 8 DP 10459 Tamworth Street, for \$220,000 exc. GST with the sale price including the existing 280 m<sup>2</sup> farm shed and bore licence pertaining to the site.
2. That the land be classified as 'operational' in accordance with the Local Government Act 1993, upon acquisition by Council.
3. That all relevant documentation in relation to this matter be executed under the Common Seal of the Council.
4. That the documents and considerations in respect of this matter remain confidential to the Council.

**CARRIED**

**CCL16/33 AIRPORT ADVERTISING DUBBO CITY REGIONAL AIRPORT**

The Council had before it the report dated 16 May 2016 from the Airport Operations Manager regarding Airport Advertising Dubbo City Regional Airport.

Moved by Mr M Kneipp

**MOTION**

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

**CARRIED**

Moved by Mr M Kneipp

**MOTION**

1. That the information contained within the report of the Airport Operations Manager dated 16 May 2016 be noted.
2. That when the Interspace Advertising Concession expires it not be renewed.
3. That on expiry of the Interspace Concession, option two (2) as detailed within this report be implemented.
4. That the documents and considerations in regard to this matter remain confidential to Council.

**CARRIED**

**CCL16/34 MAJOR SEWER RELINING (ID16/773)**

The Council had before it the report dated 16 May 2016 from the Director Technical Services – Dubbo Branch regarding Major Sewer Relining.

Moved by Mr M Kneipp

**MOTION**

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

**CARRIED**

Moved by Mr M Kneipp

**MOTION**

- 1. That Council accept the offer of Insituform Pacific Pty Ltd to prepare and reline the site of the January 2016 collapse and the remainder of the sewer at the quoted amount of \$123,368.99 (GST exc) as a variation to the existing Contract 13/72.**
- 2. That Council delegate to the Interim General Manager authority to approve additional variations up to \$20,000 for associated works not covered by the Insituform Pacific Pty Ltd quotation.**
- 3. That Council accept the offer of NSW Public Works to supervise this work for the quoted amount of \$11,340 (GST ex).**
- 4. That any necessary documents be executed under the Common Seal of the Council.**
- 5. That the documents and considerations in regard to this matter remain confidential to Council.**

**CARRIED**

**CCL16/35 ACCEPTANCE OF TENDER FOR CONSTRUCTION OF ELECTRICAL SWITCHBOARD AT JOHN GILBERT WATER TREATMENT PLANT (ID16/341)**

The Council had before it the report dated 16 May 2016 from the Director Technical Services – Dubbo Branch regarding Acceptance of Tender for Construction of Electrical Switchboard at John Gilbert Water Treatment Plant.

Moved by Mr M Kneipp

**MOTION**

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

**CARRIED**

Moved by Mr M Kneipp

**MOTION**

1. That the tender of Large Industries Pty Ltd trading as JLE Electrical (JLE) in the amount of \$359,040 (GST ex) for construction of an electrical switchboard at the John Gilbert Water Treatment Plant be accepted.
2. That any necessary documents be executed under the Common Seal of the Council.
3. That the documents and considerations in regard to this matter remain confidential to Council.

**CARRIED**

**CCL16/36 SHORTLISTING OF SCADA SERVICE PROVIDERS**

The Council had before it the report dated 16 May 2016 from the Director Technical Services – Dubbo Branch regarding Shortlisting of SCADA Service Providers.

Moved by Mr M Kneipp

**MOTION**

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

**CARRIED**

Moved by Mr M Kneipp

**MOTION**

1. That Council invite the following organisations to quote on SCADA work for Council on a panel basis:
  - Schneider Electric
  - Hunter H2O
  - Safe Group
  - Applied Controls
  - Alliance Automation
  - 360 Engineering
2. That Council make the shortlist available to member council's of the Lower Macquarie Water Utilities Alliance, should they wish to approach a shortlisted contractor for their own projects.
3. That any necessary documents be executed under the Common Seal of the Council.
4. That the documents and considerations in regard to this matter remain confidential to Council.

**CARRIED**

**CCL16/37 TENDER FOR THE SUPPLY AND HIRE FOR LIGHT VEHICLES, PLANT AND EQUIPMENT FOR 2016/2017 (ID16/643)**

The Council had before it the report dated 16 May 2016 from the Manager Fleet Management Services regarding Tender for The Supply and Hire for Light Vehicles, Plant and Equipment for 2016/2017.

Moved by Mr M Kneipp

**MOTION**

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

**CARRIED**

Moved by Mr M Kneipp

**MOTION**

- 1. That the report of the Manager Fleet Management dated 16 May 2016 be noted.**
- 2. That in accordance with Clause 178(1)(b) of the Local Government (General) Regulation 2005, Council decline to accept any of the tenders received for the Tender for the Supply and Hire For Light Vehicles, Plant and Equipment for 2016/2017.**
- 3. That in accordance with Clause 178(3)(b), Council invite fresh tenders for the Tender for the Supply and Hire For Light Vehicles, Plant and Equipment based on the details of the former Dubbo City and Wellington council's for the period ending 31 December 2017.**
- 4. That Council notify all tenderers of its decision to reject all tenders.**
- 5. That the documents and considerations in regard to this matter remain confidential to Council.**

**CARRIED**

**CCL16/38 STREET LIGHTING AT THE MITCHELL HIGHWAY CAPSTAN DRIVE ROUNDABOUT (ID16/800)**

The Council had before it the report dated 16 May 2016 from the Manager Works Services regarding Street Lighting at the Mitchell Highway Capstan Drive Roundabout.

Moved by Mr M Kneipp

**MOTION**

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

**CARRIED**

Moved by Mr M Kneipp

**MOTION**

1. That the Lump Sum Tender submitted by JLE Electrical Pty Ltd for \$329,465 (excluding GST) be accepted by Council.
2. That any necessary documents be executed under the Common Seal of the Council.
3. That the documents and considerations in regard to this matter remain confidential to Council.

**CARRIED**

**CCL16/39 KESWICK STAGE 4 RELEASE 3 SUBDIVISION CONSTRUCTION (ID16/796)**

The Council had before it the report dated 18 May 2016 from the Manager Works Services regarding Keswick Stage 4 Release 3 Subdivision Construction.

Moved by Mr M Kneipp

**MOTION**

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

**CARRIED**

Moved by Mr M Kneipp

**MOTION**

1. That the tender of MAAS Civil Pty Ltd in the amount of \$1,481,595 (GST ex) be accepted.
2. That in entering into a contract for this project, such contract be on the basis that MAAS Civil Pty Ltd and MAAS Group Holdings Pty Ltd have agreed to be jointly and severally liable to the Principal for the performance of the obligations of the contractor, under the contract and that Council engage them jointly as the contractor.
3. That any necessary documents be executed under the Common Seal of the Council.
4. That the documents and considerations in regard to this matter confidential to Council.

**CARRIED**



**CCL16/40 MANAGEMENT AND OPERATION OF AGRICULTURAL ACTIVITIES INCLUDING  
EFFLUENT IRRIGATION SCHEMES (ID16/802)**

The Council had before it the report dated 19 May 2016 from the Director Technical Services – Dubbo Branch regarding Management and Operation of Agricultural Activities including Effluent Irrigation Schemes.

Moved by Mr M Kneipp

**MOTION**

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

**CARRIED**

Moved by Mr M Kneipp

**MOTION**

- 1. That Council accept the revised tender from GHD for the Management of Council's agricultural lands, including sewage effluent irrigation areas, in the amount of \$1,267,140 (GST excl).**
- 2. That any necessary documents be executed under the Common Seal of the Council.**
- 3. That the documents and considerations in regard to this matter remain confidential to Council.**

**CARRIED**

The meeting closed at 6.42pm.

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CHAIRMAN

# REPORT

## EXTRAORDINARY COUNCIL MEETING

### 8 JUNE 2016

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**PRESENT:**

Administrator (Mr Michael Kneipp)

**ALSO IN ATTENDANCE:**

The General Manager, the Director Organisational Services, the Manager Governance and Risk, the Director Corporate Development, the Director Technical Services, the Director Environmental Services, the Director Community Services, the Director Parks and Landcare Services, the Director Wellington Branch and the Promotions and Media Liaison Officer.

Mr M Kneipp assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 12 noon with a prayer for Divine Guidance to the Council in its deliberations and activities. The acknowledgement of country was also read by the Administrator, Mr Kneipp.

**CCL16/42 APOLOGIES (ID16/1043)**

There were no requests for leave of absence recorded.

**CCL16/43 DECLARATION OF INTERESTS (ID16/1044)**

There were no declaration of interests recorded.

**CCL16/44 CONFIRMATION OF ORDER OF BUSINESS (ID16/1048)**

Moved by Mr M Kneipp

**MOTION**

**That the confirmation of order of business for the Extraordinary Council meeting be adopted.**

**CARRIED**

**CCL16/45 PUBLIC ACCESS SESSION (ID16/1049)**

There were no speakers during Public Forum.

**WELLINGTON BRANCH REPORTS:****CCL16/46 WELLINGTON AERODROME LICENCE AREAS (ID16/1036)**

The Council had before it the report dated 1 June 2016 from the Director Wellington Branch regarding Wellington Aerodrome Licence Areas.

Moved by Mr M Kneipp

**MOTION**

1. That Council adopt the proposed licence areas as per the plans labelled "Hangar A1 to A5" and "Hangar B1 to B6" (attached to the report of the Director Wellington Branch dated 1 June 2016 as Appendix 1).
2. That Council enter into licence agreements with Rachcate Pty Ltd, Mark Conn and Wellington Aero Club in accordance with the following terms and conditions:
  - a. Licence term of 5 years.
  - b. Licensee must provide public liability insurance for \$20 million.
  - c. Licensee cannot sub-lease without the authorisation of Council.
  - d. Lease fee of \$100.00 per annum (ex GST).

**CARRIED**

**CONFIDENTIAL MATTERS:**

At this juncture the meeting adjourned, the time being 12.03pm.

The meeting recommenced at 12.10pm.

**CCL16/51 REPORT AND ADOPTION OF CONFIDENTIAL COMMITTEE**

The Director Organisational Services read to the meeting the Report of Closed Committee held on 8 June 2016.

Moved by Mr M Kneipp

**MOTION**

**That the report of the meeting of Closed Committee held on 8 June 2016 be adopted.**

**CARRIED**

The meeting closed at 12.14pm.

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CHAIRMAN

**REPORT**  
**CONFIDENTIAL EXTRAORDINARY COUNCIL**  
**MEETING**  
**8 JUNE 2016**

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**PRESENT:**

Administrator (Mr Michael Kneipp)

**ALSO IN ATTENDANCE:**

The General Manager, the Director Organisational Services, the Manager Governance and Risk, the Director Corporate Development, the Director Technical Services, the Director Environmental Services, the Director Community Services, the Director Parks and Landcare Services and the Director Wellington Branch.

Mr M Kneipp assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 12.03pm.

**CCL16/47 TENDER FOR THE CONSTRUCTION OF CONCRETE PAVING, GRAVEL BASE AND ROADWORK AT THE DUBBO REGIONAL LIVESTOCK MARKETS (ID16/804)**

The Committee had before it the report dated 26 May 2016 from the Director Corporate Development regarding Tender for the construction of concrete paving, gravel base and roadwork at the Dubbo Regional Livestock Markets.

Moved by Mr M Kneipp

**MOTION**

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

**CARRIED**

Moved by Mr M Kneipp

**MOTION**

The Committee recommends:

1. That Council accept the tender from David Payne Construction Pty Ltd in the amount of \$1,128,483.00 ex GST to undertake the construction of the concrete paving, gravel base (based on 108 selling pens) and roadworks at the Dubbo Regional Livestock Markets.
2. That any necessary documents be executed under the Common Seal of the Council.
3. That the documents and considerations in regard to this matter remain confidential to Council.

**CARRIED**

**CCL16/48 TENDER FOR THE DOCUMENTATION AND CONSTRUCTION OF FENCES, RAMPS AND COMPRESSED AIR FOR THE DRAFT AREA, STACK PENS AND SALE PENS AT THE DUBBO REGIONAL LIVESTOCK MARKETS (ID16/849)**

The Committee had before it the report dated 26 May 2016 from the Director Corporate Development regarding Tender for the documentation and construction of fences, ramps and compressed air for the draft area, stack pens and sale pens at the Dubbo Regional Livestock Markets.

Moved by Mr M Kneipp

**MOTION**

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

**CARRIED**

Moved by Mr M Kneipp

**MOTION**

The Committee recommends:

1. That the project financial details as contained within the report of the Director Corporate Development dated 26 May 2016 be noted.
2. That following the negotiations with Proway Livestock Equipment, Council accept the revised tender from Proway Livestock Equipment in the amount of \$3,064,914 ex GST, based on 108 selling pens and adjustments to the scope of works as detailed within this report.
3. That any necessary documentation be executed under the Common Seal of the Council.
4. That the documents and considerations in regard to this matter remain confidential to Council.

**CARRIED**

**CCL16/49 TENDER VP49932 - SUPPLY AND LAY ASPHALT - WELLINGTON MAIN STREET  
HEAVY PATCHING - MAUGHAN/RYGATE/SIMPSON STREETS ASPHALT  
OVERLAY - 2015/2016 (ID16/1001)**

The Committee had before it the report dated 1 June 2016 from the Director Wellington Branch regarding Tender VP49932 - Supply and Lay Asphalt - Wellington Main Street Heavy Patching - Maughan/Rygate/Simpson Streets Asphalt Overlay - 2015/2016.

Moved by Mr M Kneipp

**MOTION**

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

**CARRIED**

Moved by Mr M Kneipp

**MOTION**

**The Committee recommends:**

- 1. That the tender of Bitupave Ltd, trading as Boral Asphalt, in the amount of \$346,946.60 for the Wellington Main Street Asphalt Heavy Patching and Maughan Street Asphalt Overlay – 2015/2016 be accepted.**
- 2. That any necessary documents be executed under the Common Seal of the Council.**
- 3. That the documents and considerations in regard to this matter remain confidential to Council.**

**CARRIED**

**CCL16/50 CLEANING AND MAINTENANCE OF WELLINGTON CAVES COMPLEX AND  
UNDERTAKING AFTER HOURS OPERATION OF WELLINGTON CAVES CARAVAN  
PARK (ID16/1034)**

The Committee had before it the report dated 1 June 2016 from the Director Wellington Branch regarding Cleaning and Maintenance of Wellington Caves Complex and Undertaking After Hours Operation of Wellington Caves Caravan Park.

Moved by Mr M Kneipp

**MOTION**

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

**CARRIED**

Moved by Mr M Kneipp

**MOTION**

The Committee recommends:

1. That the Tender for the Cleaning and Maintenance Contract of the Wellington Caves Complex and After Hours Operations of the Wellington Caves Caravan Park be awarded to Micky D's Cleaning for a period of twelve months commencing 1 July 2016 for an amount of \$218,000 (excluding GST).
2. That Council enter into a residential lease with the owners of Micky D's Cleaning to occupy the residence located at the Wellington Caves Caravan Park to enable the after-hours operations of the Wellington Caves Caravan Park for an amount of \$200.00 per week for a period of twelve months commencing 1 July 2016.
3. That any necessary documents be executed under the Common Seal of the Council.
4. That the documents and considerations in regard to this matter remain confidential to Council.

**CARRIED**

The meeting closed at 12.10pm.

.....  
CHAIRMAN

**WESTERN  
PLAINS  
REGIONAL  
COUNCIL**

Incorporating the former  
Dubbo City & Wellington councils

**REPORT: Street Sealing Programme -  
Wongarbon / Brocklehurst / Eumungerie  
and Ballimore**

**AUTHOR: Interim General Manager**  
**REPORT DATE: 14 June 2016**  
**TRIM REFERENCE: ID16/1095**

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**EXECUTIVE SUMMARY**

Council in preparing its street sealing program for Wongarbon / Brocklehurst / Eumungerie and Ballimore undertook public consultation with regard to priority rankings of respective streets in these villages. Based on the responses of the consultation process amendments have been made to the initial plan that was placed on public exhibition. A revised program is attached in the report of the manger Civil Infrastrcuture and Solid Waste (**Appendix 1**).

My covering report proposes that the sealing program be conceptually endorsed for the purposes of planning and input into Councils Community Strategic Plan effective 1 July 2018 and that the 2016/2017 and 2017/2018 works be as identified in the report of the Manager Civil Infrastructure and Solid Waste.

**FINANCIAL IMPLICATIONS**

There are no financial implications arising from this report.

**POLICY IMPLICATIONS**

There are no policy implications arising from this report.



**RECOMMENDATION**

1. That the final draft of the ten (10) year program of street sealing in the villages of Wongarboon / Brocklehurst / Eumungerie / and Ballimore, as identified in the report of the Manger Civil Infrastructure and Solid Waste and as amended having regard to community consultation, be conceptually endorsed for the purpose of the preparation of the newly formed Councils initial Community Strategic Plan effective 1 July 2018.
2. That in the intervening period the street sealing projects for 2016/2017 and 2017/2018 be as per the Managers report as follows:

2016/2017	Brocklehurst	Barbijal Street
	Wongarboon	Railway Street (Berida to Beni)
	Wongarboon	Derribong Street (Gundong to Barbical)
2017/2018	Wongarboon	Bundemar Street (Gundong to Barbical)
	Eumungerie	Balladoran Street (Emu to Cobboco)
	Eumungerie	Emu Street (Railway to Balladoran)
3. That those person who made a submission in respect of this matter be thanked for their input and advised of Councils decision.

*Mark Riley*

Interim General Manager

**REPORT**

I refer to the report of the Manager Civil Infrastructure and Solid Waste dated 10 June 2016 regarding Street Sealing Programme – Wongarbron / Brocklehurst / Eumungerie and Ballimore (**Appendix 1**).

Having regard to feedback as a result of community consultation, the report recommends “that the final draft of the ten (10) year program of street sealing for the villages of Ballimore, Brocklehurst, Eumungerie and Wongarbron be adopted”.

As correctly identified in the Manager’s report funding of \$500,000 has been identified in the Dubbo component of the draft 2016/2017 Operational Plan of the newly formed Western Plains Regional Council. The forward draft estimates of such component of the plan provides funding of \$390,000, \$540,000 and \$560,000 for the periods 2017/2018, 2018/2019 and 2019/2020 respectively.

The recommendation of the Manager’s report is to provided a clear intent in respect of sealing works to be undertaken by Council over the next ten years.

In merging the Dubbo and Wellington Council’s, Government has advised that “the budget, revenue policy and fees and charges for 2016/2017 should be based primarily on the direction provided in the delivery programs and long term plans of the former Council’s”. In addition Government has advised that “New Councils must prepare fully integrated operational plans for 2017/2018, within the usual timeframes”.

Having regard to these requirements it is considered appropriate that the final draft of the ten (10) year program of street sealing, which has been amended having regard to community consultation, be conceptually endorsed for the purpose of the preparation of the newly formed Councils Community Strategic Plan effective 1 July 2018. This will allow a whole of Council approach to the issue.

In the interviewing period it is proposed that the projects for 2016/2017 and 2017/2018 be as per the Managers report as follows:

2016/2017	Brocklehurst	Barbijal Street
	Wongarbron	Railway Street (Berida to Beni)
	Wongarbron	Derribong Street (Gundong to Barbigal)
2017/2018	Wongarbron	Bundemar Street (Gundong to Barbigal)
	Eumungerie	Balladoran Street (Emu to Cobboco)
	Eumungerie	Emu Street (Railway to Balladoran)

Appendices:

**1** Street Sealing Programme - Wongarbron - Brocklehurst - Eummungerie and Ballimore

ORDINARY COUNCIL MEETING  
22 JUNE 2016

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## **REPORT: Street Sealing Programme - Wongarbon / Brocklehurst / Eummungerie and Ballimore**

**AUTHOR:** Manager Civil Infrastructure and Solid  
Waste

**REPORT DATE:** 10 June 2016

**TRIM REFERENCE:** ID16/1069

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### **EXECUTIVE SUMMARY**

The proposal for a Village Streets Sealing Program first appeared in the former Dubbo City Councils 2013/2017 Delivery Program where \$500,000 was budgeted for the program to commence in 2016/2017. An analysis of the four villages concerned including Wongarbon, Brocklehurst, Eummungerie and Ballimore, identified a total of 45 unsealed street segments which could be considered for inclusion in the program. A draft programme has been developed which received the endorsement of the then constituted, Rural Consultative Working Party of the former Dubbo City Council for the purpose of obtaining public feedback.

In March 2016 the former Dubbo City Council resolved that the draft sealing programme be exhibited for public comment. As a result of this public consultation, the draft programme has been amended where appropriate and is submitted for adoption.

The programme as recommended would achieve the bitumen sealing of all of the currently regularly trafficked streets in the four villages nominated above over a ten year time frame assuming the currently level of funding of \$500,000 per year is maintained and marginally increased at the rate of inflation for the duration of the programme.

### **FINANCIAL IMPLICATIONS**

The Village Streets Sealing Programme is a capital works programme within the Rural Roads Network Function budget of the Dubbo component of the draft 2016/2017 Operational Plan of the Western Plains Regional Council. The programme provides for funding of \$500,000 in 2016/2017 with subsequent forward draft estimates of \$390,000, \$540,000 and \$560,000 (in the draft 2016/2017 forward budget) over the following three years. The sealing program has been structured to fit within the level of funding available in each respective year, and to match funds required for "whole" projects completed within a given year.

A ten year timeframe is required to complete the bitumen sealing of all nominated unsealed streets.

**ORDINARY COUNCIL MEETING  
22 JUNE 2016**

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**POLICY IMPLICATIONS**

There are no policy implications arising from this report.

**RECOMMENDATION**

**That the final draft of the ten (10) year program of street sealing for the villages of Ballimore, Brocklehurst, Eumungerie and Wongarbon be adopted.**

*Stephen Clayton*  
Manager Civil Infrastructure and Solid Waste

**ORDINARY COUNCIL MEETING  
22 JUNE 2016**

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**BACKGROUND**

In March 2016 at its Ordinary meeting the former Dubbo City Council considered the report from the Manager Civil Infrastructure and Solid Waste on the Rural Village Streets Sealing Programme dated 14 March 2016 and resolved as follows:

*That the Proposed draft program of Village Street Sealing be adopted for the purpose of further public consultation with affected village communities.*

This report reviews the comments received from the public consultation period for the purpose of formulating a final draft of the Village Streets Sealing Programme.

**REPORT**

The draft programme of bitumen sealing 45 segments of unsealed streets within the villages of Ballimore, Brocklehurst, Eumungerie and Wongarbon over a ten year period was placed on public exhibition during April 2016 with specific attention being given to making this information available in the four villages concerned. The public exhibition period commenced on Council's website on 6 April 2016 and information was disseminated to the villages commencing 8 April 2016 with the close of submissions on 22 April 2016. There were a total of 50 submissions received with 36 received from Wongarbon and 14 from Eumungerie. No submissions were received from Ballimore or Brocklehurst residents (**Appendix 1**)

A summary of the comments received is provided below.

**WONGARBON SUBMISSIONS**

75% of submitters felt that Braithwaite Road should be given either a lower or made the lowest priority street as this road was not considered by them to be a part of the built up area of the village. Its upgrading was seen as more of a traffic management improvement rather than addressing local amenity issues which the street sealing was targeted at addressing.

There was a consensus from 16.6% of submitters who supported Railway Street being given the highest priority. Railway Street is the only entrance road to the village which is not sealed.

A petition representing 69.4% of submitters supported the top priority being given to Derribong Street, Bundemar Street and Railway Street with Braithwaite placed last.

**EUMUNGERIE SUBMISSIONS**

64.3% of submitters felt that Emu Street should be elevated to 1 or 2 on the village priority list. 78.6% of submitters felt that first section of Balladoran Street off the main road warranted a number one priority based on traffic usage.

**ORDINARY COUNCIL MEETING  
22 JUNE 2016**

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There was a sentiment from half the submitters that it was disappointing that Eumungerie’s street sealing wouldn’t commence until 2018/2019 according to the total four village priority construction schedule.

**PROPOSED AMENDMENTS TO THE PROGRAMME**

In consideration of the views expressed and the arguments put in respect of proposed changes to the draft programme, it is proposed to make the following amendments.

The view that Braithwaite Road is not a village street and should not be placed ahead of other unsealed streets is accepted and this road has been rescheduled to the last year of the programme in 2025/2026. However, if the traffic management arguments in support of upgrading this road are found to be valid as a result of further traffic study, then a case could be put to bring forward this upgrading to an earlier time, but funded from sources which are separate from the allocation for Village Street Sealing.

The first priority for street sealing in Wongarbron is proposed to be Railway Street – ie 2016/2017, elevated from 2018/2019. This is the western entrance road to the village where traffic transitions from an open road speed environment to a built up area environment. Sealing of this road will provide both a visual cue and an appropriate dust suppression measure for traffic entering the village. As a result of this amendment the effect on the programme would be for Derribong Street to be sealed a year earlier, in 2016/2017. Berida Street (Bundemar to Werrigal) would be given a lower priority from 2020/2021 to 2025/2026 and Werrigal Street (Berida to Beni) changed from 2020/2021 to 2024/2025.

In Eumungerie, Balladoran Street (Cobboco to Emu) has been given priority over Goonoo Street and has been elevated to 2017/2018 together with Emu Street. Therefore Eumungerie Street sealing commences in the second year of the programme instead of the third year. Goonoo Street sealing still commences in 2018/2019 and two sections will be done in this year instead of the one as proposed in the draft programme.

Ballimore and Brocklehurst Streets remain largely unaffected as a result of the changes with Barbijal Street, Brocklehurst still remaining the top priority in 2016/2017 and Mara Street scheduled for 2018/2019.

The final draft of the ten year program now incorporates the above changes and reflect changes made to the assessment criteria and the impact on the Decision Matrix. Projects are also confined to the available budget for the program in the respective years.

2016/2017	Brocklehurst	Barbijal St	
	Wongarbron	Railway St	(Berida to Beni) *
	Wongarbron	Derribong St	(Gundong to Barbigal)
2017/2018	Wongarbron	Bundemar St	(Gundong to Barbigal)
	Eumungerie	Balladoran St (01)	(Emu to Cobboco)

**ORDINARY COUNCIL MEETING  
22 JUNE 2016**

	Eumungerie	Emu St	(Railway to Balladoran) *
2018/2019	Brocklehurst	Mara St	
	Ballimore	Rymer St	(Federation to Nardoo)
	Eumungerie	Goonoo St (01)	(Cobboco to Moonul)
	Eumungerie	Goonoo St (02)	(Moonul to Eura)
	Ballimore	Nardoo St (04)	(Bunyip to Rymer)*
2019/2020	Ballimore	Bomen St (02)	(Florence to Bunyip)
	Brocklehurst	Lagoon St	
	Brocklehurst	Ulomogo Ln & Burraway St Cul-de-sec	(Wambianna to Burraway end)*
	Eumungerie	Balladoran St (02)	(Cobboco to Emu)*
2020/2021	Ballimore	Bunyip St	
	Wongarbon	Berida St (02)	(Railway to Bundemar)*
	Wongarbon	Railway St Service Road	(Eriban to Beni)*
	Ballimore	Bomen St (03)	(Bunyip to Rymer)
2021/2022	Ballimore	Florence St	(Federation to Bomen)
	Eumungerie	Eura St	
	Eumungerie	Balladoran St (03)	
	Ballimore	Zealand St	(Federation to Nardoo)
2022/2023	Wongarbon	Bundemar St	(half width section west of Tenandra)*
	Ballimore	Bomen St (01)	(Zealand to Florence)
	Ballimore	Nardoo St (02)	(Zealand to Florence)
	Ballimore	Nardoo St (03)	(Florence to Bunyip)
	Eumungerie	Breelong St and Side Road	(Railway & Maiala Intersection to Balladoran)*
	Eumungerie	Coolbaggie St	(Railway to Balladoran)*
2023/2024	Brocklehurst	Warrie St	*
	Wongarbon	Eriban St	(Boberah to Railway Service Road)*
	Eumungerie	Sawmill St (02)	(Wheaton to Reserve)*
	Ballimore	Sunset St	(Federation to Nardoo)*
	Brocklehurst	Marthaguy St	(Wambianna to Burraway)*
2024/2025	Eumungerie	Sawmill St (01)	(Reserve to Maiala)*
	Brocklehurst	Wambianna St (01)	(Ulomogo to Barbegal)*
	Ballimore	Nardoo St (01)	(Sunset to Zealand)*
	Wongarbon	Tenandra St	(Derribong to Reservoir)*
	Wongarbon	Werrigal St	(Berida to Beni)*

**ORDINARY COUNCIL MEETING  
22 JUNE 2016**

2025/2026	Wongarbon	Braithwaite Rd (01)	(Barbigal to Beni) *
	Wongarbon	Berida St (01)	(Bundemar to Werrigal)*
	Brocklehurst	Wambianna St (02)	(Barbigal to Warrie)
	Wongarbon	Braithwaite Rd (02)	(Beni to Werrigal)*

“\*” – Indicates the street segments that had been changed or moved in the priority list. The proposed year of sealing is changed accordingly to the new priority list which was generated once the program was amended incorporating public submissions.

“Blue colour” – Indicates the street segments that aren’t included within the Village RU5 Zone according to LEP (Local Environmental Plan 2011) land zoning map and are therefore deemed to be “rural” roads and not village streets within the context of the proposed sealing programme.

The draft Village Streets Sealing Programme including priority scores from the Decision Matrix and budget estimates is shown in **Appendix 2**. The programme is also shown on village maps attached as **Appendix 3**.

**SUMMARY**

An analysis has been undertaken of the public submissions received in regard to the proposed programme for the bitumen sealing of unsealed streets in Wongarbon, Brocklehurst, Eumungerie and Ballimore. This programme has been developed for the 45 street segments identified as “regularly trafficked” streets in accordance with a priority order which maximises the cost/benefit improvement to the service level of the street and in doing so, renders an improvement in local amenity of the respective village. The developed program extends for ten years commencing with a budget estimate of \$500,000 in 2016/2017 and increasing marginally over the life of the program to maintain real value with respect to construction cost rises. This programme now reflects community views on the general order in which the village streets should be sealed on a village by village basis, while maintaining the integrity of the Decision Matrix with respect to the overall priority of streets across the four villages.

Appendices:

- 1 Public Submissions
- 2 Rural Street Sealing Program
- 3 Rural Street Sealing Program - Maps



# PUBLIC SUBMISSION FORM

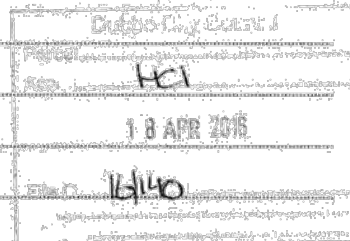


Submission DRAFT VILLAGE STREET PROGRAMME Date 15-4-16

Name Nigel Payne Phone 0419 741508

Address 60 Boberah St Wongarbon.

Attached is a petition in regards to village street sealing programme signed by a number of residents in Wongarbon concerning the order of streets and costs involved in sealing of streets within the village of Wongarbon.



In accordance with the Personal Information Protection Act 1998, written submissions received by Council containing personal information may be made public when the matter goes before the Council for determination, as it may be included in the Council Business Papers. Persons have the right to remain anonymous if they so chose by refraining from submitting the personal information, however, the submission may be given less weight in the overall assessment and determination process.

Have your say online  
[www.dubbo.nsw.gov.au](http://www.dubbo.nsw.gov.au)


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Wongarbon Village Street Sealing Programme


Community Concerns over the order of priority in regards to road sealing programme have been brought to my attention from members within the village of Wongarbon. The village residents have great concerns over the order of roads to be sealed and costing involved. Local residents believe that BRAITHWAITE RD east of Beni and west of Barbial should not be sealed before roads such as RAILWAY ST No: 4, BUNDAMAR ST No :3 and DERRINGBONG ST No:2. These streets are all populated with no vacant land and rate payers feel the need to ensure these roads are sealed as a high priority as the continual dust and conditions of these roads are unbearable. The fact that these residents have witnessed the Firgrove Water Tower Rd being done ahead of their streets has made residents rather annoyed and would not appreciate another un-populated rd such as BRAITHWAITE RD being sealed ahead of their own. The cost of sealing BRAITHWAITE RD is also of concern as it would appear that it requires a lot more work to the road to be ready for sealing compared to the already prepared roads within the village. A point also to mention is that Braithwaite Rd would appear to a Rural Rd not a Village Street. The programme indicates that it is Village Street Sealing Programme not Rural Roads sealing programme.


Residents who are supportive of an amendment to the order of VILLAGE STREET SEALING PROGRAMME are as follows,

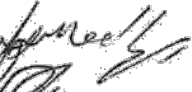
Stephen Parsons 37 Derrimbong St Wongarbon   
 35 Derrimbong St


John Whitney 33 Derrimbong St

Brendley Richard 31 Derrimbong St   
 Michelle

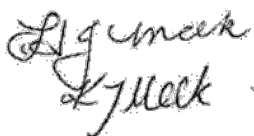
Reous James Conroy 29 Derrimbong St 


Jim O'Connell 33 Bundemar St 

P Medley 32 Bundemar St 

Peter Riethmuller 34 Bundemar St 

Larry Prichard-Dunn 36 Bundemar St 29 Paradise

Michelle Towers 38 Bundemar St  
 41 Bundemar St 

Kathy Meek 41 Bundemar St  
 39 Bundemar St 

Katrina Rice 17 Gundong St Katrina L Rice  
 37 Bundemar St

35 Bundamba St Nikki Ware  
12 Railway St Annette Carruthers Alexander  
14 Railway St Mercy M. Bryant  
16 Railway St GREG HARRIS.  
18 Railway St Kelvin + Julie Dixon.  
60 Pabai St Nigel Payne  
4 Beni St Julie Jamison.  
6 Beni St Hilda Jamison  
41 Derrigbang St Jamie Watson  
5 Cundang St J Dotson

C. Green  
32 Balladoran Street,  
EUMUNGERIE, 2822

18<sup>th</sup> April, 2016

Town Clerk  
Dubbo City Council,  
PO Box 81,  
DUBBO, NSW 2830

Dear Sir,

**ROAD SEALING IN EUMUNGERIE VILLAGE**

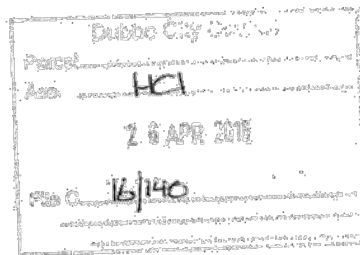
I would like to make a submission to Council to express my disappointment regarding the announcement that Eumungerie will now not receive any bitumen allocation for any roads to be sealed in our village for the next two years despite releases to the contrary in the past.

It would now appear that only Wongarbon and Brocklehurst will have any roads done.

My street is dirt and is one of the main streets in Eumungerie with a great deal of locals and visitors calling to the hotel and/or post office and coming around Emu Street and Balladoran Street when leaving the village. Because of the volume of traffic and the problems with the road after rain, it is very rough and this will be alleviated if the roads had bitumen on them.

I would ask that Council re-consider its decision and allocate funding to seal these roads.

Yours faithfully,



APPENDIX NO: 1 - PUBLIC SUBMISSIONS

ITEM NO:

J. Cornwell  
5 Moonul Street,  
EUMUNGERIE, 2822

18<sup>TH</sup> April, 2016

Town Clerk  
Dubbo City Council,  
PO Box 81,  
DUBBO, NSW 2830

Dear Sir,

EUMUNGERIE ROADS

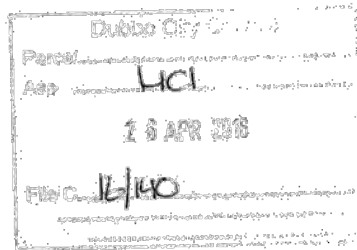
I would like to submit my view that I am not very impressed about the decision not to seal any roads in Eumungerie at all for the next couple of years.

I live in Moonul Street and have to travel down Goonoo Street to turn into my street. Goonoo Street is a disgrace and urgently requires rectification work. This would be made easier for the future if bitumen was to be laid.

At the moment a lot of work is needed in Goonoo Street and any grading would only be once again washed out by storms and traffic use.

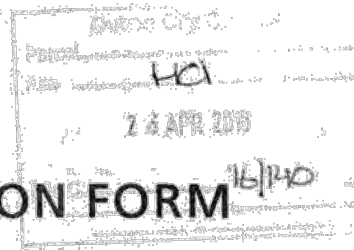
I would ask that council take another look at its bitumen funding allocation for Eumungerie.

Yours faithfully



APPENDIX NO: 1 - PUBLIC SUBMISSIONS

ITEM NO:



# PUBLIC SUBMISSION FORM

Submission: Jeff Hickley Date: 22-4-16

Name: EUMMUNGERIE ROAD SEALING Phone: \_\_\_\_\_

Address: 17 Railway St EUMMUNGERIE

CCC - I WOULD LIKE TO REQUEST THAT THE VILLAGE ROAD SEALING THAT IS NOW SCHEDULED FOR 2020+ BE DELAYED?

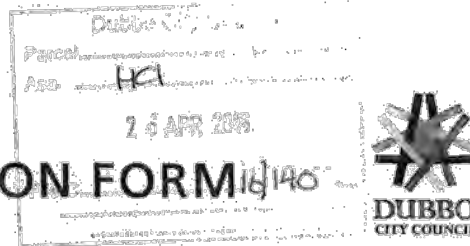
WE WOULD AT LEAST THE MAIN ROAD OF EUMMUNGERIE ST AND ROAD IT CONNECTS TO RAILWAY ST, AS THERE ARE VEHICLES LEFT IN TRUCKS AND CAUSE A LOT OF NOISE & DUST

THIS IS A MAJOR ISSUE FOR US ALL PLEASE FIX OUR ROAD AND ALSO IMPROVE OUR WASTEWATER - ROAD ARE VERY POOR!!

In accordance with the Personal Information Protection Act 1998, written submissions received by Council containing personal information may be made public when the matter goes before the Council for determination, as it may be included in the Council Business Papers. Persons have the right to remain anonymous if they so chose by refraining from submitting the personal information, however, the submission may be given less weight in the overall assessment and determination process.

Have your say online  
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Further information: Contact Council's Customer Service Centre on:  
☎ 02 6801 4000 ✉ PO Box 81, Dubbo NSW 2830 📧 [dcc@dubbo.nsw.gov.au](mailto:dcc@dubbo.nsw.gov.au)



# PUBLIC SUBMISSION FORM

Submission Eumungerie Village Road sealing Date 22/4/16  
 Name Kristine Smith Phone WITH HELD  
 Address 71 ORWA AVE SEVEN HILLS NSW

I Am An Asthmatic and also a Lung Cancer survivor and I visited your pretty little village recently.

I stayed in your "Caravan park" and was going to stay a few days to see the area.

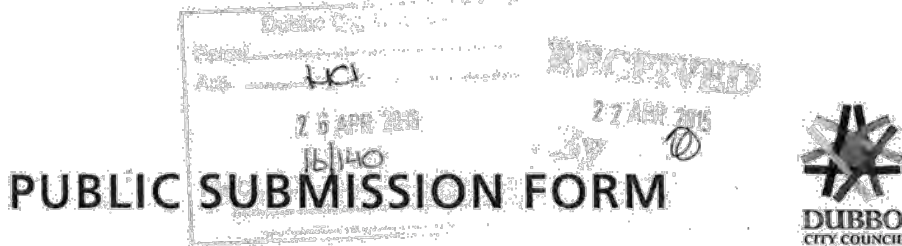
Unfortunately I had to leave as the dust from your unsealed roads, caused me severe breathing difficulties, which is a real issue for an Asthmatic with only 1 lung.

You need to seal the village roads to maintain your "tourist traffic" *K Smith*

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Submission Eumungerie road sealing Date 12/4/16  
 Name Arnold Iddell Phone \_\_\_\_\_  
 Address 23 Railway St Eumungerie

I WANT EUM STREETS + BALLADORA  
 ST SEALED NOT WASTING MONEY ON OTHER  
 STREETS ON THE SOUTHWIDE OF TOWN AS  
 ANY OF THESE STREET DO NOT CARRY MUCH  
 TRAFFIC LIKE BALLADORA STREET.  
 WE NEED THIS NOW NOT 2020  
 OR WHATEVER AS THIS IS BLOODY  
 RIDICULOUS. WE HAVE WAITED TOO  
 LONG NOW.  
 FIX OUR ROADS NOW

*AI*

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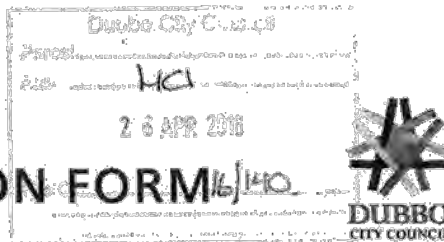
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APPENDIX NO: 1 - PUBLIC SUBMISSIONS

ITEM NO:



# PUBLIC SUBMISSION FORM 16/140

Submission Eummungerie road sealing Date 21/9/16  
 Name Laure Boxall Phone 0456 194520  
 Address 15 Railway St Eummungerie NSW

I want to complain about your council starting to bitumen seal our roads in the village as we can't grow if you don't seal our roads  
 We need our Balladoran road sealed and other streets as money allows to bring our village up to date  
 We are being left out of your money spend!  
 We need our roads sealed but not the stupid sealing of a 'bit of road' to the south of the pub - are you doing this for that idiot Les' brookfield who doesn't live here anymore!

In accordance with the Personal Information Protection Act 1998, written submissions received by Council containing personal information may be made public when the matter goes before the Council for determination, as it may be included in the Council Business Papers. Persons have the right to remain anonymous if they so chose by refraining from submitting the personal information, however, the submission may be given less weight in the overall assessment and determination process.

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Further information: Contact Council's Customer Service Centre on:  
 ☎ 02 6801 4000 ✉ PO Box 81, Dubbo NSW 2830 📧 dcc@dubbo.nsw.gov.au

**PROCESSED**

James & Chris Kelly  
5 Cobboco Road,  
EUMUNGERIE, 2822

18<sup>th</sup> April, 2016

Town Clerk  
Dubbo City Council,  
PO Box 81,  
DUBBO, NSW 2830  
Dear Sir,

**EUMUNGERIE VILLAGE**

It is with much disappointment that we have heard of the unfair decision to leave the Village of Eumungerie out of the equation for the next couple of years when allocating any bitumen funding. We are not impressed that the only funding will be allocated to Wongarbon and Brocklehurst despite announcements being made in the past.

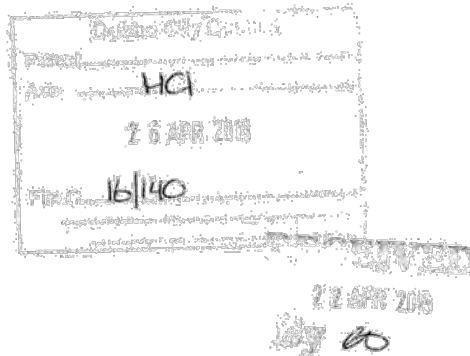
We have lived on the corner of Cobboco Road and Balladoran Street for 32 years and have witnessed that our corner as well as along Balladoran Street and around the corner of Emu Street are very regularly used streets in our village. Your road repair team would be well aware of the damage that is caused to this particular section of our village from constant use of residents and delivery vehicles combined with the bad storm water drainage that we have in the village. Nothing has been done regarding the stormwater now we are told that nothing is going to be done in relation to the sealing of any of our roads

If this section of road in our village was to be sealed it would alleviate a lot of ongoing repairs that are required to be made by Council road teams.

We would ask that Council re-consider its decision and include this part of our village in the future allocation of bitumen funding.

James & Chris Kelly

Per: *J. Kelly*



**Name:** Elaine Baillie

**Subject:** Submission Sealing of Rural roads Wongarbron

**Email :** [Elainebaillie58@gmail.com](mailto:Elainebaillie58@gmail.com)

**Phone:** 0429844600

**Comments / Feedback:** I consider railway street which is currently listed as a priority 4 on the program be elevated to first on the list, I consider this road to be a danger to both the traveller and the residents due to the dust hazard and the reduced visibility. I live in close proximity to this street it impacts on our quality of life we find it difficult to entertain outside in the summer months due to the dust. It is also a major issue when the Mitchell highway is closed due to an accident and traffic is diverted along the road, take all of this into consideration it is my opinion that priory 1 should be given to the sealing of Railway st before someone is injured or worse.

**Name:** Annette Carruthers

**Subject:** Submission rural village street sealing Wongarbron

**Email :** [Allancarruthers@bigpond.com](mailto:Allancarruthers@bigpond.com)

**Phone:** 0400484947

**Comments / Feedback:** Given the amount of traffic and the dust hazard, I consider Railway street which is currently listed as a priority 4 should be a priority 1. Railway street has a considerable amount of daily traffic flow, adding to this is the times when the Mitchell highway is closed due to accidents, when this occurs we have back to back traffic in both direction which includes heavy Vechile trucks, traffic from the highway has been redirected on 8 occasions over the past twelve months. For health and safety reasons this road should be sealed fist, my family and I are unable to enjoy being out doors due to the dust hazard, we unable to have our windows open due to the dust. Children use use road to ride their bikes and walk to school, I am concerned that there is going to be an accident due to the reduced visibility caused by the dust. I contact council written letters and signed petitions many times over the years about the concerns I have for Railway Street, most recently the concerns have been raised at the Rural Consultative Committee meeting. I request that urgent action be taken to seal this road as a priority 1.

Whilst I agree that Railway street bypass is not a priority 1, I do however consider it should be sealed before Braithwaite Rd and Berida street as there are 7 residential properties that boarder this road and is within the village boundary, 5 of these homes have been built for over 25 years, Telstra exchange is also located on this road which they frequent many times a day, during the wet weather this road often becomes boggy and slippery the garbage truck churns up the road each time it rains. it is my opinion and that of the other resident of railway street bypass should be sealed at the same time as Derribong and Bundemar street

**Name:** Mercedes Longhurst

**Subject:** Submission rural village road sealing Wongarbron

**Email :** [Chery4@bigpond.com](mailto:Chery4@bigpond.com)

**Phone:** 68878493 and 0428178365

**Comments / Feedback:** I think that Railway street currently priority 4 shoul be priority 1 due to the large amount of traffic that uses the road which causes dust and safety hazard. The dust is a health hazard it effect asthma. I am unable to enter taint out doors due to the dust and it causing my washing to be dusty. It is also very dangerous when the highway traffic is diverted along the Rams when the highway is closed due to an accident.

**Name:** Greg Harris

**Subject:** Submission rural village sealing Wongarbron

**Email :** [Scaniaikt@gmail.com](mailto:Scaniaikt@gmail.com)

**Phone:** 0418846258

**Comments / Feedback:** I consider Railway Street currently listed as Priority 4 should be a priority 1 given the number of vechiles that use this road. it should be sealed as a priority given the safety risks and dust hazard. This road is used as a diversion when the Mitchell Highway is closed due to accidents, no other roads in Wongarbron are used for traffic diversions of this magnitude. The amount of dust could also be considered a health Risk.

**Name:** Maryan Priddis

**Subject:** Rural Village Street Sealing Program

**Email :** [mazpriddis@exemail.com.au](mailto:mazpriddis@exemail.com.au)

**Phone:** 0407935862

**Comments / Feedback:** The section of Bundemar Street between Barbical and Gungong Streets should be a high priority, as it is always filled with potholes at the Gundong Street end and every time it rains the Gundong Street end has a mini lake, which is an absolute disgrace. My vote goes towards fixing this section of street. I live in the next block up from this section, and try to avoid using this section of road because it is quite bad, and it would be nice to be able to use it.

(Sent via [My Dubbo My Say](#))

**Name:** Ellen Johnston

**Subject:** Submission Rural Street Sealing Program -Wongarbon

**Email :** [Chery4@bigpond.com](mailto:Chery4@bigpond.com)

**Phone:** 68878317

**Comments / Feedback:** I would like Railway Street currently listed as (4) on the sealing program for Wongarbon moved to top of the list as this road is extremely dangerous and very dusty, cars drive up and down the road all day causing dust, I worry there is going to be an accident as the cars fly up the road and skid to a stop in the gravel when they reach Beni street intersection or as soon as they hit the dirt road they spin their wheels causing a huge amount of dust!

Highway traffic is often diverted along this road this causes back to back traffic in both directions often for many hours it is unfair that we are subject to such dust and danger at this time, no other unsealed road in the village is subject to this, therefore this section of road should be sealed first not fourth on the list. I have signed two petitions now that have been submitted to council but nothing has happened ? I live on the corner of Beni St and Railway Street Wongarbon.

(Sent via [My Dubbo My Say](#))

**Name:** Julie Dunn

**Subject:** Submission. Rural Road Sealing Program Wongarbon

**Email :** [Chery4@bigpond.com.au](mailto:Chery4@bigpond.com.au)

**Phone:** 0487020907

**Comments / Feedback:** Dear Ms Dunn

From Stewart:

Please be advised that I found your actions in my office at the above meeting outrageous. Surely you are aware that it is both highly unethical and illegal to record a conversation between two people without first obtaining the approval of the other person that you intend to do so? I was shocked that you would brazenly take such action, then feign unconcern when I quickly brought our conversation to a close.

I was also shocked that you then accused Council staff of undertaking private sealing work on a private driveway on Railway Lane as if that was the most likely explanation for such work to have been done at a similar time to the sealing of the Railway lane itself. This again was an outrageous slur on the staff involved and has NO basis in fact. The sealing of the driveway at 36L Railway lane was done on behalf of the owners at their own instigation by a different sealing contractor to the one used by Council for Railway Lane. The driveway sealing had nothing at all to do with Dubbo City Council. Your conclusion to the contrary

was completely erroneous. With respect to the detail of your email, I have taken the liberty of responding to your concerns as they arise throughout the text of it, hence the red colour scheme adopted herewith.

To Stewart:

I have on many occasions over the years contacted council, attended council meetings written letters of complaint and presented council with petitions to have Railway street sealed (4) most recently the sealing of Railway St was discussed at the Rural Consultative Ctee Meeting. It was discussed that there is increasing traffic on the road and has one of the highest volume of traffic in the village. It was further noted that on 8 separate occasions over the past 12 months Mitchell highway traffic including heavy vehicles were diverted along this road due to accidents which occurred on the Highway. This should be a consideration for giving this road a priority 1 rating.

The amount of dust that engulfs my home and the surrounding homes of railway street (4) is a real health hazard. I plead with you to give this a 1 rating not 4 on the list.

As noted in my correspondence to council (below) given the diversion of highway traffic along Railway St and the dust hazard it is my opinion that council should conduct a risk assessment which I am confident would return a high risk severity with the possibility of an adverse event extremely high. I ask council to please consider sealing this section (4) urgently.

Yours Sincerely  
Julie Dunn

The following is my latest correspondence to council FYI

-----Original Message-----

From: Julie Dunn [<mailto:chery4@bigpond.com>]  
Sent: Monday, 9 November 2015 9:27 PM  
To: Stewart McLeod  
Subject: Re Julie Dunn - Railway St Wongarbo

Dear Mr McLeod,

Thank you for your time today, I am sure that following our meeting you understand what has prompted me to seek clarification, and an understanding of Council processes.

I have contacted council on many occasions pleading for assistance to improve the quality of life for residents of Railway Street Wongarbo, we live as virtual prisoners in our own home due to the dust hazard caused by the ever increasing traffic that travels on the unsealed Railway Lane. We are unable to open our windows for fresh air, unable to hang clothes on the line or entertain in the outdoors.

I have concern for children that walk to school and play/ride their bikes along Railway Lane that are covered in dust from passing vehicles and I fear that there will be an accident due to the reduced visibility caused by the dust, including reduced visibility to traffic on the Mitchell Highway.

I do not live in a remote country area, I live in the middle of an expanding village, and do not

APPENDIX NO: 1 - PUBLIC SUBMISSIONS

ITEM NO:

think that my request to seal a small strip of road which would not be over 100 meters, is an unreasonable request

I further asked if you had done or would be doing a risk assessment on our street given the concerns I have raised today and in the past to which you replied 'no, I will not be conducting an assessment as I don't see any risk'.....

(Sent via [My Dubbo My Say](#))

**Name:** COMERFORD ALAN

**Subject:** submission Rural village Sealing Program

**Email :** [bigal.comerford@gmail.com](mailto:bigal.comerford@gmail.com)

**Phone:** 0407185310

**Comments / Feedback:** Firstly I would like to say that that when the Rural Consultative Working Party was formed by the Dubbo City Council I was a member of the working party representing the Wongarbron village and the surrounding area for the village of Wongarbron . this as about 10 years ago. At this time Mr. McLeod stated in a report to the Rural Consultative Working Party and all members the all the streets in Wongarbron and the other villages would all be sealed by 2016. This has not been done. Works and Service Committee is again doing an analysis to the unsealed road in the villages. This is a council "Can,t Do" not a council that ' Can do' as all the villages are all out side the city limits and you can't see any further than that.

The first Sreet to be sealed (1) Bundemar street (Gundong to Barbical) (2)Bundemar which is only half down to Tenandra. (3)Railway st. By pass known as Railway Street to the village people and mailing address fo Australia Post. (4) Railway street known as Railway Lane for Australia Post mailing address from Beni street to Berida street. As for Braithwaite Rd. it is located on the edge of the village. If you do make this a bypass road the traffic heavy and light will travel along Beni street at a faster pas than tavelling along Barbical st. and Railway street. to get out of Wongarbron you still have to go past the public school.(5)Berida st. to Bundermar St. (6)Werrigal st. to Beni st. (7)Berida st to WerrigalSt. (7)Derribong st to Barbical St.(8) Derribong to Tenandra St which is only half done.

List of streets that should be sealed (1) Bundemar St (2) Bundemar St Half-way Unsealed part (3) Railway St (4) Railway by-pass (lane) (5) Berida to Bundemar St (6) Werrigal St (7) Berida to Werrigal St (8) Derribong St (9) Tenandra St

(Sent via [My Dubbo My Say](#))

09

Please forward to relevant persons.  
DCC

I wish to put on record my complaint about the village of Eumungerie being abandoned by Dubbo City Council in the planned Road Sealing program , where we are removed until 2018/2019 budget, for basic services that exist in locations far smaller than the village of Eumungerie.

Eumungerie receives the most basic of support by DCC and yet it is a village that is now visited by a large number of caravan and motor home based visitors and is part of the vital rural landscape that DCC uses as part of its own image and brand advertising.

We are being treated unfairly by your proposal and being disadvantaged by dust that affects our homes, our cars, our health and our safety.

Our village has many issues that need addressing and all have not been addressed by council in a satisfactory way up to 2016.

I believe the village requested town water around 1915, so it has taken 100 years to finally get town water to the village to bring us up to date with the rest of Dubbo and this is certainly appreciated, however we can't wait much longer for basic amenities such as kerb and guttering, road sealing, proper and planned drainage, runoff and surface water control, sewage and better street lighting.

The Eumungerie village has been treated as a second class citizen by council utilising dodgy accounting type practices by using population density, village rating or lack of commercial premises, etc, etc. These read as purely convenient excuses and certainly not answering real needs of residents and future residents that will accomodate Dubbo's planned growth.

If this village was closer to Dubbo, I have no doubt it would have had higher levels of infrastructure spend many years ago, but as an outpost on the edge of DCC management, we appear to be too far out and easily forgotten.

We help Dubbo in so many ways, by creating the rural village landscape that is disappearing in most parts of Australia, by handling many short stay tourists in our village maintained caravan overnight facility, by our ability to grow and offer an alternative to either rural farm living or country city life and our country pub and post office.

We appear to be forgotten and to defer road sealing into our village is simply not acceptable and demonstrates poor vision by council.

Please redress this imbalance.

Mr Robert Johnston

PS . The roads that require urgent sealing are Emu street and Balliadoran Street to the Rural Fire Station , at a minimum. These roads daily handle travelling tourists, Australia post trucks twice every day, every delivery truck that comes into the village, the Rural Fire response vehicles and many tourists in caravans finding this route to or from the Post Office is the preferred roads to use. Thus these roads have a real need for sealing prior to 2019.

Sent from my iPad

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Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering.<http://www.mailguard.com.au/mg>



APPENDIX NO: 1 - PUBLIC SUBMISSIONS

ITEM NO:

**Name:** Rod Woodburn

**Subject:** Rural Village Resealing programme

**Email :** [rod.woodburn@gmail.com](mailto:rod.woodburn@gmail.com)

**Phone:** 0417 497 407

**Comments / Feedback:** It seems that the most obvious step would be to complete the roads in the middle of the village first rather than those on the outer edge.

(Sent via [My Dubbo My Say](#))

**Name:** Richard Broadley

**Subject:** Rural Village Road Sealing - Wongarbon

**Email :** [rbroadley@iprimus.com.au](mailto:rbroadley@iprimus.com.au)

**Phone:** (02)68878382

**Comments / Feedback:** As a resident of Wongarbon, I'm concerned by the proposal to complete sealing works on Braithwaite Rd prior to completing the still unsealed roads within the village itself. Looking at councils figures, it would appear that a number of streets within the village could be sealed for the same cost as completing Braithwaite alone. More importantly, from a safety perspective I believe the sealing of roads in the village should be a higher priority. The village has grown significantly in recent years and is home to a number of families with young children.

I currently live on Derribong St & in the three or so years we have lived there we have noticed a number of large semi trailers from a hay depot further up the street using Derribong to access Beni St out to the Mitchell Hwy or the Golden Hwy towards Ballimore. We have also witnessed on numerous occasions irresponsible road users operating cars & motorcycles in a unsafe manner. This has included speeding, spinning their wheels & on some occasions, motorcycles racing each other. I believe the unsealed state of the road is a draw card for this sort of behaviour & sealing would reduce these behaviours.

Aside from the safety issue the dust nuisance is significant, even with normal responsible use of the road. Speeding vehicles increase the dust issue even more. Every Fiday morning, it is not unusual to see the garbage collection truck driving around 80kph past my home raising large volumes of dust.

(Sent via [My Dubbo My Say](#))

**SUBMISSION TO DCC RE EUMUNGERIE STREET SEALING PROGRAM**

From Leo and Marianne deKroo

Our main concern is about the process of the program. As I Explained at the last RCWP meeting to delay improvement on one village for the benefit of others is not just.

All villages deserve to be treated equally when it comes to infrastructure improvements so we can all benefit from growth and increase attractiveness for more people to settle.

As far as prioritising street selection for a program that won't commence for another 3 years seems futile.

However our Progress Association has always backed the Balladoran/Emu St connection because of heavy vehicle usage.

We also see merit in councils preference of Goonoo St.

Leo

Leo & Marianne deKroo  
"Drillwarrina"  
Eumungerie NSW 2822

**Name:** Megan Cross

**Subject:** Submission - Rural Village Street Sealing Program

**Email :** [megan.cross@hotmail.com](mailto:megan.cross@hotmail.com)

**Phone:** 0268881140

**Comments / Feedback:** My husband and I own the local Post Office/Store in Railway Street, Eumungerie.

We wish to have Emu Street and Balladoran Street (from Emu Street to Cobboco Road) moved up the priority listing due to the major problems with dust and erosion on the corner of Emu & Balladoran Streets.

This is due to not only locals using these roads but large delivery trucks (not only for the Post Office/Store which averages a minimum of 2 to 3 each day but also for the local hotel) travel along this route.

Travellers (especially those towing large vans etc) use these road consistently.

There is a lot of traffic that travel these roads by travelling one of the following two routes:-

Route 1 - Cobboco Road, Balladoran Street, Emu Street, Railway Street, Wheaton Street/Cobboco Road

Route 2 - Wheaton Street/Cobboco Road, Railway Street, Emu Street, Balladoran Street, Cobboco Road

As you can see Emu & Balladoran Streets are both very well travelled and need to be sealed as a priority.

The Rural Fire Service shed is also located on the corner of Emu & Balladoran Streets so it

APPENDIX NO: 1 - PUBLIC SUBMISSIONS

ITEM NO:

would be advantageous for them to travel along a sealed road instead of an unsealed road. We would also like to add our disappointment with Council in that we have to wait 3yrs (2018/19) for our first allocation of funding when original information sent out in past Village Newsletters stated we would all have work done from the first year (2016/17). Hoping Council will look favourable upon our request.

(Sent via [My Dubbo My Say](#))

Hi William, I might suggest you send it direct to [dec@dubbo.nsw.gov.au](mailto:dec@dubbo.nsw.gov.au) marked "Eumungerie road sealing"

I don't think it should be sent from my outbox.

Best from yours direct.

Cheers

Le

Sent from my Samsung GALAXY S5 on the Telstra Mobile network

----- Original message -----

From: William Ballard <[wballard100@gmail.com](mailto:wballard100@gmail.com)>

Date: 19/04/2016 01:58 (GMT+10:00)

To: leo dekroo <[dekrooleo@hotmail.com](mailto:dekrooleo@hotmail.com)>

Subject: Fwd: Village bitumen

Hi Leo can you forward this for me to Steve Clayton.....thanks william

----- Forwarded message -----

From: **William Ballard** <[wballard100@gmail.com](mailto:wballard100@gmail.com)>

Date: Tue, Apr 19, 2016 at 1:41 AM

Subject: Re: Village bitumen

To: Leo Dekroo <[dekrooleo@hotmail.com](mailto:dekrooleo@hotmail.com)>

Hi Leo & Marianne hope this mail finds you both well?

I am so annoyed as you are about Councils decision on the road sealing!.....not only the time elapse but the crazy choice of preferred roads I this is like "Ground Hog Day" of Maiala road?

**What ever the reason or whoever influenced this decision escapes me!**

I try to think why?

1 Is it because of the land development in Moonul st as the plan only goes from there to Eura st and only for 3 houses?

2 This end of Balladoran street still; get 2 mail trucks every day! even though the contracting company promised the Progress Association to turn around on the bitumen because of the damage they cause to the unsealed road.....these trucks go too fast for the road conditions and create a lot of dust (very unhealthy) they think at 5am nobody sees them.....Bill and Denise Brown tell me that the truck noise wakes them up at 5am in the morning. We also get the transport trucks delivering supplies to the Pub as well as the P.O. the Guys who own the trucks opposite pub also use Balladoran Emu St loop to come and leave Eumungerie, in fact Tracy's husband Denise brings the "B" double tankers through that way? as does truck drivers having overnight rest stops at the pub like "Pilot trucks" who usually have oversize loads, most of the caravans paying their accounts at the P.O. come around that way!

3 There are 8 houses in Balladoran street 1 more than Railway street which is already sealed so Balladoran street is by far the most used street in Eumungerie, all the residents at the southern end suffer with the dust pollution, it covers your cars and the houses and retards growth on trees because it covers the leaves, it's unhealthy especially for Asthmatics and people with breathing problems.

4 We are all very excited and grateful about finally getting our town water supply ("after waiting 100years") but council seem to push us down to the bottom of the list when our need is genuine compared to other areas.

Regards William Ballard

On Sat, Apr 16, 2016 at 6:42 PM, Leo Dekroo <[dekrooleo@hotmail.com](mailto:dekrooleo@hotmail.com)> wrote:

Hello team

I felt I wanted to contact you to see if you can assist me in turning around this unfair DCC decision to leave Eumungerie out of the loop for the next two years and allocating all bitumen funding to Wongarbon and Brocklehurst.

This is not what we have discussed over the last couple of years at the RCWP meetings.

As you may be aware our individual submissions to council for the priority of streets within the village will close this Friday 22 April.

What ever your choice of streets, I would ask you to include in your submission that you not impressed with missing out till 2018/2019. (use your own wording)

Individual submissions mean more to council than one from the Progress Association.

People power does work!!

ThanksLeo

Leo & Marianne de Kroo  
"Drillwarrina"  
Eumungerie 2822

6888 1049 M. 0407015234  
email; [dekrooleo@hotmail.com](mailto:dekrooleo@hotmail.com)

APPENDIX NO: 1 - PUBLIC SUBMISSIONS

ITEM NO:

**Name:** Michelle Broadley

**Subject:** Submission - Rural Road Sealing Program (Wongarbon)

**Email :** [michellebroadley@hotmail.com](mailto:michellebroadley@hotmail.com)

**Phone:** 0403286443

**Comments / Feedback:** Wongarbon is becoming very popular as noted by the value of our homes as well as the number of new homes that have been built in the last 14 years that we have lived in the village. It has always seemed unusual that street within the village remained unsealed while new streets were developed and sealed around them.

I believe that Derribong St should be more of a priority due to the fact that trucks use this road regularly eg Frazer's Hay, Rural Fire Service as well as other trucks using Derribong St to access Barbical St. In addition to this, our street is frequented by idiot drivers who get a block run up when entering Derribong St off Beni St, speeding onto the dirt road raising the dust and creating an unsafe environment for my children to be out on the road riding their bikes or walking the dogs. On wet days we have had at least 2 cars that we know of that have come around the corner (Gundong into Derribong St) in the wet, fast and spinning their wheels, losing control resulting in ending up in the table drain over the road. We are just waiting for one to come into our living room window. This could be minimised if the road was sealed.

In addition to all this, I would also like to comment that the local Garbage Trucks are a huge culprit for speeding up the street raising unnecessary dust and contributing to the unsafe environment in our street.

To finish I would like to thank you for the time you have allowed us to have our say regarding this matter. I know that it is important that if we are to move forward and grow as a village we need to keep up with the simple infrastructures that are necessary to sustain growth and provide safety for all village members.

(Sent via [My Dubbo My Say](#))

APPENDIX NO: 1 - PUBLIC SUBMISSIONS

ITEM NO:

22R Caledonia Rd,

Eumungerie, 2822

21/04/2016

To Whom It May Concern,

It is good news for the villages of Dubbo to be a part of the Village Sealing Program but I cannot understand why Eumungerie has been left out of the program until 2018/2019.

Both Wongarbon and Brocklehurst have received significant funding for work improvements over the past decade. Because of this, Eumungerie should be given a higher priority.

Kind Regards,

Hugh Griffith

APPENDIX NO: 1 - PUBLIC SUBMISSIONS

ITEM NO:

Urgent communication to DCC below

Sent from my iPad

Begin forwarded message:

**From:** Robert Johnston <[RobertJohnston@pfdfoods.com.au](mailto:RobertJohnston@pfdfoods.com.au)>  
**Date:** 17 April 2016 at 9:47:18 AM AEST  
**To:** "[dcc@dubbo.nsw.gov.au](mailto:dcc@dubbo.nsw.gov.au)" <[dcc@dubbo.nsw.gov.au](mailto:dcc@dubbo.nsw.gov.au)>  
**Cc:** Robert Johnston <[RobertJohnston@pfdfoods.com.au](mailto:RobertJohnston@pfdfoods.com.au)>  
**Subject:** Eumungerie village road sealing- residents submission to council.

Please forward to relevant persons.

DCC

I wish to put on record my complaint about the village of Eumungerie being abandoned by Dubbo City Council in the planned Road Sealing program , where we are removed until 2018/2019 budget, for basic services that exist in locations far smaller than the village of Eumungerie.

Eumungerie receives the most basic of support by DCC and yet it is a village that is now visited by a large number of caravan and motor home based visitors and is part of the vital rural landscape that DCC uses as part of its own image and brand advertising.

We are being treated unfairly by your proposal and being disadvantaged by dust that affects our homes, our cars, our health and our safety.

Our village has many issues that need addressing and all have not been addressed by council in a satisfactory way up to 2016.

I believe the village requested town water around 1915, so it has taken 100 years to finally get town water to the village to bring us up to date with the rest of Dubbo and this is certainly appreciated, however we can't wait much longer for basic amenities such as kerb and guttering, road sealing, proper and planned drainage, runoff and surface water control, sewage and better street lighting. The Eumungerie village has been treated as a second class citizen by council utilising dodgy accounting type practices by using population density, village rating or lack of commercial premises, etc, etc. These read as purely convenient excuses and certainly not answering real needs of residents and future residents that will accomodate Dubbo's planned growth.

If this village was closer to Dubbo, I have no doubt it would have had higher levels of infrastructure spend many years ago, but as an outpost on the edge of DCC management, we appear to be too far out and easily forgotten.

We help Dubbo in so many ways, by creating the rural village landscape that is disappearing in most parts of Australia, by handling many short stay tourists in our village maintained caravan overnight facility, by our ability to grow and offer an alternative to either rural farm living or country city life and our country pub and post office.

We appear to be forgotten and to defer road sealing into our village is simply not acceptable and demonstrates poor vision by council.

Please redress this imbalance.

Mr Robert Johnston

PS . The roads that require urgent sealing are Emu street and Balladoran Street to the Rural Fire Station , at a minimum. These roads daily handle travelling tourists, Australia post trucks twice every day, every delivery truck that comes into the village, the Rural Fire response vehicles and many

tourists in caravans finding this route to or from the Post Office is the preferred roads to use. Thus these roads have a real need for sealing prior to 2019.  
Sent from my iPad

Message protected by MailGuard; e-mail anti-virus, anti-spam and content filtering.  
<http://www.mailguard.com.au/mg>



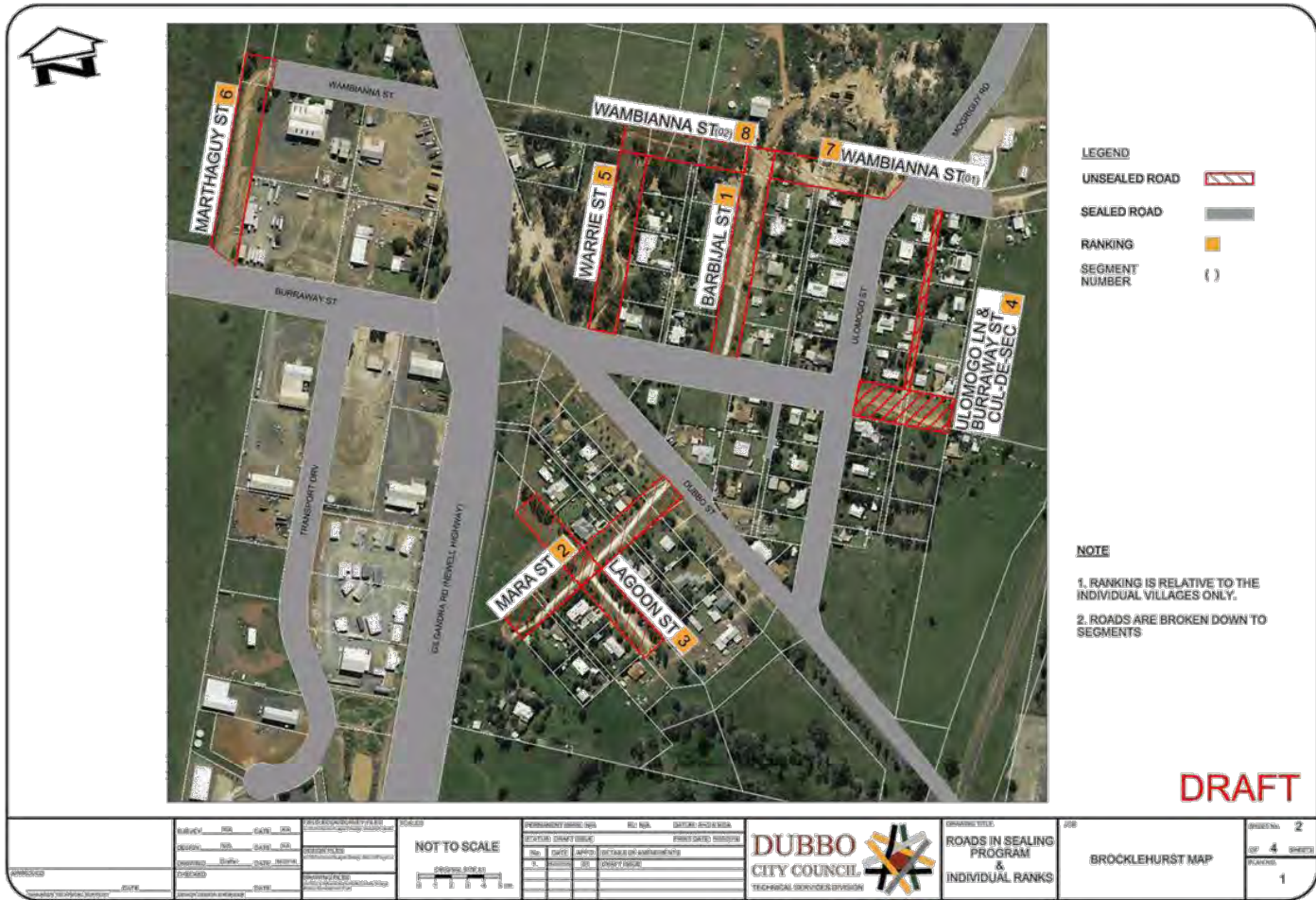
APPENDIX NO: 2 - RURAL STREET SEALING PROGRAM

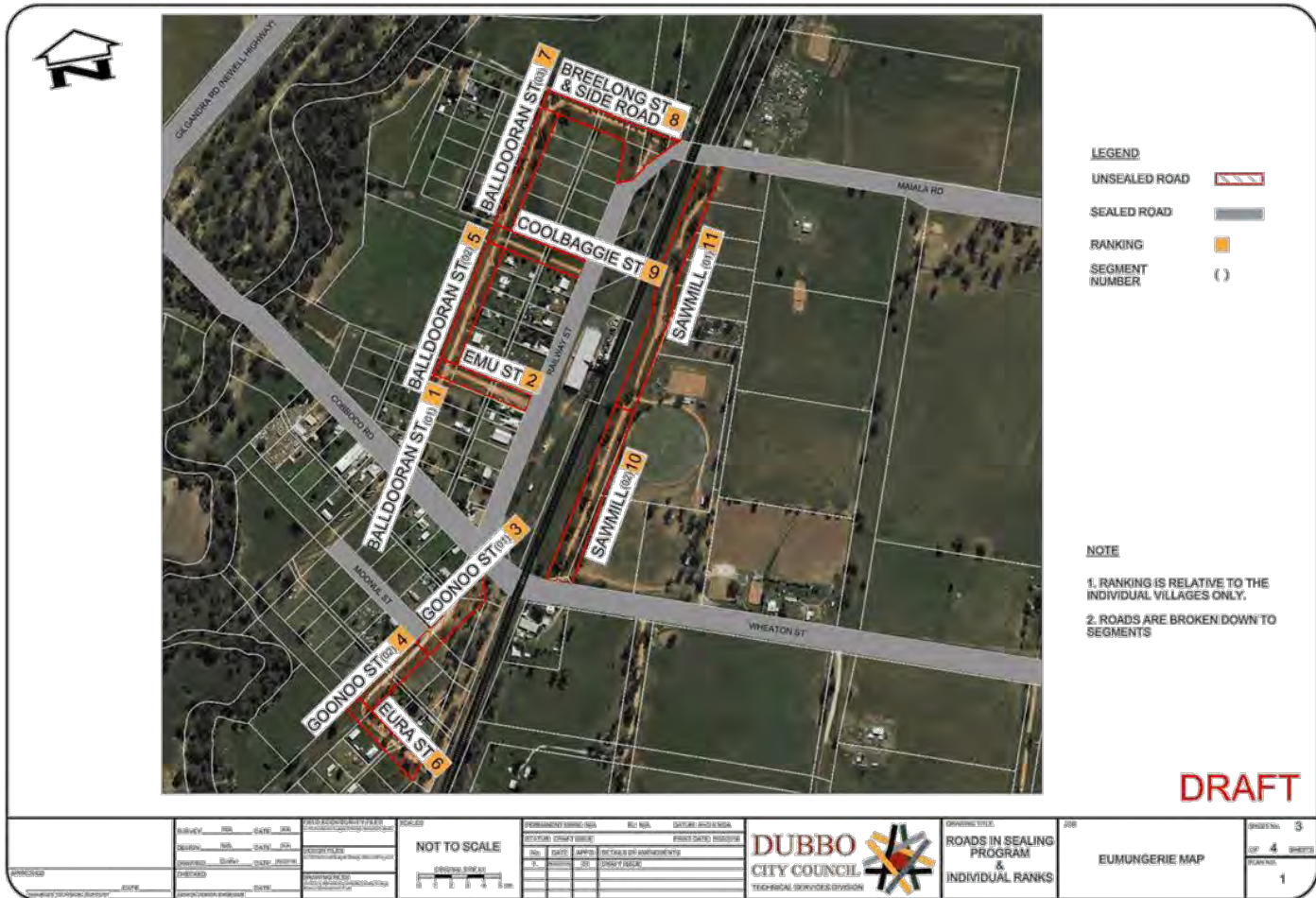
ITEM NO:

Village	Assest Name	From Street	To Street	GRAND TOTAL	TOTAL SCORES	RANK
Brocklehurst	Barbijal St	Burraway st	Wambianna st	\$ 172,286.88	250	1
Wongarbon	Railway St	Berida st	Beni st	\$ 201,087.22	217	2
Wongarbon	Derribong st	Gundong st	Barbigal st	\$ 135,503.04	217	2
Wongarbon	Bundemar St	Gundong st	Barbigal St	\$ 141,480.86	212	4
Eumungerie	Balladoran St (01)	Emu St	Cobboco Rd	\$ 118,251.55	208	5
Eumungerie	Eura St	Balladoran St	Railway St	\$ 75,050.80	206	6
Brocklehurst	Mara St	Dubbo St	End of Mara st	\$ 150,229.64	191	7
Ballimore	Rymer St	Bend at Nardoo St	Intersection of Goan Creek rd and Federation St	\$ 80,618.21	185.5	8
Eumungerie	Goonoo St (01)	Intersection of Cobboco Rd/Wheaton Rd and Goonoo St	Moonul St	\$ 84,222.86	184	9
Eumungerie	Goonoo St (02)	Moonul St	Eura St	\$ 85,627.52	184	9
Ballimore	Nardoo St (04)	Bunyip St	Rymer St	\$ 141,188.35	182	11
Ballimore	Bomen St (02)	Florence St	Bunyip St	\$ 136,647.17	181.5	12
Brocklehurst	Lagoon St	Mara st	End of Lot 12 DP 758163	\$ 82,548.58	181	13
Brocklehurst	Ukomogo Ln & Burraway St Cak-de-see	Burraway st	Warrbanna st	\$ 239,410.60	179.5	14
Eumungerie	Balladoran St (02)	Coolbaggie St	Emu St	\$ 136,962.23	175.5	15
Ballimore	Bunyip St	Nardoo St	Mid way of Lot 1 & 5 DP 758046	\$ 93,614.78	174	16
Wongarbon	Berida st (02)	Bundemar St	Railway St	\$ 223,513.44	169.5	17
Wongarbon	Railway St Service Road	Eriban st	Beni st	\$ 176,424.78	169	18
Ballimore	Bomen St (03)	Bunyip St	Rymer St	\$ 140,951.97	168.5	19
Ballimore	Florence St	Federation St	Bomen St	\$ 169,701.60	166	20
Eumungerie	Eura St	Goonoo St	End of Lot 5 DP 758397	\$ 73,511.33	166	20
Eumungerie	Balladoran St (03)	Breeclong St	Coolbaggie St	107634.296	162.5	22
Ballimore	Zealand St	Nardoo St	Federation St	\$ 149,025.12	161	23
Wongarbon	Bundemar St	HalfWay of State of NSW End Lot 7302	Tenandra St	\$ 91,011.84	157	24
Ballimore	Bomen St (01)	Zealand St	Florence St	\$ 118,287.84	153.5	25
Ballimore	Nardoo St (02)	Zealand St	Florence St	\$ 112,880.86	151	26
Ballimore	Nardoo St (03)	Florence St	Bunyip St	\$ 126,824.98	151	26
Eumungerie	Breeclong St and Sake Road	Railway St and Mailla Rd	Balladoran St	\$ 159,639.84	150.5	28
Eumungerie	Coolbaggie St	Balladoran St	Railway St	\$ 69,457.78	144.5	29
Brocklehurst	Warrie St	Lot 5 DP 758163	Warrbanna st	\$ 95,811.84	143.5	30
Wongarbon	Warrian St (continued segment at the intersection of Boberah st)	Boberah st	Railway st by-pass	\$ 80,085.72	138.5	31
Eumungerie	Sawmill St (02)	Graincrop Mill end	Wheaton St	\$ 139,473.66	134	32
Ballimore	Sunset St	Federation St	Nardoo St	\$ 150,101.60	133.5	33
Brocklehurst	Marthagay St	Wambianna St	Burraway St	\$ 113,650.59	133	34
Eumungerie	Sawmill St (01)	Mailla Rd	End of Graincrop Mill	\$ 192,787.32	130.5	35
Brocklehurst	Wambianna St (01)	Ukomogo Ln	Barbijal St	\$ 84,460.11	130	36
Ballimore	Nardoo St (01)	Sunset St	Zealand St	\$ 119,455.25	128.5	37
Wongarbon	Tenandra St	Derribong st	Wongarbon reservoir	\$ 131,231.76	126	38
Wongarbon	Werrigal St	Berida st	Beni st	\$ 219,347.74	123.5	39
Wongarbon	Braithwaite Rd (01)	Barbigal st	Beni st	\$ 289,939.30	121.5	40
Wongarbon	Berida st (01)	Werrigal St	Bundemar St	\$ 186,527.00	119.5	41
Brocklehurst	Warrbanna St (02)	Barbijal st	Warrie st	\$ 71,048.47	119.5	41
Wongarbon	Braithwaite Rd (02)	Beni st	Werrigal st	\$ 248,833.46	93	43

LEGEND:
WONGARBON
BALLIMORE
EUMUNGERIE
BROCKLEHURST









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## **REPORT: Investments Under Section 625 of the Local Government Act**

**AUTHOR: Director Organisational Services**

**REPORT DATE: 8 June 2016**

**TRIM REFERENCE: ID16/1071**

### **EXECUTIVE SUMMARY**

As required by Clause 212 of the Local Government (General) Regulation 2005, set out below are the details of all monies that Council has invested under Section 625 of the Local Government Act as at 31 May 2016.

Investments have been generally placed in accordance with the Local Government Act, Local Government Regulations and Council's Investment Policy and Strategy. The Wellington branch investments held with the Commonwealth Bank are temporarily in excess of the maximum percentage allocation specified within the Policy whilst the existing investment portfolios of both the previous Dubbo and Wellington councils are being harmonised. This is not seen as an issue given the Commonwealth Banks credit rating of AA-

This report details investments and annualised returns for the month of May 2016 for both the former Dubbo City and Wellington councils.

### **FINANCIAL IMPLICATIONS**

Interest earned is allocated to the respective Branches of Council.

### **POLICY IMPLICATIONS**

There are no policy implications arising from this report.

### **RECOMMENDATION**

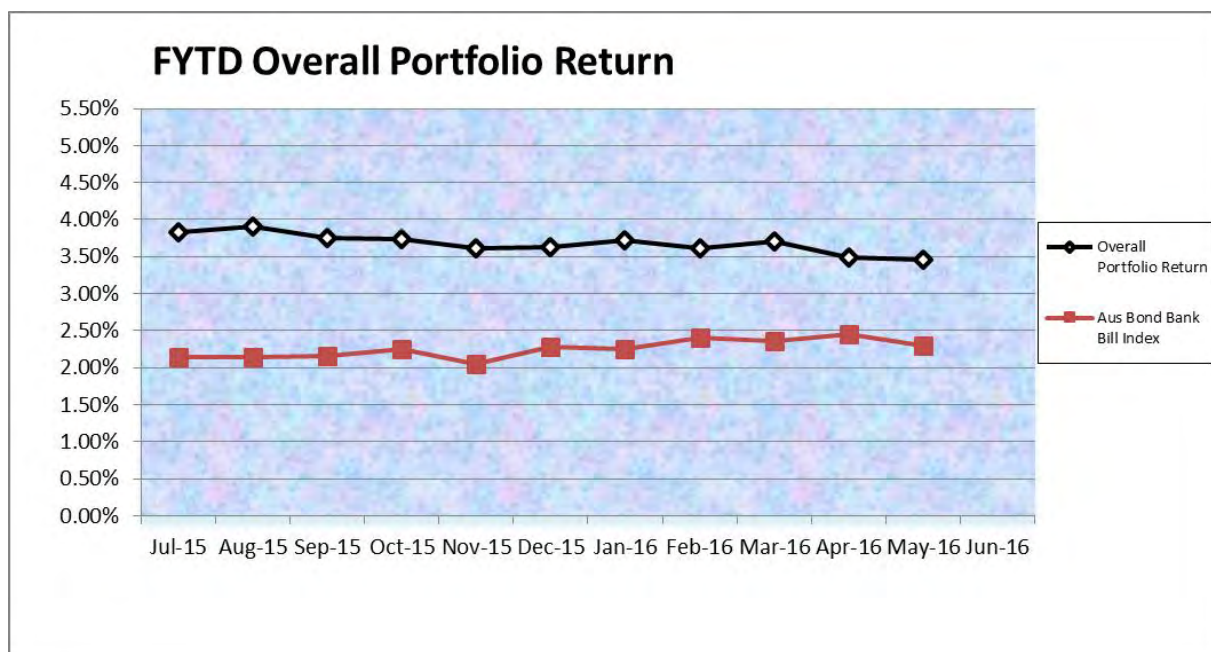
**That the information contained within this report be noted.**

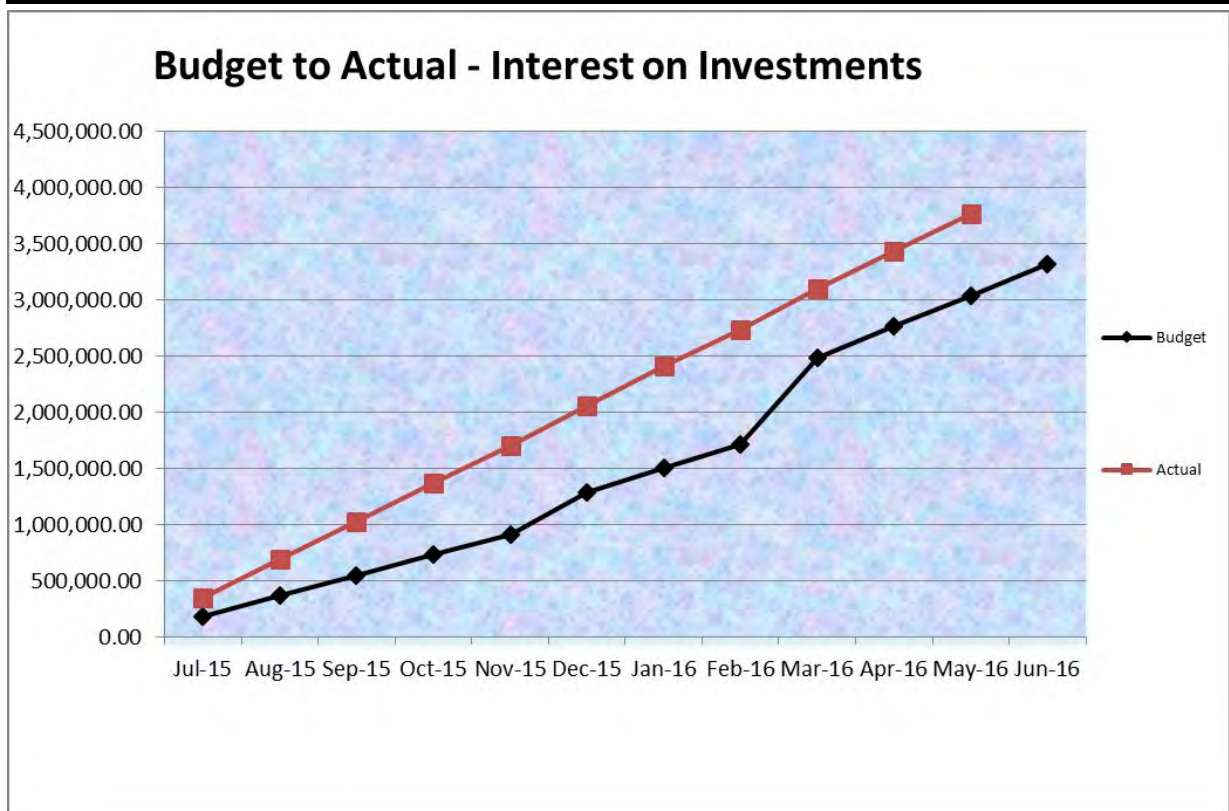
*Craig Giffin*

Director Organisational Services

Dubbo Branch

MAY 2016 REPORT					
	Notes	2016 Current Maturity By 30/06/2017	2016 Non-Current Maturity After 30/06/2017	2016 Total As at 31/05/2016	2016 Total As at 30/04/2016
<b>Investments</b>					
<b>Cash &amp; Cash Equivalents (Note 6a)</b>					
Cash on Hand and at Bank		\$19,050.00	\$0.00	\$19,050.00	\$19,050.00
Cash-Equivalent Assets (1)					
- Deposits At Call		\$24,227,839.37	\$0.00	\$24,227,839.37	\$9,081,653.39
<b>Total Cash &amp; Cash Equivalents</b>	6(a)	<b>\$24,246,889.37</b>	<b>\$0.00</b>	<b>\$24,246,889.37</b>	<b>\$9,100,703.39</b>
<b>Investments (Note 6b)</b>					
- Long Term Deposits > 3 Months		\$70,289,604.11	\$21,857,803.00	\$92,147,407.11	\$98,147,407.11
- NCD's and FRN's > 3 Months		\$4,499,232.82	\$3,502,009.38	\$8,001,242.20	\$8,000,903.61
<b>Total Investments</b>	6(b)	<b>\$74,788,836.93</b>	<b>\$25,359,812.38</b>	<b>\$100,148,649.31</b>	<b>\$106,148,310.72</b>
<b>TOTAL CASH ASSETS, CASH EQUIVALENTS &amp; INVESTMENTS</b>					
		<b>\$99,035,726.30</b>	<b>\$25,359,812.38</b>	<b>\$124,395,538.68</b>	<b>\$115,249,014.11</b>
(1) Those Investments where time to maturity (from date of purchase) is < 3 months					





**Council's Investments Are Currently Held with the Following Financial Institutions**

- AMP Bank
- ANZ Bank
- Bank of Queensland
- BankWest
- Bendigo and Adelaide Bank
- Commonwealth Bank of Australia
- IMB Ltd
- Macquarie Bank
- Macquarie Credit Union
- National Australia Bank
- Newcastle Permanent Building Society
- St George Bank
- Suncorp Bank
- UBS Cash Management Trust
- Westpac Banking Corporation



Wellington Branch

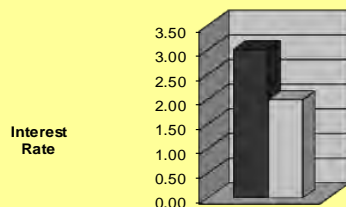
**Schedule of Investments - Western Plains Regional Council - Wellington Branch**

as at 31.5.2016

Government Guarantee: \$250,000

Date Invested	Bank/Institution	Rating	Face Value	Market Value	Days/Mths Invested	Interest Rate	Maturity Date
<b>Term Deposits</b>							
2-Mar-16	NAB	AA-	2,000,000.00	2,000,000.00	120	2.95	30-Jun-16
2-Jul-15	CBA	AA-	750,000.00	750,000.00	12 Mths	2.83	1-Jul-16
23-Feb-16	NAB	AA-	1,000,000.00	1,000,000.00	6 Mths	2.05	23-Aug-16
9-May-16	CBA	AA-	800,000.00	800,000.00	5 Mths	2.72	11-Oct-16
9-Mar-16	WAW Credit Union	Unrated	250,000.00	250,000.00	365	3.05	9-Mar-17
28-May-16	Westpac	AA-	1,000,000.00	1,000,000.00	10 Mths	2.50	28-Mar-17
	CBA - Money Market		5,700,000.00	5,700,000.00	At Call	1.70	N/A
	AMP - 31 Day Notice Account	A-1	4,195,383.97	4,195,383.97	31 Day Call	2.45	N/A
	AMP - Business Saver Account	A-1	1,528,825.66	1,528,825.66	At Call	2.30	N/A
<b>Fixed Rate Bonds</b>							
4-Dec-13	CBA	AA	1,000,000.00	1,037,542.00	5 Yrs	4.50	31-Oct-18
<b>Floating Rate Notes</b>							
10-Jan-14	Members Equity Bank	BBB	1,000,000.00	1,002,700.00	3 Yrs	3.24	28-Nov-16
25-Feb-14	Greater Building Society	BBB	1,000,000.00	1,001,224.00	3 Yrs	3.30	24-Feb-17
4-Dec-14	Teachers Mutual Bank Ltd	BBB	500,000.00	497,277.00	3 Yrs	3.37	4-Dec-17
14-Sep-15	QLD Teachers Mutual Bank Ltd	BBB	500,000.00	502,725.00	818 Days	3.38	11-Dec-17
7-Jul-15	Heritage Bank Ltd	A3	2,000,000.00	1,994,934.00	1035	3.14	7-May-18
12-Jun-14	Bank of Queensland	A-	1,000,000.00	1,006,499.00	4 Yrs	3.34	12-Jun-18
23-Apr-14	Suncorp-Metway	A+	1,000,000.00	1,007,519.00	5 Yrs	3.37	23-Apr-19
11-Dec-15	AMP	A-1	750,000.00	757,062.00	3.50 Yrs	3.43	11-Jun-19
24-Jun-14	Bank of Queensland	A-	1,000,000.00	1,000,800.00	5 Yrs	3.40	24-Jun-19
18-Apr-16	CBA	AA-	1,000,000.00	1,009,896.00	3.25 Yrs	3.27	18-Jul-19
20-Aug-14	Suncorp-Metway	A+	1,000,000.00	998,615.00	5 Yrs	2.93	20-Aug-19
17-Sep-14	Bendigo Adelaide Bank Limited	A-	1,000,000.00	1,000,200.00	5 Yrs	3.25	17-Sep-19
12-Feb-15	Bank of Queensland	A-	500,000.00	495,408.00	5 Yrs	3.35	12-Feb-20
17-Jul-15	CBA	AA-	1,000,000.00	1,004,029.00	5 Yrs	3.19	17-Jul-20
24-Jul-15	CBA - Flexi Rate Deposit	AA-	500,000.00	500,000.00	5 Yrs	3.22	24-Jul-20
24-Jul-15	CBA - Deposit Plus	AA-	500,000.00	500,000.00	5 Yrs	3.02	24-Jul-20
20-Apr-16	CBA - Deposit Plus	AA-	1,000,000.00	1,000,000.00	5 Yrs	4.00	20-Apr-21
9-May-16	CBA - Deposit Plus	AA-	500,000.00	500,000.00	5 Yrs	4.00	9-May-21
<b>Lehman Brothers CDO's</b>							
15-Sep-06	Investments Held with ANZ Nominees		115,915.00	7,352.39		0.00	
<b>Total Investments</b>			<b>34,090,124.63</b>	<b>34,047,992.02</b>	<b>Average Rate =</b>	<b>3.01</b>	

Performance Benchmark as per Council Policy



Average Council Interest Rate 90 Day Rate

Investment % Held as per Council Policy

Direct / Other Investments

Institution	Amount Invested	% Invested	% Allowable as per Policy	\$ Allowable as per Policy
CBA	12,750,000.00	37%	30%	10,227,037
AMP	6,474,209.63	19%	30%	10,227,037
MEMBERS EQUITY BANK	1,000,000.00	3%	5%	1,704,506
WESTPAC	1,000,000.00	3%	30%	10,227,037
NAB	3,000,000.00	9%	30%	10,227,037
HERITAGE BUILDING SOCIETY	2,000,000.00	6%	10%	3,409,012
TEACHERS MUTUAL BANK LTD	500,000.00	1%	5%	1,704,506
QLD TEACHERS MUTUAL BANK LTD	500,000.00	1%	5%	1,704,506
BENDIGO ADELAIDE BANK LIMITED	1,000,000.00	3%	10%	3,409,012
WAW CREDIT UNION	250,000.00	1%	5%	1,704,506
SUNCORP METWAY	2,000,000.00	6%	10%	3,409,012
BANK OF QUEENSLAND	2,500,000.00	7%	10%	3,409,012
GREATER BUILDING SOCIETY	1,000,000.00	3%	5%	1,704,506
<b>Lehman Brothers CDO's</b>				
Lehman CDO	115,915.00	0.00%		
<b>34,090,124.63</b>		<b>100%</b>		

Appendices:

- 1** Investments - 2016/05 - May 2016 - Wellington Council May Report for Public Disclosure



# May Monthly Report

for

# Wellington Council

Prepared by

Amicus Advisory Pty Ltd

31 May 2016



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### Introduction

In the section below is a summary of the assessment of your portfolio on an individual security basis and as a portfolio. Detailed analysis of each of the individual structured securities you hold then follows. It is this detailed analysis that serves as a basis for the conclusions we have drawn in the summary section.

### Explanation of Categorisation of Risks

For ease of communication we have assigned a rating to each of the securities in your portfolio based on our assessment of the risk. The definitions of these ratings are as follows.

**Low:** This represents a very secure and robust transaction where we estimate the likelihood of any disruption of cash flows or a default is minimal. In quantitative terms this would correspond to a risk of loss of <2%.

**Moderate:** This represents a transaction where we estimate there is some risk but the structure has a reasonable degree of robustness and is still resilient to some stresses. In quantitative terms this would correspond to a risk of loss in the 2% to 5% area.

**Material:** This represents a transaction where we estimate there is a clear risk of either a small number of idiosyncratic (single entity events) or a systemic event in one sector or area that would cause the transaction to become distressed. In quantitative terms this would correspond to a risk of loss in the 5% to 10% area.

**Serious:** This is where we estimate there is a clear and present danger, either idiosyncratic or systemic that is likely to cause the transaction to experience a loss due to a lack of resilience to such an event of events. In quantitative terms this would correspond to a risk of loss in the 10% to 25% area.

**High:** This represents situations where there is a high degree of uncertainty but the balance of probabilities suggests that repayment of principal is more likely than not. In quantitative terms this would correspond to a risk of loss between 25% and 50%.

**Very High:** This represents a transaction where we estimate a very high probability of partial or total loss of principal. In quantitative terms this would correspond to a risk of loss between 50% and 90%.

**Near Certain Loss:** This represents situations where we estimate there is little chance of receiving the promised cash flows from the transaction. In quantitative terms this would correspond to a risk of loss > 90%.

**Partial Loss:** This represents a transaction where we estimate a partial loss of principal has occurred.

The above categories are designed to provide a simple format for summarising the risk as are the quantitative assessments which in a number of cases represent our best judgement in the face of conflicting information. It is also important to remember that global financial markets currently remain dynamic and securities can and will change categories as new information becomes available, market conditions change or situations develop or unfold. For completeness we also highlight that there are no absolute certainties, so no security has an absolute 0% or 100% risk of loss.



**Summary Table by Risk Category**

Overall in terms of principal at risk our assessment from the table above is that your portfolio has the following risk distribution.

<u>Category</u>	<u>Principal at Risk<sup>^</sup></u> <u>\$K</u>
Low	32,062
Moderate	0
Material	0
Serious	0
High	0
Very High	0
Near Certain Loss	0
Partial Loss	160
Total	32,222

**Summary Table of Monthly Movements Within and Between Risk Categories**

<u>May Monthly Risk Movement</u>	<u>Number of Securities</u>
Upgraded to a Lower Risk Category	0
Positive (Lower Risk) Movement within Current Category	0
Neutral Risk Movement within Current Category	1
Negative (Higher Risk) Movement within Current Category	0
Downgraded to a Higher Risk Category	0
<b>Total Number of Securities Held<sup>^</sup></b>	<b>1</b>

<sup>^</sup>Only includes Legacy Asset

## REPORT: Disclosure of Interest Returns

**AUTHOR:** Manager Governance and Risk Services

**REPORT DATE:** 16 June 2016

**TRIM REFERENCE:** ID16/1117

### EXECUTIVE SUMMARY

The Local Government Act 1993 requires Councillors and designated persons to lodge Disclosure of Interest returns in accordance with Section 449.

Section 450A requires that the General Manager not only keep a register of the returns, but is to table the returns at the first meeting after the last date for their lodgement. These returns were tabled at the former Dubbo City Council Ordinary meeting of Council held October 2015.

As a result of the merger of the former Dubbo City and Wellington Councils, the Implementation Checklist as required by the Department of Premier and Cabinet to be completed by Council includes a task to consolidate the former councils' pecuniary interest registers and table at a Council meeting. Accordingly, the pecuniary interest registers have now been consolidated and are tabled at this meeting for notation and include the Disclosure of Interest Returns for the Administrator, Interim General Manager and other designated staff of Council.

### FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

### POLICY IMPLICATIONS

There are no policy implications arising from this report.

### RECOMMENDATION

**That the tabling of the Disclosure of Interest Returns as detailed in the report be noted.**

*Michael Ferguson*

Manager Governance and Risk Services

**REPORT**

The Local Government Act 1993 requires Councillors and designated persons to lodge disclosure of interest returns in accordance with Section 449. Section 450A requires that the General Manager not only keep a register of the returns, but is to table the returns at the first meeting after the last date for their lodgement. These returns were tabled at the former Dubbo City Council Ordinary meeting of Council held October 2015.

The purpose of this section of the Act is to enhance the accountability and the transparency provisions of the Act. It also ensures that breaches of the Act are brought to notice as soon as they occur. Additionally, it is to assist the Office of Local Government in its investigative role regarding breaches of the Disclosure of Interest provisions.

As a result of the merger of the former Dubbo City and Wellington Councils, the Implementation Checklist as required by the Department of Premier and Cabinet to be completed by Council includes a task to consolidate the former councils' pecuniary interest registers and table at a Council meeting. Accordingly, the pecuniary interest registers have now been consolidated and are tabled at this meeting for notation and include the Disclosure of Interest Returns for the Administrator, Interim General Manager and other designated staff of Council.



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## REPORT: Draft Council Policy - Use of Council Common Seal

**AUTHOR:** Manager Governance and Risk Services

**REPORT DATE:** 8 June 2016

**TRIM REFERENCE:** ID16/1073

### EXECUTIVE SUMMARY

A Council Common Seal is like the signature of a Council. Affixing the Seal demonstrates approval of the content of a document and shows what Council has done or agreed to do.

Council's Common Seal can only be used following a resolution of Council. However, not all documents created to implement decisions of Council require the affixing of a seal.

In accordance with the Department Premier and Cabinet Implementation Checklist, Council is also required to adopt a policy regarding the management of and application of the Council's Common Seal.

This policy sets out the situations in which a seal is required, and how the seal is to be used, noting that at its May 2016 Ordinary Meeting, Council adopted the design of its Common Seal.

### FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

### POLICY IMPLICATIONS

Upon adoption of this policy, it will become a Council Policy.

### RECOMMENDATION

**That the draft Council Policy titled "Use of Council Common Seal" be adopted.**

*Michael Ferguson*  
Manager Governance and Risk Services

Appendices:

- 1 Council Policy - Use of Council Common Seal

# Western Plains Regional Council Policy

**Document Type**      *Council Policy*

**Title**                                      *Use of Council Common Seal*

**Responsible Officer**                *Manager Governance and Risk Services*

**Date**                                        *7 June 2016*

**Council Resolution Date**

**Clause Number**

## 1. Introduction

A Council seal is like the signature of a Council. Affixing the seal demonstrates approval of the content of a document and shows what Council has done or agreed to do.

Council's seal can only be used following a resolution of Council. However, not all documents created to implement decisions of Council require the affixing of a seal.

This policy sets out the situations in which a seal is required, and how the seal is to be used.

## 2. Legislation

### LOCAL GOVERNMENT ACT 1993 ("THE ACT")

Section 220 of the Act states that Council is a body corporate. Section 377 of the Act allows Council to delegate any of its functions (except those enumerated in the section) to the General Manager or any other person or body.

### INTERPRETATION ACT 1987

Section 50 of Part 8 of the Interpretation Act requires Council to have a seal. This is because Council is a body corporate. In addition, it requires that the seal be kept by the president, chairperson or other principal officer of the corporation and affixed to a document only in the presence of at least two members of the corporation, and with an attestation by the signatures of those members of the fact of the affixing of the seal.

**LOCAL GOVERNMENT (GENERAL) REGULATION 2005 ("THE REGULATION")**

Requirements in relation to Council's seal are further detailed in clause 400 of the Regulation, which states that:

1. The seal of a council must be kept by the mayor or the general manager, as the council determines.
2. The seal of a council may be affixed to a document only in the presence of:
  - the mayor and the general manager, or
  - at least one councillor (other than the mayor) and the general manager, or
  - the mayor and at least one other councillor, or
  - at least 2 councillors other than the mayor.
3. The affixing of a council seal to a document has no effect unless the persons who were present when the seal was affixed (being persons referred to in subclause (2)) attest by their signatures that the seal was affixed in their presence.
4. The seal of a council must not be affixed to a document unless the document relates to the business of the council and the council has resolved (by resolution specifically referring to the document) that the seal be so affixed.
5. For the purposes of subclause (4), a document in the nature of a reference or certificate of service for an employee of the council does not relate to the business of the council.

**3. Policy**

In line with its legislative requirements, Council has determined that:

- A decision to affix Council's seal to a document can only be made by a resolution of Council. It is not a matter that can be delegated.
- Council's seal will be held by the General Manager. Following a decision by Council that a document will be issued under seal, the General Manager will ensure that the requirements of clause 400 (2) and (3) of the Regulation are met whenever the Council seal is to be affixed to a document.
- Council's seal will be used only for documents that relate to the business of Council, and without limiting the use of the seal, will normally only include specifically:
  - the exercise by Council of its functions in relation to the purchase, exchange, leasing, disposal of, and otherwise dealing with, real property, or
  - executing a contract of employment for the General Manager, or
  - completing agreements or contracts from state or federal government departments where they have requested the agreements or contracts be under seal, or
  - entering into planning agreements.
- Council's seal will not be used for documents such as references or certificates of service for Council employees.
- The General Manager will not witness the affixing of Council's seal to the contract of employment for the General Manager.
- Except in the case of emergency (as determined by the Mayor or General Manager) or the contract of employment for the General Manager, the seal shall be affixed only in the presence of the Mayor and the General Manager.

#### 4. Procedure for use of the seal

If a document is to be sealed, the Council resolution that authorises the sealing must refer to the specific document.

However, this does not always mean that each document needs a separate resolution. If Council is authorising an activity or transaction eg the transfer of land, a single resolution could specify all of the documents that need to be executed under seal to carry out that activity or transaction.

Resolutions to use Council's seal must be in the following form:

**"That any necessary documentation be executed under the Common Seal of the Council."**

In the case of emergency (as determined by the Mayor or General Manager), the words 'Mayor' and or 'General Manager' may be replaced as required by the Mayor or General Manager, in compliance with sub-clauses 400 (2) and (3) of the Regulation. In that event, the minutes are to record a description of the emergency, the reasons for the replacement, and who authorised the replacement.

In the case of the contract of employment for the General Manager, the word 'Mayor' may be replaced, and the words 'General Manager' must be replaced, as required by the Mayor, in compliance with sub-clauses 400 (2) and (3) of the Regulation.

DRAFT

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## REPORT: Draft Council Policy - Local Purchasing Policy

**AUTHOR:** Manager Governance and Risk Services

**REPORT DATE:** 8 June 2016

**TRIM REFERENCE:** ID16/1074

### EXECUTIVE SUMMARY

Following the merger of the former Dubbo City and Wellington councils to form the Western Plains Regional Council, a review has been undertaken of the respective Local Purchasing policies. Both former councils previously had local purchasing policies however they differed in their application.

This report recommends placing the draft Local Purchasing Policy as attached as **Appendix 1** on public exhibition for a period of 28 days prior to being further considered by Council.

### FINANCIAL IMPLICATIONS

The Local Purchasing policy may result in higher priced quotation/tenders being selected however this additional cost to Council will support local business.

### POLICY IMPLICATIONS

A further report will be considered by Council following the public exhibition period to formally adopt the Local Purchasing Policy for Western Plains Regional Council.

### RECOMMENDATION

1. That the draft Council Policy titled "Local Purchasing Policy" be placed on public exhibition for a period of 28 days.
2. That a further report be considered by Council addressing any submissions made by the public during the public exhibition period.

*Michael Ferguson*

Manager Governance and Risk Services

## REPORT

Following the merger of the former Dubbo City and Wellington councils to form the Western Plains Regional Council, a review has been undertaken of the respective Local Purchasing policies. Both former councils had local purchasing policies however they differed in their application.

This report recommends that the draft Council Policy titled "Local Purchasing Policy" be placed on public exhibition for a period of 28 days before a final report is considered by Council in respect of this policy.

The former Dubbo City Council had a Local Purchasing Policy whereby, for all quotations and tenders for the supply of goods, materials and/or services above \$5,000, a price advantage was given to approved local suppliers. In the process of determining the successful supplier, an amount of 2% was nominally deducted from the local supplier's price for the purpose of price comparison only. This policy had an advantage of being specific in its application (2%) which was not open to subjectivity. If a business was approved as a local supplier through the appropriate approval process (greater than 49.9% of the business being locally owned), it received the 2% reduction in comparative pricing. This policy was efficient with minimal impact on pricing while the purchases were of a relatively small nature however when the prices were large, it could result in a significant expense for Council. As an example, if there was a significant construction project being undertaken at a price of \$10 million, the Local Purchasing Policy would provide a \$200,000 price advantage to local suppliers.

The former Wellington Council also provided a scoring advantage to local businesses when quoting or tendering. It was not intended to allow local businesses to win quotations or tenders at the expense of value for money but to provide an advantage to local suppliers. The former Wellington Council's Local Purchasing policy was applied to all quotations and tenders where a local business submits a quotation or tender with local business being defined as a business that is substantially operated within the local government area. The Local Purchasing weighting was to a maximum 5% of the selection criteria weightings. As this criteria could be to a maximum 5%, it had to be determined by the responsible officer as to the actual weighting, which may only be allocated 1% depending on the subject tender.

It is noted that the former Dubbo City Council had a total of 12 suppliers who were approved Local Suppliers and the former Wellington Council had no local suppliers approved under its Local Purchasing Policy which was a relatively new policy.

**SUMMARY**

Prior to the creation of Western Plains Regional Council, both former Council's had adopted differing Local Purchasing Policies. This draft policy provides a consistent policy for the new Western Plains Regional Council to apply to approved Local Suppliers. The policy states that approved Local Suppliers will receive a 2% comparative price advantage whenever the resultant comparative price does not exceed \$1,000,000. No Local Purchasing advantage exists when the resultant comparative price exceeds \$1,000,000.

Appendices:

- 1 Draft Council Policy - Local Purchasing Policy

# Western Plains Regional Council Policy

**Document Type**      *Council Policy*

**Title**                      *Local Purchasing Policy*

**Responsible Officer**      *Manager Governance and Risk Services*

**Date**                      *7 June 2016*

**Council Resolution Date**

**Clause Number**

## 1. Introduction

This Policy is to encourage spending with approved local suppliers through a price advantage when Council is procuring goods or services in the Western Plains Regional Council local government area. Both former Dubbo City and Wellington councils had Local Purchasing Policies however they differed in their application. This policy will provide a consistent forward direction for the application of the Western Plains Regional Council Local Purchasing Policy.

This Policy is to be read and implemented in conjunction with the following Council Management Policies:

- (i) Purchasing and Procurement Policy
- (ii) Tenders
- (iii) Quotations

## 2. Policy

1. For all quotations and tenders for the supply of goods, materials and/or services for Western Plains Regional Council above \$5,000 and below \$1,000,000, a price advantage is given to approved local suppliers where the resultant comparative price of the tender does not exceed \$1,000,000. In the process of determining the successful supplier, an amount of 2% will be nominally deducted from the local supplier quotation/tender for the purpose of price comparison only.



2. Specifications for the calling of quotations/tenders for services, goods or materials will indicate that Council has a preferential Local Purchasing policy. It will be noted that any supplier that wishes to be considered as a "Local Supplier" must request and complete appropriate paperwork at least once every 12 months and nominate on their quotation that this supplier is to be considered a "Local Supplier". This puts the onus of proof on the supplier.
3. A "Local Supplier" will be defined as:
  - a. An organisation that operates from permanently staffed premises within the boundaries of the Western Plains Regional Council Local Government Area (LGA) and has operated from those premises for a minimum period of three (3) months before submitting the quotation or tender.
  - b. An organisation that is more than 49.9% owned by an individual (or individuals) that live/s within the boundaries of the Western Plains Regional Council LGA and has done so for a minimum period of three (3) months before the organisation submits the quotation or tender. It is assumed that the individual/s reside/s at their address on the electoral role.
  - c. The appropriate paperwork required to be submitted to be considered a "Local Supplier" would include:
    - i. the address of the business premises within the Western Plains Regional Council LGA.
    - ii. the number of full time staff that operate from that premises.
    - iii. the name of the owner (or owners) of the organisation (and how they legally own more than 49.9% of the organisation submitted a quotation) and their address(es) within the Western Plains Regional Council LGA.
  - d. If subsequent investigations by Council prove that false declarations were made and this organisation should not be considered a "Local Supplier" then the Local Purchasing policy will not apply and that supplier will not be able to supply goods, materials and/or services to Western Plains Regional Council for a period of 12 months.
4. Any changes to Council's Purchasing and Procurement Policy expenditure levels will automatically be reflected in this Local Purchasing policy.
5. No Local Purchasing price comparison advantage is given when the resultant comparative price of the tender exceeds \$1,000,000.

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## REPORT: Formation of Other Council Committees

**AUTHOR: Manager Governance and Risk Services**

**REPORT DATE: 9 June 2016**

**TRIM REFERENCE: ID16/1076**

### EXECUTIVE SUMMARY

Regulation 260(1) of the Local Government (General) Regulation 2005 makes provision for a council to appoint or elect such committees as it considers necessary. Regulation 260(2) states that such a committee is to consist of the Mayor and such other councillors of the Council as the Council decides. Under the provisions of the Local Government Act 1993 a committee of Council is one that is comprised solely of Councillors. Therefore, in respect of committees formed by Council at its May 2016 Ordinary meeting, by definition, only the Works and Services Committee, Finance and Policy Committee, Planning and Development Committee and the Committee of the Whole Council are, "committees" and in this context, are referred to as "Standing Committees".

However, Council is able to appoint "groups" to perform specific functions and report to Council providing advice and recommendations on those functions. These "groups" have been termed "other committees, working parties and other groups". Although these are not committees by definition (under the Act), they perform essential functions in their operation, advice and reporting mechanisms to the Council.

A review has been undertaken of all previous other Committees and Working Parties of the former Dubbo City and Wellington councils to determine which of these should be formed under the new Western Plains Regional Council. This review included assessing the effectiveness of these Committees/Working Parties, how often they met and relevance under the new Local Government Area.

This report recommends the formation of new other committees and working parties as detailed in the body of this report.

### FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

### POLICY IMPLICATIONS

There are no policy implications arising from this report.

**RECOMMENDATION**

- 1. That the following other Committees/Working Parties be formed by Council until the next Local Government election to be held September 2017:**
  - (a) Saleyards Advisory Committee**
  - (b) Audit and Risk Management Committee**
  - (c) Companion Animals Advisory Committee**
  - (d) Floodplain Management Committee**
  - (e) Geographical Names Ad Hoc Committee**
  - (f) Western Plains Regional Council Code of Conduct Committee**
  - (g) Dubbo Day Awards Committee**
  - (h) Rainbow Cottage Child Care Centre Committee**
  - (i) Sister Cities Advisory Committee**
  - (j) Dubbo Multi Cultural Festival Advisory Committee**
  - (k) Rural Consultative Working Party**
  - (l) Australia Day Working Party**
  - (m) Wellington Caves Advisory Group**
  - (n) Wellington Bicentenary Committee**
- 2. That, where applicable, Council call public expressions of interest for members to these other committees/working parties.**
- 3. That the Administrator appoint representatives to represent Council on each of the External Committees as detailed in the body of this report as appropriate.**

*Michael Ferguson*

Manager Governance and Risk Services

## REPORT

Council has the ability to appoint "groups" to perform specific functions and report to Council providing advice and recommendations on those functions. These "groups" have been termed "other committees, working parties and other groups". Although these are not committees by definition (under the Act), they perform essential functions in their operation, advice and reporting mechanisms to the Council.

To create uniformity in the way Council conducts its meetings, Council has determined that all Council appointed committees, working parties, etc, operate within the parameters of Council's Code of Meeting Practice and Meeting Procedures.

It has also been the common practice of the former councils that members of the public who have an interest in matters before the committee, working party, etc, at the discretion of the committee, working party, etc, may attend and address the committee, working party, etc but shall not be permitted to remain in the meeting while the item is considered/determined.

A review has been undertaken of the former other Committees and Working Parties of the former Dubbo City and Wellington councils to determine which of these should be formed under the new Western Plain Regional Council. This review included assessing the effectiveness of these Committees/Working Parties, how often they met and relevance under the new Local Government Area.

Following this review it is recommended that the following other Committees and working Parties be formed with the composition as described:

**(a) Saleyards Advisory Committee**

To consider and make recommendations to the Finance and Policy Committee on policy matters affecting the Dubbo Regional Livestock Markets.

Comprising the Administrator, the Interim General Manager, the Director Corporate Development, a staff representative of the Dubbo Regional Livestock Markets, two (2) representatives nominated by Dubbo Stock and Station Agents Pty Ltd, two (2) representatives nominated by buyers, one (1) representative nominated by carriers, one (1) representative nominated by sheep producers, one (1) representative nominated by cattle producers and Mr Roger Fletcher.

**(b) Audit and Risk Management Committee**

To assist the Council to discharge its responsibilities relating to:

- (i) Financial reporting process
- (ii) Business ethics, policies and practices
- (iii) Management and internal controls
- (iv) Monitoring the integrity of the Council's financial reporting practices and finance and accounting compliance

- (v) Review internal controls, key corporate risks and all audit related matters
- (vi) Encouraging continuous improvement of Council's systems and practices
- (vii) Adoption of the Internal Audit Plan
- (viii) The Council's process for monitoring compliance with policies, laws and regulations and the Council code of conduct.

Composition:

***Core Members (voting):***

- (i) The Administrator
- (ii) Two independent external members (not members of Council and one to be Chairperson)

***Attendees (non-voting):***

- (i) General Manager
- (ii) Internal Auditor
- (iii) Director Organisational Services
- (iv) Director Corporate Development

**(c) Companion Animals Advisory Committee**

To give consideration to and make recommendations to the Director Environmental Services on matters related to the management of companion animals.

Comprising the Administrator, one (1) representative each from RSPCA Branch, one (1) representative of a Dubbo Veterinary Practice, one (1) representative of a Wellington Veterinary Practice Dubbo and District Kennel Club, Department of Education, WIRES and two (2) citizen representatives, the Manager Environmental Control, Ranger Services Supervisor and the Supervisor Dubbo City Animal Shelter.

**(d) Floodplain Management Committee**

To give advice and/or make recommendations on flood matters which may affect land or buildings the subject of a rezoning application, development application or construction certificate application.

Comprising the Administrator (Chairman), the Interim General Manager or his nominee, the Director Technical Services or his nominee, the Director Environmental Services or her nominee, the Local Controller State Emergency Services or his/her nominee and District Manager Department of Environment and Climate Change or his/her nominee.

**(e) Geographical Names Ad Hoc Committee**

To review and determine, where necessary, all names to be given to suburbs, roads, streets and other geographical features within the Local Government Area.

Comprising the Administrator (Chairman), the Interim General Manager, the Director Organisational Services, the Director Technical Services, the Director Environmental Services, the Land Information Services Supervisor, the Director Parks and Landcare Services, or their nominees, the Aboriginal Community Liaison Officer – Wellington Branch and one (1) representative from Dubbo Aboriginal Community Working Party.

**(f) Western Plains Regional Council Code of Conduct Committee**

To enquire into any alleged breaches of Council's Code of Conduct.

A panel of independent representatives to be appointed by the Council.

**(g) Dubbo Day Awards Committee**

Comprising the Administrator and eight Community representatives to select recipients of:

- Dubbo Day Awards
- Dubbo City Tony McGrane Public Service Award

**(h) Rainbow Cottage Child Care Centre Committee**

To provide advice to the Director Community Services on the management of the Rainbow Cottage Child Care Centre.

Comprising the Director Community Services and twelve (12) parent representatives.

**(i) Sister Cities Advisory Committee**

To provide advice to the Director Community Services on Sister City matters and to foster national and international relationships between areas of the Local Government Area and other Cities to promote understanding and friendship; to promote peace and goodwill through mutual respect; to appreciate different cultures, customs and traditions through visitor exchange programmes; to foster economic development, tourism and trade relations and to participate in sporting, artistic and educational programmes.

Comprising the Administrator, five (5) Community representatives, a former student exchange member, a former chaperone member and a representative from Charles Sturt University.

**(j) Dubbo Multi Cultural Festival Advisory Committee**

To provide advice to the Manager Social Services on the staging of activities associated with the Dubbo Multi Cultural Festival.

Comprising the Administrator and an eight (8) person Executive Committee as appointed by Council.

An unlimited number of ordinary members to be appointed by the Executive Committee.

**(k) Rural Consultative Working Party**

To act in an advisory capacity to Council to represent the village and rural areas in matters pertaining to those areas.

Comprising the Administrator (Chairman), one (1) resident (+ 1 alternative) from each of the following villages/areas (the alternative representative is only to attend when the delegate is unable to attend):

Ballimore	Geurie
Wongarbon	Elong Elong
Toongi	Mumbil
Rawsonville	Stuart Town
Eumungerie	Euchareena
Brocklehurst	North Yeoval

Plus two (2) persons to represent Rural Residents

**(l) Australia Day Working Party**

This Working Party is to select recipients of the relevant Australia Day Awards and related matters. A separate Working Party will be established for Dubbo and Wellington and will comprise the Administrator and a maximum of five (5) past recipients of Australia Day Awards (as determined by Council) for each of the areas.

**(m) Wellington Caves Advisory Group**

To provide advice to Council on the operations of the Wellington Caves.

Comprising the Administrator, the Interim General Manager or nominee, the Caves Complex Manager, a representative of Crown Lands and six (6) Advisory representatives being:

- Professor Armstrong Osborne – Geologist – Associate Professor of Science and Education at the University of Sydney
- Gay Bennison – Horticulturalist from the Burrendong Arboretum
- Greg Ryan – Speleologist from the Sydney University Speleology Society
- Ian Cooper - Speleologist from the Sydney University Speleology Society & Former Mining Engineer
- Professor Andy Baker – Hydrologist University of Sydney
- Professor Mike Augee – Palaeontologist & Mammologist

**(n) Wellington Bicentenary Committee**

To provide advice to Council regarding the arrangements and planning of the Wellington Bicentenary.

Comprising the Administrator, the Interim General Manager, the Tourism Promotions and Media Liaison Officer (Wellington Branch), and eight (8) Community representatives as appointed by Council.

As a result of the review and through consultation with the members of the Executive Staff Committee, it is recommended that the following other committees/working parties that were operated by the former Dubbo City and Wellington councils not be formed. These committees are recommended not to form under the current Administration as alternate procedures for consultation with community representatives will be put in place, they have been consolidated into other Committees or attendance by Committee members was quite often difficult to achieve.

**Former Dubbo City Council**

Dubbo Showground Advisory Committee  
Dubbo Aquatic Leisure Centre Working Party  
Caravan Park Working Party  
Fire Services and Emergency Response Working Party  
Economic Development Advisory Committee  
Heavy Vehicle Access Advisory Group  
Dubbo City Regional Airport Working Party  
Community Needs Survey Working Party  
Waste Management Services Working Party  
Water Supply and Sewerage Working Party  
Strategic Landuse Working Party  
Barden Park Regional Athletics Centre Steering Committee  
ANZAC Centenary Co-ordination Committee  
Community Services Committee  
Wongarbon Community Hall Committee  
Western Plains Cultural Centre Advisory Board  
Dubbo Public Art Committee  
Old Dubbo Gaol Committee  
City of Dubbo Hall of Fame Committee  
Dubbo Regional Theatre and Convention Centre Working Party

**Former Wellington Council**

Community Facilities Committee  
Community Services Committee  
Festival and Events Committee  
Crime Prevention Committee

The former Councils also had representatives as members to each of these external committees. It is recommended that the Administrator will either represent Council as Council's representative on these Committees or appoint a representative as appropriate.

**Former Dubbo City Council**

- Macquarie Regional Library Committee
- Dubbo and District Pre-School Management Committee
- West Dubbo Pre School Committee
- Dubbo and District Police and Citizens Youth Club



- Rural Rating Advisory Panel
- RMS Regional Consultative Committee
- Dubbo Aboriginal Community Working Party
- Dubbo Neighbourhood Centre Management Committee
- Orana Arts
- Taronga Conservation Society Australia - Board
- Orana Support Service Committee
- Rural Fire Service – Service Level Agreement Liaison Committee
- Central West Regional Advisory Council of the Community Relations Commission for a Multicultural NSW
- Dubbo Health Council
- Dubbo Base Hospital Accommodation Project Committee
- Tony McGrane Scholarship Fund Committee
- Dubbo Zirconia Project, Community Consultative Committee

**Former Wellington Council**

- Macquarie Regional Library Committee
- NSW Flood Mitigation Authority, LGSA Water Supply Committee and LG Water Resources Committee
- Mount Arthur Reserve Trust
- Burrendong Arboretum Trust
- Macquarie Valley Weeds Advisory Committee
- Wellington Learning Community
- Wellington Correctional Centre Committee
- Wellington Heritage Workshop
- Bodangora Community Consultative Committee

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## **REPORT: Public Exhibition of Draft Route Plans of Proposed Pipeline from Burrendong Dam to Dubbo**

**AUTHOR: Director Technical Services**  
**REPORT DATE: 27 May 2016**  
**TRIM REFERENCE: ID16/962**

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### **EXECUTIVE SUMMARY**

During 2015 the former Dubbo City Council and the NSW Government cooperated in the preparation of plans that show possible routes of a future pipeline from Burrendong Dam to Dubbo via the Wellington Water Treatment Plant and Geurie, along the Macquarie River Valley.

Such a pipeline would significantly improve the drought security of both Dubbo, Wellington and Geurie and may be identified as such in the development of a new Integrated Water Cycle Management (IWCM) strategy for these localities. The route maps were forwarded to the Department of Primary Industries Water and to Infrastructure NSW. Comments were invited, but none have been received to date.

This report recommends that the route maps now be publicly exhibited.

A further report will be prepared for Council at the conclusion of the Public Exhibition Period.

### **FINANCIAL IMPLICATIONS**

There are no financial implications arising from this report.

### **POLICY IMPLICATIONS**

There are no policy implications arising from this report.

**RECOMMENDATION**

- 1. That the draft route plans of a proposed future pipeline from Burrendong Dam to the John Gilbert Water Treatment Plant at Dubbo, via the Wellington Water Treatment Plant and Geurie, along the Macquarie River Valley, be adopted for public exhibition purposes.**
- 2. That, following consideration of submissions received during the Public Exhibition period, a further report be prepared for Council.**

*Stewart McLeod*  
Director Technical Services

## BACKGROUND

The NSW Government encourages best-practice by all NSW Local Water Utilities (LWU's). The purpose of best-practice management is:

- To encourage the effective and efficient delivery of water supply and sewerage services, and
- To promote sustainable water conservation practices and water demand management throughout NSW.

The NSW Government is required to demonstrate compliance with the Australian Government's *National Competition Policy and National Water Initiative*. The approach adopted since 1995 is to progressively encourage best-practice management by LWUs to ensure effective, efficient and sustainable water supply and sewerage businesses.

There are six (6) criteria, each of which must be complied with. These are:

1. Strategic Business Planning
2. Pricing (including Developer Charges, Liquid Trade Waste Policy and Approvals)
3. Water Conservation
4. Drought Management
5. Performance Reporting
6. Integrated Water Cycle Management (IWCM)

IWCM addresses how the community will source water for the following 30 years.

The former Dubbo City Council publicly invited Expressions of Interest for consultants interested in preparing the IWCM for Council in 2015. Council shortlisted the consultants who responded and invited four (4) consultants to submit quotations. These closed on 29 March 2016.

It is expected that the IWCM will identify and evaluate the option of a pipeline along the river as an option to increase the drought security of Dubbo, Wellington and Geurie.

## REPORT

Water security for towns is a vitally important issue.

Council should always consider ways to improve the water security for its area of responsibility. Additionally, through its membership of Lower Macquarie Water Utilities Alliance, Council recognises the importance of regional responses to improving the security of all towns in the Macquarie Valley.

The Millennium drought (2002 – 2010) was a significant event, roughly comparable to the Federation drought (1895 – 1902) that occurred a century before. As a result of the Millennium drought, the former Dubbo City Council started investigations into the main water security strategies for Dubbo.

The main strategies for Dubbo to source additional water are to:

- Construct a pipeline to the largest water source in the area – Burrendong Dam.
- Expand the groundwater resources that the city is able to access.
- Or do both.

The aim of the Burrendong Dam to Dubbo pipeline is to be able to source water directly from Burrendong Dam, and deliver it to both the Wellington water treatment plant and the Dubbo water treatment plant via Geurie. Even during a major drought it is expected that enough rain would fall in the headwaters of the Macquarie and Cudgegong Rivers around Mudgee, Rylstone, Lithgow and Oberon to maintain at least a small pool in the “dead storage” of Burrendong Dam from which town water could be drawn.

The pipeline would provide water security to the residents of both Dubbo, Wellington and Geurie, the major population localities in the Western Plains Regional Council Local Government Area. It could supply water if river water or bore water was not available, such as during a contamination incident, or a major algae bloom.

The pipeline would be physical insurance. A pipeline would not be needed most times, but may be used during major droughts. For example, if the water in Burrendong Dam reached very low levels, delivering water to the towns by a pipeline rather than down the river would result in much less water being removed from Burrendong Dam.

In general, on a normal day to day basis, both water treatment plants would continue to draw water directly from the Macquarie River, just as they do now.

Compared to the Macquarie River, the volume of water that can be transported by a 600 mm diameter pipe is quite small. At Dubbo, the Macquarie River often flows at between 200 ML/day to 2000 ML/day. By comparison a very large flood could be up to 100,000 ML/day. A 600 mm diameter pipe can only transfer between 12 ML/day and 20 ML/day, depending on the height of water in Burrendong Dam.

Investigations were undertaken to examine possible pipeline routes. These drawings are the result of these early stage investigations, and are not final plans.

The proposed pipeline would usually operate under gravity. This means that the pipeline route tends to follow the river, which also falls under gravity. Even at low dam levels it would be proposed to pump dam water up to a small service reservoir on a nearby hill and use that as a header tank to continue to drive flows in the pipe down to Dubbo in a similar fashion as when the Dam itself is full of water.

Broadly speaking, the pipeline routes tend to follow the direction of the river, and will be within a few kilometres of the river.

Two suggested pipeline routes have been drawn. One route is on the northern side of the river, and the other is on the southern side of the river. These are not the final routes but would be used in the process of determining a final detailed design of same.

Sections of a pipeline route could be changed if detailed examination showed there was an easier path in that section. Each route will be optimised when further, more detailed investigation are undertaken.

Additionally, the selection of a final route may not fall exclusively to either the northern route, or the southern route, but some combination of these. Mapping both the northern and southern routes in their entirety allows all these possibilities to be considered.

A detailed costing for a pipeline from Burrendong Dam to Wellington water treatment plant then on to Dubbo water treatment plant has not been undertaken. It would be undertaken in future investigations. However, an indicative figure of cost would be of the order of \$90 million. Such a figure would be beyond the financial resources of Western Plains Regional Council alone, but Government may choose to fund all or part of the project to ensure water supply security for inland towns and cities for their own policy purposes.

The groundwater strategy is the other main way that Dubbo could source additional water to increase its town water security. Groundwater in Dubbo is sourced from an alluvial system. The groundwater is in the lower parts of the river valley, generally closer to the river. Additional bores would require their groundwater piped to the Dubbo water treatment plant. In previous studies this has been shown to be feasible for costs estimated in the vicinity of \$15 to \$20 million for Dubbo alone (not including Wellington).

Broadly speaking, additional bores would require pipelines in the general direction of the river, within a few kilometres of the river, in any case.

The proposed Burrendong Dam pipeline could be designed so that it could also tap groundwater reservoirs along the river valley and transport the groundwater to population centres in Dubbo, Wellington and Geurie. This would provide more flexibility and even greater water supply security than just relying on Burrendong Dam.

Council had forwarded the pipeline route plans to:

- Infrastructure NSW
- Department Primary Industries - Water

No comments have been received to date.

**SUMMARY**

Council and the NSW Government have jointly prepared plans showing possible options for the route of a future pipeline from Burrendong Dam to the John Gilbert Water Treatment Plant via the Wellington Water Treatment Plant and Geurie. Such a pipeline would increase the drought security of both Dubbo and Wellington. The pipeline route maps have been forwarded to the Department Primary Industries Water and Infrastructure NSW for their information and comments. No comments have been received to date. It is recommended that the plans now be publicly exhibited for comments, after which a further report will be made to Council.

Appendices:

- 1 Burrendong Dam to Dubbo Pipeline - Hunter H2O - Pipe Alignment Options Maps - March 2016

***Provided under  
separate cover***

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## **REPORT: Proposed Boundary Road Extension and Roundabouts at the Intersections of Boundary Road with Wheelers Lane and Alexandrina Avenue, Dubbo**

**AUTHOR: Manager Technical Support**

**REPORT DATE: 15 June 2016**

**TRIM REFERENCE: ID16/1110**

### **EXECUTIVE SUMMARY**

Council will be progressing with the staged extension of Boundary Road east from Wheelers Lane to a new Alexandrina Avenue intersection that will incorporate two roundabouts at the Wheelers Lane and Alexandrina Avenue intersections.

The new Boundary Road extension is predominately on a straight alignment and will comprise of an urban two way two lane carriageway, on road cycleway and full length median island between the two roundabouts. No on road parking is to be provided given that there will be no full frontage development to Boundary Road.

The roundabouts have been designed in accordance with the "Austroads Guide to Road Design – Roundabouts and RMS Supplements". The roundabouts are considered to be the most functional traffic management option to facilitate the expected traffic generation from future residential development in the Southlakes and Keswick Estates and east to Sheraton Road and the existing residential areas south in Wheelers Lane and west in Boundary Road. Wheelers Lane will retain its sub arterial function.

It is recommended that approval be granted for the implementation of the two, four way, multi lane roundabouts, at the intersection of Boundary Road with Wheelers Lane and Alexandrina Avenue and the extension of Boundary Road as detailed on Council's plans RC 6924 and RCD 6966 attached to the report (**Appendix 1**).

### **FINANCIAL IMPLICATIONS**

Funding for the roundabouts and road reconstruction is to be made available from the Roads Function within Council.

### **POLICY IMPLICATIONS**

There are no policy implications arising from this report.



**RECOMMENDATION TO THE LOCAL TRAFFIC COMMITTEE**

That approval be granted for the implementation of two, new four way, multi lane roundabouts at the intersection of Boundary Road with Wheelers Lane and Alexandrina Avenue and the extension of Boundary Road as detailed on Council's Plan RC 6924 and RCD 6966 attached as appendix 1.

**LOCAL TRAFFIC COMMITTEE CONSIDERATION**

This matter was considered by the Local Traffic Committee during an electronic meeting held during June 2016. The Committee had unanimous support in the adoption of the recommendation shown below.

**RECOMMENDATION**

**That approval be granted for the implementation of two, new four way, multi lane roundabouts at the intersection of Boundary Road with Wheelers Lane and Alexandrina Avenue and the extension of Boundary Road as detailed on Council's Plan RC 6924 and RCD 6966 attached as appendix 1.**

*Mark Stacey*  
Manager Technical Support

## REPORT

Council is proposing a major staged road reconstruction project for Boundary Road east of Wheelers Lane that comprises of two new roundabouts at the intersections with Wheelers Lane and at the proposed Southlakes Estate, Alexandrina Avenue. The new extension of Boundary Road will eventually link with Sheraton Road providing access to the future expansion of Council's residential Keswick Estate, Southlakes Estate and additional private land development. At present there is no access to Boundary Road from the adjoining developments with Alexandrina Avenue having been constructed within the Southlakes Estate awaiting future connection.

The construction of Boundary Road and the intersections will be staged over three years. Stage 1 commencing in July 2016 will comprise of the Wheelers Lane roundabout and Boundary Road reconstruction to Alexandrina Avenue. Stage 2 will commence in July 2018 with the Alexandrina Avenue roundabout and continuation of the Boundary Road connection to Sheraton Road. No design has been undertaken at this stage of the Sheraton Road connection.

Wheelers Lane is a 60kmh speed zone. It is intended that Boundary Road will also be a 60kmh speed zone given that there will be no full length adjoining development fronting Boundary Road and the distances between intersections however this will be subject to a Roads and Maritime Services Speed Zone Review. The design of the roundabouts has been undertaken in accordance with "Austroads Guide to Road Design – Roundabouts and RMS Supplements".

### **Proposed Wheelers Lane / Boundary Road Roundabout**

The Wheelers Lane intersection is an existing three way intersection and will be reconstructed as a four way roundabout with a new extension of Boundary Road east from the intersection. The proposed roundabout will encompass two circulating lanes with two lane entry on all legs, single lane exits on Boundary Road west and Wheelers Lane north and left turn restrictions on the Boundary Road eastbound entry and right turn restrictions on the southbound Wheelers Lane entry and Boundary Road westbound entry.

The roundabout has a 10m radius with the circulating lane widths of 4 m. Lane widths on entry are 3.7m with exit widths designed to accommodate turning paths. Critical sight distance has been incorporated into the design given the location. Separation medians incorporating pedestrian refuges will be provided on all legs of the roundabout with connections to new and existing footpaths. The Traffic Management in Wheelers Lane has been extended south of the roundabout to include an indented bus bay and Southlakes Parade intersection management with transitions to the existing traffic facilities in Boundary Road west and Wheelers Lane north. Landscaping throughout the intersection will comprise of low height plantings.

### **Proposed Boundary Road Extension**

The proposed Boundary Road extension between Wheelers Lane and Alexandrina Avenue is approx. 440m. The road alignment is generally straight and comprises of an urban two way, two lane carriageway with kerb and gutter, travel lanes of 3.3m, 1.5m on road cycle lanes, a 2.2m median separation island and 1.5m footpath along the southern side of Boundary Road for the full length between Wheelers Lane and Alexandrina Avenue. Access from adjoining property development to this section of Boundary Road will only be available via the controlled roundabout intersections with the exception of a small undeveloped site on the southern side of Boundary Road approximately 130m east of Wheelers Lane that will be restricted to left in and left out with off street parking. No parking lanes have been incorporated due to there being no access to adjoining development or attractors. The on road cycle lane can be used in the event of an emergency or vehicle breakdown.

### **Proposed Boundary Road / Alexandrina Avenue Roundabout**

The Alexandrina Avenue roundabout is a new facility that will be reconstructed as a four way roundabout with the new extension of Boundary Road. Alexandrina Avenue is an existing road constructed within the Southlakes Estate and terminates short of the property line at Boundary Road. The proposed roundabout will encompass a single circulating lane with single lane entry on three legs and two lane entry on the Boundary Road eastbound leg that has a left turn lane restriction northbound into the Keswick Estate. All the roundabout exits are single lane.

The roundabout has a 10m radius with the circulating lane width of 6.3m. Lane widths on entry vary from 4.2 – 5.2m with exit widths designed to accommodate turning paths. Critical sight distance has been incorporated into the design given the location. Separation medians incorporating pedestrian refuges will be provided on all legs of the roundabout with connections to proposed footpaths.

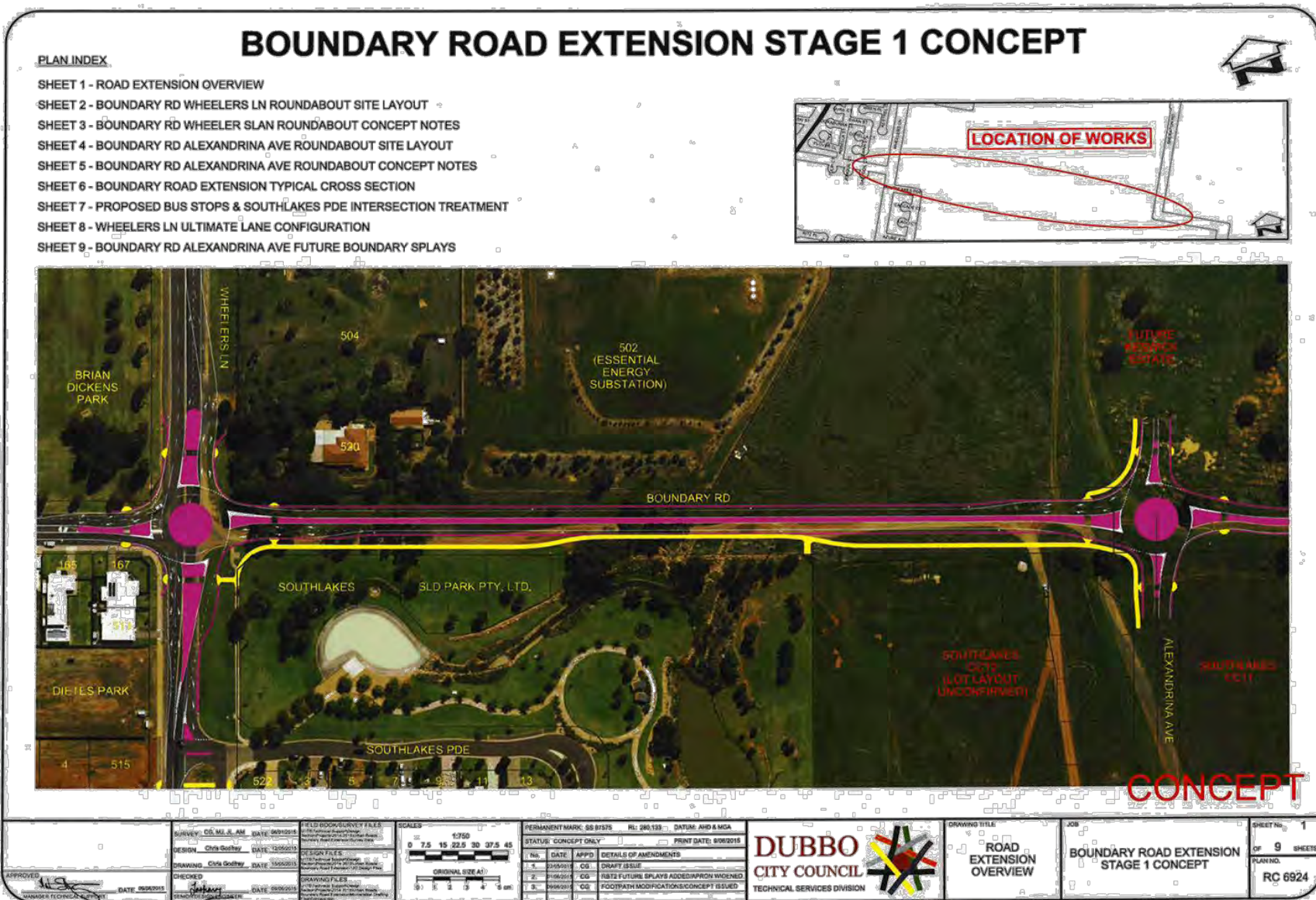
### **SUMMARY**

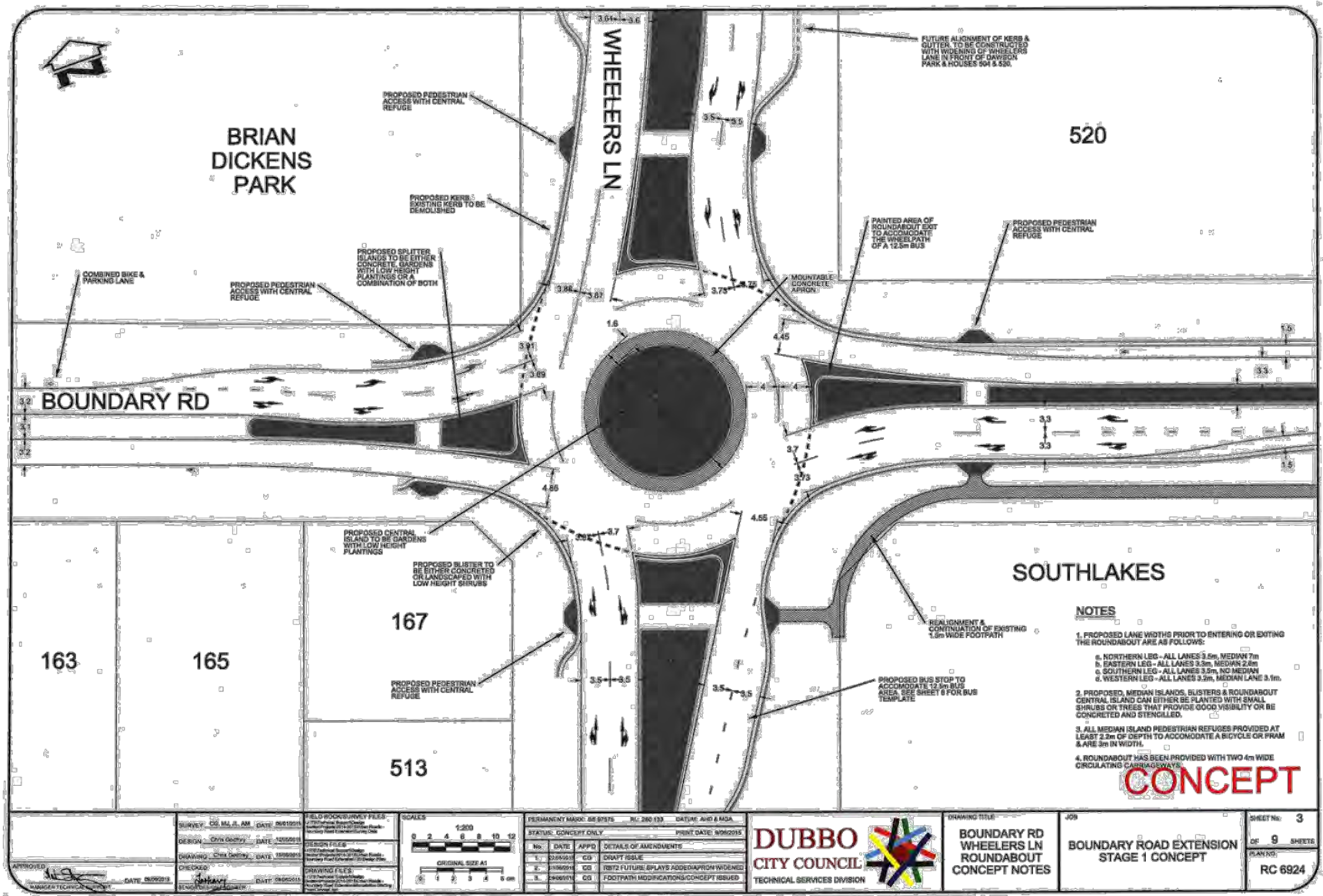
The proposed roundabouts are the preferred traffic management for the Boundary Road intersections with Wheelers Lane and Alexandrina Avenue and to facilitate the expected traffic generation from the developing area of south east Dubbo encompassing the Keswick and Southlakes Estates, east to Sheraton Road and the existing residential areas accessed by Wheelers Lane south and Boundary Road west into south Dubbo.

It is recommended that approval be granted for the implementation of the two four way, multi lane roundabouts, at the intersection of Boundary Road with Wheelers Lane and Alexandrina Avenue and the extension of Boundary Road as detailed on Council's plans RC 6924 and RCD 6966 attached to the report (**Appendix 1**).

Appendices:

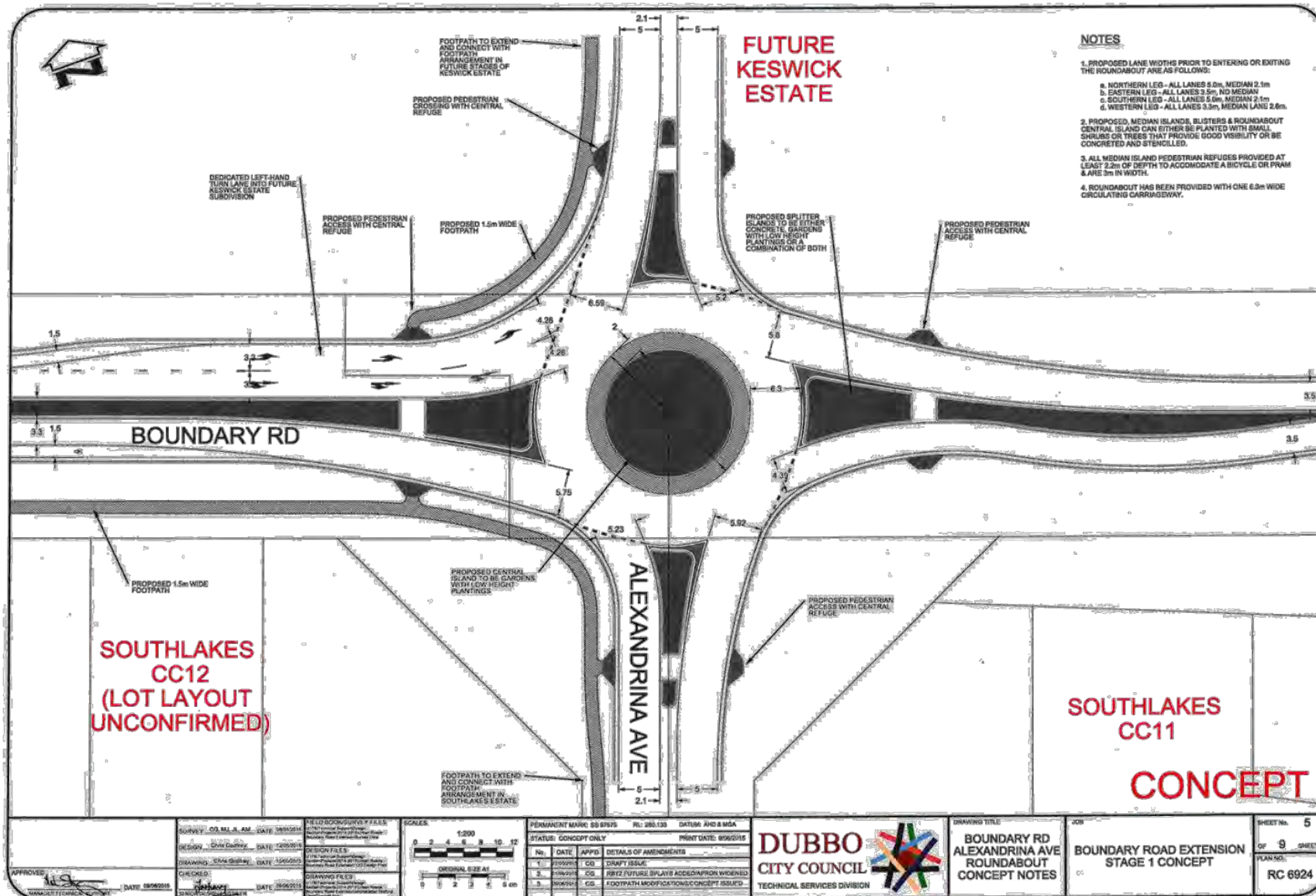
- 1** Boundary Road and Wheelers Lane Extension Stage 1 Maps

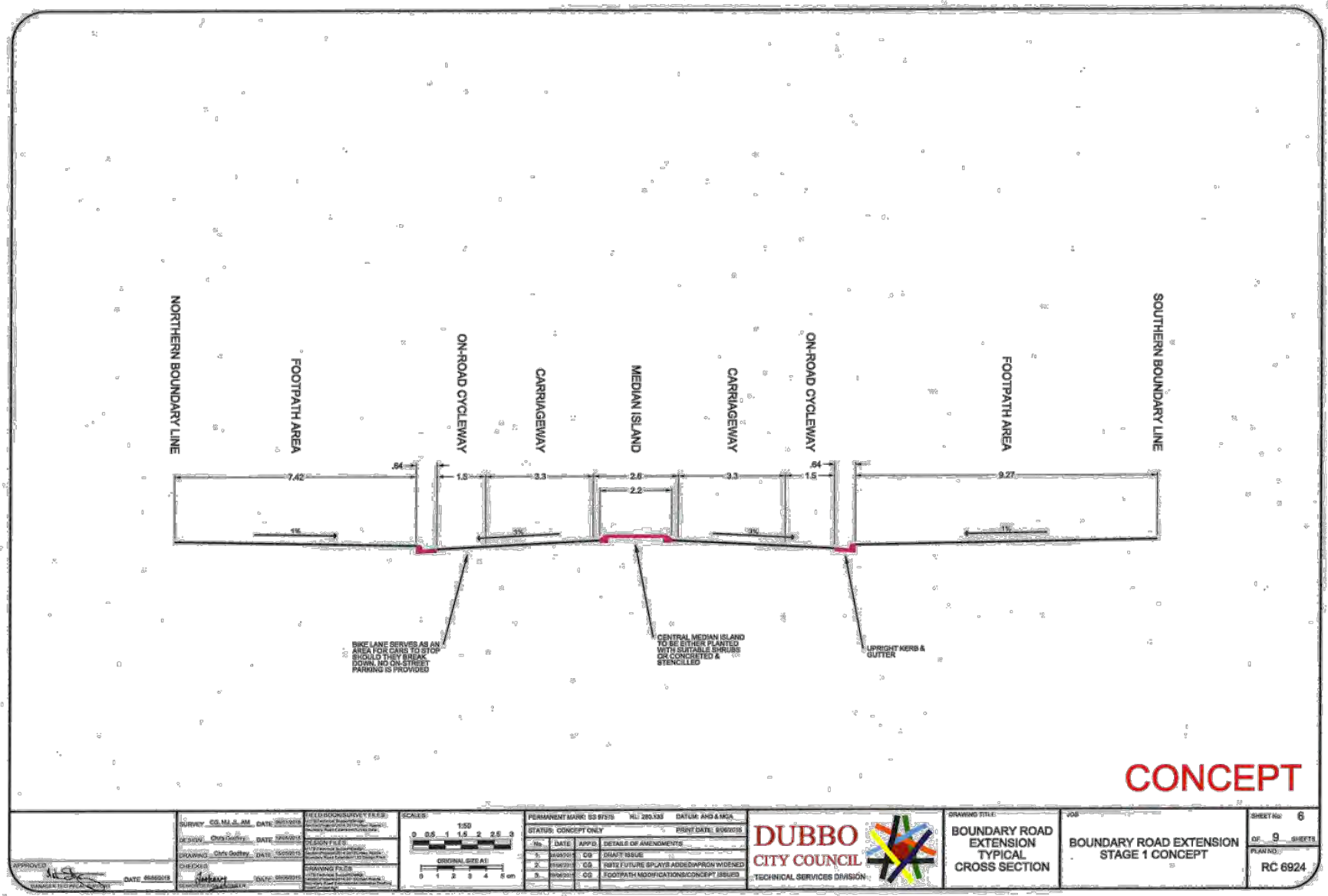




- NOTES**
1. PROPOSED LANE WIDTHS PRIOR TO ENTERING OR EXITING THE ROUNDABOUT ARE AS FOLLOWS:
    - a. NORTHERN LEG - ALL LANES 3.5m, MEDIAN 7m
    - b. EASTERN LEG - ALL LANES 3.3m, MEDIAN 2.8m
    - c. SOUTHERN LEG - ALL LANES 3.3m, NO MEDIAN
    - d. WESTERN LEG - ALL LANES 3.2m, MEDIAN LANE 3.1m.
  2. PROPOSED MEDIAN ISLANDS, BUSTERS & ROUNDABOUT CENTRAL ISLAND CAN EITHER BE PLANTED WITH SMALL SHRUBS OR TREES THAT PROVIDE GOOD VISIBILITY OR BE CONCRETED AND STENCILED.
  3. ALL MEDIAN ISLAND PEDESTRIAN REFUGES PROVIDED AT LEAST 2.0m OF DEPTH TO ACCOMMODATE A BICYCLE OR PRAM & ARE 3m IN WIDTH.
  4. ROUNDABOUT HAS BEEN PROVIDED WITH TWO 4m WIDE CIRCULATING CARBANSWAYS.

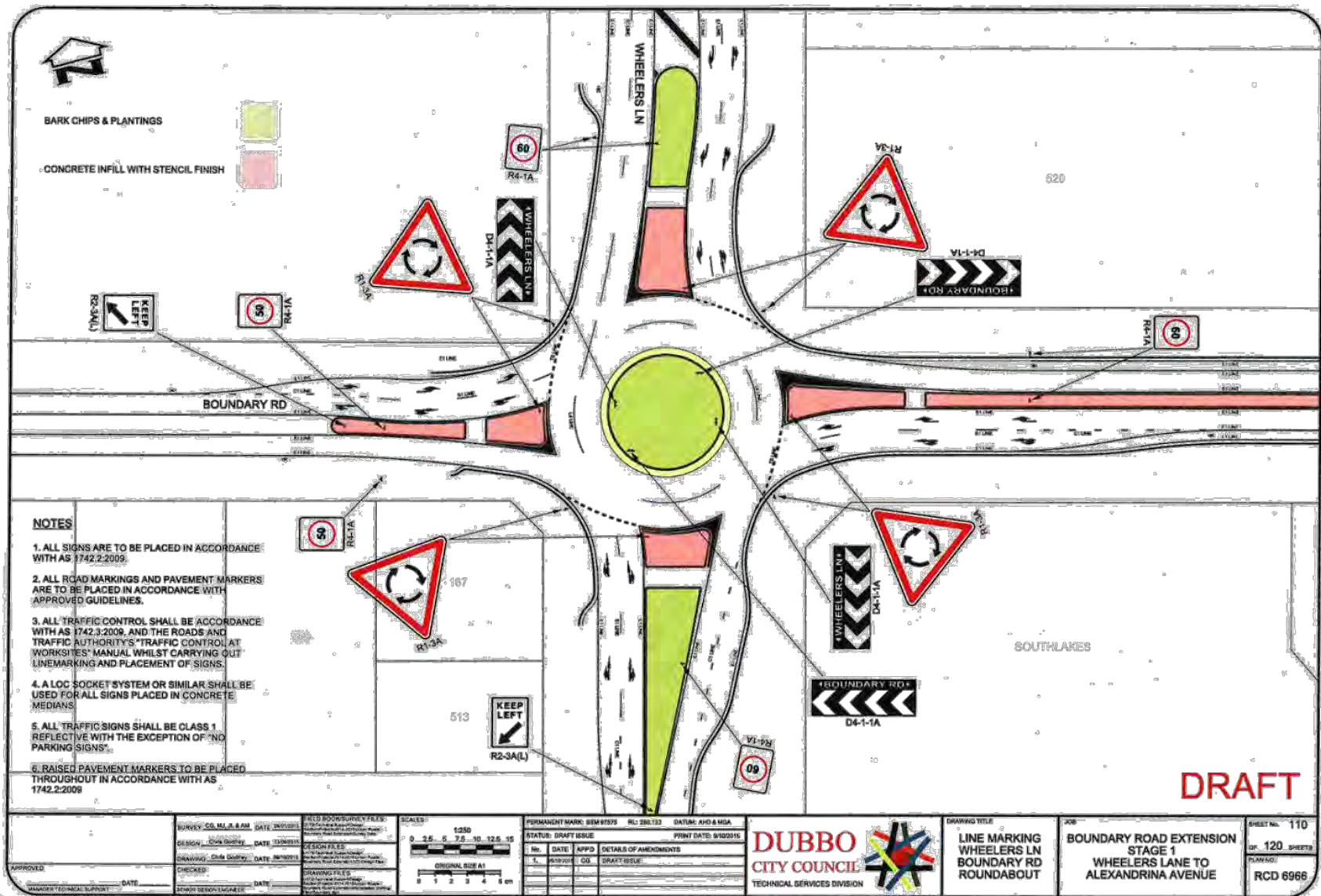
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**CONCEPT**

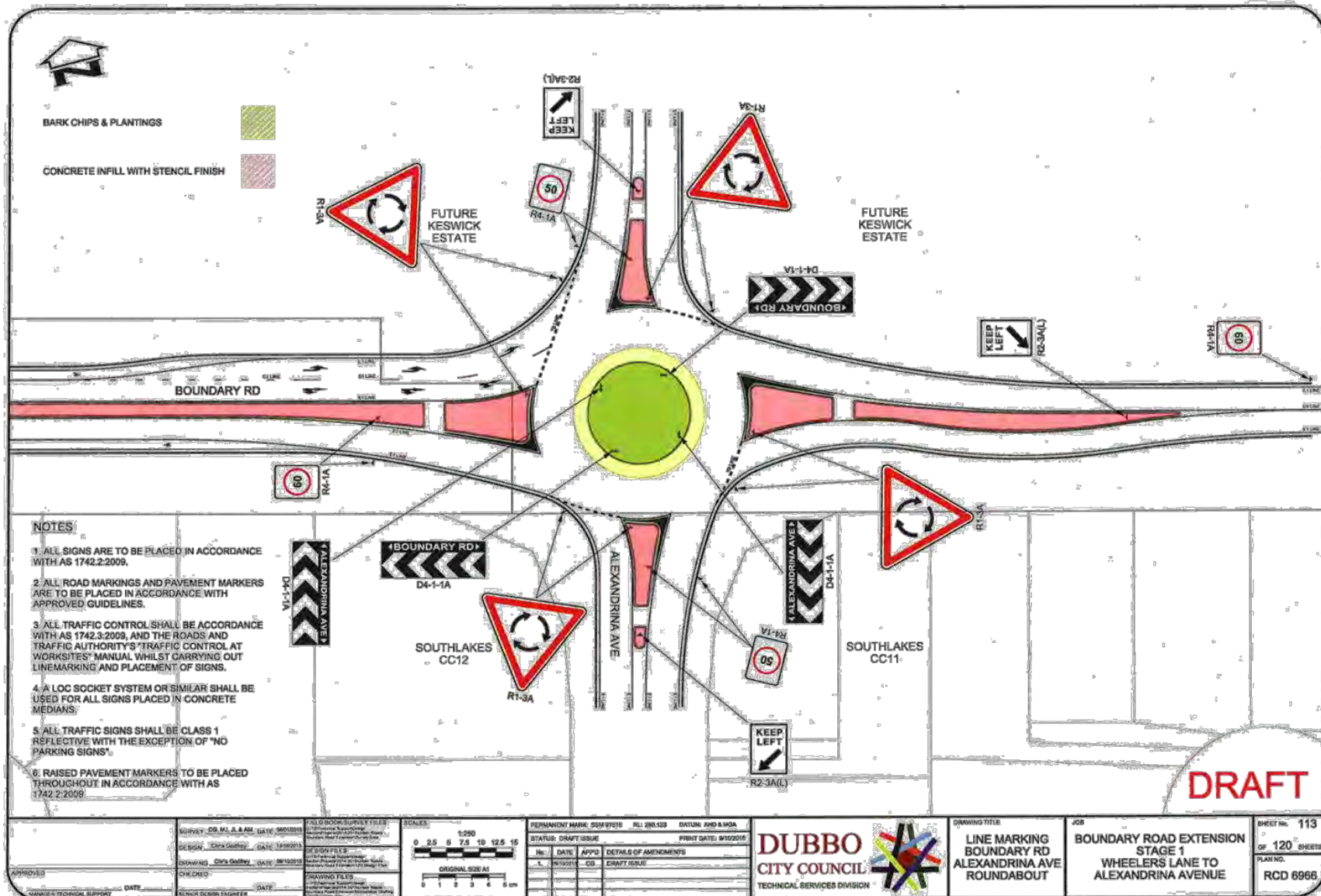
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- NOTES**
1. ALL SIGNS ARE TO BE PLACED IN ACCORDANCE WITH AS 1742.2:2009.
  2. ALL ROAD MARKINGS AND PAVEMENT MARKERS ARE TO BE PLACED IN ACCORDANCE WITH APPROVED GUIDELINES.
  3. ALL TRAFFIC CONTROL SHALL BE ACCORDANCE WITH AS 1742.3:2009, AND THE ROADS AND TRAFFIC AUTHORITY'S "TRAFFIC CONTROL AT WORKSITES" MANUAL WHILST CARRYING OUT LINEMARKING AND PLACEMENT OF SIGNS.
  4. A LOC SOCKET SYSTEM OR SIMILAR SHALL BE USED FOR ALL SIGNS PLACED IN CONCRETE MEDIANS.
  5. ALL TRAFFIC SIGNS SHALL BE CLASS 1 REFLECTIVE WITH THE EXCEPTION OF "NO PARKING SIGNS".
  6. RAISED PAVEMENT MARKERS TO BE PLACED THROUGHOUT IN ACCORDANCE WITH AS 1742.2:2009.

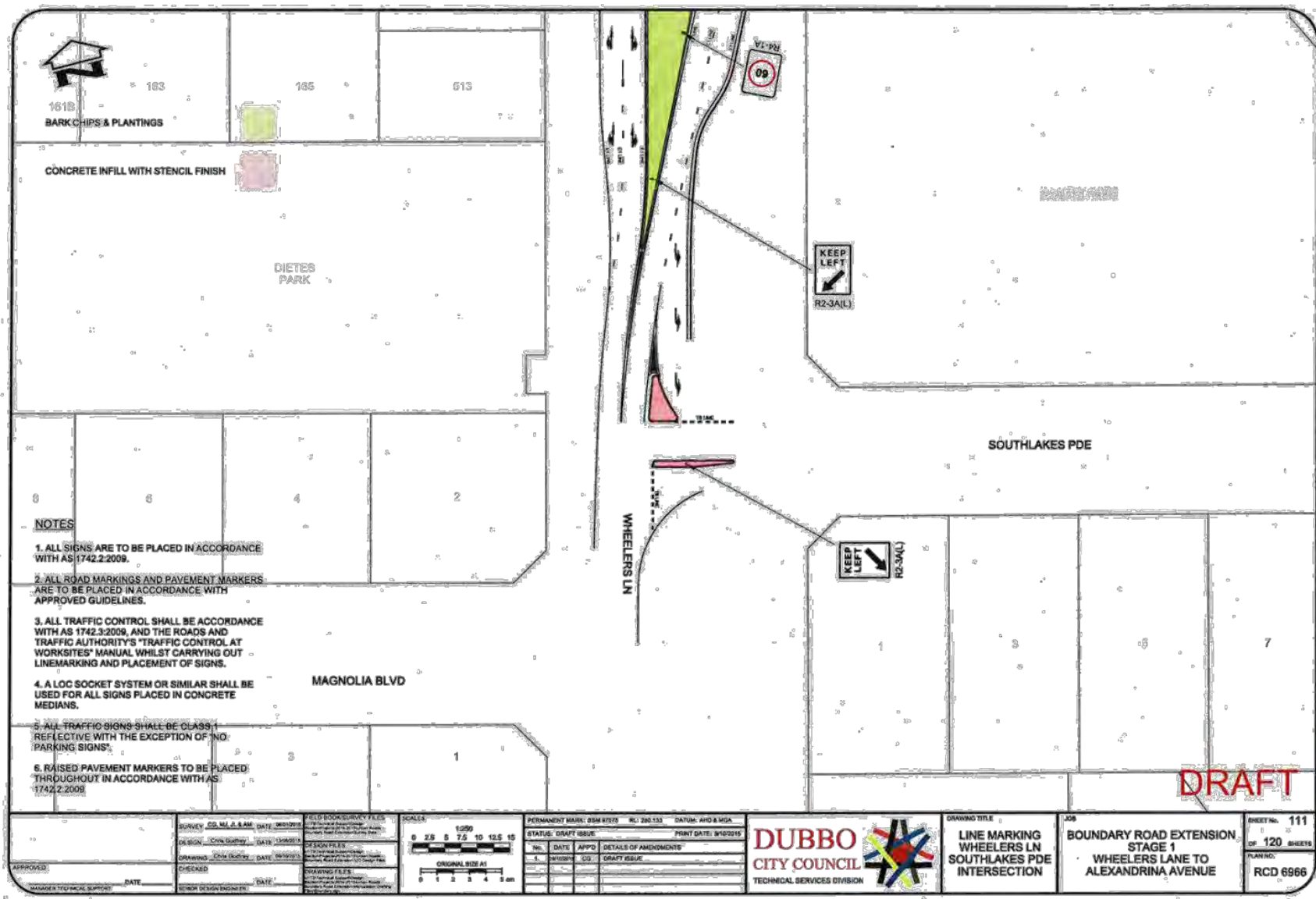
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- NOTES**
1. ALL SIGNS ARE TO BE PLACED IN ACCORDANCE WITH AS 1742.2-2009.
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  5. ALL TRAFFIC SIGNS SHALL BE CLASS 1 REFLECTIVE WITH THE EXCEPTION OF 'NO PARKING SIGNS'.
  6. RAISED PAVEMENT MARKERS TO BE PLACED THROUGHOUT IN ACCORDANCE WITH AS 1742.2-2009.

<p>APPROVED: _____ DATE: _____</p> <p>MANAGER TECHNICAL SUPPORT: _____</p>		<p>DESIGN: <i>Chris Galloway</i> DATE: 14/09/2015</p> <p>CHECKED: _____ DATE: _____</p> <p>MINOR DESIGN ENGINEER: _____</p>		<p>SCALE: 1:250</p> <p>0 2.5 5 7.5 10 12.5 15</p> <p>ORIGINAL SIZE A1</p>	<p>PERMANENT MARK: 50M 67026 RL: 285.528 EXTERNAL AHD &amp; MGA</p> <p>STATUS: DRAFT ISSUE PRINT DATE: 01/10/2015</p>	<p><b>DUBBO CITY COUNCIL</b></p> <p>TECHNICAL SERVICES DIVISION</p>	<p>DRAWING TITLE: LINE MARKING BOUNDARY RD ALEXANDRINA AVE ROUNDABOUT</p>	<p>JOB: BOUNDARY ROAD EXTENSION STAGE 1 WHEELERS LANE TO ALEXANDRINA AVENUE</p>	<p>SHEET NO: 113 OF 120 SHEETS</p> <p>PLAN NO: RCD 6966</p>
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## **REPORT: Proposed Median Separation Island - Intersection Boundary Road and Macquarie Street Dubbo**

**AUTHOR:                   Manager Technical Support**  
**REPORT DATE:       15 June 2016**  
**TRIM REFERENCE: ID16/1111**

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### **EXECUTIVE SUMMARY**

This report deals with the consideration of a median separation island in Boundary Road at its intersection with Macquarie Street following road safety concerns with corner cutting, non-compliance with the T intersection regulatory control and pedestrian access. There are no pedestrian facilities at this intersection.

The intersection is on an acute angle alignment that encourages right turning movements across the centre line of Boundary Road conflicting with vehicles entering Macquarie Street. Realigning the centre line to 90 degrees with a separation island will remove traffic conflict, improve motorists' southbound sight lines and allow the provision of a pedestrian road crossing facilities in Boundary Road.

It is recommended that a median separation island with associated pedestrian gap and access ramps be installed in Boundary Road at its intersection with Macquarie Street in accordance with Councils Plan TM 7019 (attached as **Appendix 1**).

### **FINANCIAL IMPLICATIONS**

The allocation of funds will be made available from the Traffic Improvement Vote within the Traffic Management Function.

### **POLICY IMPLICATIONS**

There are no policy implications arising from this report.

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

That a median separation island with associated pedestrian gap and access ramps be installed in Boundary Road at the intersection with Macquarie Street in accordance with Council's Plan TM 7019.

**LOCAL TRAFFIC COMMITTEE CONSIDERATION**

This matter was considered by the Local Traffic Committee during an electronic meeting held during June 2016. The Committee had unanimous support in the adoption of the recommendation shown below.

**RECOMMENDATION**

**That a median separation island with associated pedestrian gap and access ramps be installed in Boundary Road at the intersection with Macquarie Street in accordance with Council's Plan TM 7019.**

*Mark Stacey*

Manager Technical Support

## REPORT

Concerns have been raised with the road safety environment at the intersection of Macquarie Street and Boundary Road relevant to corner cutting, noncompliance with the T intersection regulatory control and lack of pedestrian facilities.

Macquarie Street and Boundary Road are higher order roads facilitating reasonable traffic flows across the South Dubbo urban area. There is an active traffic turning environment at the intersection. Boundary Road is a two way two lane road with on road cycle way and parking lanes. Macquarie Street has a wide expanse of carriageway providing direct access north into the CBD and in more recent years has experienced significant traffic management improvements incorporating single traffic lanes in each direction, a two way turning lane, intersection treatments and pedestrian access facilities. At the Boundary Road intersection there is an auxiliary northbound right turn lane east into Boundary Road. There is no traffic separation or pedestrian protection within Boundary Road other than a double barrier centreline.

Boundary Road intersects at an acute angle with Macquarie Street exacerbating corner cutting and opposing vehicle conflict and pedestrian safety. Motorists exiting Boundary Road also experience difficulty in observing vehicles approaching from the south. There are no pedestrian facilities to cross Boundary Road at the intersection.


Consideration has been given to improve the road safety at the intersection with a realignment of the Boundary Road centre line to intersect Macquarie Street at 90 degrees. The realignment will enable sufficient road space to incorporate a median separation island that will separate turning traffic and includes a pedestrian refuge gap. Pedestrian access ramps will be provided kerb side with a Give Way Sign installed on the left hand side of the intersection. The island has been designed to accommodate the turning paths of a 12.5m bus. A section of the northern parking lane in Boundary Road immediately east of Macquarie Street will be chevron line marked as a no parking area to facilitate the right turn east bound off Macquarie Street.

It is therefore recommended that to improve the road safety environment in Boundary Road at the intersection with Macquarie Street that a median separation island with associated pedestrian gap and access ramps be installed in accordance with Councils Plan TM 7019.

Appendices:

- 1 Proposed Median Island - Boundary Road and Macquarie Street

## PROPOSED MEDIAN ISLAND AT THE INTERSECTION OF BOUNDARY ROAD AND MACQUARIE STREET



**GENERAL NOTES :**

- All work is to be carried out strictly in accordance with Western Plains Regional Council's Road Opening Policy and relevant Aus-Spec documentation. These documents are available from Council's Customer Service area.
- Contractors are responsible for the locating of all underground services and the arranging and completion of repairs with the appropriate authority should they be broken or damaged during construction.
- The median island is to be constructed to the dimensions and specifications shown on this drawing.
- The compressive strength of the concrete is to be 25 MPa at 28 days. All exposed edges are to have a radius of 10mm. All poor quality subgrade material shall be removed and replaced with suitable fill material. All subgrades are to be well compacted before the placement of the base material.
- The finished surface is to be kept from drying out too quickly by covering with wet sand or plastic sheeting.
- An approved Traffic and Pedestrian Control Plan completed by an appropriately qualified person in accordance with AS 1742.3-2009 is to be in place prior to any construction works commencing and during any construction works.
- The potential for erosion and the transportation of sediment is to be addressed. Appropriate measures are to be in place to prevent this from happening.
- The Contractor is responsible for the removal of all formwork and rubbish from the site and the restoration of any disturbed street surface adjacent to the work site.
- The median is to be located on the centre line of the road midway between the kerb lines or at the location specified on the approved drawings.
- Barrier line extends 30m as shown on plan.
- Front radius of island is to be 0.6m. All others are to be 0.3m.
- The kerb of the median island is to be Standard Median Kerb Type SF. The kerb is to be keyed into the roadway every 2m. Key dimensions are 250x250x100mm deep.
- The ramp and sloping sides are to be slip resistant and of a colour that contrasts with the adjoining surfaces.
- Warning TGSIs (Tactile Ground Surface Indicators), as specified in AS/NZS 1428.4.1-2009, should be integrated into the pram ramp. The use of adhesive TGSIs is to be avoided. Tactile indicators are to be installed 300mm back from the face of the kerb and are to be 600mm to 800mm in depth and extend across the full width of the ramp as shown in the Plan view diagram. Where required, directional tactiles should be installed in accordance with Section 3 of AS/NZS 1428.4.1-2009.
- A full separation joint is to be provided at the kerb using bituminous jointing (Jointex or similar). Additionally, bituminous jointing is to be placed around any large service pits with cracking prevented by the placement of additional reinforcing bars.
- No existing services have been shown in the plan view. Location of services to be undertaken by Works Services department.

**LEGEND**

- TB1 LINE
- BB LINE
- PRAM RAMP
- MEDIAN ISLAND
- CHEVRONS
- TACTILE INDICATORS
- SIGN POST

**OVERALL PLAN**

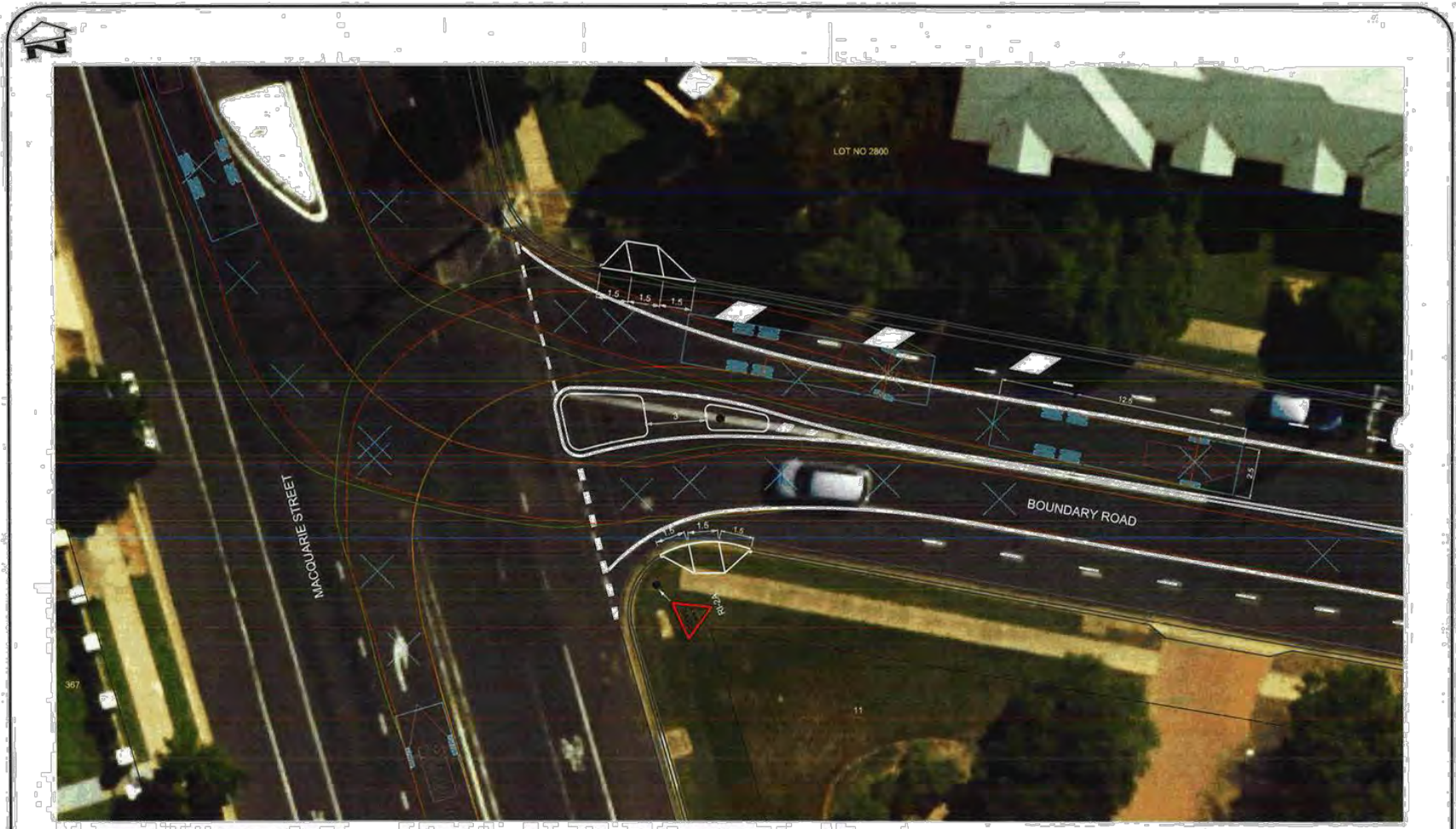
**SHEET INDEX**

- SHEET 1 - OVERALL PLAN, GENERAL NOTES, LEGEND, SHEET INDEX AND LOCALITY PLAN
- SHEET 2 - TURNING TEMPLATE
- SHEET 3 - PLAN VIEW AND DETAILS

**LOCALITY PLAN**

APPROVED

SURVEY DATE: 25/09/2018 DESIGN SUBMIT SIGN DATE: 25/09/2018 DRAWING/TEAM SIGN DATE: 25/09/2018 CHECKED: [Signature] DATE: 28/09/2018 DESIGN ENGINEER:	FIELD BOOK/SURVEY FILES DESIGN FILES DRAWING FILES	SCALES ORIGINAL SIZE A1 0 1 2 3 4 5 6 m	PERMANENT MARK: N/A STATUS: DRAFT ISSUE No. DATE APPD DETAILS OF AMENDMENTS 1 25/09/2018 KM DRAFT ISSUE 2 28/09/2018 KM PLANS APPROVED	<b>WESTERN PLAINS REGIONAL COUNCIL</b> Incorporating the former Dubbo City & Wellington Councils Technical Services Division	DRAWING TITLE <b>OVERALL PLAN, GENERAL NOTES, LEGEND, SHEET INDEX AND LOCALITY PLAN</b>	JOB <b>PROPOSED MEDIAN ISLAND AT THE INTERSECTION OF BOUNDARY ROAD AND MACQUARIE STREET</b>	SHEET No. <b>1</b> OF <b>3</b> SHEETS PLAN NO. <b>TM 7019</b>
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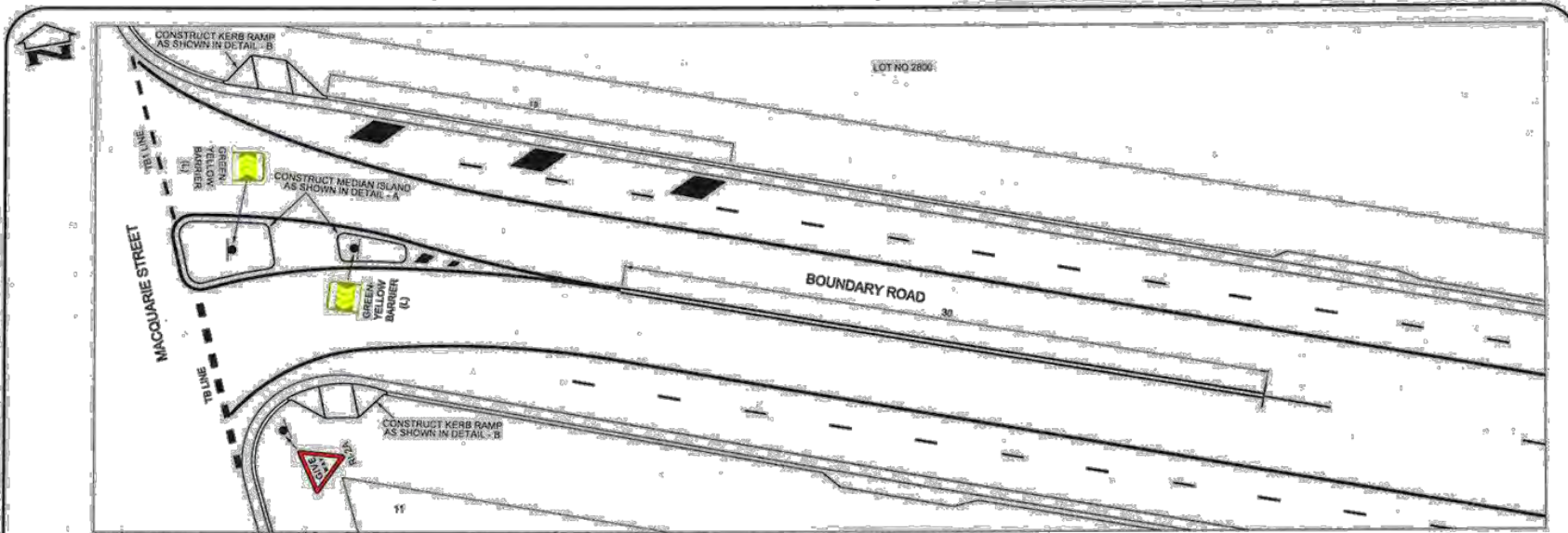


NOTES:  
12.9m SINGLE UNIT TRUCK/BUS TURNING TEMPLATE

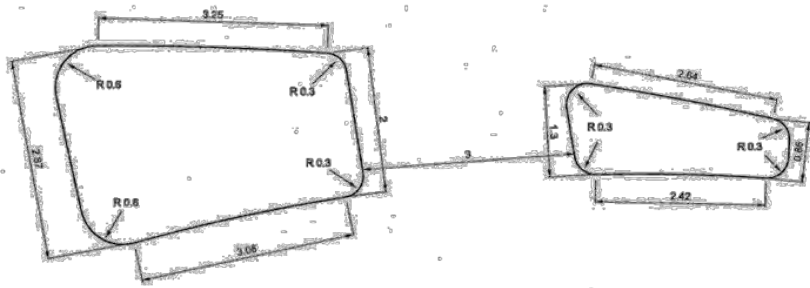
TURNING TEMPLATE PLAN

**APPROVED**

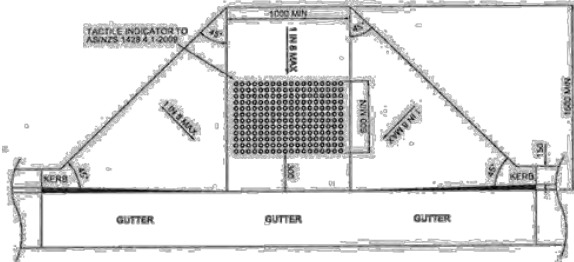
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	CHECKS: _____ DATE: _____ DRAWING FILES: _____ MANAGER OF TECHNICAL SERVICES		STATUS: DRAFT ISSUE No. DATE APP'D DETAILS OF AMENDMENTS 1. 26/05/2014 KM DRAFT ISSUE 2. 31/05/2014 KM PLANS APPROVED				PLAN NO: <b>TM 7019</b>



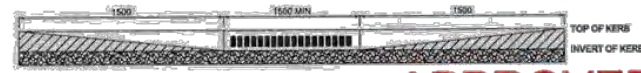
PLAN VIEW



MEDIAN ISLAND - DETAIL A



PLAN - DETAIL B



ELEVATION - DETAIL B

**APPROVED**

APPROVED: DATE: 28/08/2016 MANAGER TECHNICAL SERVICES	SURVEY: _____ DATE: _____ DESIGN: Robert Gray MEng DATE: 29/05/2016 DRAWING: Robert Gray MEng DATE: 26/08/2016	FIELD BOOK/SURVEY FILE NO: _____ DESIGN FILE NO: _____	SCALES: NOT TO SCALE ORIGINAL SIZE: A1 0 1 2 3 4 5 6 8 10	PERMANENT MARK: N/A RL: N/A DATUM: AHD & MCASS STATUS: DRAFT ISSUE PRINT DATE: 31/05/2016	WESTERN PLAINS REGIONAL COUNCIL Incorporating the former Dubbo City & Wellington councils Technical Services Division	DRAWING TITLE: PLAN VIEW AND DETAILS	JOB: PROPOSED MEDIAN ISLAND AT THE INTERSECTION OF BOUNDARY ROAD AND MACQUARIE STREET	SHEET NO: 3 OF 3 SHEETS PLAN NO: _____ TM 7019
	CHECKED: _____ DATE: _____ SENIOR DESIGN ENGINEER	DRAWING FILE NO: _____ DATE: _____ SENIOR DESIGN ENGINEER	DETAILS OF AMENDMENTS: 1. DATE: _____ BY: _____ KM: _____ DRAFT ISSUE 2. DATE: _____ BY: _____ KM: _____ PLANS APPROVED	APPROVED: _____ DATE: _____ MANAGER TECHNICAL SERVICES	APPROVED: _____ DATE: _____ MANAGER TECHNICAL SERVICES	APPROVED: _____ DATE: _____ MANAGER TECHNICAL SERVICES	APPROVED: _____ DATE: _____ MANAGER TECHNICAL SERVICES	APPROVED: _____ DATE: _____ MANAGER TECHNICAL SERVICES



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## **REPORT: Proposed Give Way Regulation - Intersection of Bedford Avenue with Mountbatten Drive and Jenmark Road, Dubbo**

**AUTHOR: Manager Technical Support**

**REPORT DATE: 15 June 2016**

**TRIM REFERENCE: ID16/1112**

### **EXECUTIVE SUMMARY**

This report deals with the consideration of a Give Way regulatory control at the intersection of Bedford Avenue with Mountbatten Drive and Jenmark Road following road safety concerns raised by local businesses on several occasions with the parking congestion, illegal parking on the corners, confusion with intersection priority and opposing traffic conflict due to the reduced carriageway width.

The intersection is located at the western extremities of the Mountbatten Drive Industrial Estate with Jenmark Road being a terminating cul-de-sac. The intersection is a three way offset Y intersection with large radius kerb returns and no defined priority. Parking is minimal in this locality and motorists park around the intersection exacerbating congestion and effectively reducing the carriageway to one travel lane through the intersection.

The matter has been ongoing for some time with recent site inspections revealing significant parking encroachment into the intersection. Consideration has been given to implementing a Give Way regulation to Bedford Avenue and priority to the more defined through road alignment of Mountbatten Drive and Jenmark Road, including centre line barrier marking and edge lines throughout the intersection to define the no parking zones.

It is recommended that a Give Way regulation be implemented in Bedford Avenue at the intersection with Mountbatten Drive and Jenmark Road and associated line marking in accordance with Councils Plan TM 7027 attached to the report.

### **FINANCIAL IMPLICATIONS**

The allocation of funds will be made available from the Traffic Improvements Vote – Urban Signs and Lines from within the Traffic Management Function

### **POLICY IMPLICATIONS**

There are no policy implications arising from this report.

**RECOMMENDATION TO THE LOCAL TRAFFIC COMMITTEE**

That a Give Way regulation be implemented in Bedford Avenue at the intersection with Mountbatten Drive and Jenmark Road and associated line marking in accordance with Council's Plan TM 7027 and that Council correspond with all the businesses in the locality advising of the proposed Traffic and Parking Management, and of the need to comply with the parallel parking regulation in the head of the Jenmark Road cul-de-sac.

**LOCAL TRAFFIC COMMITTEE CONSIDERATION**

This matter was considered by the Local Traffic Committee during an electronic meeting held during June 2016. The Committee had unanimous support in the adoption of the recommendation shown below.

**RECOMMENDATION**

**That a Give Way regulation be implemented in Bedford Avenue at the intersection with Mountbatten Drive and Jenmark Road and associated line marking in accordance with Council's Plan TM 7027 and that Council correspond with all the businesses in the locality advising of the proposed Traffic and Parking Management, and of the need to comply with the parallel parking regulation in the head of the Jenmark Road cul-de-sac.**

*Mark Stacey*  
Manager Technical Support

## REPORT

Council has received numerous road safety concerns from local businesses with respect to the current parking environment at the Y intersection of Mountbatten Drive with Jenmark Road and Bedford Avenue. The issues identified include parking congestion, illegal parking on the corners, intersection priority and opposing traffic conflict due to the reduced carriageway width. Numerous inspections have been undertaken at the site that clearly indicate the lack of motorist consideration to complying with intersection set back parking regulations and the free flowing movement of traffic throughout the intersection.

### Intersection Alignment

The intersection is characterised as a Y intersection and is located at the western extremity of the Mountbatten Drive Industrial Estate with Jenmark Road being the terminating cul-de-sac off the 90 degrees intersection of Mountbatten Drive and Bedford Avenue. All three roads are 10m wide between kerbs which does not support the free movement of traffic and two parking lanes. The intersection has larger radius kerb returns to facilitate typical industrial traffic, however the intersection configuration is not sympathetic for ease of accessibility. The Jenmark Road cul-de-sac has a 25m diameter.

It would appear that most of the on street parking is taken up by employees/employers of the businesses located within Jenmark Road as off street parking is limited. The larger development in Mountbatten Drive appears to have better off street parking availability, however it is expected that there would also be some on street parking associated with this development.

### Road Safety Issues

On street parking congestion is the dominant safety issue creating accessibility restrictions. Vehicles park at 90 degrees to the kerb in the Jenmark Road cul-de-sac effectively reducing the circulating carriageway width and occupying both sides of the road eastwards to and through the Y intersection and east into Mountbatten Drive for some 80m and south into Bedford Avenue for 60m. The parking of vehicles along both sides of the road ways effectively restricts traffic flows to one lane, creating sight distance constraints and opposing vehicle conflict particularly heavy vehicles negotiating the Y intersection. Many motorists have total disregard of the intersection set back parking regulation even though it is more than obvious the impact it has on the road safety environment. To compound these issues there is no assigned intersection priority that would generate additional safety mitigation.

The current parking behaviour at the intersection is unacceptable and places unwarranted road safety risks on road users. In order to improve the road safety environment consideration is given to removing all parking within and beyond the Y intersection for designated distances in Bedford Avenue and Mountbatten Drive and on the southern side of the straight alignment section of Jenmark Road.

It is proposed to implement a Give Way regulation to Bedford Avenue and give priority to the recognised through route of Mountbatten Drive and Jenmark Road. In lieu of No Stopping Zones, edge line will be installed 500mm off the kerb lip to delineate the no parking areas. To address the cul-de-sac carriage way constraint with 90 degrees parking, correspondence will be forwarded to the adjoining businesses advising of the regulation to park parallel unless signposted otherwise. Councils Plan TM 7027 attached to the report details the proposed intersection priority and parking restrictions.

It is recommended that Council implement a Give Way regulation in Bedford Avenue at the intersection with Jenmark Road and Mountbatten Drive and associated line marking to define no parking areas as detailed on Council's Plan TM7027 and that Council correspond with all the businesses in the locality advising of the proposed Traffic and Parking Management and of the need to comply with the parallel parking regulation in the head of the Jenmark Road cul-de-sac.

Appendices:

- 1 Proposed Give Way Sign

**NOTES**

1. Provide Edge line 0.5m from lip of kerb as shown.
2. Provide BB and TB line as shown.
3. Provide R1-2 size Giveaway sign.

**DRAFT**

SURVEY: <u>          </u> DATE: <u>          </u> DESIGN: <u>          </u> DATE: <u>          </u> DRAWING: <u>          </u> DATE: <u>          </u> CHECKED: <u>          </u> DATE: <u>          </u> APPROVED: <u>          </u> DATE: <u>          </u> MANAGER TECHNICAL SUPPORT		FIELD BOOK/SURVEY FILES: <u>          </u> DESIGN FILES: <u>          </u> DRAWING FILES: <u>          </u> SENIOR DESIGN ENGINEER		SCALES: 1:125 ORIGINAL SIZE AS SHOWN PERMANENT MARK: <u>          </u> RLI: <u>          </u> DATE: <u>          </u> AND A MASS STATUS: DRAFT ISSUE PRINT DATE: 31/05/2016		DUBBO CITY COUNCIL TECHNICAL SERVICES DIVISION		DRAWING TITLE: LINEMARKING LAYOUT JOB: PROPOSED LINEMARKING INTERSECTION OF MOUNTBATTEN DR, BEDFORD AVE & JENMARK PL.		SHEET NO: 1 OF 1 SHEETS PLAN NO: TM 7027	
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**WESTERN  
PLAINS  
REGIONAL  
COUNCIL**

Incorporating the former  
Dubbo City & Wellington councils

## **REPORT: Building Summary - May 2016**

**AUTHOR: Director Environmental Services**

**REPORT DATE: 16 June 2016**

**TRIM REFERENCE: ID16/1118**

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### **EXECUTIVE SUMMARY**

Information has been prepared on the statistics of the number of dwellings and residential flat buildings approved in the Western Plains Regional Council Local Government Area and statistics for approved Development Applications for the information of Council, also throughout the Western Plains Regional Council Local Government Area.

### **FINANCIAL IMPLICATIONS**

There are no financial implications arising from this report.

### **POLICY IMPLICATIONS**

There are no policy implications arising from this report.

### **RECOMMENDATION**

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

*Melissa Watkins*

Director Environmental Services

REPORT

Provided for information are the latest statistics (as at the time of production of this report) for Development Applications for the Western Plains Regional Council.

1. Residential Building Summary

Dwellings and other residential developments approved during May 2016 were as follows:

	<u>Dubbo Branch</u>	<u>Wellington Branch</u>
Dwellings	17	0
Other residential development	3	0
(No. of units)	(6)	(0)

For consistency with land use definitions included in the Dubbo Local Environmental Plan 2011, residential development has been separated into dwellings and other residential developments. Other residential developments include dual occupancies, secondary dwellings, multi-unit and seniors living housing.

These figures include Development Applications approved by Private Certifying Authorities (Complying Development Certificates).

A summary of residential approvals for the former Dubbo City Council area since 2008-2009 is provided attached as **Appendix 1**.

2. Approved Development Applications

Dubbo Branch

The total number of Development Applications (including Complying Development Certificates) for May 2016 and a comparison with 2015 figures and the totals for the financial years to date for 2016 and 2015 for Dubbo City are as follows:

	<u>1 May 2016 – 31 May 2016</u>	<u>1 July 2015 – 31 May 2016</u>
No. of applications	62	701
Value	\$10,098,686	\$161,120,069
	<u>1 May 2015 – 31 May 2015</u>	<u>1 July 2014 – 31 May 2015</u>
No. of applications	66	700
Value	\$12,658,891	\$165,015,476

A summary breakdown of the figures for the Dubbo Branch for May 2016 and 2015 is included in **Appendices 2** and **3** and the year-to-date figures are included in **Appendices 4** and **5**.

Wellington Branch

	<u>1 May 2016 – 31 May 2016</u>	<u>1 July 2015 – 31 May 2016</u>
No. of applications	1	61
Value	\$1,000	\$2,510,306

	<u>1 May 2015 – 31 May 2015</u>	<u>1 July 2014 – 31 May 2015</u>
No. of applications	6	106
Value	\$630,615	\$11,856,360

**SUMMARY**

The information included in this report is recommended for notation.

Appendices:

- 1 Building Summary - Dubbo Branch
- 2 Approved Development Applications - May 2016 - Dubbo Branch
- 3 Approved Development Applications - May 2015 - Dubbo Branch
- 4 Approved Development Applications - 1 July 2015 to 31 May 2016 - Dubbo Branch
- 5 Approved Development Applications - 1 July 2014 to 31 May 2015 - Dubbo Branch



## STATISTICAL INFORMATION ON DWELLINGS AND MULTI UNIT HOUSING

	JUL	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	TOTAL
<b>2008/2009</b>													
Dwellings	5	5	4	5	9	8	6	3	5	12	13	7	82
Flat Buildings	1	0	1	3	2	-	2	2	-	1	2	3	17
(No of units)	(2)	(0)	(4)	(6)	(4)	(-)	(4)	(4)	(-)	(2)	(4)	(6)	(36)
<b>2009/2010</b>													
Dwellings	20	11	16	14	7	3	5	11	11	7	12	11	128
Flat Buildings	-	1	1	1	1	3	-	2	2	-	1	-	12
(No of units)	(-)	(2)	(2)	(2)	(2)	(6)	(-)	(4)	(4)	(-)	(4)	(-)	(26)
<b>2010/2011</b>													
Dwellings	8	15	10	7	2	6	-	6	6	6	7	9	82
Flat Buildings	-	1	0	3	1	-	-	1	1	1	4	-	12
(No of units)	(-)	(2)	(0)	(5)	(2)	(-)	(-)	(2)	(2)	(2)	(7)	(-)	(22)
<b>2011/2012</b>													
Dwellings	6	12	10	6	7	16	4	16	12	8	12	9	118
Flat Buildings	1	1	-	1	2	2	-	-	-	-	-	1	8
(No of units)	(14)	(2)	(-)	(1)	(4)	(3)	(-)	(-)	(-)	(-)	(-)	(16)	(40)
<b>2012/2013</b>													
Dwellings	3	7	14	13	9	3	9	9	13	13	15	13	121
Flat Buildings	4	6	-	-	1	9	-	-	1	-	2	-	23
(No of units)	(8)	(6)	(-)	(-)	(2)	(11)	(-)	(-)	(2)	(-)	(39)	(-)	(68)
<b>2013/2014</b> (incl. private certifiers)													
Dwellings	23	17	25	20	14	15	19	10	18	14	19	14	208
Flat Buildings	-	1	1	-	-	1	4	2	1	2	-	3	15
(No of units)	(-)	(2)	(2)	(-)	(-)	(2)	(46)	(1)	(2)	(4)	(-)	(6)	(65)
<b>2014/2015</b> (Incl. PCs and redefined land use categories based on LEP definitions)													
Single dwellings	19	34	19	21	13	16	14	12	20	19	15	20	222
Multi unit housing	3	1	6	5	6	12	-	4	2	1	9	5	54
(No of units)	(6)	(2)	(31)	(50)	(6)	(21)	(-)	(87)	(4)	(1)	(25)	(10)	(243)
<b>2015/2016</b> (Incl. PCs and redefined land use categories based on LEP definitions)													
Single dwellings	27	20	26	19	21	26	19	14	16	17	17		232
Multi unit housing	6	8	8	4	1	3	3	3	3	5	3		47
(No of units)	(50)	(98)	(12)	(7)	(2)	(5)	(18)	(4)	(5)	(14)	(6)		(221)

Approved Development & Complying Development Applications  
for DCC and Private Certifiers-Period 1/05/2016 - 31/05/2016

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
Dwelling - single	21	5,328,982	17	5,203,605	4	125,377	17	
Dwelling - Secondary/Dual Occ Dwelling	3	955,000	3	955,000			6	
Garage/Carport/Roofed Outbuildings	18	275,494	18	275,494				
Fences/Unroofed Structures	1	4,500	1	4,500				
Swimming Pool	8	202,968	8	202,968				
Retail Building	2	112,580	1	2,000	2	110,580		
Warehouse/storage	3	1,583,162	2	1,452,784	1	130,378		
Infrastructure - Transport, Utilities	1	45,000	1	45,000				
Demolition	1	0	2					
Change of Use - Commercial	1	8,000	1	8,000				
Subdivision - Residential	3	600,000						4
Subdivision - Commercial	2	8,000	1					2
Subdivision - Industrial	1	975,000						15
<b>Totals for Development Types</b>	<b>65</b>	<b>10,098,686</b>						

**Total Number of Applications for this period: 62**

\*\*\* Note: There may be more than one Development Type per Development Application  
Statistics include applications by Private Certifiers

----- End of Report -----

Approved Development & Complying Development Applications  
for DCC and Private Certifiers-Period 1/05/2015 - 31/05/2015

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
Dwelling - single	18	5,382,041	15	5,055,041	3	327,000	15	
Dwelling - Secondary/Dual Occ Dwelling	3	1,025,000	3	1,025,000			6	
Dwelling - Dual Occupancy, one storey	5	2,023,000	5	2,023,000			10	
Medium Density Res - Seniors Living SEPF	1	2,070,000	1	2,070,000			9	
Garage/Carport/Roofed Outbuildings	20	303,704	20	303,704			1	
Fences/Unroofed Structures	1	4,000	1	4,000				
Swimming Pool	6	151,146	6	151,146			1	
Office Building	1	80,000			1	80,000		
Retail Building	7	1,488,000			7	1,488,000		
Hotels	1	32,000			1	32,000		
Office & Retail Building	1	50,000			1	50,000		
Entertainment/Recreational Building	1	30,000			1	30,000		
Subdivision - Residential	7	0						8
Subdivision - Industrial	1	20,000						2
<b>Totals for Development Types</b>	<b>73</b>	<b>12,658,891</b>						

**Total Number of Applications for this period: 66**

\*\*\* Note: There may be more than one Development Type per Development Application  
Statistics include applications by Private Certifiers

----- End of Report -----

**Approved Development & Complying Development Applications  
for DCC and Private Certifiers-Period 1/07/2015 - 31/05/2016**

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
Dwelling - single	262	70,616,735	222	68,138,224	40	2,478,511	222	
Dwelling- Transportable/Relocatable	1	210,000	1	210,000			1	
Dwelling - Secondary/Dual Occ Dwelling	20	5,048,128	20	5,048,128			31	
Dwelling - Dual Occupancy, one storey	24	9,831,185	24	9,831,185			46	
Medium Density Res - one/two storeys	3	3,000,000	3	3,000,000			22	
Medium Density Res - Seniors Living SEI	2	20,000,000	2	20,000,000			125	2
Garage/Carport/Roofed Outbuildings	198	3,520,622	190	3,343,912	8	176,710	5	
Fences/Unroofed Structures	4	41,500	3	31,500	1	10,000		
Swimming Pool	66	1,665,220	66	1,665,220				
Office Building	4	1,355,000	3	1,355,000	1			
Retail Building	20	5,657,580	2	1,502,000	19	4,155,580		
Hotels	2	610,000			2	610,000		
Motels	2	820,000	1	820,000	1			
Office & Retail Building	4	823,000			4	823,000		
Factory/Production Building	11	4,421,390	7	3,131,390	4	1,290,000		
Warehouse/storage	11	8,928,162	9	8,787,784	2	140,378		
Infrastructure - Transport, Utilities	2	85,000	2	85,000				
Health Care Facility - Other	2	1,148,000	1	608,000	1	540,000		
Educational Building	3	1,603,911	3	1,603,911				
Place of Worship	1	600,000			1	600,000		
Entertainment/Recreational Building	2	250,000	2	250,000				
Community/Public Building	1	600,000			1	600,000		
Signs/Advertising Structure	11	212,650	11	212,650				

**Approved Development & Complying Development Applications  
for DCC and Private Certifiers-Period 1/07/2015 - 31/05/2016**

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
Demolition	8	120,000	9	120,000			1	
Child Care - Centre Based	3	2,570,000	2	2,550,000	1	20,000		
Change of Use - Commercial	13	813,000	5	13,000	8	800,000		
Change of Use - Industrial	1	350,000			1	350,000		
Agricultural Development	1	800,000	1	800,000				
Parks/Reserves	1	550,000	1	550,000				
Subdivision - Residential	31	7,076,000	6	2,536,000				93
Subdivision - Commercial	4	743,000	1		1			2
Subdivision - Industrial	4	980,000	2	5,000				17
Subdivision - Rural	5	0			1			8
Subdivision - Other	1	0						
Miscellaneous	14	6,069,986	13	4,869,986	1	1,200,000		
<b>Totals for Development Types</b>	<b>742</b>	<b>161,120,069</b>						

**Total Number of Applications for this period: 701**

\*\*\* Note: There may be more than one Development Type per Development Application  
Statistics include applications by Private Certifiers

----- End of Report -----

**Approved Development & Complying Development Applications  
for DCC and Private Certifiers-Period 1/07/2014 - 31/05/2015**

<b>Development Type</b>	<b>Number of Applications</b>	<b>Est. \$</b>	<b>New Developments</b>	<b>Est. \$</b>	<b>Additions and Alterations</b>	<b>Est. \$</b>	<b>New Dwellings</b>	<b>New Lots</b>
Dwelling - single	237	60,050,458	197	57,415,833	40	2,634,625	197	
Dwelling- Transportable/Relocatable	2	382,000	2	382,000			2	
Dwelling - Secondary/Dual Occ Dwelling	21	5,609,663	21	5,609,663			36	
Dwelling - Dual Occupancy, one storey	23	8,930,058	23	8,930,058			44	
Medium Density Res - one/two storeys	3	11,390,000	3	11,390,000			65	
Medium Density Res - Seniors Living SELF	2	17,370,000	2	17,370,000			91	
Garage/Carport/Roofed Outbuildings	193	2,970,873	172	2,499,668	21	471,205	1	
Fences/Unroofed Structures	3	19,975	3	19,975				
Swimming Pool	76	1,689,261	76	1,689,261			1	
Nursing Home/Dementia Care	1	10,000,000	1	10,000,000				
Office Building	4	360,000	1	90,000	3	270,000		
Retail Building	32	5,266,496	5	1,141,000	27	4,125,496		
Hotels	1	32,000			1	32,000		
Motels	1	679,500	1	679,500			1	
Office & Retail Building	4	580,000	1	300,000	3	280,000		
Retail & Residential Building	1	250,000			1	250,000		
Factory/Production Building	8	2,525,632	6	2,396,932	2	128,700		
Warehouse/storage	12	3,370,940	5	2,203,940	7	1,167,000		
Infrastructure - Transport, Utilities	4	550,000	3	550,000	1			
Health Care Facility - Hospital	1	1,000,000			1	1,000,000		
Health Care Facility - Other	3	961,545	2	490,000	1	471,545		
Educational Building	1	1,000,000	1	1,000,000				
Place of Worship	1	400,000			1	400,000		

**Approved Development & Complying Development Applications  
for DCC and Private Certifiers-Period 1/07/2014 - 31/05/2015**

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
Entertainment/Recreational Building	6	4,920,000	2	2,900,000	4	2,020,000		
Signs/Advertising Structure	11	159,200	11	159,200				
Demolition	4	65,000	4	65,000				
Home Business	1	0	1					
Child Care - Centre Based	3	2,400,000	3	2,400,000				
Change of Use - Commercial	11	648,875	7	463,875	4	185,000		
Change of Use - Industrial	2	25,000	2	25,000				
Subdivision - Residential	48	20,058,000	5	15,680,000				229
Subdivision - Commercial	3	0	2					3
Subdivision - Industrial	5	25,000						6
Subdivision - Rural	6	40,000	1					23
Subdivision - Other	2	0						4
Miscellaneous	7	1,286,000	6	1,136,000	1	150,000		
<b>Totals for Development Types</b>	<b>743</b>	<b>165,015,476</b>						

**Total Number of Applications for this period: 700**

\*\*\* Note: There may be more than one Development Type per Development Application  
Statistics include applications by Private Certifiers

----- End of Report -----

WESTERN  
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Incorporating the former  
Dubbo City & Wellington councils

**REPORT: Development Application D14-043 for Earthworks, Horse Stables and Onsite Accommodation**

**Property: Lot 8 Section 76 DP 759073, 1A Warne Street, Wellington**

**Owner/Applicant: Mr A van Tonder**

**AUTHOR: Director Environmental Services**

**REPORT DATE: 15 June 2016**

**TRIM REFERENCE: ID16/1096**

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**EXECUTIVE SUMMARY**

The subject development application was lodged with the former Wellington Council on 12 September 2014. The former Wellington Council at its meeting on 22 July 2015 resolved to refuse the development application due to insufficient information being provided by the applicant to enable a full assessment of the proposal. A copy of the original report to Council is provided attached as **Appendix 1**.

The applicant lodged a Class 1 Appeal with the Land and Environment Court on 9 July 2015 on the basis of a deemed refusal. Notwithstanding, the former Council proceeded to determine the development application.

The matter has been the subject of conciliation pursuant to section 34 of the Land and Environment Court Act, 1979, following which the applicant provided additional information and amended plans for the proposed development.

The additional information has now been assessed and this report recommends that the proposal not be supported for the reasons outlined in the report.

**FINANCIAL IMPLICATIONS**

There are no financial implications arising from this report. There will however be ongoing legal costs associated with the resolution of this matter; these costs are undetermined at this time.

**POLICY IMPLICATIONS**

There are no policy implications arising from this report.



**RECOMMENDATION**

1. That based on the additional information and plans provided by the applicant, Council reaffirm the refusal by the former Wellington Council of Development Application D14-043 for earthworks, horse stables and onsite accommodation at Lot 8 Section 76 DP 759073, 1A Warne Street, Wellington for the following reasons:
  - (a) The information provided is insufficient to enable detailed assessment of the impacts of the development, particularly in respect of (but not limited to) the following:
    - Flood risk and flood management;
    - Whether consent has been obtained from the NSW Department of Primary Industries – Lands for the lodgement of the subject development application for works proposed to be undertaken on Crown Land;
    - Whether a Flood Control Approval is required and/or obtained under Section 90 and 91 of the Water Management Act, 2000 from the Department of Primary Industries – Office of Water for proposed works to be undertaken within the floodway of the Bell River;
    - Whether consent has been or is required to be obtained from NSW Fisheries pursuant to the Fisheries Management Act, 1994;
    - Potential contamination of the site and any required remediation pursuant to State Environmental Planning Policy 55 based on the presence of unauthorised fill onsite;
    - Stormwater management;
    - The likely risk of pollution entering the river via run-off from the site;
    - Compliance with the NSW Department of Primary Industries; and Guidelines for the Minimum Standards for Keeping Horses in Urban Areas; and
    - Impacts on groundwater and riparian land and watercourse.
  - (b) The proposed accommodation area is sited within high risk flood liable land and approximately two metres below the 1% AEP. The risk to life and property of allowing such use is unacceptable.
  - (c) Based on the information provided by the applicant, the stabling component of the proposed use requires onsite management and given that any form of residential accommodation on the subject land would be unacceptable, onsite management would not be achievable.
  - (d) The proximity of the stable building to residences and the proposed continuous hours of operation are likely to generate unavoidable and unacceptable noise impacts on neighbours.
  - (e) The additional burden on emergency services and potential risks and of approving an avoidable additional flood risk development is unacceptable.
  - (f) The likely adverse impacts of the use of the site on adjoining residents and the very high levels of ongoing maintenance that would be required to ensure odour, visual pollution and run-off did not become unacceptable and the likely ongoing monitoring and compliance issues.
  - (g) Given the number of objections received in respect of the subject application, the development is considered not to be in the public's interest.

- (h) The application fails to provide adequate information to enable a complete assessment of the development application in accordance with Section 79C of the Environmental Planning and Assessment Act, 1979.
- 2. That the people who made submissions in respect of this matter be advised accordingly of Council's decision.

*Melissa Watkins*  
Director Environmental Services

## BACKGROUND

The subject development application has a very long background with the development application being lodged with the former Wellington Council on 12 September 2014. During this time there have been considerable delays in the receipt of sufficient information from the applicant.

The former Wellington Council at its meeting on 22 July 2015 resolved to refuse the development application due to insufficient information being provided by the applicant to enable a full assessment of the proposal. A copy of the original report to Council is provided attached as **Appendix 1**.

The applicant lodged a Class 1 appeal with the Land and Environment Court on 9 July 2015 on the basis of a deemed refusal. Notwithstanding, the former Council proceeded to determine the development application.

The matter has been the subject of conciliation pursuant to section 34 of the Land and Environment Court Act, 1979 following which the applicant provided additional information and amended plans for the proposed development.

## REPORT

### 1. OWNER/APPLICANT

The subject property is owned by Mr Andre van Tonder.

The application was lodged by Mr Andre van Tonder.

### 2. DEVELOPMENT DETAIL

The subject development application is seeking consent to develop six horse stables and temporary accommodation for stable personnel with associated services and earthworks. Plans of the proposed development are included here as **Appendix 2**.

It is understood that the applicant intends to use the land for stabling of race horses and onsite accommodation for employees who tend to the horses.

### 3. SITE CHARACTERISTICS

The property straddles the Bell River and the building area is located on the southern side of the River within the floodplain. The parcel has an area of 6,841 m<sup>2</sup> with an indirect frontage to Warne Street. An aerial view of the property is located in Figure 1. Photos of the proposed development site are attached in **Appendix 3**.



Figure 1. Lot 8 Section 76 DP 759073, 1A Warne Street, Wellington

*Slope*

The general slope of the land is north towards the Bell River.

*Vegetation*

The property has been mainly cleared of vegetation.

*Access*

Vehicular access to the property is proposed to be obtained over Council land from Warne Street.

*Drainage*

Stormwater drainage generally conforms to the natural contours of the land towards the River.

*Adjoining uses*

The land to the north and east comprises residential dwellings. It is zoned E3 Environmental Management (given flood restrictions and required management) and further on, R1 General Residential outside the flood restrictions. The nearest dwelling is located approximately 22 metres to the east.

The Bell River transects the site with the proposed stables being located on the eastern portion. The land to the south and west is zoned RU1 Primary Production and comprises agricultural cropping adjacent to the river.

#### 4. SITE HISTORY

Council's records indicate no previous consent for the use of the land.

There is an unauthorised transportable horse stable currently on the site.

#### 5. LEGISLATIVE REQUIREMENTS (Environmental Planning and Assessment Act 1979, Section 79C(1) of the EP&A Act)

(a)(i) *Environmental Planning Instruments (EPIs)*

##### ***State Environmental Planning Policies (SEPP)***

###### *SEPP Exempt and Complying*

This Policy defines what development is exempt from the need for development consent or is Complying Development. The development proposed in this application is not considered to be exempt or complying and therefore requires development consent.

###### *SEPP Rural Lands 2008*

The siting of the stables in relation to adjoining residences raises amenity and rural land use conflict issues that the Policy objectives seek to avoid.

##### ***Wellington Local Environmental Plan 2012 (LEP)***

###### *Zoning*

The subject land is zoned RU1 Primary Production. The development proposed in this application is permissible with consent in the RU1 zone.

The objectives of the RU1 zone are as follows:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To provide for a range of tourism-related uses that support the agricultural industry or are compatible with agricultural uses.

The proposed development is inconsistent with the fourth objective in that it is considered likely to result in conflict between the subject zone and the adjoining E3 Environmental Management zone where dwellings are permitted.

*Part 3 Exempt and Complying Development*

The Wellington LEP currently follows the Exempt and Complying Code SEPP and as such the proposed development is not considered to be either exempt or complying.

*Clause 4.2C Dwelling Houses*

This clause specifies the requirements to be satisfied for a dwelling to be permissible on land zoned RU1.

While the application is not for a dwelling per se, it does seek to provide permanent ablution facilities and seeks unrestricted use of a defined area that is estimated to be able to contain two (2) moveable dwellings for use by 'caravan or mobile home' and it is presumed that these will accommodate either or both of the two (2) full time staff advised as required to run the stables in the applicant's Statement of Environmental Effects. However there is no definite proposal included in the application for the accommodation to provide for a quick evacuation or even be registered, moveable dwellings. As such this 'permanent' accommodation is considered to fall within the definition of a dwelling which is prohibited.

The accommodation aspect of the application could be considered to be a *camping ground* as defined in the LEP however this definition limits camping to short term use and not the 365 day per year potential sought in the application.

The land use *caravan park* allows for long term sites for permanent accommodation however the use is prohibited in the RU1 zone.

Setting aside the merit issues outlined below as to why the site is unsuitable for residential use, it is considered all forms of residential accommodation as defined in the LEP are prohibited on the subject land. While *camping ground* is permissible with consent in the RU1 zone, it does not address the 365 day operational nature of the development as proposed.

*Clause 5.10 Heritage Conservation*

The subject land does not contain any recorded heritage item nor is it within in a Heritage Conservation Area. There are no recorded heritage items in the vicinity of the land. The likelihood of items of Aboriginal heritage being disturbed has not been addressed in the Statement of Environmental Effects.

*Clause 6.1 Flood Planning*

The subject land is flood-prone, being within the defined Flood Planning Area designated under the Wellington Local Environmental Plan 2012. The Flood Planning Area is the level of the 1% AEP (1 in 100 year ARI) flood event plus 500 mm. The level of the Flood Planning Area is referred to as the Flood Planning Level (FPL).

The subject development site is located on the right bank of the Bell River at the western termination of Warne Street. The subject site is also located upon cross-section 20.48 as delineated in Figure A3.1 on page A-13 of Appendix A to the Wellington Floodplain Risk Management Study 2013 (Wellington FRMS).

The 1% AEP level at cross-section 20.48 (Warne Street) is 291.5 metres AHD as specified in the Annexure to Appendix A to the Wellington Floodplain Risk Management Study 2013. Thus the Flood Planning Level at cross-section 20.48 would be 292.0m AHD (ie 291.5m + 0.5m). The subject Annexure comprises hydraulic modelling undertaken in the Wellington FRMS as a revision of the original modelling done in the 1995 Flood Study by the NSW Department of Land and Water Conservation (DLWC). Consequently, in the absence of any more recent authoritative documentation known to the Dubbo Branch of Council, such Annexure appears to be the most recent and reliable flood modelling for the subject development site.

The subject land is mapped as flood planning area and is bisected by the Bell River. All of the site is identified within the 'high hazard' category in accordance with Council's adopted Wellington Flood Plain Risk Management Study, August 2013. This Study is understood to have been adopted by the Council as a further tool to detail requirements and recommended procedures for development on land mapped as flood planning area. As a general principle, the Study cautions against additional development in the high hazard areas.

The applicant has provided a Flood Study Report produced by Davron Engineering dated December 2015. The report concludes that Davron Engineering "... supports that the development meets the objectives as set out in Section 6.1 Flood Planning Wellington Local Environmental Plan 2012".

However the report ignores the important aspect of the use proposed relating to accommodation on the site which would occur at a level approximately 291 metres which is two (2) metres below the 1% AEP flood level of 293 metres. The report states that (p4) "... the development does not propose any habitable areas ...". This is considered incorrect as the applicant's plans clearly depict an area for accommodation in moveable dwellings under the horse stables.

The Flood Study Report (December 2015) prepared by Davron Engineering for the proponent adopts as the 1% AEP a level of 293.0 m. Page three of the Report states that such level was provided by Wellington Council on 16 December 2015. The source from which this higher level has been adopted is not known by the author.

It is understood that the proponent in his Notice of Mention dated 15 October 2015 to the Land and Environment Court was seeking the Court to order that the 1% AEP level be 292.5m at this development site. The source for such level nominated by the proponent was Figure A3.5 from the Wellington Flood Plain Risk Management Study (FRMS).

The whole of the subject land is flood-labile. The actual depth of inundation at the existing site cannot be accurately determined from the available information submitted by the proponent for the following reasons:

- The 'existing' surface levels shown on Cross-sections 1 and 2 prepared by Davron Engineering dated 18 December 2015 relate to a 1985 profile and not the current profile of the site; and

- The site plan prepared by Davron Engineering dated 28 January 2016, although containing contours, is not labelled nor a reference datum.

Whilst the Davron Flood Study references that LiDAR data was utilised in such Study, it is not clear whether such information was used to construct a contemporary river section at the site or not. It is not even clear whether the Study utilised cross-section 20.48 that would have been derived from the original 1995 Wellington Flood Study by DLWC.

Further, the Flood Study has undertaken modelling utilising only one river cross section. The usual practice in Council's experience is that multiple cross sections, both upstream and downstream of a development site, be undertaken in order to ascertain any hydraulic impacts upstream and downstream of the development site. The single cross section provided by Davron does not permit any quantitative conclusions to be formed on hydraulic impacts on upstream/downstream properties. Accordingly, it is considered that the submitted Study fails to establish and quantify the first primary objective in flood planning - that the development will have no adverse impact on upstream and or downstream properties.

Further, it has been difficult to establish the date of the cross-section utilised as the 'existing' boundary conditions for the modelling undertaken in the Davron Flood Study. Whilst there is mention that "sections were produced with site survey information, previous section details and LiDAR data provided by the client", it is not clear as to what date the cross-section shown in the HEC-RAS results of Figure 4 on page 4 of the Study, relate to.

Figure 2 on page 2, and cross-sections 1 and 2 in the appendices to the Study, all reference a 1985 profile. It would appear that the 1985 profile has been utilised in the Study to demonstrate the 'aggregate increase in flood storage' between it and the 'proposed' profile (date unknown but the inference is 1991 as such is shown in Figure 2).

The issue with the utilisation of the 1985 profile as well as the 1991 profile is that both pre-date the 1995 DLWC Flood Study as well as the Wellington FRMS. Thus, the 1985 and 1991 profiles will not represent the more recent available profile being cross-section 20.48 which was utilised in both the 1995 DLWC Flood Study and the Wellington FRMS let alone the current topographical features of the site. This brings into question the reliability and accuracy of the Davron Flood Study if it is utilising data that pre-dates both the 1995 DLWC Flood Study and the Wellington FRMS.

A further concern with the Davron Flood Study is its primary objective of demonstrating available flood storage at the site. Whilst it is a consideration, it is not the only consideration and certainly not the most important. The Study appears to dismiss the site's classification under the Wellington FRMS as being within the **1% AEP High Hazard zone** and thus the **High Hazard Risk Precinct**. It is relevant to review the following extracts from the Wellington FRMS:



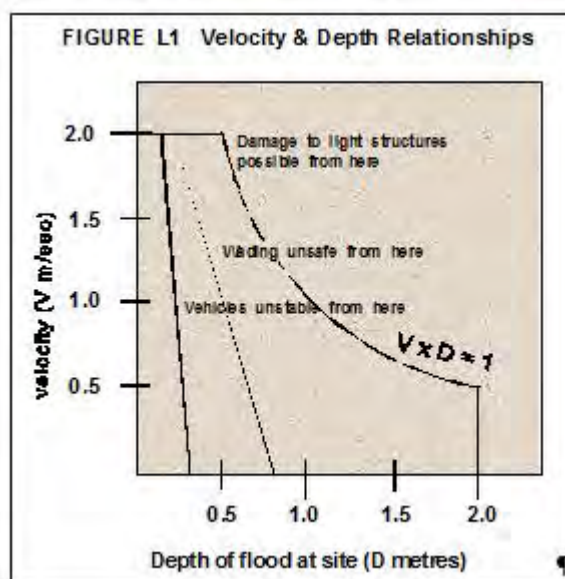
**“High Flood Risk Precinct:** Those parts of the floodplain where the depth and velocity of flood waters and evacuation difficulties would pose an unacceptable risk to types of development and activity.

For Wellington, the High Flood Risk Precinct is the area of land subject to **high hydraulic hazard (floodway) in a 1% AEP flood event**. The flood hazard in this area cannot be reduced by methods such as filling without creating unacceptable flood hazard elsewhere on the floodplain. In comparison, the flood hazard in a high hydraulic flood fringe area can be managed by methods such as filling without adversely affecting flood hazard elsewhere on the floodplain.”

**“Floodway:** Those areas of the floodplain where a significant discharge of water occurs during floods. Floodways are often aligned with naturally defined channels. Floodways are areas that, even if only partially blocked, would cause a significant redistribution of flood flow, or a significant increase in flood levels.”

On the basis of the subject development site being located within the High Hazard Risk Precinct, it is inter alia, part of the Bell River Floodway. Consequently, the Davron Flood Study would have been best served attempting to address all the applicable High Hazard considerations, not confining itself to flood storage, which would not appear to be of primary relevance to a floodway. Of particular concern is the flood velocities at the site.

The Annexure to Appendix A to the Wellington FRMS stipulates that at cross-section 20.48 for the 1% AEP the peak velocity is 2.73 m/s. The tabulated data in that Annexure does not categorise the velocities into left bank, right bank and main channel. The NSW Floodplain Development Manual contains the following Figure L1 which provides the relationship between velocity and depth.



Notwithstanding the absence of definitive depth of inundation levels over the site, it is evident from Figure L1 above that flood velocities in excess of 2 m/s will, irrespective of depth, be potentially damaging to structures.

To provide a perspective of how potentially destructive such flood velocities can be, the following extract is provided from Appendix C of *Reducing Vulnerability of Buildings to Flood Damage - Guidance on Building in Flood Prone Areas*. It provides a comparison between design gust wind velocity and equivalent water velocity. A water velocity of 2.1 m/s would be equivalent to a design gust wind velocity of 310 km/hr.

**“C.2 The Wind/Water Design Approach**

*In response, the CSIRO has developed an approach to designing houses to resist moving water by equating it to the forces generated by an equivalent wind velocity. Research shows that wind and water create similar forces on the walls of a house. This approach could be adopted in the interim until more research and knowledge become available. It is simple to introduce as the building industry already has an effective procedure for designing the frame of a brick veneer home to resist wind loading.*

*Australian Standard AS 4055 - “Wind Loads for Housing” adopts a ten-band wind classification system N1 to N6 for non-cyclonic regions and C1 to C4 for cyclonic regions so designs will adequately cover the different wind velocities. The non-cyclonic N classification system best applies to water velocity and the following wind and water velocities (Table C.2A) create similar wall forces.”*

**Table C.2A** Wind Velocity Classification and Equivalent Water Velocity

Wind Classification AS 4055	Maximum design gust wind velocity		Equivalent maximum water velocity*	
	m/s	km/hr	m/s	km/hr
N1	34	122	0.8	2.9
N2	40	144	1.0	3.6
N3	50	180	1.2	4.3
N4	61	220	1.5	5.4
N5	74	266	1.8	6.5
N6	86	310	2.1	7.6

\*velocities are based on ultimate limit state design

Whilst the HEC-RAS modelling results contained in the Davron Flood Study contain velocity results (pages 5 and 6), there is no discussion of such velocities and impacts upstream and downstream for both pre and post development conditions.

In addition to the significant concerns raised in respect of the flood impacts the level and extent of fill proposed also raises the question of whether the proposed development triggers Section 91 Integrated Development provisions of the Environmental Planning and Assessment Act. There is insufficient information provided to determine this and the applicant has not nominated that the development is Integrated Development on the development application form. Accordingly, should it be determined that the application is Integrated Development, no authority could be given by Council for any approval without the concurrence/General Terms of Approval of the relevant authority.

In addition, the Wellington LEP (clause 6.1(3)) imposes five (5) requirements that the consent authority must be satisfied with before consenting to development on land mapped as flood planning area as follows:

*The development...*

(a) *is compatible with the flood hazard of the land*

**Comments:**

The development is not considered to be compatible with the flood hazard of the land which is all within the 'high hazard' category based on the following:

- Consent would entail persons being accommodated well below even modest flood levels.
- Council had estimated the 5% AEP for the site at 292.3. This means even a relatively minor (approximately 1 in 20 year) event would see water to a depth of 1.3 metres over an area where people are residing.
- Council does not have accurate data on projected more frequent flood events beyond the 5% events but it seems safe to assume the slab on which the accommodation will park will be inundated at least once per decade and possibly more frequently.
- In a major flood event, rescue resources will have a further development to protect or rescue persons or livestock from.
- In even a minor 5% flood, there would be a risk to life for persons accommodated at RL 291 in about 1.3 metres of water.

(b) *will not significantly adversely affect flood behaviour....*

**Comments:**

The information provided to date, as detailed above is inadequate to determine whether the development will or will not significantly affect flood behaviour.

(c) *incorporates appropriate measures to manage risk to life from flood*

**Comments:**

The risk to life of persons being accommodated well below the 1% AEP is considered unacceptable. The plans depict a basic evacuation strategy for the upper level (stable level) but persons residing below would need to egress via the driveway - all areas of high flood hazard and significant water depth in a 1% AEP and even in a 5% event until street level is secured.

The proposed flood-free assembly area will have flood-affected lands surrounding it and will not provide adequate flood free egress.

*(d) will not significantly adversely affect the environment.....*

**Comments:**

On the basis of the information provided it cannot be concluded that there is a likelihood of the development affecting flood patterns such as to exacerbate erosion and bank stability.

*(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.*

**Comments:**

The impact of adding a further development in the high hazard flood area housing both people and livestock is considered unacceptable and likely to place a further burden on public rescue services in even moderate flood events of 20 year intervals or less.

*Clause 6.4 Groundwater vulnerability*

The subject land is mapped as being in the area of groundwater vulnerability. No details of the likely impact on groundwater have been provided by the applicant.

*Clause 6.5 Riparian land and watercourses*

Part of the subject land is mapped as riparian land. The application does not provide sufficient detail in respect of land use management and the impacts of keeping up to six (6) horses on the site which comprises only 6,841 m<sup>2</sup>.

Without very stringent management and restricted access, six horses could denude areas adding to soil erosion and water pollution.

***Wellington Development Control Plan 2013***

The following clauses of the DCP have application in this case:

*Clause A11: Notified development*

The proposed development was notified to adjoining landowners for the period 25 May 2016 until 10 June 2016.

At the conclusion of notification on 10 June 2016 Council had received 6 submissions, all objecting to the proposed development. The details of these submissions are included later in this report and provided attached as **Appendix 4**.

*Clause B1: Soil and water management*

The issues of soil and water management has not been addressed in the application. This is a significant issue given the proposed use of the site and its vicinity to the river. The proposed area of grazing land east of the river is very small (approximately 0.4 ha) yet up to six horses are proposed to be stabled and presumably exercised and grazed in this area. Without very stringent management and restricted access, six horses could denude areas adding to soil erosion and water pollution.

*Clause B2: Vegetation protection*

Minimal clearing is proposed for the development. No details of landscaping have been provided.

*Clause B3: Waste management*

The application proposes connection to sewer for human waste and to compost horse manures. However all likely storage areas would seem to be subject to flooding at intervals perhaps as little as 1:10 years which would see possibly removal of the piles by floodwaters. This issue has not been adequately addressed to ensure that the risk of water pollution during rainfall events and flood is minimised.

The application has not addressed the issue disposal of kitchen drainage from the caravans or mobile homes/camp sites. It would not be possible to gravitate waste from the camping platform to the sewer.

*Clause B5: Ecologically sustainable development*

This issue has not been addressed in the application.

*Clause C1: Bushfire hazard*

The site is of low bushfire risk and subject to appropriate ongoing vegetation management is not considered at unacceptable bushfire risk.

*Clause C2: Flood hazard*

Flood impacts are assessed previously above. The DCP repeats most of the LEP requirements but also adds requirements in section C2.4:

- Generally Council will exclude all new residential development from land mapped as flood planning land. Council has a long-established practice of seeking to minimise any further residential use of flood-mapped land. The proposals in this application for overnight accommodation in an area all mapped as 'high flood hazard' are considered unacceptable.
- Generally Council seeks that any new habitable areas be at least 1.5 metres above the 1% AEP whereas this proposal seeks to have people living at more than two (2) metres below that 1 % AEP level. In total, it is 3.5 metres below Council's desired objective.

*Clause D1: Car Parking*

There is adequate onsite capacity for vehicle parking and access subject to development of the proposed access ramp and a stabilised car parking and unloading area, details of which have not been provided.

*Clause D3: Accessibility*

Full use of the site by persons with a disability would not be possible without provision of lifts and the like which is considered beyond reasonable in the circumstances of the proposal.

*Clause D4: Landscaping*

Details of landscaping have not been provided.

*Clause D7: Social and economic impacts.*

As previously discussed, the proposed development if approved will be an added burden on emergency services in times of even moderate floods.

The need to site the stables above the 1% AEP means they would be at similar level to existing dwellings with the closest dwelling being approximately 24 metres and in line of sight of the stables. This will have noise impacts on the close residences especially given the early operation of most stables. Similarly, odour impacts may be unacceptable with the building being almost level with the neighbouring dwellings.

- (b) Likely impacts of the development (including environmental, social and economic impacts in the locality)

*Context and setting*

Siting of the stables at street level would have adverse impacts for neighbours in terms of noise, visual and dust and odour pollution.

*Access, transport and traffic*

Limited details have been provided with the application to determine if arrangements are appropriate.

*Public domain*

Adjoins a public reserve and road but with landscaping may be made visually acceptable.

*Utilities*

- Water* - Available to the site  
*Sewer* - Available to the site however pump up would be required. Details have not been provided with the application.  
*Stormwater* - Adequate details have not been provided to determine whether stormwater arrangements are adequate.  
*Electricity* - Available  
*Telecommunications* - Available

*Heritage*

The site does not contain or adjoin a heritage item nor is there a Heritage Conservation Area (HCA) in proximity. Aboriginal heritage has not been addressed in the subject application.

*Other land resources*

Waste management has not been addressed in detail in the subject application.

*Soils and water*

Soil and water management details nor the provision of an appropriate Soil and Water Management Plan have been addressed in the subject application.

*Air and microclimate*

Odour control will require ongoing management. This issue has not been addressed adequately and it is not considered that, based on the information provided with the application, acceptable odour levels have a prospect of being achieved.

*Flora and fauna*

Minimal adverse impacts are envisaged.

*Waste*

The application proposes connection to sewer for human waste and to compost horse manures. However, all likely storage areas would seem to be subject to flooding at intervals perhaps as little as 1:10 years which would see possibly removal of the piles by floodwaters. This issue has not been adequately addressed to ensure that the risk of water pollution during rainfall events and flood is minimised.

The application is also silent as to the method of disposal of kitchen drainage from the caravans or mobile homes/camp sites. It is not possible to gravitate waste from the camping platform to the sewer.

*Energy*

No issues of significance have been identified.

*Noise and vibration*

Given that the building is proposed to be sited at the same or similar level to existing nearby dwellings and given early morning use, noise levels may be unacceptable and difficult to address. Further professional noise analysis would be required in this regard.

*Natural hazards*

Flood hazard is addressed previously in this report and remains the substantial and main reason for the recommendation for refusal.

*Technological hazards*

There are no technological hazards envisaged.

*Safety, security and crime prevention*

There are no significant safety, security and crime prevention impacts envisaged.

*Social and economic impact in the locality*

Negative impacts were detailed above in respect of the imposition on emergency services, possible risk to life, likely unacceptable noise levels, possible odour and visual pollution.

*Site design and internal design*

The site is significantly constrained by flooding constraints.

*Construction*

Construction details provided with the application are very limited.

*Cumulative impacts*

The following impacts cannot adequately be addressed by conditions of consent:

- Flood impacts on persons residing onsite and impacts on emergency services in requiring the evacuation of persons and livestock.
- Noise impacts on neighbours.
- Likely challenges in adequate odour management.
- Likely challenges in addressing visual impacts.
- The proposed residential uses are considered prohibited or not justified as ancillary.

(c) Suitability of the site

The site is not suitable for intensive livestock agriculture or animal boarding or training establishment, in particular a stable complex, nor is residential use of the land below flood level and the proximity of the site to residential development appropriate.

Context, setting and public domain

Based on the limited level of detail provided with the application, it is considered that the external appearance of the development is not appropriate having regard to the character of the locality and the close proximity of dwellings.

Landscaping

No landscaping has been proposed with this application.

Environmental considerations

It is considered that the development may have an adverse impact on the local environment. Activities are proposed which may cause adverse air, soil, and noise and water pollution.



Access, transport and traffic

It is considered the local road system has the capacity to accommodate the additional traffic generated by this development should it proceed however, specific details have not been provided.

(d) Submissions

The proposed development was notified to adjoining landowners for the period 25 May 2016 until 10 June 2016.

At the conclusion of the notification period on 10 June 2016, Council had received 6 submissions (**Appendix 4**), all objecting to the proposed development.

The relevant issues raised in the submissions are summarised and discussed as follows:

1. The proposed development will create air pollution from odour and dust and noise pollution

**Planning comments:**

Without adequate controls it is agreed that the development has the potential to create noise, dust and odour issues for adjoining residents. Adequate details have not been provided with the application in respect of how this issue would be mitigated.

2. Impacts on road surface from constant truck movements

**Planning comments:**

The number of truck movements proposed has not been provided with the application. However given the existing state of the road there is likely to be some impacts. Notwithstanding, given the scale of the operation this impact is not anticipated to be considerable.

3. Impact on native fauna

**Planning comments:**

The application does not include details of any likely impact or otherwise on local fauna.

4. Flooding impacts

**Planning comments:**

The impacts of flooding have been discussed elsewhere in this report. Based on the available information it is considered likely that the proposed development will be adversely impacted on by and local flood events.

5. Increased traffic impacts

**Planning comments:**

While not specifically not addressed in the application it is considered that the road system can adequately accommodate the relatively minor increase in traffic, in particular truck movements, likely to be associated with the subject development should it proceed.

6. Impact on property values

**Planning comments:**

Property values are influenced by many factors, however such an impact is not a matter that can be directly attributed to the subject development. Further, property values are not a matter for consideration pursuant to Section 79C of the Environmental Planning and Assessment Act.

7. Noise and vibration impacts

**Planning comments:**

The alleged impacts of movement in adjoining buildings from the vibrations generated from the unauthorised placement of fill/rocks on site have not been substantiated in this submission.

8. Floodplain impacts

**Planning comments:**

The issue of flooding and the impact of the placement of fill on the site is a significant one that will require further detailed consideration before the application can proceed.

9. Liability for approval of developments in the floodplain

**Planning comments:**

The issue of liability should the subject development proceed without detailed consideration of the impacts of flooding in the locality and the potential impacts of any future development on flood behaviour is a significant issue that must be addressed before further consideration of development on the subject site can proceed.

10. Erosion impacts from earthworks

**Planning comments:**

The impacts of any earthworks associated with the subject development should it proceed would be required to be assessed. Additional information would be required from the proponent in this regard.

11. Illegal fill has been placed on the site several years ago.

**Planning comments:**

The illegal or otherwise filling of the site will be required to be addressed by the applicant prior to any development proceeding on the subject site.

12. Adverse impact on the amenity of the area

**Planning comments:**

The potential impact on the local amenity is an issue that has been discussed earlier in this report as a matter that would require further consideration should the development progress.

**6. PUBLIC INTEREST**

It is not in the public interest to expose emergency services to an additional avoidable risk and drain on emergency resources.

The risk to persons residing on the site in the development is considered unacceptable.

The potential noise, odour and run-off impacts on the neighbourhood and the river are considered unacceptable.

**SUMMARY**

The subject development application was lodged with Wellington Council on 12 September 2014. Council at its meeting on 22 July 2015 resolved to refuse the development application due to insufficient information being provided by the applicant to enable a full assessment of the proposal.

The applicant lodged a Class 1 Appeal with the Land and Environment Court on 9 July 2015 on the basis of a deemed refusal. Notwithstanding, Council proceeded to determine the development application.

The matter has been the subject of conciliation pursuant to section 34 of the Land and Environment Court Act, 1979 following which the applicant provided additional information and plans for the proposed development.

The additional information has now been assessed and this report recommends that the proposal not be supported for the reasons outlined in the report.

Appendices:

- 1 Council report dated 22 July 2015
- 2 Development plans
- 3 Site photos
- 4 Submissions (6)



## NOTICE OF ORDINARY MEETING OF COUNCIL

WEDNESDAY 22ND JULY 2015

Notice is hereby given pursuant to Division 2 of Council's Code of Meeting Practice that the next Ordinary Meeting of Council will be held in the Council Chambers, Nanima Crescent, Wellington on Wednesday 22<sup>nd</sup> July 2015 commencing at 5.30pm.

A Business Paper for the meeting is enclosed for your attention.

Your attendance is requested.

A handwritten signature in cursive script, appearing to read 'K. Roberts'.

Karen Roberts  
Acting General Manager

**ITEM 13 DEVELOPMENT APPLICATION NO. 043/2014****EARTH WORKS, AMENITIES AND USE OF SITE FOR A CARAVAN  
ON LOT 8, DP 759073, 1A WARNE STREET, WELLINGTON  
APPLICANT MR ANDRE VAN TONDER**Reason for Report

Council is in receipt of a Development Application to construct/place an amenities block and develop a site for the placement of a caravan, including the carrying out of earth works on Lot 8, DP 759073, 1A Warne Street Wellington

Background

Development Application number 043/2014 was lodged with Council on the 12th September 2014 by Mr van Tonder for the proposed uses on the land being 1A Warne Street;

1. Earth works
2. Amenities
3. Approval for a Caravan site

The applicant supplied Council with a statement of environmental effects that outlines the reasons for developing this land.

It seems the applicant intends to utilise the existing un approved stables on the site and add an amenities block and caravan for employees to look after his race horses when they are on the site.

A search of Councils records has found previous advice given to Mr van Tonder in relation to the allowable uses of this land and other associated problems with access to this land.

Council received a complaint from a neighbouring property owner with regard to truckloads of rock and soil fill being placed on the property 1A Warne Street Wellington, Council staff investigated this complaint and it was decided that a Notice of Intention to issue an order be placed on the land owner Mr van Tonder to cease works.

Mr van Tonder then met with Council officers on the 20th August 2014 to discuss his proposal and the Notice of Intent. It was at this time Mr van Tonder was advised that the works he had started and the stables on the site require Development consent approval from Council and he was advised to lodge a development application for Council to consider.

Council staff began the initial assessment process of the application but it was discovered a lack of appropriate information was missing from the application to allow staff to fully assess the application. Council sent Mr van Tonder a letter on the 15th September 2014 as per the following.

1. *At our meeting held 27 August 2014, you were requested to lodge a Development Application to see if consent might be granted for the unauthorised filling and development works and for an improved access to the land. It was stressed, given the filling was in a floodway,*

Acting General Manager's Report to the  
Ordinary Meeting held on Wednesday 22nd July 2015

- 96 -

*professional engineering input would be required in the Development Application.*

2. *The application submitted has no professional engineering input. Please provide a report from a qualified engineer addressing the suitability of the filling works, the engineering of the proposed access and addressing the requirements of the Flood Plain Management Manual and related policies governing filling in flood liable lands.*
3. *Council advised in its letter to you of 22 August 2014 that it is of the view the stables already erected on the land do not meet the requirements of exempt development and as such the Development Application will need to seek consent for these works and any proposed amendment of the stables. Below are the details of why the stables do not comply as exempt:*
  - a) *Council Planner Erin Strong advised you verbally 7 June 2011 as to the limits of what was possible without consent on the land with respect to occasional camping;*
  - b) *Ms Strong then emailed you on 7 September 2011 providing written advice as to the limits of stable development that might be carried out without consent;*
  - c) *From a recent inspection, a small stable complex has been erected on the land. I understand you have advised Council you erected it prior to the changes to Exempt and Complying Development earlier in 2014, so the exempt provisions applying before February 2014 would apply. However, the development still does not meet the following requirements of those exempt provisions:*
    - I. *The use can only be for "domestic purposes", from your advice it appears the use will be commercial stabling of racehorses.*
    - II. *The structure has to be not less than 20 metres from the road boundary, from scaling off the air photograph; it appears to be less than 10.*
    - III. *The structure also needs to be not more than 50 m<sup>2</sup> in total at not less than 5 metres from the side boundary. Council has no plans from you to date and has not measured up the structure but it would appear it may exceed that area and may be less than 5 from the neighbours boundary.*
    - IV. *Given it appears the stable does not comply with at least one requirement of the exemption policy, it will be necessary to include the building in the Development application and seek regularisation of the use. This will require plans to be submitted of the structure and your engineer to include analysis of the flood implications of the building in this location.*
4. *The submitted Development Application seems to be seeking consent for camping and associated amenities. The subject land is zoned RU1. The lot size imposes a 400ha requirement for a dwelling and even if a dwelling was permissible, it is extremely unlikely Council would approve one in a major floodway such as this site. A camping ground is permissible with consent in the RU1 zone but I have to advise the prospects of you achieving consent for a camping ground on this land are remote;*

Acting General Manager's Report to the  
Ordinary Meeting held on Wednesday 22nd July 2015

- a) An approval would be required under the Local Government Act and on several counts but especially the requirements to avoid flood ways, such approval is unlikely.
- b) The proposed amenities need to be able to be connected to sewerage system. The site is below gravity sewer and unlikely to be suitable for on-site disposal given the proximity of the River. This would seem to be a constraint even if the amenities in your application were to be just for use in occasional camping under the exemption provisions. Also, these buildings are likely unsuitable in a flood way.
- c) If you seek to claim to use the land only for occasional camping under the exemption provisions then only the most basic amenities are covered by that definition and given you are in a flood way, such amenities would need to be totally portable and not on site when you are not actually camping. All effluent would need to be collected and disposed of at a proper sullage disposal point.
- d) I recommend you not pursue further any attempts to seek consent for more than the exempt level of camping and associated amenities. As such, the reference in the submitted Development Application to camping beyond exempt levels including amenities block etc. should be removed from the application.

#### Summary

Council respects your right to be able to lodge a Development Application for any use permissible in the zone. However, the subject land has very severe constraints and it seems at best some small scale of stables and an all-weather access might achieve consent and perhaps you may be able to camp very occasionally within the exempt definition requirements and with amenities that are totally portable.

It is most unlikely an application for camping beyond the exempt level would succeed but if you wish to press this aspect then please provide the following extra information: Flood report from a qualified engineer including engineering detail of how any structures would be acceptable in the flood way. Details of how effluent is to be disposed of. A checklist showing how the site will comply with the camp grounds requirements of the Local Government Act and the Local Government (Manufactured Homes Estates, Caravan Parks, Camping Grounds and Moveable dwellings) Regulation 2005.

Council requires that you continue to seek consent for the unauthorised filling works, proposed site access and existing stables that Council considers do not comply with the exempt development criteria. I would very much appreciate if the information relating to of the existing works could be submitted as soon as possible. If there is no evidence of progress on this application by you within 30 days, I will again need to consider issuing formal Orders.

Council also sent Mr van Tonder a letter formally requesting the information under clause 54 of the Environmental Planning and Assessment Act 1979 and outlined that the Development Application would be assessed with the current information, and as a result, could deem the application refused under Section 80 of the act.

Mrs van Tonder replied via email on behalf of her partner and explained he

Acting General Manager's Report to the  
Ordinary Meeting held on Wednesday 22nd July 2015

- 98 -

was hospitalised and was unable to officially submit require information, at this stage council staff granted a stop the clock period until 30th May 2015 to allow Mr van Tonder to recover.

At this stage Council has only received engineers designs for the access to the allotment from Councils road way and no flood studies or designs on the existing illegal fill on the land have been submitted.

There has been extensive communication between Council and Mr van Tonder with some of the designs and information submitted not designed and/or certified by an appropriate qualified person, and has not been used as a part of the assessment process

### Conclusion

The property known as 1A Warne Street Wellington is zoned RU1 under the zoning area of the Wellington Local Environmental Plan 2012 and has the following constraints;

- Located in the Flood Plan area of Wellington
- Does not have a Dwelling Entitlement

The Wellington Local Environmental Plan 2012 part 6 Additional provisions clause 6.1 relates to Flood Planning:

### **Flood Planning:**

- 1) The objectives of this clause are as follows:
  - a) To minimise the flood risk to life and property associated with the use of land,
  - b) To allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,
  - c) To avoid significant adverse impacts on flood behaviour and the environment.
- 2) This clause applies to:
  - a) Land identified as "Flood planning area" on the Flood Planning Map, and
  - b) Other land at or below the flood planning level.
- 3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:
  - a) Is compatible with the flood hazard of the land, and
  - b) Will not significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and
  - c) Incorporates appropriate measures to manage risk to life from flood, and
  - d) Will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and
  - e) Is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.
- 4) A word or expression used in this clause has the same meaning as it has in the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005, unless it is otherwise defined in this clause.

Acting General Manager's Report to the  
Ordinary Meeting held on Wednesday 22nd July 2015



5) In this clause:

**Land at or below the flood planning level** means land at or below the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metres freeboard.

At this stage the Council staff are not satisfied that the applicant has fully addressed the objectives of the above clause of the local Environmental Plan as it provides Development Consent being granted on a flood hazard land

The application has been assessed under the provisions of Section 79 C of the Environmental Planning and Assessment Act 1979 and cannot be recommended for approval as it does not address the provisions of the Wellington Local Environmental Plan 2012


**Note:** Council was formally notified on Tuesday 14 July that Mr van Tonder has commenced an appeal in the Land and Environment Court on the basis that he believes it has been deemed refused by Council exceeding the required 40 days for Council to make a determination. Council has forwarded this matter now to its legal representative.


**RECOMMENDATION:**

**That Council refuse Development Application No 043/2014 for earth works, amenities and use of site for a caravan on Lot 8, DP 759073, 1A Warne Street Wellington. The reason for refusal is insufficient information to enable a full assessment of the proposal.**

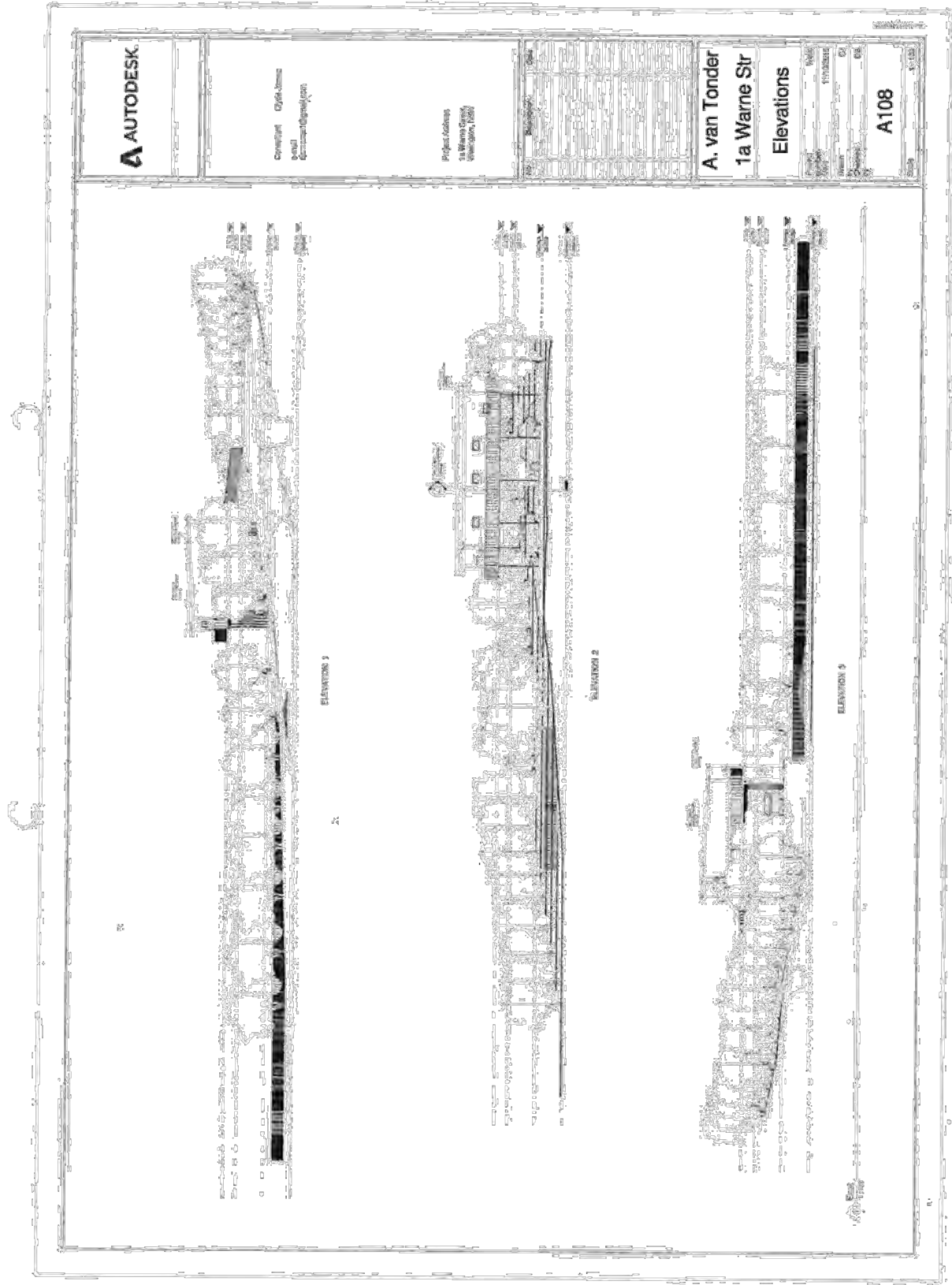
*This is the final item in the Acting General Manager's Report.*

*Karen Roberts*  
Acting General Manager

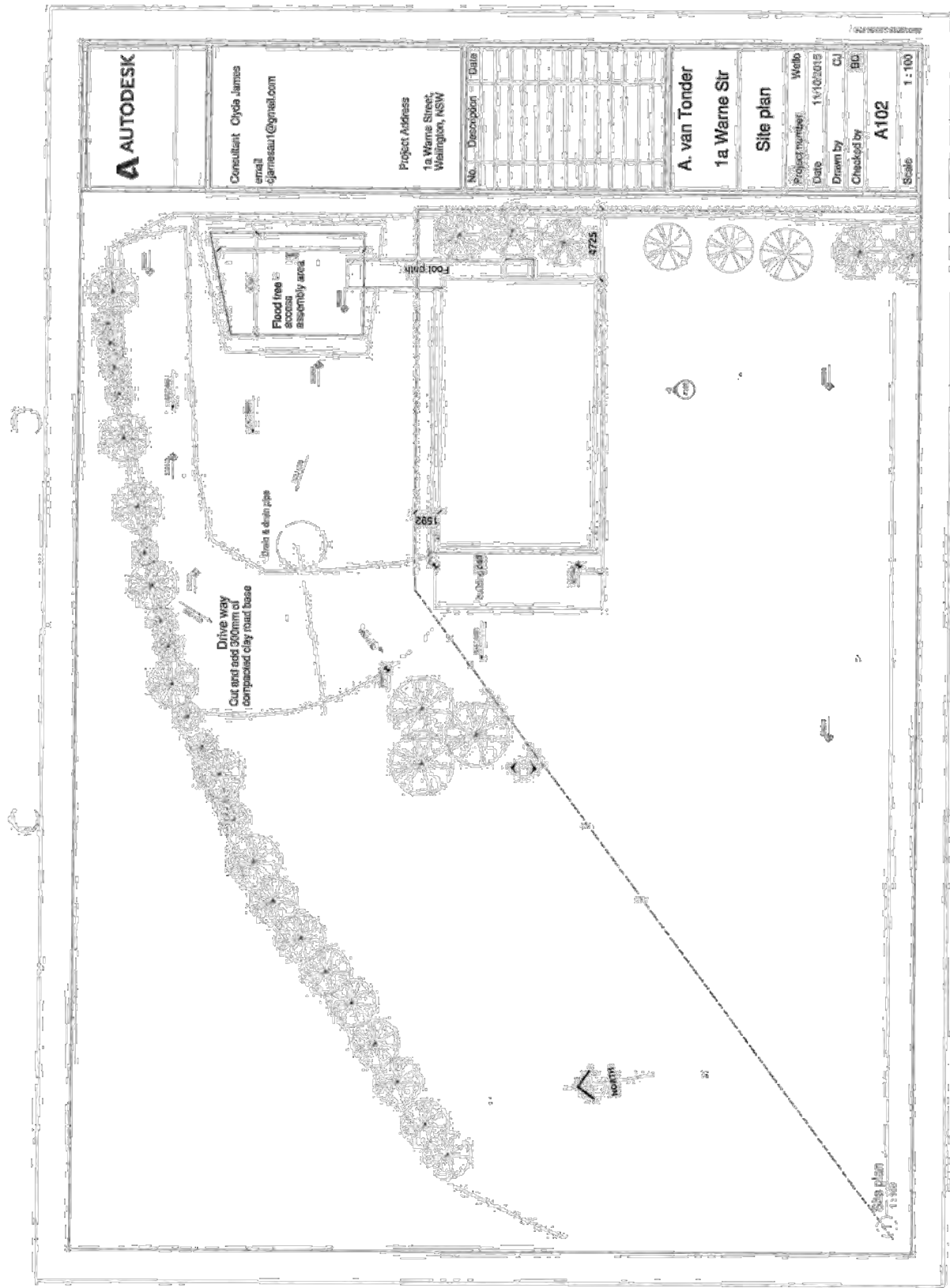
	Consultant: Clyde James email: cjamesaur1@gmail.com	Project Address 1a Warne Street, Wellington, NSW	No.   Description   Date																																				
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<b>A. van Tonder</b> <b>1a Warne Str</b> <b>Cover sheet</b>			Project number: Wellb Date: 11/10/2015 Drawn by: CJ Checked by: BD <b>A101</b> Scale: 1:1																																				

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WELLINGTON COUNCIL  
 For Action By.....  
 Correspondence No. 026161 055132

- 1 JUN 2016

John Atkinson  
 3 Warrin St.  
 (P.O. Box 80)  
 Wellington N.S.W., 2822  
 28/5/16

The General Manager,  
 Western Plains Regional Council  
 P.O. Box 62,  
 Wellington N.S.W.

Dear Sir,

re. Development Application No 204/043  
 1A Warrin St. Wellington

I would like to make the following comment concerning the above proposal. The stables will create air pollution including almost constant odour and dust carried to my house less than fifty metres away. There will be noise pollution including horses and tractors cranking horses to early morning training down our residential road to the racetrack. This road made for light traffic will suffer damage from constant truck use.

Native fauna including swamp wallabies and possums inhabit the area and will be driven away, as will a colony of fruit bats within 100 metres of the development. The bats are also a Hendra Virus risk for horses and then to humans. With floods or heavy rain over the area, run off will be a source of river pollution. When the Bell River floods it runs straight across the paddock and being one of the fastest flowing rivers in N.S.W. there is always a lot of debris, logs etc. which could be caught under the lower section of the development. This and the often 800 tonnes of boulders and large rocks dumped without permission will affect the direction of the river flow and could be detrimental.

to my property by causing erosion and damage to the house foundation. The T intersection of Raymond and Wilson Street is dangerous and heavy trucks and horse floats could precipitate accidents. There will be an increase in flies and vermin and the proximity of stables running as a commercial business will reduce the value of all the homes in the area. When the river flooded over last year dumping rocks and boulders from his tip truck the vibration from the road caused movement in our house and moved pictures on the walls.

We built our house in 1970, so we have plenty of knowledge of floods and how the river has changed. We have seen massive erosion along the Bell River banks and seen how the river course has changed. We are very conscious of not interfering with the flood plain.

We object most strongly to this development and hope council will support us.

Yours sincerely

John Billing

ADDITION TO SUBMISSION re Development Application  
NO. 2014/043

JOHN PILWING  
3 WARNE ST  
WELLINGTON

Having read the complete proposal I notice  
that in Flood Study report

1.2

States modification work on the river from  
1985-1991 caused the Bell River to run through  
the site causing inaccessibility to 154 sqm of land.

I was living here during those years and there were  
no modifications to the river done in the area, the  
river has flowed in the same course behind the site  
since I built in 1970.

2.6 Hydraulic Capacity analysed to ensure works will  
not adversely increase flood levels to adjacent  
properties

This statement is flawed because every  
flood I have seen since 1970 has flowed  
differently and all were unpredictable.

I notice that rocks and boulders brought to the  
site will have to be removed to allow a bare  
floor for the stables all this rock should be removed  
from the property.

John Pilwing



George & Kerry Taylor  
 Bulbudgerae  
 Wuuluman  
 via Wellington 2820

The Administrator

Western Plains Regional Council

2<sup>nd</sup> June 2016

Re: Development Application No: 2014/043

Dear Mr. Kneipp,

We bought 10 Warne Street for us to retire to when we are ready to move to town. We paid top market price in August 2014 for the wonderful position in a quiet area near the river. The dream is shattered by the Development Application for 1a Warne Street.

For a close knit community to have HORSES, STABLES and ACCOMODATION and an ACCESS ROAD put on approximately 1acre of land is cruelty to the neighbours, environment and the Bell River. The early TRUCK TRAFFIC, DUST AND ODOUR will be a problem in such a quiet residential area with No Through Road access. Is the current road suitable or permissible to have heavy trucks loaded with rocks and boulders or horses on lower Warne Street. What about the Flood Plain being interfered with?

Apparently there is a colony of FRUIT BATS near the proposed stables. HENDRA VIRUS is a risk to horses and then people. A GENERATOR running all night would be very unpleasant for the neighbours and neighbourhood and the bats because of the noise.

We were amazed to see large loads of rocks dumped on the sight – is that legal?

Please consider how the Development Application would have a detrimental effect on the community and roads for 1 person.

Yours faithfully,

George Taylor

Kerry Taylor

W... A... STON...  
 For Action Planning  
 Correspondence 02016 / 008306.

- 3 JUN 2016

The General Manager  
 Western Plains Regional Council  
 Wellington Branch 2820  
 30<sup>th</sup> May 2016

WELLINGTON COUNCIL  
 For Action By... *Planning*  
 Correspondence No. *2016/05476*  
*C. Barwick*

- 8 JUN 2016

Re: Development Application No: 2014/043

To whom it may concern

We are writing to you to voice our objections concerning the proposed stables and the impact that it will have on the local people that reside within the areas of Warne St and adjoining streets also environmental issues.

1. Air pollution, the smell that would be created from the horses urine and faecal matter and general horse smell.
2. Noise pollution, the noise from the stabled animals so close to local residents, also from the increase of traffic through quiet suburban Streets and the increase of up-keep of roads being damaged from heavy vehicle's coming and going at all hours from anywhere from 0300-0400hrs, while horses are being transported to and from the race track for training.
3. Environmental issues ? how will this altering of the land effect the Bell river and the bank's, special consideration should be taken into account of the flora (the removal of flora for the development will affect the course of the river) and fauna, (swamp wallabies, parrots, platypuses', fruit bats and all other animals that reside within the proposed site of construction, this will force these animals to relocate).

Has there been an Environmental Impact Study (EIS) been carried out on the short and long term effects that this proposed development will have on all of the above issues mentioned and issued to the public.

In our opinion not just the small area of the proposed site but also the topography of the site does not lend itself to the proposed usage as stated in development application No:2014/043. This development not only affects local residents but also local businesses along the main street as urine and faecal matter will spill out onto the main road, the odour will have impact most shops (café's etc). As well as making the main street unsightly.

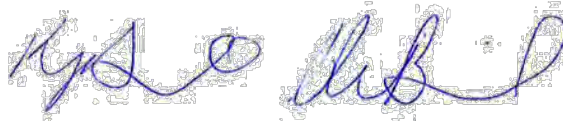
I have personally witnessed the destruction that can happen with such a large development as my family owned a large property when a company underwent redevelopment, causing over a number of years our swimming hole's, fishing areas and water for irrigation has now completely gone. This caused devastation to the whole community and farms.

This is a beautiful area and should remain the same. Therefore we object most strongly.

Mr & Mrs C Barwick

2-4 Warne St

Wellington NSW 2820



Peter J Sheridan OAM  
13 Macquarie Street  
WELLINGTON NSW 2820

Phone 02 68452552  
Mobile 0429 452 552  
Email [shero@hwy.com.au](mailto:shero@hwy.com.au)

10<sup>th</sup> June 2016

M/s K. Roberts  
Director of Wellington Branch  
Western Plains Regional Council  
PO Box 62  
WELLINGTON NSW 2820

WESTERN PLAINS REGIONAL COUNCIL  
Planning  
Correspondence  
Peter Sheridan OAM  
10 JUN 2016

Dear Karen,

I have become aware of a proposed development on the flood plain at the western end of Warne Street (Da 2014/043)

As a previous Controller of Macquarie Division of State Emergency Services and then later as Controller of Wellington SES included during the major 1990 flood, living in the Wellington Council area and owning flood affected property, I am very concerned about the proposed development on the flood plain.

The Bell River, down-stream from the Bell Bridge (Parkes road) and since the 1990 flood, is in the process of changing its course to the detriment of local riparians (with the loss of their land) and threatening the lower two weirs and even the low-level bridge.

The flood plain in the area of the development was high and dry until the 1990 flood when it became part of the river system as the river changed direction under flood conditions.

The river is very sensitive to any interference at all especially from the Bell bridge down-stream and which could prove very costly in the long run.

There are a number of points I wish to make:

1. The development doesn't take into account the velocity of the water in the area and doesn't allow for flood debris (logs, round bales etc.) building up against structures (fences, building peers, etc) creating a major hazard to the enterprise, river flows and directions.
2. The stone that is being used as a bank protector by the developer looks the same as was previously used to stabilise the river bank and was a complete failure. It can now be seen in the middle of river bed just down from the development and at the Polo Ground area.
3. The development is jutting out from the bank and may change flow directions under flood conditions to the detriment of the river downstream.
4. If Council approves this development they may find themselves being held responsible for any damage as a result of a flood. (as is happening in Sydney now as a result of the extreme weather)
5. I would strongly urge Council to seek the approval of the responsible government department before coming to any conclusions.
6. I believe the developer should be made aware that as a result of his current activities he may be responsible for the removal of any material etc. he has put on the site if his application fails.
7. Please find attached some photos of the 1990 flood in the area of the development showing the severity of a flood and how it may affect the area.

**In conclusion: I strongly object to this development as indications are that it will affect the lower Bell River under flood condition. THE APPLICATION IS ON A FLOOD PLAIN.**

Yours faithfully

  
Peter J Sheridan OAM



7 Warne Street  
Wellington NSW 2820  
June 8<sup>th</sup> 2016

General Manager  
Western Plains Regional Council  
Wellington NSW 2820

Sir,

**RE: Development Application 1A Warne Street Wellington NSW 2820.**

I strongly object to any development at No1 Warne Street, Wellington, my reasons as follows.

Over the years I have lost large tracts of land, the result of riverbank clearing and removal of trees, (by Council), on the eastern side, resulting in erosion and the diversion of the main river flow through the middle of my paddock. Any earthworks carried out on No 1 Warne Street would cause the increase of water flow across my paddock causing further damage and destruction.

This area is a quiet residential area with well- kept homes of long standing, one block from the main shopping centre.

Having a Horse Racing Business: Horse Stables, Noises, Smells etc., and traffic from the trucks loading and transporting horses to track work early each morning, would cause distress and health impacts on us as residents living with this day to day reality – constant reality.

As a long time resident and ratepayer of Wellington, I am requesting that all concerns expressed by those affected by this development application are given careful consideration as the outcome of this application will have far reaching effects, in areas of safety and confidence in protection of homes and the health of neighbouring residents.

Yours Faithfully,

*Margaret Veech*

Margaret Veech

For All  
Correspondence

Planning

*Margaret Veech*

10 JUN 2016

Karen Roberts,  
Acting General Manager  
Wellington Council  
Nanima Cres  
WELLINGTON, NSW. 2820  
09062016  
Ref: DA 2014/043  
proposed development of Lot 8, SEC: 76 DP: 759073 - 1A Warne Street, Wellington.

Dear Ms Roberts

I write to lodge objection by me and my wife (Sharon June Wilson) to the above development proposal.

We rent number 6 Warne Street, only 100 to 200 metres from the lot.

I am sure our rental agents and the owners of 6 Warne Street feel as we do about this proposal. Lot 8 is on an identified Bell River floodplain area of 50 and 100 years at least and with revised floodplains now upwards of 500 years it would also fit that criteria.

Wellington council has condemned housing in other areas on the Bell River as a precedent and this lot would also not be allowed to be developed as it is floodplain and flood-prone land, even if built on stilts.

The proponent had illegally dumped hundreds of tonnes of rock and rubble a couple of years ago onto this lot and continued until council stopped the action.

During this period of dumping a very heavy truck was used which travelled long Warne street at odd hours, spoiling the quiet ambience always experienced in this section of Warne Street.

As well, the proponent has constructed horse stables on the site several years ago and bring racehorses to the stables on race days when they are entered to race.

In these period the proponent or his representatives run a petrol motored electricity generator which runs day and night, again disturbing the quiet ambience of the area and is damn annoying, particularly at all hours of night time when neighbours are trying to sleep.

Rock and rubble already dumped on the site and plans to dump more to divert river stream and/or flood current is also illegal and would be an environmental disaster for the Bell River by artificially changing the river's direction.

This development proposal like the proponent's original DA has deeply disturbed neighbours within the proximity of the development, particularly due to its nature of being a horse stables development that will certainly disturb the quiet serenity of the area which is a very quiet area of Wellington and Warne Street in particular and has been since the town was established.



As well there is the fear of smell and flies emanating from the lot from horse manure and straw used for feed and bedding.

Vehicles coming and going is another disturbance the area does not have to deal with up to now. The development must be declined purely on the Bell River floodplain environmental concerns alone.

We look forward to a positive outcome for the owners and resident of property in the vicinity of this ridiculous application.

Yours faithfully.

Mark Griggs and Sharon Wilson.

WELLINGTON COUNCIL  
For Acting Manager *Planning*  
Correspondence No. *Mark Griggs + Sharon Wilson*

10 JUN 2016

## REPORT: Contaminated Land Policy

**AUTHOR:** Manager Environmental Control

**REPORT DATE:** 10 June 2016

**TRIM REFERENCE:** ID16/1089

### EXECUTIVE SUMMARY

Contamination Central is a Regional Capacity Building project funded through the Environment Protection Authority to assist councils in the NSW Central West in developing their systems and staff to better manage contaminated land in their Local Government Area (LGA).

A Contaminated Land Policy is necessary for Council to mitigate risks and liabilities involved in carrying out certain planning functions relating to contaminated land including assessing development applications and providing information on Section 149 planning certificates.

The draft Policy included here as **Appendix 1** addresses the issues required by the legislation and relevant guidelines pertaining to contaminated land management by councils. A Contaminated Land Management Plan will also support the policy. An important aspect of the Policy and Management Plan is that they focus on the historical and present use of the land and what actions have been undertaken to assess or remediate contamination as well as any contaminated land consultant's recommendations relating to suitability for future land uses.

Information management is key to managing contaminated land in a council context and this is at the core of the Policy. What information and how it is collected and provided to the public through Section 149 planning certificates will be detailed in the Management Plan along with specific rezoning and development application procedures. There are also details on consultants' requirements and how and when Council will require Contaminated Site Audits and regulate the Underground Petroleum Storage System Regulation in 2017 when responsibility is scheduled to come to Council.

A Regional Contaminated Land Policy template was developed as part of the Contamination Central Project and has been amended for Western Plains Regional Council to include details specific to Western Plains Regional Council. Taking a regional approach is considered important as many consultants, developers and other professionals involved in contaminated land management operate across council boundaries and therefore a consistent approach will more likely result in better acceptance and compliance across the region.

There has been considerable consultation among the councils of the Central West as well as with the Environment Protection Authority and legal advice was sought on the Regional Template by Bathurst Regional Council.



The Policy and Plan amendments made by Western Plains Regional Council have not been subject to separate legal advice however there have been no significant changes that increase Council's risk as together the plan and policy meet the requirements of the Planning Guidelines and the changes made are more of an operational nature.

This report recommends that the draft Policy included here as **Appendix 1** be adopted by Council for the purpose of public exhibition and that the Policy be placed on public exhibition for a period of not less than 28 days.

#### **STRATEGIC ALIGNMENT**

The Dubbo 2036 Community Strategic Plan is a vision for the development of the City out to the year 2036. The Plan includes five principal themes and a number of strategies and outcomes. This report is aligned to the principal theme 1.5 Dubbo is a Safe Community.

#### **FINANCIAL IMPLICATIONS**

The Policy development and training is being funded by the Environment Protection Authority through the Contamination Central Project. Some additional resources for implementation may be available through the project if required.

#### **POLICY IMPLICATIONS**

If ultimately adopted by Council the Contaminated Land Policy would become a Policy of the Council.

#### **RECOMMENDATION**

- 1. That the draft Contaminated Land Policy (Appendix 1) be adopted for the purpose of public consultation.**
- 2. That the draft Contaminated Land Policy be placed on public exhibition for a period of not less than 28 days.**

*Debbie Archer*  
Manager Environmental Control

## BACKGROUND

Since 1998, councils have been afforded special exemption from liability in regards to planning functions and contaminated land. This exemption is set out in Part 7A of the Environmental Planning and Assessment Act, 1979 (EP&A Act). In order to receive the exemption from liability, a council must carry out their planning functions substantially in accordance with the contaminated land planning guidelines. The Planning Guideline, published in 1998, recommends that Council's should have a Contaminated Land Policy and includes numerous recommendations on what such a policy should include.

The most common planning functions that a council regularly attends to is the determination of development applications and the provision of information on Section 149 planning certificates.

State Environmental Planning Policy 55 Remediation of Land (SEPP 55) requires that land contamination must be considered on each and every development application (clause 7 SEPP 55). The current Planning Guideline recommends that councils check their records on land contamination for every Section 149 Planning Certificate issued.

Council has a responsibility to ensure that when exercising its statutory planning functions in relation to the development and use of contaminated land, all the relevant information is considered.

To do this Council must:

- Consider the likelihood of land contamination as early as possible in the planning and development control process;
- Link decisions about the development of land with the information available about contamination possibilities;
- Adopt a policy approach which will provide strategic and statutory planning options based on the information about contamination; and
- Exercise statutory planning functions with a reasonable standard of care.

The draft Contaminated Land Policy (**Appendix 1**) outlines how Council will carry out the specific planning functions related to contaminated land and other matters such as the Underground Petroleum Storage System (UPSS) regulation and dealing with the illegal dumping of contaminated waste.

While contaminated land issues are not very common in the Western Plains Local Government Area, they can become complex and costly and Council staff do not get regular opportunities to develop expertise in this area. This can become a risk to Council if a major contamination issue arises as staff take an overly cautious approach or miss key signs due to inexperience.

In 2014, the NSW Environment Trust funded the Environmental Protection Authority through the Regional Capacity Building Program to address gaps in contamination management.

This program has funded projects in four regional areas including the NSW Central West known as Contamination Central Project. One of the main objectives of the Project has been to provide a template Contaminated Land Policy for each participating council to adopt. One base template was created from which Western Plains Regional Council has separated into the attached shorter Policy (**Appendix 1**) and associated operational Management Plan.

The Contamination Central Project is also supporting the policy development with extensive training for staff to build their competencies in dealing with contaminated land issues.

It was considered that a regionally consistent policy will result in a smoother transition and acceptance of the new policy position among developers and consultants that work across council boundaries.

The draft Policy has been edited to be consistent with the former Dubbo City Council policy format, style and individual practices but is largely consistent with the Policy Template provided by Contamination Central and being considered by 18 other councils across the Central West.

Contamination Central had the original Policy Template reviewed by Senior Counsel to ascertain that the policy is consistent with the Planning Guideline and SEPP 55 and therefore provides the relevant protection for liability specified in Part 7A of the EP&A Act; that it does not expose Council to any unnecessary liabilities; and that Section 149 Planning Certificate wordings are legally sound. Changes to the Policy and Plan made by Western Plains Regional Council are not significant and do not increase Council's risk or alter the original intent of the template policy which is to meet the requirements of the Planning Guidelines.

## **REPORT**

The draft Contaminated Land Policy, if adopted, will provide Council staff and the community with clear guidance on the application of planning legislation around contaminated land management.

The Policy and Plan identifies the type of past land uses that may contribute to land contamination and classifies land where those land uses or activities have occurred in the past or present and what actions have been undertaken to assess or remediate contamination as well as any contaminated land consultant's recommendation relating to suitability of future land uses.

The Policy and Plan details what information should be recorded against a property and how that information is used to inform Development Application assessment or other planning decisions. The information also needs to be made available to the public and other agencies and the Plan sets out what information will be provided and how it will be provided within the council's privacy policy and the legislative requirements of Government Information (Public Access) Act, 2009 and Privacy and Personal Information Protection Act, 1998.

Clause 7, Schedule 4 of the of the Environmental Planning and Assessment Regulations, 2000 requires that a Section 149 Planning Certificate identify whether or not the land is affected by any policy (adopted by a council or public authority for the express purpose of its adoption being referred to in Section 149 certificates issued by council) that restricts the development of land because of the likelihood of any risk. This Policy intends to be an adopted Policy of the kind referred to above, that restricts the development of land because of the likelihood of contamination. The Policy will manage the use of land by:

1. Prescribing the circumstances where land is required to undergo some level of assessment for land contamination, or remediation, before consent can be granted for any development on that land or the land can be rezoned; and
2. Enforcing the restrictions that, in the opinion of the consultant or auditor, are required through the imposition of a Site Management Plan that may be imposed on the land following remediation.

Providing information about the contamination of land on planning certificates provides the prospective purchaser of land fair warning that in the event of a Development Application, Council may require specific contamination assessments to be carried out and/or remediation if warranted for that development.

The draft Policy seeks to provide information about what has occurred on the land and does not seek to prejudice any future proposals by placing blanket development prohibitions on land. Land remediation is only required by Council at the time of redevelopment or a change of use when it is considered necessary to make the land suitable for the intended use.

There is also a distinction made between land contamination and pollution. While pollution and contamination have similar statutory definitions, and while Council has statutory powers to regulate pollution (in particular, under the Protection of the Environment Operations Act, 1997) this Policy is primarily concerned with contamination. A pollution incident is considered to be a matter that is dealt with in the short term by the relevant powers. Pollution can result in contamination if the pollution is not cleaned up in the short term or Council does not become aware of the issue within a reasonable time to be able to enforce a suitable remedy.

It is important to note that Council plays no role in determining whether or not a property is safe to occupy on the basis of risk from land contamination up until the point of a development application. It is the EPA's role to regulate significantly contaminated land.

The Plan includes specific rezoning (Planning Proposal) and Development Application procedures with details of when investigation might be triggered. This will provide more certainty and information for developers to know how to prepare a Development Application or Planning Proposal.

Recently new Contaminated Land Consultants' Certification schemes have been introduced to ensure the quality of consultants reporting. The Policy will require certification under these schemes with a reasonable 'grace' period until 1 April 2017. This is in keeping with the EPA's requirements for Consultant Certification.

Other issues covered by the Policy include the requirements for Contaminated Site Audits and regulation of the Underground Petroleum Storage System regulation in 2017 when responsibility is scheduled to come to Council. There are also details of how contaminated land standards relate to pollution investigations and clean-up of pollution incidents.

## SUMMARY

Contaminated land is managed by Council to minimise the impacts of past land use on the development of land in the future. Land may have become contaminated by actions in the past when issues around contamination, pollution and waste management were not considered important and the long-term effects of some chemicals on the environment and human health were poorly understood.

The Environment Protection Authority is the State body that regulates contaminated land under the Contaminated Land Management Act, 1997 however Council has responsibility to ensure that when exercising its statutory planning functions in relation to the development of contaminated land, all relevant information is considered.

To do this Council must:

- Consider the likelihood of land contamination as early as possible in the planning and development control process;
- Link decisions about the development of land with the information available about contamination possibilities;
- Adopt a policy approach which will provide strategic and statutory planning options based on the information about contamination; and
- Exercise statutory planning functions with a reasonable standard of care.

The draft Contaminated Land Policy outlines how Council will carry out the specific planning functions related to contaminated land and other matters such as the Underground Petroleum Storage System (UPSS) regulation and illegal dumping of contaminated waste.

This report recommends the draft Policy be adopted for the purposes of public exhibition for a period of not less than 28 days.

Appendices:

- 1 Draft Contaminated Land Policy



# Western Plains Regional Council Policy

**Document Type      Council Policy**

**Title:** **Contaminated Land Policy**  
**Responsible officer:** Manager Environmental Control  
**Date:** 26 April 2016  
**Council resolution date:**  
**Clause number:**  
**Review due:** *April 2018*

## **1. Objective**

The Contaminated Land Policy is made under the Managing Land Contamination Planning Guidelines, 1998 as notified in accordance with Section 145C of the Environmental Planning and Assessment Act, 1979. Council is taken to have acted in good faith where it acts substantially in accordance with these Guidelines.

The Policy will, together with the Contaminated Land Management Plan (CLMP):

- Restrict the use of land under particular circumstances;
- Determine how information is managed;
- Identify when potential contamination is notified on Section 149 Planning Certificates;
- Outline requirements for remediation;
- Set standards for consultants that report on contaminated land; and
- Define when a Site Audit is required.

## **2. Applicability**

The Policy will apply to all land with respect to the investigation and remediation of land contamination in relation to making planning decisions, keeping and providing relevant information and the monitoring of remediation.

### 3. Principles

#### 3.1 Restriction of land

Where Council is aware of any past or present potentially contaminating land uses or activities (as described in the CLMP) it will maintain relevant information about the land on which that use or activity occurred or is occurring to ensure:

- That land owners and other interested parties may be made aware of those uses; and
- That Council can assess land contamination issues and monitor remediation under State Environmental Planning Policy 55 Remediation of Land (SEPP 55).

The information held is intended to aid decision-making regarding contaminated land investigations, land use planning and development consents.

This Policy will restrict the use of land by:

- Requiring remediation or assessment of land contamination before consent can be granted for any development on that land or before the land can be rezoned; and
- Enforcement of restrictions that, in the opinion of the consultant or auditor, are required through the imposition of a Site Management Plan that may be imposed on the land following remediation.

This Policy relates to those land uses that have a reasonable potential to result in land contamination and which therefore may need to be addressed during development. The list of potentially contaminating land uses and activities are listed in Appendix A.

#### 3.2 Information access and management

While Council will endeavour to develop and maintain a comprehensive collection of relevant information, it does not guarantee the completeness or accuracy of all the information held. Information that has not been required to be provided to, or kept by, Council may not be available for any given property at any given time.

Council will hold information in a dedicated information system known as the Contaminated Land Register (the Register). Land will be included on the Register on the basis of past land use. In accordance with the information held, each parcel on the Register will be classified into one of five investigation statuses (Identified, Assessed, Site Management Plan, Suitable for Limited Use or Unrestricted).

Information on the Register may be provided to any person in the form of a Section 149 Planning Certificate in accordance with the Environmental Planning and Assessment Act, 1979 or a person with a valid interest may seek to view:

- Information contained in the Register; and
- Contamination reports held by Council.

However, due to Council's privacy requirements and copyright restrictions (including the legislative requirements of the Government Information (Public Access) Act, 2009 and Privacy and Personal Information Protection Act, 1998), Council may not be able to provide all information it holds.

Information provided on the Section 149 (2) Planning Certificate shall include the restriction on the land as relevant to the investigation status on the Register.

A notice will be placed on the Section 149(5) Planning Certificate where:

- The site is known to be subject to the UPSS regulation as regulated by Council;
- The land has been used for specific purposes listed in Appendix A;
- Council is in possession of contamination assessment reports;
- Council is in possession of a Site Audit Statement;
- Remediation has been approved in accordance with SEPP55; and
- Remediation has been notified in accordance with SEPP55.

Other information pertaining to the Contaminated Land Management Act, 1997 will be provided as required by that Act and the State Environmental Planning Policy (Exempt and Complying Development Codes), 2008.

As a minimum requirement for all development applications and planning proposals, a list of former land uses should be provided to the best of the applicant's knowledge.

### 3.3 Remediation

To ensure that contamination and remediation can be effectively managed and monitored for the benefit of the community, Council's standards for the conduct of remediation and reporting of contaminated land matters are as detailed below.

Any remediation carried out as Category 2 remediation (carried out without consent, SEPP 55) must:

- Be notified to Council in writing, including all information required by clause 16 of SEPP 55;
- Be accompanied by a copy of the Remediation Action Plan (RAP); and
- Comply with the Conduct of Remediation as detailed in the Contaminated Land Management Plan.

Underground Storage Tanks (USTs) that are not regulated by the Protection of the Environment (Underground Petroleum Storage Systems) (UPSS) Regulation, 2014 must not be removed without validation sampling and laboratory analysis in accordance with appropriate guidelines.

Following any remediation, it is required that:

- 1 A validation report be provided within 30 days of completion of the work (except where legislation or a development consent permits another time period); and
- 2 As specified in Clause 18, SEPP55, a Notice of Completion is provided (which may be incorporated into the Summary Report, as specified in the Contaminated Land Management Plan, if provided with a complete validation report).



### 3.4 Consultants' Reports

All reports regarding the assessment of site contamination must be prepared by a suitably qualified person and be completed in accordance with the relevant reporting guidelines; currently, the Guidelines for Consultants Reporting on Contaminated Sites, EPA 2011.

All reports must reference Council's Policy and Contaminated Land Management Plan and specifically refer to any conditions for remediation and should not have liability exclusions that prevent Council from relying on the information provided for carrying out its functions including maintaining and sharing information in accordance with this Policy.

Reports provided to Council should contain factual information and avoid subjective opinion, language or analysis that has the potential to mislead Council or a third party to whom the report may be disclosed under Section 149 (5) of the Environmental Planning and Assessment Act.

All reports submitted to Council after 1 April 2017 for the purposes of fulfilling the SEPP55 and the UPSS regulation are to be prepared, or reviewed and approved, by a consultant who is certified under a contaminated land consultant certification scheme recognised by the EPA.

#### Summary Reports

Council requires that any Assessment of Site Contamination Report be accompanied by a Summary Report which provides a succinct overview of the site investigation or remediation on the parcel of land. A Summary Report cannot be relied upon solely for decision making under SEPP55.

#### Site Audits

Under this Policy, a Site Audit Statement will be required for reports on sites where:

- Modified investigation threshold levels are used;
- A risk assessment is relied upon for determination of suitability;
- A groundwater assessment (in accordance with UPSS Guidelines) is not carried out where underground tanks or infrastructure has been identified;
- A Site Management Plan is to be imposed;
- Council does not accept the consultant's recommendation; or
- Council considers it necessary.

#### Site Management Plan

A Site Management Plan (SMP) is required when contamination is to remain onsite. The SMP should be developed in consultation with Council to determine that it can be reasonably complied with and enforced. It should make provisions for Council to carry out checks of relevant compliance.

Where there is an SMP and where Council is able to do so, Council will require the owner or proponent to register a covenant on title requiring compliance with the Site Management Plan.

**Appendix A - Potentially Contaminating Land Uses**

The following land use definitions generally relate to the land use definitions used in the *Standard Instrument—Principal Local Environmental Plan*. Additional definitions and comments are included in the table to assist in identifying the potential to contaminate land from that land use.

# Should only be used where specific information about the site is available

Grouping	Potentially contaminating land use	Definition or comments
<b>Agriculture</b>	Aquaculture	Cultivating or keeping fish or marine vegetation for commercial purposes; Fisheries Management Act 1994
	Extensive agriculture#	Used to capture farm shed activities such as chemical storage and handling
	Food manufacturing	All types of food and drink manufacturing that may have included boilers or cooking, needs to be at reasonable scale
	Intensive livestock agriculture	Feed lots, piggeries, dairies, concentrated waste products Designated development triggers
	Intensive plant agriculture	Vineyards, orchards, irrigated cropping, turf farming
	Livestock processing industries	Production of products derived from the slaughter of animals (including poultry) or the processing of skins or wool of animals, and includes abattoirs, knackeries, tanneries, wool scourers and rendering plants.
	Rural supplies	Store large quantities of chemicals but should be only applied where chemicals are decanted or repackaged on site
	Sheep and cattle dips	Public or private facilities
	Stock and sale yards	Associated with waste, wash-down facilities and stock dips or other pest treatments
	Tanning and associated trades	
<b>Asbestos</b>	Asbestos Disposal#	Where asbestos containing material has been buried for permanent disposal
	Asbestos production and disposal	Includes mining and asbestos product manufacturing

Grouping	Potentially contaminating land use	Definition or comments
	Demolition without asbestos clearance	A building with significant ACM demolition without providing an asbestos clearance
<b>Chemical</b>	Acid/alkali plant and formulation	
	Battery manufacture, storage and recycling	Commercial scale storage of used batteries
	Chemical storage facilities	Includes the bulk storage and handling of chemical in association with other activities
	Chemicals manufacture and formulation	
	Defence works	UXOs, fuels and chemical use or storage
	Dry cleaning establishments	
	Hospitals	Incinerators and boilers, radioactive wastes
	Laboratory	Place equipped to conduct scientific experiments, tests, investigations, etc., or to manufacture chemicals, medicines, or the like. Includes large scale photographic labs etc.
	Paint formulation and manufacture	
	Paper and printing works	Commercial printeries with significant stores of ink and solvents
	Pesticide manufacture and formulation	
	Wood preservation	
<b>Fuel</b>	Liquid fuel depots	
	Oil production and storage	Oil refineries

Grouping	Potentially contaminating land use	Definition or comments
	Service stations	
	Store and dispense (150) or more of fuel or oils	Fuel storage on land where primary land use is not otherwise listed
<b>Industry</b>	Cement works	
	Drum re-conditioning works	
	Electrical manufacturing (transformers)	
	Electroplating and heat treatment premises	
	Engine works	Manufacture of engines
	Explosives industry	Includes explosives magazines, ammunition and fireworks manufacture and testing
	Gas works	
	Heavy industrial storage establishment	Storage of goods, materials, plant or machinery for commercial purposes
	Heavy industrial workshops and metal fabrication	Includes welding, sand blasting, spray painting
	Iron and steel works	
	Metal treatment	
	Mining and extractive industries	including mineral or ore processing or coal washing etc.
	Paper pulp or pulp products industries	

Grouping	Potentially contaminating land use	Definition or comments
	Pet food manufacturing	As distinct from food manufacturing
	Power stations	
	Sawmill or log processing works	Relating to often being off grid using steam or liquid fuel driven machinery, also drying kilns and use of pesticides
	Small engine service and repairs	Lawnmowers and other small engine not considered motor vehicles
	Smelting and refining	
	Storage of plant and equipment	Generally informal storage of equipment that may lead to land contamination
	Vehicle body repair workshops	Panel beaters and spray painting
<b>Transport</b>	Air transport facilities	Includes heliports and all ancillary buildings
	Emergency services facilities	Police, Ambulance Fire, SES have often included fuel storage
	Freight transport facility	
	Motor vehicle service and repairs	Including cars sales yards and tyre shops
	Railway yards	
	Truck or transport depots	Place used for the servicing and parking of trucks, earthmoving machinery and the like
	Vehicle washing	Where involved in truck washing or engine degreasing for the public or as a standalone operation
<b>Waste</b>	Contaminated soil and groundwater treatment works	

Grouping	Potentially contaminating land use	Definition or comments
	Junk yard	land used for the collection, storage, abandonment or sale of scrap metals, waste paper, bottles or other scrap materials or goods, or land used for the collecting, dismantling, storage, salvaging, or abandonment of cars or other vehicles or machinery or for the sale of their parts.
	Landfill sites	sites used for the disposal of waste
	Oil Recycling	
	Scrap yards	
	Sewage treatment plants	
	Site use for illegal waste disposal	
	Use of uncertified fill	Land has been levelled or reshaped with fill material that has not been certified as suitable and/or the filling has not been approved
	Waste storage and treatment	
<b>Other</b>	Commercial or industrial fixed plant with liquid fuels, e.g. generator sets	
	Rifle or shooting range	

## REPORT: Dubbo CBD Precincts Plan - Status Report

**AUTHOR:** Manager City Strategy Services  
**REPORT DATE:** 10 June 2016  
**TRIM REFERENCE:** ID16/1055

### EXECUTIVE SUMMARY

The Dubbo CBD Precincts Plan is a community led plan that was developed with extensive community and stakeholder consultation through the Ignite Our Centre community engagement program.

The Dubbo CBD Precincts Plan brings together the identified themes, strategies and bright ideas for improvements to the Dubbo CBD that were identified by stakeholders and the community. These ideas range from small scale, quickly implementable improvements to larger scale, long-term transformative projects in and around the Dubbo CBD.

The CBD Precincts Plan was adopted by the former Dubbo City Council at its meeting on 29 March 2016 and includes four (4) separate and distinct implementations programs, which are reflective of the core pillars of success for the Dubbo CBD. The implementations programs included in the CBD Precincts Plan are as follows:

- 'Ignite' Placemaking Program
- Fast Track Approvals Program
- CBD Infrastructure Improvements Program
- Development Incentivisation Program.

The purpose of this report is to provide an initial update to Council as to the progress towards achievement of the 50 Bright Ideas as included in the CBD Precincts Plan. The report includes a brief statement as to the status of the 50 Bright Ideas that have either been achieved or are currently underway. A full list of the Bright Ideas included in the CBD Precincts Plan is provided here in **Appendix 1**.

To facilitate achievement of the Lighter, Quicker, Cheaper projects a separate Ignite Placemaking Program has been developed by City Development and Communications Branch. The Ignite Placemaking Program including the current status of Ignite projects is the subject of a separate report to Council for consideration.

It is recommended that this report be noted and Plan reporting in respect of the Fast Track Approvals Program, the CBD Infrastructure Improvements Program and the Development Incentivisation be provided to Council on a six monthly basis in April and October annually.

**FINANCIAL IMPLICATIONS**

There are no direct financial implications arising from this report.

**POLICY IMPLICATIONS**

There are no direct policy implications arising from this report.

**RECOMMENDATION**

- 1. That the first progress report on the 50 Bright Ideas included in the CBD Precincts Plan be noted.**
- 2. That future progress reports in respect of the Fast Track Approvals Program, the CBD Infrastructure Improvements Program and the Development Incentivisation Program be provided to Council for consideration in April and October annually.**

*Steven Jennings*  
Manager City Strategy Services



## BACKGROUND

### 1. Ignite Our Centre Community Engagement Program

The Dubbo CBD Precincts Plan is a community led plan that was developed with extensive community and stakeholder consultation through the Ignite Our Centre community engagement program.

The Ignite Our Centre Program provided the community with a unique opportunity to inform and shape the structure, composition and focus of the CBD Precincts Plan. The CBD Precincts Plan brings together community and stakeholder views and ideas on what the Dubbo CBD is, and what it should be into the future.

The Ignite Our Centre community engagement program generated over 450 submissions from the public, which in turn provided in excess of 1,000 specific ideas for how the Dubbo CBD could be further enlivened and enhanced into the future.

Following the conclusion of the formal consultation period, the 1,000 ideas from the community were analysed and sorted into 10 themes of activities that can be undertaken in the CBD, categorised as follows:

- Dining and 'cafe-ing'
- Doing business
- Driving
- Entertainment
- Attending festivals and markets
- Living
- People and place-watching
- Shopping
- Walking and riding
- Other.

The ideas within each category were further analysed and prioritised by Dubbo CBD stakeholders and members of the community at the Community Leaders Workshop, which was held on Sunday, 28 June 2015. The aim of the workshop was to facilitate and encourage community and business engagement and encourage buy-in to the development of the CBD Precincts Plan. The workshop was well-attended by over 50 Dubbo CBD stakeholders and members of the business community who came together to consider the ideas and initiatives and to chart a way forward for the development and activation of the Dubbo CBD.

One of the key tasks of the workshop was for attendees to filter and prioritise the 1,000 Ignite ideas based on factors such as cost, community benefit and economic impact. At the conclusion of the workshop, the top 50 Bright Ideas for development and activation of the Dubbo CBD were selected based on factors such as cost, community benefit, economic impact, delivery time and who will be responsible for delivering the idea.

## 2. Preparation of the Dubbo CBD Precincts Plan

The Dubbo CBD Precincts Plan provides the Community's vision of a multi-functional, diverse and vibrant centre. The Plan identifies unique characteristics of the Dubbo CBD to be maintained including such things as the 'high street' shopping experience. However, the Plan also encourages such things as new and revitalised uses, including encouraging residential development in our CBD, making it easier to do business in the CBD and developing an incentivisation program. The CBD Precincts Plan is also a practical Plan, which identifies bright ideas the community can pursue to help maintain and grow our CBD now and into the future.

The overarching goal of the Dubbo CBD Precincts Plan is to provide a concise and easily understood strategic plan that also provides for appropriate systems and mechanisms to enable implementation and achievement of the 50 bright ideas the community has identified.

The former Dubbo City Council at its meeting on 29 March 2016 considered a report in respect of the CBD Precincts Plan and resolved as follows:

- "1. That the draft Dubbo CBD Precincts Plan provided here in Appendix 2 be adopted.*
- 2. That the people who provided the submissions included in Appendix 1 of this report be advised of the outcome of Council's considerations and thanked for their submissions.*
- 3. That an advertisement advising of the adoption of the Dubbo CBD Precincts Plan be placed in local media.*
- 4. That formal correspondence be provided to all persons involved in the 'Ignite Our Centre' Community Engagement Program and preparation of the Dubbo CBD Precincts Plan, thanking them for their assistance in these processes.*
- 5. That a further report be provided to Council for consideration in June 2016 detailing progress for the elements included in the four Implementation Programs included in the Plan."*

It is also important to note that the CBD Precincts Plan is a community-led Plan, with the actions areas and associated bright ideas coming directly from the Ignite Our Centre community engagement program. As the CBD Precincts Plan was developed by the Dubbo community it is also important to note that the actions are not solely a responsibility of Council. The actions and bright ideas identified in the Plan should be achieved as a partnership with the community, businesses within the Precincts identified in the Plan and Council.

### REPORT

#### 1. Implementation of the CBD Precincts Plan

The CBD Precincts Plan includes four (4) separate and distinct implementation programs, reflective of the core pillars of success for the Dubbo CBD, which include as follows:

- 'Ignite' Placemaking Program
- Fast Track Approvals Program

- CBD Infrastructure Improvements Program
- Development Incentivisation Program.

The following provides a brief explanation of each of the four (4) Programs that will deliver many of the Bright Ideas included in the CBD Precincts Plan. In addition, a brief comment has also been provided in respect of the Bright Ideas which are completed and/or are currently underway. A full list of the Bright Ideas included in the CBD Precincts Plan is provided here in **Appendix 1**.

**(i) 'Ignite' Placemaking Program**

The 'Ignite' Placemaking Program is a Council-funded initiative, which aims to quickly implement many of the 50 Bright Ideas for placemaking in the Dubbo City Centre. The program will initially run for two (2) years after which a detailed review of the program will be undertaken by Council.

The Dubbo 'Ignite' Placemaking Program has the following aims:

- To contribute to the distinctive branding and identification of the City Centre as a whole and to individual precincts within the CBD.
- To allow for quick implementation of small scale activation projects and to test concepts for larger scale implementation.
- To deliver many of the lighter and quicker projects identified by the community as part of the 50 Bright Ideas.
- To encourage and support stakeholders in the identification and development of further placemaking projects for delivery.
- To develop and implement metrics for assessing the impact of placemaking activities on retail trade, CBD foot traffic and new business attraction.

The Ignite Program Coordinator commenced with Council on 15 March 2016. The role of the Ignite Program Coordinator is to act as a first point of contact for Dubbo CBD stakeholders with Council in the delivery of the identified projects, to work with stakeholders to identify new projects and to act in a coordinating capacity to achieve the identified projects and initiatives and to facilitate new projects and initiatives.

To facilitate the management and coordination of the Program, an Ignite Program for 2016 to 2018 has been developed. The Ignite Program is the subject of a separate report to Council for consideration.

**(ii) Fast Track Approvals Program**

The CBD Precincts Plan identifies a comprehensive program of policy changes, streamlined processes, improved documentation and information guides to assist achievement of the following:

- To encourage start-up businesses to choose the CBD as the best place to set up shop.

- To ensure the development application and approvals processes match business needs in terms of timeframes, cost and level of risk.
- To attract new business offerings and a wider range of goods and services to our Centre, to make it more attractive, viable and commercially resilient.

The Bright Ideas in respect of the Fast Track Approvals Program that are currently underway or completed are included in the following table:

Bright Idea Number	Bright Ideas	Progress Comment
23	Streamline the process to obtain a busking approval across the CBD.	Complete. New process in place.
24	Allow coffee shops/cafes to have longer trading hours, utilise social media and on-street advertising for promotions.	Complete. Expressions of interest provided to coffee shops and cafes, a number have taken up the opportunity.
25	Enable pop-up eateries at key sites in the CBD, such as Bligh Street along the river corridor. Enable the use of mobile food trolleys, vans, shipping containers and other temporary structures for pop-up food and beverage.	Underway. Investigations have commenced including an internal review of Council policies.
26	Investigate options for a revised Street Trading Policy to allow retailers and traders to easily utilise the footpath for street trading and promotions.	Underway. Investigations have commenced including an internal review of Council policies. A draft Local Approvals Policy is currently being prepared.

### (iii) CBD Infrastructure Improvements Program

The CBD Precincts Plan identifies a number of areas where the structure and operation of current infrastructure supporting the CBD may need to be examined and targeted improvements developed.

Such areas include (but are not limited to) street lighting, traffic and parking arrangements as well as other issues. However, a significant issue for consideration is vehicular access arrangements to and from the CBD, including access from the LH Ford Bridge.

The CBD Precincts Plan includes a number of ideas that require further detailed studies to be undertaken and to develop investment options for improvements to CBD infrastructure. This will enable the Dubbo CBD to be adequately prepared for the future, make it more resilient to economic change and able to accommodate future growth and development requirements.

The Bright Ideas in respect of the CBD Infrastructure Improvements Program that are currently underway or completed are included in the following table:

Bright Idea Number	The Big Ideas	Progress Comment
28	Plan for infrastructure upgrades to the Rotunda eg paint roof, maintain power points, installation of a permanent light show, etc.	Underway.  Infrastructure upgrades to the Cyril Flood Rotunda area currently in the planning stages.
29	Bike parking - investigate current allocation and utilisation of bike parks in the CBD.	Underway.  Consultants Cardno are currently completing the Dubbo Pedestrian Access and Mobility Plan and Dubbo Bike Plan. Bike parking is a component of this Study.
30	Investigate options to link the Tracker Riley Cycleway to the CBD (eg trail of LED-lit sculptures to the CBD, designed through a business-sponsored competition).	Underway.  Consultants Cardno are currently completing the Dubbo Pedestrian Access and Mobility Plan and Dubbo Bike Plan. Bicycle links to and from the Dubbo CBD are a core component of this Study.
31	Plan for footpath extensions or removal of some car parking spaces to provide for alternatives such as street dining or parklets.	Underway.
33	Investigate the current vehicle parking requirements for various types of business activities and developments in the CBD.	Underway.  A review of other Council's vehicle parking requirements in respect of commercial development is underway as a component of the review of the Dubbo Development Control Plan 2012.

Bright Idea Number	The Big Ideas	Progress Comment
35	Investigate options for the provision of shade over Council-owned carparks in the CBD.	Underway.
37	Investigate options for permanent lighting installations in the CBD at night time to improve safety and security.	Underway.
39	Consider further extension of existing bike paths along Bligh Street and make bike paths safer for children to ride in the CBD.	Underway.  Consultants Cardno are currently completing the Dubbo Pedestrian Access and Mobility Plan and Dubbo Bike Plan. The augmentation and extension of the bicycle network in Dubbo is a core component of this Study.
41	Consider access to/from the CBD for all road users, including active participation in lobbying for an upgrade of the LH Ford Bridge.	Underway.  As part of the State Government announcement for the proposed duplication of the LH Ford Bridge, Roads and Maritime Services are currently undertaking planning work in respect of the proposed duplication. This work will ultimately inform the future access network to the CBD.

**(iv) Development Incentivisation Program**

The Dubbo CBD Precincts Plan promotes the need for the further incentivisation of development in the City Centre to ensure the Dubbo CBD remains as the focal point for the Orana Region. A number of submissions from stakeholders and the community pointed to the need to consider options to encourage new businesses and entities to set up in the City Centre, through the provision of targeted development incentives.

With regard to the CBD, the Development Incentivisation Program will:

- Examine options to lower the costs of development contributions, particularly for the smaller, start-up boutique businesses that are the best use of the smaller, older shopfronts along our main streets.
- Examine options to encourage new major anchor tenants to locate to the CBD.

- Examine options to incentivise the development of quality, medium density residential development in and around the CBD.

The Bright Ideas in respect of the Development Incentivisation Program that are currently underway or completed are included in the following table:

Bright Idea Number	The Bright Ideas	Progress Comment
45	Encourage use and activation of the former Post Office building.	Underway.  Examination of heritage grant funding and other mechanisms.
46	Develop a start-up kit for new businesses and other mechanisms to encourage new business ventures in the CBD.	Underway.
47	Consider the provision of targeted development incentives through Section 94 and 94A Contributions regimes for the CBD to encourage development.	Partial Completion.
49	Seek a financial suitability and constraints assessment for undertaking residential development in the CBD.	Underway

### 3. Plan Reporting

The CBD Precincts Plan includes 50 Bright Ideas that the community and CBD stakeholders developed during the Ignite Our Centre Community Engagement Program. Ongoing management and achievement of the components of the CBD Precincts Plan will be important to ensure the overall success of the Plan and to maintain the health and vitality of the Dubbo Central Business District.

However, not all of the 50 Bright Ideas as included in the CBD Precincts Plan can be actioned and achieved in the short-term. Many of the Bright Ideas will require detailed investigation, planning and financial outlay over a medium and long-term to ensure they can be achieved.

Plan reporting in respect of the Fast Track Approvals Program, the CBD Infrastructure Improvements Program and the Development Incentivisation Program is proposed to be undertaken on a six monthly basis in April and October annually.

It should be noted that plan reporting in respect of the 'Ignite' Placemaking Program has not been considered in this report and is subject of a separate report for the consideration of Council.

## SUMMARY

The Dubbo CBD Precincts Plan is a community led Plan that was developed with extensive community and stakeholder consultation through the Ignite Our Centre community engagement program.

The CBD Precincts Plan brings together the identified themes, strategies and bright ideas for improvements to the Dubbo CBD that were identified by stakeholders and the community. These ideas range from small scale, quickly implementable improvements to larger scale, long-term transformative projects in and around the CBD.

This report provides an initial update to Council as to the progress towards achievement of the 50 Bright Ideas as included in the CBD Precincts Plan. The report includes a brief statement as to the status of the 50 Bright Ideas that have either been achieved, or are currently underway. A full list of the Bright Ideas included in the CBD Precincts Plan is provided here in **Appendix 1**.

To facilitate achievement of the Lighter, Quicker, Cheaper projects, a separate Ignite Placemaking Program has been prepared. The Ignite Placemaking Program including the current status of Ignite projects is the subject of a separate report to Council for consideration.

It is recommended that the report be noted and plan reporting in respect of the Fast Track Approvals Program, the CBD Infrastructure Improvements Program and the Development Incentivisation be provided to Council on a six monthly basis in April and October annually.

Appendices:

- 1 CBD Precincts Plan Implementation Programs - Bright Ideas List



**CBD Precincts Plan 50 Bright Ideas – Implementation Programs**

**PLACEMAKING**

Ignite Placemaking Program

Bright Idea Number	Bright Idea
1	Trial the planting of a new tree species with less leaf and seed litter across the City including, but not limited to, the southern end of Macquarie Street.
2	Improve the ambiance of the CBD through undertaking activities such as: repainting seats, pressure cleaning pavers, attaching strings of lights across CBD areas, portable gardens, etc.
3	Investigate the development of a program to encourage and allow street art within the CBD.
4	Encourage more public art in the CBD.
5	Facilitate artists to undertake murals on vacant walls around the CBD, where required.
6	Encourage after-hours activation e.g.: themed evening precincts for dining, shopping and other activities.
7	Investigate the creation of additional food markets e.g.: bridge-to-bridge festival with food and wine activities.
8	Facilitate and encourage monthly markets in the CBD that are different from the current style of markets on offer in Dubbo.
9	Encourage live music at the Church Street Rotunda.
10	Facilitate a consultation and engagement program with CBD stakeholders and the community with respect to naming of the CBD.
11	Undertake marketing and promotion activities based on the results of stakeholder engagement in relation to naming and/or branding of the CBD.
12	Appoint an Ignite Program Coordinator for the City.
13	Work with key stakeholders with the intent to form a CBD traders/retailers group.
14	Make better use of the current Dubbo Events Network – Council to provide streamlined processes for festivals and events in the CBD.
15	Encourage laneway activation through better use of walkways for connectivity, facilities, shops and arcades, etc.
16	Investigate options for street closures or shared zones in the CBD.
17	Promote the location of free car parking spaces in the CBD through the installation of signage that allows for better way finding.
18	Encourage an increased police presence in the CBD through regular pop-up police patrols to discourage anti-social behaviour and increase safety and security for CBD users.
19	Provide free Wi-Fi locations in designated areas of the CBD.
20	Investigate the provision of portable toilet facilities in various locations in the CBD to consider whether an appropriate level of demand exists for Council to provide a new facility.
21	Investigate options for CBD shopping tours for tourists and locals that also highlights the heritage of our City Centre.
22	Undertake a shopfront promotion competition.

## CUTTING RED TAPE

### Fast Track Approvals Program

Bright Idea Number	Bright Idea
23	Streamline the process to obtain a busking approval across the CBD.
24	Allow coffee shops/cafes to have longer trading hours, utilise social media and on-street advertising for promotions.
25	Enable pop-up eateries at key sites in the CBD, such as Bligh Street along the river corridor. Enable the use of mobile food trolleys, vans, shipping containers, and other temporary structures for pop-up food and beverage.
26	Investigate options for a revised Street Trading Policy to allow retailers and traders to easily utilise the footpath for street trading and promotions.

**INFRASTRUCTURE DEVELOPMENT**

CBD Infrastructure Improvement Program

Bright Idea Number	Bright Idea
27	Investigate the provision of seating and shade between Macquarie Street and the river to connect the CBD to the river and make it more pleasant and easy to access
28	Plan for infrastructure upgrades to the Rotunda e.g.: paint roof, maintain power points, installation of a permanent light show, etc.
29	Bike parking - investigate current allocation and utilisation of bike parks in the CBD.
30	Investigate options to link the Tracker Riley Cycleway to the CBD e.g.: trail of LED-lit sculptures to the CBD, designed through a business-sponsored competition.
31	Plan for footpath extensions or removal of some car parking spaces to provide for alternatives such as street dining or parklets.
32	Enforcement of requirements for light/heavy vehicle loading at certain times.
33	Investigate the current vehicle parking requirements for various types of business activities and developments in the CBD.
34	Investigate and undertake an audit of parking restrictions in the CBD.
35	Investigate options for the provision of shade over Council-owned carparks in the CBD.
36	Investigate options for a convenient and efficient shuttle transport system within the CBD.
37	Investigate options for permanent lighting installations in the CBD at night time to improve safety and security.
38	Investigate locations and options for the provision of a children's playground and family-friendly area in the CBD.
39	Consider further extension of existing bike paths along Bligh Street and make bike paths safer for children to ride in the CBD.
40	Provision of dog friendly infrastructure e.g.: tie posts, poo collection bags etc.
41	Consider access to/from the CBD for all road users, including active participation in lobbying for an upgrade of the L.H. Ford Bridge.
42	Investigate options for the consolidation of car parking and the freeing of land for development via the provision of a multistorey carpark in the CBD.
43	Based on a trialing of a new tree species, consider progressively replacing trees along Macquarie Street

**MAKING DEVELOPMENT EASIER**

Development Incentivisation Program

Bright Idea Number	Bright Idea
44	Consider options to encourage the opening of the rear side of Macquarie Street for shops to face the Macquarie River.
45	Encourage use and activation of the former Post Office building.
46	Develop a start-up kit for new businesses and other mechanisms to encourage new business ventures in the CBD.
47	Consider the provision of targeted development incentives through Section 94 and 94A Contributions regimes for the CBD to encourage development.
48	Encourage establishment and expansion in the CBD of regional headquarters and service centres for both public and private sector organisations.
49	Seek a financial suitability and constraints assessment for undertaking residential development in the CBD.
50	Consider options to demolish the NPWS/Commonwealth Bank building to create a piazza space and open up the Old Dubbo Gaol onto Macquarie Street.

## **REPORT: New Draft Section 94 Contributions Plan for Dubbo Open Space and Recreation Facilities - Public Exhibition Results**

**AUTHOR:                   Manager City Strategy Services**

**REPORT DATE:       7 June 2016**

**TRIM REFERENCE: ID16/1053**

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### **EXECUTIVE SUMMARY**

The former Dubbo City Council at its meeting on 22 March 2016 considered a report in respect of a new draft Section 94 Developer Contributions Plan for Open Space and Recreation Facilities in Dubbo. In consideration of the report, the former Dubbo City Council resolved as follows:

- “1. That the new draft Section 94 Contributions Plan for Open Space and Recreation Facilities be adopted and placed on public exhibition for a minimum period of 28 days.*
- 2. That following completion of the public exhibition period, a further report be provided to Council for consideration including any submissions received.”*

The new draft Section 94 Developer Contributions Plan for Open Space and Recreation Facilities was placed on public exhibition from 7 April 2016 to 6 May 2016. One (1) submission was received during the exhibition period, which sought further clarification in respect of the structure of the draft Plan and the contributions regime included.

The new draft Plan separates the urban areas of the City of Dubbo into individual local planning units which closely align with the Australian Bureau of Statistics Collection Districts. This has allowed Council to ensure the contributions applicable for a development undertaken in an individual planning unit are based on the value of the infrastructure works proposed to be undertaken in the area and the population growth expected to be realised in these individual areas.

This approach to developer contributions for Open Space and Recreation Facilities has resulted in a notable decrease in the level of contributions proposed to be levied in the Plan. The following table provides a comparison between the contributions currently levied for a ‘one lot into two lots’ subdivision and the contributions proposed to be levied in the new draft Plan.

Current Plan	New Draft Plan					
	West (North)	West (South)	Central (North)	Central (South)	East (North)	East (South)
\$5,096.16	\$4,806.54	\$4,918.00	\$4,349.20	\$3,537.50	\$4,349.20	\$4,514.76
<b>Difference \$</b>	(\$289.62)	(\$178.16)	(\$746.96)	(\$1,558.66)	(\$746.96)	(\$581.40)
<b>Difference %</b>	(-6.02%)	(-3.62%)	(-17.17%)	(-44.06%)	(-17.17%)	(-12.88%)

In addition, the new draft Plan also proposes to not levy contributions for development undertaken in village areas and for land zoned R5 Large Lot Residential that does not adjoin land currently zoned residential under the provisions of the Dubbo Local Environmental Plan 2011.

It should be noted that the new draft Section 94 Contributions Plan for Open Space and Recreation Facilities is not proposed to apply to development undertaken in the former Wellington Council area. Development undertaken in the former Wellington Council area is subject to the provisions of the former Wellington Council Section 94A Development Contributions Plan 2012.

This report provides the results of the public exhibition period and recommends that Council adopt the new draft Section 94 Developer Contributions Plan for Dubbo Open Space and Recreation Facilities as provided here in **Appendix 1**. Furthermore, it is recommended that the new draft Plan commence operation on 1 July 2016.

### FINANCIAL IMPLICATIONS

If Council resolves to support the recommendation to adopt the new draft Plan, contributions for open space and recreation facilities in the City of Dubbo can be levied on residential developments where there is an increase in density in accordance with the provisions of the draft Plan. The new draft Plan will facilitate a more robust contributions system for open space and recreation facilities that fully considers the location of development, population growth and the open space and recreation facilities demands of the future population.

If Council resolves to not support the recommendation, contributions under Council's existing Section 94 Contributions Plan Open Space and Recreation Facilities will continue to be levied until the current Plan ceases operation on 30 June 2016. After this time, Council cannot levy contributions for open space and recreation facilities and funds for the provision of open space and recreation facilities would be required to be delivered from other funding sources which would result in more pressure being placed on the collection of funds for the delivery of open space and recreation infrastructure through land rates and other fees and charges.

### POLICY IMPLICATIONS

Once adopted, the new draft Section 94 Contributions Plan for Dubbo Open Space and Recreation Facilities would become Council Policy and therefore would supersede the current Section 94 Plan.

**RECOMMENDATION**

- 1. That the new draft Section 94 Developer Contributions Plan for Dubbo Open Space and Recreation Facilities as provided here in Appendix 1 be adopted.**
- 2. That the current Section 94 Developer Contributions Plan for Open Space and Recreation Facilities cease operation on 30 June 2016.**
- 3. That the new draft Section 94 Developer Contributions Plan for Dubbo Open Space and Recreation Facilities commence operation on 1 July 2016.**
- 4. That the person who made a submission be thanked for their submission and advised of Council's determination in this matter.**

*Steven Jennings*  
Manager City Strategy Services

## BACKGROUND

The former Dubbo City Council at its meeting on 22 March 2016 considered a report in respect of a new draft Section 94 Developer Contributions Plan for Open Space and Recreation Facilities. Council in consideration of the report resolved as follows:

- “1. That the new draft Section 94 Contributions Plan for Open Space and Recreation Facilities be adopted and placed on public exhibition for a minimum period of 28 days.*
- 2. That following completion of the public exhibition period, a further report be provided to Council for consideration including any submissions received.”*

The purpose of this report is to provide the results of the public exhibition period for the new draft Section 94 Developer Contributions Plan – Open Space and Recreation Facilities.

## REPORT

### 1. Public Exhibition

The new draft Section 94 Developer Contributions Plan for Dubbo Open Space and Recreation Facilities was placed on public exhibition from 7 April 2016 to 6 May 2016. As a component of the Communications Strategy for the draft Plan, an advertisement was placed in the Daily Liberal and the draft Plan was made publicly available at the Dubbo Branch of the Western Plains Regional Council, Dubbo Macquarie Regional Library and on Council’s website. In addition, Council also provided separate correspondence to the invitees of the regular Mayoral Developers Forums.

Council received one (1) submission during the exhibition period. A copy of the submission is provided here in **Appendix 2**.

#### Submission – Michael Quinn

The submission states as follows:

*“I would like some clarification on how the changes in level of contributions proposed for each area were arrived at. Specifically, why is Central South given such a discount? - 44% compared to -3.6% for West South next door – 12 times the difference. More than double the next closest.*

*The level of contribution does not match the level of development planned for most areas. Should that be a factor to be considered?*

*If we are splitting up Dubbo for contributions and development, shouldn’t they match better?*



*Are there figures for expected population growth for each area – and therefore expected developments for each area that can be made available?”*

Comment:

As referenced in the submission, the draft Plan separates the urban areas of Dubbo City into individual local planning units which closely align with the Australian Bureau of Statistics' Collection Districts. This has allowed Council to ensure the contributions applicable for a development undertaken in an individual planning unit are based on the value of the infrastructure works proposed to be undertaken in the area and the population growth expected to be realised in these individual areas of Dubbo.

Each local planning unit does not have the same open space and recreation facilities infrastructure proposed to be provided. The actual location and type of open space and recreation facilities infrastructure included in the draft Plan has been derived from the Dubbo Open Space Master Plan. The level of planning and analysis to provide such facilities in the Master Plan included a review of Council's current open space assets and preparation of a gap analysis based on the likely future level, location and composition of the City's population.

Based on the expected population growth in each Local Planning Unit between 2016 and 2026, calculation of the Local Planning Unit contribution is based on the following formula:

$$\text{Local Planning Unit Contribution per Person} = \frac{\text{Local Planning Unit Work Schedule Value}}{\text{Expected Planning Unit Population}}$$

The applicable per person contribution for each Local Planning Unit is provided in the following table:

Planning Unit	Contribution
West (North)	\$1,848.67
West (South)	\$1,891.54
Central (North)	\$1,672.77
Central (South)	\$1,360.58
East (North)	\$1,672.77
East (South)	\$1,736.44

The submission refers to the difference in proposed contribution between the Central (South) Planning Unit and the West (South) Planning Unit. The location and relationship of the two (2) subject Planning Units are shown in Figure 1.

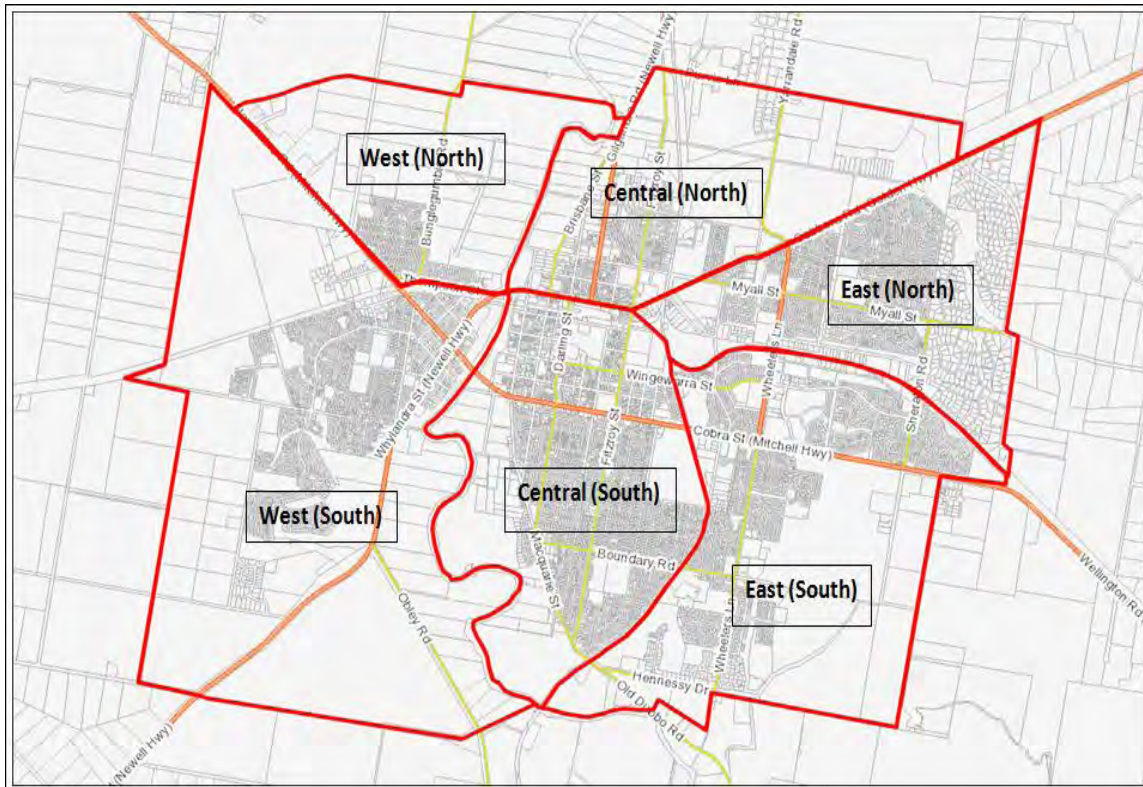


Figure 1. Location of Local Planning Units

The Central (South) Planning Unit includes the majority of lands in south Dubbo, the Dubbo Central Business District and land situated immediately to the east as provided in Figure 1. It is anticipated that residential development in this area will predominately consist of infill development and shop-top housing development in the Central Business District.

The West (South) Planning Unit includes a significant area of west Dubbo and land situated in the defined South-West Dubbo Residential Urban Release Area. The South-West Residential Urban Release Area was included in the Dubbo Residential Areas Development Strategy in 1996 as a key residential growth area for the City. The South-West Residential Urban Release Area has the potential to provide some 3,558 residential allotments. Figure 2 shows the location of defined Residential Urban Release Areas in the City.

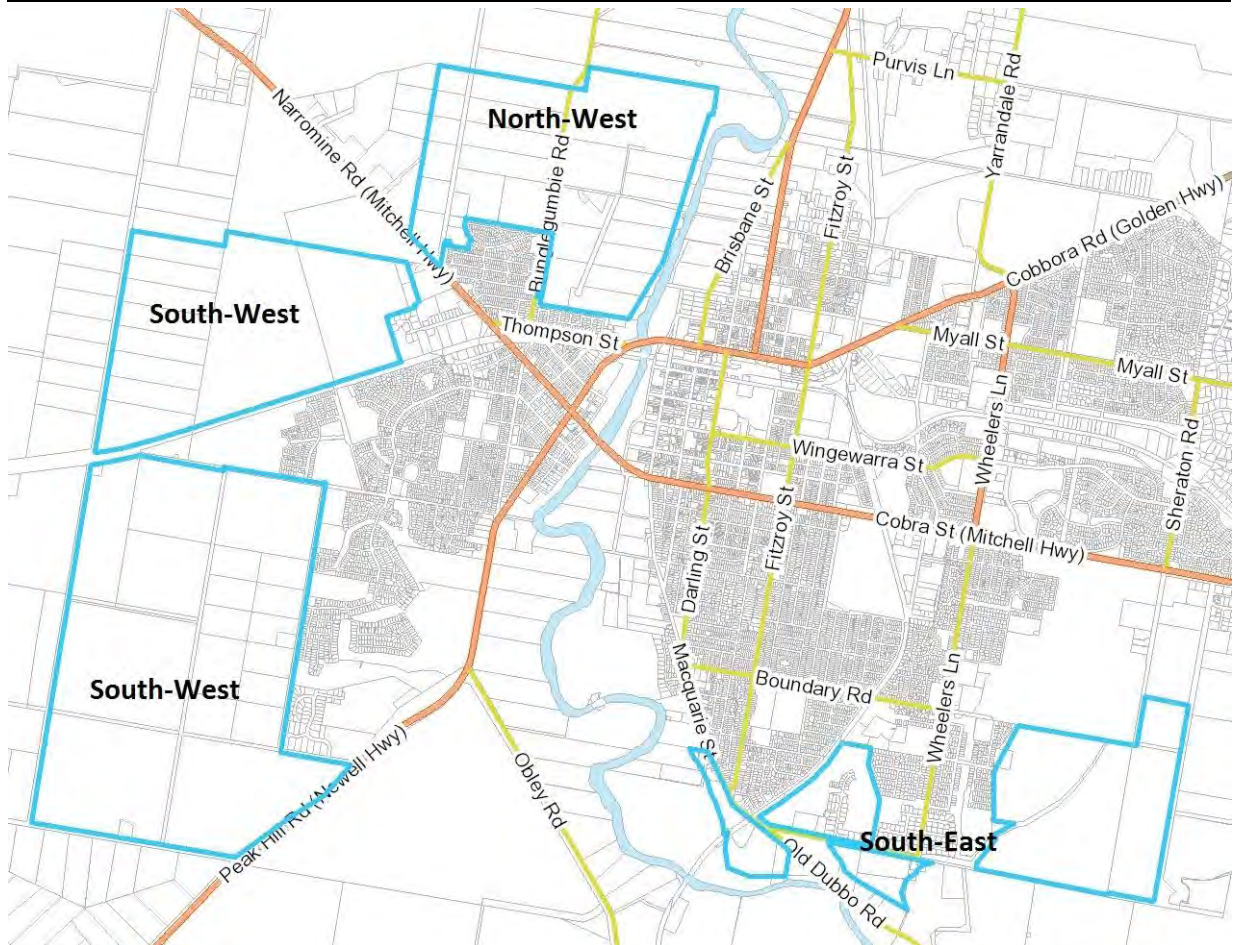


Figure 2. Defined Residential Urban Release Areas – Dubbo Local Environmental Plan 2011

Based on the role and purpose of lands in the West (South) Planning Unit and the number of future allotments the land could yield, the draft Plan includes land acquisition and associated embellishment for the provision of open space and recreation facilities consummate with the anticipated level of development.

## 2. Future Direction

If Council resolves to adopt the new draft Section 94 Contributions Plan for Dubbo Open Space and Recreation Facilities, upon commencement of the new draft Plan the current Section 94 Contributions Plan for Open Space and Recreation Facilities will be superseded.

In accordance with the requirements of the Environmental Planning and Assessment Act, 1979 and the Environmental Planning and Assessment Regulation, 2000, the new draft Plan will commence operation following advertisement in local print media of Council's adoption.

If Council resolves to adopt the new draft Plan it is proposed that the Plan commences operation from 1 July 2016. This would ensure Council's accounting and management processes for the current Section 94 Plan can be concluded at a logical time and allow for a streamlined commencement of the new draft Plan.

It should also be noted that at commencement of the new draft Plan on 1 July 2016, any funds levied and received by Council under previous plans would be used to finalise the delivery of open space and recreation facility infrastructure identified in the current Section 94 Developer Contributions Plan for Open Space and Recreation Facilities. Following commencement of the draft Plan, funds levied and received under the new draft Plan would be used towards the delivery of the specific works identified in the Plan.

### **SUMMARY**

The new draft Section 94 Developer Contributions Plan for Dubbo Open Space and Recreation Facilities was placed on public exhibition from 7 April 2016 to 6 May 2016. One (1) submission was received during the exhibition period. This report recommends that the draft Plan be adopted to commence 1 July 2016.

#### Appendices:

- 1** Section 94 Contributions Plan for Dubbo Open Space and Recreation Facilities - 2016-2026
- 2** Submission



**Section 94 Development Contributions Plan  
Open Space and Recreation Facilities  
2016-2026**

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## Table of Contents

<b>1. Introduction and Executive Summary</b> .....	5
1.1 Purpose of the Plan .....	5
1.2 Scale of future development .....	5
1.3 Timescales identified in the Plan .....	5
1.4 Administration levy .....	6
1.5 Structure of contributions.....	7
1.6 Summary of facilities.....	7
1.7 Summary of contribution rates.....	8
<b>2. Administration and Plan Operation</b> .....	11
2.1 Name of this Plan .....	11
2.2 Land to which the Plan applies .....	11
2.3 Structure of the Plan .....	12
2.4 What is the purpose of this Development Contributions Plan? .....	12
2.5 Commencement of this Plan.....	12
2.6 Operation Period of the Plan .....	13
2.7 Relationship with other Land Use plans, reports and policies .....	13
2.8 Development forms to which this Plan applies .....	13
2.9 Development Types Exempt from the Plan .....	13
2.10 Payment of contributions .....	14
2.11 Methods of Payment .....	14
2.12 Construction Certificates and the obligation of accredited certifiers .....	14
2.13 Complying development and the obligation of accredited certifiers.....	15
2.14 Material public benefit and works-in-kind .....	15
2.15 Deferred or periodic payments.....	17
2.16 Planning Agreements .....	17
2.17 Indexation .....	18
2.18 Review of the Plan .....	18
2.19 Pooling of Contributions .....	19
2.20 Accounting standards and contributions register .....	19
2.21 Treatment of funds received prior to the commencement of this Plan .....	19
2.22 Calculation of contributions.....	19
2.22.1 UrbanContribution .....	20
2.22.2 Outside of Urban Area Contribution.....	22

Section 94 Development Contributions Plan – Open Space and Recreation Facilities 2016-2026

---

2.22.3	Plan Administration.....	22
2.23	Dubbo Planning Units .....	24
2.24	Savings and transitional arrangements .....	26
<b>3.</b>	<b>Contributions Strategy.....</b>	<b>27</b>
3.1	Demographic Trends.....	27
3.1.1	Population Statistics .....	27
3.1.2	Population Trends.....	27
3.2	Total Housing Demand.....	29
3.3	Anticipated Development.....	30
3.4	Demand Quantification.....	32
3.4.1	Dubbo Open Space Master Plan .....	32
3.4.2	Dubbo City Park .....	33
3.5	What is the relationship between expected demand and the delivery of infrastructure? .....	34
3.5.1	What is nexus?.....	34
3.5.2	Causal Nexus .....	35
3.5.3	Spatial Nexus.....	35
3.5.4	Temporal Nexus .....	36
3.6	Apportionment.....	37



## **1. Introduction and Executive Summary**

### **1.1 Purpose of the Plan**

The Dubbo City Open Space Network and Recreation Facilities need to expand and develop to meet expected population growth, both in spatial terms and in the range and quality of amenity provided. Dubbo City Council has identified a range of land acquisition, parkland and sporting facility expansion and related embellishment that is be required to support this growth.

In 2014, the Estimated Resident Population (ERP) of the Dubbo City Local Government Area (LGA) was 41,573. The Dubbo Local Environmental Plan 2011 (LEP 2011) is based on agreed demographic projections that forecast a minimum population for Dubbo in 2026 of 45,150 and a maximum population of 50,450.

The cost of this new infrastructure would present an unsustainable burden on existing ratepayers. In line with the well established practice, Dubbo City Council proposes to levy appropriate contributions from developers of residential subdivisions, residential accommodation and other developments resulting in the provision of new accommodation in the City.

This plan has been prepared in accordance with the provisions of Section 94B of the Environmental Planning and Assessment Act, 1979 (the Act) and Part 4 of the Environmental Planning and Assessment Regulation 2000 (the Regulation).

### **1.2 Scale of future development**

To provide sufficient residential opportunities to support the projected population growth the Dubbo Local Environmental Plan (LEP 2011) plans for urban expansion involving the release of approximately 6,946 new lots by 2036. By 2026, 4551 new residential lots should be released for development.

Key to the amenity and attractiveness of residential development is the provision of appropriate community infrastructure including adequate, proximate and useable open spaces and recreation facilities. This projected population growth and consequent urban expansion and development is discussed in greater detail in Section 3 of this Plan.

### **1.3 Timescales identified in the Plan**

This Plan will operate from \_\_\_\_\_ through to \_\_\_\_\_ .

The Plan contains overall expenditure of the following:

- City-wide Contribution \$3,330,000; and
- Local Contribution \$7,056,340.

Section 94 Development Contributions Plan – Open Space and Recreation Facilities 2016-2026

It is acknowledged that during the life of the Plan the total contributions may not be able to be levied due to the demand for residential development to be undertaken in the Dubbo Local Government Area.

All contributions collected from this Plan will be utilised by Council to deliver the projects in the works summary included in Appendix 1 during the operation of this Plan.

The Plan will be reviewed regularly by Council to ensure that the works included in the Plan have the ability to be delivered within a reasonable timeframe consistent with the level of residential development in the City.

If at the end of the ten (10) year life of this Plan works have not been undertaken, consideration will be given by Council to rolling these works into the next iteration of the Plan.

**1.4 Administration levy**

The preparation and ongoing administration of the Contributions Plan requires the provision of additional resources to ensure the plan is effective and achieves its intended purpose. It is appropriate to recoup some of these costs to ensure Council delivers the required public facilities and the contributions are used effectively and in a timely manner. In order to partially fund these additional services, this Plan documents Council’s policy for requiring an Administration Levy.

Activity	Cost
Drafting of Section 94 Contributions Plan	\$23,100.00
Preparation of Open Space Master Plan	\$11,616
<b>TOTAL</b>	<b>\$34,716</b>
Ongoing Plan administration	\$45,000 per annum

Table 1. Plan Administration Levy

To ensure the administration costs associated with preparation of this Plan, the Open Space Master Plan and ongoing administration of this Plan do not impact the viability of development in the City, the actual administration levy included in this Plan consists of the following:

Activity	Cost
Drafting of Section 94 Contributions Plan	\$4.90 per person
Ongoing Plan administration	\$18.90 per person
<b>Total</b>	<b>\$23.80 per person</b>

Table 2. Total Plan Administration Levy per Person

### 1.5 Structure of contributions

Contributions levied in this Plan are based on two (2) components including a City Wide contribution and a Local contribution.

The City Wide contribution is levied by Council towards the provision of open space including the embellishment of existing open space, which serves the recreational needs of all residents in the Dubbo Local Government Area.

The Local contribution is towards the provision of open space in one of seven (7) catchment areas throughout the City. These open space catchment areas also correspond with the Australian Bureau of Statistics Census Districts for the Dubbo Statistical Division.

A contribution for any development undertaken within the Urban Area as shown on Figure 2 will be the sum of the following:

**Total Contribution = Citywide PU levy + Local PU levy + Plan Administration levy**

A contribution for any development undertaken outside of the Urban Area as contained in this Plan will be the sum of the following:

**Total Contribution = Citywide PU levy + Plan Administration levy**

CU, LPU and administration contributions are calculated using the following formulae:

**Contribution = Per Capita Net Apportioned Cost x Average Household Occupancy**

This formula includes two key elements, as follows:

- Per Capita Net Apportioned Cost; and
- Average Occupancy = Dubbo Average Occupancy rate for detached single house taken from 2010 Census (2.6 persons)

### 1.6 Summary of facilities

The following information provides a summary of the facilities included in this Plan for the purposes of City-wide contributions and local contributions:

Section 94 Development Contributions Plan – Open Space and Recreation Facilities 2016-2026

**City-wide Planning Unit**

Location	Name	Type
City Park	Regional Botanical Garden	Embellishment
City Park	Former Sewerage Treatment Plant Lands	Acquisition
North	Bob Dowling Park	Embellishment
North	John McGrath	Embellishment
Regional Botanic Garden	Elizabeth Park car park	Embellishment
Regional Botanic Garden	Elizabeth Park entrance building	Embellishment
Regional Botanic Garden	Elizabeth Park playground	Embellishment

Table 3. Summary of City Wide Planning Unit Projects

**Local Planning Unit**

Planning Unit Location	Name	Type
East North	Alexander Bell Park	Embellishment
Central North	Powter Park	Embellishment
Central South	RAAF Base Park	Acquisition
West South	South West Urban Release Area Open Space	Acquisition and Embellishment
West North	North West Urban Release Area Open Space	Acquisition and Embellishment
East South	South East Urban Release Area Open Space	Acquisition and Embellishment
West South	Delroy North Playground	Embellishment
East South	Margaret Crescent Easement	Embellishment
East South	Keswick Estate Activity Zones	Embellishment
West North	Wiradjuri Park	Embellishment
Central South	Market Garden Sports Fields	Embellishment

Table 4. Summary of Local Planning Unit Projects

**1.7 Summary of contribution rates**

The table provided below includes a summary of the per person contribution rates for each Planning Unit identified in this Plan. The figure included in the contribution column includes a City-wide Planning Unit contribution and a Local Planning Unit contribution.

Section 94 Development Contributions Plan – Open Space and Recreation Facilities 2016-2026

Planning Unit	Contribution
West (North)	\$1,848.67
West (South)	\$1,891.54
Central (North)	\$1,672.77
Central (South)	\$1,360.58
East (North)	\$1,672.77
East (South)	\$1,736.44

Table 5. Summary of Per Person Contribution Rates

Contribution by Dwelling Type

Dwelling Type	Dwelling Occupancy Rate
One (1) bedroom dwellings	1.1 persons per dwelling
Two (2) bedroom dwellings	1.6 persons per dwelling
Three (3) or more bedroom dwellings	2.6 persons per dwelling

Table 6. Dwelling Occupancy Rates

Urban Contribution per Planning Unit

Planning Unit	One (1) Bedroom	Two (2) Bedroom	Three (3) Bedroom or more
West (North)	\$2,033.54	\$2,957.87	\$4,806.54
West (South)	\$2,080.70	\$3,026.46	\$4,918.00
Central (North)	\$1,840.05	\$2,676.43	\$4,349.20
Central (South)	\$1,496.64	\$2,176.93	\$3,537.50
East (North)	\$1,840.05	\$2,676.43	\$4,349.20
East (South)	\$1,910.08	\$2,778.30	\$4,514.76

Table 7. Urban Contribution by Planning Unit

For development undertaken outside the defined urban area and within the R5 Large Lot Residential zone, which adjoins a residential zone under the provisions of the Dubbo Local Environmental Plan 2011, the following contributions will be applicable:

Section 94 Development Contributions Plan – Open Space and Recreation Facilities 2016-2026

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Outside Urban Area Contribution

<b>Number of Bedrooms</b>	<b>Contribution</b>
<b>One (1) Bedroom</b>	\$634.05
<b>Two (2) Bedroom</b>	\$922.23
<b>Three (3) Bedroom or more</b>	\$1,498.67

Table 8. Outside Urban Area Contribution

## 2. Administration and Plan Operation

### 2.1 Name of this Plan

This Plan is the Dubbo City Council Development Contributions (Section 94) Plan – Open Space and Recreation Facilities 2016-2026 (the Plan).

### 2.2 Land to which the Plan applies

The Plan applies to all land within the Dubbo Local Government Area as shown in Figure 1.



Figure 1. Dubbo Local Government Area

### **2.3 Structure of the Plan**

This Plan is arranged into three (3) sections as provided below:

#### **Section 1 - Introduction and Executive Summary**

Section 1 of the Plan provides an introduction and summary of the Section 94 Contributions Plan.

#### **Section 2 – Administration and Plan Operation**

Section 2 of the Plan provides an introduction and includes the administration and operation functions of the Plan.

#### **Section 3 – Strategy (Relationship between people and open space requirements)**

Section 3 of the Plan explains open space and recreational infrastructure and contributions, outlines the forecast future development and basis for increased demand for facilities and services and the nexus and apportionment consideration of the Plan.

### **2.4 What is the purpose of this Development Contributions Plan?**

The purpose of the Development Contributions Plan is to:

- (a) Provide the legal mechanism and framework for Dubbo City Council to seek contributions from developers for the provision of open space and recreation facilities in Dubbo from proponents of development applications and complying development certificates.
- (b) Ensure adequate public open space and community infrastructure, as determined by this Plan, is provided to meet the demands generated by new development.
- (c) Ensure the existing community is not burdened by the provision of community infrastructure required as a result of future development.
- (d) Provide an administrative framework under which specific community infrastructure strategies may be implemented and coordinated.
- (e) Provide a comprehensive strategy for the assessment, collection, expenditure accounting and review of development contributions on an equitable basis.
- (f) Ensure Council is publicly and financially accountable in its assessment and administration of the Plan.

### **2.5 Commencement of this Plan**

This Development Contributions Plan has been prepared pursuant to the provisions of Section 94 of the Environmental Planning and Assessment Act, 1979 and Part 4 of the Environmental Planning and Assessment Regulation, 2000 and takes effect from the date on which public notice was published, in accordance with Clause 31(4) of the Regulation.



The Plan commences on 1 July 2016.

## **2.6 Operation Period of the Plan**

This Plan operate from 2016-2026 (ten (10) years). During this period, the Plan will be monitored and regularly updated or amended to meet variations in growth projections and development priorities.

## **2.7 Relationship with other Land Use plans, reports and policies**

This Plan has been prepared in accordance with the requirements of the Environmental Planning and Assessment Act, 1979 and the Environmental Planning and Assessment Regulation, 2000.

This Plan supersedes the Section 94 Contributions Plan Open Space and Recreation Facilities 2006-2016.

The Plan also should be read in conjunction with the Dubbo Local Environmental Plan 2011 and the Dubbo Development Control Plan 2012.

## **2.8 Development to which this Plan applies**

This Plan applies to the following development types undertaken in the Dubbo Local Government Area:

- Subdivision undertaken for the purposes of residential or rural residential development;
- Residential accommodation (as defined in the Dubbo Local Environmental Plan 2011) resulting in the undertaking of residential development;
- Tourist and visitor accommodation; and
- Seniors Housing.

It should be noted that for residential and rural residential subdivision undertaken in the defined Urban Contributions Area a three (3) or more bedroom dwelling contribution will be applied.

## **2.9 Development Exempt from the Plan**

The types of development exempted from the application of this plan include:

- The undertaking of a dwelling house on an existing allotment of land jointly rated for water and sewer (except where subdivision or an increase in population density is involved).
- A change of use not involving the creation of additional lots or residential accommodation.
- Development classified as being Exempt development in a State Environmental Planning Policy, the Dubbo Local Environmental Plan 2011 or any other Exempt development as determined by the Minister.

- Rural or farming enterprises, not resulting in an increase in the demand for open space facilities.

#### **2.10 Payment of contributions**

Contributions levied by this Plan are required to be paid in any one (1) of the situations as provided below:

- (a) Where a development consent has been issued and an occupation certificate is required, prior to the issue of any occupation certificate.
- (b) Where a development consent has been issued and an occupation certificate is not required, prior to the commencement of the development.
- (c) Where a development consent has been issued for a subdivision and a subdivision certificate is required, prior to release of the subdivision certificate.
- (d) Where a development consent has been issued for a subdivision and a subdivision certificate is not required, prior to commencement of the development.
- (e) Where a complying development certificate has been issued, prior to issue of the occupation certificate.

#### **2.11 Methods of Payment**

In accordance with the provisions of the Act, an obligation to provide contributions toward community infrastructure can be satisfied by one or more of the following methods:

- Payment of a monetary contribution;
- The dedication of land; or
- Provision of a material public benefit.

The method of payment of a contribution will be specified as a condition of development consent will be specified as a condition of the development consent although Council may consider any of the abovementioned alternative methods of payment at its sole discretion and in accordance with the provision of this Plan.

#### **2.12 Construction Certificates and the obligation of accredited certifiers**

In accordance with Section 94EC of the Environmental Planning and Assessment Act, 1979 and Clause 146 of the Environmental Planning and Assessment Regulation, 2000, a certifying authority must not issue a construction certificate for building work or subdivision work under a development consent unless it has verified that each condition requiring the payment of monetary contributions has been satisfied.

In particular, the certifier must ensure that the applicant provides a receipt(s) confirming that contributions have been fully paid and copies of such receipts

must be included with copies of the certified plans provided to the Council in accordance with clause 142(2) of the Regulation. Failure to follow this procedure may render such a certificate invalid.

The only exceptions to this requirement are where a works in kind, material public benefit, dedication of land or deferred payment arrangement has been agreed by the Council or where the proponent has entered into a planning agreement with Council. In such cases, Council will issue a letter confirming that an alternative payment arrangement has been agreed with the applicant.

### **2.13 Complying development and the obligation of accredited certifiers**

In accordance with Section 94EC(1) of the EPA Act, this Plan requires that, in relation to an application made to an accredited certifier for a complying development certificate:

- The accredited certifier must, if a complying development certificate is issued, impose a condition requiring a development contribution, if such a contribution is authorised by this Plan;
- The amount of the monetary contribution that the accredited certifier must so impose by way of condition is the amount determined in accordance with this clause; and
- The terms of the condition must be in accordance with this clause.

The terms of the condition an accredited certifier shall include on a Complying Development Certificate is as follows:

*“Contribution required to be payed to Dubbo City Council*

*The developer must make a monetary contribution to Dubbo City Council for the amount of \$[insert amount] for the purposes of the Section 94 Contributions Plan Open Space and Recreation Facilities 2016 to 2026.*

*The monetary contribution shall be paid to Council prior to occupation of the development.*

*The relevant contribution shall be indexed in accordance with the indexation requirements included in the Section 94 Contributions Plan. Alternatively you can contact Dubbo City Council to seek the correct contribution amount required to be payed.”*

### **2.14 Material public benefit and works-in-kind**

Council may accept an offer by a developer to provide an ‘in-kind’ contribution (ie the developer completes part or all of work/s identified in the Plan) or provision of another material public benefit (other than the dedication of land) in lieu of the developer satisfying its obligations under this Plan.

Section 94 Development Contributions Plan – Open Space and Recreation Facilities 2016-2026

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Council is under no obligation to accept works-in-kind or material public benefit (MPB) offers. Under no circumstances will Council consider any proposal from a developer for an 'in-kind' contribution for any works or other items that are not included in the work schedule included in Appendix 1 of this Plan.

Council in the consideration of any offer, will assess the benefits to the Council, the community and give due consideration to relevant matters including the following:

- (a) The extent to which the works/ MPB satisfies the purpose for which the contribution was sought;
- (b) The works-in-kind being facilities which are already included in the Plan;
- (c) The extent to which the MPB satisfies a community need or may reduce the demand for levied items;
- (d) The impending need to construct the works for which the contributions are to be offset;
- (e) The provision of the works/ MPB will not prejudice the timing, the manner or the orderly provision of public facilities included in the works program or the financial integrity of Council's Plan;
- (f) An assessment of the shortfall or credit in monetary contributions as a result of the proposal;
- (g) The availability of supplementary funding to make up the shortfall in contributions;
- (h) Location and other factors that may affect usability;
- (i) Impact of recurrent operational and maintenance costs; and
- (j) The provision of the works/MPB must not result in piecemeal delivery of infrastructure or likely to result in the need to reconstruct the works due to future nearby developments (i.e. normally the works will need to relate to a whole street block or a defined precinct).

In accepting material public benefits other than a 'work-in-kind', Council must be:

- Satisfied that the offer provides a substantial benefit to the community not envisaged by the Plan; and
- The benefit warrants Council accepting responsibility in fulfilling the intent of the Plan notwithstanding a reduction in expected cash contributions.

A 'work-in-kind' relates to the undertaking of a specific or equivalent work specified in the Plan, and is therefore more readily able, in comparison to other material public benefits, to meet the above criteria. However, Council may not accept a material off-set to the cash contribution to be paid for a facility, where the offset is worth more than the cash contribution otherwise payable.

If the cost of a work-in-kind exceeds the cash payment required by a development consent under the facility category that relates to the work-in-kind, Council may consider the following:

Section 94 Development Contributions Plan – Open Space and Recreation Facilities 2016-2026

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- Provision of the work at the applicant's expense with Council recouping contributions from future development and reimbursing the applicant for costs exceeding the applicant's share, up to the total estimated cost in the Plan; or
- Granting a credit to the applicant on the basis of the equivalent number of persons, beds or workers that the applicant may rely upon to offset contributions otherwise payable under this Plan for other development within the Contributions Catchment.

### 2.15 Deferred payments

Council may accept the deferment of the payment of a contribution for a subdivision that creates in excess of 10 allotments subject to the following conditions:

- (a) Lodgement of an unconditional bank guarantee to cover the amounts of the contribution;
- (b) All money due as part of a deferred contribution is paid to Council within 12 months of the uplift of a subdivision certificate;
- (c) Council will only accept one (1) bank guarantee at a time over a subdivision (defined as a known estate); and
- (d) Prior to Council accepting any further bank guarantee, all outstanding contributions under bank guarantee must be paid to Council.

The decision to accept a deferred payment through bank guarantee requires approval from the relevant Director and the General Manager prior to uplifting of the relevant subdivision certificate and all legal expenses to be covered by the developer.

Alternatively, Council can consider permitting the deferred payment of contributions in accordance with the Council Policy for the Deferred Payment of Developer Contributions for Residential Subdivision.

### 2.16 Planning Agreements

For any deferred payment arrangement entered into the Council and a developer, all legal expenses including Council's expenses are due to be met by the developer.

The Environmental Planning and Assessment Act allows for the negotiation of voluntary planning agreements between Councils, developers, and/or other planning authorities for the provision of public purposes.

Public purposes are defined in the Environmental Planning and Assessment Act, 1979 as (without limitation):

- The provision of (or the recoupment of the cost of providing) public amenities or public services;

Section 94 Development Contributions Plan – Open Space and Recreation Facilities 2016-2026

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- The provision of (or the recoupment of the cost of providing) affordable housing;
- The provision of (or the recoupment of the cost of providing) transport or other infrastructure relating to land;
- The funding of 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 the development; and
- The conservation or enhancement of the natural environment.

Council may seek to negotiate planning agreements with relevant parties in relation to major developments. Such agreements may address the substitution of, or be in addition to, the Section 94 Contributions required under this Plan.

Any draft Planning Agreement shall be subject to any provisions of any Ministerial Directions made under the Environmental Planning and Assessment Act, 1979 or Environmental Planning and Assessment Regulation relating to Planning Agreements.

#### **2.17 Indexation**

During the life of this plan, contributions will be indexed for the effects of inflation. The indexation will occur in accordance with the requirements of the Environmental Planning and Assessment Regulation, 2000, which identifies the Consumer Price Index (Sydney All Groups) (ABS Catalogue No 6401.0) as the appropriate index to use.

Indexation will occur at 1 July each year and is based on the annual % change for the 12 months to March of that year. Where a negative annual % change in this index occurs, contributions shall be indexed at 0%.

#### **2.18 Review of the Plan**

It is intended to monitor the Plan on a regular basis as it contains forecasts of future development including likely future populations and the likely demands and costs of providing community infrastructure for the growing population.

The cost of works proposed by the Plan (including land values) may also need review over time if the indexation of costs may not adequately reflect actual costs at the time.

A review of the Plan may be triggered by any of the following items or otherwise:

- Significant rises in construction or land acquisition costs beyond that covered by the referenced CPI rate.
- Where a material public benefit (MPB) is accepted in lieu of a financial contribution.

- If in the opinion of Council, the underlying demographic, housing occupancy and development timing assumptions underpinning the plan change significantly.

Notwithstanding the above, Council will undertake a review of the Plan every three (3) years.

#### **2.19 Pooling of Contributions**

This Plan expressly authorises monetary contributions paid for different purposes to be pooled and applied (progressively or otherwise) for those purposes.

#### **2.20 Accounting standards and contributions register**

Separate accounting records are maintained for all development contributions made to Council under this Plan and a development contributions register will be maintained by Council in accordance with the Regulation.

Council is also required to publish details of development contributions accounts annually and this is undertaken as part of Council's quarterly and annual financial reporting cycle.

#### **2.21 Treatment of funds received prior to the commencement of this Plan**

Funds levied and received under previous plans prior to 1 July 2016 will be used to finalise the delivery of open space and recreation facility infrastructure identified in the previous Plan 'Section 94 Contributions Plan – Open Space and Facilities 1999-2016'.

Following the commencement of this Plan, funds levied and received under this plan will be used toward the delivery of the specific works identified in Section 4 of this Plan.

#### **2.22 Calculation of contributions**

The open space and recreation facilities contributions authorised under this Plan are based on the analysis and findings contained in the Dubbo City Park and Open Space System (Strategic Open Space Master Plan), which was adopted by Dubbo City Council on 23 March 2009 and reviewed in 2015.

The contributions are based on the open space works program detailed in Section 4 of this Plan.

The Plan contains the following components which are used to calculate the applicable contribution for a development:

1. Citywide Planning Unit Component;
2. Local Planning Unit Component; and

3. Plan Administration Component.

The definition of Citywide Unit (CU), Local Planning Unit (LPU) and administration elements are contained in Section 2.24.

**2.22.1 Urban Contribution**

The Urban Contribution Area is shown in Figure 2 and is included in Appendix 2.





Any applicable development undertaken in the area specified above will be levied a contribution in accordance with the following formula:

**Total Contribution = Citywide PU levy + Local PU levy + Plan Administration levy**

#### **2.22.2 Outside of Urban Area Contribution**

Any applicable development on land zoned R5 Large Lot Residential, which adjoins zoned residential land in the Dubbo Local Environmental Plan 2011 will be levied a contribution in accordance with the following formula:

**Total Contribution = Citywide PU levy + Plan Administration levy**

The City Wide Planning Unit Levy, the Local Planning Unit Levy and the Plan Administration Levy are calculated in accordance with the following formula:

**Contribution = Per Capita Net Apportioned Cost x Average Household Occupancy**

This formula includes two key elements, as follows:

- Per Capita Net Apportioned Cost (which is derived from the planned acquisition and embellishment activities included in the Plan). The Per Capita Net Apportioned Cost is included in the Plan Work Schedule provided in Appendix 1.
- Average Residential Occupancy per Premise. The average residential detached dwelling house occupancy rate for Dubbo as taken from the 2011 Census was 2.6 persons.

#### **2.22.3 Plan Administration**

The effective coordination and administration of the Plan is required to be undertaken by Council to ensure the Plan remains effective and adequately addresses the need for the provision of essential open space facilities and services and facilitates orderly development.

The Environmental Planning and Assessment Act, 1979 and the Environmental Planning and Assessment Regulation, 2000 allows Council to levy contributions for administration towards the capital costs associated with preparation of this Plan, the Dubbo Open Space Master Plan and the ongoing Plan administration.

Administration of the Plan will generally involve the following activities by Council:

Section 94 Development Contributions Plan – Open Space and Recreation Facilities 2016-2026

- Monitor the receipt of and authorise the expenditure of cash contributions;
- Assess the merit of land proposed to be dedicated in accordance with the requirements of this Plan;
- Monitor, undertake and review the works identified in the work schedule to ensure they are undertaken in a cost effective and timely manner;
- Undertake regular review of the works schedule in accordance with the contributions received and expended by Council in achievement of the identified works;
- Undertake review of contribution rates in accordance with construction costs, demand, and general demographic changes;
- Continue to advise the Council of appropriate management, expenditure and policy implications regarding development contributions changes and advice from the State Government and any legal advice received by Council;
- Assess and determine the level of contributions payable for development applications and complying development certificates;
- Ensure the ongoing management of contributions collected in this Plan is undertaken in accordance with the requirements of the Environmental Planning and Assessment Act, 1979, the Environmental Planning and Assessment Regulation, 2000 and any other requirements provided by the State Government.

Table 9 details the overall costs incurred for the following components of the administration levy:

- Preparation of the Plan;
- Preparation of the Open Space Master Plan; and
- Ongoing Plan administration.

Activity	Cost
Drafting of Section 94 Contributions Plan	\$23,100
Preparation of Open Space Master Plan	\$11,616
<b>TOTAL</b>	<b>\$34,716</b>
Ongoing Plan administration	\$45,000 pa

Table 9. Plan Administration Levy

As detailed above, the ongoing Plan administration costs associated with management of the Plan and contributions is \$45,000 per annum. During the life of the Plan, this would amount to \$450,000. If Council was to recoup the costs associated with administration of the Plan, this would place a further burden on residential development in the City.

Based on the provision of 250 new dwellings in the City per annum and a total of 2,500 dwellings constructed during the life of the plan, the overall plan administration cost per dwelling would equal \$180.00.

To ensure the administration costs associated with preparation of this Plan, the Open Space Master Plan and ongoing administration do not impact the viability of development in the City, the actual administration levy included in this Plan are included in Table 2.

Activity	Cost
Drafting of Section 94 Contributions Plan	\$4.90 per person
Ongoing Plan administration	\$18.90 per person
Total	\$23.80 per person

Table 10. Plan Administration Levy by Person

### 2.23 Dubbo Planning Units

The implications of population growth on the Dubbo Open Space and Recreation Facilities systems are twofold:

- Existing areas and facilities will need to be developed to cater for greater usage; and
- New areas will need to be acquired and developed to support urban expansion.

The impact of these requirements will vary from one part of Dubbo to another. To assist in the identification and assessment of the impacts, the Dubbo Local Government Area has been divided into six (6) separate planning units.

Figure 3 shows the division of the Dubbo LGA. The location of the seven (7) separate planning units are also consistent with the characteristics of the statistical subdivisions used by the Australian Bureau of Statistics in the preparation and presentation of relevant demographic and other data.

The six (6) separate planning units included in the Plan are as follows:

1. West (North);
2. West (South);
3. Central (North);
4. Central (South);
5. East (North); and
6. East (South).

Section 94 Development Contributions Plan – Open Space and Recreation Facilities 2016-2026

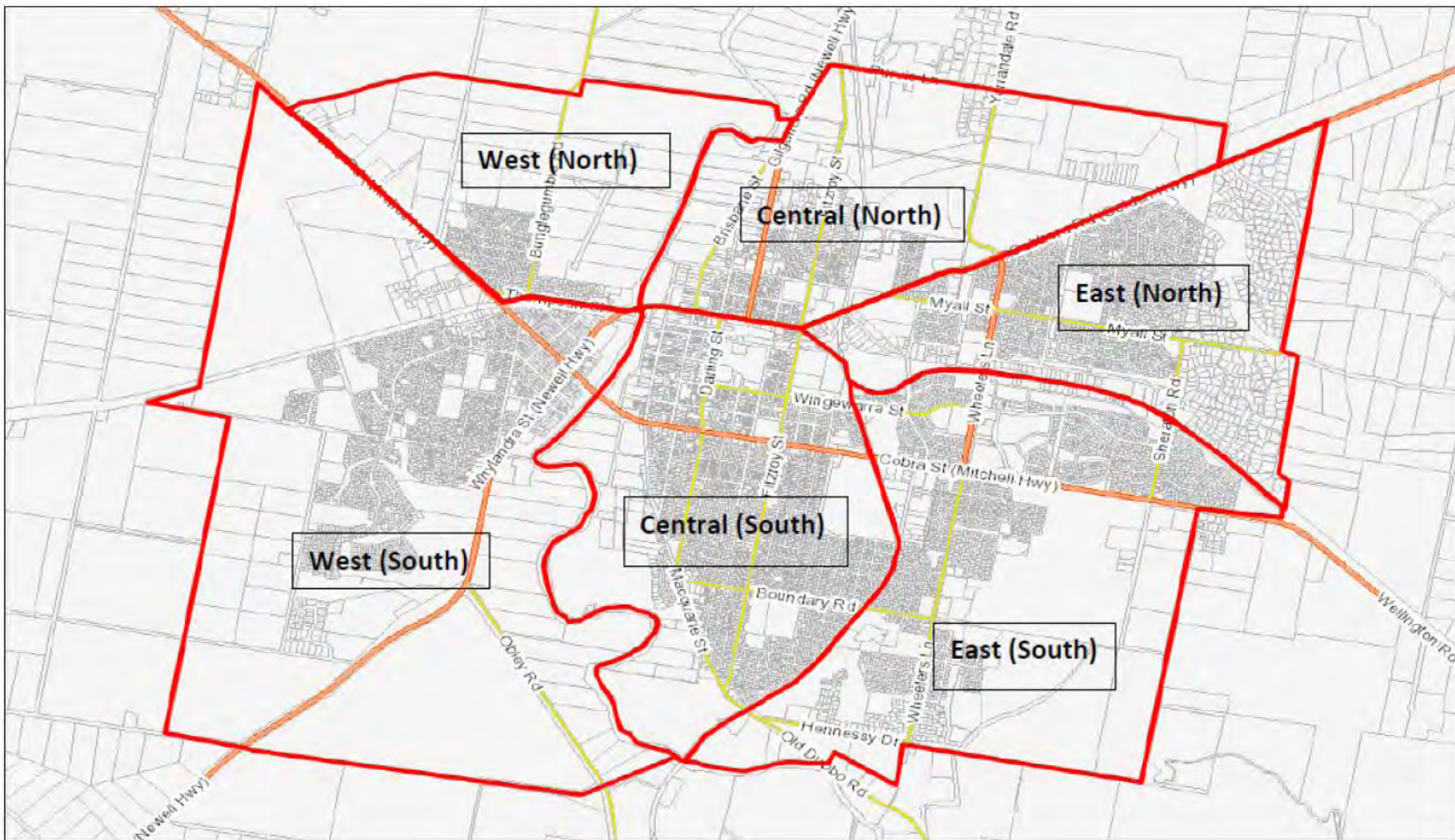


Figure 3. Dubbo Planning Units

#### **2.24 Savings and transitional arrangements**

The following savings and transitional arrangements will be applied:

- For a development application submitted to Council prior to the commencement date of this Plan as contained in Section 2.5 will be assessed in accordance with the provisions of the former Section 94 Contributions Plan Open Space and Recreation Facilities.
- For a development application submitted to Council after the commencement of this Plan shall be assessed in accordance with the provisions contained in this Plan.
- For a development application approved prior to the commencement of this Plan and levied contributions under the provisions of the former Section 94 Contributions Plan Open Space and Recreation Facilities, payment of the relevant contribution will be required to be made in accordance with the former Section 94 Contributions Plan Open Space and Recreation Facilities.

### 3. Contributions Strategy

#### 3.1 Demographic Trends

##### 3.1.1 Population Statistics

The Dubbo Local Government Area is situated 408 km west from Sydney. A thriving and vibrant regional centre, today Dubbo is one of the State’s largest inland cities with a population in 2014 of 41,573 people, servicing a catchment population in excess of 120,000 people.

Overall, 24% of the population is between 0 and 15 years of age and 14.2% of the population are in excess of 65 years of age. Home ownership in the City accounts for 62.15% of the population where 84.69% reside in separate dwelling houses.

##### 3.1.2 Population Trends

###### Population Outlook for Dubbo City Council

In 2012, Council commissioned a study into the long-term demographic trends impacting the Dubbo Local Government Area. The study is titled ‘Population Outlook for Dubbo City Council’. The report was conducted by noted demographer Bernard Salt of consultants KPMG.

The study critically analysed historical trends in Dubbo’s population back to 1971 and identified key issues that should be taken into account when projecting Dubbo population out to 2036. The report presents a range of population growth scenarios for Dubbo, based on a conservative approach to key assumptions regarding fertility, mortality and migration.

These scenarios are summarised below in Table 11.

Scenarios	2010	2011	2016	2021	2026	2031	2036
Low Series	41,760	42,050	43,590	44,820	45,850	46,470	46,670
Mid Series	41,760	42,137	44,020	45,903	47,786	49,669	51,550
High Series	41,760	42,290	44,890	47,650	50,450	53,420	56,420

Table 11. Dubbo Population Series Projections

In accordance with the provisions of the Dubbo Community Strategic Plan (Dubbo 2036), the Dubbo Local Environmental Plan 2011 and other key strategic planning documents, this plan is based on the mid series estimates. This shows a total population in Dubbo by 2026 of 47,786.

Department of Planning and Environment Population Projections

The NSW Department of Planning and Environment produces population growth and development statistics for each local government area in NSW from 2011 through to 2031. The population and development statistics include the following components:

- Total population change
- Average annual population change
- Total household change
- Household size
- Average annual household growth
- Implied dwellings
- Population projections by age group
- Household

Table 12 shows the projected population growth in Dubbo from 2011 to 2031.

	<b>Total Population</b>	<b>Total Population Change</b>	<b>Average Annual Growth</b>
<b>2011</b>	40,250		
<b>2016</b>	41,950	1,700	0.8%
<b>2021</b>	43,650	1,650	0.8%
<b>2026</b>	45,150	1,550	0.7%
<b>2031</b>	46,500	1,350	0.6%

Table 12. Dubbo Population Projection

The Dubbo LGA also a higher proportion of the population below the age of 15 and above the age of 65 as shown in Figure 4.



Section 94 Development Contributions Plan – Open Space and Recreation Facilities 2016-2026

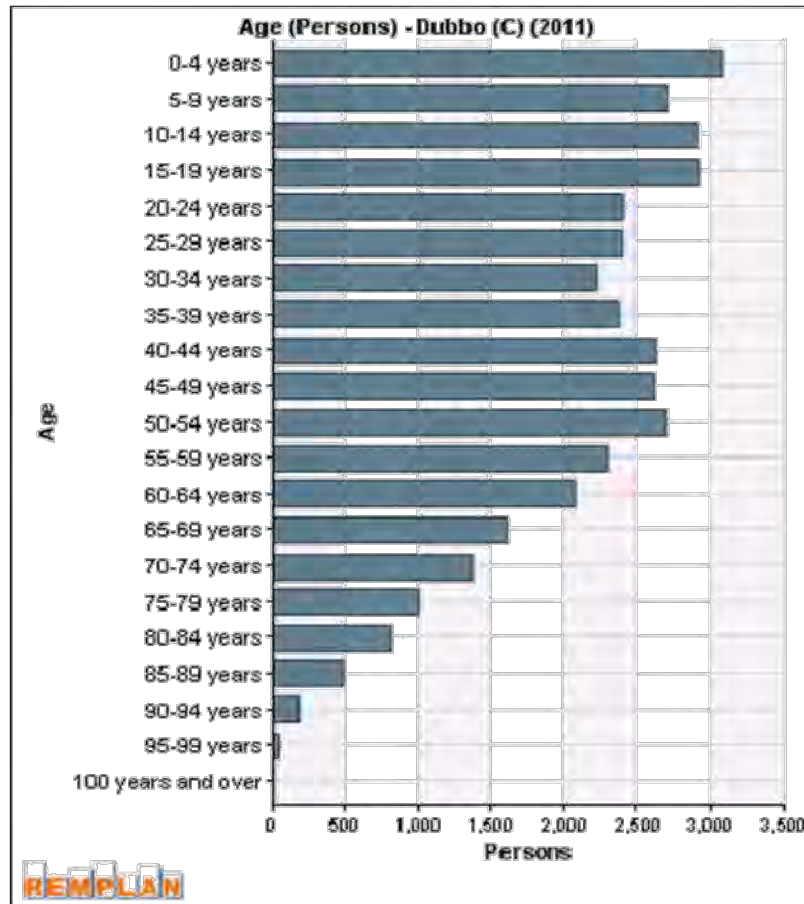


Figure 4. Dubbo Age Population Profile

**3.2 Total Housing Demand**

The current average household size in Dubbo is 2.6 persons (Census 2011). The Dubbo City Planning and Transportation Strategy 2009 (2009 Strategy) anticipates a progressive decrease in this figure to around 2.3 persons per household by 2036. This decrease in the average household size in the City is also consistent with the population projections prepared by the State Government Department of Planning and Environment. Based on the average household size, the projected demand for new dwellings over this period is summarised in Table 13.

	2016	2026	2036
<b>Extra population (from 2010 base)</b>	2,260	6,026	9,790
<b>Cumulative Extra dwellings</b>	860	2,620	4,256

Table 13. Dubbo Total Housing Demand

The 2009 Strategy assumes the maintenance of a long term construction average of 250 new dwellings per year, which would provide a sufficient supply to support the anticipated population growth. Council in its long term strategic planning continues to plan for a projected population increase that will require the provision of 250 new dwellings per annum.

**3.3 Anticipated Development**

The Dubbo Local Environmental Plan 2011 zoned additional lands in the City to facilitate residential development. These areas were zoned in the North-West, South-West and the South-East and are classified as designated Residential Urban Release Areas in the Dubbo LEP 2011.

Dubbo City Council plans to accommodate the majority of new growth through the staged release of development lots in the identified Residential Urban Release Areas. To assist the orderly release and development of these lands, Council also prepared designated Residential Release Strategies to identify overall principles and strategies for the development of these lands.

The Dubbo LEP 2011 also provides a minimum allotment size for subdivision of 600 square metres in the defined Residential Urban Release Areas. Based on this minimum allotment size, each of the Residential Urban Release Areas could provide for the additional development, as set out in Table 14.

<b>Urban Release Area</b>	<b>Potential Lots (Approximate)</b>
North-West	2,675
South-West	3,216
South-East	1,553

Table 14. Dubbo Residential Urban Release Area Potential Lots

However, given the location of lands within the Residential Urban Release Areas and the proximity to lands zoned RU2 Rural Landscape, the approximate development yield may be slightly reduced due to subdivisions being developed with larger minimum allotment sizes or with variance in minimum allotment sizes.

It should also be noted that future residential development and growth in the City will also be complemented by infill development and urban consolidation in the existing urban area of the City and a level of development in the rural areas.

The map provided on the following page shows the overall location and potential development yield from each Residential Urban Release Area.

Section 94 Development Contributions Plan – Open Space and Recreation Facilities 2016-2026

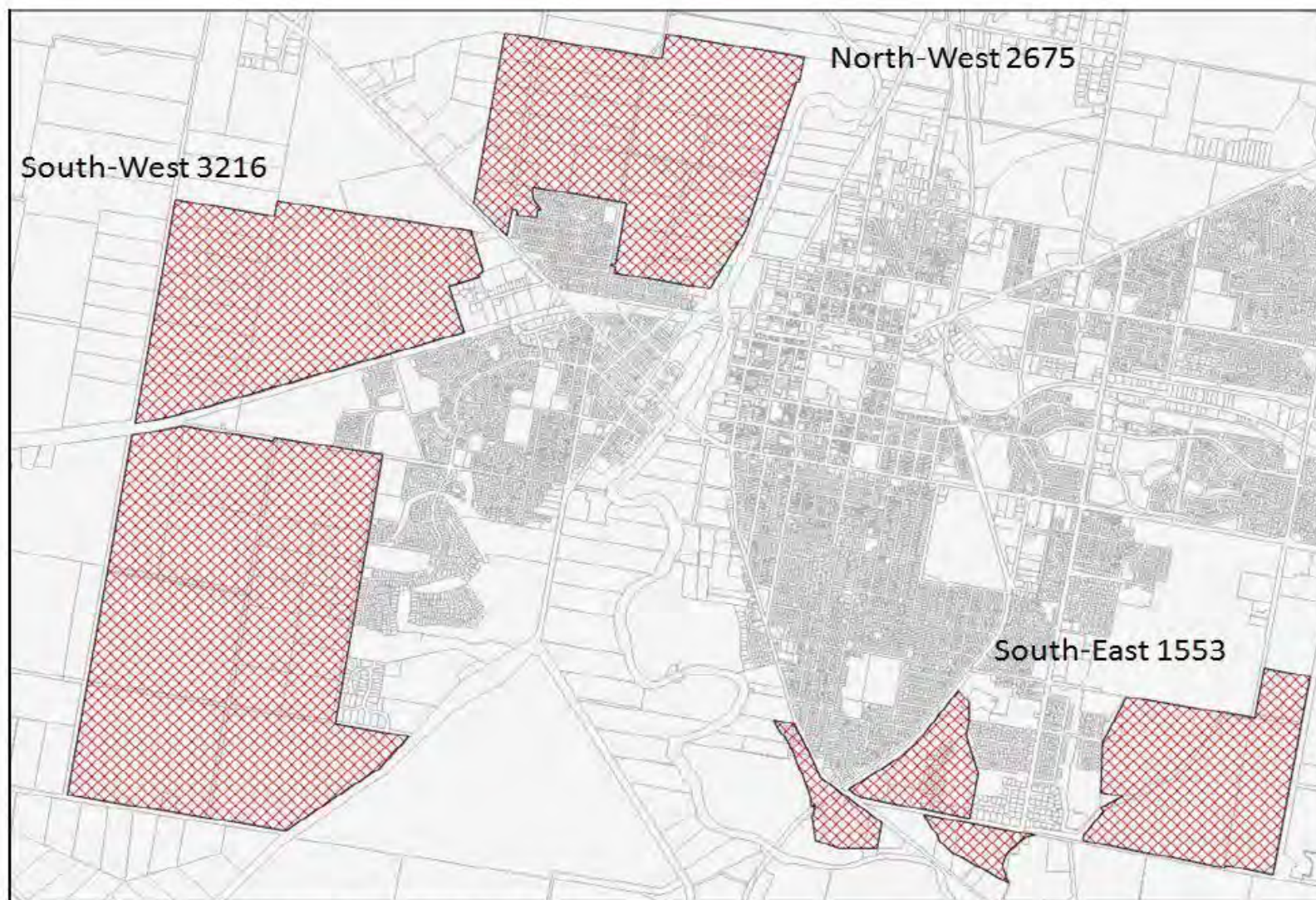


Figure 4. Location of Residential Urban Release Areas Dubbo Local Environmental Plan 2011

### 3.4 Demand Quantification

#### 3.4.1 Dubbo Open Space Master Plan

Dubbo City Council adopted the Open Space Master Plan on 23 March 2009 as a strategy for the future development of the City's open space system. The Master Plan was also the subject of a review undertaken by Council in October 2015. This Master Plan is entitled Dubbo City Park and Open Space System ('Open Space Master Plan').

The Master Plan identifies ready access to open space and recreational facilities as a key feature of the character of Dubbo. It provides a quantitative and spatial analysis of the current and future demand for open space compared to current supply. The Master Plan provides recommendations for developing and expanding the green web to support current and future populations.

The Master Plan outlines a typology of open space areas, related to the type of facilities offered and the level of access provided. These types include the following:

- Local Parks – parks providing limited range of recreational opportunities for local residents of one planning unit.
- District Parks – larger in size and providing wider range of facilities and activity spaces for recreation for residents of a number of planning units. Facilities sufficient to cater for large groups.
- Regional Parks – major recreation park that offer a wide variety of opportunities to all Dubbo LGA residents citywide and for visitors. Generally large in size, well embellished for recreation, and a landmark location for residents.
- Sporting Parks – structure and fitted for formal sporting activities such as team competitions, physical skill development and training. Involve a distinctive capital development and maintenance regime focused on supporting recognized sporting activities.

As a key component of the open space analysis methodology in the Master Plan, the Plan uses accepted international benchmarks to arrive at a "desired standard of service" metrics which identifies the average hectares per resident and the average distance from residents to each of three facility levels.

The Master Plan concludes that while there are some variations amongst planning units as well as between park types, overall the current open space and sporting park networks meet the desired standards of service for most residents across Dubbo. This analysis is summarised in Table 15.

Park Category	Desired Level of Service (DSS) (Ha/1000 )	Current Supply (Ha/1000)	Difference (Ha/1000)
Local	1.5	1.39	-0.11
District	3.0	3.68	0.68
Regional	0.5	0.30	-0.20
Sub-Total	5.0	5.37	0.37
Sporting	2.8	2.82	0.02
Total	7.8	8.19	0.39

Table 15. Provision of open space and recreational facilities

Both the total stock of open space and recreation facilities, and the locations and types of park facility will need to expand and adjust to accommodate the projected population growth included in the Plan.

Based on this analysis, Dubbo will need over 30ha extra recreational park space and over 16 ha extra for sporting parks space by 2026.

At the same time, it is recognised that works need to be undertaken in the City to address imbalances and improve the overall qualitative standards of the existing open space offer. The open spaces master plan identifies a program of improvements to existing open spaces to improve the amenity of these facilities, which have been adopted by this Plan for the levying of Section 94 Contributions on future residential and other applicable development types.

### 3.4.2 Dubbo City Park

A core element of the Open Space Master Plan is the creation of a central Dubbo City Park that integrates existing riverside and urban park areas into one contiguous major recreation facility that connects all parts of Dubbo together and is readily accessible to most Dubbo residents.

The City Park has two (2) separate components in the form of an urban spine and a natural system spine that cross in the vicinity of the Macquarie Lions Park and the Dubbo Visitor Information Centre. The natural spine would include all lands in the vicinity of the Macquarie River and the riverbank environments. The urban spine runs east along Church Streets and Wingewarra Streets. In the west, the urban spine includes land to the Macquarie Anglican Grammar School including East Street and Baird Drive.

The City Park incorporates many smaller parks including Sir Roden Cutler Park, Sandy Beach Park, the Lady Cutler Ovals, Lion Park, Devils Hole

Section 94 Development Contributions Plan – Open Space and Recreation Facilities 2016-2026

Reserve along the River, and numerous parks within the City such as Victoria Park, Show Ground, Apex Park, Jubilee Park and Elizabeth Park, as well as involving significant new acquisitions and development of parkland along both sides of the Macquarie River.

The spatial structure and location of the City Park is shown in Figure 6.

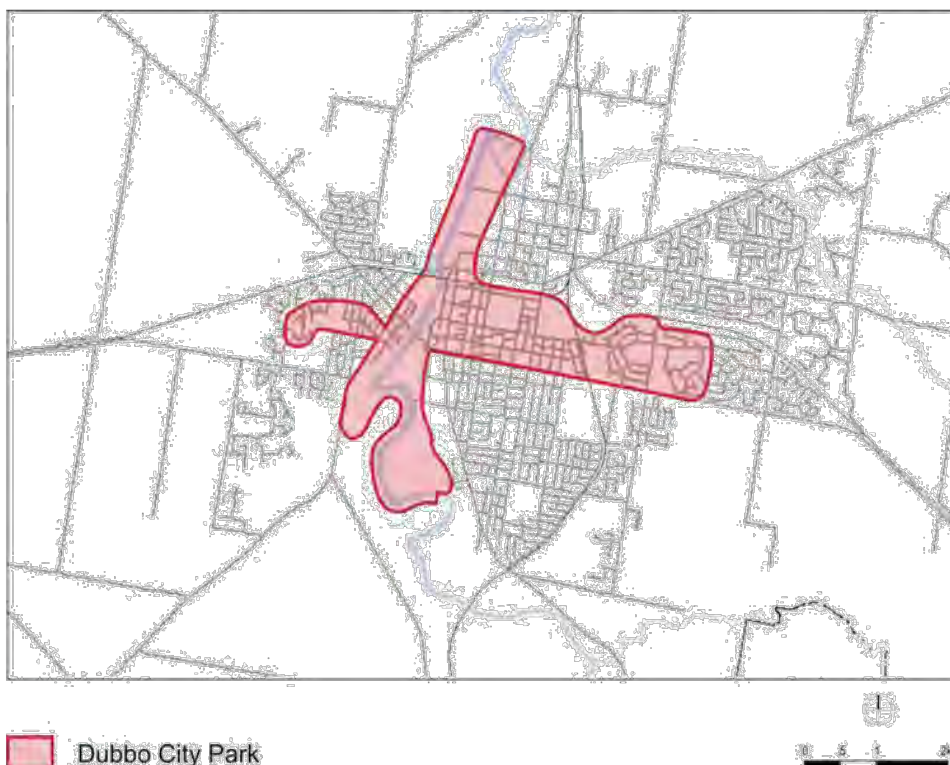


Figure 5. Location of the Dubbo City Park

**3.5 What is the relationship between expected demand and the delivery of infrastructure?**

**3.5.1 What is nexus?**

Nexus is the relationship between the expected types of development in the Dubbo LGA and the need for additional open space and recreational facilities created by the developments.

In accordance with the requirements of the Clause 27 of the Environmental Planning and Assessment, Regulation, 2000, Nexus is a core component in a Section 94 Developer Contributions Plan. Nexus consists of three (3) central components including causal nexus, spatial nexus and

temporal nexus. Compliance with the requirements of each component is provided below.

### 3.5.2 Causal Nexus

The Dubbo Local Government Area is projected to experience strong population growth 2016 through to 2036. To meet the identified shortfall in open space and recreational facilities demands for the current population and to ensure the demands of a growing population can be met, the contributions collected under the provisions of this Plan will assist Council to deliver new facilities to meet the demands for open space and recreational facilities.

Establishment of the need for further open space and recreational facilities (causal nexus) is derived from Council's adoption of the Open Space Master Plan on 23 March 2009 adopted the Open Space Master Plan as a strategy for the future development of the City's open space system.

To implement the recommendations of the Open Space Master Plan, a detailed forward works schedule has been developed. These works have been categorized according to whether they are to support local, district or regional parks, and are linked back to the strategies and recommendations of the Open Space Master Plan.

### 3.5.3 Spatial Nexus

Based on the provisions of the Dubbo Open Space Master Plan, this Plan adopts an overall contributions regime based on the following:

- City-wide Contribution;
- Planning Unit Contribution; and
- Plan Administration Contribution.

The City-wide Contribution includes the levying of contributions towards open space and recreational facilities included in the overall City Park area as defined in the Open Space Master Plan. Open space and recreational facilities included in the City Park are facilities that area designed for all residents in the City to have access to given their central location to the Macquarie River and the Dubbo Central Business District.

The Planning Unit Contribution is based on open space and recreational facilities that are only likely to benefit one (1) individual Planning Unit or no more than two (2) adjoining Planning Units. Table 16 shows the works included in the Plan and their relationship with the Planning Units introduced in Section 2.25 of the Plan.

Section 94 Development Contributions Plan – Open Space and Recreation Facilities 2016-2026

	Type	Planning Unit	Planning Unit
Alexander Bell Park	Embellishment	Central (north)	East (north)
Powter Park Amenities	Embellishment	Central (north)	East (north)
Former RAAF Base Park	Embellishment	Central (south)	East (south)
South-West Residential Area	Acquisition and Embellishment	West (south)	
North-West Residential Area	Acquisition and Embellishment	West (north)	
South-East Residential Area	Acquisition and Embellishment	East (south)	
Delroy North	Embellishment	West (south)	
Holmwood Estate			
Margaret Street Easement	Embellishment	East (south)	
Keswick Estate Activity Zones	Embellishment	Central (south)	East (south)
Wiradjuri Park	Embellishment	West (north)	
Regand Park	Embellishment	Central (south)	
Market Garden Sports Fields	Embellishment	Central (south)	

Table 16. Open Space and Recreational Projects by Planning Unit

Table 16 shows there are four identified works included in the Plan that will service the population in Central and East Dubbo in relation to Alexander Bell Park and embellishment activities at Powter Park. The table also identifies that the proposed RAAF Base Park and the embellishment in the form of activity zones in the Keswick Estate will be utilised by residents in the Central South and South East Dubbo.

### 3.5.4 Temporal Nexus

The nature of residential growth and development in the City requires flexibility in the consideration of infrastructure priorities and the timing of their delivery.



The work program included in the Plan is reviewed biannually to ensure the contributions income can best match the acquisition and embellishment activities proposed to be delivered in the Plan. From time to time the population growth of the City may slow down or increase based on development and economic factors. In this case, works included in the Plan can be pushed back or brought forward as required and in line with the availability of funding.

In the case of development undertaken in the Residential Urban Release Areas included in the Dubbo Local Environmental Plan 2011, if development proceeds to be undertaken in the north-west and the south-west residential areas, Council will prioritise the specific works in these areas.

This Plan allows Council to pool funds to ensure projects identified in the Plan can be delivered in a timely manner and in locations where residential development pressures require the open space and recreational facilities.

### **3.6 Apportionment**

The Dubbo Open Space Master Plan has identified a significant shortfall in the future provision of open space and recreational facilities for the increasing residential population. Based on the projected population of the City in 2026, this shortfall is projected to be over 30 hectares in recreational space and 16 hectares in sporting fields.

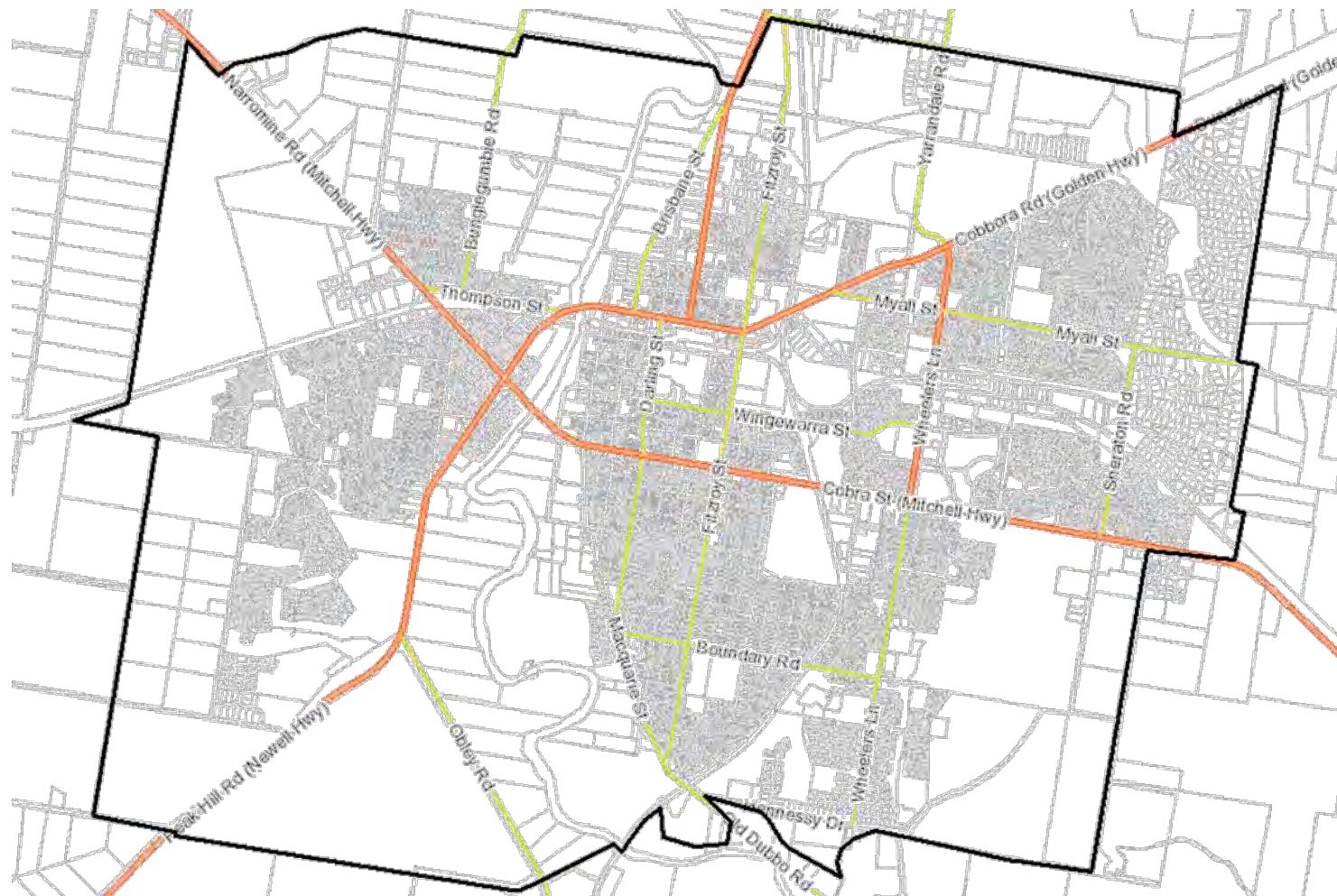
This Plan adopts an approach based on planning units. This means that the individual Planning Unit contribution, which is levied in each Planning Unit, is based on the delivery of specific acquisition and/or embellishment activities included in the Planning Unit.

This Plan includes the spending of a total of \$10,386,340 on open space and recreational facilities in the City. Of this spending, a total of \$4,800,000 is proposed to be put towards the acquisition and embellishment of lands for open space and recreational facilities in the defined Residential Urban Release Areas in the City.

Appendix 1 – Work Schedule

Unit Location	Item	Type	Works Category	Capital Cost	West (North)	West (South)	Central (North)	Central (South)	East (North)	East (South)
Drafting of Section 94 Plan					\$4.90	\$4.90	\$4.90	\$4.90	\$4.90	\$4.90
Plan Administration (Per Person)					\$18.90	\$18.90	\$18.90	\$18.90	\$18.90	\$18.90
City Park	Regional Botanical Garden	Regional	Embellishment	\$1,430,000.00	\$237.31	\$237.31	\$237.31	\$237.31	\$237.31	\$237.31
City Park	Former Sewerage Treatment Plant Lands	Regional	Acquisition	\$150,000.00	\$24.89	\$24.89	\$24.89	\$24.89	\$24.89	\$24.89
North	Bob Dowling	City wide	Embellishment	\$350,000.00	\$58.08	\$58.08	\$58.08	\$58.08	\$58.08	\$58.08
North	John McGrath	City wide	Embellishment	\$350,000.00	\$58.08	\$58.08	\$58.08	\$58.08	\$58.08	\$58.08
Regional Botanic Garden	Elizabeth Park Car Park	City wide	Embellishment	\$450,000.00	\$74.68	\$74.68	\$74.68	\$74.68	\$74.68	\$74.68
Regional Botanic Garden	Elizabeth Park Entrance Building	City wide	Embellishment	\$600,000.00	\$99.57	\$99.57	\$99.57	\$99.57	\$99.57	\$99.57
<b>Total Citywide Contribution</b>				<b>\$3,330,000.00</b>	<b>\$552.61</b>	<b>\$552.61</b>	<b>\$552.61</b>	<b>\$552.61</b>	<b>\$552.61</b>	<b>\$552.61</b>
East (North)	Alexander Bell Park	District	Embellishment	\$146,400.00			\$404.91		\$404.91	
Central (North)	Powter Park Amenities	District	Embellishment	\$250,000.00			\$691.45		\$691.45	
Central (South)	RAAF Park	District	Embellishment	\$250,000.00				\$96.48		\$96.48
West (South)	South West Residential Release Area New Open Space	District	Acquisition/Embellishment	\$2,700,000.00		\$1,244.61				
West (North)	North West Residential Release Area New Open Space	District	Acquisition/Embellishment	\$500,000.00	\$553.16					
East (South)	South East Residential Release Area New Open Space	District	Acquisition/Embellishment	\$1,300,000.00						\$599.26
West (South)	Delroy North	Local	Embellishment	\$153,000.00		\$70.53				
East (South)	Holmwood Estate/Margaret Crescent Easement	Local	Embellishment	\$450,000.00						\$191.48
East (South)	Keswick Estate Activity Zones	District	Embellishment	\$356,940.00				\$137.75		\$137.75
West (North)	Wiradjuri Park	District	Embellishment	\$650,000.00	\$719.11					
Central (South)	Regand Park	District	Embellishment	\$100,000.00				\$414.87		
Central (South)	Former Market Garden Sports Fields	District	Embellishment	\$350,000.00				\$135.07		\$135.07
<b>Total Planning Unit Contribution</b>				<b>\$6,756,340.00</b>	<b>\$1,272.26</b>	<b>\$1,315.13</b>	<b>\$1,096.36</b>	<b>\$784.17</b>	<b>\$1,096.36</b>	<b>\$1,160.03</b>
<b>Total Open Space Contribution</b>				<b>\$10,086,340.00</b>	<b>\$1,848.67</b>	<b>\$1,891.54</b>	<b>\$1,672.77</b>	<b>\$1,360.58</b>	<b>\$1,672.77</b>	<b>\$1,736.44</b>

Appendix 2 – Urban Contribution Area



**Maryann O'Shea**

**From:** Big Blue Digital <accounts@bigbluedigital.com.au>  
**Sent:** Friday, 6 May 2016 12:12 PM  
**To:** DCC Mailbox  
**Subject:** Workflow Notification - Public Submission

**Importance:** High

Automated Email

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## WORKFLOW NOTIFICATION

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This is a notification for a step of a workflow that you are responsible for. No action is required on your behalf.

This notification is for item **Public Submission**.

The current step of the workflow **Public Submission** requires all user that belongs to role **Council Administrators** to be notified.

Click on the link below to view this item  
[View this item](#) (Secure Link)

**Summary of web form submission:**

**Your Name**  
Michael Quinn

**Email Address**  
michaelq@gmail.com

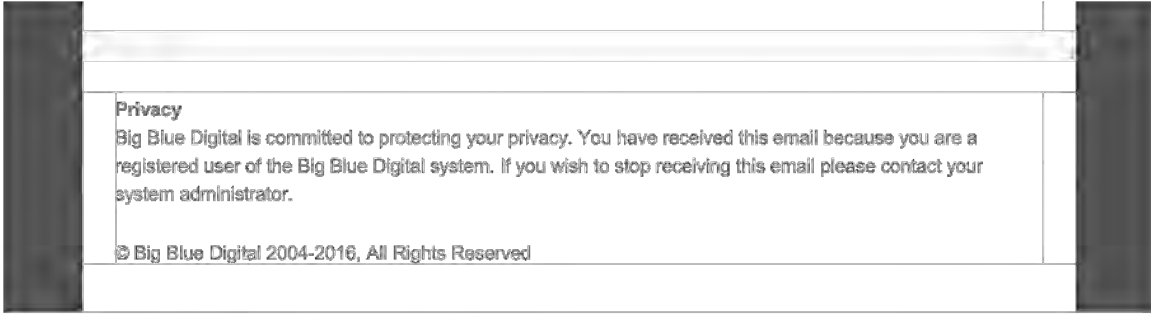
**Case Number**  
9341914

**Home Address**  
8 Strickland St  
Dubbo NSW 2830  
Australia

**Home Phone Number**  
0405698880

**Subject**  
New Draft Section 94 Contributions for Open Space & Recreation Facilities.

**Submission**  
Would like some clarification on how the changes in level of contributions proposed for each area were arrived at. Specifically - why is Central South given such a discount? -44% compared to -3.6% for West South next door - 12 times the difference. More than double the next closest. Level of contribution does not match level of development planned for most areas. Should that be a factor to be considered? If we are splitting up Dubbo for contributions and development, shouldn't they match better. Are there figures for expected population growth for each area - and therefore expected developments for each are that can be made available? Thanks Michael Quinn



**WESTERN  
PLAINS  
REGIONAL  
COUNCIL**

Incorporating the former  
Dubbo City & Wellington councils

**REPORT: Development Application D16-17  
- Child Care Centre (Additions and  
Alterations) - Lot 5 DP 15672, 8 Goode  
Street, Dubbo**

**Applicant: Oxanda Capital Management**

**Owner: Oxanda Management Danke Pty  
Ltd**

**Lodged: 18 January 2016**

**AUTHOR: Senior Planner 2**

**REPORT DATE: 10 June 2016**

**TRIM REFERENCE: ID16/1062**

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**EXECUTIVE SUMMARY**

Development consent is sought for the alterations and additions to an existing child care centre at Lot 5 DP 15672, 8 Goode Street, Dubbo known as the 'Orana Gardens Child Care Centre'. The proposed alterations and additions to the child care centre is proposed to increase capacity from 40 to 72 children and from approved staff numbers of 4 to 13.

The proposal includes an additional 106 m<sup>2</sup> of Gross Floor Area to the northern, southern and western elevations including a redesigned front façade. The proposal will conform to the existing child care centres' operations in terms of hours of operations.

The proposal does not comply with the minimum off-street parking requirements for a child care centre in accordance with the Dubbo Development Control Plan (DCP) 2013 with a shortfall of five (5) spaces. It is further considered that the existing development does not have sufficient off-street car parking with the cumulative impact resulting in a total shortfall of nine (9) spaces.

The proposed development is considered inconsistent with the relevant objectives of the Dubbo Local Environmental Plan (LEP) 2011 and Dubbo DCP 2013. It is considered that the proposed development will have a significant impact upon the residential amenity of the locality given the significant increase in traffic and insufficient off-street parking.

Having regard to the above, it is considered that the proposed development is not characteristic of a residential locality and is an over-development of the site. As such, it is recommended that the Development Application be refused.

**FINANCIAL IMPLICATIONS**

There are no financial implications arising from this report.

**POLICY IMPLICATIONS**

The Application fails to comply with the minimum parking requirements in accordance with the Dubbo DCP 2013. The Dubbo DCP 2013 was prepared in accordance with Section 74C of the Environmental Planning and Assessment Act 1979 (EP&A Act) and Part 3 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation). The DCP was adopted by Council at the meeting on 22 April 2013 and commenced 6 May 2013.

**RECOMMENDATION**

- 1. That Development Application D2016-17 for the proposed alterations and additions to an existing child care centre at Lot 5 DP 15672, 8 Goode Street, Dubbo be refused for the following reasons:**
  - a. The likely traffic and parking issues associated with the proposed development is not consistent with point 4 of the objectives of the R1 General Residential zone being “to ensure development is consistent with the character of the immediate locality” (S79C(1)(a)(i) Environmental Planning and Assessment Act 1979).**
  - b. The proposed development has insufficient off-street car parking and does not comply with the minimum parking requirements in accordance with the Dubbo Development Control Plan 2013 (S79C(1)(a)(iii) Environmental Planning and Assessment Act 1979);**
  - c. The front façade (southern elevation) is not consistent with that of the established residential area being a commercial design (S79C(1)(b) and S79C(1)(a)(iii) Environmental Planning and Assessment Act 1979).**
  - d. The site is not suitable for the proposed development (over-development of the site) as the off-street car park is unable to contain a sufficient number of onsite car spaces (S79C(1)(c) Environmental Planning and Assessment Act 1979) to service the development.**
  - e. The proposed development is considered not to be in the public’s interest given the traffic and parking issues will be detrimental to adjoining property owners in the vicinity as well as occupants, staff and children accessing the centre (S79C(1)(e) Environmental Planning and Assessment Act 1979 from increased traffic and onsite parking).**
  - f. Insufficient landscaping has been provided to the front boundary to provide an appropriate visual buffer from the street to the commercial premises (S79C(1)(a)(i) Environmental Planning and Assessment Act 1979).**
  - g. Five (5) submissions were received objecting to the proposed development citing traffic, parking concerns and non-compliance with the DCP (S79C(1)(d) Environmental Planning and Assessment Act 1979).**
- 2. That people who made submissions be advised of Council’s decision in this matter.**

*Lee Griffith*  
Senior Planner 2



## BACKGROUND

Development consent was granted by the former Dubbo City Council for the existing child care centre on 5 January 1995, under D94-341 with capacity for 40 children and four employees. This proposed development lodged with Council on 18 January 2016 intends to undertake additions and alterations to increase capacity to 72 children with 13 employees.

Council has previously provided correspondence to the Applicant stating support for the proposal would not be forthcoming from staff given there would be insufficient parking provided onsite and the likely traffic generation, both of which would result in an adverse impact on residents in the locality. The Applicant has subsequently provided Council with amended site plans showing additional car parking spaces, a Traffic Management Plan and Traffic Surveys. However, it is considered that these were not sufficient mechanisms to vary the minimum car parking requirements under the Dubbo DCP 2013, particularly given the history of complaints associated with the existing developments shortfall.

Council has provided the Applicant with the opportunity to withdraw or modify the Application to have a maximum capacity for 52 children. However, no such variation to the submitted Application has been received. Accordingly, it is proposed that the Application be determined based on the information at hand.

## REPORT

### 1. DEVELOPMENT DETAIL

Development consent is sought for the alterations and additions to an existing child care centre on Lot 5 DP 15672, 8 Goode Street, Dubbo known as 'Orana Gardens Child Care Centre' with the estimated value of \$100,000.

An overview of the proposal is provided below.

- Operates Monday to Friday between 7 am and 6 pm.
- Currently accommodates 40 children between the ages of 0 and 5 years. The proposal will increase the capacity to 72 children.
- Currently employs eight staff members increasing to 13 staff members.
- Modification to the front and western boundary garden, for the extension to Children Rooms 1 and 2, cot room and staff room at ground floor;
- Two additional toilets with basin for Children Room 1;
- Additional basin proposed next to the shower;
- New programming room;
- Modification to the existing verandah and eastern boundary service area for the extension to Children Room 3 and additional play area near the rear of the site;
- Modification to the existing outdoor play area at the rear of the site;
- Relocation of the existing safety gate;
- New glazing and paint to match existing and new feature cladding to the front façade.

- Re-design of the front off-street carpark to include a shared ingress/egress driveway and increase the number of parking spaces from six (6) to 12.



Figure 1: Proposed Building Works. Existing building shaded orange with proposed additions outlined in red.

## 2. SITE CHARACTERISTICS

The property is located on the northern side of Goode Street. It has an area of 1,373.7 m<sup>2</sup> with a frontage to Goode Street of 18.29 m. For a locality map of the site see **Figure 2**.

### *Slope*

The site slopes from south to north (to the rear), with a height of approximately 276.5 m AHD down to an approximate height of 275.25 m Australian Height Datum (AHD), being a height difference of 1.25 m. Over a distance of 61 m this equates to a minor grade of 2%.

### *Vegetation*

The site contains several large trees contained within a managed outdoor space.

### *Access*

Access to the site is off Goode Street, a bitumen sealed road with upright kerb and gutter. The site has separate ingress and egress.

### *Drainage*

The sites natural overland drainage is from south to north, away from Goode Street. However the child care centre's roof stormwater drains to the kerb and gutter in Goode Street.

*Services*

The existing dwelling is connected to all required services.

*Adjoining uses*

North: Motel.

East: Single-storey residential flat building with residential dwellings further east.

South: Residential dwellings.

West: Two-storey residential flat building with residential single dwellings further west.



**Figure 2:** Locality map - Site outlined in red

### 3. SITE HISTORY

DA No.	Development Description
D94-341	Proposed erection of building for use a child care centre – Approved 5 January 1995.

D94-341 approved the existing child care centre with a capacity for 40 children noting that four teachers were required. Such consent stated six off-street car parking spaces were sufficient based on the information supplied with the Application.

Based on site inspections and submissions received during the public exhibition period, traffic and parking issues associated with the existing development are apparent. The existing child care centre receives a large influx of drop-offs in the 8.30 am to 9 am period. It was evident that all staff members park within Goode Street given the insufficient off-street car parking area with parents sometimes being required to park within Goode Street due to congestion.

### 4. LEGISLATIVE REQUIREMENTS (Environmental Planning and Assessment Act 1979, Section 79C(1))

(a)(i) Environmental Planning Instruments

#### ***State Environmental Planning Policy No. 55 – Remediation of Land***

The Environment and Health Services Supervisor in their report dated 12 February 2016 stated the following:

*“The proposed site is not listed on Council’s register of potentially contaminated land and the proposed extension to the day-care centre will not be a contaminating activity. No further investigation is therefore required.”*

Considering the above, no further action is required in relation to contamination.

#### ***Orana Regional Environmental Plan No. 1 - Siding Springs Observatory (Deemed State Environmental Planning Policy)***

The subject site is situated in excess of 100 km from the Observatory and the development will not provide a significant level of light spill or glare. The proposed development does not require referral to the Observatory under the provisions of the deemed State Environmental Planning Policy.

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

***Dubbo Local Environmental Plan 2011***

The following clauses of Dubbo Local Environmental Plan 2011 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*

This development proposal is defined as '*child care centre*'.

*'child care centre means a building or place used for the supervision and care of children that:*

- a) provides long day care, pre-school care, occasional child care or out-of-school-hours care...'*

*Clause 2.2 Zoning of land to which Plan applies*

The subject site is zoned R1 General Residential.

A child care centre is permitted with consent in the R1 General Residential zone.

*Clause 2.3 Zone objectives and Land Use Table*

It is considered that the proposed development is contrary to the objective, being inconsistent with the character of the immediate locality. The proposed development will increase children numbers by 32 (80%), staff by nine (from that approved), increasing traffic and on-street parking. Further, the traffic will be arriving within a relatively short timeframe further intensifying existing traffic and parking issues. The matter is further discussed later in the report.

*Clause 7.3 Earthworks*

Erosion and sedimentation control practices could be implemented prior to works commencing and until the completion of works to ensure minimal runoff to the adjoining properties and to Council's stormwater system should the Development Application be approved.

*Clause 7.5 Groundwater vulnerability*

Clause 7.5 of Dubbo Local Environmental Plan 2011 applies as the land is included on the Natural Resource – Groundwater Vulnerability Map with moderately high groundwater vulnerability. Groundwater has been addressed by the Environment and Health Services Supervisor in the report dated 12 February 2016 which states:

*“The proposed extension to the day-care centre is not a potentially contaminating activity and further impact on the quality or quantity of infiltration to local groundwater is unlikely as indicated in the SEE.*

*Infiltration may actually be reduced by the discharge of stormwater generated by the increased area of impervious roofing.*

*The proposed development is therefore considered to be designed, sited and capable of being managed to avoid any significant adverse environmental impact.”*

Noting the above, no further action is required in relation to groundwater.

*Clause 7.7 Airspace operations*

The subject site is located within the Obstacle Limitation Surface Map at height 370 m AHD. The site for the proposed development has a maximum surface height of approximately 276.5 m AHD with the development having a height of approximately 5 m that equates to an overall height of 281.5 m AHD, 88.5 m below the surface map.

(a)(ii) Draft environmental planning instrument

Council recently adopted an amendment to Dubbo LEP 2011, Clause 5.4(9) regarding the size of secondary dwellings. The draft amendment applies to the land to which the Development Application relates, but not the proposal.

(a)(iii) Development Control Plans

**Dubbo Development Control Plan 2013**

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

2.1.1 Residential Design – Dwellings, Dual Occupancy and Multi-Dwelling Housing

*Element 10: Non-residential uses*

- *Scale and character*

The proposal intends to construct a modern front façade with concrete tilt-up panels and a colour scheme being varying shades of blue. The proposed additions will not significantly increase the scale of the building. However, it is considered that the proposed design of the front façade is not consistent or compatible with the character of the residential locality.

- *Noise*

It is considered that there will be noise impacts on adjoining residential properties and motel during the initial construction period, however this will be temporary. Noting the existing child care centre operations, it is considered that the proposed additions are unlikely to result in a significant increase in noise which would adversely impact on adjoining residential properties. The hours of operations will remain unchanged being 7 am to 6 pm.

- *Parking and traffic*

In accordance with Chapter 3.5 Parking, a child care centre requires one off-street car parking space per four children. The existing development provides six spaces for 40 children. The Development Assessment Report for D94-341 stated that only four staff were required for the 40 children, which increased to eight staff as a result of amendments to legislation requiring an increase to minimum teacher numbers. This increase in staff numbers was never accounted for by way of provision of additional off-street car parks.

The proposal includes provision for 12 onsite car parking spaces. However, the car park does not make provision for a disabled car space and associated shared zone which is required in accordance with the Dubbo DCP 2013 and consideration of the Disability Discrimination Act (DDA) 1992, resulting in the loss of one car parking space. Further, the car park is proposed to be built 400 mm from the front boundary. Such setback does not make appropriate provision for landscaping given the location is residential and is required to provide a visual buffer. As such, two car parking spaces would have to be removed to cater for a sufficient landscaping area.

The proposal therefore makes provision for nine onsite car parking spaces for the overall development, being an additional 3 spaces to service the additional car parking demand.





It is considered that the proposed development will have an adverse impact on the residential nature of the locality given the shortfall in off-street car parking. Given there will be at least 13 employees, there isn't sufficient staff parking onsite, let alone provision for parents utilising the site.

Performance criteria P1 states:

*'non-residential use does not result in detrimental impacts to residential amenity having regard to traffic, parking...'*

Further, the relevant acceptable solutions for compliance with the criteria include:

*'A1.2 The level of noise and volume of traffic is not greater than the expected level associated with the regular activities of a residential area'*

*A1.3 Car parking is provided and designed appropriate for the site'*

It is considered that increasing the capacity by 32 children will increase the traffic in the area to a level which will not be consistent with the level of traffic associated with a residential area noting residents have expressed concerns regarding existing traffic and parking issues.

Noting traffic studies undertaken by the Roads and Traffic Authority (RTA) and outlined in their Traffic Generating Developments documentation, a child care centre with 72 students will generate 266.4 daily vehicle trips, an increase of 118.4 daily vehicle trips. Goode Street is a local residential street dominated by mixed density residential living.

Five submissions were received during the public notification period highlighting concerns regarding the proposed increase in traffic and insufficient off-street parking. The submissions state that parking and traffic in Goode Street is already an issue in which an increase of 32 children will create an adverse impact upon the public road system.

It is therefore considered that the proposal will result in adverse traffic and parking impacts not consistent or appropriate for a residential area.

As a result of Council raising concerns in respect to traffic and parking, the Applicant submitted a Traffic Management Plan which provided three initiatives to manage the parking demand. These being:

- Parent Agreement - Parents will be required to arrive and depart at times within a spread of 15 minute blocks, agreed to with the child care centre;
- Staff will be encouraged to utilise alternative transport (i.e. walking or cycling), share rides with other staff members, utilise the centre's courtesy bus and casual staff members starting at later times to utilise public transport; and
- Courtesy bus service - The centre intends to introduce a courtesy bus service to be operated by a staff member for the pick-up and drop-off of children.

It is considered that the above initiatives are not considered appropriate mechanisms to reduce the minimum parking requirements, particularly given the current parking shortfall. The parent agreement referred to above will require the child care centre and the parent to enter into an agreement on enrolment as to what time (15 minute block) drop-offs and pick-ups are to occur. Given the large majority of drop-offs occur between 8.30 am and 9 am, it is considered this is unlikely to alleviate the peak period.

It is noted that no specific details have been provided as to how this will be managed. With regards to these initiatives, the Applicant advised that Council is required to enforce any issues or non-compliance with the Traffic Management Plan. However, it is considered inappropriate to grant consent to a development with identified issues where ongoing compliance enforcement is likely.

Further, whilst 38% of existing parents expressed an interest in utilising the courtesy bus, as no bus currently operates, it is not considered appropriate to vary minimum car parking requirements on this basis given it is unclear or uncertain how many children will actually utilise this service. Further, a bus cannot appropriately park and manoeuvre in a safe and efficient manner within the car park and therefore would be required to park in Goode Street posing safety concerns for children, parents, residents and motorists and increased congestion.

Council's Traffic Engineer has reviewed the Application, including the Traffic Management Plan, and has stated his concern with the proposed development. His comments are provided in detail below:

*"I consider that the expansion of the Child Care Centre is an over development of the site that will impact on the safety and amenity of its clients accessibility to the Centre and on the adjacent road network and local residents. The consultant has developed mitigating measures to reduce the traffic and parking impacts however other than the physical increase in parking there will be a reliance on the management of the human factor in seeking behavioural change from the current practices, adherence to time schedules, conditions on child placement, request to use alternative transport options and the use of a courtesy bus. I am of the opinion that the reliance on people management to achieve a satisfactory traffic and parking environment to the centre cannot be guaranteed and is considered to be an unsustainable solution ...*

- *... Observations on site particularly in the AM reveal congestion with access to the site and on street queueing to the current 6 off street car parking spaces. It is considered that this congestion would continue following the Centres expansion and the use of the two way driveway;*
- *No provision has been provided for disabled parking on site;*
- *The car park is designed to minimum standards revealing operational and safety deficiencies;*
- *Vehicle conflict will be experienced with parking activity due to the minimal manoeuvring area;*

- *Queuing will occur on Goodes Street and be exacerbated by vehicles encroaching into the entry driveway due to the 4.6m car parking spaces and then needing to negotiate the offset parking spaces at 5.4m;*
- *There is no vehicle and pedestrian separation or protection at the entry / exit area to the building. (Vehicles reversing and turning onto this area);*
- *Parking immediately adjacent the boundary of Jubilee Street without a buffer area is not supported;*
- *With the advent of parking congestion and queuing customers will find it safer and more convenient to park on street;*
- *There has been no mention of how the Courtesy Bus will set down and pick up at the Centre. It would appear that this will occur on street as there is no parking availability on site. I would consider it to be a priority to deliver these children to the front door."*

(a)(iii) Regulations

No matters prescribed by the Regulations impact determination of the Development Application.

- (b) Likely impacts of the development (including environmental (natural and built) and social and economic impacts in the locality)

It is considered that there will not be any adverse impacts on the natural environment nor would the development have any adverse economic impacts.

However, it is considered that there will be an impact on the built environment as a result of the proposed front façade not being consistent with that of a residential street. Further, it is considered there will be adverse social impacts as a result of the increased traffic volumes and associated noise, together with inadequate provision for off-street parking.

(c) Suitability of the site

- *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 views/vista, and access to sunlight on adjacent properties or in the locality. It is considered however, that with minimal landscaping on the front boundary, there will be an adverse impact on the scenic quality of the area given the modifications to the front off-street car parking area.

- *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?*

The external appearance of the proposed development is not appropriate in the context of the locality considering the proposed design is inconsistent with the residential nature of the locality with the front façade (southern elevation) being more consistent with that of a commercial area.

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

The size and shape of the site is not considered appropriate given that insufficient space is available to provide the minimum off-street car parking spaces. As such, the proposal is considered an over development of the site.

- *Will the development proposal have an adverse impact on the existing or likely future amenity of the locality?*

It is considered that the proposed development will have an adverse impact on the amenity of the locality given the significant increase in traffic and parking in Goode Street.

- *Will the development have an adverse effect on the public domain?*

It is considered that the proposed development will have a detrimental impact on the public domain noting the traffic and parking required on Goode Street due to a shortfall in off-street car parking.

- *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 there will not be any adverse environmental impacts as a result of this proposal.

- *Is the development likely to cause noise pollution?*

There will be noise impacts during the construction phase, however this could be mitigated through a condition which limited construction hours. Given the site currently operates as a child care centre, it is considered that additional noise is unlikely.

- *Is the development likely to generate any adverse cumulative impacts?*

It is considered that given the existing child care centre has insufficient parking, a reduction to the minimum parking requirements with this development will have a cumulative detrimental impact.

- *Has adequate provision been made for vehicle entry/exit, loading/unloading, internal manoeuvring and parking of vehicles within the development?*

The proposed development does not provide sufficient car parking upon the site. The development is required to have 14 onsite car parking spaces in which only nine are proposed.

- *Has the surrounding road system in the locality the capacity to accommodate the traffic generated by the proposed development?*

It is considered that the surrounding road network has sufficient capacity to cater for the proposed development though the immediate locality would suffer due to on-street parking by staff and parents of children attending the centre.

(d) Submissions

This development proposal was placed on public exhibition for 14 days ending the 19 January 2016. Five submissions were received primarily related to insufficient off-street parking and traffic generation. Copies of the submissions are attached as **Appendix 3**. An overview of concerns are itemised below:

1. Staff and parents park across residents driveways.

***Planning comment:***

It is considered natural for parents and staff to want to park as close to the child care centre as possible, ultimately resulting in conflicts with residents. It is considered this proposal will result in additional on-street car parking further exacerbating this issue.

2. The proposal has insufficient off-street parking and doesn't comply with the Dubbo DCP 2013 minimum parking requirements.

***Planning comment:***

The Application does not comply with the minimum parking requirements required under the Dubbo DCP 2013 with a shortfall of five spaces. It is considered that the proposed development will have an adverse impact on residents in Goode Street, further exacerbating the current parking issues.

3. On-street parking of staff and parents is not suitable or appropriate for a residential street.

***Planning comment:***

It is considered that this proposal will ultimately increase the requirement for staff and parents to park on Goode Street given the insufficient off-street parking. Given the residential nature of the street it is not appropriate to approve a development which would see an increase in off-street parking associated with a commercial premise.

4. Increase in traffic will have adverse impacts on residents.

***Planning comment:***

It is considered that the proposed development will have an adverse impact on the residents of Goode Street. Based on 3.7 daily vehicle trips per enrolment, the child care centre will produce an additional 118.4 daily trips which is considered a significant increase for a predominantly residential street.

5. Surrounding streets have high traffic volumes during peak times resulting in safety concerns for residents and motorists

***Planning comment:***

It was observed over several site inspections that the intersection of Goode and Jubilee streets experienced high activity for a residential street during the peak commuter period. It is considered the increase in traffic associated with the proposed development will further increase potential traffic conflicts, particularly on the Goode and Jubilee streets intersection.

6. Over-development of the site

***Planning comment:***

Noting the accumulative parking and traffic impacts discussed through this report it is agreed the Application is an over-development of the site.

- (e) Public Interest

It is considered that the proposed development is not in the public's interest given the significant adverse impact on residents, staff, parents and their children attending the child care centre in terms of traffic and parking.

## **5. SECTION 64/SECTION 94 CONTRIBUTIONS**

As the proposed development is recommended for refusal, S64/94 contributions are not included in this report. However, appropriate conditions are included in **Appendix 1** should the application be approved requiring the payment of contributions.

## **6. INTERNAL REFERRALS**

### ***Building Assessment***

Council's Senior Building Development Officer in the report dated 9 February 2016 has raised no major issues which would prevent development consent from being granted subject to the recommended conditions and notations. These are included in **Appendix 1**.

### ***Engineering Assessment***

Council's Development Engineer in the report dated 10 February 2016 recommended conditions and notations to be included in the event that the proposal is approved but made the following comment:

*“Technical Services raised concerns with the increased number of children including staff, which ultimately require more onsite parking. The applicant provided only 6 onsite parking. This will create more problems for off-street parking.”*

Off-street parking and traffic has been addressed above.

Further, Council’s Traffic Engineer has undertaken a review of the submitted Application and Traffic Management Plan and noted that *“...the expansion of the Child Care Centre is an over development of the site that will impact on the safety and amenity of its clients accessibility to the Centre and on the adjacent road network and local residents.”*

### **Environment and Health Assessment**

Council’s Environment and Health Services Supervisor in the report dated 12 February 2016 has raised no major issues which would prevent development consent from being granted subject to the recommended conditions and notations. These are included in **Appendix 1**.

### **SUMMARY**

The Applicant has sought development consent to undertake alterations and additions to an existing child care centre on Lot 5 DP 15672, 8 Goode Street, Dubbo known as ‘Orana Gardens Child Care Centre’. The proposal will increase the capacity of enrolments from 40 to 72 children plus an additional five teachers to 13.

The proposed development does not comply with the minimum off-street car parking requirements in accordance with the Dubbo DCP 2013 and it is considered to have detrimental impacts upon the locality. Further, the significant increase in traffic associated with the proposal is not consistent or appropriate for a residential street.

Having considered the matters raised and discussed in the assessment of the Application, it is recommended that the Application be refused for the following reasons:

- a. The likely traffic and parking issues associated with the proposed development is not consistent with point 4 of the objectives of the R1 General Residential zone being “to ensure development is consistent with the character of the immediate locality” (S79C(1)(a)(i) Environmental Planning and Assessment Act 1979).
- b. The proposed development has insufficient off-street car parking and does not comply with the minimum parking requirements in accordance with the Dubbo Development Control Plan 2013 (S79C(1)(a)(iii) Environmental Planning and Assessment Act 1979);
- c. The front façade (southern elevation) is not consistent with that of the established residential area being a commercial design (S79C(1)(b) and S79C(1)(a)(iii) Environmental Planning and Assessment Act 1979).
- d. The site is not suitable for the proposed development (over-development of the site) as the off-street car park is unable to contain a sufficient number of onsite car spaces (S79C(1)(c) Environmental Planning and Assessment Act 1979) to service the development.

- e. The proposed development is considered not to be in the public's interest given the traffic and parking issues will be detrimental to adjoining property owners in the vicinity as well as occupants, staff and children accessing the centre (S79C(1)(e) Environmental Planning and Assessment Act 1979 from increased traffic and onsite parking).
- f. Insufficient landscaping has been provided to the front boundary to provide an appropriate visual buffer from the street to the commercial premises (S79C(1)(a)(i) Environmental Planning and Assessment Act 1979).
- g. Five (5) submissions were received objecting to the proposed development citing traffic, parking concerns and non-compliance with the DCP (S79C(1)(d) Environmental Planning and Assessment Act 1979).

Appendices:

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



**CONDITIONS:**

- (1) The development shall be undertaken generally in accordance with the submitted Statement of Environmental Effects (SEE) and the stamped approved plans (including amendments marked in red) except where modified by any of the following conditions:

Drawing Title: Proposed Site Plan  
 Drawing No: TP-A101  
 Drawn By: The ELLIS Group Architects  
 Date: 18.4.16

Drawing Title: Proposed Ground Floor Plan  
 Drawing No: TP-A103  
 Drawn By: The ELLIS Group Architects  
 Date: 18.4.16

Drawing Title: Proposed Elevations  
 Drawing No: TP-A210  
 Drawn By: The ELLIS Group Architects  
 Date: 26.10.15

Drawing Title: Proposed Elevations  
 Drawing No: TP-A211  
 Drawn By: The ELLIS Group Architects  
 Date: 26.10.15

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

- (2) The Water Supply headworks contribution of \$784.64, calculated on a per Equivalent Tenement (ET) basis (0.143 ETs), pursuant to Section 64 of the Local Government Act 1993, Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000, and in accordance with Council's adopted Combined Water Supply and Sewerage Contributions Policy dated November 2002, shall be paid by the developer on the submission of the relevant Occupation Certificate.

Such contribution rate per ET is adjusted annually in accordance with Section 3 of the Combined Water Supply and Sewerage Contributions Policy becoming effective from 1 July each year and as adopted in Council's Annual Revenue Policy.

Note 1: Council's adopted 2015/2016 financial year rate is \$5,487.00 per ET.

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

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

- (3) The Sewerage Services headworks contribution of \$71.33, calculated on a per Equivalent Tenement (ET) basis (0.013 ETs), pursuant to Section 64 of the Local Government Act 1993, Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000, and in accordance with Council's adopted Combined Water Supply and Sewerage Contributions Policy dated November 2002, shall be paid by the developer on the submission of the relevant Occupation Certificate.

Such contribution rate per ET is adjusted annually in accordance with Section 3 of the Combined Water Supply and Sewerage Contributions Policy becoming effective from 1 July each year and as adopted in Council's Annual Revenue Policy.

Note 1: Council's adopted 2015/2016 financial year rate is \$5,487.00 per ET.

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

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

- (4) The Urban Roads headworks contribution of \$44,790.72, calculated on a per trip basis (118.4 trips), in accordance with Council's adopted Amended Section 94 Contributions Plan - Roads, Traffic Management and Carparking, operational 3 March 2016, shall be paid by the developer on the submission of the relevant Occupation Certificate.

Such contribution rate, per trip, is adjusted annually in accordance with Section 6.0 of the Section 94 Contributions Plan becoming effective from the 1 July each year and as adopted in Council's Annual Revenue Policy.

Note 1: Council's adopted 2015/2016 financial year rate is \$378.30 per commercial trip.

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

{Reason: Implementation of Council's Section 94 Contributions Plan - Roads, Traffic Management and Carparking dated 2016}

- (5) Prior to the issue of any Occupation Certificate, entry and exit points to and from the offstreet car parking area and car 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: Implementation of Dubbo DCP 2013}

- (6) Prior to the issue of any Construction Certificate, the Proposed Southern Elevation shown on Plan TP-A210, dated 26.10.15, drawn by The ELLIS Group Architects, is to be redesigned to the satisfaction of Council. The modified design shall be consistent with the residential nature of the locality noting the proposed design is incompatible in terms of bulk, scale and colour.

{Reason: Requirement of the Dubbo Development Control Plan 2013}

- (7) Prior to the issue of any Occupation Certificate, a Traffic Management Plan is to be submitted to Council providing detailed information as to how the development and each of the three (3) proposed “initiatives” outlined under Chapter 7 Managing Demand within the Traffic Management Plan prepared by GSA Planning, dated April 2016, has been implemented to ensure the appropriate availability of off-street car parking as detailed in the Development Application.

On approval from Council, for 24 months after the issue of the Occupation Certificate, a report is to be submitted to Council at the end of each month demonstrating compliance that teachers and parents have arrived and departed within their allocated time.

Further, prior to the issue of the Occupation Certificate, the proposed bus service is to be operational.

{Reason: To ensure the appropriate availability of off-street car parking}

- (8) A detailed plan of the landscaping for the site shall be submitted to and approved by Council, prior to the release of any Construction Certificate. The proposed landscaping shall be of a sufficient scale and density to soften the development.

The landscaping as approved shall be established and maintained to at least the standard specified on the approved development plans and shall be located as per the approved plans amended in red.

{Reason: To maintain and improve the aesthetic quality of the development}

- (9) The relevant conditions imposed under D1994-341 shall remain in force as part of this development.

{Reason: Council requirement to ensure the whole development is integrated}

- (10) The maximum capacity for the subject Child Care Centre is 72 children. Any proposal to increase the capacity will require approval from Council.

{Reason: Council requirement to ensure additional capacity does not adversely impact on the amenity, parking and traffic generated}

- (11) The approved hours of operation for the development are Monday to Friday 7.00am to 6.00pm.

{Reason: To protect and preserve the amenity of the surrounding locality}

- (12) 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}

- (13) Prior to the issue of any Occupation Certificate for the approved development, external works, such as landscaping, car park and hardstand areas, traffic signage, line marking, vehicular cross-overs, and any conditioned road/footpath upgrading must be 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 the development is completed prior to its occupation and use}

- (14) The building shall not be occupied or used until the Principal Certifying Authority (PCA) has first issued an Occupation Certificate.  
{Reason: Statutory requirement to ensure the building is fit for occupation}
- (15) 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}
- (16) 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 Certifying Authority (PCA) 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 Certifying Authority and appointed PCA, the Applicant can either prepare their own sign, or alternatively affix onsite the sticker that will be enclosed with the Council issued Construction Certificate. A larger sign in lieu of utilising the sticker is available upon request from Council's Civic Administration Building.

{Reason: Statutory condition imposed by clause 98A of the EP&A Regulation 2000}

- (17) The person having the benefit of this Development Consent, if not carrying out the work as an owner-builder, must unless that person is the principal contractor, ensure that the principal contractor has been notified of the critical stage inspections and any other inspections that are specified by the appointed Principal Certifying Authority (PCA) 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 proposed development shall be designed and constructed in conformity with the design criteria applicable under the Building Code of Australia (BCA) and *Disability (Access to Premises — Buildings) Standards 2010* of the Disability Discrimination Act 1992.

In this regard, if Council is engaged as the Certifying Authority, the Developer shall submit with the Construction Certificate application a schedule listing the development's compliance, exemption or non-applicability to the following clauses of Schedule 1 *Access Code for Buildings* under the *Disability (Access to Premises — Buildings) Standards 2010*:

(i) Clauses D3.1 – D3.12;

(ii) Clause E3.6; and

(iii) Clauses F2.2 and F2.4.

{Reason: Council requirement to ensure compliance with the Premises Standards under the DDA is demonstrated}

- (19) The hot water delivered to the outlets of any childcare facilities, hand-basins, shower and any fixture used for the children's personal hygienic purposes shall not exceed 45°C. Any other fixtures shall not exceed 50° C. Prior to the issue of the Occupation Certificate the licensed plumbing contractor is to submit to Council, a Certificate of Installation in demonstrating compliance with the above.

{Reason: Council policy and statutory requirement of the Plumbing Code of Australia}

- (20) All roof and stormwater work shall be carried out in accordance with the requirements of the Local Government (General) Regulation, the Plumbing Code of Australia and AS/NZS 3500.3-2003. In this regard the licensee is required to submit to Council a Certificate of Compliance for the subject stormwater work within two days of completion.

{Reason: Statutory, Council and BCA requirement}

- (21) The applicant shall ensure that the responsible builder or contractor submits to Council, if Council is engaged to act as the Principal Certifying Authority (PCA), a Certificate of Installation certifying that the wet areas of the building have been protected by the installation of a water-proofing system conforming to AS 3740 'Waterproofing of domestic wet 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}

- (22) 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: Council requirement to prevent pollution of the environment by wind-blown litter}

- (23) The drainage and plumbing installation shall comply with the provisions of the Local Government (General) Regulation, 2005 and the requirements of Council as the water and sewerage authority.

{Reason: Statutory and Council requirement}

- (24) Any proposed alterations to be carried out to the existing building's sanitary plumbing and drainage pipe work requires the issue of a separate approval from Council prior to being installed. In this regard a Plumbing and Drainage Approval Application form is available from Council, and must be completed by the licensed plumbing and drainage contractor undertaking the work and returned to Council with the appropriate fee. Plumbing and drainage works must not be commenced until Council has issued a permit authorizing such works.

{Reason: Statutory requirement of Local Government (General) Regulation 2005}

- (25) All sanitary plumbing and drainage and water plumbing work shall be carried out by a licensed plumber and drainer.  
{Reason: Statutory requirement of Section 634 Local Government Act 1993}
- (26) The top of the building's overflow (relief) gully shall be a minimum 150 mm below the lowest sanitary fixture serving the building.  
{Reason: Statutory and sewerage authority requirement}
- (27) The top of the building'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}
- (28) 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 inspection of such works. When requesting an inspection, please quote Council's reference number located in the top left hand corner of this page.
- Advanced notification for an inspection should be made by emailing [enviroadmin@dubbo.nsw.gov.au](mailto:enviroadmin@dubbo.nsw.gov.au) or by telephoning Council's Environmental Services Division on 6801 4612.
- Internal and external sanitary plumbing and drainage under hydraulic test.
  - Water plumbing under hydraulic test.
  - Final inspection of the installed sanitary and water plumbing fixtures upon the building's completion prior to its occupation/use.
- {Reason: Statutory provision and Council requirement being the water and sewerage authority}
- (29) All excavations associated with the erection of the building and installation of associated services must be properly guarded and protected to prevent them from being dangerous to life or property. Excavations undertaken across or in a public place must be kept adequately guarded and/or enclosed and lit between sunset and sunrise, if left open or otherwise in a condition likely to be hazardous to persons in the public place.  
{Reason: Council requirement for protection of public}
- (30) The full width of Council's footpath shall be kept free of all refuse, building materials and unnecessary traffic and disturbance. Any unauthorised material found upon Council's footpath may be impounded or removed without notice.  
{Reason: Council requirement as the relevant road authority}
- (31) If the new work proposes to utilise structural timbers that are susceptible to termite attack, the proposed building work must be provided with a subterranean termite management system utilising an integrated termite barrier system conforming to AS 3660.1. In this regard the applicant is required to submit to Council a Certificate of Installation from an appropriately qualified person, prior to an Occupation Certificate being issued.  
{Reason: Council requirement imposed in the public's interest under S79C of the EP&A Act 1979}

- (32) A durable notice associated with a required termite barrier system provided to the building is required to be permanently fixed to the building, preferably in the inside lid of the building's meter box and must indicate:
- (a) The method(s) of termite protection provided to the building;
  - (b) The date of installation of the termite protection system;
  - (c) Where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label in the following applicable applications:
    - (i) Underfloor barriers;
    - (ii) External barrier; and
  - (d) The need for the owner/occupier to maintain and inspect the building and installed barrier system(s) on a regular basis, being not less than once every 12 months.
- {Reason: Requirement of the Building Code of Australia}
- (33) A survey certificate indicating the position of the western wall and canopy (awning) roof shall be submitted to the Principal Certifying Authority (PCA) upon the building work reaching completion. No Occupation Certificate is to be issued until the PCA is satisfied that the building work has been carried out within the property's boundary and in conformity with the approved wall setback clearances.
- {Reason: To ensure setbacks/clearances have been achieved}
- (34) 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}
- (35) If Council is engaged to act as the Principal Certifying Authority (PCA), the applicant shall ensure that the responsible builder and/or applicable contractors 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 PCA that the applicable work has been undertaken in conformity with the BCA}
- (36) For the purposes of upgrading the existing building's fire safety, the following shall be undertaken, the details of which are to be implemented as part of the proposed building works:
- (a) The premises' adopted Emergency Evacuation Plan is to be listed as an essential fire safety measures on the building's Fire Safety Schedule. Display of the plan at or near every "required" exit of the premises at all times, is to be included as part of that fire safety measure's standard of performance, and
  - (b) The existing building's required exit doors are to be made compliant with D2.21(a) of the BCA, unless details demonstrating compliance with D2.21(b) of the BCA are submitted with the Construction Certificate application for the proposed building work.

{Reason: Council requirement for provision of adequate fire safety upgrading of the building in consideration of clause 94 of the EP&A Regulation 2000}

- (37) All vehicles (including the courtesy bus) 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}

- (38) All loading and unloading of goods related to the development proposal shall be carried out within the confines of the allotment's boundary. Under no circumstances will the loading or unloading of goods on the public roadway system be permitted.

{Reason: Requirement of Council so as not to create adverse traffic conditions}

- (39) No materials, goods, plant or vehicles associated with the proposed development shall be stored, displayed or placed for advertising purposes outside the allotment's boundary.

{Reason: Implementation of Council's policy codes}

- (40) No vehicles larger than a "Passenger Vehicle" 5.4 m in length, (utilising the Austroads design templates), are permitted to access the subject land and development proposal.

{Reason: The internal manoeuvrability and access to the subject land and proposed development will only facilitate passenger vehicle 5.4 m in length or vehicles of lesser dimensions at this location}

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

{Reason: Council requirement to require compliance with the POEO Act}

- (42) Demolition and construction work shall only be carried out within the following time:

Monday to Friday: 7 am to 6 pm

Saturday: 8 am to 1 pm

Sunday and public holidays: No construction work permitted

{Reason: Council requirement to reduce likelihood of noise nuisance}

- (43) At least one disabled car parking space, having a minimum width of 4.8 m and provided with the signage and marking requirements of AS/NZS 2890.6, shall be provided within the proposed car park (as amended in red on the approved plans). The marking and signage to such car park space shall be maintained in a trafficable and legible condition. Such parking space shall have a continuous accessible path of travel provided between it and the principal pedestrian entrance to the subject building.

{Reason: Council requirement in consideration of section 79C of the EP&A Act and the DDA 1992}

#### NOTES:



- (1) A separate application is required to be submitted to either Council or an accredited certifier to obtain a Construction Certificate to permit the erection of the proposed building(s).
- (2) The proposed building is likely to be required to have a subterranean termite barrier system conforming to a method or methods contained in AS 3660.1. Details of the selected system will be required to be submitted with the Construction Certificate application.

Note: The system selected must take into account any different forms of construction in the building as well as the protection of attached structures and posts (eg steps, verandahs, porches, carports, claddings etc).

- (3) A list of Fire Safety Measures must be submitted with the Construction Certificate application pursuant to clause 139 of the Environmental Planning and Assessment Regulation 2000. The Regulation prescribes that the information to be submitted must include:
  - A list of any existing fire safety measures provided in relation to the land or any existing building on the land; and
  - A list of the proposed fire safety measures to be provided in relation to the land and any building on the land as a consequence of the building work.
- (4) Every glazed door and glazed panel so located in relation to other parts of the building that is capable of being mistaken for a doorway or unimpeded path of travel and has a surface area in excess of 0.5 m<sup>2</sup> should be glazed with Grade A safety glass. Further, glazing in a panel or door enclosing or partially enclosing a shower or bath should also be glazed with either Grade A or Grade B safety glass.
- (5) 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.
- (6) The owner of the building is required to submit to Council at least once in each period of 12 months following the completion of the building an Annual Fire Safety Statement(s) with respect to each essential fire safety measure associated with the building.

Copies of the subject Annual Fire Safety Statements must also be forwarded by the owner to the Commissioner of the Fire and Rescue NSW and displayed within the subject building in a prominent position. In this regard Fire and Rescue NSW has requested that only electronic copies of the statement be forwarded, with their dedicated email address for such Statements being: [afss@fire.nsw.gov.au](mailto:afss@fire.nsw.gov.au)

- (7) Details of the disabled facilities (including accessways, signage, doorway and corridor widths, doorway luminance contrast, ramps 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 provisions of the BCA and the Access Code to the *Disability (Access to Premises — Buildings) Standards 2010* (the Premises Standards) as adopted under the Disability Discrimination Act.

In particular, the submitted details must address the applicable upgrading of the existing building which constitute the “affected parts” as defined under the Premises Standards. Reference should be made to the Premises Standards (particularly sections 2.1 and 3.2), the Access Code and AS 1428.1:2009 regarding specific legislative requirements and design parameters.

Note: The Premises Standards and Access Code and the Australian Human Rights Commission’s ‘*Guideline on the Application of the Premises Standards*’ can be viewed and download from the following website links:

- <http://www.comlaw.gov.au/Details/F2011C00214>
- [http://www.humanrights.gov.au/disability\\_rights/standards/Access\\_to\\_premises/Premises%20Standards%20Guideline\\_Final\\_2.pdf](http://www.humanrights.gov.au/disability_rights/standards/Access_to_premises/Premises%20Standards%20Guideline_Final_2.pdf)

- (8) If Council is engaged to act as the accredited certifier, the following shall be submitted as a minimum in conjunction with any application for a Construction Certificate:
- The location of all existing and proposed emergency lights and exit signage, together with a statement that they will be installed in accordance with AS 2293.1;
  - Provision of an additional adult toilet [F2.3(b)], complying with AS 1428.1-2009 as an “ambulant” facility;
  - Nominate on the plans the alternative “required exit”, complying with D1.5 of the BCA, to the Principal Pedestrian Entry and provide exit signage thereto;
  - Details of the air conditioning system complying with the provisions of E2.2 of the BCA for class 9b buildings;
  - Details of partition walls to be provide for the proposed new children’s toilets facilities indicating compliance with F2.3(g) of the BCA;
  - Details of compliance with the Premises Standard for the Principal Pedestrian Entry threshold and all doors and passageway/s clearances, forming a continuous accessible path from and including the Principal Pedestrian Entry to the new (“affected part”);
  - Details of the protection to be provided for the openings (windows and doors) on the western side of the building complying with C3.4 of the BCA;
  - Provision of a copy of the Emergency Evacuation Plan for the premises, as part of the Fire Safety Schedule;
  - Indicative drainage plans for the proposed roof water disposal system, including location and diameter of downpipes and drainage pipes conveyed to the street;

- Details of the proposed method of termite treatment showing that compliance will be achieved with AS 3660; and
- All structural details including specifications, tie-down and bracing plans and calculations and slab design details.

(9) For your information, Early Childhood Centres enjoy a number of concessions under the BCA and the Access Code of the Premises Standard with respect to door latches, handles and locking devices and the like. However, required exits that lead into open fenced areas are required to have an “unobstructed” pathway to the street. Whilst security of the children is paramount and the gates providing egress out of these areas, must be readily opened by an adult. In this regard the Construction Certificate application documentation must demonstrate compliance with both D1.10 and G1.3 of the BCA

- (10) The following BCA related matters were observed with the submitted development plans. Some of these items have been referenced for inclusion in Construction Certificate documentation required if Council is appointed the Certifying Authority:
- a. An additional adult toilet is required to be provided on the premises as the existing unisex disabled facility may only be used by up to ten (10) employees; and eleven (11) are required to comply with licensing requirements ( F2.3(b)); and
  - b. The second toilet to be provided (as above) would have to be of an Ambulant Accessible design to conform to the BCA and Access Code Deemed-to-satisfy provisions complying with AS 1428.1-2009;
  - c. In an early childhood centre, facilities for use by children must have each sanitary compartment screened by a partition which, except for the doorway, is opaque for a height of at least 900 mm but not more than 1200 mm above the floor level {F2.5(c) of the BCA}. The presented plans indicate these facilities to be part of the Children Room 01;
  - d. The width of the Principal Pedestrian Entry (PPE) and doors to proposed Children Room/s 02 and 03 are to have leaves that provide a clear unobstructed opening of 850mm, and the existing passageway compliant with AS 1428.1-2009, with regards to disabled manoeuvrability;
  - e. The proposed exterior western wall is within 3m of the allotment boundary which is a fire source feature (FSF). For a TYPE C building, this wall, if located 1.5m to 3m from the FSF is required to have an FRL of 60/60/60 and openings protected in accordance with C3.4;
  - f. Two exits are required due to the increased travel distance from the PPE. A number of the external doors may comply but the nominated “required” exit must be provided with an exit sign above that door as well as in passageway/s and other doors leading to that exit (E4.5).
  - g. Education and Care Services National Regulation require such premises to have, and rehearse evacuations every three months under the terms of an Evacuation Management Plan.

As a fire safety upgrade measure (E P & A Regulation 2000, clause 94) Council has required this plan to be listed as an item on the Fire Safety Schedule as a fire safety measure for the subject building.

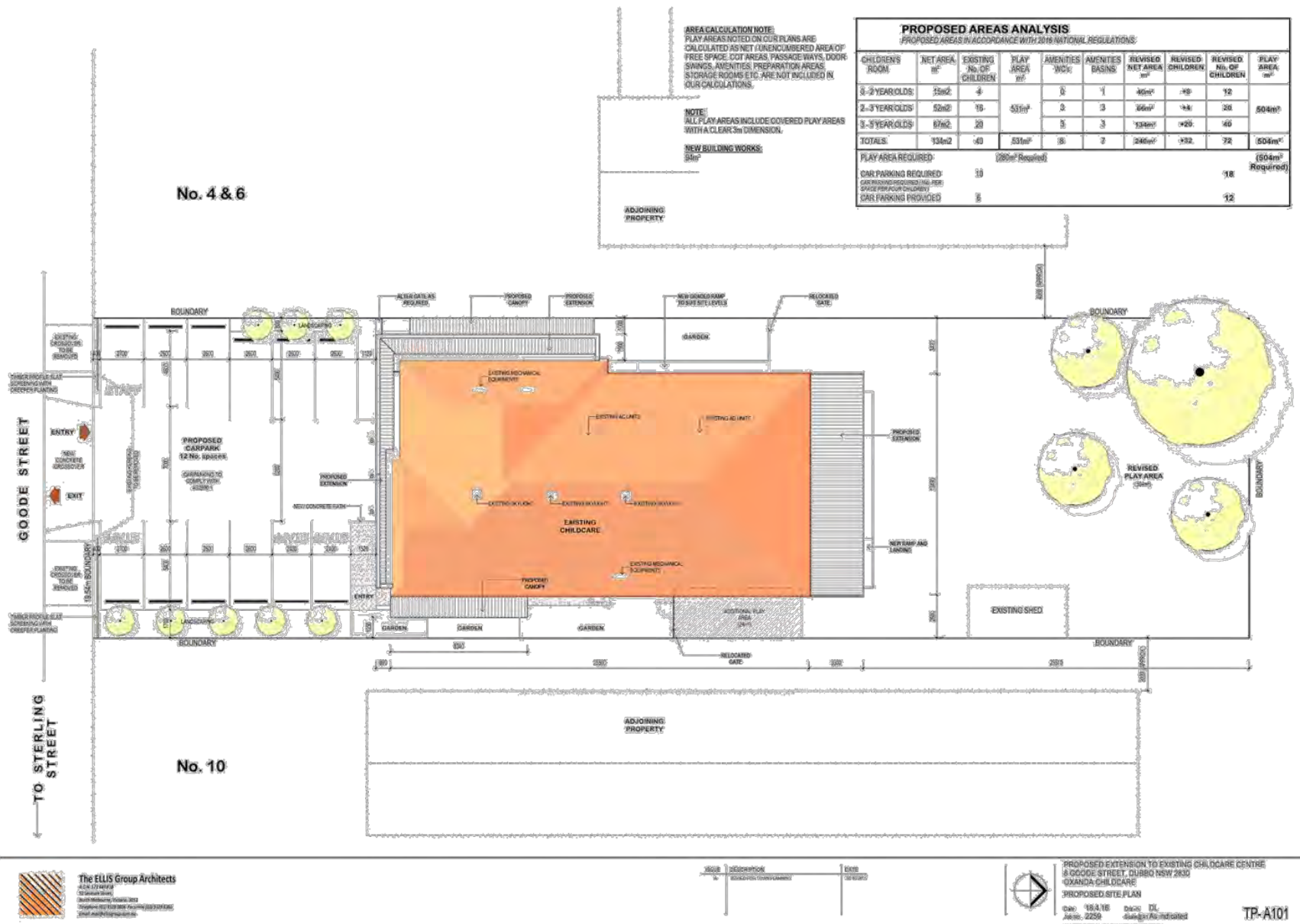
- h. The proposed bollards to be installed in the existing pathway from the street and carpark to the building's principal pedestrian entrance will obstruct disabled access; and thus be non-compliant with both the BCA and the Access Code.
- (11) Insufficient details were provided to Council with the Development Application to fully assess the operation of the proposed childcare centre to ascertain the need or otherwise of a potential trade waste discharge. Thus the conveyance of effluent from the proposed development into Council's sewerage system may constitute a trade waste discharge. Should this be the case a Trade Waste application would need to be completed (accompanied with all required drainage, discharge and capacity details, pre-treatment devices and installation details), and submitted to Council. Before the issue of the building's Construction Certificate the developer (or operator of the proposed business) is to consult with Council's Water Supply and Sewerage Client Services Coordinator to ascertain the need or otherwise for a trade waste discharge. No effluent will be permitted to be discharged to Council's sewer until the required Trade Waste Approval has been obtained and all required pre-treatment devices have been installed and passed by Council.
- (12) 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.
- (13) Please note that those portions of the building proposed to be used for the manufacturing, preparing, storing or handling of food need to be constructed and operated in accordance with the requirements of the Food Act 2003, Food Regulations 2010 and the Food Safety Standards.
- (14) The Council Section 94/64 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. Copies are also available from: [www.dubbo.nsw.gov.au](http://www.dubbo.nsw.gov.au)

#### **RIGHT OF REVIEW AND APPEAL:**

**Right of Review:** Section 82A of the Environmental Planning and Assessment Act 1979 confers the right for an applicant to make a request to the Council for it to review its determination, within six months after the date on which the applicant received this notice. Any requests for a review are required to be accompanied by a fee as set in Council's revenue policy.

Note: Pursuant to s82A(4) a Council is not obligated to accede to a request for review.

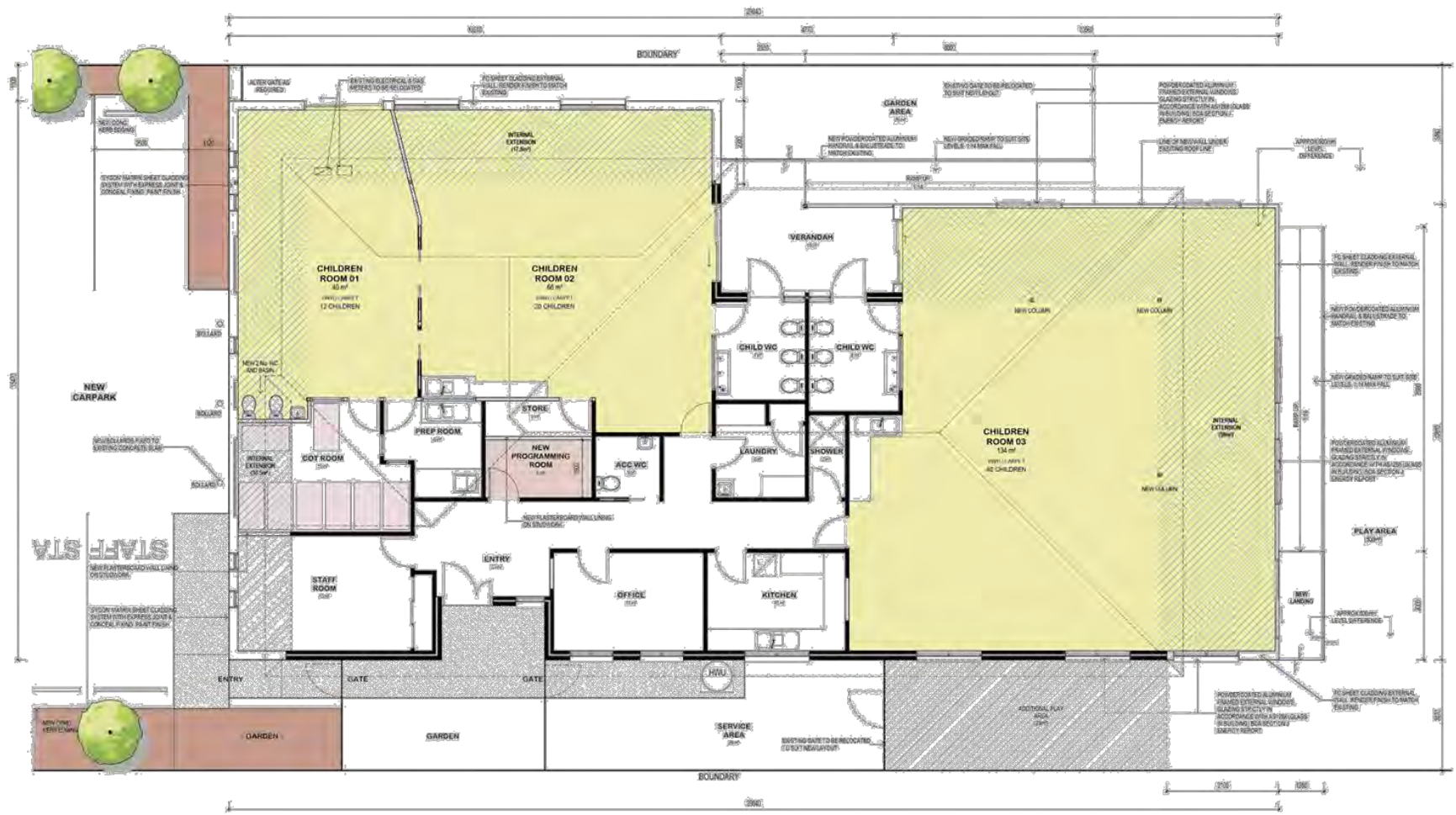
**Right of Appeal:** Section 97 of the Environmental Planning and Assessment Act 1979 confers the right for an applicant who is dissatisfied with Council's determination to appeal to the Land and Environment Court within six months after the date on which you receive this Notice.



**The ELLIS Group Architects**  
 4/24-27 WILSON ST  
 DUBBO NSW 2830  
 Phone: 02 7333 3333  
 Email: info@ellisgroup.com.au



PROPOSED EXTENSION TO EXISTING CHILD CARE CENTRE  
 8 GOODE STREET, DUBBO NSW 2830  
 QANDA CHILD CARE  
 PROPOSED SITE PLAN  
 Date: 16/3/16 Drawn: DL  
 Job No: 2229 Client: Qanda Child Care  
 TP-A101



**The ELLIS Group Architects**  
 6/14-17/483/8  
 2/2000/1000  
 Suite 100/1000/1000  
 1000/1000/1000/1000/1000

Scale: 1:100  
 Date: 19/08/2024



PROPOSED EXTENSION TO EXISTING CHILDCARE CENTRE  
 8 GOODE STREET, DUBBO NSW 2830  
 CHILDCARE  
 PROPOSED GROUND FLOOR PLAN  
 Date: 19/08/2024 Drawn: DL  
 Scale: 1:100 Drawing: 1/200  
 (Drawing and construction to be approved)

TP-A103







**Lee Griffith**

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**From:** Keanna Parry <keannaparry@gmail.com>  
**Sent:** Monday, 1 February 2016 11:13 PM  
**To:** DCC Mailbox  
**Subject:** Submission for application (10.2016.17.1)  
**Attachments:** 3 Goode St Parking.jpg

To General Manager;

Re: Development Application 10.2016.17.1

We are the owners of property 3 Goode Street adjacent to the Childcare Centre purposing the development application. We are currently concerned about the effects that additional staff and children drop-offs/pick-ups will have on our parking spots directly in front of our house entrance. Our property does not have any off street parking and we own two vehicles which are parked there off and on all day. We have a young baby and a toddler and the problem of the Child Care staff blocking our vehicles from having close access to our house is already an issue. We have asked the staff to at least park along our fence and not directly in our front gate which they have been kind enough to accept but pick-up parents still block parking for us right at the time we are home from work. We are asking to have Permit Parking for two vehicles directly in front of our gate/house entrance. We do not have an issue with vehicles parking further down our property fence. Please take a look at the attached property image to see the area we would like permit parking to be put in place or as an alternative a notice and guarantee from the Childcare that we will not have their staff or parents parking directly in the two parking spots in front of our house. If not we will be objecting the application.

Thank you for your time and consideration.

Keanna & Lachlan Naef

RECEIVED  
FEB 2016  
By MB

20 Goode Street  
DUBBO NSW 2830

Building and Development Services

Dubbo City Council

Church Street

DUBBO NSW 2830

Attention Lee Griffith

Dubbo City Council	
Parcel	D16-17
Ass	SP2
- 2 FEB 2016	
File C	PL16/15

### Re Development Application D2016-17

I am submitting a written objection to the above mentioned development application.

In my view there are no issues with the proposed extensions to the building however there is a major issue with the proposal that Goode and Jubilee Street can accommodate such an increase in traffic relating to the dropping off and pick up of 70 children and all day parking for 13 staff Monday to Friday. It is just not safe in this small residential area.

The intersection of Goode Street and Fitzroy Street is very busy as it carries a lot of traffic from Jubilee Street in peak periods. Combined with the existing traffic from the Day Care Centre and the local area, it is not safe in my view to expect the surrounding streets to accommodate the parking requirements that are the responsibility of the Day Care Centre to provide. Visibility is often an issue as people enter and exit their homes in the local area. Goode Street near the intersection of Sterling Street has a traffic divide and double lines. These double lines are from Sterling Street to outside 16 Goode and these lines and traffic island are obviously due to the unsafe nature of this intersection. A number of my

neighbours in Goode Street have advised me of many incidents of "near misses" trying to negotiate the current traffic in Goode Street between Sterling and Fitzroy Streets.

It is neither practical nor convenient for the residents of Goode and Jubilee Streets and their visitors to have to compete in a residential area for parks with clients of a business that currently has a shortfall of 4 parking spaces and proposes to significantly increase the impost on the residents.

The existing centre is currently operating with 60% of the parking spaces required under the Dubbo DCP 2013, with the surrounding residential area currently accommodating the shortfall of 4 parking spaces. If Centre Policy requires the internal parking be reserved for pick-ups and drop-offs only, then the surrounding residential area is in effect also accommodating an overflow of 8 staff parking spaces.

Section 4.3.1 of the Statement of Environmental Effects proposes surrounding residential streets accommodate the shortfall of 12 parking spaces. This is in conflict with section 3.5.6 of the DCP, which requires that car parking be provided on-site, or alternatively, by agreement with Council, on other private land under suitable covenant, where that land is convenient to the site, safe and practical. It is submitted that the on-street parking arrangement proposed is not suitable to accommodate the shortfall under the requirements of the DCP. Further, even if 12 on-street spaces were considered appropriate to accommodate the shortfall, no information has been submitted by the Applicant which identifies:

- the number of proposed on-street spaces which would be required to be utilised by parents in peak periods
- How that arrangement would be able to meet the requirements for convenient, safe and practical access, particularly with respect

to the movement of children.

In the absence of the required number of parking spaces on-site, it is requested that the Applicant provide additional information identifying an alternative off-street car parking arrangement in accordance with section 3.5.6 of the DCP. Where suitable agreement for off-street parking cannot be reached with Council in accordance with the requirements of the DCP, it is requested that the development be refused.

Barbara Sutherland

0466495128

rog.barb6@yahoo.com.au

**Sally Cullenward**

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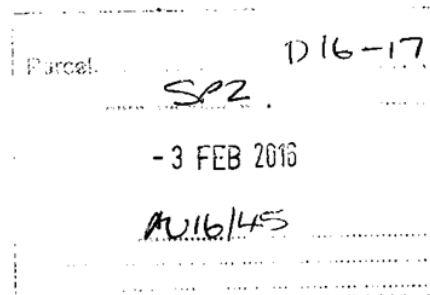
**From:** kelgreen2 [kelgreen2@gmail.com]  
**Sent:** Tuesday, 2 February 2016 4:40 PM  
**To:** DCC Mailbox  
**Subject:** 8 goode street development

Hi

Recently recieved a letter from DCC regarding the proposed development of 8 goode street. We are against this proposal as there just isn't enough parking throughout the weekdays to justify it, as it is as the employees at time have parked too close to driveways of the residents trying to get shade from the trees in summer and the park too bloody close to the corner of Goode Street and Jubilee st that we have witnessed to many near accidents as it is near impossible to see around the cars on the corner turning into Goode street. We understand that there is a demand for daycare vacancies but this location just can't accommodate this businesses growth in Goode street as the owner occupiers cannot get a park on the street. Happy to be contacted by DCC if there's any questions about our objection.

Thanks  
Jason and Kelly Green  
9 Goode Street  
Dubbo

Sent from my Samsung Galaxy Tab A on the Telstra Mobile network



**Colleen Fletcher**

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**From:** jodie [jodie@ozarkehm.com.au]  
**Sent:** Tuesday, 2 February 2016 1:27 PM  
**To:** DCC Mailbox  
**Subject:** Submission towards D2016-17 - Lot 5 DP 15672  
**Attachments:** Development application objection - Goode St.docx

Please find my submission attached.

Regards  
Jodie Benton

Jodie Benton  
5 Sterling Street  
DUBBO NSW 2830

Building and Development Services  
Dubbo City Council  
Church Street  
DUBBO NSW 2830

Dubbo City Council	
Parcel	DIL 17
Ass.	CAP 2
- 3 FEB 2013	
File C.	DUB/15

*Attention Lee Griffith*

**Re: Development Application D2016-17**

Whilst I am overall satisfied with the proposed DA, I feel that parking is an issue not adequately addressed by the Proposal.

- Dubbo DCP 2013 specifies parking requirements. Even at current operational level, these are not met (4 space shortfall). The surrounding residential area has to accommodate this. If Centre Policy requires the internal parking be reserved for pick-ups and drop-offs only, then the surrounding residential area is also accommodating an overflow of eight staff parking spaces.
- Section 4.3.1 of the Statement of Environmental Effects (SEE) proposes surrounding residential streets accommodate the shortfall of 12 parking spaces. This is in conflict with section 3.5.6 of the DCP, which requires that car parking be provided on-site, or alternatively, by agreement with Council, on other private land under suitable covenant, where that land is convenient to the site, safe and practical.
- This on-street parking arrangement is not suitable to accommodate the shortfall under the requirements of the DCP. Further, even if 12 on-street spaces were considered appropriate to accommodate the shortfall, no information has been provided to identify:



- the number of proposed on-street for parent use in peak periods; or
- how that arrangement would meet the requirements for convenient, safe and practical access, particularly with respect to the movement of children.

In the absence of the required number of parking spaces on-site, it is requested that the Applicant provide additional information identifying an alternative off-street carparking arrangement in accordance with section 3.5.6 of the DCP.

Jodie Benton  
0403 763 504  
jodie@ozarkehm.com.au

**Colleen Fletcher**

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**From:** Ricalton Jones <rbmljones@aapt.net.au>  
**Sent:** Tuesday, 9 February 2016 9:39 AM  
**To:** DCC Mailbox  
**Cc:** rbmljones@aapt.net.au  
**Subject:** Objection to DA 2016-17  
**Attachments:** Objection to DA 2016-17.doc

Attention Lee Griffith,

As discussed,

Many Thanks,  
Moir Jones

SP2

Ricalton and Moir Jones  
 2 Goode Street  
 DUBBO NSW 2830  
 02 68825127  
 rbmljones@aapt.net.au

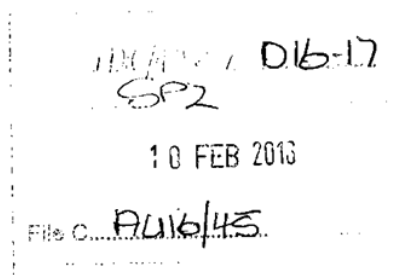
Building and Development Services  
 Dubbo City Council  
 Church Street  
 DUBBO NSW 2830

**Attention Lee Griffith**

Re Development Application D2016-17

I am submitting a written objection to the development application on the following grounds:

- The existing centre is currently operating with 60% of the parking spaces required under the Dubbo DCP 2013. The surrounding residential area is currently accommodating the shortfall of 4 parking spaces. If Centre Policy requires the internal parking be reserved for pick-ups and drop-offs only, then the surrounding residential area is in effect also accommodating an overflow of 8 staff parking spaces.
- Section 4.3.1 of the Statement of Environmental Effects proposes surrounding residential streets accommodate the shortfall of 12 parking spaces. This is in conflict with section 3.5.6 of the DCP, which requires that car parking be provided on-site, or alternatively, by agreement with Council, on other private land under suitable covenant, where that land is convenient to the site, safe and practical. It is submitted that the on-street parking arrangement proposed is not suitable to accommodate the shortfall under the requirements of the DCP.



Further, even if 12 on-street spaces were considered appropriate to accommodate the shortfall, no information has been submitted by the Applicant which identifies:

1. the number of proposed on-street spaces which would be required to be utilised by parents in peak periods
2. how that arrangement would be able to meet the requirements for convenient, safe and practical access, particularly with respect to the movement of children
3. The projected impact on traffic flow and parking times per drop off/pick up accounting for the compounding impact of increased time taken for 0-5yo children to walk the increased distance between on-street car parking and the centre.

The total shortfall in parking, considering the 12 proposed on street spaces and, peak parent parking, would utilise more than 1/3 of the available on street parking in the entire block comprised of Goode st (between Fitzroy st and Sterling) and 5 Sterling st. These are the addresses identified as impacted by this DA and notified in the notice as issued by the Dubbo city council.

We request information be required to be submitted which identifies how the car parking arrangements are to comply with standards as set in DCP section 3.5.6 identifying an alternative off-street car parking arrangement.

In the absence of the required number of parking spaces on-site, it is requested that the Applicant provide additional information in accordance with section 3.5.6 of the DCP.

Where suitable agreement for off-street parking cannot be reached with Council in accordance with the requirements of the DCP, it is requested that the development be refused.

Ricalton and Moir Jones

0452277515

[rbmljones@aapt.net.au](mailto:rbmljones@aapt.net.au)

**WESTERN  
PLAINS  
REGIONAL  
COUNCIL**

Incorporating the former  
Dubbo City & Wellington councils

**REPORT: Development Application D16-  
146: Health Consulting Room - Lot 831 DP  
1065207, 33 Cypress Point Drive, Dubbo  
Applicant: Mr C de Beer  
Owner: Mrs L Thornton  
Lodged: 5 April 2016**

**AUTHOR: Planner  
REPORT DATE: 10 June 2016  
TRIM REFERENCE: ID16/1065**

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**EXECUTIVE SUMMARY**

Council is in receipt of a Development Application D16-146 for additions to a dwelling at Lot 831 DP 1065207, 33 Cypress Point Drive, Dubbo for the purposes of a health consulting room (Podiatrist) lodged with Council on 5 April 2016.

The additions will extend beyond the southern elevation of the garage and include an entrance foyer, one (1) consulting room and one (1) disabled accessible toilet. The gross floor area of the extensions is 31 m<sup>2</sup> and the operating hours will be Wednesday, 11 am to 6 pm and Saturday, 8 am to 1 pm (approximately 1.5 days per week), with consultations being undertaken on a 30 minute basis.

The proposed development is consistent with the objectives of the applicable Environmental Planning Instruments, Development Control Plan and Council policies and is not considered likely to have any significant negative impacts upon the environment or the amenity of the locality, primarily because of its small scale and sympathetic design with the dwelling.

The development application has been referred to Council for determination due to the fact that the applicant is requesting that all developer contributions be waived with the subject development application. In this regard, Water and Sewer Headworks, and Urban Roads Contributions are applicable to a total value of \$1,118.37. The applicants stated basis for the request to waive is that the development has the same characteristics as a 'Home Occupation' which is permitted without consent in the R2 Low Density Residential zone under the Dubbo Local Environmental Plan (LEP) 2011.

The request for the contributions to be waived is not supported. The development is specifically defined in the Dubbo LEP 2011 as a 'Health Consulting Room' for which a development consent is required and for which no exemptions exist under the relevant developer contributions plan.

Having regard for the above, it is recommended that the Development Application be approved subject to the conditions included in **Appendix 1** includes conditions 28, 29 and 30 that require the payment of relevant developer contributions.

#### **FINANCIAL IMPLICATIONS**

Should Council waive the required Water and Sewer Headworks, and Urban Roads Developer Contributions totalling \$1,118.37 (2015/2016 financial year figures), the ability of Council to fund necessary infrastructure projects will be reduced proportionately.

#### **POLICY IMPLICATIONS**

There are no policy implications arising from this report.

#### **RECOMMENDATION**

- 1. That Development Application D16-146 for additions to a dwelling for the purpose of a Health Consulting Room at Lot 831 DP 1065207, 33 Cypress Point Drive, Dubbo be approved subject to the conditions and notations as included in Appendix 1.**
- 2. That Council not accede to the request to waive developer contributions associated with the subject development as the development is specifically defined in the Dubbo LEP 2011 as a 'Health Consulting Room' for which a development consent is required and for which no exemptions exist under the relevant developer contributions plan.**
- 3. That persons who made submissions be advised of Council's determination in this matter.**

*Alex Noad*  
Planner

## 1. DEVELOPMENT DETAIL

The subject Development Application seeks approval for additions to a dwelling at Lot 831 DP 1065207, 33 Cypress Point Drive, Dubbo for the purposes of a 'Health Consulting Room'.

The additions will extend beyond the southern elevation of the garage and include an entrance foyer, one (1) consulting room and one (1) disabled accessible toilet, with a gross floor area of the extensions being 31 m<sup>2</sup>. Site works include a footpath to the foyer entrance from the existing driveway and alterations to an existing fence in line with the garage. Plans are attached as **Appendix 2**. The total value of the development is \$135,000.

The health consulting room is proposed for use by a podiatrist, with operating hours proposed to be Wednesday, 11 am to 6 pm and Saturday, 8 am to 1 pm.

The podiatrist proposes to conduct consultations on a 30 minute basis. Accounting for a lunch break, the application submits that 11 patients would attend the room on Wednesday and eight patients would attend the room on Saturday. As only one patient would be consulted at a time with another waiting in the foyer, only two car parking spaces would be utilised by patients at any one time.

The Development Application further submits that any headworks contributions that may be applicable should be waived. The request for contributions to be waived is based on the health consulting room having similar characteristics to a home occupation, an exempt form of development, for which no contributions would be applicable. The applicant further stated that the proposed development would not generate more traffic than a home based hairdresser, seamstress or dressmaker, professional consultant or builder.

The Development Application has been forwarded to Council for determination due to it including a request by the applicant for the applicable developer contributions to be waived.

## 2. SITE CHARACTERISTICS

### *Slope*

The site slopes from west to east. However, the site is retained along its southern and eastern boundaries to provide a flat site on which the residence has been constructed.

### *Vegetation*

Landscape plantings are present throughout the site, including low level plantings in the front setback.

### *Access*

The site connects to Cypress Point Drive via a double width driveway.



**Figure 1:** Locality map and development site (x) of 33 Cypress Point Drive, Dubbo.

#### *Drainage*

The site drains to Cypress Point Drive which contains reticulated stormwater infrastructure.

#### *Services*

The site has access to services as follows:

- Reticulated water is available along Cypress Point Drive
- Reticulated sewer is available along Cypress Point Drive
- Reticulated stormwater is available along Cypress Point Drive
- Reticulated electricity is available along Cypress Point Drive.

#### *Adjoining uses*

The site is adjoined by residential dwellings to the east, north and west. An open space area is located to the south.

### **3. SITE HISTORY**

An investigation of the history of the site revealed the following approval:

- D2008-39 Dwelling with Double Garage.

There are no issues from this previous development approval which require further consideration.



**4. LEGISLATIVE REQUIREMENTS (Environmental Planning and Assessment Act 1979, Section 79C(1))**

(a)(i) Environmental Planning Instruments

***State Environmental Planning Policy (Infrastructure) 2007***

The Development Application was referred to Essential Energy for comment under Clause 45 due to the close proximity of underground powerlines. Essential Energy have provided a letter (dated 27 April 2016) raising no objections to the development subject to standard conditions being included on the consent. A notation to this effect is recommended and is reflected in the proposed conditions included in **Appendix 1**.

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

***Orana Regional Environmental Plan No. 1 - Siding Springs Observatory (deemed SEPP)***

The subject site is situated in excess of 100 km from the Observatory and the development will not provide a significant level of light spill or glare. The proposed development does not require referral to the Observatory under the provisions of the deemed State Environmental Planning Policy (SEPP).

***Dubbo Local Environmental Plan 2011***

The following clauses of Dubbo Local Environmental Plan (LEP) 2011 have been assessed as being relevant and matters for consideration in assessment of the Development Application:

*Clause 1.2 Aims of Plan*

The development is consistent with the aims of the Plan.

*Clause 1.4 Definitions*

The proposed use is defined as health consulting rooms:

***Health consulting rooms*** means premises comprising one or more rooms within (or within the curtilage of) a dwelling house used by not more than three health care professionals at any one time.

***Health care professional*** means any person registered under an Act for the purpose of providing health care.

The proposed additions will result in an extension to the curtilage of a dwelling house. The proposed room will be utilised by a podiatrist who is registered under the NSW Podiatrists Act 2003. The applicant has provided an extract from the Australian Health Practitioner Regulation Agency (AHPRA) – Register of Practitioners, being the national registry for health professionals, which confirms that the owner is a registered health care professional.

*Clause 1.9A Suspension of covenants, agreements and instruments*

No restrictions are present on the Deposited Plan or associated Instruments which would contradict the provisions of the LEP.

*Clause 2.2 Zoning of land to which Plan applies*

The subject site is zoned R2 Low Density Residential.

*Clause 2.3 Zone objectives and Land Use Table*

The objectives of the R2 Low Density Residential zone are as follows:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure development is consistent with the character of the immediate locality.*
- *To encourage low density housing within a landscaped setting on the fringe of the Dubbo urban area.*

The development is considered consistent with the relevant objective to be consistent with the character of the area.

*Clause 7.5 Groundwater vulnerability*

The site is located in a high groundwater vulnerability area. The development will have no impacts on the quality or quantity of groundwater in the locality.

*Clause 7.7 Airspace operations*

The site is located below the 330 m Australian Height Datum (AHD) Obstacle Limitation Surface (OLS) contour. The subject site has a ground level of 286.25 m AHD and the proposed development will have an apex height 4 m above this level, being 290.25 m AHD. Accordingly, the development will be clear of the OLS contour by 39.75 m and have no impact on the operations of the Airport.

(a)(ii) Draft environmental planning instrument

Council recently adopted an amendment to Dubbo LEP 2011, Clause 5.4(9) regarding the size of secondary dwellings. The draft amendment applies to the land to which the Development Application relates, but not the proposal.

(a)(iii) Development Control Plans

### Dubbo Development Control Plan 2013

An assessment is made of the relevant chapters and sections of the Dubbo Development Control Plan (DCP) 2013. Those chapters or sections not discussed here were considered not specifically applicable to this application, or are discussed elsewhere in this Report.

#### Chapter 2.1.1 Residential Development

##### Element 1: Streetscape Character

The development is a single-storey extension with a pitched roof and rendered exterior that will integrate with the design of the existing dwelling and surrounding residences as required. The design includes a front window that provides visual detail for the development and allows passive surveillance of the street.

The development does not include additional frontage fencing. It will reduce an existing fence in line with the existing garage and proposed waiting room (see Photomontage below).



**Photomontage:** View of the proposal looking north-east.

#### Element 2: Building set-backs

The proposed development will have a front setback of 5.2 m and a secondary setback of 1.67 m. The secondary setback requires a variation of 1.33 m from the 3 m setback required under Acceptable Solution A1.4. The variation is considered acceptable as the extension is small in scale, will integrate with the existing dwelling and will fit behind an existing boundary fence. Accordingly, the development will have no visual impacts on the streetscape or effect adjoining dwellings.

#### Element 3: Solar Access

The development will extend off the southern elevation of the garage. The scale of the development is small and will not affect solar access to the residence, its private open space or any adjoining properties.

#### Element 4: Private Open Space and Landscaping

The residence will retain a private open space (POS) area of approximately 392 m<sup>2</sup> being far in excess of the 20% (191 m<sup>2</sup>) general POS requirement and comprising of a Principal POS in excess of 25 m<sup>2</sup>.

The development includes enhanced landscaping in the front setback of the site comprising plantings with a mature height of approximately 2 m. The enhanced landscaping will be suitable to soften any visual impacts of the development as required.

#### Element 5: Infrastructure

The residence has access to all reticulated services and these will be extended to the consulting room. Standard building conditions are recommended on the consent addressing these matters.

#### Element 6: Visual and Acoustic Privacy

The development will extend from the southern elevation of the garage towards the secondary boundary of the site which adjoins Cypress Point Drive. Accordingly, the development will have no impacts on visual or acoustic privacy of surrounding dwellings.

#### Element 7: Vehicular Access and Car Parking

The residence includes a double garage and double width driveway setback 7 m from the front boundary. Accordingly, the residence has four available car parking spaces for the residence and consulting room. The two car parking spaces proposed for patients of the consulting room are located in the driveway.

Given that only one person will be able to be consulted, while another waits in the foyer, it is considered that the two car parking spaces proposed will be acceptable for the development.

Furthermore, the development will maintain the residential requirement for two car parking spaces per three bedroom dwelling. These spaces will be available in the garage.

#### Element 8: Waste Management

The development will be connected to Council's reticulated sewer system. Standard conditions regarding the disposal of solid wastes are recommended on the consent.

#### Element 9: Site Facilities

The development will have no impact on the provision of site facilities such as clothes lines and waste storage areas.

#### Element 10: Non-Residential Uses

The development has a gross floor area of 31 m<sup>2</sup>. It is small in scale and has been designed to integrate with the existing dwelling. Accordingly, it will fit with the residential nature of the locality as required.

The level of noise associated with the development will be minimal as the development includes a waiting room and consultations will be undertaken inside.

Traffic associated with the development will be 5.5 m vehicles (cars). The submitted plans show that such vehicles can be accommodated in the driveway. While the driveway does not enable vehicles to leave the site in a forward direction, the traffic generated by the development will be minimal and does not warrant alterations to the existing driveway.

The use will operate approximately 1.5 days a week during normal business hours. Cypress Point Drive is a wide sealed street which can accommodate traffic from the health consulting room in addition to traffic from surrounding residences.

#### Element 11: Signage

The development includes one business sign on the fence beside the reception area. The sign will not be illuminated and have an area of 0.32 m<sup>2</sup> (800 mm x 400 mm). It should be noted that the sign meets the criteria for exempt Business Signs under SEPP (Exempt and Complying Development Codes) 2008 and accordingly would not require consent.

#### Chapter 3.5 Parking

Under Chapter 3.5 Health Consulting Rooms require traffic to be generated at one space per 25 m<sup>2</sup> of Nett Leasable Area (NLA). The NLA for the development (excluding the toilet) is 21.6 m<sup>2</sup>, accordingly only one car parking space would be required for the development. The development will provide two car parking spaces in the driveway (in addition to the two spaces in the garage for private use) which exceeds the requirement.

- (b) Likely impacts of the development (including environmental (natural and built) and social and economic impacts in the locality)

The development will have no impacts on the natural or built environment or social and economic impacts in the locality.

- (c) Suitability of the site

- *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 development has been designed to integrate with the design of the existing dwelling and have no impacts on the scenic qualities of the area.

- *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?*

The development is appropriate having regard to the character, scale and design of the dwelling and surrounding residences.

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

The site is a large corner site which has ample room for the development. The secondary frontage setback variation is acceptable as it will have no impacts on adjoining residences or streetscape.

- *Will the development proposal have an adverse impact on the existing or likely future amenity of the locality?*

The development will not affect the residential character of the area in relation to scale, traffic or environmental effects due to its small scale and limited days of operation.

- *Will the development have an adverse effect on the public domain?*

The development will have no impacts on the public domain.

- *Has adequate provision been made for access and parking for persons with a disability?*

The driveway is of a sufficient width to accommodate parking for persons with a disability and an appropriate width path will be extended from it to the entrance as required.

As the development is a very small extension to the existing residence, Council's Building Development Officer has advised that it is not required to be upgraded for people with a disability under the BCA or Premises Standards.

The development will not encroach on Council's footpath and obstruct pedestrian access or movements in the area.

(d) Submissions

The Development Application was notified to owners of adjoining properties for a period of 14 days ending 22 April 2016.

Three submissions were received all of which objected to the proposal. The issues raised are summarised as follows:

1. The site is located in a premium residential area. The development will detrimentally effect the value of surrounding dwellings.

**Planning comment:**

Property values are effected by many factors. However, the nature and scale of the proposal are such that the health consulting room would be physically indistinguishable from the surrounding properties.

2. The development is not consistent with the objectives of the R2 Low Density Residential zone.

**Planning comment:**

The proposal is not inconsistent with the objective requiring that development be consistent with the residential character of the area within a landscaped setting.

It should be noted that health consulting rooms are permitted with consent in the R2 Low Density Residential zone and therefore can be seen as inherently consistent with the objectives of the zone subject to appropriate design.

3. The development will have a shortfall of car parking spaces and generate additional traffic in Cypress Point Drive. The traffic will not be able to be accommodated and will threaten the safety of residents and their children.

**Planning comment:**

The development will generate minimal traffic due to limited days of operation and a single consulting room. The two car parking spaces provided in the driveway are deemed suitable for the development.

Further, Cypress Point Drive is a wide, sealed street with ample on-street parking available, particularly south of the site where it fronts a public road and does not directly service dwellings.

4. The development will generate security and privacy concerns for surrounding residences.

**Planning comment:**

The development is located on a corner lot and will extend towards its secondary boundary which is delineated by a 1.8 m fence and adjoins the road. The development will not cause privacy issues.

The nature and design of dwellings in the street is such that there is good passive surveillance of the street. The movements of people attending the consulting rooms can be readily monitored by surrounding residents. It should be noted that the applicant resides in the dwelling onsite and would remain equally interested in the security of the dwelling and area.

- (e) Public Interest

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

**5. SECTION 64/SECTION 94 CONTRIBUTIONS**

**Section 64 Water Headworks Contributions**

The dwelling has utilised an existing credit of 5000L.

1 Equivalent Tenement (ET)	\$5487.00
Washing hands (2)	110L
Toilet	30L
Leakage 10%	14 L
Total:	154L/d
Calculation: $154 / 5000 = 0.0304\text{ET} \times \$5487.00 =$	<b>\$169.00</b>

The above calculation assumes full time/weekly operation of the health consulting room. It is noted that the consulting room will only operate 1.5 days per week. Accordingly, it is recommended that only  $\frac{1}{4}$  of the calculated contribution, being **\$42.25**, be required to be paid.

**Section 64 Sewer Headworks Contributions**

The dwelling has utilised an existing credit of 5000L.

1 ET	\$5487.00
Per commercial premises	0.04 ET
Calculation: $0.04 \times \$5487.00 =$	<b>\$219.48</b>

The above calculation assumes full time/weekly operation of the health consulting room. It is noted that the proposed room will only operate 1.5 days per week. Accordingly, it is recommended that only  $\frac{1}{4}$  of the calculated contribution, being **\$54.87**, be required to be paid.



#### Section 94 Urban Roads Contributions

The dwelling has utilised an existing credit of 11 residential trips.

Commercial Trip	\$378.30
GP, Medical Centres & Dentists	50 trips / 100 m <sup>2</sup> GFA
Floor area (less amenities)	21.6 m <sup>2</sup>
Calculation:	21.6 / 100 x 50 trips = 10.8 trips
	10.8 trips x \$378.30 = <b>\$4,085.64</b>

The above calculation assumes full time/weekly operation of the health consulting room. It is noted that the proposed room will only operate 1.5 days per week. Accordingly, it is recommended that only ¼ of the calculated contribution, being **\$1021.25**, is required to be paid.

The applicant/consultant is seeking that any applicable headworks contributions be waived. The request for contributions to be waived is based on the health consulting room having similar characteristics to a home occupation which is permissible without consent in the R2 Low Density Residential zone and for which no contributions would be applicable. In particular, it is further stated that the proposed development would not generate more demand on Council water or sewerage infrastructure, or traffic than a hair dresser, seamstress and dressmaker, professional consultant or builder. The level of increased assessed demand is outlined above.

Under the Dubbo LEP 2011, a Home Occupation is defined as follows:

**Home occupation** means an occupation that is carried on in a dwelling, or in a building ancillary to a dwelling, by one or more permanent residents of the dwelling and that does not involve:

- (a) the employment of persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise, or
- (c) the display of goods, whether in a window or otherwise, or
- (d) the exhibition of any signage (other than a business identification sign), or
- (e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail, ...

The development is defined specifically under the Dubbo LEP 2011 as a health consulting room which is permitted with consent in the R2 Low Density Residential zone:

**Health consulting rooms** means premises comprising one or more rooms within (or within the curtilage of) a dwelling house used by not more than three health care professionals at any one time.

The distinction is that a health consulting room is a commercial activity involving professional people, permitted with consent in the R2 Low Density Residential zone. Health consulting rooms by their very nature impact upon Council's infrastructure (water, sewer, traffic), but due to the relatively small scale and limited operating hours of the proposal the Contributions are also proportionately small, but remain applicable.

The Section 94 Urban Roads Contribution Plan, Section 3.6 Flexibility in the imposition of Contributions, states that Council may adjust or waiver contributions (in full or in part) as they apply to individual applications. As noted above, the contributions have already being adjusted in accordance with the nature of the proposal, namely the proposed business hours. However, the complete waiving of the contributions can only occur in the following circumstances:

- (a) *Where previous contributions have been paid on a particular property towards the planning need for which the contribution is to be levied and where it can be demonstrated that this can be attributed to the current development (i.e. that the demand for which the previous contribution was levied has not been realised and will be superseded by the current development application); or*
- (b) *Where a material public benefit has been obtained by council in lieu of a monetary contribution for the purposes outlined in (a) above; or*
- (c) *Where the applicant can demonstrate that the development does not generate demand for public amenities or services, or generates demand at a lower quantum than the rates set out in part 4 of this plan.*

None of the above circumstances are relevant to the proposal, nor has any additional justification been provided by the applicant in support of their request to waive contributions, and as such the determined contributions have been applied.

## 6. INTERNAL REFERRALS

### ***Building Assessment***

Council's Building Services Supervisor in the report dated 16 April 2016 raised no objections to the development subject to standard conditions being included on the consent. Conditions have been included in **Appendix 1**.

### ***Engineering Assessment***

Council's Development Engineer in the report dated 27 April 2016 raised no objections to the development subject to standard conditions being included on the consent. Conditions have been included in **Appendix 1**.

*Environment and Health Assessment*

Council's Environment and Health Services Supervisor in the report dated 22 April 2016 raised no objections to the development subject to standard conditions being included on the consent. Conditions have been included in **Appendix 1**.

**SUMMARY**

The applicant has sought development consent from Council for additions to a dwelling at Lot 831 DP 1065207, 33 Cypress Point Drive, Dubbo for the purposes of a health consulting room.

The proposed development is not considered likely to have any significant negative impacts upon the environment or upon the amenity of the locality.

The proposed development is consistent with the objectives of the applicable Environmental Planning Instruments, Development Control Plans and Council policies and is therefore recommended for approval subject to the conditions of consent attached as **Appendix 1**.

The applicant has also requested that headworks contributions are waived, however this request is not supported, as detailed in the report.

Having considered the matters raised and discussed in the assessment of the Application it is recommended that the application be approved subject to the conditions of consent detailed in **Appendix 1**.

Appendices:

- 1 Conditions and Notations
- 2 Plans

**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: Site Plan – Perspective Views  
Drawing no: 1832/16/DA/1  
Issue: B  
Sheet: 1 of 2  
Drawn by: De Beer Building Design  
Dated: 05/04/2016

Title: Floor Plan – Elevations – Before and After Views  
Drawing no: 1832/16/DA/2  
Issue: B  
Sheet: 2 of 2  
Drawn by: De Beer Building Design  
Dated: 05/04/2016

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

- (2) The approved hours of operation for this development are Wednesday, 11 am to 6 pm and Saturday, 8 am to 1 pm.

{Reason: To protect and preserve the amenity of the surrounding locality}

- (3) The finished floor level of the waiting/consulting rooms of the proposed dwelling additions must be a minimum 100 mm above the finished surrounding ground level or as otherwise permitted under Part 3.1.2 of the Building Code of Australia; except at the entry door thresholds, which should be graded and ramped in conformity with AS 1428.1.

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

{Reason: Council requirement to provide adequate stormwater free board and drainage}

- (4) The drainage and plumbing installation shall comply with the provisions of the Local Government (General) Regulation, 2005 and the requirements of Council as the water and sewerage authority.

{Reason: Statutory and Council requirement}

- (5) The sanitary, water plumbing and drainage associated with the proposed building 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 issued a permit authorising such works.

{Reason: Statutory requirement of Local Government Act 1993}

- (6) 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}

- (7) The top of the dwelling's existing overflow (relief) gully shall be a minimum 150 mm below the building's lowest sanitary fixture contained within the proposed new toilet compartment.

In this regard, if the floor level of the toilet compartment is not able to achieve the aforementioned required height clearance, then consideration should be given to excluding the provision of a floor waste to such compartment.

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

- (8) 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 permit such inspections to be performed. When requesting an inspection please quote Council's reference number (located in the top left hand corner of this page).

Advanced notification for an inspection should be made by emailing [enviroadmin@dubbo.nsw.gov.au](mailto:enviroadmin@dubbo.nsw.gov.au) or by telephoning Council's Environmental Services Division on 6801 4612.

- Internal and external sanitary plumbing and drainage under hydraulic test.
- Water plumbing under hydraulic test.
- Final inspection of the installed sanitary and water plumbing fixtures upon the building's completion prior to its occupation or use.

{Reason: Statutory provision and Council requirement being the delegated regulatory authority}

- (9) Any hot water delivered to the outlet of the disabled toilet's hand-basin shall not exceed 45°C.

Note: A thermostatic mixing valve will be required to be installed to achieve the maximum temperature setting of 45°C.

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

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

{Reason: To ensure satisfactory drainage}

- (11) The applicant shall ensure that the responsible builder or contractor submits to Council, if Council is engaged to act as the Principal Certifying Authority (PCA), a Certificate of Installation certifying that the wet area of the new toilet compartment have been protected by the installation a water-proofing system conforming to AS 3740 'Waterproofing of domestic wet areas'. Such Certificate must be provided prior to occupation or use of the building.

{Reason: To demonstrate the provision of an adequate moisture proofing system}

- (12) The new building works shall not be occupied or used until the Principal Certifying Authority (PCA) has first issued an Occupation Certificate.  
{Reason: Statutory requirement to ensure the building is fit for occupation}
- (13) 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: Council requirement to prevent pollution of the environment by wind-blown litter}
- (14) Prior to the issue of an Occupation Certificate, where the proposed building works necessitate the cutting-in of new stormwater outlets into the existing street kerb, the applicant and plumbing/drainage contractor shall ensure that the following procedures are adopted.
- (a) A kerb adaptor suitable for the particular kerb profile and capable of withstanding vehicular loadings is to be utilised;
  - (b) Create the opening in the kerb by use of either a saw cut or bored hole only – breaking out the kerb by impact methods is not permitted;
  - (c) The kerb adaptor is to be kept flush with the top and outside face of the kerb; and
  - (d) The fixing of the kerb adaptor and filling in of side gaps is to be undertaken by the use of an epoxy resin – mortar or concrete is not to be used.
- {Reason: Requirement of Council as the road authority}
- (15) All excavations associated with the erection of the building and installation of associated services must be properly guarded and protected to prevent them from being dangerous to life or property. Excavations undertaken across or in a public place must be kept adequately guarded and/or enclosed and lit between sunset and sunrise, if left open or otherwise in a condition likely to be hazardous to persons in the public place.  
{Reason: Council requirement for protection of public}
- (16) 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}
- (17) Prior to works commencing the Applicant shall ensure that a sign is erected on the work site in a prominent position at the front of the property showing:
- (a) The name, address and telephone number of the Principal Certifying Authority (PCA) 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 Certifying Authority and appointed PCA, the Applicant can either prepare their own sign, or alternatively affix onsite the sticker that will be enclosed with the Council issued Construction Certificate. A larger sign in lieu of utilising the sticker is available upon request from Council's Civic Administration Building.

{Reason: Statutory condition imposed by clause 98A of the EP&A Regulation 2000}

- (18) The person having the benefit of this Development Consent, if not carrying out the work as an owner-builder, must unless that person is the principal contractor, ensure that the principal contractor has been notified of the critical stage inspections and any other inspections that are specified by the appointed Principal Certifying Authority (PCA) to be carried out.

Note: The 'principal contractor' is the person responsible for the overall coordination and control of the carrying out of the building work.

{Reason: Statutory requirement imposed by the EP&A Act 1979}

- (19) 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}

- (20) Prior to the Occupation Certificate being issued for the new building works, 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 plumbing installations.

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

- (21) Roof water from the proposed dwelling additions shall be conducted to the street gutter by means of appropriate drainage, either by a direct connection, or by interconnection with existing dwelling stormwater pipework.

{Reason: To ensure satisfactory disposal of roof water}

- (22) If Council is appointed the Certifying Authority for the dwelling's proposed additions, the structural footing design for such additions must be designed and certified by an appropriately qualified structural engineer.

Such certification must also address whether there is any potential surcharge loading impact upon the adjoining retaining wall arising from the new building work, and if so, that remedial measures have been incorporated into such design.

{Reason: Council requirement to ensure structural stability of the existing retaining wall}

- (23) No vehicles larger than a passenger vehicle (5.2 m in length), (utilising the Austroads design templates), are permitted to access the subject land and development proposal.

{Reason: The internal manoeuvrability and access to the subject land and proposed development will only facilitate passenger vehicle 5.2 m in length or vehicles of lesser dimensions at this location}

- (24) 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}
- (25) All solid waste from construction and solid and hazardous wastes from operation of the proposed development shall be assessed, classified and disposed of in accordance with the *Department of Environment and Climate Change - Waste Classification Guidelines*. Whilst recycling and reuse are preferable to landfill disposal, all disposal options (including recycling and reuse) must be undertaken with lawful authority as required under the Protection of the Environment Operations Act.  
{Reason: Council requirement to require compliance with the POEO Act}
- (26) Construction work shall only be carried out within the following time:
- |                             |                                |
|-----------------------------|--------------------------------|
| Monday to Friday:           | 7 am to 6 pm                   |
| Saturday:                   | 8 am to 1 pm                   |
| Sunday and public holidays: | No construction work permitted |
- {Reason: Council requirement to reduce likelihood of noise nuisance}
- (27) The proposed landscaping shown on the approved development plan shall be established and maintained to at least the standard specified on the approved development plans.  
{Reason: To maintain and improve the aesthetic quality of the development}
- (28) The Water Supply headworks contribution of \$42.25, calculated on a land use basis, pursuant to Section 64 of the Local Government Act 1993, Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000, and in accordance with Council's adopted Combined Water Supply and Sewerage Contributions Policy dated November 2002, shall be paid by the developer prior to the release of the Occupation Certificate for the development.
- Such contribution rate per lot is adjusted annually in accordance with Section 3 of the Combined Water Supply and Sewerage Contributions Policy becoming effective from 1 July each year and as adopted in Council's Annual Revenue Policy.
- Note 1: Council's adopted 2015/16 financial year rate is \$5487.00 per lot.
- Note 2: As the above contribution rate is reviewed annually the 'current contribution rate' is to be confirmed prior to payment.  
{Reason: Implementation of Council's adopted Combined Water Supply and Sewerage Contributions Policy, November 2002, operating from 1 January 2003}
- (29) The Sewerage Services headworks contribution of \$54.87, calculated on a land use basis, pursuant to Section 64 of the Local Government Act 1993, Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000, and in accordance with Council's adopted Combined Water Supply and Sewerage Contributions Policy dated November 2002, shall



be paid by the developer prior to the release of the occupation certificate for the development.

Such contribution rate per lot is adjusted annually in accordance with Section 3 of the Combined Water Supply and Sewerage Contributions Policy becoming effective from 1 July each year and as adopted in Council's Annual Revenue Policy.

Note 1: Council's adopted 2015/16 financial year rate is \$5487.00 per lot.

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

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

- (30) The Urban Roads headworks contribution of \$1021.25 (2.7 commercial trips), calculated on a land use basis, in accordance with Council's adopted Amended Section 94 Contributions Plan - Roads, Traffic Management and Carparking, operational 3 March 2016, shall be paid by the developer prior to the issue of the Occupation Certificate for the development.

Such contribution rate is adjusted annually in accordance with Section 6.0 of the Section 94 Contributions Plan becoming effective from the 1 July each year and as adopted in Council's Annual Revenue Policy.

Note 1: Council's adopted 2015/16 financial year rate is \$378.30 (per commercial trips) per lot.

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

{Reason: Implementation of Council's Section 94 Contributions Plan - Roads, Traffic Management and Carparking dated 2016}

#### NOTES:

- (1) A separate application is required to be submitted to either Council or an accredited certifier to obtain a Construction Certificate to permit the erection of the proposed new building works.
- (2) The proposed building is likely to be required to have a subterranean termite barrier system conforming to a method or methods contained in AS 3660.1. Details of the selected system will be required to be submitted with the Construction Certificate application.

Note: The system selected must take into account any different forms of construction in the building as well as the protection of attached structures and posts (eg steps, verandahs, porches, carports, claddings etc).

- (3) Where the structural engineer's drawings for the proposed brick-veneer additions specify the provision of articulation joints to the external walls of such additions; it is the builder's responsibility to ensure that the bricklayer is informed of this requirement to facilitate their incorporation.
- (4) Prior to occupation or use of the new building works, an Occupation Certificate must be obtained from the Principal Certifying Authority (PCA) appointed for the subject development.
- (5) The owner, after completion of the installation of a subterranean termite barrier system, is responsible for:
  - (a) Ensuring that the barrier is not bridged or breached by erecting untreated additions or alterations to the building, placing materials against the outside walls, constructing gardens, paths, pavers, lawns etc closer than 75 mm to the bottom of the weepholes/cavity barrier/cladding/bottom brick course; and
  - (b) Ensuring that regular inspection of the termite barriers and the building itself are undertaken at a frequency not greater than once every 12 months, although more frequent inspection is recommended.

Failure to observe the above may ultimately result in termite infestation of the building. The purpose of termite barriers is to impede and discourage termite entry into a building. Termites can build around barriers but they are then in the open where they can be detected more readily during regular competent inspections.

- (6) If Council is engaged to act as the principal certifying authority, the following certificates, as a minimum, will be required to be provided by the principal contractor before issue of the Occupation Certificate:
  - Termite Treatment Certificates from the applicator/installer;
  - Certificate of installation certifying that the wet areas of the building have been protected by a waterproofing system conforming to AS 3740 "Waterproofing of wet areas in residential buildings";
  - A Certificate of Compliance for the building's stormwater work;
  - Provision of the Certificate of Compliance (CoC) and Sewerage Service Diagram (SSD) from the plumbing and drainage licensee to Council as the delegated Plumbing Regulator, for the completed sanitary drainage/plumbing and domestic water plumbing works.
- (7) The applicant is advised to ensure that the structural engineering footing design for the proposed dwelling additions, takes into account the close proximity of the existing retaining wall erected along the southern Cypress Point Drive frontage. A condition requiring this matter to be addressed if Council is appointed the Certifying Authority for the Construction certificate application, has been imposed on this consent.
- (8) 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. Drainage or plumbing works must not be commenced until Council has received both the completed application form and the prescribed Notice of Work (NoW).

The plumbing and drainage 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.

- (9) The existing dwelling footings were designed under AS 2870-1996 with the site reactivity being determined as 'Moderately' (M) reactive. The footing design for the proposed dwelling additions will be required to be designed to the version of AS 2870 which is adopted under the current BCA, being AS 2870-2011. The 2011 edition of AS 2870 requires a site reactivity classification to be modified where it is affected by a design depth of suction change (Hs) equal to or greater than 3m.

It is advised that the Dubbo region has a Thornthwaite Moisture Index (TMI) of -17.6 (being Zone 4:  $\geq -25$  to  $\leq -15$  TMI). Under AS 2870-2011 Dubbo soils would thus have a design depth of suction change (Hs) equal to or greater than 3m. Consequently, the subject site's reactivity classification will be required to be modified by the addition of '-D' as specified in Clause 2.1.2 to such standard, ie be specified as 'M-D'.

- (10) 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.

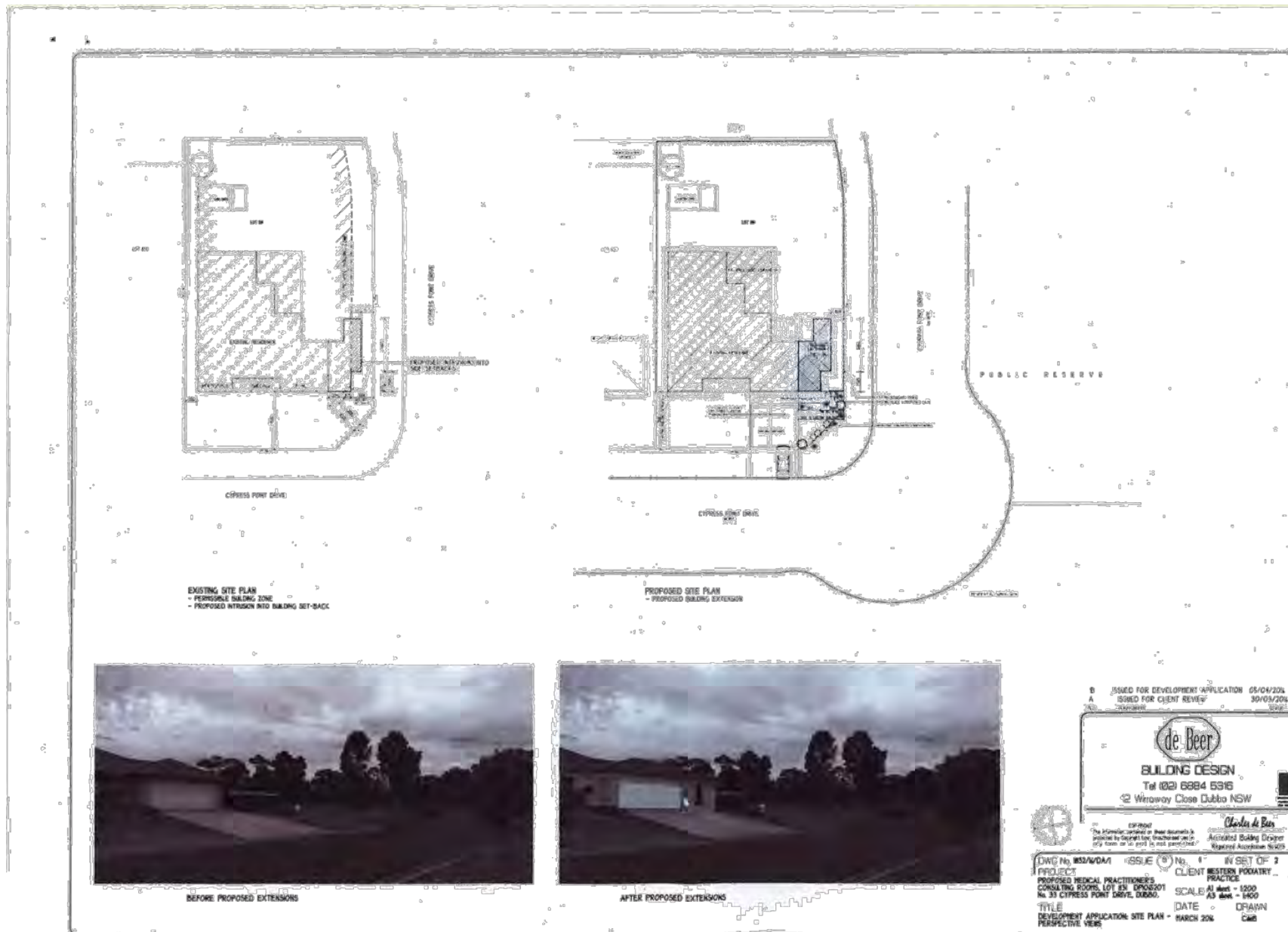
- (11) The development will be undertaken in accordance with Essential Energy's correspondence dated 27 April 2016.
- (12) The Council Section 94/64 Contribution Plans referred to in the conditions of this consent, may be viewed by the public without charge, at Council's Administration Building, Church Street, Dubbo between the hours of 9 am and 5 pm, Monday to Friday. Copies are also available from: [www.dubbo.nsw.gov.au](http://www.dubbo.nsw.gov.au)

#### **RIGHT OF REVIEW AND APPEAL:**

**Right of Review:** Section 82A of the Environmental Planning and Assessment Act 1979 confers the right for an applicant to make a request to the Council for it to review its determination, within six months after the date on which the applicant received this notice. Any requests for a review are required to be accompanied by a fee as set in Council's revenue policy.

Note: Pursuant to s82A(4) a Council is not obligated to accede to a request for review.

**Right of Appeal:** Section 97 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 six months after the date on which you receive this Notice.



The architectural drawings are organized as follows:

- Top Row:** Two landscape photographs. The left image is labeled "BEFORE PROPOSED EXTENSION" and shows a rural landscape with a field and distant hills. The right image is labeled "AFTER PROPOSED EXTENSION" and shows the same landscape with a new building structure visible in the middle ground.
- Middle Row:** Two elevation drawings of the building. The left drawing is labeled "PROPOSED WEST ELEVATION TO STREET" and shows a gabled structure with a large central opening. The right drawing is labeled "PROPOSED SOUTH ELEVATION TO STREET" and shows a long, low profile with a gabled roof and a covered walkway.
- Bottom Left:** A detailed floor plan labeled "PROPOSED FLOOR PLAN". It shows the layout of the building with various rooms, corridors, and structural elements. A note indicates "EXISTING BUILDING FLOOR AREA 200M<sup>2</sup>" and "PROPOSED TOTAL BUILDING EXTENSION AREA 3500M<sup>2</sup>".
- Bottom Right:** A professional stamp and title block. It includes the logo for "de Beer BUILDING DESIGN" with contact information: "Tel (02) 8884 5316" and "27 Winkaway Close Dubbo NSW". It also features the name "Charles de Beer" and his professional credentials. The stamp contains the following text:
 

ISSUED FOR DEVELOPMENT APPLICATION	05/04/2016
ISSUED FOR CLIENT REVIEW	30/03/2016
No.	Assessors
Date	

PROJECT: 832/DA/2  
 PROPOSED MEDICAL PRACTITIONERS CONSULTING ROOMS, LOT 831, DP96201, No. 33 CYPRESS POINT DRIVE, DUBBO.  
 SCALE: A3 sheet - 1:500  
 A5 sheet - 1:200  
 DATE: MARCH 2016  
 DRAWN: CMB

## REPORT: Proposed Road Naming - 54 Grangewood Drive, Dubbo - Development Application D14-395

**AUTHOR:** Land Information Services Supervisor  
**REPORT DATE:** 9 June 2016  
**TRIM REFERENCE:** ID16/848

### EXECUTIVE SUMMARY

Council has received a request from Geolyse Pty Ltd on behalf of Hibbards Pty Ltd, requesting approval to name four roads in Development Application D14-395 for an 84 lot residential subdivision of Lot 100 in DP 814787 at 54 Grangewood Drive, Dubbo, 'The Grange Estate'. A copy of the request is included here as **Appendix 4**.

It is understood that Hibbards are purchasing the Estate from I J and C Trapman who are the developers of the Estate. Owners' consent has been provided in support of the request.

The proposed road name theme, 'The Grange Estate', consists of famous deceased Australian artists. The prospective purchaser of the Estate (Hibbards) has indicated that the proposed names give a communal character to the subdivision.

The road names proposed are:

1. Boyd Avenue (named after Arthur Merric Bloomfield Boyd AC OBE);
2. Nolan Esplanade (named after Sir Sidney Robert Nolan OM AC);
3. Drysdale Close (named after Sir Russell Drysdale AC); and
4. Preston Court (named after Margaret Preston).

A road layout plan showing the proposed street names is attached as **Appendix 1**, a locality plan as **Appendix 2** and an information sheet briefly referencing each artist is attached as **Appendix 3**.

As stated above, the parcel is currently owned by Mr I J and Mrs C Trapman; the owners' consent is attached as **Appendix 4**.

### FINANCIAL IMPLICATIONS

The cost for the provision of the blade signs and installation is to be met by the developer.

**POLICY IMPLICATIONS**

The former Dubbo City Council's Policy 'Naming of thoroughfares and Other Geographical Features within the City of Dubbo' applies and the proposed road names have been considered in accordance with this Policy. This Policy applies in this situation as the proclamation forming the Western Plains Regional Council specifies that the policies of the new Council are a composite of existing policies of the former Council.

**RECOMMENDATION**

- 1. That the proposed road names be approved for the 84 lot residential subdivision of Lot 100 in DP814787 at 54 Grangewood Drive, Dubbo (as shown in Appendix 1) as per the developers' request:**
  - a) Boyd Avenue;**
  - b) Nolan Esplanade;**
  - c) Drysdale Close; and**
  - d) Preston Court.**
- 2. That the cost of the provision and installation of road name signs be met by the developer.**
- 3. That the developer be advised accordingly.**

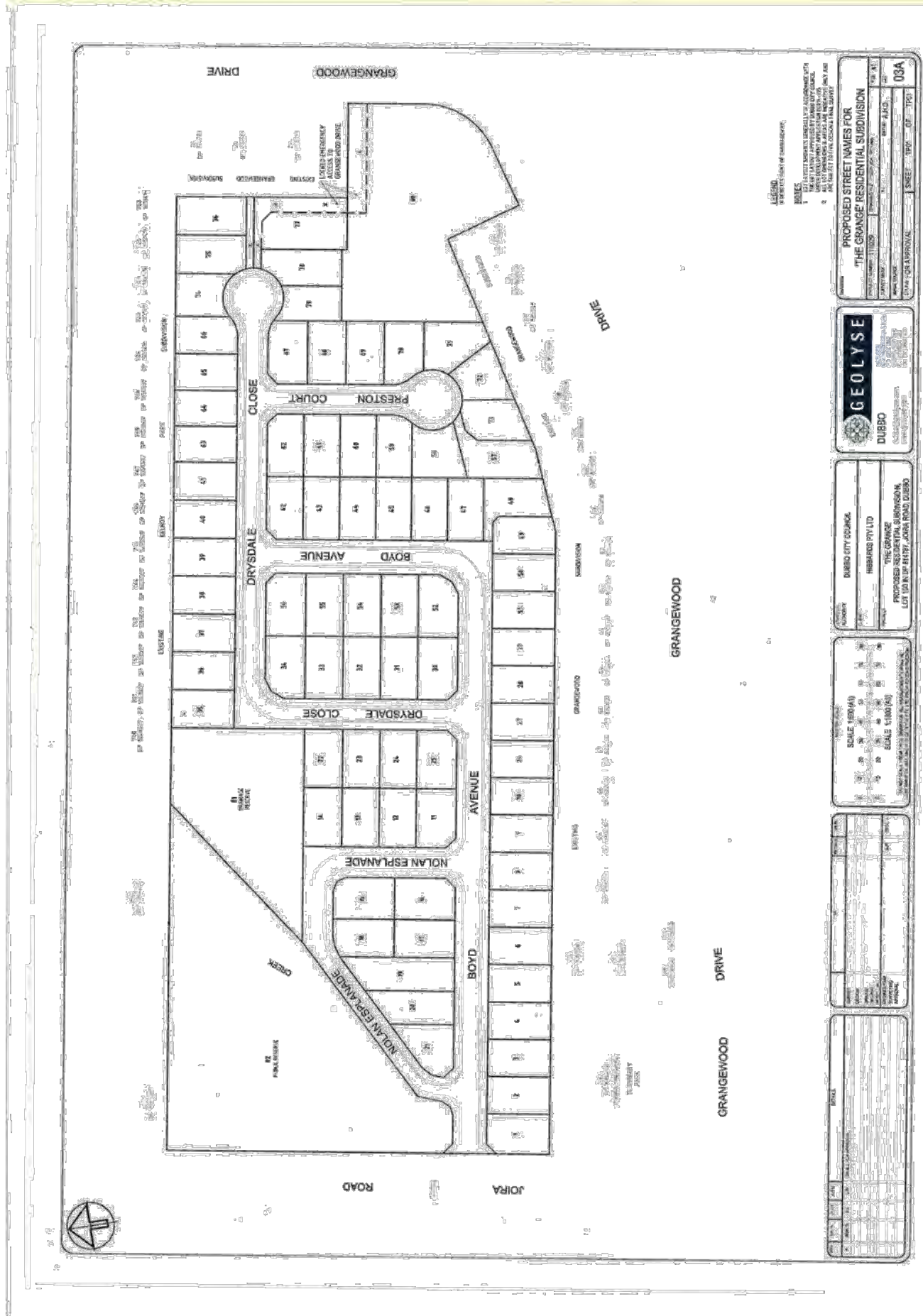
*Kim Edwards*

Land Information Services Supervisor

Appendices:

- 1** Road layout plan
- 2** Locality map
- 3** Artist information sheet
- 4** Owners' consent
- 5** Application









### Arthur Boyd

Artist

Arthur Merric Bloomfield Boyd AC OBE was a leading Australian painter of the late 20th century. Boyd's work ranges from impressionist renderings of Australian landscape to starkly expressionist figuration, and many canvases feature both. [Wikipedia](#)

**Born:** July 24, 1920, Murrumbidgee, Melbourne

**Died:** April 24, 1999, Melbourne

**Artwork:** [Wimmera Landscape](#), [Figure supporting Back Legs](#), [more](#)

**Siblings:** [David Boyd](#)

**Parents:** [Merric Boyd](#), [Doris Boyd](#)

Quotes

[View 4+ more](#)



### Russell Drysdale

Artist

Sir George Russell Drysdale, AC was an Australian artist. He won the prestigious Wynne Prize for [Sofala](#) in 1947, and represented Australia at the Venice Biennale in 1954. [Wikipedia](#)

**Born:** February 7, 1912, Bognor Regis, United Kingdom

**Died:** June 29, 1981, Sydney

**Spouse:** [Bon Drysdale](#) (m. 7–1963)

**Education:** [Geelong Grammar School](#)

**Artwork:** [The cricketers](#), [The Drover's Wife](#), [Sofala](#), [West Wyalong](#), [Moody's pub](#)

**Children:** [Lynne Drysdale](#), [Tim Drysdale](#)



### Sidney Nolan

Artist

Sir Sidney Robert Nolan OM, AC was one of Australia's leading artists of the 20th century. His oeuvre is among the most diverse and prolific in all of modern art. [Wikipedia](#)

**Born:** April 22, 1917, Carlton

**Died:** November 28, 1992, London, United Kingdom

**Spouse:** [Mary Nolan](#) (m. 1978–1992)

**Artwork:** [The Trial](#), [Footballer](#), [Fitzpatrick](#) and [Kate Kelly](#), [more](#)

**Patrons:** [John Reed](#), [Sunday Reed](#)

**Education:** [National Gallery of Victoria Art School \(1936–1936\)](#), [National Gallery of Victoria Art School \(1934–1934\)](#)



### Joy Hester

Artist

Joy St Clair Hester was an Australian artist and member of the Angry Penguins who played an important role in the development of Australian modernism. [Wikipedia](#)

**Born:** August 21, 1920, Eisenmück, Melbourne

**Died:** December 4, 1960, Prahran

**Spouse:** [Albert Tucker](#) (m. 1941–1947)

**Period:** [Angry Penguins](#)

**Artwork:** [From an incredible night dream](#), [A frightened woman](#), [more](#)

**Children:** [Sweeney Tucker](#)



### Margaret Preston

Artist

Margaret Rose Preston was an Australian painter and printmaker who is regarded as one of Australia's leading modernists of the early 20th century. [Wikipedia](#)

**Born:** April 29, 1875, Port Adelaide

**Died:** May 28, 1963, Mosman, Sydney

**Nationality:** [Australian](#)

**Education:** [National Gallery of Victoria Art School](#)

**Ex-spouse:** [William George Preston](#)

**Maryann O'Shea**

---

**From:** Jock Rodgers <jroddgers@geolyse.com>  
**Sent:** Thursday, 2 June 2016 8:15 AM  
**To:** Kim Edwards ENV  
**Cc:** Dubbo document control  
**Subject:** FW: 116019 - Road Naming Consent

Morning Kim, see below for owners consent.

Kind regards,

**Jock Rodgers**  
*Graduate Town Planner*  
**Geolyse Pty Ltd**  
 1<sup>st</sup> Floor, 62 Wingewarra Street  
 PO Box 1842  
 Dubbo NSW 2830  
 Ph: 02 6884 1525  
 Fx: 02 6884 1470  
 Email: [jroddgers@geolyse.com](mailto:jroddgers@geolyse.com)  
 Web: [www.geolyse.com](http://www.geolyse.com)

[Facebook](#) | [LinkedIn](#)

.....  
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---

**From:** Caryl Trapman [<mailto:caryltrapman@hotmail.com>]  
**Sent:** Thursday, 2 June 2016 8:08 AM  
**To:** jroddgers@geolyse.com  
**Subject:** RE: 116019 - Road Naming Consent

Hi Jock

Thank you for updating us with this information. Ivor and I are not opposed to the proposed road names.

Regards

Caryl

---

Date: Thu, 2 Jun 2016 07:40:36 +1000  
 Subject: Fwd: 116019 - Road Naming Consent  
 From: [ivorjtrapman@gmail.com](mailto:ivorjtrapman@gmail.com)  
 To: [caryltrapman@hotmail.com](mailto:caryltrapman@hotmail.com)

----- Forwarded message -----

From: **Jock Rodgers** <[jroddgers@geolyse.com](mailto:jroddgers@geolyse.com)>  
 Date: Wed, Jun 1, 2016 at 4:05 PM

Subject: 116019 - Road Naming Consent

To: [ivorjtrapman@gmail.com](mailto:ivorjtrapman@gmail.com)

Cc: Dubbo document control <[ddoccontrol@geolyse.com](mailto:ddoccontrol@geolyse.com)>, [kim.edwards@dubbo.nsw.gov.au](mailto:kim.edwards@dubbo.nsw.gov.au)

Good afternoon Ivor,

Attached is the Road Naming Application we lodged with Council on behalf of Hibbards Pty Ltd, for the proposed residential subdivision to occur over Lot 100 in DP 814787. Given you are still the legal owner of the entirety of the subject site, Council require your consent (owner's consent) for this application to be processed further, and that you are not opposed to the proposed road names. Please confirm this via reply email.

If you wish to discuss this further, please do not hesitate to contact me.

Kind regards,

**Jock Rodgers**

*Graduate Town Planner*

**Geolyse Pty Ltd**

1<sup>st</sup> Floor, 62 Wingewarra Street

PO Box 1842

Dubbo NSW 2830

Ph: 02 6884 1525

Fx: 02 6884 1470

Email: [jroddgers@geolyse.com](mailto:jroddgers@geolyse.com)

Web: [www.geolyse.com](http://www.geolyse.com)

[Facebook](#) | [LinkedIn](#)

.....  
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1st Floor, 62 Wingewarra Street  
 PO Box 1842  
 DUBBO NSW 2830

Our Ref: 116029\_LEO\_002\_Road Naming

☎ 02 6884 1525  
 📠 02 6884 1470

28 April 2016

✉ dubbo@geolyse.com  
 🌐 geolyse.com

The General Manager  
 Dubbo City Council  
 PO Box 81  
 DUBBO NSW 2830

Attention: Ms Kim Edwards

Dear Kim

**APPLICATION FOR THE NAMING OF ROADS – 54 GRANGEWOOD DRIVE, DUBBO**

Geolyse Pty Ltd acts on behalf of the applicant (Hibbards Pty Ltd) in relation to a Development Consent issued by Council (D2014-395) for a proposed 84 lot residential subdivision of Lot 100 in DP 814787 at 54 Grangewood Drive, Dubbo. We attach the following items in relation to the Application for Naming a Road:

- Cheque made out to Dubbo City Council (\$340.00) representing the Road Naming Application Fee;
- Proposed site plan with the preferred location of the street names, and;
- Brief information on subject name material.

Condition No. 27 of the Development Consent requires the naming of all roads be submitted to Councils Geographical Names Committee for consideration and approval. In this regard, the applicant has advised that the following names, and attached site plan with preferred location of the street names, be considered for approval:

- Boyd Avenue;
- Nolan Esplanade;
- Drysdale Close;
- Preston Court, and;

Spare Name:

- Hester.

The above mentioned road names are based from the names of famous, deceased Australian artists. It is considered the selected names give a communal character to 'The Grange' residential subdivision. The street names derive from Australian artists Arthur Boyd, Sidney Nolan, Russel Drysdale, Margaret Preston and Joy Hester. Also attached is a page providing brief information on each famous artist.

We trust that the information provided is satisfactory for Council's purposes and that you contact our Dubbo office should you require any further information.

Yours faithfully  
 Geolyse Pty Ltd

**JOCK RODGERS**  
 Graduate Town Planner

Parcel 16746

FEE PAID	
DATE	29-4-16
REC. No.	10013260
AMOUNT	\$340
CASHIER INITIALS	SPO

80.2016.2.1



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## REPORT: Proposed Road Naming - 559 Whealers Lane, Dubbo - Development Application D15-541

**AUTHOR:** Land Information Services Supervisor  
**REPORT DATE:** 9 June 2016  
**TRIM REFERENCE:** ID16/851

### EXECUTIVE SUMMARY

Council has received a request from Geolyse Pty Ltd on behalf of the developer Tinambu Pty Ltd for approval to name two roads in the approved Development Application D15-541 for a 76 lot residential subdivision of Lot 10 in DP1185855 at 'Mary's Veil', 559 Wheelers Lane, Dubbo. A copy of the request is included as **Appendix 3**. The developer would like to keep the property name and name the subdivision 'Mary's Veil Estate'.

The road names proposed are:

1. Violet Circuit; and
2. Ivy Court

A road layout plan is attached as **Appendix 1** and a locality map is attached as **Appendix 2**.

Despite the previous owner of the land being Mrs Ivy Kosseris-Taylor, it has been confirmed by Geolyse that the proposed names 'Violet Circuit' and 'Ivy Court' are based on the names of plants/flowers, keeping in character with the locality and Magnolia Estate and not named after Mrs Kosseris-Taylor or family members.

The 76 lot residential subdivision adjoins 'Magnolia Estate' which has a 'park land' theme with the streets named after trees and the 'Garden Estate' which has streets named 'Daffodil', 'Jonquil' and 'Tulip'.

### FINANCIAL IMPLICATIONS

The cost for the provision of the blade signs and installation would be met by the developer.

**POLICY IMPLICATIONS**

The former Dubbo City Council's Policy 'Naming of thoroughfares and Other Geographical Features within the City of Dubbo' applies and the proposed road names have been considered in accordance with this Policy. This Policy applies in this situation as the proclamation forming the Western Plains Regional Council specifies that the policies of the new Council are a composite of existing policies of the former Council.

**RECOMMENDATION**

- 1. That the proposed road names 'Violet Circuit' and 'Ivy Court' be approved for the 76 lot residential subdivision of Lot 10 in DP 1185855 at 559 Wheelers Lane, Dubbo (Appendix 1) as per the developer's request.**
- 2. That the cost of provision and installation of the street name signs be met by the developer.**
- 3. That the developer be advised accordingly.**

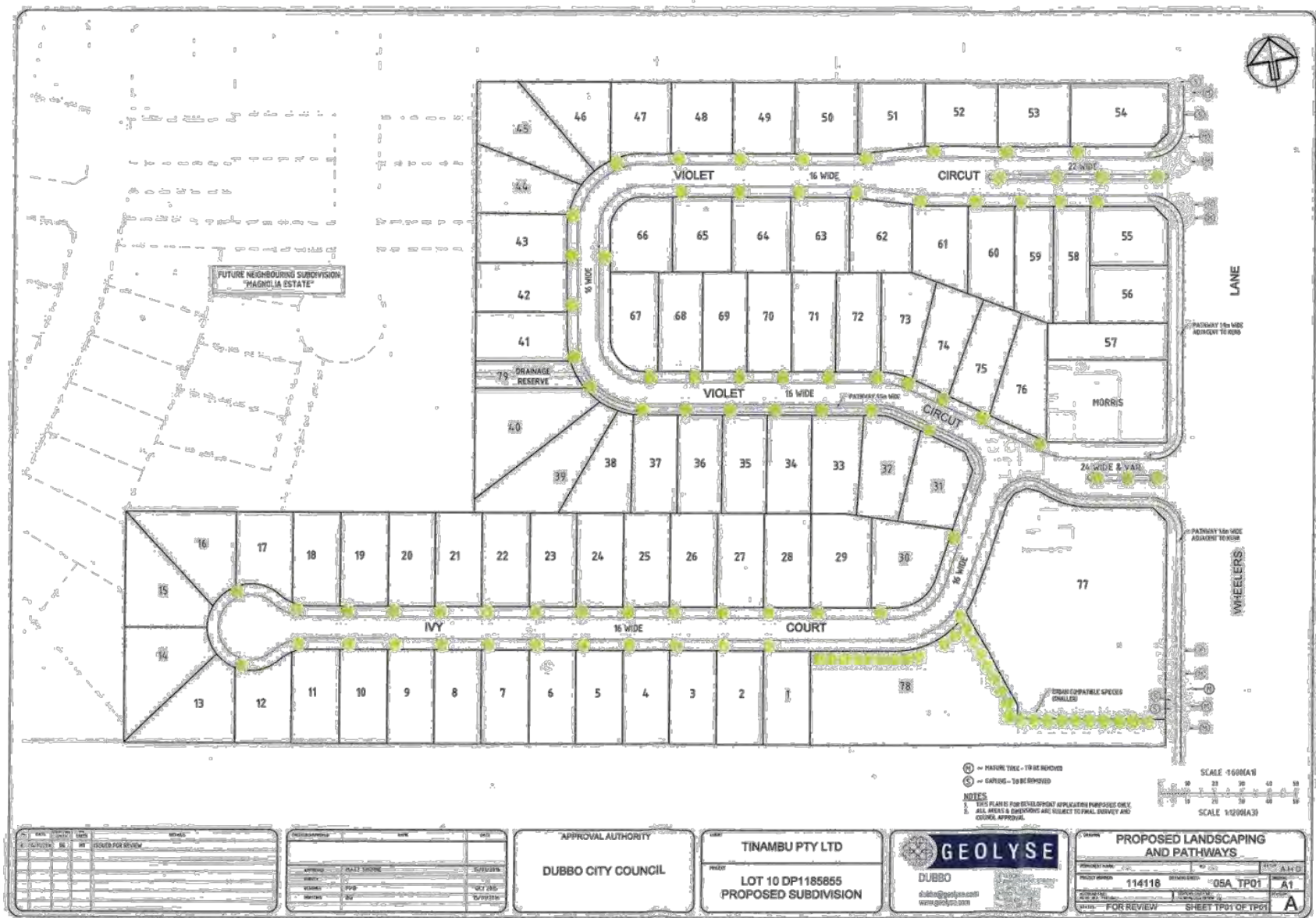
*Kim Edwards*

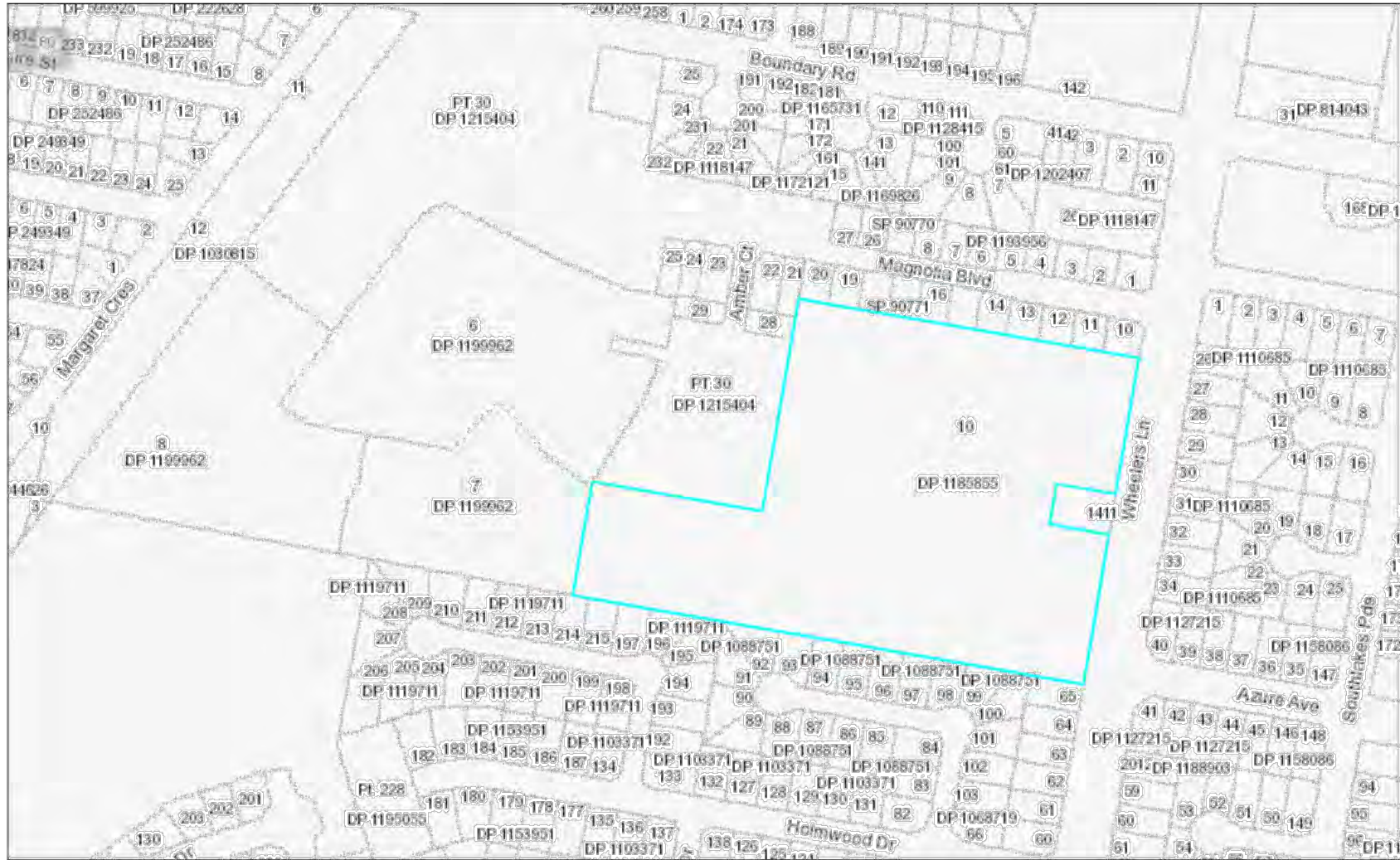
Land Information Services Supervisor

Appendices:

- 1** Road layout plan
- 2** Locality map
- 3** Application









80. 2016. 3. 1

1st Floor, 62 Wingewarra Street  
PO Box 1842  
DUBBO NSW 2830

☎ 02 6884 1525  
☎ 02 6884 1470

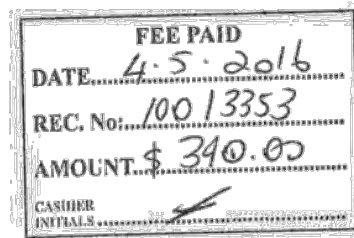
✉ dubbo@geolyse.com  
🌐 geolyse.com

Our Ref: 114118\_LEO\_008\_Road Naming

28 April 2016

The General Manager  
Dubbo City Council  
PO Box 81  
DUBBO NSW 2830

Attention: Kim Edwards



Dear Kim

**APPLICATION FOR THE NAMING OF ROADS – 559 WHEELERS LANE, DUBBO**

Geolyse Pty Ltd acts on behalf of the applicant (Tinambu Pty Ltd) in relation to a Development Consent issued by Council (D2015-541) for a 76 lot residential subdivision of Lot 10 in DP 1185855 at 559 Wheelers Lane, Dubbo. We attach the following items in relation to the Application for Naming a Road:

- Cheque made out to Dubbo City Council (\$340.00) representing the Road Naming Application Fee, and;
- Proposed site plan with the preferred location of the street names.

Condition No. 37 of the Development Consent requires the naming of all roads be submitted to Council's Geographical Names Committee for consideration and approval. In this regard, the applicant has advised that the following names, and attached site plan with preferred location of the street names, be considered for approval:

- Violet Circuit, and;
- Ivy Court.

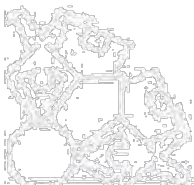
The above mentioned road names are based from the names of flowers, as not to dissimilar to the nearby Magnolia residential estate development. It is considered the selected names give a communal character to the proposed residential area, keeping in theme with the surrounding estate.

We trust that the information provided is satisfactory for Council's purposes and that you contact our Dubbo office should you require any further information.

Yours faithfully  
Geolyse Pty Ltd

**JOCK RODGERS**

Graduate Town Planner



• Civil, Environmental & Structural Engineering • Surveying • Environmental • Planning • Architecture



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## REPORT: Proposed Road Naming of New Road Created in Lot 573 DP 615396 Spears Drive, Dubbo - Development Application D13-409

**AUTHOR:** Land Information Services Supervisor

**REPORT DATE:** 9 June 2016

**TRIM REFERENCE:** ID16/961

### EXECUTIVE SUMMARY

Council has received a request from MJM Consulting Engineers for approval to name a newly constructed road on Lot 573 DP 615396 Spears Drive, Dubbo in accordance with Development Application D13-409. The road layout plan is attached as **Appendix 1** and a locality map is attached as **Appendix 2**.

The proposed road name is 'Yarra Place'. 'Yarra' is a Wiradjuri name for the River Red Gum (*Eucalyptus Camaldulensis*) which is native to the Dubbo area. It is understood that the Wiradjuri people used numerous parts of the River Red Gum for canoes, didgeridoos, tools, implements, spear-making and marking boundaries of significant areas.

If the name Yarra Place is not acceptable, the alternative proposal is 'Birri Place'. 'Birri' is the Wiradjuri name for the White Box tree (*Eucalyptus Albens*) which is also native to the Dubbo area. This tree was also used to make a range of tools and implements and its resin used to make bowls and cups water tight and the leaves were used for medicinal purposes.

Consultation with Mrs Diane McNaboe, teacher of Aboriginal Language and Culture North/West Wiradjuri Land and Culture Nest at TAFE Western has confirmed that the Wiradjuri spelling and meaning of 'Yarra' and 'Birri' is accurate.

The application was also referred to the Dubbo Aboriginal Community Working Party on 12 April 2016 and there are no objections raised in respect of the proposed names.

As a requirement of the NSW Geographical Names Board, when choosing Aboriginal names, the Local Aboriginal Land Council is to be consulted. Attached as **Appendix 3** is a letter from the Dubbo Local Aboriginal Land Council providing their support for the use of the Wiradjuri language for the proposed road name. The application is attached as **Appendix 4**.

### FINANCIAL IMPLICATIONS

The cost for the provision of the blade signs and installation is to be met by the developer.

**POLICY IMPLICATIONS**

The former Dubbo City Council's Policy 'Naming of thoroughfares and Other Geographical Features within the City of Dubbo' applies and the proposed road names have been considered in accordance with this Policy. This Policy applies in this situation as the proclamation forming the Western Plains Regional Council specifies that the policies of the new Council are a composite of existing policies of the former Council.

**RECOMMENDATION**

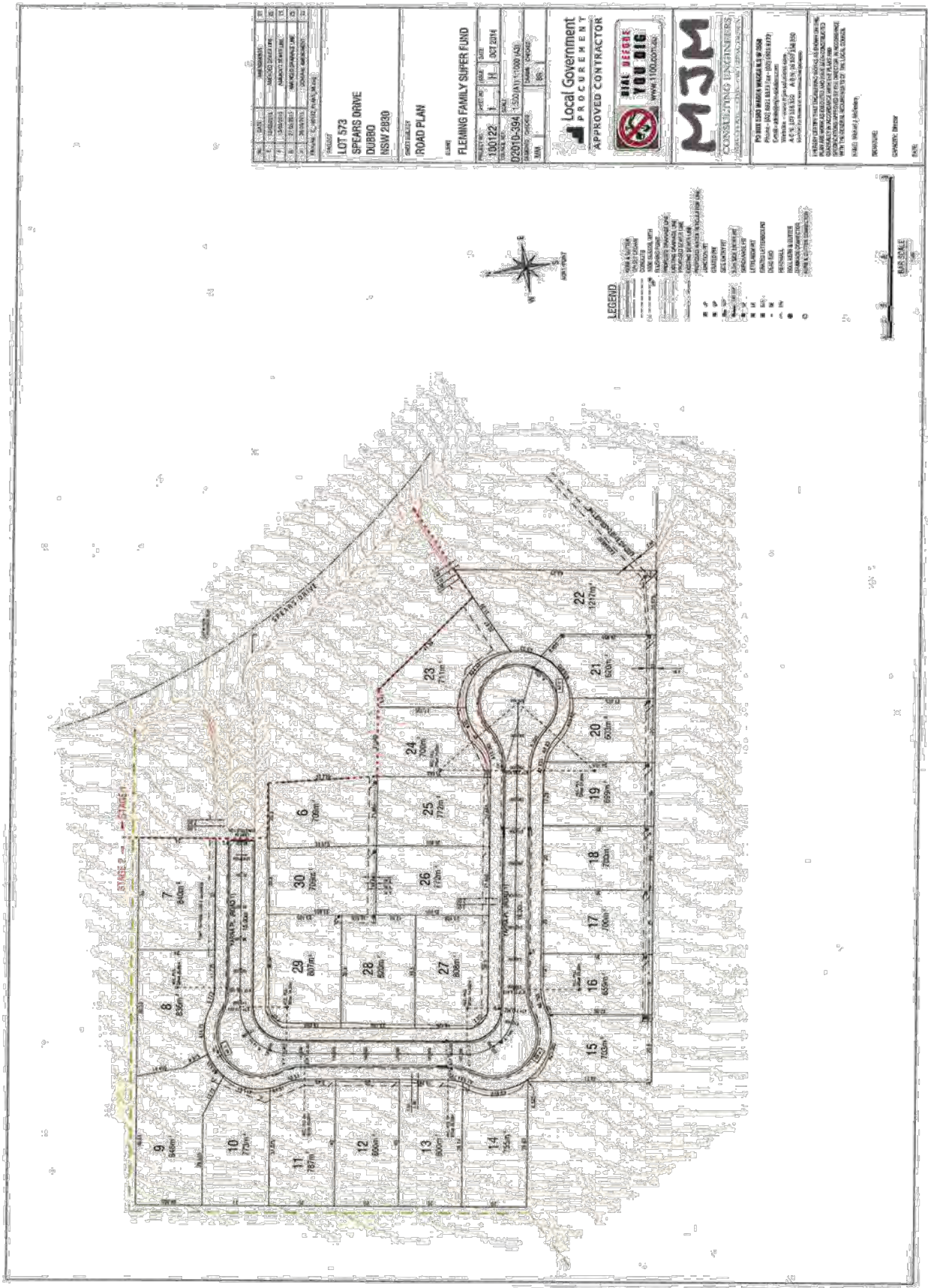
- 1. That the newly constructed road on Lot 573 DP 615396, Spears Drive, Dubbo be named Yarra Place, Dubbo.**
- 2. That the cost of the provision and installation of the road name sign be met by the developer.**
- 3. That the developer be advised accordingly.**

*Kim Edwards*

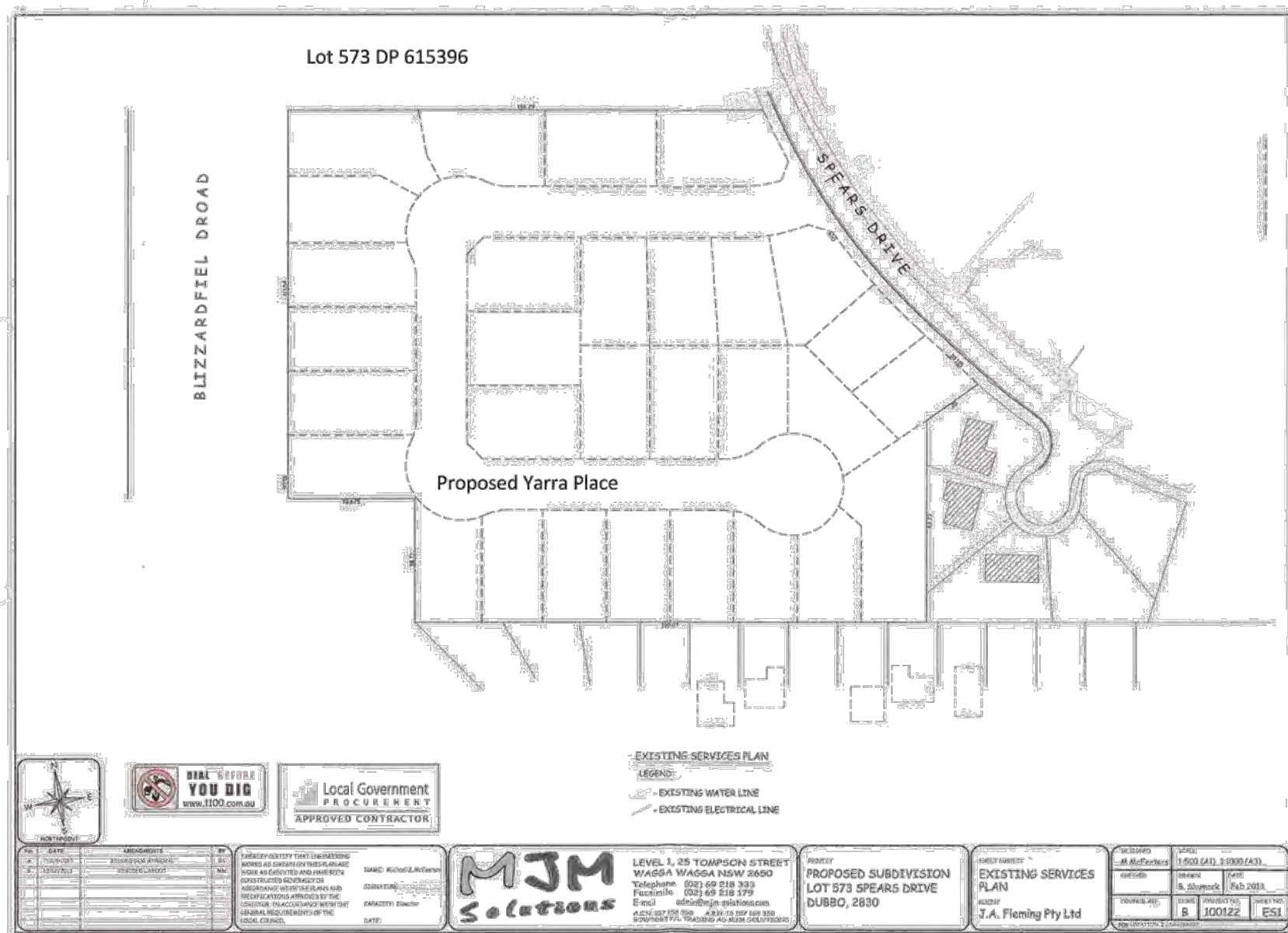
Land Information Services Supervisor

Appendices:

- 1** Road layout plan
- 2** Locality map
- 3** Letter from DLALC dated 11 May 2016
- 4** Application











*Cnr Darling & Wingewarra Streets  
PO Box 1565  
DUBBO NSW 2830  
Phone: 0268 845276  
0268 845277  
Fax: 0268 843441  
ABN 16 308 384 841*

11th May 2016

Dear Kim

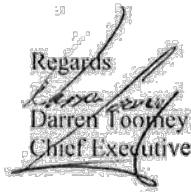
I provide this letter to confirm that the Dubbo Local Aboriginal Land Council board supports and submit the following for the naming of Spear Drive Subdivision Street Name - D13 - 409.

Yarra Place - Yarra being a Wiradjuri name for the River Red Gum, which is native to the Dubbo area.

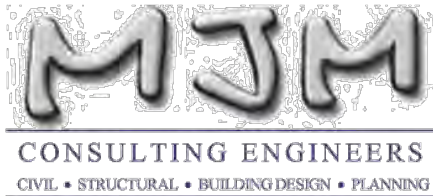
Birri Place - Birri is a Wiradjuri name for the White Box, which is also native to the Dubbo area.

If you require further information contact me on (02) 68845276

Regards

  
Darren Toomey  
Chief Executive Officer

*“Looking after our mob”*



**Wagga Wagga**  
Level 1, 25 Tompson Street  
(02) 6921 8333

admin@mjm-solutions.com  
mjm-solutions.com

**Griffith**  
Level 1, 130 Banna Avenue  
(02) 6962 9922

10 March 2016

Kim Edwards  
Dubbo City Council  
c/- kim.edwards@dubbo.nsw.gov.au

**RE: SPEARS DRIVE SUBDIVISION STREET NAME – D13 - 409**

Dear Kim,

We are writing to provide suggestions for the street name in the above subdivision. It would be our first preference to name the street Yarra Place. Yarra being a Wiradjuri name for the River Red Gum, which is native to the Dubbo area. The Aboriginal people used many parts of the tree for canoes, didgeridoos, tools, implements, spear making and for marking boundaries to significant areas. It is also suggested to be one of the species used for the famous "Carved Trees".

Our second suggested street name is Birri Place. Birri is the Wiradjuri name for White Box, which is also native to the Dubbo area. This tree was used to make a range of tools and implements. Its resin was used to make bowls and cups water tight and the leaves were used for medicinal purposes.

A search was conducted and neither of the suggested names is currently in use in Dubbo.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Michael J. McFeeters', written over a horizontal line.

**MICHAEL J. McFEETERS**  
Director

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**REPORT: Parks and Leisure Australia  
(NSW/ACT) Public Open Space  
Development 2016 Winner - Driftwells  
Park**

**AUTHOR:                   Manager Horticulture Services**

**REPORT DATE:       6 June 2016**

**TRIM REFERENCE: ID16/1064**

---

**EXECUTIVE SUMMARY**

Parks and Leisure Australia is recognised as one of the leading advocates in the development and promotion of recreational facilities within Australia. To recognise the valuable contribution that members make to the community through the provision of high quality recreational spaces and events, the Awards of Excellence are run annually. These awards are highly coveted and the competition fierce.

Following the completion of the redevelopment of Driftwells Park (located in South Dubbo at the corner of Tamworth and Brisbane streets) an award application was submitted in the 2016 Parks and Leisure Australia (NSW/ACT) Awards of Excellence program.

At an award ceremony held on the 26 May 2016, in conjunction with the PLA NSW State Conference, Dubbo City Council (now Western Plains Regional Council), was announced the winner of the Public Open Space Development category. As winner of this award "Driftwells Park – Re-invigoration of an Industrial Site" will now advance to the PLA National Awards.

**FINANCIAL IMPLICATIONS**

There are no financial implications arising from this report.

**POLICY IMPLICATIONS**

There are no policy implications arising from this report.

**RECOMMENDATION**

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

*Ian McAlister*  
Manager Horticulture Services

## BACKGROUND

The Driftwells are two large (4.6m and 6m) diameter, deep brick-lined infiltration wells in Dubbo. The first was sunk in 1893 and the second in 1909. They were the source of water for Dubbo's first municipal reticulated water supply.

They were sealed when they were decommissioned, possibly as late as the 1970s. Eventually, after one or two changes of use, the site of the Driftwells was re-modelled and became a small, unremarkable, urban public park. The steam engines and water pumps were made safe for public display but their significance left unexplained. Consequently the existence of the Driftwells faded from the public consciousness.

In 2014, an assessment by the Technical Services Division revealed the Driftwells to be in excellent condition and this combined with their location in urban Dubbo, ease of public access, important socio-political and economic history, education and community building potential and their value as a tourist destination became the major impetus for the project.

The Technical Services Division engaged the Parks and Landcare Division to undertake the redesign and redevelopment of the park on its behalf. Work commenced in mid-2014 and park was completed in early 2016.

## REPORT

The objective of the Driftwells Park Project included providing equitable, unsupervised and safe access to two deep, large diameter driftwells in a public park whilst at the same time protecting the aquifer, protecting the structure of the wells from damage, ensuring that the structures were harmonious with the mixed character of the surrounding urban environment, reducing the incidence of vandalism through design and minimising long term maintenance costs.

To achieve this objective the redesign of the park strongly focussed on the historical and industrial use of the site as Dubbo's first municipal reticulated water supply. Galvanised steel was used both for the fencing elements around the wells and the shade structures reflecting the industrialised element, whilst water was reflected through the use of colour blue (blue stone pavers laid in a concentric (ripples) circle pattern), being the dominant colour on the interpretative signage and the roof of the shade structures. The influence of water is also portrayed through the use of sedimentary stone (sandstone blocks) that is used for seating.

The opportunity to incorporate original machinery elements, including the two Goulds Single Action Piston Pumps, the boiler and old triplex crankshafts, and have them interpreted from a historical perspective was also taken.



Figure 1. Driftwells Park looking from the corner of Tamworth / Brisbane street intersection.

It is important to note that this award is the cumulative effort of a great number of people from across the Organisation who undertook tasks as diverse as retrieving and repairing the old boiler, investigation of the wells, installation of the paving and other landscape elements, researching the history of the Driftwells, etc. Their efforts and professionalism in achieving this excellent result is both noted and appreciated, as well as the efforts and the contributions of the Contractors who worked on this project.



Figure 2. Driftwells Montage. Illuminated well structure and interpretative signage.

As winner of this award “Driftwells Park – Re-invigoration of an Industrial Site” will now advance to the PLA National Awards. The winner of the National Awards of Excellence will be announced in late October at the National Conference in Adelaide.

## SUMMARY

At the recent Parks and Leisure Australia (NSW/ACT) Excellence Awards, Council was announced the winner of the Awards of Excellence - Public Open Space Development category for the redevelopment and reinvigoration of Driftwells Park.

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## **REPORT: Falconry Trial for Starling Management in Macquarie Street, Dubbo**

**AUTHOR: Manager Landcare Services**

**REPORT DATE: 9 June 2016**

**TRIM REFERENCE: ID16/1077**

### **EXECUTIVE SUMMARY**

Since approximately 1996 starlings have been noted in Macquarie Street. Bird numbers have increased over time and were seen to be at problematic levels as early as 2002. Bird faeces are offensive with the streetscape requiring daily cleaning and parked cars sometimes covered by faeces. In response Council has attempted a range of techniques over time to move the offensive feral birds away from Macquarie Street, with minimal effect.

Subsequently a report was commissioned by Dubbo City Council (DCC) from Charles Sturt University (CSU) in 2013 into "Starling Control and Management in Macquarie Street, Dubbo." This report looked into the issue of starlings roosting in Macquarie Street and provided a series of recommendations for actions to trial in relation to better managing the feral bird problem in Macquarie Street. The most achievable recommendation was to trial raptors (predatory birds, hunters of starlings) flying in Macquarie Street to disturb and move on the roosting starling population.

This trial was conducted over two separate week long visits, in 2014 and 2016, which are the subject of this report. The 2016 trial coincided with an extended period of warm dry weather which would appear to have encouraged starlings to remain longer in Macquarie Street. It is believed that overall bird numbers in Macquarie Street have not declined following the 2016 falconry trial. Birds which were displaced by the Goshawk have been replaced by birds which were roosting elsewhere in Dubbo at the time of the trial, or indeed have returned following the departure of the raptors.

Following two week long visits, Full Flight Falconry (FFF) have recommended the following:

- Continue the use of raptors for pest bird control.
- Rather than continue harassment flights (as in the past trials) they recommend using Sparrowhawks or Brown Goshawks which are trained to kill in flight. Introducing lethality to the raptor's presence is expected to magnify the impact dramatically.
- It is suggested that a longer period of control, from mid-February to the end of March be trialled, and that this period be split into either a week on/week off arrangement, or seven days on ten days off.

**FINANCIAL IMPLICATIONS**

An existing allocation for feral animal management exists within the Landcare Services function to fund the falconry program and the existing CBD maintenance budget within the Urban Roads function funds any cleaning of starling faeces required.

**POLICY IMPLICATIONS**

There are no policy implications arising from this report.

**RECOMMENDATION**

1. That falconry be extended for an additional two year period.
2. That the duration of each annual falconry visit be extended, and lethal falconry be attempted to allow for greater impact on the resident starling populations.
3. That Local Land Services be consulted in relation to controlling Indian Myna incursions across Western Plains Regional Council area where applicable.
4. That Council investigate the use of a bird control drone to supplement live falconry control activities.

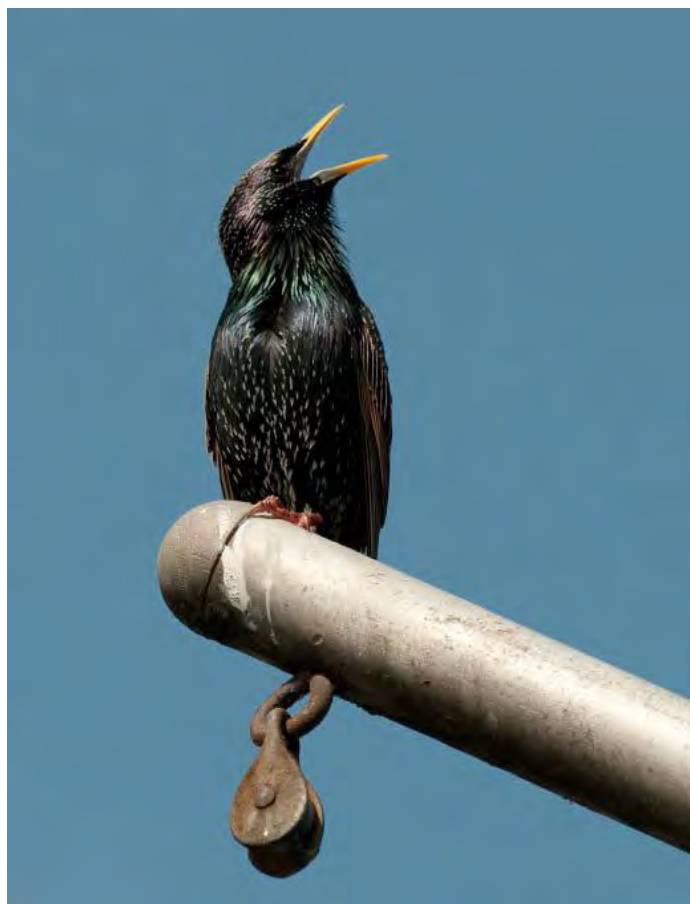
*Lynton Auld*  
Manager Landcare Services

## BACKGROUND

Starlings were introduced from Europe to Australia in the mid-1850s by acclimatisation societies whose members missed the starlings' tuneful song, and by farmers to assist in insect control. The species adapted well to the new environment and numbers immediately began to increase to the point where today they are regarded as feral birds. Starlings reportedly arrived in Dubbo in 1914 (Charles Sturt University, 2013).

Starlings are in such numbers across large areas of Australia that they are seen as damaging to both infrastructure and the environment. Cleaning up after starlings costs the general community significant amounts of money and time annually and costs the environment a significant proportion of the scarce remaining nesting hollows. This in turn of course leads to a loss of species recruitment for nest dependant native animals and birds.

Ironically the species is in rapid population decline across its home range in Europe with reductions in numbers of between 40 and 80% across Britain, where it has been added to a list of "Birds of Conservation Concern".



**Figure 1: Adult male starling in breeding plumage (CSU, 2013)**



For at least the last 15 years the roosting of starlings in the northern end of Macquarie Street has been concerning the residents of the City of Dubbo. They create an offensive smell with faeces deposition on street pavements, footpaths, seats and cars.

A number of methods have been trialled by Council to move the feral bird population on. The range of techniques includes high pressure water, noise, bright lights, chemical deterrents and mist netting. None of these recommended actions was effective in reducing starling numbers in Macquarie Street.

In early 2012 Dubbo City Council (DCC) engaged CSU to undertake a study into “Starling Control and Management in Macquarie Street, Dubbo” (CSU, 2013).

The CSU report examined trees in Macquarie Street, identifying preferred roost trees and installing micro-climate monitoring devices into a number of trees (preferred roost trees and non-preferred trees) in an attempt to identify a cause for tree attractiveness.

No notable differences in canopy, internal dimensions or micro-climates were ascertained for any of the trees monitored in Macquarie Street. It would appear that birds are habituated to returning to specific roost trees, other birds are attracted to these same trees by the presence of the habituated birds. The already populated trees are regarded as safe for roosting, even for newly arrived birds.

CSU described the starlings as present in low-moderate numbers in Macquarie Street year round with the bulk of the City’s starling population widely dispersed. Falling temperatures in early autumn begin to attract starlings to Macquarie Street in early February with peak numbers usually achieved between late February and mid-March. As temperatures continue to decrease over autumn and the Celtis trees lose their leaves the majority of the City’s starlings depart, presumably flying north to warmer climates. 2016 has been an unusually warm autumn which has delayed leaf drop in the Celtis and therefore retained starlings in Macquarie Street longer than usual.

The CSU report postulated that the birds moving to Macquarie Street in February/March were mostly juveniles and it was these same young birds which were departing the City as the temperature declined.

As no tracking was undertaken this hypothesis could not be confirmed. Nor is it known if the departing birds will return as Dubbo’s weather begins to warm up.

To quote the CSU report:

“It is unclear what function or purpose these large roosts hold for the Starling. It has been suggested that starlings use these roosts to save energy (maintaining internal temperature) by escaping extremes of temperature or wind (Kelty & Lustick, 1977), to protect themselves from predators, as a method to gather information (by following other birds) on better feeding sites (information centre hypothesis) (Caccamise, 1990). Unfortunately there is little information on this behaviour, either from the Common Starling’s native range nor Australia, so few inferences for methods of control can be made from these hypotheses.”

With little research into effective control methods for starling management available the researcher from CSU discussed a range of potential options for control. Some of these, such as scaring, had been tried and had already failed in Dubbo. Other suggestions, such as poisoning were seen as problematic due to the widespread nature of starling feeding patterns and a desire to minimise non-target species deaths (particularly native birds). Reduced availability of water is clearly not possible in Dubbo which sits astride the Macquarie River.

Similarly unacceptable was the suggestion that Council introduce new endophyte infected grass which would prove toxic to the starlings. Not only would installation of this option be prohibitively expensive over all of Council's inner urban parks and sports fields, the installed grass would be toxic to all grazing animals and birds, including ducks.

Another experimental suggestion arising from the CSU report was micro-climate modification through the installation of misting fans within the tree canopy. While theoretically possible this was seen as logistically difficult to implement.



**Figure 2: Female Starling, non-breeding winter plumage (CSU, 2013)**

## REPORT

Full Flight Falconry (FFF) is a company based in Ballarat, Victoria. This company specialises in the rehabilitation of injured birds of prey and training them for a range of purposes including deterrence of target birds. This was also the only company which offers the service that Council is aware of. FFF is the company which was engaged by the MCG Trust to deter seagulls from the field during AFL games and cricket matches. This was achieved through the use of a tethered Wedge Tailed Eagles on top of the stands at the ground. The tethered bird was visible in silhouette and effectively deterred seagulls from a facility they had inhabited for decades. FFF have a wide range of birds on hand, ranging from the very large Wedge Tailed Eagle to the small Australian Kestrel, a number of birds in between this size range and a range of owl species.

The company was contracted for a two year trial of one week per year where they would fly a range of birds over and through Macquarie Street in order to assess efficacy of falconry as a deterrent to starlings in the Dubbo situation.

Initially the Falconers assessed the behaviour of the starlings in preparation for undertaking their deterrence flights. Starlings were observed to fly into Macquarie Street from a range of directions in flocks of approximately 80. These flocks were observed to fly in what was described as a "relaxed" manner into the street. The birds were clearly unstressed in the opinion of the Falconers.

During the initial trial in February 2014, a Peregrine Falcon was flown repeatedly across and along Macquarie Street, in each instance the Peregrine could only be flown once each night. A Barking Owl was also flown, in this case it was flown between two handlers across the street below the roosting trees repeatedly each night.

While the Peregrine could only be flown once nightly its effect was dramatic on every flight. Starlings that were attempting to roost while the Peregrine was flown were deflected away from Macquarie Street and were not seen to return. As well the tame Peregrine attracted wild Peregrines and Australian Hobbies which were roosting in south Dubbo. These wild birds were attracted by the intrusion into their territory of the tame bird and their presence undoubtedly enhanced the impact of the tame bird.

Following the initial Peregrine flight, the starlings' behaviour was observed to have changed immediately. The larger flocks were replaced by multiple smaller flocks which each raced in to Macquarie Street at very low altitude straight for the protection of the roost trees. As well overall starling numbers were immediately reduced, by an estimated 50% (FFF, 2014). This immediate effect was continued, in fact the changed bird behaviour remains the norm for starlings in the Dubbo environment. The changed starling behaviour was immediate and dramatic, and very exciting for the Falconers.

The Barking Owl was flown each night following the Peregrines, it was flown below the roost trees and continued to harass and disturb the roosting starlings. Over the course of their first visit to Dubbo the Falconers were seen by Council staff to have had a dramatic effect on the starling population.

Initially the two week trial was anticipated to occur in 2014 and 2015. Regulatory issues interrupted these plans with FFF unable to obtain the necessary travel permits to bring birds into NSW before the early onset of a cool autumn dispersed the still small numbers of starlings from Macquarie Street. Subsequently the second and final week of the initial trial occurred in late February and early March 2016.

During this most recent visit FFF used a Red Goshawk and a Masked Owl for starling management. These birds were used to assess their efficacy in comparison with the Peregrine and Barking Owl used previously. The Red Goshawk was effective in changing starling behaviour again, although overall numbers were impacted to a lesser degree than in the original visit.

The 2016 trial coincided with an extended period of warm dry weather which has effectively encouraged starlings to remain in situ in Dubbo. It is believed that overall bird numbers in Macquarie Street have not declined following the 2016 falconry trial, birds which were displaced by the Goshawk have been replaced by birds which were roosting elsewhere in Dubbo at the time of the trial, or indeed have returned following the departure of the raptors. The resident native Peregrine Falcons and Australian Hobbies are still present in Dubbo however the lack of presence of the tame Peregrines at Macquarie Street for two full years has diminished their focus on Macquarie Street.

Following two week long visits, FFF have recommended the following:

- Continue the use of raptors for pest bird control.
- Rather than continue harassment flights (as in the past trials) they recommend using Sparrowhawks or Brown Goshawks which are trained to kill in flight. Introducing lethality to the raptors presence is expected to magnify the impact dramatically.
- It is suggested that a longer period of control, from mid-February to the end of March be trialled, and that this period be split into either a week on/week off arrangement, or seven days on ten days off.

This last point could fit very neatly with possible raptor use in Tamworth over the coinciding period with Tamworth Regional Council having recently contacted Western Plains Regional Council in regards to undertaking a similar trial in their CBD for both starling and Indian Myna control.

This is an important point regarding Tamworth CBD. Indian Mynas occupy urban habitats wherever they occur and they have recently been identified in Dubbo. This species has the potential to be a significantly worse bird pest problem in the City than starlings. Council staff are monitoring this situation and engaging Local Land Services (LLS) pest management staff to facilitate initial control and in this regard will give consideration to the issue across the urban areas of the Western Plains Regional Council.

This situation will require ongoing monitoring and action as required as early intervention is by far the most cost effective time to control pest animals and plants (NSW Invasive Species Plan, 2008). This should be considered as another consideration in targeting feral birds in Dubbo's CBD.

At the time of the CSU report, 2013, robotic or drone bird scaring options were purely experimental. However they have become commercially available in both the USA and Europe. Council is currently exploring this option. Should a drone be available in Australia at reasonable cost such technology could be used in conjunction with the falconry to interrupt starling behaviour for a longer time period.

This experimental solution would involve flying a bird repelling drone above Macquarie Street. Drones deter birds by emitting either high frequency sonics or recorded raptor sounds and through their physical proximity. It is possible that the extremely clever starlings may habituate to this deterrence and for this reason if drones are obtainable in Australia they should be seen as supplementary to the continued use of live falcons. Over time drones may become sufficiently effective so as to preclude the ongoing use of live falcons as well as affordable. In this regard, it shall be a recommendation of this report that Council trial such a device for bird control in conjunction with continued live bird falconry.

## **SUMMARY**

Following recommendations made by CSU in 2013, falconry trials have been undertaken in Dubbo's CBD to commence control of starlings. Falconers have visited the City twice for week long trials, in 2014 and 2016.

The 2014 trial appeared to have definite impacts on starling populations, coinciding with an early cool period this impact was prolonged and noticeable.

The 2016 the trial was less effective possibly through the use of different birds and techniques but it was also undermined by ongoing warm dry conditions which favoured repopulation of Macquarie Street by the pest species after the falconry.

It is recommended that Council commit to an expanded program of falconry for the 2017 and 2018 autumn seasons, implementing extended trial periods and introducing lethal flights to the mix of deterrence.

It is further recommended that Council staff continue to pursue the feasibility of drone aircraft deterring pest birds, trialling this technique in conjunction with future falconry visits to maximise effectiveness of both methods.

The recent arrival of Indian Mynas is of serious concern as this pest bird species is significantly more aggressive and disruptive to the environment than starlings or blackbirds which are both currently present. It is recommended that Local Land Services be consulted regarding control options for Indian Mynas, across the Western Plains Regional Council area, where applicable.

WESTERN  
PLAINS  
REGIONAL  
COUNCIL

Incorporating the former  
Dubbo City & Wellington councils

## REPORT: Macquarie Regional Library Agreement

**AUTHOR:** Director Community Services

**REPORT DATE:** 2 June 2016

**TRIM REFERENCE:** ID16/1041

### EXECUTIVE SUMMARY

As a result of the merger of the former Dubbo City Council and former Wellington Council to form the Western Plains Regional Council, it is necessary to amend the Macquarie Regional Library Agreement. The amendments basically delete all references to Dubbo City Council and Wellington Council and replace with references to Western Plains Regional Council; combines the amounts payable separately by the former Dubbo City Council and Wellington Council under the terms of the Agreement to be amounts payable by the Western Plains Regional Council; and changes the membership and composition of the Macquarie Regional Library Committee to reflect the fact that there are now only three (3) councils party to the Agreement, that Western Plains Regional Council does not have councillors and that councillor positions on the Committee for Western Plains Regional Council can be filled by the Western Plains Regional Council Administrator and/or staff of Western Plains Regional Council. The term of the Agreement being until 30 June 2018 will remain unamended.

### FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

### POLICY IMPLICATIONS

There are no policy implications arising from this report.

### RECOMMENDATION

1. That the proposed amendments to the Macquarie Regional Library Agreement as detailed in the body of the report of the Director Community Services be approved by Council.
2. That formal consent be sought from Narromine and Warrambungle Shire Council's to the amended Macquarie Regional Library Agreement.

*David Dwyer*  
Director Community Services

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**BACKGROUND**

The Macquarie Regional Library was until the merger of the former Dubbo City Council and former Wellington Council a joint venture of four (4) councils (Warrumbungle, Dubbo, Narromine and Wellington) whereby Dubbo City Council provided a library service to each of those council areas by jointly sharing resources such as staff, library collection items such as books and equipment and computer resources. Each Council was a signatory to a library agreement to which each council was bound. The Library Service, prior to the merger of Dubbo City Council and Wellington Council, was managed by Dubbo City Council. A Library Committee which consisted of two (2) councillors from each of the four (4) councils was established.

Funding for the Macquarie Regional Library is provided by the participating councils. Each council provides to the Library Service its State Government Library Subsidy received each year as well as contributions, the formula for which are detailed in the Library Agreement. The contributions, including an allocation for books, for each Council for the four (4) years of the Agreement (2014/2015 to 2017/2018 inclusive) are set in the Agreement.

A copy of the Library Agreement executed in 2014 is appended to this report (**Appendix 1**).

**REPORT**

As a result of the merger of Dubbo City Council and Wellington Council to form the Western Plains Regional Council, it is necessary to amend the Macquarie Regional Library Agreement. The amendments basically delete all references to Dubbo City Council and Wellington Council and replace with references to Western Plains Regional Council; combines the amounts payable separately by the former Dubbo City Council and Wellington Council under the terms of the Agreement to be amounts payable by the Western Plains Regional Council; and changes the membership and composition of the Macquarie Regional Library Committee to reflect the fact that there are now only three (3) councils party to the Agreement and that Western Plains Regional Council does not have councillors and that councillor positions on the Committee for Western Plains Regional Council can be filled by the Western Plains Regional Council Administrator and/or staff of Western Plains Regional Council. The term of the Agreement being until 30 June 2018 will remain unamended.

In accordance with Clause 14.1 of the Macquarie Regional Library Agreement, it is recommended that the Macquarie Regional Library Agreement be amended as follows:-

- 1. Page 1, Table of Contents, Item 4, remove the words '(Dubbo City Council)'.**
- 2. Page 2, under the heading 'Between', remove all words and replace with '1. Western Plains Regional Council; 2. Narromine Shire Council; and 3. Warrumbungle Shire Council.'**
- 3. Page 2, under the heading 'Background', Part B, remove the words 'Dubbo City' and replace with 'Western Plains Regional' and delete the words 'Wellington Council'.**



4. *Page 3, under the heading 'General Manager', delete the words 'Council of the City of Dubbo' and replace with 'Western Plains Regional Council'.*
5. *Page 5, Clause 4 Heading, delete the words '(Dubbo City Council)'.*
6. *Page 7, Clause 5.3, delete all words and replace with 'The Committee membership shall consist of two (2) councillors appointed by Narromine and Warrumbungle Shire Councils and two (2) members from the Western Plains Regional Council consisting of the Administrator or staff appointed by the Administrator who are not employed in the Macquarie Regional Library Service but are delegated to act for the Administrator. After the first election of the Western Plains Regional Council in 2017, two (2) councillors will be appointed for the remainder of the term of this Agreement to represent Western Plains Regional Council. '*
7. *Page 7, Clause 5.5, delete the word 'councillor'.*
8. *Page 8, Clause 5.17, delete the words 'five (5)' and replace with 'four (4)'.*
9. *Page 9, Clause 6 Heading, delete the words 'Dubbo City Council, Wellington Council' and replace with 'Western Plains Regional Council'.*
10. *Page 11, Clause 9.3 (d), delete the word 'Wellington'.*
11. *Page 14, Clause 12.3, delete all words and replace with 'This Agreement may be terminated, when (i) a new council joins the Regional Library Service, or (ii) in the event of an amalgamation that affects an existing Participating Council boundary. A new Agreement, that includes the additional party or parties, is to be developed for confirmation by all Participating Councils and subsequent execution.'*
12. *Page 18, Schedule A, item 1, Name, delete 'Dubbo City Council' and replace with 'Western Plains Regional Council'. Item 2, delete all words. Item 3, delete '3' and replace with '2'. Item 4, delete '4' and replace with '3'. Item 5, delete '5' and replace with '4'.*
13. *Page 19, delete the words 'Dubbo City Council' and replace with 'Western Plains Regional Council' and delete the words 'Wellington Council'. Delete all words under the heading Note.*
14. *Page 20, Schedule B, under the first heading Note, delete the words 'Dubbo City Council' and replace with 'Western Plains Regional Council'.*
15. *Page 20, Schedule B, under the second heading Note, delete the words 'Dubbo City Council'.*
16. *Page 23, Schedule B, 2.1 Objective, replace the words 'Library's Regional Office' and replace with 'Library' and delete 'Dubbo City' and replace with 'Western Plains Regional'.*
17. *Page 23, Schedule B, 3.1 Objectives, replace the words 'Library's Regional Office' and replace with 'Library'.*
18. *Page 24, Schedule B, 3.2.1 Objectives, replace the words 'Library's Regional Office' and replace with 'Library'.*
19. *Page 25, Schedule C, delete part (a) and replace with:*

**(a) Estimated Annual Contributions and Book Vote contributions 2014 -2018**

	<b>2014/2015 Budget</b>	<b>2015/2016 Budget</b>	<b>2016/2017 Budget</b>	<b>2017/2018 Budget</b>
<b>ANNUAL CONTRIBUTIONS</b>				
<b>DUBBO CITY COUNCIL</b>	<b>-487,639</b>	<b>-531,527</b>	<b>N/A</b>	<b>N/A</b>
<b>NARROMINE SHIRE COUNCIL</b>	<b>-79,878</b>	<b>-87,067</b>	<b>-94,903</b>	<b>-103,444</b>
<b>WARRUMBUNGL SHIRE COUNCIL</b>	<b>-123,383</b>	<b>-137,572</b>	<b>-153,393</b>	<b>-171,033</b>
<b>WELLINGTON COUNCIL WESTERN PLAINS REGIONAL COUNCIL</b>	<b>-103,628</b>	<b>-112,954</b>	<b>N/A</b>	<b>N/A</b>
	<b>N/A</b>	<b>N/A</b>	<b>-702,484</b>	<b>-765,708</b>
<b>BOOK VOTE CONTRIBUTIONS</b>				
<b>DUBBO CITY COUNCIL</b>	<b>-73,146</b>	<b>-79,729</b>	<b>N/A</b>	<b>N/A</b>
<b>DUBBO (ADDITIONAL CONTRIBUTION)</b>	<b>-60,104</b>	<b>-60,000</b>	<b>N/A</b>	<b>N/A</b>
<b>NARROMINE SHIRE COUNCIL</b>	<b>-11,982</b>	<b>-13,931</b>	<b>-14,235</b>	<b>-15,517</b>
<b>WARRUMBUNGL SHIRE COUNCIL</b>	<b>-18,507</b>	<b>-20,636</b>	<b>-23,009</b>	<b>-25,655</b>
<b>WELLINGTON COUNCIL WESTERN PLAINS REGIONAL COUNCIL</b>	<b>-15,544</b>	<b>-16,943</b>	<b>N/A</b>	<b>N/A</b>
<b>WESTERN PLAINS REGIONAL COUNCIL WESTERN PLAINS REGIONAL COUNCIL (ADDITIONAL CONTRIBUTION)</b>	<b>N/A</b>	<b>N/A</b>	<b>-105,373</b>	<b>-114,856</b>
	<b>N/A</b>	<b>N/A</b>	<b>-60,000</b>	<b>-60,000</b>

20. Page30, Schedule E, delete and replace with:

**Information Technology Provision - Computer Work Stations**

**Public access computer work stations held by the Participating Councils at the time of the execution of this Agreement**

<b>Participating Council</b>	<b>Branch/Service Point</b>	<b>Total</b>
<b>Western Plains Regional Council</b>	<b>Dubbo Branch Library</b>	<b>17</b>
	<b>Wellington Branch Library</b>	<b>6</b>
<b>Narromine Shire Council</b>	<b>Narromine Branch Library</b>	<b>4</b>
	<b>Trangie Branch Library</b>	<b>3</b>
<b>Warrumbungle Shire Council</b>	<b>Coonabarabran Branch Library</b>	<b>4</b>
	<b>Coolah Branch Library</b>	<b>6</b>
	<b>Dunedoo Branch Library</b>	<b>3</b>
	<b>Baradine Service Point</b>	<b>Nil</b>
	<b>Binnaway Service Point</b>	<b>Nil</b>
	<b>Mendooran Service Point</b>	<b>Nil</b>

**Note: Wireless connectivity is provided at all MRL Branches but not at the Service Points Staff access computer work stations (PC) and online (catalogue) public access computers (OPAC) held by the Participating Councils prior to the execution of this Agreement.**

<b>Participating Council</b>	<b>Branch/Service Point</b>	<b>Total [PC/OPAC]</b>
<b>Western Plains Regional Council</b>	<b>Dubbo Branch Library</b>	<b>16 [PC12/OPAC 4]</b>
	<b>Wellington Branch Library</b>	<b>2 [PC 1/OPAC 1]</b>
<b>Narromine Shire Council</b>	<b>Narromine Branch Library</b>	<b>2 [PC 1/OPAC 1]</b>
	<b>Trangie Branch Library</b>	<b>2 [PC 1/OPAC 1]</b>
<b>Warrumbungle Shire Council</b>	<b>Coonabarabran Branch Library</b>	<b>2 [PC 1/OPAC 1]</b>
	<b>Coolah Branch Library</b>	<b>2 [PC 1/OPAC 1]</b>
	<b>Dunedoo Branch Library</b>	<b>1</b>
	<b>Baradine Service Point</b>	<b>1</b>
	<b>Binnaway Service Point</b>	<b>1 [Laptop]</b>
	<b>Mendooran Service Point</b>	<b>1</b>

Consents in writing to these amendments by Narromine and Warrumbungle Shire Councils will be required before the Macquarie Regional Library is formally amended.

Appendices:

- 1 Macquarie Regional Library Service Agreement 2014-2018



# **MACQUARIE REGIONAL LIBRARY SERVICE AGREEMENT**

**1 July 2014 - 30 June 2018**

## Table of Contents

1.	Definitions and interpretation.....	2
2.	Term .....	4
3.	Delegation .....	5
4.	Responsibilities of the Administering Council (Dubbo City Council).....	5
5.	Library Committee pursuant to s. 11 of the Act.....	7
6.	Responsibilities of the Participating Councils.....	9
7.	Liability .....	10
8.	Assets.....	10
9.	Management and Administration .....	11
10.	Finance .....	12
11.	Dispute resolution .....	13
12.	Termination .....	14
13.	Notices.....	14
14.	Miscellaneous.....	16
	Writing.....	16
	Consents .....	16
	Severability .....	16
	Inconsistency .....	16
	Legal advice and costs .....	16
	 Schedule A Agreement Details .....	 18
	Schedule B .....	20
	Schedule C .....	25
	Schedule D.....	28
	Schedule E .....	30

## Macquarie Regional Library Service Agreement

This Agreement is made on 1st of July 2014.

### Between

1. Dubbo City Council; and
2. Wellington Council; and
3. Narromine Shire Council; and
4. Warrumbungle Shire Council.

### Background

- A. This is an Agreement made pursuant to s. 12(1) of the Library Act 1939.
- B. The Administering Council (Dubbo City Council) agrees to undertake the function of providing, controlling and managing libraries, library services or information services within the area of each Delegating Council (Wellington Council, Narromine Shire Council and Warrumbungle Shire Council).
- C. The Delegating Councils agree to delegate to the Administering Council the function of providing, controlling and managing libraries, library services or information services within the area of each Delegating Council.
- D. This Agreement specifies the terms and conditions upon which the libraries, library services or information services will be provided, controlled and managed by the Administering Council.
- E. The Participating Councils note the intention of the Administering Council to constitute a committee, in respect of the Regional Library Service, pursuant to s. 11 of the Act.
- F. Each Participating Council has resolved to adopt the Library Act 1939.

### Operative provisions

#### 1. Definitions and interpretation

- 1.1 In this Agreement, unless the context otherwise requires:

“Act” means the Library Act 1939.

**“Administering Council”** means the council described as such in the Agreement Details. The ‘Administering Council’ may also be known as the ‘Executive Council’.

**“Agreement”** means the Macquarie Regional Library Service Agreement which includes the schedules that are incorporated into this Agreement by reference, as amended from time to time in accordance with the terms of this Agreement.

**“Agreement Details”** means the details specified in Schedule A.

**“Area”** in relation to a Participating Council means:

- (a) for a Delegating Council, the geographic area of the Delegating Council; and
- (b) for the Administering Council, the geographic area of the Administering Council which, for the avoidance of doubt, excludes the geographic area of a Delegating Council.

**“Commencement Date”** means the date specified as such in the Agreement Details.

**“Committee”** means the Macquarie Regional Library Service Committee.

**“Delegating Council”** means a council described as such in the Agreement Details.

**“Director”** means the Director, Macquarie Regional Library referred to in cl. 9.3.

**“General Manager”** means the General Manager of the Council of the City of Dubbo. The General Manager of the ‘Administering Council’ may also be known as the ‘Executive Officer’ of the Macquarie Regional Library Service.

**“Library Council”** means Library Council of New South Wales.

**“Net assets”** means the assets acquired for or by the Regional Library Service after the commencement of this Agreement, not being assets referred to in cls 6.4 or 8.1.

**“Participating Council”** means a party to this Agreement. A ‘Participating Council’ may also be known as a ‘member Council’.

**“Region”** means the geographic area covered by the Participating Councils.

**“Regional Library Service”** means the service formed after the Commencement Date and constituted by the libraries, library services or information services provided, controlled and managed by the Administering Council in the area of each Participating Council and titled the RLS.

**“Regional Library Service Office”** has meaning in cl. 9.4.

**“Service Level Agreement”** means the service level agreement at Schedule B, which forms part of this Agreement.

**“Term”** means the duration of this Agreement as specified in the Agreement Details or until the date on which this Agreement is terminated, whichever occurs first.

1.2 Except where the context otherwise requires:

- a) **References to legislation** A reference to a statute, regulation, ordinance or by-law (“Law”) will be deemed to extend to include a reference to all statutes, regulations, ordinances or by-laws amending, consolidating or replacing that Law from time to time.
- b) **Reconstitution of a party** A reference to a party which has ceased to exist or has been reconstituted, amalgamated or merged, or other functions of which have become exercisable by any other person or body in its place, shall be taken to refer to the person or body established or constituted in its place by which its said functions have become exercisable.
- c) **Time Limits** Where any time limit pursuant to this Agreement falls on a non-business day then that time limit shall be deemed to have expired on the next business day.
- d) **Grammatical forms** Where a word or phrase is given a defined meaning in this Agreement, any other part of speech or other grammatical form in respect of such word or phrase shall unless the context otherwise requires have a corresponding meaning.
- e) **Rules of Construction** No rule of construction operates to the detriment of a party only because that party was responsible for the preparation of this Agreement or any part of it.
- f) **Headings** The headings and index in this Agreement are for convenience only and do not affect the interpretation of this Agreement.
- g) **References to groups** A reference to a group of persons is a reference to all of them collectively and to any two or more of them collectively and to each of them individually.
- h) **References to persons** Persons will be taken to include any natural or legal person.

## 2. Term

- 2.1 This Agreement commences on 1 July 2014 to 30 June 2018 and will continue for the Term.



### **3. Delegation**

- 3.1 Pursuant to s. 12(1) of the Act, each Delegating Council hereby delegates to the Administering Council the function of providing, controlling and managing libraries, library services or information services within its area.
- 3.2 The delegation of functions referred to in cl. 3.1 to the Administering Council excludes -
- a) any power to borrow money, to make or levy a rate, to execute a deed or contract or an agreement under the Library Act or to institute proceedings at law or in equity on behalf of the Delegating Councils;
  - b) the determination of staff establishment levels and the levels of experience and qualifications of staff at Branch Libraries and Service Points within the LGA of each Delegating Council;
  - c) the determination of opening hours of Branch Libraries and Service Points within the LGA of each Delegating Council;
  - d) the provision, asset maintenance and risk management responsibilities for all library buildings and associated furniture and fittings within the areas of each Delegating Council and
  - e) the adoption of the Revenue Policy for the fees and charges for library services at the Branch Libraries and Service Points within the LGA of each Delegating Council.

### **4. Responsibilities of the Administering Council (Dubbo City Council)**

- 4.1 The Administering Council is to provide, control and manage the Regional Library Service in accordance with the Act.
- 4.2 The Administering Council is to provide full administrative services to the Regional Library Service including:
- a) keeping and auditing all records, Committee meeting minutes and reports and accounts, in accordance with all relevant legislation and by-laws;
  - b) managing funds and reserves to maximise income for and on behalf of the Regional Library Service;
  - c) signing all contracts and agreements relating to the Regional Library Service; and
  - d) setting the employment conditions of all the staff employed on behalf of the Regional Library Service.
- 4.3 The Administering Council is to develop, adopt, implement, maintain and monitor the implementation of a Delivery Program for the Regional Library Service.

- 4.4 The Administering Council is to prepare policy statements on relevant aspects of the Regional Library Service and, as required, review all policies in order to improve the provision of library services for residents of the Region.
- 4.5 The Administering Council is to use its best endeavours to obtain the full benefit of grants and maximum subsidies made available by the Commonwealth, the State and other respective instrumentalities and agencies for the Regional Library Service.
- 4.6 The Administering Council is to cooperate with libraries and library systems in the wider library network on such terms and conditions as may be agreed between them.
- 4.7 The Administering Council is to submit to each Delegating Council in respect of the previous financial year:
- a) an annual report which includes a copy of the audited statement of accounts for the Regional Library Service;
  - b) details of the activities of the Regional Library Service including, and not limited to, statistics of purchases for the library collection;
  - c) a report outlining but not limited to:
    - i. the collection size, including its age and distribution;
    - ii. the number of borrowers and of items borrowed;
    - iii. the number of library visits and
    - iv. the number and type of value-added services.
- 4.8 The Administering Council is to engage suitably qualified staff where required for the Regional Library Service in accordance with Australian Library and Information Association standards, as amended from time to time, and the Library Regulation 2005.
- 4.9 Staff engaged at branch libraries are:
- a) subject to the policies and procedures of the Administering Council, and are employed by the Administering Council, and are
  - b) accountable to the Director for:
    - (i) library procedures;
    - (ii) the standard of customer service; and
    - (iii) such delivery of the service as is necessary to implement the library policies for the Regional Library Service;
- within the branch library/service point.

**5. Library Committee pursuant to s. 11 of the Act**

- 5.1 Nothing in this Agreement prevents the Administering Council from delegating any of its functions, including any conferred or imposed under this Agreement, in relation to the provision, control and management of libraries, library services and information services, to a committee constituted by it in accordance with s. 11 of the Act.
- 5.2 The Administering Council shall constitute a library committee known as the Macquarie Regional Library Service Committee ("the Committee").
- 5.3 The Committee shall consist of two (2) councillors appointed by each of the Participating Councils (hereinafter called "members").
- 5.4 The nominated members shall be the primary delegates for their respective Councils.
- 5.5 The Participating Councils may also nominate alternative councillor delegates to represent their Council in the absence of the primary delegates.
- 5.6 In the event that a member (primary delegate) of the Committee will be absent from a meeting, such alternative delegate shall have the full rights and responsibilities of the primary delegate.
- 5.7 Members of the Committee shall be deemed to be appointed effective from the date of this Agreement and thereafter shall be appointed in the month immediately following the Local Government quadrennial elections. Retiring members of the Committee shall be eligible for re-appointment.
- 5.8 The Participating Councils may change their nominated primary and alternative delegates at any time.
- 5.9 The Committee shall elect a Chairman and a Deputy Chairman from the Committee members and the authority to so elect is hereby delegated by the parties to this Agreement. The election of Chairman and Deputy Chairman shall take place each calendar year at the last meeting in the year.
- 5.10 The Committee shall hold four (4) ordinary meetings in each year.
- 5.11 The procedure for the conduct of meetings and administration of the Committee's affairs shall be as provided for Councils in the Local Government Act, 1993 and regulations made there under with the exception of Clause 235 of the Local Government General Regulation 2005, Part 10 – Meetings, which requires personal presence at meetings. In this case, personal presence shall only apply to the meeting for the election of Chairman and Deputy Chairman as provided for in this Clause.
- 5.12 The Committee shall adopt a Code of Meeting Practice in accordance with the Local Government General Regulation 2005 Part 10 – Meetings, at the meeting under cl. 5.9.

- 5.13 The Chairman, or in the absence of the Chairman, the Deputy Chairman, shall be empowered to convene a Special Meeting of the Committee at any time.
- 5.14 The Committee is delegated authority by the Administering Council to hold a Special Meeting each year to determine and adopt a draft Delivery Program (including the annual Operational Plan, Budget and Revenue Policy) in accordance with Part 2 Chapter 13 of the Local Government Act, 1993.
- 5.15 The fees and charges (Revenue Policy) relating to this function are adopted by the MRL Committee and then forwarded to the Participating Councils for inclusion with their draft revenue policies in their draft Integrated Planning documents for public display and subsequent formal adoption by the Participating Council.
- 5.16 The Administering Council shall publicly exhibit the draft Macquarie Regional Library Service Delivery Program (including the annual Operational Plan, Budget and Revenue Policy) with its draft Integrated Planning documents for the purposes of Section 405 of the Local Government Act, 1993.

The draft Delivery Program (including the annual Operational Plan, Budget and Revenue Policy) will also be placed on public display at all Branch Libraries of the Macquarie Regional Library Service.

Any submissions received by the Administering Council in relation to the draft Macquarie Regional Library Service Delivery Program (including the annual Operational Plan, Budget and Revenue Policy) shall be referred to the Committee for consideration and determination. Where there are no submissions received on the draft Macquarie Regional Library Service Delivery Program (including the annual Operational Plan, Budget and Revenue Policy), the Administering Council will adopt the Delivery Program as exhibited on behalf of the Participating Councils.

The adoption of the Macquarie Regional Library Service Delivery Program (including the annual Operational Plan, Budget and Revenue Policy) is binding on the Administering and Participating Councils.

- 5.17 The number of persons required to form a quorum for meetings of the Committee shall be five (5) members or alternative delegate(s) of the Committee and the dates and times at which its ordinary meetings are held and the manner of meeting (including teleconferencing) shall be determined by the Committee.
- 5.18 A member or alternative delegate of the Committee may resign his office by letter addressed to the General Manager of the Administering Council. The Council whose representation is reduced by the vacancy shall fill any vacancy occurring in the Committee and the appointee shall hold office for the remainder of the current term.

- 5.19 The Chairman and/or Deputy Chairman of the Committee may resign his office by letter addressed to the General Manager.
- 5.20 If a member (primary delegate) of the Committee is absent from three (3) consecutive meetings thereof without having obtained leave of absence from the Committee, his office shall become vacant.

**6. Responsibilities of the Participating Councils**

**(Dubbo City Council, Wellington Council, Narromine Shire Council and Warrumbungle Shire Council)**

- 6.1 Each Participating Council is to be responsible for the provision, maintenance, furnishing, equipping, lighting, cleaning and security of any branch library or service point of the Regional Library Service in its area.
- 6.2 In planning new buildings for branch libraries or the refurbishment of existing libraries, a Participating Council is to seek the advice of the Director.
- 6.3 Where a Delegating Council requires an additional library branch it will, at its own expense, and after consultation with the Administering Council, provide suitable branch library buildings and ensure provision of the necessary staff, fittings and furnishings, computer equipment and establishment collection at a standard agreed to by the Administering Council.
- 6.4 Such buildings, fittings and furnishings, computer equipment and establishment stock are to remain the property of the individual Participating Council.
- 6.5 Where the establishment of an additional branch facility increases a Participating Council's use of the Regional Library Service's resources that Participating Council, unless otherwise agreed to by the other Participating Councils, shall directly bear the increased cost to the Regional Library Service caused by the additional branch facility.
- 6.6 The Participating Councils agree to provide sufficient resources to support and maintain those assets necessary for the effective operation of the Regional Library Service.
- 6.7 The Participating Councils are responsible for determining the opening hours of the branch libraries in their areas, in consultation with the Director.
- 6.8 Where a mobile library service is provided in the area of one Participating Council only, it is to be provided and maintained by that Participating Council at its own cost.
- 6.9 Where a mobile library service is provided in the area of more than one Participating Council, it is to be provided and maintained by each of those Participating Councils,

with the costs of doing so to be met by each in proportion to the extent of service provided in each area.

- 6.10 The Mobile library service timetable will be established by negotiation between the Participating Councils.
- 6.11 A Participating Council is responsible for the cost of providing any service or resource additional to that outlined in this Agreement, which is to be paid within thirty days of the Participating Council receiving an invoice from the Regional Library Service for the provision of such service or resource.

## **7. Liability**

- 7.1 Any liability incurred by the Administering Council in connection with the performance of its functions as Administering Council under this Agreement, except where the Administering Council has been negligent in the performance of its functions, is to be borne by each Participating Council in the same proportion as its financial contribution to the Regional Library Service bears to the sum of all the Participating Councils' financial contributions to the Regional Library Service over the duration of this Agreement.
- 7.2 The duration of this Agreement, for the purposes of cl. 7.1, is the period between the Commencement Date and the date the liability is incurred, to a maximum four year period.

## **8. Assets**

- 8.1 All Regional Library materials, equipment and other assets held by the Participating Councils prior to the execution of this Agreement and specified in Schedule D - *Macquarie Regional Library Assets*, are for the use of the Regional Library Service.
- 8.2 The Administering Council is to maintain a register of the assets provided for the use of the Regional Library Service which must indicate which Participating Council owns each asset. The Administering Council shall affect insurance coverage over the assets of the RLS as referred to in Schedule D – *Macquarie Regional Library Assets*. Participating Councils should affect insurance coverage of their assets including premiums for building insurance, public liability insurance and contents insurance.
- 8.3 A Participating Council must, unless otherwise agreed to by the other Participating Councils, give a minimum of twelve months notice in writing of its intention to withdraw an asset from use by the Regional Library Service.

## 9. Management and Administration

- 9.1 The General Manager is responsible to the Administering Council for the financial operation and administration of the Regional Library Service.
- 9.2 The fees and charges (Revenue Policy) relating to this function are adopted by the MRL Committee and then forwarded to the Participating Councils for inclusion with their draft revenue policies in their draft annual delivery programs for public display and subsequent formal adoption by the Participating Council.
- 9.3 A Director is to be appointed by the Administering Council and:
- a) is to be a qualified librarian as recognised by the Australian Library and Information Association;
  - b) is to be responsible to the General Manager for the administration of the services provided by the Regional Library Service and
  - c) is to supervise and manage staff employed by the Administering Council.
- Branch Managers employed at the main Branch of each Participating Council (Dubbo, Wellington, Narromine and Coonabarabran) are required to have appropriate qualifications recognised by the Australian Library and Information Association (ALIA) and relevant experience to meet the selection criteria for the position.
- 9.4 A Regional Library Service Office is to be established by the Administering Council and:
- a) the staff are responsible to the Director;
  - b) where required, the staff are to be appropriately qualified as recognised by the Australian Library and Information Association or possess appropriate qualifications relevant to the position held.
- 9.5 A written plan for the management and development of the Regional Library Service shall be jointly prepared by the Director and the staff of the Regional Library Service which will include objectives for:
- a) collection development;
  - b) service development and delivery;
  - c) staff training and development;
  - d) staff evaluation criteria and performance measures; and
  - e) building maintenance and improvement.

## 10. Finance

- 10.1 The Administering Council will by April each year provide each Delegating Council with a copy of the Regional Library Service's proposed annual budget for the following financial year.
- 10.2 The proposed annual budget will include:
- a) the amount of funds currently held by or for the Regional Library Service;
  - b) the amount of each Participating Council's proposed financial contribution to or for the Regional Library Service for the financial year commencing 1 July;
  - c) the estimated amount of funds to be received from government subsidies and grants by or for the Regional Library Service in the financial year commencing 1 July; and
  - d) the amount of funds to be received from any other source by or for the Regional Library Service in the financial year commencing 1 July.
- 10.3 The Administering Council is to use its best endeavours to ensure that an annual budget is adopted by July in each year.
- 10.4 In the event that the annual budget is not adopted by the date specified in cl. 10.1, contributions from Participating Councils will remain unchanged from the previous year until the annual budget is resolved.
- 10.5 In respect of the annual budget contribution:
- a) the amount to be contributed to or for the Regional Library Service by each Participating Council during each financial year is to be the amount specified in the Regional Library Service's adopted annual budget as the contribution of that Participating Council;
  - b) the Administering Council will consult with the other Participating Councils about a formula to be used to determine the budget contribution for each Participating Council;
  - c) the funding provisions for the four (4) year term of this Agreement are based upon delivering a balanced budget and the contributions to be made by each participating Council for the financial years 2014/2015 to 2017/2018 inclusive, as set out in Schedule C of the Agreement.



Any variations to the contributions by participating Councils detailed in Schedule C (a) must be approved by all Participating Councils.

The funding provisions are binding upon each Participating Council; and

- d) in addition to any other amount referred to in this clause, each of the Participating Councils shall pay annually to the Administering Council a further amount being:
- i. 15% of the annual contribution under cl. 10.5 (c) for the Agreement period 1st day of July 2014 to 30 June 2018 of the Agreement period for the provision of library resources (book vote contributions);
  - ii. the actual cost of salaries, salary on-costs, recruitment costs and other ancillary employment costs for the provision of staff employed by the Administering Council at the individual Branch Libraries and Service Points within each Delegating Council LGA.
- e) the Annual Disability and Geographic adjustment provision and the Annual Subsidy allocated by the State Library NSW Library Council to each Council shall be passed on in full to the Administering Council for the operation of the Macquarie Regional Library Service.
- f) each Participating Council's financial contribution to the Regional Library Service shall be paid in quarterly installments on the first days of July, October, January and April of each year.
- g) any Participating Council may contribute additional funding to their library service.

- 10.6 Interest on any amount payable under this Agreement which is not received by the Administering Council within thirty days of the due date may be charged at the rate specified from time to time by the Local Government Minister by notice published in the Gazette pursuant to s. 566 of the Local Government Act 1993, until the date it is received by the Administering Council.

## **11. Dispute resolution**

- 11.1 Where a Participating Council claims that a dispute has arisen, it may give written notice of the dispute to [each or the] other Participating Councils.
- 11.2 The Participating Councils must seek to resolve the dispute within 14 days of receipt of a notice under cl. 11.1.

- 11.3 If the dispute is not resolved within this 14 day period, or within such further period as the Participating Councils agree in writing, then the dispute is to be referred to the Australian Commercial Dispute Centre ("ACDC") for mediation.
- 11.4 The mediation shall be conducted in accordance with the ACDC Mediation Guidelines which set out the procedures to be adopted, the process of selection of the mediator and the costs involved.
- 11.5 Notwithstanding anything else in this clause, pursuant to s. 12(5) of the Act, any dispute arising under the agreement must, on the application to the Library Council of a Participating Council, be settled by arbitration by an arbitrator appointed by the Library Council.

## **12. Termination**

- 12.1 This Agreement may be terminated by the withdrawal of one Participating Council.
- 12.2 A Participating Council must, unless otherwise agreed to by the other Participating Councils, give a minimum of twelve months notice in writing of its intention to withdraw from the Regional Library Service.
- 12.3 This Agreement may be terminated, where a new council joins the Regional Library Service, or in the event of an amalgamation that affects an existing Participating Council boundary, before a new agreement that includes the additional party is executed.
- 12.4 If this Agreement is terminated:
- a) each Participating Council will be entitled to a portion of the Regional Library Service's assets; and
  - b) each Participating Council will be liable for a portion of the liabilities and contingent liabilities of the Regional Library Service in the same proportion as its financial contribution to the Regional Library Service bears to the total of all the financial contributions by each Participating Council to the Regional Library Service over the duration of this Agreement to a maximum four year period.
- 12.5 The duration of this Agreement, for the purposes of cl. 12.2, is the period between the commencement date 1 July 2014 to 30 June 2018.

## **13. Notices**

- 13.1 A notice under this Agreement must be:

- a) in writing, directed to the General Manager of the other Participating Councils as specified in the Agreement Details; and
- b) forwarded to the address, facsimile number or the email address of that representative as specified in the Agreement Details or the address last notified by the intended recipient to the sender.

13.2 A notice under this Agreement will be deemed to be served:

- a) in the case of delivery in person - when delivered to the recipient's address for service and a signature received as evidence of delivery;
- b) in the case of delivery by post - within three business days of posting;
- c) in the case of delivery by facsimile – at the time of dispatch if the sender receives a transmission report which confirms that the facsimile was sent in its entirety to the facsimile number of the recipient and
- d) in the case of delivery by email, on receipt of confirmation by the recipient that the recipient has received the email.

13.3 Notwithstanding the preceding sub-clause, if delivery or receipt of a communication is on a day which is not a business day in the place to which the communication is sent or is later than 5pm (local time in that place) it will be deemed to have been duly given or made at 9am (local time at that place) on the next business day in that place.

## **14. Miscellaneous**

### **Writing**

14.1 All amendments to this Agreement and all consents, approvals, waivers and agreements made under or pursuant to this Agreement must be evidenced in writing.

### **Consents**

14.2 A Participating Council may give its consent or approval conditionally or unconditionally or may withhold its consent, in its absolute discretion, unless this Agreement specifically provides otherwise.

### **Severability**

14.3 If any part of this Agreement is prohibited, void, voidable, illegal or unenforceable, then that part is severed from this Agreement but without affecting the continued operation of the remainder of the Agreement.

14.4 If any part of this Agreement is not in accordance with the provisions of the Act, then that part is severed from this Agreement but without affecting the continued operation of the remainder of the Agreement.

### **Inconsistency**

14.5 In the event of an inconsistency between the terms of this Agreement, for the purpose only of resolving the inconsistency, the following order of decreasing priority applies:

- a) Operative provisions of this Agreement.
- b) Agreement Details (Schedule A).
- c) Service Level Agreement (Schedule B).
- d) Other schedules

### **Legal advice and costs**

14.6 Each Participating Council will bear its own costs incurred in relation to this Agreement.

This Agreement is effective commencing on 1st July 2014.

**Execution of the Agreement**

Signed for and on behalf of **Dubbo City Council** (Administering Council)

this ..... day of ..... 2014

.....  
Mayor

.....  
General Manager

Signed for and on behalf of **Wellington Council** (Delegating Council)

this ..... day of ..... 2014

.....  
Mayor

.....  
General Manager

Signed for and on behalf of **Narromine Shire Council** (Delegating Council)

this ..... day of ..... 2014

.....  
Mayor

.....  
General Manager

Signed for and on behalf of **Warrumbungle Shire Council** (Delegating Council)

this ..... day of ..... 2014

.....  
Mayor

.....  
General Manager

## Schedule A Agreement Details

### (a) Participating Councils

This schedule forms part of the Agreement between the Participating Councils.

Item 1	Administering Council
Name:	<b>Dubbo City Council</b>
Address	Church Street, Dubbo NSW 2830
Item 2	Delegating Council
Name:	<b>Wellington Council</b>
Address	Nanima Crescent, Wellington NSW 2820
Item 3	Delegating Council
Name:	<b>Narromine Shire Council</b>
Address	Dandaloo Street, Narromine NSW 2821
Item 4	Delegating Council
Name:	<b>Warrumbungle Shire Council</b>
Address	John Street, Coonabarabran NSW 2357

Item 5	<b>TERM</b>
Commencement Date:	<b>1 July 2014</b>
Expiration Date:	<b>30 June 2018</b>

## Schedule A Agreement Details

### (b) Macquarie Regional Library Service Branch Libraries/Service Points

<b>Dubbo City Council</b>	Dubbo Branch Library
<b>Wellington Council</b>	Wellington Branch Library
<b>Narromine Shire Council</b>	Narromine Branch Library
	Trangie Branch Library
<b>Warrumbungle Shire Council</b>	Coonabarabran Branch Library
	Coolah Branch Library
	Dunedoo Branch Library
	Baradine Service Point
	Binnaway Service Point
	Mendooran Service Point

**Note:** The Regional Library Service at the time of Execution of this Agreement, through its Memorandum of Understanding with TAFE NSW Western, provides a Mobile Library Service to the townships of Wongarbon (Dubbo City Council LGA), Geurie and Stuart Town (Wellington Council LGA).

## Schedule B Service Level Agreement

This Service Level Agreement has been developed using key areas identified in *Living Learning Libraries; standards and guidelines for NSW public libraries*, 5th edition 2014, published by the State Library of NSW for the Library Council of NSW.

Services are provided in accordance with National and State legislation; Australian Library and Information Association policies and guidelines; Library Council of New South Wales Guidelines; industry best-practice and the conditions set down by the relevant funding bodies.

Macquarie Regional Library aims to achieve the 'Enhanced' or 'Exemplary' levels of service outlined in *Living Learning Libraries*. However, the service levels reported against in the Macquarie Regional Library Delivery Program may describe the minimum level to be provided.

Services are grouped under the areas of:

1. **Library Management and Operations**
2. **Library Staffing**
3. **Collection Acquisition and Development**
4. **Information Technology**

**Note** – Within the Service Level Agreement, Macquarie Regional Library refers to services provided by Macquarie Regional Library or Dubbo City Council as the Administering Council.

**Note** – Refer also to the MRL Agreement Clause 4 [Responsibilities of the Administering Council (Dubbo City Council)] specifically Clauses 4.7 and 4.8 and Clause 9 [Management and Administration]



## Schedule B Service Level Agreement

### 1. Library Management and Operations

#### 1.1 Objective

To provide for the management and operation of library services that:

- are accessible, equitable, cost effective and efficient
- meet the information, recreation and cultural needs of the community
- offer a wide range of services and programs for all age groups

*In respect of the following matters, the Macquarie Regional Library's Regional Office Service will -*

#### 1.2 Governance

- Provide the Macquarie Regional Library Committee with the provision of timely and relevant reports; communication on emerging issues and items of interest
- Develop, implement and maintain a Strategic Plan and a Delivery Program including the annual Operational Plan, Budget and Revenue Policy
- Provide advice to the Administering Council on all matters relevant to the policy, planning and development of the Regional Library Service
- Implement or assist in the implementation of decisions made by the Administering Council upon matters delegated to it under this Agreement
- Manage the resources of the Regional Library Service in a cost-effective manner
- Meet the requirements of the *Library Act 1939* (as amended) and other relevant legislation

#### 1.3 Grants

- Apply for, manage and acquit grant funding on behalf of Macquarie Regional Library
- Support Member Councils in the preparation of grant applications and management of funded projects as appropriate

#### 1.4 Liaise with External agencies

- Provide statistical data and information as requested by the State Library of NSW and other agencies
- Represent Macquarie Regional Library on Public Libraries NSW and other peak bodies as required

#### 1.5 Reporting

- Present an *Annual Report* including financial data and distribute to all Member Councils
- Provide a quarterly Macquarie Regional Library financial report to all Member Councils
- Provide a quarterly statistical report to all Member Councils
- Provide a quarterly branch activities report to all Member Councils
- Develop reports on specific issues for Member Councils as required

## Schedule B Service Level Agreement

### 1.6 Policy and Planning

- Facilitate ongoing planning and strategies for Macquarie Regional Library
- Development and review of Library policies

### 1.7 Advocacy and Promotion

- Advocate for and promotion of the Macquarie Regional Library Service within the Member Council communities and with relevant stakeholders

### 1.8 Library Buildings

#### 1.8.1 Objectives

To provide library buildings which:

- will serve the identified needs of the community
- are convenient and accessible
- are attractive, designed for efficiency and sustainability and are flexible and functional
- accommodate library collections, resources and programs which serve the identified needs of the community

*In respect of the following matters, the Macquarie Regional Library's Regional Office Service will –*

- Provide advice to Member Councils on the operational, asset management and WHS requirements of branch libraries in their areas to ensure that buildings meet the State Library NSW *People Places* 3<sup>rd</sup> Edition requirements

### 1.9 Marketing and Public Relations

#### 1.9.1 Objectives

- To ensure that all members of the community are made aware of library services and programs.
- To facilitate easy access to library facilities, services and programs for all members of the community.

*In respect of the following matters, the Macquarie Regional Library's Regional Office Service will –*

- Address, report and review the actions identified in the Macquarie Regional Library *Marketing Plan*

## 2. Library Staffing

The Administering Council will appoint a Director, suitably qualified as recognised by the Australian Library and Information Association and further, establish a Regional Library

## Schedule B Service Level Agreement

Service Office with staff who are suitably qualified and as recognised by the Australian Library and Information Association where required.

### 2.1 Objective

- To ensure that the number and mix of library staff support a range of services and programs which meet the needs of the Member Council communities.

*In respect of the following matters, the Macquarie Regional Library's Regional Office Service in conjunction with the Dubbo City Council's Human Resources Branch will –*

- Provide Human Resource Management services including the recruitment of staff and the management and supervision of staff and volunteers
- Develop and implement a training plan for all staff and volunteers

## 3. Collection Acquisition and Development

### 3.1 Objectives

- To ensure the community has access to a current and relevant collection of library materials in a variety of formats including print, audio, audiovisual and digital.
- To provide a catalogue which records the collection – a means by which library customers can easily find out what the library has, and which enables borrowing, reserves and requests to be made; profiles of interest to be registered and matching alerts to be despatched; and notices to be disseminated.

*In respect of the following matters, the Macquarie Regional Library's Regional Office Service will –*

- Maintain and regularly review a *Collection Development Policy*
- Facilitate the selection, acquisition, processing and maintenance of a library collection which meets the needs of library users throughout the region
- Facilitate the transfer and rotation of stock between branch libraries
- Oversee the weeding, deletion and disposal of stock
- Provide a regular delivery and pick up of items between all branches

### 3.2 Cataloguing

#### 3.2.1 Objectives

- To maintain rigorous control to ensure consistency and uniformity in catalogues which facilitates use by those unfamiliar with library cataloguing rules.
- To provide a framework for bibliographic control of library materials and the exchange of bibliographic data.

## Schedule B Service Level Agreement

*In respect of the following matters, the Macquarie Regional Library's Regional Office Service will –*

- Provide accurate bibliographic records for all materials catalogued and maintain these records to accepted industry standards

### 4. Information Technology

#### 4.1 Objectives

- To ensure that all library resources and services are accessible by the community served by the library.

[Information Technology Standards (ITS) include all aspects of Information and Communication Technologies (ICT)]

*In respect of the following matters, the Macquarie Regional Library's Regional Office Service will –*

- Manage the Library Management System (LMS) contract including administration, maintenance, upgrades and scheduled hardware and software replacement
- Provide all branches with access to the LMS for circulation, catalogue and staff enquiry functions
- Provide ongoing training to branch staff in the operation of the LMS in modules relevant to branch library operations
- Facilitate a help desk function
- Manage system connectivity
- Provide associated hardware and consumables
- Provide all branches with access to Internet services, including connectivity, hardware, software and consumables for the staff and the public
- Maintain communication technology including telephone, facsimile and email
- Provide and maintain office equipment including photocopiers and associated consumables
- Develop and maintain the Macquarie Regional Library web site
- Maintain and monitor the Macquarie Regional Library presence on social media

**Schedule C**  
**Annual Contributions, Income and Operating Costs**

**(a) Estimated Annual Contributions and Book Vote contributions 2014 -2018**

	2014/2015 Budget	2015/2016 Budget	2016/2017 Budget	2017/2018 Budget
<b>ANNUAL CONTRIBUTIONS</b>				
DUBBO CITY COUNCIL	-487,639	-531,527	-579,364	-631,507
NARROMINE SHIRE COUNCIL	-79,878	-87,067	-94,903	-103,444
WARRUMBUNGL SHIRE COUNCIL	-123,383	-137,572	-153,393	-171,033
WELLINGTON COUNCIL	-103,628	-112,954	-123,120	-134,201
<b>BOOK VOTE CONTRIBUTIONS</b>				
DUBBO CITY COUNCIL	-73,146	-79,729	-86,905	-94,726
DUBBO (ADDITIONAL CONTRIBUTION)	-60,104	-60,000	-60,000	-60,000
NARROMINE SHIRE COUNCIL	-11,982	-13,931	-14,235	-15,517
WARRUMBUNGL SHIRE COUNCIL	-18,507	-20,636	-23,009	-25,655
WELLINGTON COUNCIL	-15,544	-16,943	-18,468	-20,130

**(b) Income**

Income will be derived from:-

- Contributions from the Participating Councils
- State Library NSW subsidies as determined and distributed by the Library Council of New South Wales
- Grants (when available)
- Donations
- Fees and charges, as recommended by the Committee relating to this function which are adopted by the Committee, are forwarded to the Participating Councils for inclusion, with their draft revenue policies, in their draft Integrated Planning documents for public display and consequent formal adoption by each Participating Council
- Sale of Assets

**Schedule C**  
**Annual Contributions, Income and Operating Costs**

**(c) Operating Costs**

The Participating Councils to the Agreement will contribute to the cost of:

**Employment costs and overheads**

Regional Library Service staff (Director / Regional Library Service Office staff) performing work for the Regional Library Service]

- Salaries
- Annual Leave
- Long Service Leave
- Public Holidays
- Sick Leave
- Superannuation
- Workers Compensation
- Fringe Benefits Tax
- Training/travel

**Operational overheads**

- Administering Council administration costs
- General expenses
- Insurances
- Office equipment purchase, maintenance and repair
- Postage
- Printing and stationery
- Professional association memberships
- Rent
- Telephone
- Vehicle expenses

**Exchanges and deliveries**

- Delivery costs

**Library resources**

- Library resources – in all formats
- Cataloguing expenses
- Processing and repair of library materials expenses

**Promotions and programs**

- Marketing and Promotions expenses

**Schedule C**  
**Annual Contributions, Income and Operating Costs**

- Computer services provision** - MRL Library Management System
- Director /Regional Library Service Office staff
  - Virtual Private Network (VPN)
- 
- Computer purchase, maintenance, upgrade and repair
  - Software licences and support
  - Systems replacement, enhancements and upgrades
  - Hardware (including servers and other network equipment) replacement and upgrades
  - Systems training
  - Communications expenses

## **Schedule D**

### **Macquarie Regional Library Assets**

As per Section 8.2 of this Agreement, the Administering Council will maintain an Asset Register which records the assets acquired using the Regional Library Service budget.

**Assets will comprise, but are not limited to:**

- Library resources – in all formats, purchased by the Administering Council on behalf of the Participating Councils and located at the Participating Councils' branches and service points
- The Regional Library Service computerised Library Management System
- The Regional Library Service Virtual Private Network (VPN)
- Cash reserves and working funds
- Unexpended Grants held in reserve
- The Regional Library Service Office furniture, fittings and equipment, including IT equipment, that are housed in the Dubbo Branch Library/Regional Office building, unless otherwise identified

**Distribution of Assets**

Upon termination of this Agreement the net assets, after payment of all liabilities, shall be apportioned among the Participating Councils in the ratio of the respective contributions paid by the Participating Councils over the current life of the existing Agreement and to the total of the contributions paid over that period by the Participating Councils.



## Schedule E Information Technology Provision - Computer Work Stations

The Macquarie Regional Library Budget currently provides for the replacement, maintenance, repair, software licences and communication expenses for the staff access computer work stations, online (catalogue) public access computers (OPACS) and the public access computer work stations held at each Participating Council branch library or service point.

As per the MRL Information Technology Plan, staff access and public access computer work stations at each Participating Council branch/service point will be replaced every 3 years.

The Budget also provides for the replacement, maintenance, repair, software licences and communication expenses for computer work stations for the Director and the Regional Library Service Office staff and for the provision of the Library Management System (*Spydus*).

Following the Execution of this Agreement, the full cost for additional staff access computer work stations, online (catalogue) public access computers (OPAC) and the public access computer work stations held at each Participating Council branch library or service point may be applied to the Participating Council.

Costs associated for additional computer work stations include –

- Hardware purchase, replacement, maintenance and repair
- Computer purchase, replacement, maintenance and repair
- Software licences and support
- Communications and associated network expenses

### Note 1

This computer service provision does not include any additional power access requirements, data points or data cabling requirements and work station furniture.

### Note 2

Staff access and public access computer work stations at each Participating Council branch library/service point provided after the execution of this Agreement will be replaced every 3 years at the cost of the Participating Council.

**Schedule E**  
**Information Technology Provision - Computer Work Stations**

**Public access computer work stations** held by the Participating Councils at the time of the execution of this Agreement

<b>Participating Council</b>	<b>Branch/Service Point</b>	<b>Total</b>
Dubbo City Council	Dubbo Branch Library	17
Wellington Council	Wellington Branch Library	6
Narromine Shire Council	Narromine Branch Library	4
	Trangie Branch Library	3
Warrumbungle Shire Council	Coonabarabran Branch Library	4
	Coolah Branch Library	6
	Dunedoo Branch Library	3
	Baradine Service Point	Nil
	Binnaway Service Point	Nil
	Mendooran Service Point	Nil

**Note:** Wireless connectivity is provided at all MRL Branches but not at the Service Points

**Staff access computer work stations (PC) and online (catalogue) public access computers (OPAC)** held by the Participating Councils prior to the execution of this Agreement.

<b>Participating Council</b>	<b>Branch/Service Point</b>	<b>Total [PC/OPAC]</b>
Dubbo City Council	Dubbo Branch Library	16 [PC12/OPAC 4]
Wellington Council	Wellington Branch Library	2 [PC 1/OPAC 1]
Narromine Shire Council	Narromine Branch Library	2 [PC 1/OPAC 1]
	Trangie Branch Library	2 [PC 1/OPAC 1]
Warrumbungle Shire Council	Coonabarabran Branch Library	2 [PC 1/OPAC 1]
	Coolah Branch Library	2 [PC 1/OPAC 1]
	Dunedoo Branch Library	1
	Baradine Service Point	1
	Binnaway Service Point	1 [Laptop]
	Mendooran Service Point	1

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## **REPORT: Quarterly Review of the 2015/2016 Dubbo Social Plan**

**AUTHOR:                   Manager Social Services**

**REPORT DATE:       23 May 2016**

**TRIM REFERENCE: ID16/832**

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### **EXECUTIVE SUMMARY**

This report deals with the implementation of the 2015/2016 Dubbo Social Plan. The actions contained within the Plan are being progressively implemented. It is recommended that the implementation progress of the 2015/2016 Social Plan be noted.

### **FINANCIAL IMPLICATIONS**

There are no financial implications arising from this report.

### **POLICY IMPLICATIONS**

There are no policy implications arising from this report.

### **RECOMMENDATION**

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

*John Watts*

Manager Social Services

**REPORT**

Each quarter, a report is submitted on the progress of the implementation of the Dubbo Social Plan to the Community Services Committee for consideration. This report covers the period from 1 July 2015 to 31 May 2016.

**Appendix 1** is a report on the implementation of the 2015/2016 Dubbo Social Plan. The actions of the Plan are being progressively implemented and it is recommended that the quarterly review be noted.

Appendices:

- 1 2015/2016 Dubbo Social Plan May 2016 update

## SOCIAL PLAN

### Objective Statement

To foster and encourage the development of a wide range of high quality services and facilities to meet the social and welfare needs of the residents of and visitors to the City particularly those who are disadvantaged.

### Key Performance Indicators

- \* The percentage of residents who rate quality and range of social services as satisfactory has increased.

**Survey results indicate 87% satisfaction rating.**

- \* The percentage of children entering Kindergarten who are fully immunised.

**Survey results indicate 96% of children are immunised.**

- \* The levels of crime in Dubbo do not increase each year.

**Assault: ranked 28 with 243 offences, dropped 20 spots.**  
**Assault DV related: ranked 13 with 343 offences, dropped 1 spot.**  
**Steal from person: ranked 13 with 41 offences, dropped 3 spots.**  
**Break and enter - dwelling: ranked 10 with 502 offences, dropped 2 spots.**  
**Break and enter - non dwelling: ranked 15 with 196 offences, dropped 1 spot.**  
**Steal from motor vehicle: ranked 1 with 696 offences, no change.**  
**Motor Vehicle Theft: ranked 7 with 157 offences, no change.**  
**Sexual assault: ranked 13 with 58 offences, dropped 1 spot.**  
**Robbery without weapon: ranked 16 with 11 offences, drop 8 spots.**  
**Steal from dwelling: ranked 25 with 193 offences, dropped 14 spots.**  
**Steal from Retail Store: ranked 5 with 286 offences, dropped 1 spots.**  
**Fraud: ranked 27 with 282 offences, dropped 1 spot.**

Malicious damage to property: ranked 12 with 762 offences, dropped 6 spots.

Strategy	Performance Target	Actions(Statement of Means)	By When	Resp.
Children residing in and visiting Dubbo have access to a range of quality care, educational, health and social facilities and services.	The percentage of children fully immunised is at least 97%.	Hold twelve (12) immunisation clinics per annum.	Monthly	DOCS
	<b>Survey results indicate 96% of children fully immunised.</b>	<b>Eleven (11) clinics held to 31 May 2016.</b>		
		Maintain membership of the Western NSW Local Health Network Immunisation Advisory Committee.	Ongoing	DOCS
		<b>Committee no longer functioning</b>		
	No decrease in the availability of child care places in Dubbo	Maintain membership of the Communities For Children Committee	Ongoing	MSS
	<b>No decrease</b>	<b>MSS continues to be a member of this Committee.</b>		

		Monitor the availability of State And Federal Government capital and recurrent funding for additional preschool places.	Ongoing	MSS
		<b>Monitoring ongoing.</b>		
		Encourage more participation by community groups in events held for children.	Ongoing	MSS
		<b>MSS participates in a range of activities that engage the community to participate in children's events.</b>		
		Promotion of the need for the community to support families by participating in family fun days.	Ongoing	MSS
		<b>MSS actively promotes family fun days within the community.</b>		
		Monitor funding availability for accessible playground equipment.	Ongoing	MSS
		<b>Funding monitored.</b>		
		Report to Council in June each year on the status of childcare in Dubbo	June 2016	MSS
		<b>Not due until June 2016.</b>		
		Monitor impact of Family Day Care ratio changes.	Ongoing	MSS
		<b>Changes to childcare ratios came into effect from 1/1/2014. No considerable impact made on numbers attending Family Day Care.</b>		
		Develop strategies for Family Day Care to recruit more Educators.	Ongoing	MSS
		<b>FDC have held two prospective educator information sessions. FDC have advertised via flyers and through Early Education Support Group.</b>		

Young people residing in and visiting Dubbo have access to a range of quality care, educational, health and social facilities and services.	No examples of youth issues being presented to and considered by Council without reference to the Youth Council.	Refer the Draft 2016/2017 Dubbo City Council Delivery Plan to the Youth Council for comment.	Nov 2015	MSS
	<b>Any matters affecting young people are referred to Youth Council.</b>	<b>The Youth Council have reaffirmed their support of placing a Trainee in the Social Services Branch of the Community Services Division. The proposal has not been adopted by Council for future year's budget considerations.</b>		
	At least 1 road safety campaign is held each year to target young people	YDO to hold road safety campaign with Dubbo City Council's Road Safety Officer.	May 2016	RSO/ YDO
	<b>Campaign to be developed.</b>	<b>RSO and YDO are planning a bike safety campaign.</b>		
	The percentage of young people who rate quality and range of youth services and facilities as satisfactory is at least 90%.(80.4% for 2013)	Undertake a survey of young people every 2 years to gauge the satisfaction level of youth services and facilities in Dubbo.	July 2015	MSS
	<b>Survey completed. 87% satisfaction rating.</b>	<b>87% satisfaction rating.</b>		
	No decrease in services available to young people in the community.	Encourage and assist young people to apply for funding to hold youth friendly events in Dubbo.	Ongoing	MSS



	No decrease in services.	Dubbo City Council assisted in obtaining \$2500 funding for the boxing program at the PCYC. Dubbo City Youth Council assisted Circus West to apply for funding for the Artlands event in October. Dubbo City Council and Education Training OutWest were successful in obtaining \$25,000 Youth Opportunity Grant to create a local Learn To Read program.		
		Work with Dubbo Youth Council, Midnite Cafe committee, young people and stake holders to re-establish and promote the Midnite Cafe in Dubbo.	Ongoing	YDO
		YDO continuing to support Midnite Cafe with project support and funding opportunities. The Youth Council will be running an event at the Café on the 16 <sup>th</sup> July 2016.		
		Work with Dubbo Sexual Health and Youth Council to promote a sexual health campaign aimed at young people getting tested for STIs.	Ongoing	YDO
		Dubbo City Council partnered with Dubbo Sexual Health and Family Planning NSW to run the Hump Day promotion during Youth Week as well as attending the Roar Festival to educate young people about safe sex.		
		Work with service providers to engage young people in activities in identified disadvantaged areas within the Dubbo Community.	Ongoing	YDO
		During Youth Week Council held a Youth Week event at Pioneer oval in West and Apollo Estate East Dubbo to engage young people and the community.		

		Provide funding in the 2016/2017 budget for Youth Week and participate in the provision of activities and events during Youth Week.	Feb 2016	MSS
		<b>Funding for Youth Week is in Budget.</b>		
		Provide at least one workshop each school term at the Western Plains Cultural Centre aimed at school students.	Ongoing	MGS
		<b>Western Plains Cultural Centre provided January school holiday workshops.</b>		
		Continue to be an active member of the Dubbo Youth Interagency.	Ongoing	MSS / YDO
		<b>YDO is Chairperson for the Youth Interagency. The meeting regularly attracts large number of up to 50 people.</b>		
Women residing in Dubbo suffer no gender disadvantage and have equal access to the Council's services and facilities.	No examples of Council services and facilities being identified as discriminating against women.	Support community awareness campaigns and initiatives on women's issues.	Ongoing	MSS
	<b>No examples</b>	<b>All campaigns supported. Successful Reclaim the Night and White Ribbon Day events held in November.</b>		
	Reduction in Domestic Violence against women	Support strategies to address violence against women in the State Plan, Dubbo 2036 Plan and the Dubbo Management Group Action Plan.	Ongoing	MSS
	<b>Domestic Violence crime incidents: Previous quarter - 112 Current quarter - 106 Decrease of 6 this quarter</b>	<b>All strategies supported. The Manager Social Services is a member of the Domestic Violence Senior Officers Group, the Dubbo Management Group and the Dubbo Violence Prevention Collective.</b>		

Older people residing in and visiting Dubbo have access to a range of quality care, educational, health and social facilities and services.	No decrease in availability of aged care accommodation in Dubbo	To monitor the supply and demand for the full range of accommodation for older people. To monitor the supply and demand for nursing home and dementia care accommodation and if appropriate to lobby the Federal Government for more places in Dubbo. To continue to participate in planning with all agencies for the provision of such services.	Ongoing	MSS
	<b>No decrease.</b>	<b>Supply and demand monitored. Manager Social Services continues to participate in planning activities.</b>		
	The percentage of seniors who rate quality and range of senior's services and facilities as satisfactory is at least 90%. (94.3% - 2013)	Undertake a survey of older people every two (2) years to gauge the satisfaction level of services and facilities in Dubbo.	July 2015	MSS
	<b>Survey completed. 91% satisfaction rating.</b>	<b>91% satisfaction rating.</b>		
		Encourage more community participation in events.	Ongoing	MSS
		<b>MSS participates in a range of community events.</b>		
		Promote the availability of Community Transport and other services available for older people.	Ongoing	MSS
		<b>Services promoted.</b>		
		To provide one road safety campaign per annum aimed at older people.	Ongoing	RSO
		<b>Successful "Stepping On" program conducted at Lourdes Hospital on 21 March 1026 targeting seniors and pedestrian safety and mobility.</b>		

		Support strategies to address crime against older people in the State Plan, Dubbo 2036 Plan and the Dubbo Management Group Action Plan.	Ongoing	MSS
		<b>All strategies supported. The Manager Social Services is a member of the Dubbo Management Group, the Domestic Violence Senior Officers Group and the Dubbo Violence Prevention Collective.</b>		
People with disabilities have equal access to services and facilities and can gain access to places and buildings.	No examples of access issues being considered and resolved by Council without reference to the Community Services Committee.	Monitor the provision of respite care, day care programs and for accommodation for people with disabilities and lobby governments for additional funding for this care.	Ongoing	MSS
	<b>No examples.</b>	<b>Monitoring ongoing. The Youth Development Officer is a member of the Western Interagency. The Interagency investigate issues related to Respite Care, Day Care Programs and accommodation for people with disabilities.</b>		
	No examples of Council or major private/public developments which are outside Council's access guidelines, policies and development control plans being approved without Community Services Committee input.	Support initiatives to address gaps in services as identified by the Western Interagency.	Ongoing	MSS
	<b>No examples</b>	<b>Initiatives supported. Youth Development Officer is a member of the Western Interagency.</b>		
		Raise community awareness of education and employment opportunities for people with disabilities through the media such as radio and newspapers.	Ongoing	MSS

		<b>Manager Social Services participates with FACS in planning activities.</b>		
Aboriginal people residing in Dubbo have access to a range of quality care, educational, health and social facilities and services.	No examples of Council decisions or actions being discriminatory to Aboriginal people.	Continue liaison with the Dubbo Aboriginal Working Party (DACWP) on matters affecting Aboriginal people. Continue to auspice funding allocated to DACWP.	Ongoing	MSS
	<b>No examples</b>	<b>Liaison continuing. DACWP funds continue to be auspiced. Advise on Council projects to include Heritage Trail to include an Aboriginal history trail, dual naming of Macquarie River &amp; Victoria Park, Aboriginal artwork on display at Dubbo Airport terminal</b>		
	The percentage of Council's workforce that is Aboriginal increases.	Continue to involve the local Aboriginal Community in decision making processes by including membership on various Committees and Working Parties.	Ongoing	MSS
	<b>Currently 6.9%</b>	<b>All initiatives supported. The Manager Social Services is a member of the Dubbo Management Group Committee, the Domestic Violence Senior Officers Group and the Dubbo Violence Prevention Collective. Aboriginal Employment Strategy approved December 2014.</b>		
		Continue to participate & support the Dubbo Koori Interagency Network (DKIN).	Ongoing	ALO
		<b>Liaison continuing. DKIN funds continue to be auspiced for NAIDOC Week in September. ALO provides administrative support for the Three Rivers Regional Assembly.</b>		

		Support DKIN with organising the Red Ochre Festival	Oct 2015	ALO
		<b>At this stage the Red Ochre Festival will not be held in 2016. Wambuul Freshwater Festival to be held 26/1/17.</b>		
		Continue to participate and support the Dubbo Local Aboriginal Lands Council	Ongoing	ALO
		<b>Lands Council continues to be supported. The Aboriginal Liaison Officer is a member of the Lands Council.</b>		
		Continue to support all Aboriginal Medical Centres & Aboriginal Health initiatives in Dubbo subject to ALO's availability.	Ongoing	ALO
		<b>Support provided through DACWP on Dubbo Aboriginal Medical Service. ALO is on the Advisory Board for the Dubbo Regional Aboriginal Health Service.</b>		
		Continue to participate and support the Dubbo Aboriginal Women's Advisory Group Family Planning NSW (AWAG).	Ongoing	ALO
		<b>Liaison continuing.</b>		
		Participate and Support all organisations with NAIDOC events/activities subject to ALO's availability.	Oct 2015	ALO
		<b>DKIN held an extensive NAIDOC program in September 2015. ALO is a member of the Planning Sub Committee to coordinate events. Aboriginal Liaison Officer is a member of the Interagency and regularly attends meetings.</b>		

		Participate and Support all organisation with National Apology & Sorry Day, National Reconciliation Week, National Close the Gap Day, other events/activities subject to ALO's availability.	Oct 2015	ALO
		<b>DKIN held events for significant dates in 2015. Planning underway for NAIDOC events to be held on 23-30 September 2016. Aboriginal Liaison Officer supports these events as part of organising committee.</b>		
		Participate and Support Apollo House with activities subject to ALO's availability.	Ongoing	ALO
		<b>Ongoing.</b>		
		Participate & Support Dubbo Aboriginal Elders groups with events/activities subject to ALO's availability.	Ongoing	ALO
		<b>Liaison continuing, advise Elders Groups of upcoming events.</b>		
		Liaise and support Aboriginal Elders with Welcome & Acknowledgement to Country subject to ALO's availability.	Ongoing	ALO
		<b>Liaison continuing between Elders and DLALC for Welcome to Country, escort Elders to events.</b>		
		Liaise with Macquarie Regional Library & DACWP for redevelopment of permanent Aboriginal Area within the Library to be called 'Tree of Knowledge' and update the Aboriginal catalogue/collection to ensure more relevance to Wiradjuri & other Nations residing in Dubbo	June 2016	ALO
		<b>There is no Aboriginal space identified for Dubbo Macquarie Regional Library.</b>		

		Liase with Western Plains Cultural Centre and Dubbo Aboriginal Community Working Party to create a permanent Aboriginal Exhibition Area within the Centre, also encourage more Aboriginal participation at the Centre	June 2016	ALO
		<b>Liaison continuing.</b>		
People from Non English Speaking Background residing in Dubbo suffer no racial disadvantage or discrimination.	No examples of racial discrimination by Council or by the community.	Continue to work with the Committee established to organise the Multicultural Festival.	Ongoing	MSS
	No examples.	Council has allocated \$15,000 for the 2015 Festival. Manager Social Services assists Committee's planning and staging of events. Successful Multicultural Festival held on the 5 <sup>th</sup> of September 2015.		
		Family Day Care and Rainbow Cottage in association with other Childcare Centres work to conduct multicultural activities. Eg Harmony Day	Ongoing	MSS
		<b>Successful Harmony Day activities held at Rainbow Cottage Child Care Centre.</b>		
		Involve the CALD population with the Council's Sister City Program.	Ongoing	MSS
		<b>Council's Sister City Officer has formed a partnership with the Multicultural Festival Advisory Committee.</b>		



Residents and visitors to Dubbo have access to good quality medical and hospital services and facilities.	No examples of decrease in the number and range of qualified medical personnel available in Dubbo.	Continue to liaise with the Council's Manager City Development and Communication and Manager Western NSW Local Health Network on the initiation of programmes to attract and retain medical practitioners and specialists.	Ongoing	DOCS
	<b>No decrease identified.</b>	<b>Liaison undertaken.</b>		
		Lobby the State Government for increased recurrent funding and total redevelopment of Dubbo Base Hospital.	Ongoing	DOCS
		<b>Lobbying undertaken. Funds of \$91.3M provided by the Commonwealth and NSW State Governments for stages 1 and 2 of the hospital redevelopment. \$150M committed for stages 3 and 4.</b>		
The personal and property safety of residents and visitors to Dubbo is secure.	No increase in the levels of crime reported for 2015/2016.	Undertake the strategies in the Local Crime Prevention Plan.	Ongoing	MSS

	<p>Assault: ranked 28 with 243 offences, dropped 20 spots.                  Assault DV related: ranked 13 with 343 offences, dropped 1 spot.                  Steal from person: ranked 13 with 41 offences, dropped 3 spots.                  Break and enter - dwelling: ranked 10 with 502 offences, dropped 2 spots.                  Break and enter - non dwelling: ranked 15 with 196 offences, dropped 1 spot.                  Steal from motor vehicle: ranked 1 with 696 offences, no change.                  Motor Vehicle Theft: ranked 7 with 157 offences, no change.                  Sexual assault: ranked 13 with 58 offences, dropped 1 spot.                  Robbery without weapon: ranked 16 with 11 offences, drop 8 spots.                  Steal from dwelling: ranked 25 with 193 offences, dropped 14 spots.                  Steal from Retail Store: ranked 5 with 286 offences, dropped 1 spots.                  Fraud: ranked 27 with 282 offences, dropped 1 spot.                  Malicious damage to property: ranked 12 with 762 offences, dropped 6 spots.</p>	<p><b>2015-2018 Dubbo Crime Prevention Plan in the process of being endorsed by State Government.</b></p>		
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		Meet with the local Superintendent of Police quarterly.	Ongoing	DOCS
		<b>3 meetings held to date.</b>		
Residents and visitors to Dubbo have good access to high quality general social and welfare services and facilities.	No examples of social issues being considered by Council without referral to the Community Services Committee.	Conduct at least 4 meetings of the Community Services Committee per annum.	Ongoing	DOCS
	<b>No examples.</b>	<b>3 meetings held to date.</b>		
		Continue to provide financial assistance to the Neighbourhood Centre in the 2016/2017 budget.	May 2016	DOCS
		<b>\$160,000 proposed in 2016/2017 forward budget.</b>		
Residents have access to a quality, convenient, affordable and accessible public transport system.	No examples of genuine public demand for public transport not being met.	Continue to monitor the provision of public transport in Dubbo.	Ongoing	MSS
	<b>No examples.</b>	<b>Monitoring ongoing.</b>		

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**REPORT: Six monthly Review of the Dubbo  
Ageing Strategy**

**AUTHOR:                   Manager Social Services**

**REPORT DATE:       23 May 2016**

**TRIM REFERENCE: ID16/833**

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**EXECUTIVE SUMMARY**

This report deals with the implementation of the Dubbo Ageing Strategy. The actions contained within the Strategy are being progressively implemented. It is recommended that the implementation progress of the Dubbo Ageing Strategy be noted.

**FINANCIAL IMPLICATIONS**

There are no financial implications arising from this report.

**POLICY IMPLICATIONS**

There are no policy implications arising from this report.

**RECOMMENDATION**

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

*John Watts*

Manager Social Services

## REPORT

Every six months, a report has previously been submitted to the former Dubbo City Council on the progress of the implementation of the Dubbo Ageing Strategy for consideration. This report covers the period from 1 November 2015 to 31 May 2016.

It is considered that having regard to the merger of the former Dubbo City and Wellington councils such a review report is still appropriate. Accordingly, **Appendix 1** is a report on the implementation of the Dubbo Ageing Strategy. The actions of the Strategy are being progressively implemented and it is recommended that the six monthly review be noted.

Appendices:

- 1 Dubbo Ageing Strategy May 2016 update



## 2011 Ageing Strategy



## Contents page

Page 3	Introduction
Pages 4- 8	Dubbo Demographics and Future Ageing Trends
Pages 9-19	Recreation and Leisure – Dubbo Aquatic Leisure Centre, Western Plains Cultural Centre (WPCC), Dubbo Regional Theatre and Convention Centre (DRTCC), Macquarie Regional Library, Dubbo Parks, Showground.
Page 20-23	Safety – roads, crime prevention.
Page 24-26	Public Infrastructure – footpaths/ramps, accessible facilities, car parking, Cemeteries, public toilets.
Page 27-30	Volunteering – Dubbo Regional Theatre and Convention Centre (DRTCC), Western Plains Cultural Centre (WPCC), Macquarie Regional Library (MRL), Parks and Landcare (P&L), City Information Centre (CIC), Dubbo City Animal Shelter.

## Introduction

Dubbo is a regional centre catering for a vast geographical region. Dubbo's population as well as the Region's is ageing. People view Dubbo as their service centre for a range of services including business, medical and recreational matters. Regional people view Dubbo as a potential area for retirement as do those seeking a tree change and those retreating from the larger metropolitan areas.

It is therefore vital that Council and other levels of community as well as community based organisations cater for the growing numbers of people above the 55 + age range. The provision of the services and facilities needed to cater for the ageing population will be a great challenge over the coming decades. These needs of older people are not just about physical and mental impairment and the difficulties that this brings to older people but the quality of life needs as well. In retirement there is increased time for recreation and leisure, increased capacity to return something to the community, increased desire to continue to learn and embrace new technology, a change in income (sometimes increased and sometimes decreased) and often a desire to down scale housing requirements. Hence the need to start planning at an early stage to meet these challenges.

This report focuses on the services and facilities provided by Dubbo City Council. These services and facilities have been separated into four (4) broad categories of:-

- 1) recreation and leisure
- 2) safety – roads and crime prevention
- 3) public infrastructure
- 4) volunteering

These four (4) broad categories suitably cover the range of services and facilities provided by Council.



## Dubbo Demographics and Future Ageing trends

In the 2010/2011 Management Plan there is an action to develop a draft Ageing Strategy for the future provision of Council services and facilities to the aged population.

This strategy focuses on Council facilities and services and not the broader community services and facilities provided by other levels of government and the private sector.

Various Council service providers were interviewed to determine what measures needed to be made to cater for an ageing population.

The definition for seniors and the aged population vary. A NSW State Government Seniors' Card can be obtained at age 60 years. An aged pension is currently not applicable until 65 years for men and 64 years for women – these ages are set to increase in the coming few years. A National Seniors' Card, which is basically a private discount card at various retail outlets, can be obtained at age 55 years. There is no retirement age for workers. 55 + and 65 + are the beginning ages for age groups used by the Australian Bureau of Statistics. However, the concept of ageing should not be considered in terms of age but in terms of physical and mental ability or impairment and the services required by people suffering these impairments. A young person can just as easily have walking problems due to juvenile arthritis as may a healthy 90 year old.

The Australian Bureau of Statistics projections show that by 2022 the 65+ population in Dubbo will grow from its current 4,909 to around 8,235 (an 68% increase), and the 85+ population to increase from 699 to around 983 (a 41% increase).

In 2011, the 55+ age group comprises 10,062 people or 26% of the population.

Dubbo continues to service and support satellite communities which do not have access to appropriate facilities. As these communities' demands increase, the stress placed on Dubbo City Council's services and facilities will get much stronger. Accommodation services (whilst outside the role of Council) are already reporting large waiting lists particularly from communities outside of Dubbo.

A further issue worthy of consideration is the differing needs for the Aboriginal community. Whilst 70 years may be a reasonable figure to generalise the average community age around which people start requiring aged services, it is certainly not the general case with the Aboriginal community. Due to many socio economic and lifestyle issues, Aboriginal people in general require aged services well before they reach 70 years.

Other service providers within the community that provide assistance to older people are reporting demand rising and ongoing problems in either recruiting volunteers or accessing appropriate funding to carry on their services. Services such as Meals on Wheel and the Community Visitors Scheme report that their volunteer base is ageing, therefore those undertaking these activities are now becoming reliant themselves on those same services. There will also be implications for Council's facilities with some provisions to be made to provide better access for the aged.

**The following is an extract from Appendix A - 2011 NSW Parliamentary Research Service; Key Issues and Regional Profiles; Ageing Population; pages 19 & 20.**

## **POPULATION AGEING**

A major demographic challenge facing Australia is the ageing of the population. The Federal Government's *Intergenerational Report* of 2010 observes that population ageing has implications for health care, labour force participation, housing and the demand for skilled labour.

### **NATIONAL TRENDS**

The ABS projects that, as a result of sustained low fertility and increased life expectancy, the proportion of people aged 65 years and over will increase from 13% of the Australian population in 2007 to between 23% and 25% in 2056, while the proportion of people aged under 15 years is projected to decrease to between 15% and 18%.

The Federal Treasury estimates that the proportion of working age people to support each Australian aged 65 years and over will fall to 2.7 by 2050, compared to 5 working age people today and 7.5 in 1970.

### **NSW TRENDS**

In a 2008 report, the NSW Government projected that, with average life expectancy set to increase by approximately 9 years by mid-century, the number of people aged over 65 in NSW will increase from 0.9 million (or 13.9% of the State's population) to 2.4 million (or 26.3% of the State's population) by 2051. In January 2011, the Government reported that by 2024 the proportion of people aged 65 years and older will, for the first time in the State's history, exceed those aged under 15 years.

According to the NSW Department of Planning while all regions in NSW will undergo population ageing, the extent will vary significantly across different regions of the State.

Coastal regions are expected to experience the largest percentage increase in people aged between 65 and 84 and over 85 years, with the Mid-North Coast, Nowra Bomaderry, and Illawarra statistical areas projected to experience the greatest increases. The ABS attributes this trend partly to "sea change" and "tree change" movements as older people move away from employment centres in their retirement.

According to the NSW Department of Planning, while Sydney will also undergo population ageing, Sydney's population is projected to be younger than the overall population of NSW, with people aged over 65 comprising 18% of Sydney's population by 2036, compared to 21% of the NSW population.

## POLICY IMPLICATIONS

The ageing of the population has significant implications for all levels of government across a wide range of policy areas. Chief among those are:

- Slower economic growth as a result of declining workforce participation rates;
- Fiscal pressures resulting from increased government spending on health care, aged care and age-related pensions;
- The need for appropriate housing and transport infrastructure;
- The need for quality care and support services to meet the needs of an increasingly diverse ageing population;
- A need to ensure social sustainability by tackling entrenched disadvantage and enhancing skills, opportunities and community participation; and
- Changing societal attitudes towards ageing.

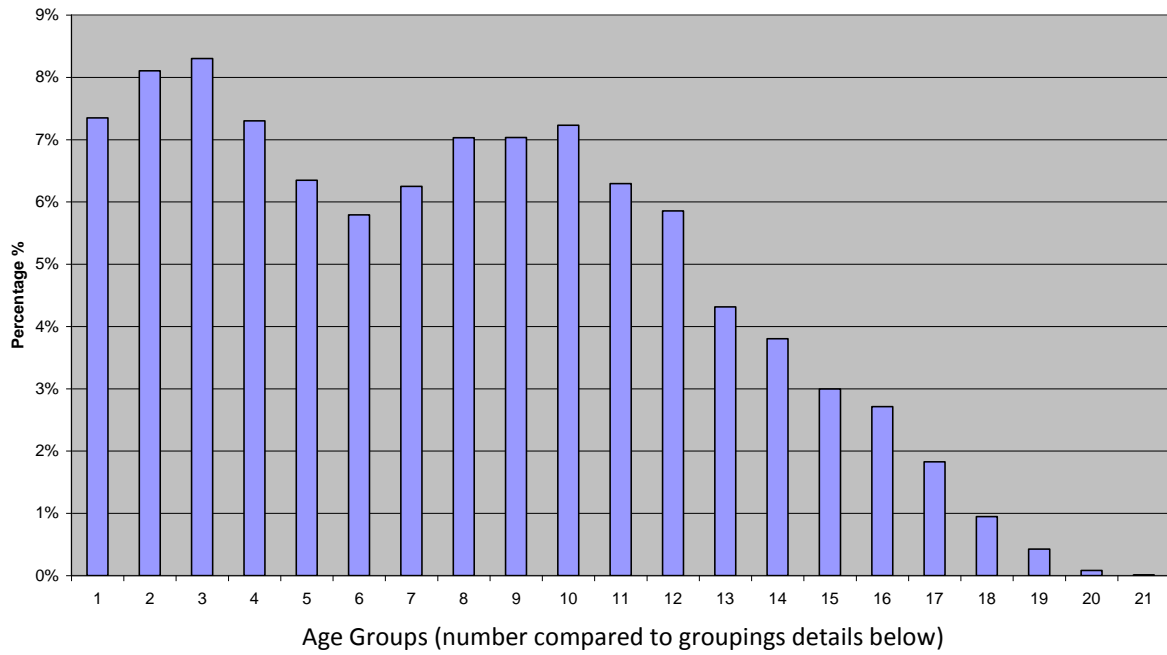
While the primary responsibility for aged care lies with the Commonwealth, a key role is also played in many policy areas by State and local governments. In respect to NSW, the major articulation of government strategy is found in *Towards 2030: planning for our changing population*. This is complemented by measures in a number of other State strategies, such as the NSW State Plan, Sydney's Metropolitan Strategy and Regional Strategies, in combination with infrastructure, transport, health and housing strategies. The key priorities identified in *Towards 2030* are: early planning for change; improved prevention and early intervention; workforce productivity and adaptability; facilitating participation in society; and the provision of quality care and support services.

## KEY DOCUMENTS

Productivity Commission, *Caring for Older Australians, Productivity Commission Draft Report*, 2011

G Griffith, *A Commissioner for Old People in NSW*, Briefing Paper 3/2008

AGE STRUCTURE OF DUBBO POPULATION 2006



POPULATION BY AGE GROUP/SEX

	AGE	MALE	FEMALE	TOTAL
1)	0-4	1,410	1,371	2781
2)	5-9	1,567	1,500	3067
3)	10-14	1,626	1,515	3141
4)	15-19	1,406	1,356	2762
5)	20-24	1,134	1,268	2402
6)	25-29	1,034	1,157	2191
7)	30-34	1,153	1,212	2365
8)	35-39	1,246	1,414	2660
9)	40-44	1,269	1,393	2662
10)	45-49	1,313	1,423	2736
11)	50-54	1,160	1,221	2381
12)	55-59	1,104	1,112	2216
13)	60-64	786	846	1632
14)	65-69	694	745	1439
15)	70-74	485	649	1134
16)	75-79	479	548	1027

## POPULATION BY AGE GROUP/SEX CONTINUED

	AGE	MALE	FEMALE	TOTAL
17)	80-84	260	431	691
18)	85-89	142	216	358
19)	90-94	38	123	161
20)	95-99	10	21	31
21)	100+	0	4	4
	Total	18,316	19,525	37,841

**Recreation and Leisure – Dubbo Aquatic Leisure Centre (DALC), Western Plains Cultural Centre (WPCC), Dubbo Regional Theatre and Convention Centre (DRTCC), Macquarie Regional Library (MRL), Parks, Showground, Senior Citizens Centre**

It is well known that access to local government provided leisure and recreation activities make an important contribution to enable a community to age well. As the percentage of the population over 55 years increases so too will the demand from an expectant and well educated community of the leisure and recreational services and facilities provided by Councils. Planning for this increase in demand is essential if Dubbo is to maintain its regional centre role. Planning needs to look not only at expanding existing services and facilities but also needs to include the potential for new services and facilities. Planning needs to look not only at the physical amenity but also accessible by transport, cost to the customer and operational aspects such as the time of service.

Recreation and leisure also play vital roles in socialisation for seniors. For many seniors it may be their sole activity which provides them with contact with other seniors. Leisure and recreation are also a means of providing people with an enjoyable outlet and purpose in life. They enrich lives and provide freedom to individuals to pursue interests.

The population as it ages will be better educated, more demanding and more aware of the health and well being benefits of participation in a range of activities. With improved health and fitness, the over 55s will be able to pursue physical activities to an even greater age than their predecessors.

Council provides a range of facilities that offer leisure and recreation activities to seniors. There are facilities that have been built to accommodate paid entertainment and activities along with numerous sporting fields, walking and cycling tracks that are accessible by seniors at little or no cost.

Strategy	Performance Target	Actions (Statement of Means)	By When	Resp.	Actions Taken at 31 May 2016
Recreation facilities and services meet the requirements of the aged population.	No reasonable unmet recreational needs are identified.	Conduct a survey each year of older people to ascertain their recreational needs.	July each year	MSS	Survey completed. Overall satisfaction level is 94.3%.
The leisure and educational needs of the	The number of seniors attending library technology workshops	Conduct technology workshops to educate older people on the use of	1. Seniors Week each	Dubbo Branch Library	<b>1. Seniors Week</b> 2 workshops 11

Strategy	Performance Target	Actions (Statement of Means)	By When	Resp.	Actions Taken at 31 May 2016
older population are met.	increases annually.	new computer technologies.	year  2. Regular technology workshops provided that all members of the community can access including older members of the population	- MDB	attendees  <b>2. Technology workshops</b>  2 workshops 2 attendees
		Continue to conduct the Home Library Service (HLS). Advertise/ promote the service widely to older people in Council publications and via the media.	Ongoing	Dubbo Branch Library - MDB	Service continues to operate with 6 volunteers. Promotion at the annual Seniors Week Expo, in house and at Dubbo Nursing Homes.
		Maintain a level of large print and audio books sufficient to meet the demand	Ongoing	Dubbo Branch Library	Large Print collection totals 5,407 items.  Spoken word

Strategy	Performance Target	Actions (Statement of Means)	By When	Resp.	Actions Taken at 31 May 2016
					collection totals 2,256 items.
		Range of E-Resources to meet the needs of the aged population	Ongoing	Dubbo Branch Library	E-Audio/E-Books/E-Magazines resources available online
		Prepare plans for the development of a new public amenities block at the Dubbo Showground including accessible toilets.	June 2014	DCD	2016/17 budget has allocated \$60,000 for amenities upgrading and grant funding also being pursued. These amenities will include disabled accessible toilets.
		Investigate additional sporting activities that older people may participate in.	Ongoing	MSS	Matter being investigated through the Recreation (Strategy) Master Plan for Dubbo which was adopted by Council in November 2014.



Strategy	Performance Target	Actions (Statement of Means)	By When	Resp.	Actions Taken at 31 May 2016
		Investigate facilities at the Dubbo Regional Theatre and Convention Centre that will benefit older people's visiting experience.	Ongoing	MTCC	<p>Outdoor ramp, wheelchair and lift access is available to all older patrons. Disabled toilets are available on ground floor with duress alarm.</p> <p>There is an audio loop available in the 500 seat theatre except for the front three rows and in the Theatre foyer.</p> <p>Six wheelchair seats and six carer's seats are available for every performance on a first come first served basis.</p> <p>Obtained quote for additional centre rail for the main entrance of DRTCC for easier access. On wishlist for May</p>

Strategy	Performance Target	Actions (Statement of Means)	By When	Resp.	Actions Taken at 31 May 2016
					2016.

Strategy	Performance Target	Actions (Statement of Means)	By When	Resp.	Actions Taken at 31 May 2016
		Investigate and secure entertainment that appeals to seniors at an affordable price	Ongoing	MTCC	<p>Throughout the year entertainment that will appeal to seniors is scheduled.</p> <p>The 23 day annual Dubbo Eisteddfod has a range of performing arts with a ticket price of \$5 per session.</p> <p>Most theatre shows offer a Concession ticket price on presentation of a Government Issued Pension Card.</p> <p>Subscriber October 2015 survey revealed 83% of Subscribers are 65years+. 2016 Season subscription prices have been reduced to appeal to the target market.</p>

Strategy	Performance Target	Actions (Statement of Means)	By When	Resp.	Actions Taken at 31 May 2016
					<p>Three 2016 Season shows have been programmed as a matinee as a direct result of feedback from the Subscriber Survey.</p> <p>Direct email marketing to aged care facilities and Seniors' Villages is ongoing.</p> <p>Darling Street Upgrade and Roadworks have proven a hindrance for seniors accessing the facility. Advice regarding changed conditions communicated to patrons through e-newsletter, website</p>

Strategy	Performance Target	Actions (Statement of Means)	By When	Resp.	Actions Taken at 31 May 2016
					and word of mouth.
		Investigate facilities at the Western Plains Cultural Centre that will benefit older people's visiting experience.	Ongoing	MCC	U3A and Family History Society operate from Community Arts Centre. Significant support given to these organisations in terms of administration and facilitation. Both the main building and Community Arts Centre are wheelchair accessible. The CAC has a lift available. A wheelchair is available for casual use. Accessible toilets are available in both buildings.

Strategy	Performance Target	Actions (Statement of Means)	By When	Resp.	Actions Taken at 31 May 2016
		Continue the WPCC Ambassador and Guides Programme as a social and activity outlet for seniors.	Ongoing	MCC	WPCC is no longer recruiting volunteers but continues to use the pool of volunteers already engaged.
		Provide exhibitions, workshops, lectures and other activities at the WPCC which appeal to seniors	Ongoing	MCC	10 exhibitions including including Daniel Crawshaw, Fall-in!, Iconic Australian Houses, and Stars in the River with high appeal to seniors. A Trivia night was held in conjunction with the Friends of WPCC with high senior turnout. The WPCC also holds monthly Dementia sufferers tours through the guiding programme.
		Prepare a Recreation (Strategy) Master Plan for Dubbo including	June 2014	MRPP	The Recreation (Strategy) Master

Strategy	Performance Target	Actions (Statement of Means)	By When	Resp.	Actions Taken at 31 May 2016
		services/facilities for seniors.			Plan for Dubbo adopted by Council in November 2014.
		Encourage the DALC Contract Manager to conduct activities at the Centre for seniors such as aqua aerobics.	Ongoing	MRPP	<p>Dubbo City Council has been successful in a grant application for funding to purchase and install a lift and aqua wheel chair at Dubbo Aquatic Leisure Centre which will provide greater access to the pool for the ageing population.</p> <p>Investigations underway to provide greater sport and recreation services for the ageing population at the DALC.</p>

### Safety – roads, crime

Media reports of crime and violence can often lead to seniors worrying about their personal safety. Research has shown that older people have the lowest rate of crime victimisation when compared to the rest of the population. There is a growing recognition that creating safer communities relies on both traditional law enforcement as well as a whole of government and community approach to the issue of crime. This approach recognises that most of the work of the police and the criminal justice agencies is reactive, that is, they deal with the crime after the event. It acknowledges that if we want to prevent crime and thereby reduce its impact on the community, we have to intervene before it is committed.

As Australia's population grows older, both in terms of average age, and also as a percentage of the total population, the issue of individual rights of elderly persons, and the extent and nature of the physical, financial and emotional protection which should be afforded to them, has received increasing attention from a number of Government and non-Government agencies, including the police.

Dubbo City Council works in partnership with law enforcement and human service agencies to address crime in the community. Council prepares and implements a 3 year Crime Prevention Plan which sets out strategies to address nominated crime categories. Council also has responsibility for Alcohol Free Zones and the Safety Camera System that operates in the Central Business District of Dubbo.

Road safety for seniors both in terms of road conditions and education for users is an important issue for Council to consider. Council has a responsibility to ensure that the roads that people travel on are of a standard that affords optimum safety. Ongoing education programs are also developed and delivered to seniors by Council staff in relation to driving and walking around and on roads.

The issue of increasing use of seniors' mobility scooters and their safe use will become more prevalent with an ageing population. Council should consider including education programs to address this increasing use.

Strategy	Performance Target	Actions (Statement of Means)	By When	Resp.	Actions Taken at 31 May 2016
Older people are safe on public roads.	The number of older people involved in road accidents is less than the NSW State average.	Conduct an annual road safety programme to educate older people on the safe use of roadways.	September each year	RSO	Regular road safety presentations are delivered throughout the year to Dubbo



Strategy	Performance Target	Actions (Statement of Means)	By When	Resp.	Actions Taken at 31 May 2016
					Seniors groups. General road safety, pedestrian safety and community mobility presentations were delivered to seniors attending the 'Stepping On' program: Lourdes Hospital Dubbo – 15 April 2016
		Prepare and distribute a brochure on the safe use of roads by older people.	December each year	RSO	RSO provides brochures at various community gatherings.
Older people feel safe living in Dubbo.	The number of crimes committed against older people in Dubbo is lower than the NSW average.	Implement actions within the Dubbo Crime Prevention Plan that have an impact on seniors.	Ongoing	MSS	Steal from Motor Vehicle and Residential Break and Enter are the crime categories in the draft Crime Prevention Plan. Seniors needs are

Strategy	Performance Target	Actions (Statement of Means)	By When	Resp.	Actions Taken at 31 May 2016
					considered.
		Consider crime impacting seniors in the Orana Crime Prevention Partnership.	Ongoing	MSS	All seniors' needs are considered by the Ministers Action Group and the Dubbo Management Group.
		Ensure seniors' interests are considered when reviewing the effectiveness of Safety Cameras and Alcohol Free Zones.	Ongoing	MSS	Seniors' interests considered when reviewing the Safety Cameras and Alcohol Free Zones.
		Ensure street lighting (particularly within the vicinity of aged accommodation facilities) meets the needs of seniors.	Ongoing	MCI	There have been no street lighting issues raised in relation to areas with aged accommodation so far this year.
		Ensure the principles of Safer by Design are considered when assessing Development Applications for seniors' accommodation.	Ongoing	MBD S	Principles are considered when assessing Development Applications for seniors'

Strategy	Performance Target	Actions (Statement of Means)	By When	Resp.	Actions Taken at 31 May 2016
					accommodation.
		Regularly liaise with Dubbo Police on issues to prevent crimes against older people.	Ongoing	MSS	Consideration given in the Crime Prevention Plan and the Minister's Action Group and the Dubbo Management Group.
		Conduct an annual audit of the safety of roads within the vicinity of aged accommodation facilities.	December each year	MCI	Completed.

**Public Infrastructure – footpaths/ramps, disabled facilities, car parking, cemeteries, public toilets**

Public infrastructure supporting quality of life is important to meet the needs of older people. This, in conjunction with reliable, accessible, affordable and safe public transport, will enable older people to be socially active within community life, thus supporting inclusion and reducing isolation. Council works in partnership with transport providers to ensure that accessible transport options are available for seniors.

Council has responsibility for the provision and maintenance of footpaths, public car parks and public toilets.

Strategy	Performance Target	Actions (Statement of Means)	By When	Resp.	Actions Taken at 31 May 2016
Older people are able to visit the New and Old Dubbo Cemeteries in a more comfortable environment.	No reasonable complaints relating to the facilities available at the New and Old Dubbo Cemeteries.	Investigate the possibility for the provision of toilets and more shaded seating at the New and Old Dubbo Cemeteries.	June 2014	MBSC	<p>A Master Plan for the installation of toilets at the New Dubbo Cemetery has been completed. Funding now needs to be sourced.</p> <p>Additional seating and further landscaping requirements will be addressed in a proposed beautification plan currently being drafted as an Expression of Interest for a consultant to</p>

Strategy	Performance Target	Actions (Statement of Means)	By When	Resp.	Actions Taken at 31 May 2016
					prepare in 2016/17.
Older people are able to utilise Council controlled public halls because of more accessible parking.	No reasonable complaints relating to the parking facilities available at Council controlled public halls.	Investigate the possibility for the provision of more accessible parking at Council controlled public halls.	March each year	MSS	Matter investigated, all hall parking is deemed to be accessible and appropriate for seniors.
Older people are able to safely use and access public spaces.	No reasonable complaints relating to the condition of civil infrastructure affecting the access of older people.	Monitor the condition of footpaths, roads and pedestrian ways in the proximity of aged accommodation premises.	Ongoing	MCI	Footpaths inspected as per the Defined Asset Management Policy.
		Ensure all new footpath developments include the latest in pedestrian accessibility aids including tactile sensors and gutter ramps.	Ongoing	MCI	This standard is required as a condition of development consent as and when they arise.
	No incidences of public buildings being approved not in accordance with the DCP – Design for Access and Mobility	Conduct an annual review of the Development Control Plan (DCP) – Design for Access and Mobility - to ensure it is relevant and up to date and meeting the needs of older people with accessibility problems.	December each year	DEVS ( lead agent ) / MSS	A review of the DCP has commenced and is due for completion in 2016/2017.
		Conduct an annual survey of older	July each	MSS	Survey completed.

Strategy	Performance Target	Actions (Statement of Means)	By When	Resp.	Actions Taken at 31 May 2016
		people to garner information on access issues in Dubbo.	year		94.3% satisfaction rating.

**Volunteering – Dubbo Regional Theatre and Convention Centre (DRTCC), Western Plains Cultural Centre (WPCC), City Information Centre (CIC), Dubbo City Animal Shelter, Parks and Landcare Services and Library.**

Volunteering (both formal and informal) has many benefits. Volunteers in formal arrangements provide benefits to the local economy. Many significant services in Dubbo (including Dubbo City Council) could not operate without volunteers. Older people with skills and a desire to share their talents receive considerable social benefits from volunteering, especially if they have the time and resources to do so. Volunteering then becomes a win-win situation for the community and the individual.

Strategy	Performance Target	Actions (Statement of Means)	By When	Resp.	Actions Taken at 31 May 2016
Older people are provided opportunities to utilise their skills and experience by volunteering.	Opportunities exist within Council services / functions for older volunteers.	Conduct an annual campaign to attract older people to volunteer.	June each year	MSS (lead agent) and Managers of DRTCC, WPCC, CIC, P&L, Library.	Opportunities for volunteers to assist at library are available within Home Library Service as delivery drivers, to take material to housebound borrowers and aged care institutions.  WPCC is no longer recruiting volunteers but continues to use the pool of volunteers already engaged.
	Numbers of older volunteers is maintained / increased.	Work in partnership with the Dubbo Neighbourhood Centre to increase their volunteer base.	Ongoing	MSS	Dubbo Neighbourhood Centre has information

Strategy	Performance Target	Actions (Statement of Means)	By When	Resp.	Actions Taken at 31 May 2016
					relating to volunteering on their website. dnc.org.au  Dubbo Neighbourhood Centre also has printed information available.
		Conduct an annual ceremony in Volunteers week to recognise the DCC volunteers.	11 - 16 May 2015	Managers of WPCC (lead agent), DRTCC, CIC, P&L, Library	This event is now coordinated via the Mayor's office. Identified managers assist by providing names from respective databases.
		Survey seniors annually to gauge the needs for and barriers to volunteering.	March each year	MSS	No issues raised by seniors.
		Include a section on Council's and the MRL's websites devoted to volunteering to assist seniors	Ongoing	MSS (lead agent) / Marketing and	Dubbo City Councils Website Dubbo.com.au



Strategy	Performance Target	Actions (Statement of Means)	By When	Resp.	Actions Taken at 31 May 2016
		to more easily select a volunteer activity and engage in volunteering.		Communication	leads volunteers to a comprehensive volunteering page on the Dubbo Neighbourhood Centre (DNC) website. The DNC website is broken down into different agencies that people can assist in.
		Develop a volunteer's training package to assist seniors to develop the skills to undertake volunteer activities.	Ongoing	MSS (lead agent) / Managers of DRTCC, WPCC, VIC, P&L, Library	Volunteering package was developed during 2011-2012 in collaboration with all cultural organisations within DCC. The package has been implemented in Dubbo library, Dubbo Regional Theatre, Western Plains Cultural Centre, Visitors Information Centre and Parks and Land care. Volunteer

Strategy	Performance Target	Actions (Statement of Means)	By When	Resp.	Actions Taken at 31 May 2016
					<p>numbers among Council's cultural services are at or near capacity.</p> <p>DRTCC conducted Volunteering Refresher Training in May 2015.</p>
		Continue to provide annual funding for the Dubbo Neighbourhood Centre to conduct seniors' activities.	Ongoing	MSS	\$5,000 provided in budget.

WESTERN  
PLAINS  
REGIONAL  
COUNCIL

Incorporating the former  
Dubbo City & Wellington councils

## **REPORT: Development of a new Economic Development Strategy and Action Plan**

**AUTHOR: Director Corporate Development**

**REPORT DATE: 10 June 2016**

**TRIM REFERENCE: ID16/1080**

### **EXECUTIVE SUMMARY**

The former Dubbo City Council Economic Development activities were driven by the Dubbo Economic Development Strategy '10 Steps to Economic Success'. The Strategy was designed to span a five year period, and an updated Strategy was due in November 2016.

The former Wellington Council had resolved to remove the economic development function, and place some of the responsibilities under the former Acting General Manager. This provided the former acting General Manager the opportunity to set activities and the new strategy.

With the recent amalgamation of the former Dubbo City Council and former Wellington Council, it is proposed to align the development of the next Economic Development Strategy with the preparation of the Western Plains Regional Council Community Strategic Plan.

In this regard it is proposed that a 'bridging' Western Plains Economic Development Action Plan be developed for an initial 12 month period, based on the 10 step framework of the former Dubbo City Council Economic Development Action Plan. The Plan will be provided to the September 2016 Council meeting.

Through this bridging Action Plan, economic development activities, and economic related outcomes from across the Organisation will be reported on a quarterly basis to Executive Staff Committee and Council.

### **FINANCIAL IMPLICATIONS**

There are no financial implications arising from this report.

### **POLICY IMPLICATIONS**

There are no policy implications arising from this report.

**RECOMMENDATION**

- 1. That the Western Plains Regional Council Economic Development Strategy be developed with the community and stakeholders in alignment with the new Community Strategic Plan.**
- 2. That a draft Economic Development Strategy be submitted to Council at the same time it considers the draft Community Strategic Plan.**
- 3. That a 'bridging' Western Plains Regional Council Economic Development Action Plan be developed for an initial 12 month period, based on the 10 step framework of former Dubbo City Council Economic Development Strategy and Action Plan.**
- 4. That a Western Plains Regional Council Economic Development Action Plan be provided to the September 2016 meeting.**
- 5. That delivery of economic development activities, and economic related outcomes from across the Organisation be reported on a quarterly basis to Executive Staff Committee and Council through the Economic Development Action Plan.**

*Ken Rogers*

Director Corporate Development

## BACKGROUND

The former Dubbo City Council Economic Development activities were driven by the Dubbo Economic Development Strategy which was developed with extensive input from a committee comprising community, industry, government and business representatives. The four-year Strategy was adopted by the former Dubbo City Council in September 2011.

The Strategy comprises of ten strategic themes: infrastructure development, mining and mining services expansion, tourism destination development, transport and distribution expansion, agricultural sustainability and diversification, regional service centre development, workforce and skills development, advocacy and leadership, business investment and attraction, business retention and expansion.

The Strategy was supported by a 12 month Action Plan, developed annually in consultation with the former Economic Development Advisory Committee. The Action Plan aligned directly with the former Dubbo 2036 Delivery Program and details the economic development actions and activities to be undertaken to support the overarching economic goals and vision of the City. The 2015/2016 Economic Development Action Plan was adopted by the former Dubbo City Council in June 2015.

Specific programs, activities, services and outcomes driven by the former Dubbo City Council City Development Branch were prioritised through an annual City Development Delivery Plan. This plan was reported on to Council on a six monthly basis. The 2017 City Development Delivery Plan was due to be considered by Council in December 2016.

The former Wellington Council had resolved to remove the economic development function, and place some of the responsibilities under the former Acting General Manager. This provided the former acting General Manager the opportunity to set activities and the new strategy.

## REPORT

Economic development is essentially about sustainable growth and development. It is through the total asset management of public assets that the character and dynamics of a community and its physical attributes are defined. If this definition is positive then growth and development will be stimulated. Therefore the role of Economic Development in the region and within the Organisation is a critical driver of asset management.

As a Corporation, Western Plains Regional Council is responsible for management of a broad and diverse range of assets through which services are provided to the community and visitors.

In this context, the three primary drivers for asset management include:

1. Community Needs
2. Economic Development, and
3. Defined Asset Management Policy (resource allocation)

In addition to the strategic role economic development needs to play in informing Councils operations, investments and decisions – it also plays a significant role in facilitating, investing and enabling development in the broader community.

With the amalgamation of two LGAs that potentially had different priorities, opportunities, challenges and threats it is important that there is a sound approach to the development of any strategy, plans and servicing framework. It will be equally important that development of such a strategy and framework is done so in consideration of, or influences so, the resourcing of economic development.

Dubbo's Economic Development Strategy '10 Steps to Economic Success' was designed to span a five year period, however many of the strategies span a much longer timeframe. An updated strategy was due in November 2016.

The 12 month Economic Development Action Plans were developed for the financial year period, and identified activities and projects to deliver on the strategic outcome areas. Many of these activities were continuation of services, or projects and outcomes areas that were to be delivered over many years. An updated Action Plan was due to Council in June 2016.

Specific Programs, activities and outcomes driven by the former Dubbo City Council City Development Branch were reported on through an adopted 2016 City Development Delivery Program. A new program was due to Council in December 2016.

Following the recent amalgamation of Dubbo City and Wellington Council, it is proposed that the development of a new Economic Development Strategy be aligned to the development of the new Community Strategic Plan. This would see a draft Western Plains Regional Council Economic Development Strategy presented to Council at the same time it considers the draft of the new Community Strategic Plan.

It is also proposed that a 'bridging', Western Plains Regional Council Economic Development Action Plan be developed for an initial 12 month period, based on the 10 step framework of former Dubbo City Council Economic Development Strategy. The Action Plan would be provided to the September Council meeting.

Delivery of economic development activities, and economic related outcomes from across the Organisation will be reported on quarterly to Executive Staff and Council, with future reports to include:

- Quarter 1 ('September', October, November) report provided in December 2016
- Quarter 2 (December, January, February) report provided in March 2017
- Quarter 3 (March, April, May) report provide in June 2017
- Quarter 4 (June, July, August) report provided in September 2017.

During this period, it is proposed that a specific City Development delivery program not be developed, and all activities be reported though the Action Plan. Any required reports on major programs and outcomes will be attached as appendixes to the quarterly Action Plan report.

The development and delivery of the Western Plains Regional Council Economic Development Action Plan will need to be done in consultation with a range of stakeholders, through a process that encourages and facilitates two way engagement. It is recommended that a Economic Development Advisory Committee, akin to the Former Dubbo City Council Committee not be reconstituted and that a new government, community and industry engagement model be developed as part of the “bridging’ Economic Development Action Plan.

**SUMMARY**

Aligning the development of the new Western Plains Regional Council Economic Development Strategy with the new Community Plan will support effective community consultation, and ensure that there is alignment with Community and Council expectations, identified opportunities, challenges, priorities, and Organisational resources.

A ‘bridging’ Economic Development Action Plan will ensure that economic development activities and projects continue to be implemented, monitored and reported on to Council quarterly until the adoption of the new strategy.

WESTERN  
PLAINS  
REGIONAL  
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Incorporating the former  
Dubbo City & Wellington councils

## REPORT: Ignite Program Strategy Document

**AUTHOR:** Ignite Program Co-Ordinator

**REPORT DATE:** 10 June 2016

**TRIM REFERENCE:** ID16/1079

### EXECUTIVE SUMMARY

This document focuses on the Ignite Placemaking Program and implementation of 22 of the 50 bright ideas through a two year funded program from Council after which the results in terms of Centre activation will be reviewed. The Ignite Program focuses on building the profile of the CBD and the engagement of stakeholders within it, both in terms of the business and social economy of the space.

The Ignite Program has received a lot of attention from the community and it is important that this plan outlines what is possible within the boundaries of this Program – and what is not applicable to placemaking activity.

This Program is about empowering and enabling people to make the CBD space their own through people focused activity and activation techniques such as lighting, ambience, safety and security, access, stakeholder engagement, connection and collaboration.

In adopting the 2016 CBD Precinct Plan at the March 2016 meeting of the former Dubbo City Council, Council adopted a process to receive regular reporting via the City Development Delivery Plan. Due to the amalgamation process it is proposed that all activities from the adopted City Development Delivery Plan will be reported through a, yet to be developed, bridging Economic Development Action Plan. Consequently Ignite updates will be provided through the Economic Development Action Plan reports.

The Ignite Program Strategy (**Appendix 1**) is the overarching detailed document outlining a current environmental and SWOT analysis of the CBD. The strategy identifies activities and activations already achieved in the consultation period of Ignite Our Centre, along with objectives which will be used to measure the success of the Ignite Program annually and future planned activities under the banners of precinct and places, city centre activation, access and movement, growth and development and business activation.

To ensure principal aspects of the community proposed program are achieved a grant submission was made through the Energise Enterprise Fund of the Murray Darling Basin Regional Economic Diversification Program. The Ignite Placemaking program has been successful in obtaining a \$40,000 grant from within this fund.



The Ignite placemaking programs community engagement, its objectives, measurable activities with economic and environmental analysis will ensure the delivery of the CBD's plans vision and desired outcomes for the activation of Dubbo's CBD.

**FINANCIAL IMPLICATIONS**

There are no financial implications arising from this report.

**POLICY IMPLICATIONS**

There are no policy implications arising from this report.

**RECOMMENDATION**

- 1. That the information contained within this report be noted.**
- 2. That the activities contained in the Ignite Program for 2016 – 2018 be endorsed with the result to date being noted.**
- 3. That future reports on implementation progress be provided through Economic Development Action Plan.**

*Nicola Chandler*  
Ignite Program Co-Ordinator

## BACKGROUND

The outcome from Ignite our Centre was the development of the Dubbo CBD Precincts Plan. The Dubbo CBD Precincts Plan is a culmination of over 1000 ideas that were generated as part of the initial public and stakeholder consultation, and the trial of several pop up place making activities.

The Dubbo CBD Precinct Plan was adopted by the former Dubbo City Council in March 2016.

The CBD Precincts Plan delivers the spectrum of community engaged ideas divided into four distinct themes resulting in four programs to be developed to address the ideas of the public consultation.

The four programs underpinning the CBD Precincts Plan are Placemaking, Cutting Red Tape, Infrastructure Development and Making Development easier. This is the strategy document for the Placemaking Program and implementing many of the 50 bright ideas through a two year funded program from the former Dubbo City Council after which the results in terms of Centre activation will be reviewed. The Ignite Program focuses on building the profile of the CBD and the engagement of stakeholders within it, both in terms of the business and social economy of the space.

This Program is about empowering and enabling people to make the CBD space their own through people focused activity and activation techniques such as lighting, ambience, safety and security, access, stakeholder engagement, connection and collaboration.

## REPORT

Outcomes of the “Ignite our Centre” Ignition Workshop were developed in consultation by the community to ensure that the developed programs such as Ignite – Placemaking Program included activities relevant to the key stakeholders, major tenants, Dubbo Chamber of Commerce, visitors, users, owners and managers in the CBD.

This Program is about empowering and enabling people to make the Dubbo CBD space their own through people focused activity and activation techniques such as lighting, ambience, safety and security, access, stakeholder engagement, connection and collaboration.

Representatives of the public and business community have already embraced the opportunity to bring their own kind of vibrancy and excitement into the CBD.

Future planned activities of the Ignite Program are comprehensively outlined under the banners originally outlined in the CBD Precincts Plan of precinct and places, city centre activation, access and movement, growth and development and business activation. Under each banner the Ignite relevant bright ideas have been listed and corresponding ideas, activities and proposed activations have been detailed. All activities and objectives will be systematically addressed and activated to ensure all facets of the program are met.

Evaluation methodology will include both quantitative and qualitative data which will be facilitated by Council's Ignite Coordinator.

As part of the program it is proposed that the existing banner programme which forms part of the City Development Partnership Program be aligned to the Ignite Program.

This would allow for Ignite as a program to utilise the infrastructure as part of the Ignite promotions, and potentially generate a funding stream for future initiatives. There is a planned investment for banner jibs on the poles (levers that allow flags to be mounted from the ground) and these will be funded partly by Ignite and partly by City Marketing operations budget. This change will enable Ignite greater flexibility to use the banners in Dubbo CBD. This handover is expected in December 2016 following installation of the bannerjibs and the current City Development Partners flag program being completed. Ignite would also continue to ensure seasonal flags such as Christmas, and manage the rotunda event flags.

Key aspects around the success of the Ignite Program will be Council continually working with stakeholders to ensure the Programs activation activities are relevant to the needs to the Dubbo CBD and to stimulate and encourage the community to activate an internally generated placemaking program within the Dubbo CBD stakeholders themselves.

**Objectives as part of the Program include:**

Collaboration, activation, engagement and supporting the development of private development are all key aspects around the success of the Ignite Program. The following is a non-exhaustive list of objectives which will be used to measure the success of the Ignite Program annually.

- Connect business stakeholders in the Dubbo CBD through the implementation of a Dubbo CBD Business Network. Network to remain connected via email and face to face meetings to discuss opportunities and challenges of operating in the Dubbo CBD and provide a voice of Dubbo CBD operators to Council, Chamber of Commerce and alike.
- Provide support to four significant business development or place activation programs annually. Significant projects supported by the Program will be evaluated on business collaboration in promotion, development or activity and the ability to become self-sustaining with demonstrated support from Dubbo CBD stakeholders.
- Establish and report on performance on indicators for particular events and promotions, in addition to undertaking qualitative environmental research each quarter in key areas of the Dubbo CBD with cooperation from major partners and locations throughout Macquarie and Talbragar Streets.
- Improve the cultural and physical ambience of the Dubbo CBD through public and commercial art, encouraging music and performance art throughout the Dubbo CBD by streamlining busking approvals.

- Assess the efficiency of car parking in the Dubbo CBD through a car parking audit and encouraging the use of off street car parking through creative promotion and sign posting.
- To encourage and support stakeholders in the identification and development of further placemaking projects for delivery and support from the Program and Program Coordinator as appropriate.
- Facilitate and participate in solutions seeking activity focused at addressing community safety concerns within the Dubbo CBD and antisocial behavior.
- Establish and develop a set of framework and processes to enable the Ignite Program to be self-sufficient and actively managed by stakeholders outside of Council independently from Council post 2017.

Stakeholders in the Program will also be asked for their feedback as part of the evaluation process to ensure a measured response to the Programs success is gathered.

All feedback and progress will be reported to Council through the Informal Report, Operational Plan and City Development Delivery Plan Report which are all regularly presented to Council.

## **SUMMARY**

The Ignite Program as attached in appendix A will be delivered and reported through the City Development Delivery Program. Collaboration, activation, engagement and supporting the development of private development are all key aspects around the success of the Ignite Program.

Key aspects around the success of the Ignite Program will be Council continually working with stakeholders to ensure its activations are relevant to the needs to the CBD and the encouragement to activate a community generated placemaking program.

The Ignite placemaking programs community engagement, objectives, measurable activities along with economic and environmental analysis will ensure the delivery of the CBD's plans vision and desired outcomes.

Appendices:

- 1 Ignite Placemaking Program





# Ignite Program

## 1 INTRODUCTION

Dubbo's CBD has long been a central meeting point, place of business, retail and services hub. With the continuing pressures of doing business including, rents, staffing, online trade, trading hours and growth in the City creating a more competitive market and the growing expectation of people within the City – the scape of the Dubbo CBD is changing.

Some businesses are changing, some are adapting, new businesses are entering the market and some are exiting. The Dubbo CBD is currently experiencing a change from big foot print businesses to smaller scale business set ups. Large footprint stores are currently remaining empty which has brought the Dubbo CBD into the political and social spotlight. In response to these changes in the DUBBO CBD landscape and an increased expectation of public spaces from the Dubbo community Council underwent a significant community consultation program – Ignite Our Centre.

The outcome from Ignite our Centre was the development of the Dubbo CBD Precincts Plan. The Dubbo CBD Precincts Plan is a culmination of over 1000 ideas that were generated as part of the initial public and stakeholder consultation, and the trial of several pop up place making activities.

The Dubbo CBD Precincts Plan delivers the spectrum of community engaged bright ideas divided into four distinct themes resulting in four programs to be developed to address the ideas of the public consultation. The four programs underpinning the Dubbo CBD Precincts Plan are Placemaking, Cutting Red Tape, Infrastructure Development and Making Development easier.

The objective of each of the underpinning Dubbo CBD Precincts Plan themes of Placemaking, Cutting Red Tape, Infrastructure Development and Making Development easier are defined in greater details as follows:

### The Fast Track Approvals Program

A comprehensive program of policy changes, streamlined processes, and improved documentation and information guides have been identified to streamline processes and reduce costs for the consideration and approval of a range of low risk development applications. The aims are to encourage start-up businesses to choose the Dubbo CBD as the best place to set up shop, to ensure the development application and approvals processes match business needs in terms of timeframes, cost and level of risk and to attract new business offerings and a wider range of goods and services to our Centre, to make it more attractive, viable and commercially resilient.





#### CBD Infrastructure Development Program

The community, during the Ignite public engagement period, identified a number of areas where the structure and operation of current infrastructure supporting the Dubbo CBD may need to be examined, and targeted improvements developed. These areas include street lighting, traffic and parking arrangements, vehicular access to the Dubbo CBD, particularly from the L.H. Ford Bridge, as well as other issues.

In response, Council will develop a Dubbo CBD Infrastructure Improvements program to review the current state of key physical infrastructure in our Dubbo CBD, and look at options for improvements and new facilities.

#### Development Incentivisation Program

A number of submissions from stakeholders and the community pointed to the need to consider options to encourage new businesses and entities to set up in the City Centre, through the provision of development incentives. The review process as part of this Program will examine options to lower the costs of development contributions, particularly for the smaller, start-up boutique businesses that are the best use of the smaller, older shopfronts within the Dubbo CBD main streets and examine options to encourage new major anchor tenants to locate to the Dubbo CBD (e.g. Kmart, JB Hafiz etc.). The Program aims to examine options to incentivise the development of medium density, quality and residential development in and around the Dubbo CBD.

#### Ignite Placemaking Program

This document focuses on the Ignite Placemaking Program and implementing many of the 50 bright ideas through a two year funded program from Council after which the results in terms of Centre activation will be reviewed. The Ignite Program focuses on building the profile of the Dubbo CBD and the engagement of stakeholders within it, both in terms of the business and social economy of the space.

The Ignite Program has received a lot of attention from the community and it is important that this plan outlines what is possible within the boundaries of this Program – and what is not applicable to placemaking activity.

*“Placemaking is a people centred approach to the planning, design and management of public spaces (including streets, foot paths, parks and parts of buildings). It enables and empowers people to create places which are prosperous, liveable, healthy and green. It includes urban design along with other placemaking tools.”*  
Andrew Hammonds, Place Focus.

This Program is about empowering and enabling people to make the Dubbo CBD space their own through people focused activity and activation techniques such as lighting, ambience, safety and security, access, stakeholder engagement, connection and collaboration.





## 2 ENVIRONMENTAL ANALYSIS

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The political climate is one of relative uncertainty with threats to GST increases, state controlled income tax, national security, a looming federal election and climate change all high on the daily agenda. There is wide speculation both GST increases and state controlled income tax negotiations will not proceed past the federal election and therefore not impact the moderate economic growth currently enjoyed by the re-emerging goods and services markets.

The current economic climate is of moderate growth. The Australian economy has grown at 2½ per cent on average in the past two years. The Reserve Bank of Australia estimates the Australian economy to remain around its current rate and the exchange rate is assumed to remain at its current level of A\$ at US\$0.72.

The working-age population is assumed to grow by 1.5 per cent over 2016 and 1.6 per cent over 2017, drawing on forecasts from the Department of Immigration and Border Protection.

Dwelling investment continues to grow strongly and consumption growth is estimate to pick up to be close to its decade average. Public demand will continue to grow at a below-average pace over the year.

Low interest rates and ongoing growth in employment are expected to lead to a further pickup in household incomes and demand.

Activity will continue to shift from mining to non-mining sectors of the economy. The services sector output grew in the last quarter of 2015 by approximately 3½ per cent over.

Dubbo's economy rings true to these national trends as Dubbos retail sector is the second largest employer in the City behind Healthcare and Social Assistance. The City's CBD attracts around 1600 people on any given day, equating to almost 600,000 in foot traffic in Macquarie Street annually.

As an area which not only serves as the business heart of Dubbo, it is also the main retail and professional business hub for the greater Orana region. Dubbo spans over 70 hectares divided into six precincts of the original centre for commerce and trade, specialist retail and services, primary entry points, civic administration, health, medical and growth precincts. The nature of each precinct in Dubbos centre and the connections and inter-relationships both physical and functional bring the precinct together offering a principal commercial catchment that services a growing and far reaching population and community.

All these factors combine for positive futuristic growth in local, state and federal economies. The Dubbo CBD Precinct Plan is an endorsement of these rates of growth within a positive economic climate. The two year funded Ignite Placemaking program empowers and enables people to make the Dubbo CBD space their own through people focused activity and activation techniques such as lighting, ambience, safety and security, access, stakeholder engagement, connection and collaboration to support and generate increased foot traffic, business engagement and growth.







Locally stakeholders have commented in line with these national trends on the change from product and retail spend to increased expenditure on homes and experiences leveling household outgoings. Online sales have remained stable in terms of a direct competition to Dubbo CBD type spending.

Placemaking allows business communities to be innovative and nimble to allow for quick implementation of changes to trend and small scale activation of projects. The top 10 global consumer trends for 2016 are intimately aligned to placemaking core values of ambience, safety and security, engagement, inclusion, awareness, innovation, connection and collaboration.

The top 10 global consumer trends for 2016 have been reported to be:

- Agnostic Shoppers (innovation around value)
- Buying Time (outsourcing)
- Challenging Ageing (energised ageing, advanced style and digital inclusion)
- Change makers (activism in vogue, many and varied social causes, acquiring less)
- Gender Blurring (androgynous style, non-conformists, gender-expansive goods and shop layouts)
- Greener Food (local, traditional fare, safer, faster food, reduced waste)
- Mental wellbeing (awareness of others, the art of being, not being burnt out)
- Over-connected Consumers (Mobile toxicity, increased health risks, vampire kids)
- Shopping for Control (security, gated communities, helicopter parenting, buying control)
- Spending singles (urban creatives, supercharged child and mortgage free, authenticity seeking)

These global trends align with the following industries rise in trend terms in January 2016: Food retailing (0.3%), Household goods retailing (0.5%), Clothing, footwear and personal accessory retailing (0.3%), Cafes, restaurants and takeaway food services (0.2%) and other retailing (0.2%). Department stores (0.0%) was relatively unchanged in trend terms in January 2016.

The Dubbo CBD Placemaking Program has been introduced in a timely manner given the current economic climate is of moderate growth, the Australian dollar is static, the non-mining sector of the economy is growing.

Key aspects around the success of the Ignite Program will be Council continually working with stakeholders to ensure its activations are relevant to the needs to the Dubbo CBD and the encouragement to activate a community generated placemaking program to align with both local and global consumer trends.





**SWOT**

Strengths, Weaknesses, Opportunities and Threats have been developed to identify and pre-empt challenges that may arise during the implementation and activation of the Ignite placemaking program.

Ignition Workshops were conducted to ensure that this community led program includes activities relevant to the visitors, users, owners and managers in the Dubbo CBD and to ensure that our plan was developed by the community for the benefit of the community with open dialogue to develop support of strengths and opportunities along with minimising exposure to weaknesses and threats.

Strengths	Weaknesses
<ul style="list-style-type: none"> <li>- Community buy in of trial events in the Dubbo CBD</li> <li>- Businesses passionate about their own success</li> <li>- Business community keen to see results from personal time invested in Ignite development.</li> <li>- Community pride in success of program</li> <li>- Dedicated resources for activation of program</li> <li>- Community collaboration of ideas and activation</li> <li>- Agreed and owned process by the Dubbo CBD business community</li> </ul>	<ul style="list-style-type: none"> <li>- Challenging economic market for retailers</li> <li>- Events can be weather dependent (Christmas markets in 45 degree heat)</li> <li>- Some business operator's expectations of Ignite to be the answer to all their challenges.</li> <li>- Limited number of the business community actively involved in solutions</li> <li>- Very different style of marketing from history in Dubbo CBD</li> </ul>
Opportunity/s	Threats
<ul style="list-style-type: none"> <li>- Increase foot traffic in Dubbo CBD</li> <li>- Large Dubbo CBD space gives lots of opportunity for mixed use activity</li> <li>- Engagement of all Dubbo CBD businesses in all proposed activities</li> <li>- Increased trust of Ignite program with execution of activity will promote increased engagement into the future</li> <li>- Vacant shop frontage to be activated into art and design showrooms / exhibition spaces</li> <li>- Collaborative partnerships amongst stakeholders</li> <li>- Encouragement of creative entrepreneurship</li> <li>- Creation of complimentary events to Dubbo CBD business objectives</li> <li>- Pedestrian movement through previously unused paths and alley ways</li> <li>- Change in perception of Dubbo CBD as an 'open air mall' shopping experience</li> </ul>	<ul style="list-style-type: none"> <li>- Ignite Program seen as 'savior' for closing businesses when that is not the aim of the program</li> <li>- Businesses not supporting with their own time and funding</li> <li>- Antisocial behavior deterring business operations after hours</li> <li>- Unchanged previous complacent perceptions of activation</li> <li>- Previously disbanded event/promotional committees unable to regroup rejuvenated</li> <li>- National and global financial and political impact on general spending and disposable incomes i.e. Federal election, interest rates etc.</li> </ul>





### 3 WHAT'S ALREADY HAPPENED?

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Western Plains Regional Council has developed a Dubbo CBD Precinct Plan to 'ignite our Centre' and build the capacity of Dubbo's CBD. It was successfully adopted by Council in March – now we move into implementation.

As an outcome of this plan council has developed the Ignite Placemaking Program, a program of timely and achievable activities.

Ignition Workshops were conducted to ensure that this community led program includes activities relevant to the visitors, users, owners and managers in the Dubbo CBD. The community drove this process to ensure that our plan was developed by the community for the benefit of the community. The development phase engendered a great deal of creative, innovative conversations and has been instrumental in building collaborative, engaged, binding relationships.

This Program is about empowering and enabling people to make the Dubbo CBD space their own through people focused activity and activation techniques such as lighting, ambience, safety and security, access, stakeholder engagement, connection and collaboration. To ensure principal aspects of the community proposed program are achieved a grant submission was made through the Energise Enterprise Fund of the Murray Darling Basin Regional Economic Diversification Program. The Ignite Placemaking program has been successful in obtaining a \$40,000 grant from within this fund.

The public and business community have already embraced the opportunity to bring their own kind of vibrancy and excitement into the Dubbo CBD. Through the Ignite Our Centre community consultation period, Council encouraged the trial of pop up events, out of hour's events, mix use and creative activation activities.

Activation and collaboration already achieved in a test case capacity prior to the official program commencement date of May 1<sup>st</sup> 2016 includes but is not exclusive to the following:

- Old Dubbo Goal: Wine Nourishment
- Success in obtaining \$40,000 grant from the Murray Darling Basin Regional Economic Diversification Program – Energise Enterprise Fund for the Ignite program project.
- Meeting with NSW Small Business Commissioner regarding Ignite Program and best practice.
- Facilitation of the Church Street Rotunda Markets
- Attendance of Place Activation Workshop facilitated by the NSW Small Business Commissioner
- Implementation of activity to increase social ambience in anti-social hot spots
- Fairy light installation in Church Street Rotunda
- Continuation of Stakeholder introductions and meetings
- Charity pop up restaurant: CSC
- Meetings regarding future event facilitation with existing Stakeholders
- BOOMDubbo public art and walking tours
- Trial busking program





- Preliminary discussions with Dream Festival to discuss greater exposure and involvement of the DUBBO CBD
- Meeting with the Director of Artlands to discuss involvement of the DUBBO CBD in the four day event
- Installation of Free WIFI
- Negotiations with Stakeholders regarding seasonal repainting / redesigning of DUBBO CBD Rhinos
- Seasonal promotion: Smile its Christmas – Window dressing competition
- Seasonal promotion: Dubbo CBD Easter Egg Hunt
- Rotunda Family Fun Day
- Ignite the Night
- Council invited all Dubbo CBD cafes to extend their operating hours
- Facilitation of Talbragar Street Twilight Christmas Markets
- ROAR at the Rotunda (promotion)

Activation and collaboration already achieved within the official program after commencement date of May 1<sup>st</sup> 2016 includes but is not exclusive to the following:

- Inclusion of Ignite Program and Dubbo CBD promotion in both the Dubbo Residential Guide and Visitors Guide.
- Research and initial development of Ignite Facebook site to enable proactive promotion of all future Dubbo CBD activation
- Research and initial development of Ignite Landing page / website to enable proactive promotion of all future Dubbo CBD activation
- Analysis of the 29 Dubbo CBD CCTV cameras in conjunction with Local Area Command regarding positions, repositioning and upgrades.
- Meeting held with Local Area Command regarding Dubbo CBD security, reintroduction of trained Push Bike Police, regular plain clothed foot patrol, available business security audits, general safety and security of the Dubbo CBD.
- PR release focused on the 29 Closed Circuit Television Cameras (CCTV) installed by Dubbo City Council, implementation of the local Crime Prevention Plan, importance of safety and security in the Ignite programme and introduction of patrols by police on push-bikes.
- Facilitation of Laser Racing Bathurst 1000 winner, Porsche Carrera Cup Champion and Laser Ambassador, Steve Richards and the Laser Racing Porsche at the Church Street Rotunda
- Analysis and investigation into parking provisions, ample parking signage and change in parking officer rotations
- Meeting planning with REI of Dubbo to discuss utilization of vacant shop fronts for art installations and event promotion





## 4 OBJECTIVES

Collaboration, activation, engagement and supporting the development of private development are all key aspects around the success of the Ignite Program. The following is a non-exhaustive list of objectives which will be used to measure the success of the Ignite Program annually. Evaluation methodology will include both quantitative and qualitative data such as door counter numbers in key areas and anchor tenants in the Dubbo CBD area and environmental analysis from operators captured through the development of a Dubbo CBD Stakeholder Network – which will be facilitated by Council’s Ignite Coordinator.

Stakeholders in the Program will also be asked for their feedback as part of the evaluation process to ensure a measured response to the Programs success is gathered.

All feedback and progress will be reported to Council through the same cycle of the City Development Delivery Plan Report which is presented to Council every six months (April and October).

1. Connect business stakeholders in the Dubbo CBD through the implementation of a Dubbo CBD Business Network. Network to remain connected via email and face to face meetings to discuss opportunities and challenges of operating in the Dubbo CBD and provide a voice of Dubbo CBD operators to Council, Chamber of Commerce and alike.
2. Provide support to four significant business development or place activation programs annually. Significant projects supported by the Program will be evaluated on business collaboration in promotion, development or activity and the ability to become self-sustaining with demonstrated support from Dubbo CBD stakeholders.
3. Establish and report on performance on indicators for particular events and promotions, in addition to undertaking qualitative environmental research each quarter in key areas of the Dubbo CBD with cooperation from major partners and locations throughout Macquarie and Talbragar Streets
4. Improve the cultural and physical ambience of the Dubbo CBD through public and commercial art, encouraging music and performance art throughout the Dubbo CBD by streamlining busking approvals
5. Assess the efficiency of car parking in the Dubbo CBD through a car parking audit and encouraging the use of off street car parking through creative promotion and sign posting
6. To encourage and support stakeholders in the identification and development of further placemaking projects for delivery and support from the Program and Program Coordinator as appropriate.
7. Facilitate and participate in solutions seeking activity focused at addressing community safety concerns within the Dubbo CBD and antisocial behavior.





8. Establish and develop a set of framework and processes to enable the Ignite Program to be self-sufficient and actively managed by stakeholders outside of Council independently from Council post 2017.
9. Systematically address all 22 placemaking ideas taken from the CBD Precincts Plans 50 bright ideas which are a culmination of over 1000 ideas that were generated as part of the initial public and stakeholder consultation.



## 5 IGNITE PROGRAM ACTIVITY'S: 2016

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### Community Priority: Precincts and Places

Ignite theme	Bright Idea No.	Activity	Partners	Timing / Status	Results
<b>Ambience</b>	2.	Improve the ambience of the CBD through undertaking activities such as: repainting seats, pressure cleaning pavers, attaching strings of lights across CBD areas, portable gardens, etc.		January 2016: COMPLETED	Negotiations with Stakeholders regarding seasonal repainting / redesigning of DUBBO CBD Rhinos
<b>Activation</b>	3.	Investigate the development of a program to encourage and allow street art within the CBD.	BOOMDubbo	March 2016: COMPLETED	
	4.	Encourage more public art in the CBD.			
	5.	Facilitate artists to undertake murals on vacant walls around the CBD, where required.			
<b>Ambience</b>	3.	Investigate the development of a program to encourage and allow street art within the CBD.		Ongoing 2016/18	Preliminary discussions with Dream Festival to discuss greater exposure



	<p>4. Encourage more public art in the CBD.</p> <p>5. Facilitate artists to undertake murals on vacant walls around the CBD, where required.</p>		<p>and involvement of the DUBBO CBD August 2016</p> <p>Meeting with the Director of Artlands to discuss involvement of the DUBBO CBD in the four day event August 2016</p>
<b>Ambience</b>	<p>2. Improve the ambience of the CBD through undertaking activities such as: repainting seats, pressure cleaning pavers, attaching strings of lights across CBD areas, portable gardens, etc.</p>	<p>Investigate additional lighting activation projects across the greater Dubbo CBD (2+ locations) Artwork lighting, Tree lighting, Across the streets at Christmas time.</p>	<p>December 2016</p>
<b>Ambience</b>	<p>20. Investigate the provision of portable toilet facilities in various locations in the CBD to consider whether an appropriate level of demand exists for Council to provide a new facility.</p>	<p>Execution of toilet audit in line with current regulations and conditions in the Dubbo CBD</p>	
<b>Ambience</b>	<p>1. Trial the planting of a new tree species with less leaf and seed litter across the City including, but not limited to, the southern end of Macquarie Street.</p>	<p>Investigate feasibility options with Parks &amp; Landcare Services</p>	
<b>Activation</b>	<p>10. Facilitate a consultation and engagement program with CBD stakeholders and the community with respect to naming of the CBD.</p> <p>11.</p>	<p>Market test the feasibility of applying a branded name to the Dubbo CBD through the Dubbo CBD network</p>	<p>January 2017</p>







	Undertake marketing and promotion activities based on the results of stakeholder engagement in relation to naming and/or branding of the CBD.			
<b>Safety and Security</b>	9. Encourage live music at the Church Street Rotunda.	Music activation at the Church Street Rotunda  Trial busking program	March 2016	Commencement of trial on Friday April 8 <sup>th</sup> 2016. Initiative to address antisocial and safety concerns from after-hours activation in the DUBBO CBD.
<b>Safety and Security</b>	18. Encourage an increased police presence in the CBD through regular pop-up police patrols to discourage anti-social behaviour and increase safety and security for CBD users.	Increased police patrols	March 2016	Discussion held with LAC. Continue to hold regular meetings.  Analysis of the 29 Dubbo CBD CCTV cameras in conjunction with Local Area Command regarding positions, repositioning and upgrades. June 2016  Meeting held with Local Area Command regarding Dubbo CBD security, reintroduction of trained Push Bike Police, regular plain clothed foot patrol, available business security audits, general safety and security of the Dubbo CBD. May 2016





**Community Priority: City Centre Activation**

Ignite theme	Bright Idea No.	Activity	Partners	Timing / Status	Results
<b>Business development</b>	6. Encourage after hours activation eg: themed evening precincts for dining, shopping and other activities	Facilitate and encourage afterhours activity in the Dubbo CBD through business activity	Old Dubbo Goal	Ongoing 2016	Old Dubbo Gaol Wine and Nourishment Cafés encouraged to open after hours via WPRC letter  Ignite the Night  Council invited all Dubbo CBD cafes to extend their operating hours  Facilitation of Talbragar Street Twilight Christmas Markets
<b>Business development</b>	14. Make better use of the current Dubbo Events Network – Council to provide streamlined processes for festivals and events in the CBD.  13. Work with key stakeholders with the intent to form a CBD traders/retailers group.	Work with a minimum of 2 major events per annum to facilitate an increase in foot traffic through the Dubbo CBD - utilising the Dubbo Events Network as required.	Dream Artlands	Ongoing 2016/18	
<b>Business development</b>	14. Make better use of the current Dubbo Events Network – Council	Engagement of Dubbo Events Network to share information for Dubbo CBD inclusion in events	Dubbo Events Network	Ongoing 2016/18	





	to provide streamlined processes for festivals and events in the CBD.				
	13. Work with key stakeholders with the intent to form a CBD traders/retailers group.				
<b>Business development</b>	11. Undertake marketing and promotion activities based on the results of stakeholder engagement in relation to naming and/or branding of the CBD.  12. Appoint an Ignite Program Coordinator for the City.  13. Work with key stakeholders with the intent to form a CBD traders/retailers group.	Facilitate discussion with Dubbo CBD businesses through the Dubbo CBD Network to discuss the potential of an annual offer as a value add all major future event delegates for a 12 month trial period.	Dubbo CBD Network	October 2016	E-blast to Igniters inviting them to join the CBD Network – 53 businesses approached. 42.9% open rate.  E-blast Invitation to 47 Igniters for an Ignite Activation, Planning session. 56% open rate.  Dubbo CBD Network / Networking night planned for Wednesday June 15, 2016.
<b>Marketing and Promotion</b>	9. Encourage live music at the Church Street Rotunda.	Installation of electronic speakers for use during events and promotional activations	Council; Events: Local businesses	January 2016: COMPLETED	Speakers installed and positions tweaked with feedback from local businesses.
<b>Business development</b>	21. Investigate options for CBD shopping tours for tourists and locals that also highlights the heritage of our City Centre.	Development of Dubbo CBD choose your own adventure trail for different demographics with a passport system of value adds – to be picked up at the VIC and available through the Hotel / Accommodation network. This adventure		April 2017	





		trail will be complimentary to Councils developed Heritage walking trail.			
<b>Marketing and Promotion</b>	11. Undertake marketing and promotion activities based on the results of stakeholder engagement in relation to naming and/or branding of the CBD.	Facilitation and Installation of CBD Street Banners. Ignite will be adopting the CBD Banner Campaign once the obligations under the City Development Partnership Program 2016/17 have been fulfilled.	Events Network	November 2016 and ongoing	
	13. Work with key stakeholders with the intent to form a CBD traders/retailers group.				
<b>Marketing and Promotion</b>	19. Provide free Wi-Fi locations in designated areas of the CBD.	Wi Fi activation in Church Street Rotunda and Skate Park	Western Plains Regional Council IT Team	January 2016: COMPLETED	Monday to Friday 5pm – 7pm at the Rotunda





**Community Priority: Access and Movement**

ignite theme	Bright Idea No.	Activity	Partners	Timing / Status	Results
Mixed vehicle engagement	17. Promote the location of free car parking spaces in the CBD through the installation of signage that allows for better way finding.	Activation of parking signage. Research feasibility of traditional or street art optional signs.		December 2016	
Pedestrian engagement	16. Investigate options for street closures or shared zones in the CBD.	Investigate options of shared zones. Shared zones ensure comfortable co-existence between bikes, pedestrians and cars.		December 2016	
Mixed vehicle engagement	3. Investigate the development of a program to encourage and allow street art within the CBD.  4. Encourage more public art in the CBD.  5. Facilitate artists to undertake murals on vacant walls around the CBD, where required.  15. Encourage laneway activation through better use of walkways for connectivity, facilities, shops and arcades, etc.	Investigate feasibility of activation of laneways through streets and Artist installation projects / campaigns		July 2017	
Mixed vehicle engagement	16. Investigate options for street closures or shared zones in the CBD.	Work with WPRC Parking Officers to implement parking audit of main Dubbo CBD streets, business and consumer trend parking.		December 2016	





	17. Promote the location of free car parking spaces in the CBD through the installation of signage that allows for better way finding.				
Mixed vehicle engagement	16. Investigate options for street closures or shared zones in the CBD.	Investigate feasibility of changes to existing parking regulations and conditions in the Dubbo CBD		December 2016	
Mixed vehicle engagement	17. Promote the location of free car parking spaces in the CBD through the installation of signage that allows for better way finding.	Changed rotation of parking attendant to ensure coverage is not predictable and encourage frequent of movement of vehicles to increase trade.		April 2016	COMPLETED. Favourable comments from businesses received.
Mixed vehicle engagement	16. Investigate options for street closures or shared zones in the CBD.  3. Investigate the development of a program to encourage and allow street art within the CBD.  4. Encourage more public art in the CBD.	Car Parking signage activation. Increase visibility of DUBBO CBD parking facilities by either traditional street signage or street art installations		July 2016	
Connectivity	19. Provide free Wi-Fi locations in designated areas of the CBD.	Wi Fi activation in Church Street Rotunda and Skate Park	Western Plains Regional Council IT Team	January 2016	COMPLETED
Mixed vehicle engagement	16. Investigate options for street closures or shared zones in the CBD.	Execution of Pedestrian audit in line with current regulations and conditions in the Dubbo CBD	WPRC	August 2016	





**Community Priority – Growth and Development**

Ignite theme	Bright Idea No.	Activity	Partners	Timing / Status	Results
Business engagement		Continuation of meetings with WPRC internal working staff group		Ongoing 2016/18	Scheduled meeting for the second Wednesday of every month at 3pm.
Business engagement		Maintain retail trend report and circulate to stakeholders. Reporting will include foot traffic counter numbers, Chamber business community revenue trends and shop holder commentary.	DCOC	Ongoing 2016/18	
Business development		Streamline development activation through assistance through WPRC planning and approval processes.		Ongoing 2016/18	
Business development		Facilitate business acumen training with Dubbo CBD businesses developed through Dubbo CBD Network.		As identified by CBD group for 2017	
Business engagement	22. Undertake a shopfront promotion competition.  13. Work with key stakeholders with the intent to form a CBD traders/retailers group.	Implement store activation through shop front activities such as: store front promotion, pop up stores, art installations		Ongoing 2016/18	
Marketing and Promotion		Communicate to business sector through the Dubbo Business Chamber – informing of events, opportunities and collaborations		Ongoing 2016/18	





**Community Priority – Business Activation**

ignite theme	Bright Idea No.	Activity	Partners	Timing / Status	Results
Business development	22.	Undertake a shopfront promotion competition.	Retail campaign. Regional focus promoting existing service center.	2017	Seasonal promotion: Smile its Christmas – Window dressing competition  Seasonal promotion: Dubbo CBD Easter Egg Hunt
	6.	Encourage after hours activation eg: themed evening precincts for dining, shopping and other activities.	Platform for business opportunity. 1 large event (Dream / Artlands) 2 x Business Activation programs (Smile it's Christmas)	Ongoing 2016/17	Facilitation of the Church Street Rotunda Markets
Business development	13.	Work with key stakeholders with the intent to form a CBD traders/retailers group.			
	7.	Investigate the creation of additional food markets eg: bridge-to-bridge festival with food and wine activities.			
	8.	Facilitate and encourage monthly markets in the CBD that are different from the current style of markets on offer in Dubbo.			







<b>Business development</b>	14. Make better use of the current Dubbo Events Network – Council to provide streamlined processes for festivals and events in the CBD.	Promote / Communicate leveraging opportunity to DUBBO CBD businesses with small to medium events in the city		Ongoing 2016	
<b>Business engagement</b>	13. Work with key stakeholders with the intent to form a CBD traders/retailers group.	Creation of Dubbo CBD Network and maintaining of contacts.	DCOC	June 2016	
<b>Business Development</b>	13. Work with key stakeholders with the intent to form a CBD traders/retailers group.	Engagement with principal retailers to collate postcode information to determine Dubbo CBD caption		April 2016	Postcode report secured from Myer via their Myer One card program to determine Dubbo CBD demographic pull.
<b>Business Development</b>		Research and initial development of Ignite Website and Facebook site to enable proactive promotion of all future DUBBO CBD activation and track community interaction.		June 2016	



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## REPORT: Application for closure of part of Tarwong Lane, Maryvale

**AUTHOR:** Director Wellington Branch

**REPORT DATE:** 10 June 2016

**TRIM REFERENCE:** ID16/1087

### EXECUTIVE SUMMARY

Col and Cheryl Klein (applicants), ratepayers in the former Wellington LGA, approached Council concerning dust management problems near their property. The Klein's were seeking a road closure, being part of Tarwong Lane, Maryvale beside their property to achieve an increase in amenity. A locality plan for this area indicating the subject section of Tarwong Lane is attached as **Appendix 4**. It is understood that this subdivision was undertaken in 1974.

Enquiry was made of the Lands Department Office on the question of closing part the road as an unnecessary Crown Road. The Lands Department was not prepared to accept the status of road as a Crown road for the following reasons;

- The road had been gravelled and maintained over the years by Council.
- A private water main was laid in the road. At the time of giving consent, Lands conditioned Council to accept the road as a public road.
- As a result, it was necessary to make application to close part of public Road.

The road had not been proclaimed a public road and application for it to be classified as a public road was then made. Gazettal of Tarwong Lane as a Public Road under the control of "Wellington Shire Council" occurred on 20 May 2016 (**Appendix 3**) eight days after the creation of Western Plains Regional Council but presumably this still has the effect of making it a Council public road as of today's date.

As a result of community consultation, it is recommended that Council not support the application for the closure of part of Tarwong Lane.

### FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

### POLICY IMPLICATIONS

There are no policy implications arising from this report.

**RECOMMENDATION**

**That Council not support a request for the closure of part of Tarwong Lane.**

*Karen Roberts*  
Director Wellington Branch

## REPORT

A Road Safety Audit was conducted by Constructive Solutions (**Appendix 1**) in November 2015 to address safety concerns relating to Tarwong Lane raised by the applicants. The recommendations of the report identified that all options regarding dust mitigation and resurfacing the lane would significantly increase the life cycle costs of maintaining a short section of the former Wellington Council's road network and are generally considered to be unviable. Sealing of this Lane may also set a precedent for other residents that are located near an unsealed road who may make application to Council to have those roads subsequently sealed. Council has estimated that the option of sealing the affected areas with the intention of reducing the dust impact in the area would cost in the vicinity of \$500,000 however this would only address those areas where existing dwellings exist.

After discussing the findings of the above report with the applicants they then submitted an application to purchase and close part of Tarwong Lane.

In considering the application to close this section of Tarwong Lane, the Lands Department requires community consultation for a proposed road closure. Based on the submissions received there is no general community support for closure of this section of Tarwong Lane.

### **Submissions received**

In total, 11 submissions were received from the 15 properties fronting Tarwong Lane:

#### **1. Tania and Rory Trappett – 9/248984**

**Do** have concerns about the closure

"I don't just have concerns I completely object to the road closure. We do not have highway access to our property, it is accessed solely through Tarwong Lane and you would be adding extra travelling time on a dirt road multiple times a day. Over the last 8years I have had 2 people stop for directions in relation to Ponto Falls Reserve and I have not experienced any concerns as to increased traffic flow in the lane or any associated dirt and noise problems."

#### **2. Richard Atkinson and Libby Bryant – 28/248984**

**Do** have concerns about the closure

"we officially object to the proposed closure of part of the Tarwong Lane as per the your correspondence 06.04.2016.

This property was purchased with an address of 44 Tarwong Lane and the access to the house was via Tarwong Lane. The property was purchased with the intent of the Tarwong access being from the official Tarwong Lane entrance, not via Twiggs Lane.

The proposal to force the access to this house via the Twiggs Lane represent significant inconvenience to our daily operations.

The option of access to the house on this property via Whiteley's Lane is not practicable or for consideration.

**3 Mark and Sheridan Redfern - 4/248984**

**Do** have concerns about the closure.

"We do not support any closures or restrictions of Tarwong Lane as this would have a profound impact on the access to our property."

**4 Ms Esther Grace & Ms Simone Grace - 21/1187137**

**Do** have concerns about the closure.

"We don't have dual access to highway. Tarwong is the only exit."

**5 Scott & Kim Francis - 8/248984**

**Do** have concerns about the closure.

"I do have concerns regarding this road closure. We use Tarwong Lane as access to our property. The area of Tarwong Lane that you wish to close is also a school bus drop off zone!"

**6 Paul & Cindy Barnes - 19/1187137**

**Do** have concerns about the closure.

- We believe this would create a safety hazard, as in the winter time the bottom of Maryvale hill is covered in fog which makes access onto the Mitchell highway extremely dangerous. Vehicles are travelling at 110 km per hour and you are literally pulling onto the highway blind.
- We leave for work in the dark every morning. My husband travels to Dubbo and I travel to Wellington. We use that exit because it has the best vision. Other people leave for work early in the morning, some work in Wellington and some work in Dubbo. For the people who work in Dubbo this would put an extra 4kms each way a day on their journey.
- If passing traffic is an issue then the road should be closed at the corner of Tarwong and Twiggs, this will create residential traffic only.
- We believe by denying access to the highway this could de-value our properties

**7 Matthew and Kylie Whale – 29/248984**

**Do** have concerns about the closure

A copy of the letter is annexed to the report in **Appendix 2**.

**8 Jan Steel**

**Do** have concerns about the closure.

“We have lived on the Tarwong subdivision for the past 37 years and for 37 years we have used Tarwong Lane to turn on our pump for our stock. The pipe site is on block 27 and we live on Whiteley’s Lane, block 29-32. Closure of Section Tarwong Lane would be a step backwards for us and fire trucks. Tarwong Lane is not used by Caravans or Trailers, when they go to Ponto they use Whiteley’s Lane. The dust is terrible, we have had 37 years of dust drifting up to our house which plays up with my Hayfever/Sinus. Perhaps Tar Whiteley’s Lane and Tarwong Lane”.

**9 Brett & Jennifer Conn**

**Do** have concerns about the closure.

Submission from Jennifer and Brett Conn copy annexed to the report in **Appendix 2**.

**10 Richard Tomkins**

**Do** have concerns about the closure.

A copy of the letter is annexed to the report in **Appendix 2**.

**11 Mrs W J Randall Ladner – 23/248984**

**Do** have concerns about the closure.

A copy of the letter is annexed to the report in **Appendix 2**.

**12 Warren Devrell**

Submission from resident not included in survey of Tarwong Lane residents.

A letter from a Twiggs Lane resident Warren Devrell - copy annexed to the report in **Appendix 2**.

**13 Colin & Cheryl Klein**

Copy of letter in support of closing part Tarwong Lane attached in **Appendix 2**.

*“In the initial subdivision of “Tarwong” it is believed a Council requirement was for all blocks created on the western side were to use Whiteley’s Lane as their access. Tarwong Lane was a Crown Land and as such Council had no responsibility for its care, control and management. Unfortunately, the file on the subdivision in 1974 has been lost. There has been no decision by Council to perform work on Tarwong Lane but somewhere along the line Council staff decided it was a good idea to do some grading work. This blew out to gravel sheeting and ongoing maintenance.*

*Following this, the occupiers of the blocks on the western side of the land developed their main access onto Tarwong Lane, contrary to Council’s decision at the time the subdivision was undertaken.*

*As a result of those improvements, traffic movements are now causing horrendous dust problems at my house, not only from local traffic but mainly from through traffic going to the Ponto Reserve and along the Ponto Road generally in so doing bypassing Whiteley Road and other properly constructed roads.*

*The through traffic tend to travel at high speeds and, in so doing, maximise the amount of dust created.*

*Ongoing representation to Council has resulted in an offer to seal 100m of the lane. In our opinion 100m of Tar sealing would be a “drop in the ocean” and would only result in more traffic going faster. At least 500m’s of Tar would be necessary to make any difference to the amount of dust created.*

*Suggestions that speed humps be placed on Tarwong Lane to slow traffic down were dismissed on the basis that “the road environment does not fit the warrant for speed humps”, what?*

*Contrary to the representation being made by us, a decision was taken by staff to widen the Tarwong Lane access to the highway and a huge “Tarwong Lane” sign erected to encourage more traffic.*

*As previously mentioned, the increasing usage of Tarwong Lane is creating a severe dust problem at my home and is producing unhealthy problems associated with water quality, washing, clean air etc.*

*It is felt that the best option to overcome the problem is to close a short section of Tarwong Lane to prevent speeding through traffic but still allow those visiting the lane for access to do so.*

*Proposal*

*The proposal is for Council to close approx. 200m of Tarwong Lane to prevent unnecessary through traffic and thus reduce the ongoing dust problems. There are other roads that provide adequate access to the Ponto area.*

*This proposal is supported by Council staff (see letter attached). It should be noted that at least one death has already occurred at the junction of the lane and the highway.*

*The supporting letter should be read in conjunction with this request. We as owners of Lots 5, 6 & 7 in the Tarwong subdivision are prepared to pay all costs associated with the road closure and purchase.*

*A copy of the plan showing the section of the Tarwong Lane proposed to be closed is attached. Acceptance of this proposal would be greatly appreciated.”*

**SUMMARY**

Based on the results of the public consultation period, there is no support from affected residents to the proposal of closing this section of Tarwong Lane. The majority of submissions have expressed concern with using alternative routes to access their property should this section of Tarwong Lane be closed as per the associated application.

Initial investigations into costings associated with sealing Tarwong Lane with the intention of reducing dust impact are also unviable with estimated costs indicating approximately \$500,000 required to address this issue.

It is therefore recommended that Council not support the application to close the subject section of Tarwong Lane.

Appendices:

- 1 Constructive Solutions Report - November 2015
- 2 Submissions
- 3 Crown Lands Notice
- 4 Tarwong Lane Locality Plan and Subject Section of Lane





*Realising potential*

2 November 2015

Karen Roberts  
General Manager  
Wellington Council  
PO Box 62  
Wellington NSW 2820

Dear Karen,

**Re: Tarwong Lane**

---

Please find below under relevant headings commentary relating to Tarwong Lane.

**Road Condition**

Tarwong Lane is a narrow winding unsealed road that runs from the Mitchell Highway to Twiggs Road. The road is approximately 1.8km long and there is no sign posted speed limit. The roads alignment avoids a number of constraints including trees, power poles, driveways and fencing particularly at the northern end. It is estimated from digital imagery that the road services approximately 10 rural residential allotments.

The formation is variable between 3.0 and 5.0m wide and has variable thickness pavement material residing over red insitu clays. On the day of the inspection the conditions were wet after a short shower of rain.

There are minimal drainage facilities with the majority of the water running adjacent to the pavement along the road. There is also minimal delineation and signage.

**Safety**

The alignment, roadside hazards, and variability in pavement condition all contribute to a higher risk of road related incidents, however it is envisaged that the traffic volumes are low. No vehicles were sighted during the inspection.

The conditions described are likely to result in lower traffic speeds if the motorists are driving in accordance with the prevailing conditions. Failure to recognise the prevailing conditions, and associated limitations, would likely result in a vehicle either leaving the roadway or colliding with a hazard within the clear zone. The condition and hazards along Tarwong Lane are not unique to this road, in comparison with other roads in the Shire, however the frequency of

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Phone 02 6762 1969  
Fax 02 6762 1969  
[admin@constructivesolutions.com.au](mailto:admin@constructivesolutions.com.au)

issues are probably greater than the majority of the rest of the unsealed road network.

### **Dust Mitigation**

Dust generated from the road pavement fines are a result of the gravel ravelling under dry conditions. There are three primary strategies that could be used to suppress dust which include:

- Increasing the frequency of maintenance grading ensuring adequate water is incorporated to improve cohesion and reduce the loss of fines. This could also be supported by the use of a water cart under dry conditions.
- Lime stabilisation of the road to increase the strength of the road pavement, reducing the rate of ravel, and binding some of the fines.
- Sealing the road which would prevent ravelling and the exposure of fines. This would also require significant road realignment and pavement works.

All options listed above will significantly increase the life cycle costs of maintaining a short section of the Council's road network and are generally considered to be unviable. Sealing may also set a precedent for other residents that are located near an unsealed road.

If you would like any further commentary in relation to Tarwong Lane please let me know.

Yours faithfully,



Ben Rossiter  
Project Engineer

WELLINGTON COUNCIL  
 SURVEY OF TARWONG LANE PROPERTY OWNERS  
 PROPOSAL TO CLOSE PART OF TARWONG LANE

Drawing of the proposed closure

I have **no** objection to the proposed road closure  please tick which applies  
 I **do** have concerns about the proposed road closure

Comments on the proposal;

I don't just have concerns I completely object to the road closure, we do not have Highway access to our property it is accessed solely through Tarwong Lane & you would be adding extra travelling time on a dirt road multiple times a day. Over the last 8 years I have had 2 people stop for directions in relation to Porto Falls Reserve and I have not experienced any concerns as to increased traffic flow in the lane or any associated noise or dust problems.  
 Tania & Rosy Trappett

Please return completed survey to PO Box 62, Wellington 9/248984

Richard Atkinson and Libby Bryant  
"Limestone"  
44 Tarwong Lane  
MARYVALE NSW 2820  
26/04/2016

Don Cottee  
A/Civil Services Manager  
Wellington Shire Council

Subject: Proposed closure of Tarwong Lane

Dear Mr Cottee

We officially object to the proposed closure of part of the Tarwong Lane as per your correspondence 06.04.2016.

This property was purchased with an address of 44 Tarwong Lane and the access to the house was via the Tarwong Lane. The property was purchased with the intent of the Tarwong access being from the official Tarwong Lane entrance, not via Twiggs Lane.

The proposal to force the access to this house via the Twiggs Land represent significant inconvenience to our daily operations.

The option of access to the house on this property via Whiteleys Lane is not practicable or for consideration.

Yours sincerely,

  
Richard Atkinson and Libby Bryant


For  
Correspondence  
R Atkinson & L Bryant  
Dm 1112-2 8 APR 2016



1

**WELLINGTON COUNCIL**  
**SURVEY OF TARWONG LANE PROPERTY OWNERS**  
**PROPOSAL TO CLOSE PART OF TARWONG LANE**

Drawing of the proposed closure



I have no objection to the proposed road closure  please tick which applies  
 I do have concerns about the proposed road closure

Comments on the proposal:

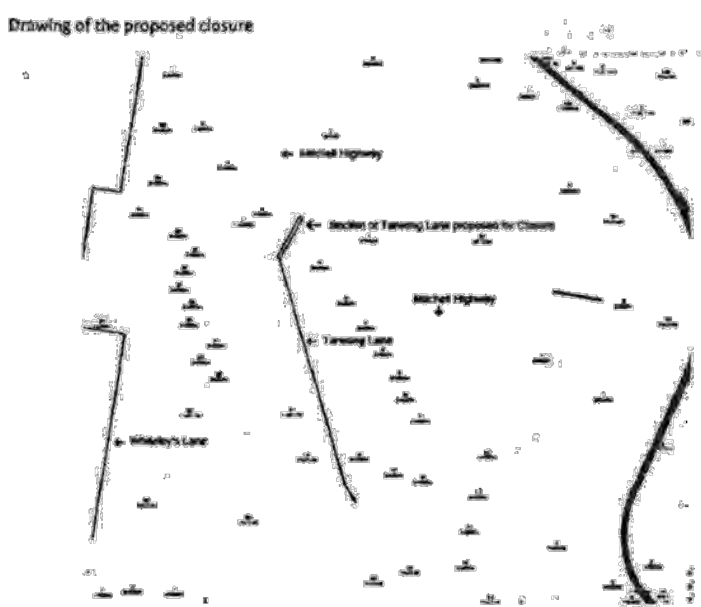
*We don't have dual access to Hwy,  
Tarwong is our only exit*

Please return completed survey to PO Box 52, Wellington 21/2187157

WELLINGTON COUNCIL  
Submitted By: DM  
Correspondence No: DM/1112

**WELLINGTON COUNCIL**  
**SURVEY OF TARWONG LANE PROPERTY OWNERS 22 APR 2016**  
**PROPOSAL TO CLOSE PART OF TARWONG LANE**

Drawing of the proposed closure



I have no objection to the proposed road closure  please tick which applies  
I do have concerns about the proposed road closure

Comments on the proposal:

I do have concerns regarding this road closure. We use Tarwong Lane as access to our property. The area of Tarwong Lane that you wish to close is also a school bus drop off zone!!

Please return completed survey to PO Box 62, Wellington 8/248384

WELLINGTON COUNCIL  
on By CAM  
Reference No. 15/1187137  
Anonymous  
Div 1112  
20 APR 2016

WELLINGTON COUNCIL  
**SURVEY OF TARWONG LANE PROPERTY OWNERS**  
**PROPOSAL TO CLOSE PART OF TARWONG LANE**

Drawing of the proposed closure

Section of Tarwong Lane proposed for Closure

Whaley's Lane

Tarwong Lane

I have no objection to the proposed road closure  please tick which applies

I do have concerns about the proposed road closure

Comments on the proposal:

**PLEASE READ ATTACHED SHEET.**

Please return completed survey to PO Box 62, Wellington 19/1187137



IN REPLY TO YOUR PROPOSAL TO CLOSE TARKONG LANE ON THE MITCHEL HIGHWAY.

\* WE BELIEVE THIS WOULD CREATE A SAFETY HAZARD AS IN THE WINTER TIME THE BOTTOM OF MARYVALE HILL IS COVERED IN FOG WHICH MAKES ACCESS ONTO THE MITCHEL HIGHWAY EXTREMELY DANGEROUS. VEHICLES ARE TRAVELLING AT 110 KM/HR → YOU ARE LITERALLY PULLING ONTO THE HIGHWAY BLIND.

\* WE LEAVE FOR WORK IN THE DARK EVERY MORNING. MY HUSBAND TRAVELLS TO DUBBO → I TRAVELL TO WELLINGTON. WE USE THAT EXIT BECAUSE IT HAS THE BEST VISION. OTHER PEOPLE LEAVE FOR WORK EARLY IN THE MORNING, SOME WORK IN WELLINGTON → SOME WORK IN DUBBO. FOR THE PEOPLE WHO WORK IN DUBBO THIS WOULD PUT AN EXTRA 4 KMS EACH WAY A DAY ON THEIR JOURNEY.

\* IF PASSING TRAFFIC IS A ISSUE THEN THE ROAD SHOULD BE CLOSED AT THE CORNER OF TARKONG → TNRGS, THIS WILL CREATE RESIDENTIAL TRAFFIC ONLY.

\* WE BELIEVE BY DENYING ACCESS TO THE HIGHWAY COULD DEVALUE OUR PROPERTIES.

**WELLINGTON COUNCIL**

**SURVEY OF TARWONG LANE PROPERTY OWNERS**

**PROPOSAL TO CLOSE PART OF TARWONG LANE**

Drawing of the proposed closure

I have no objection to the proposed road closure  please tick which applies

I do have concerns about the proposed road closure

Comments on the proposal;

See Attached Letter

**WELLINGTON COUNCIL**  
For Action By **DM**  
Correspondence No. **DM/1112**  
Please return completed survey to PO Box 62, Wellington

**19 APR 2016** 29/248984

M &amp; K Whale

## Tarwong Lane closure

Dear Don,

We are writing to you in regards to the proposed closure of part of Tarwong Lane.

We use this lane quite regularly to check our solar pump which is situated on "Limestone" property. We just drive up the little lane that adjoins tarwong lane to do this. If this part of Tarwong lane was to close we would have to go a long way out of our way to do this daily task.

A lot of people would have to change the location of their mailboxes which would cause inconvenience to the post delivery as we looked into this once to have them moved but the deliver found this more of a problem.

There is no increase of traffic using this road( Tarwong Lane) to go to Porto Falls, they all go done Whiteley's Lane which I may say is only sealed to our mailbox then dirt the rest of the way. This causes a lot of dust been sent through our house and this is health risk too. Or they go down Porto Falls Road.

For the people who work in Dubbo or have children travelling to Dubbo/ wellington on a daily basis that live close to this exit would find this a major inconvenience causing them to waste time finding alternate route which will need major up keep from the increase traffic going to use them. Twiggs lane needs some maintenance now as it is. What about really wet weather, are these roads up to high traffic???

There is one family that needs to use Tarwong Lane daily as it's their ONLY entry point, no other alternative. The council needs to look into fixing up the highway entry points which we were told years ago that slip lanes were going to be put in, but nothing has progressed.

The adjoining property owner needs to take into consideration they rarely use this lane as they have a main entry lane (which is dirt too), this is a rural area, any forms of events are going to cause dust ( stock moving around paddocks, neighbors ploughing paddocks to sow crops and then there's harvest time). We are in great need of rain, each season is different.

We strongly oppose the part closure of Tarwong Lane. To benefit one person will disrupt many.

Kind Regards,

Mathew &amp; Kylie Whale

WELLINGTON COUNCIL

For attention of

Correspondence No.

19 APR 2016

WELLINGTON COUNCIL  
 CIVIL ENGINEERING  
 044/1112  
 19 APR 2016  
 WELLINGTON COUNCIL  
 SURVEY OF TARIWONG LANE PROPOSED CLOSURE  
 PROPOSAL TO CLOSE PART OF TARIWONG LANE

Drawing of the proposed closure

I have no objection to the proposed road closure  please tick which applies  
 I do have concerns about the proposed road closure

Comments on the proposal:

WE HAVE LIVED ON THE TARIWONG SUBDIVISION FOR THE PAST 37 YEARS & FOR 37 YEARS WE HAVE USED TARIWONG LANE TO TURN ON OUR PUMP FOR OUR STOCK. THE PIPE SITE IS ON BLOCK 27

AND WE LIVE ON WHITCOMBS LANE BLOCK 29-32. CLOSURE OF SECTION TARIWONG LANE WOULD BE A STEP BACKWARDS FOR US & FIRE TRUCKS PTO

Please return completed survey to PO Box 62, Wellington. 27/12/2015

TARWONG LANE IS NOT USED  
BY CARAVANS, TRAILERS TO GO TO  
PONTO, THEY USE WHITELEYS LANE.  
THE DUST IS TERRIBLE.  
WE HAVE HAD 37 YEARS OF DUST  
DRIFTING UP TO OUR HOUSE,  
WHICH PLAYS UP WITH MY HAYFEVER/  
SINUS. PERHAPS TAR WHITELEYS LANE &  
TARWONG LANE.  
THANK YOU FOR TAKING THE TIME  
TO READ MY CONCERNS FOR PROPOSED  
ROAD CLOSURE TARWONG LANE.

Jan Steel

15<sup>TH</sup> APRIL 2016

WELLINGTON COUNCIL  
Correspondence Officer  
MELBOURNE VIC 3000

Jennifer and Brett Conn  
"Eagles Nest"  
Tarwong Lane Wellington 2820

15 APR 2016

Wellington Council  
PO Box 62  
WELLINGTON NSW 2820

**Attn: Acting Civil Services Manager**

Dear Mr Coffee

**Re PROPOSED CLOSURE OF TARWONG LANE AND SALE OF PART ROAD**

We refer to your letter dated the 8<sup>th</sup> of April and the attached map. We vehemently object to the closure of Tarwong Lane for the for the following reasons:

1. It is our usual and main access to the Mitchell Highway.
2. There would be no benefit in creating a rural cul de sac. There is no loss of amenity in our area by the use of Tarwong Lane.
3. We do not feel that there is a great deal of traffic along the road and some dust is a problem for any properties in Rural NSW that have dirt road frontage. (of which there are many) This can be alleviated by individual property owners implementing individual strategies to combat dust. The dust in our area is not solely from the use of the road, it comes from farming and grazing in our area as well.
4. In respect of the intersection itself, it is no less safe than accessing a driveway from the Mitchell Highway. There are many of those between Geurie and Wellington. Twiggs Road is not a better intersection as visibility is low and our vision is obstructed by long grass. My husband and I have both hit kangaroos with our vehicles along Twiggs road and it is safer for us to take the shortest route to the Mitchell Highway, especially during dawn and dusk where kangaroos are very active in our area.
5. The Ponto Falls reserve area is easily and mostly accessed by Ponto Falls Road and we do not notice any substantial traffic along Tarwong Lane except for our neighbours and the occasional Sunday driver.
6. The noise from the Mitchell highway would be conservatively 98 % greater than Tarwong Lane traffic noise. It is definitely not a point to consider at all when deciding the proposal.
7. The Tarwong Lane River Scheme pipeline and access points to properties are located along Tarwong Lane. If the road is closed and acquired by an adjoining property owner we would be required to go to the expense of getting an easement for access to the pipeline. The very reason that all landowners on the scheme agreed to apply to have the pipeline along the Lane was to avoid this very thing from occurring.

Page 1

The landowner that we assume has registered their interest to close the road is also on the Scheme and agreed to the pipeline going along Tarwong Lane 10 years ago. This arrangement was suitable to them at the time and for a further 8 years and closing the road would be of detriment to all other landowners located along Tarwong lane in respect of Highway and water pipeline access. The only property owner that would stand to benefit from this arrangement is the one who has registered their interest to close the road. That property has laneway access to the Mitchell Highway.

8. If the safety of turning traffic is an issue, then we would be pleased to assist Council to make a submission to the RMS to have the intersection upgraded.


Please feel free to Contact us at any time to discuss this matter further. We look forward to hearing from you once all of the survey results are in and a report is prepared for Council.

We look forward to hearing from you

Jennifer and Bratt Conn  
"Eaglesnest"  
97 Tarwong Lane



Mail to PO BOX 136 Wellington 2820



**From:** "Tomkins, Richard" <Richard.Tomkins@boral.com.au>  
**Sent:** Thu, 14 Apr 2016 12:13:31 +1000  
**To:** "Records Section" <Records@wellington.nsw.gov.au>  
**Subject:** Attention Don Cottee re Tarwong lane proposed closure of and Sale  
**Attachments:** image002.jpg; ATT00001.htm; MFGREY03\_GREYP76\_UF\_1163\_001.pdf; ATT00002.htm  
Dear Mr Cottee,

Please find my objection attached to the proposed road closure of Tarwong lane.

Kind Regards, Richard Tomkins

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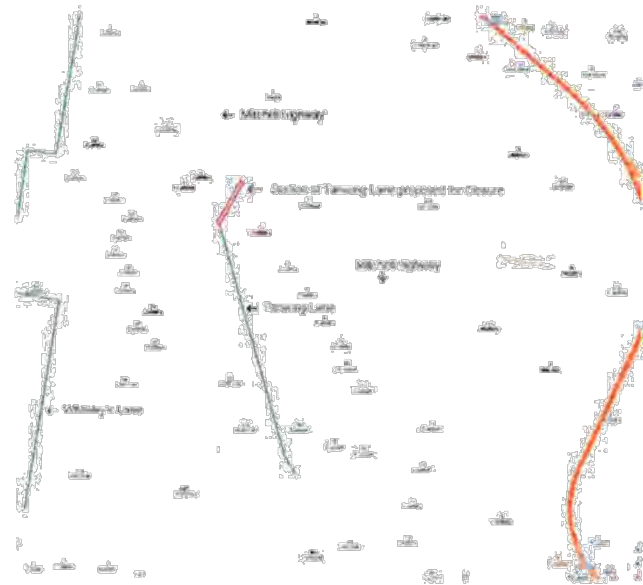


WELLINGTON COUNCIL

SURVEY OF TARWONG LANE PROPERTY OWNERS

PROPOSAL TO CLOSE PART OF TARWONG LANE

Drawing of the proposed closure



I have no objection to the proposed road closure  please tick which applies  
 I do have concerns about the proposed road closure

Comments on the proposal: Dear Sir, I strongly object to the sale of any part of Tarwong Lane. My house is located on the Tarwong Lane end of my property with no all weather access from Whitelys Lane. The sale of this

Please return completed survey to PO Box 62, Wellington

22/748984

Road would result in additional kms (2.5) of travel to my home each day both ways (5kms in total) when heading to Dubbo kind Regard P. L. Q.

**File Tarwong Lane  
Closure - Submission**

**WELLINGTON COUNCIL**

**SURVEY OF TARWONG LANE PROPERTY OWNERS**

**PROPOSAL TO CLOSE PART OF TARWONG LANE**

Drawing of the proposed closure

I have no objection to the proposed road closure:  please tick which applies

I do have concerns about the proposed road closure:

Comments on the proposal:

**I HAVE A VERY STRONG OBJECTION TO CLOSING TARWONG LANE**  
**SEE ATTACHED**

Please return completed survey to PO Box 62, Wellington

23/248204

**I DO HAVE CONCERNS ABOUT THE PROPOSED ROAD CLOSURE**

\*When we bought our block 29 years ago, and applied for a building permit, one of the conditions of approval was that we had access from the front as it was closer to the building site. At that time we had no access through our property via the back gate on Whiteley Lane, which is still the case.

\*Because of the need for front access, we developed a road down to Tarwong Lane and put in a stock grid and never used the back gate

\*Our mail box is at the end of Tarwong Lane. Will I be expected to drive as far as I can and then climb over two fences to check my mail?

\*To travel the other way down Tarwong Lane to Twiggs Lane would give me at least 3 times the distance of dirt road, which will not do my car any good.

\*Twiggs Lane is not a safe road to travel on, if more vehicles are using it, too narrow and has bends and does not get upgraded any more than Tarwong Lane does

\*It is much safer to travel on as little dirt road as possible, especially in bad weather, that is why I have always chosen to use that end of the lane as it is closer to my gate. I do not drive a 4 wheel drive vehicle, my car is only small, so I feel unsafe driving on too much dirt.

\*I have been using the intersection on Tarwong Lane all these years and I have never had any near misses or trouble turning on or off the road

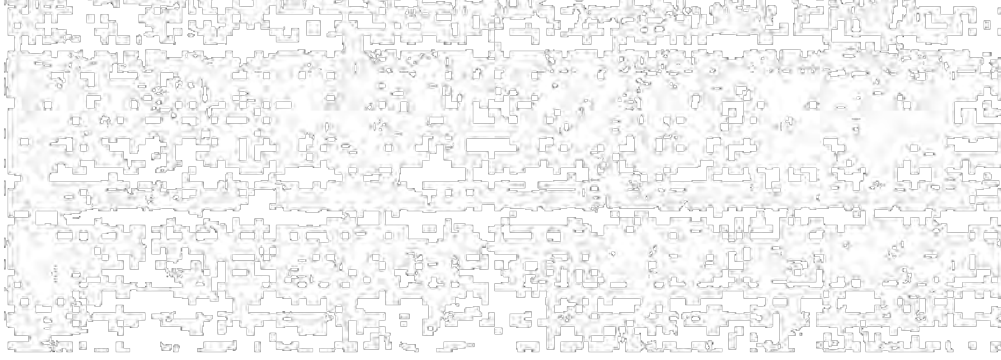
\*If the Kleins do not like the dust why cannot Council put a dust strip in for them, why do the residents who live on the Lane and pay their rates have to be inconvenienced

\*You mention the intersection at the highway being unsafe, well the first property will have to use it because that is their only way in. If it is safe enough for them to use, well there should be no problem with the rest of us using it. So it boils down to an issue of dust for one property.

\*It is bad enough living on a dirt road that does not get maintained very well without having to travel further than need be and put myself at risk just because someone who does not have to use a dirt road does not like the dust

*ANOTHER ALTERNATIVE IS TO CLOSE TWIGGS LANE UP AT PONTO FALLS TO STOP*

*ALL THE THROUGH TRAFFIC*



"TARWONG"  
MAYVALLE NSW  
For Correspondence 31/3/16  
- 1 APR 2016

The General Manager,  
Wellington Council  
P.O. Box 62  
Wellington NSW 2820  
Dear Madam,

Proposal to Close & Resurface Unnecessary  
Road - Part Tarwong Lane

In the initial subdivision of "Tarwong"  
it is believed a Council requirement was  
for all blocks created on the western side  
were to use Whitely Road as their access.  
Tarwong Lane was a brown lane and, as  
such, Council had no responsibility for  
its care, control and management.

Unfortunately the file on the subdivision  
in 1974 has been lost.

There has been no decision by Council  
to perform works on Tarwong Lane but,  
somewhere along the line, Council staff  
decided it was a good idea to do some  
grading work. This blew out to gravel  
sheeting and on-going maintenance.

Following this the occupiers of the  
blocks on the western side of the lane  
developed their main access onto Tarwong

lane contrary to Council's decision at the time the subdivision was undertaken.

As a result of these improvements traffic movements are now causing horrendous dust problems at my lane, not only from local traffic but mainly from through traffic going to the Porto Reserve and along the Porto road generally in so doing bypassing Whiteby Road and other properly constructed roads.

The through traffic tend to travel at high speeds and, in so doing, maximise the amount of dust created.

Ongoing representation to Council has resulted in an offer to seal 100m of the lane. In an area of 100m's of tar sealing would be a "drop in the ocean" and would only result in more traffic going faster. At least 500m's of tar would be necessary to make any difference to the amount of dust created.

Suggestions that speed humps be placed on Torway lane to slow traffic down was dismissed on the basis that "the road environment does not fit the scenario for speed humps" what!

Contrary to the representation being

made by us, a decision was taken by staff to widen the Tarway lane access to the highway and a huge "Tarway Lane" sign erected to encourage more traffic.

As previously mentioned, the increasing usage of Tarway lane is creating a severe dust problem at my home and is producing unhealthy problems associated with water quality, working clean air etc.

It is felt that the best option to overcome the problems is to close a short section of Tarway lane to prevent speeding through traffic but still allow those using the lane for access to do so.

#### Proposal

The proposal is for Council to close approx. 200 metres of Tarway lane to prevent unnecessary through traffic and thus reduce the ongoing dust problems. There are other roads that provide adequate access to the Pato area.

This proposal is supported by Council staff (see letter attached). It should be noted that at least one death has already occurred at the junction of the lane and the highway.

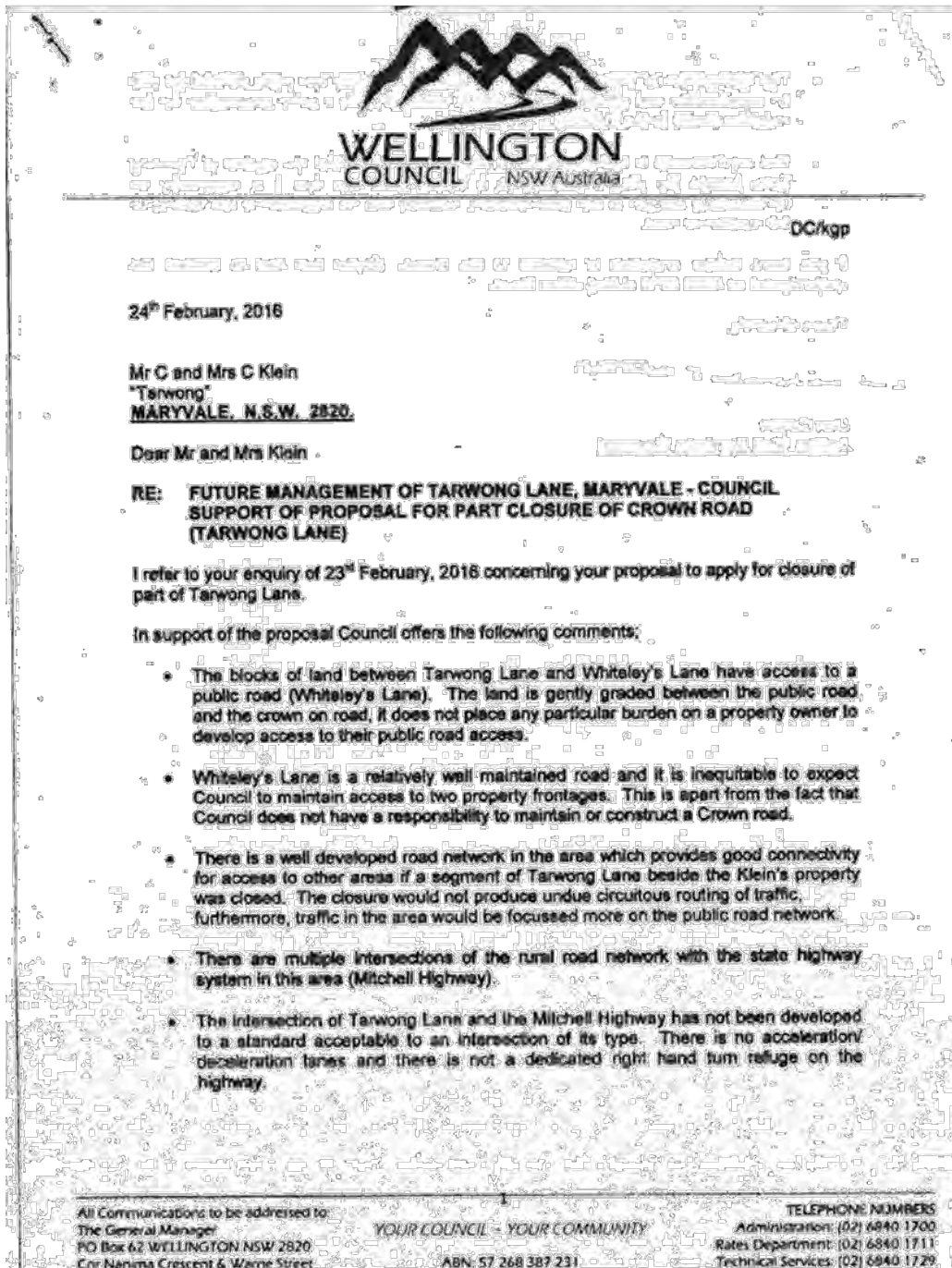
The supporting letter should be read  
in conjunction with this request.

We as owner of Lot 3,697 in  
the Townsley subdivision are prepared to  
pay all costs associated with the  
road closure and purchase.

A copy of the plan showing the  
section of the Townsley lane proposed  
to be closed is attached.

Acceptance of this proposal would  
be greatly appreciated

Yours  
[Signature]






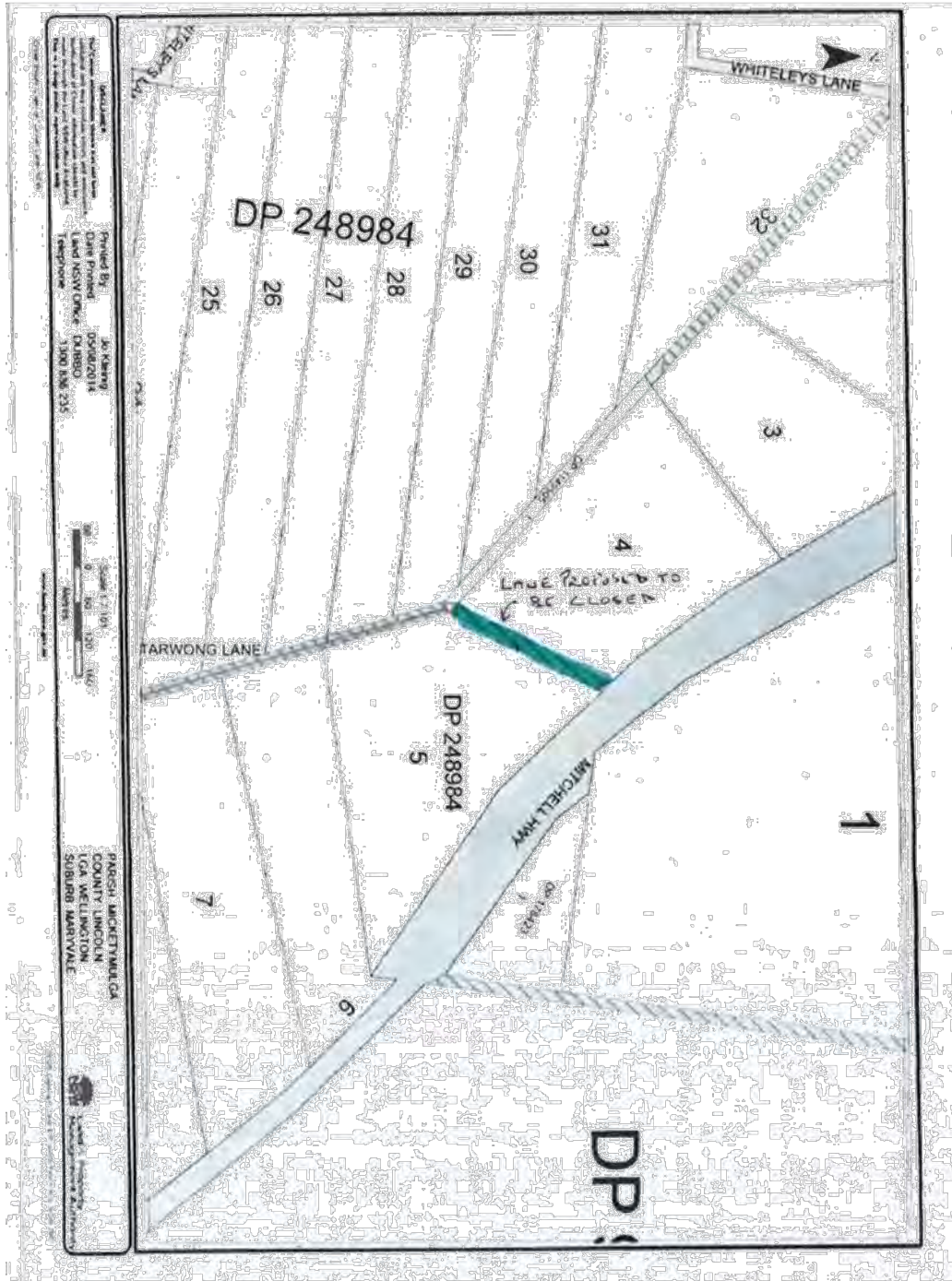
• The intersection of Twiggs Lane and the Mitchell Highway has been developed with an acceleration and deceleration lane and would provide a safer connection for the neighbourhood to the highway.

• The road network is well developed in the area and given that the section of Tarwong Lane beside the Klein's property is a Crown road and that it is essentially an unnecessary section of the road network, Council has no objection to the closing of this section of road.

If you have further enquires in relation to the above, please feel free to contact the undersigned on 8840 6418 during office hours.

Yours sincerely,

  
**Don Cottee**  
**Acting Civil Services Manager**



PO Box 31  
 GEURIE NSW 2818  
 29<sup>th</sup> April 2016

The General Manager  
 Wellington Council  
 PO Box 62  
 WELLINGTON NSW 2820  
 Attention: Don Cottee

Dear Sir

I refer to your letter dated 8<sup>th</sup> April 2016 regarding closure of the part of Tarwong Lane providing access to the Mitchell Highway. Firstly I apologise for my slight delay in responding to your letter however as my property fronts Twiggs Road I did not receive your advice personally and had to rely on a copy from somebody else. As you state that Tarwong Lane is a "Public Road" it would appear that you have an obligation to inform the "public" and not just a restricted mail out based apparently on your perception of who might be affected. I am affected just as much as anybody living in Tarwong Lane and depend on it for my access to the Highway when I am heading towards Geurie or Dubbo etc. Denial of access would require travelling several kilometres further either via Twiggs, Ponto, Whiteleys or Twiggs, Phillipsons or all the way down Twiggs to the Highway where the acceleration lane is minuscule. There are also no acceleration/deceleration lanes at Phillipsons or Whiteleys. I would do this return trip at least 5 times each week so additional fuel costs will be significant. Whilst you state there is no safe right turn off the Highway into Tarwong Lane this applies equally at the alternatives and even more so to anybody turning right or left to or from private driveways with restricted sight lines such as the properties Tarwong and Wondella. I am sure there is nobody living in Tarwong Lane who wants to avail themselves of a "unique opportunity to create a rural cul-de-sac" at the expense of much increased travel costs and there are several people there who have no adequate alternative access to the Highway. The solution to this problem would appear to be improvements to the Highway and signage and not road closures, which inconvenience the many to satisfy the few. The dust problems, which occur to everybody, who choose to live adjacent to a dirt road are part of living in the country and your proposal only protects one property. Planting quick growing trees, shrubs and creepers on property borders with the dirt road can solve this problem and there is a very good example of this in Tarwong Lane.

Yours Faithfully

  
 Warren Devrell  
 Joint Owner 160 Twiggs Road

WELLINGTON COUNCIL  
 For the Mayor  
 Correspondence to  
 (Warren Devrell)  
 014/1112  
 - 3 MAY 2016

12

WESTON COUNCIL  
For: \_\_\_\_\_  
Contact: \_\_\_\_\_

29 APR 2011

Tourey  
Marsden 2820  
27/4/16

The General Manager  
Wellington Council  
Wellington 7150 2820  
Dear Madam,

Tourey Lane - Proposed Closure

I refer to the above and in further support of my application to close a section of Tourey Lane I would like to submit as follows -

1/ Council Expenditure  
Tourey Lane is/was a Crown Land and such should never have improved by Council.  
Such improvement resulted in blocks on the western side of the lane using it as their access. Their legal access is via Whiteley Lane.  
The existing access to Tourey Lane should not be there

2/ Traffic Issues  
It would seem that the increased usage of Pate Falls reserve and the increasing residential buildings along the Pate Road has substantially increased

the traffic movement

Council's ridiculous dual occupancy policy is expected to further compound the problem.

The section of Tawaray Lane adjoining my property is a straight and level one-way speeding and associated dust.

### 3/ Traffic Safety

Council's letter of 8/4/16 emphasises the fact that there is no shortage of access roads in the Tawaray / Porto / Maryvale area and, in fact Tawaray Lane is surplus to needs.

Other aspects pointed out by Council are +

a/ The intersection of Tawaray Lane and the highway has not been developed to an acceptable standard. In fact there has already been one death as a result.

b/ Tawaray Lane provides a much better intersection for traffic wishing to access Tawaray Lane and the Porto area.

#### 4/ Mail Boxes

The continuing proliferation of mail boxes at the highway corner should be stopped and, in fact, removed.

They create a further dangerous situation at the intersection.

The mail contractor has complained to me that there is no official postal address on "Tansary Lane". All existing mail boxes should be removed and relocated to Whiteley Lane - the proper address for the Western blocks.

The boxes should not be there

#### 5/ Health Aspect

The continual dust problem is not helping to improve the amenity or health of all residents in the area.

My wife suffers from diabetes and her condition is continually being exacerbated by the dust. In fact we cannot get a clear drink of water, have a clear shower or run a clear bath.

Because of my location and the prevailing wind direction I catch the brunt of all dust.

### 6/ Summary

The simplest and most solution to reducing the dust problem (which was created by Council) is to prevent through traffic from entering or exiting Tarway Lane from/to the Highway.

As mentioned earlier there are adequate access to and from the Lane which would provide -

- greater safety
- better health outcomes
- less Council expenditure
- improved amenity for the area

### 7/ Conclusion

The purpose of my application and this submission is to appeal to Council to close a small section of Tarway Lane for the general good of the area.

Closure would seem to be a win-win situation

In my application I have offered to pay all costs associated with the closure and purchase of the Lane.

Favourable consideration of my application would be appreciated

Yours  
 Clarke

## Crown Lands Notices

1300 886 235 [www.crownland.nsw.gov.au](http://www.crownland.nsw.gov.au)

### ARMIDALE OFFICE

#### NOTICE OF PURPOSE OTHER THAN THE DECLARED PURPOSE PURSUANT TO SECTION 34A (2) (b) OF THE CROWN LANDS ACT 1989

Pursuant to section 34A (2) (b) of the *Crown Lands Act 1989*, the Crown reserve(s) specified in Column 2 of the Schedule is to be used or occupied under a relevant interest granted for the purpose(s) specified in Column 1 of the Schedule where such use or occupation is other than the declared purpose of the reserve.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

#### Schedule

Column 1	Column 2
Sewerage Pipeline	Reserve No 42983 Public Purpose: Temporary Common Notified: 19 August 1908 File Reference: 14/06403 Reserve No 753314 Public Purpose: Future Public Requirements Notified: 29 June 2007 File Reference: 14/06403

### DUBBO OFFICE

#### ROADS ACT 1993

#### ORDER

Transfer of a Crown Road to a Council

In pursuance of the provisions of section 151, *Roads Act 1993*, the Crown road specified in Schedule 1 is transferred to the Roads Authority specified in Schedule 2 hereunder, as from the date of publication of this notice and as from that date the roads specified in Schedule 1 cease to be a Crown road.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

#### Schedule 1

*Parish – Micketymulga; County – Lincoln  
Land District – Wellington; LGA – Wellington Council*

Crown road highlighted red on diagram hereunder.



#### Schedule 2

Road Authority: Wellington Council  
File Ref: 16/03594 – W566575  
Council Ref: DC/kgp

#### FORFEITURE OF HOLDING

Pursuant to Part 6 of the *Crown Lands Act 1989*, the undermentioned holding is declared to be forfeited.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

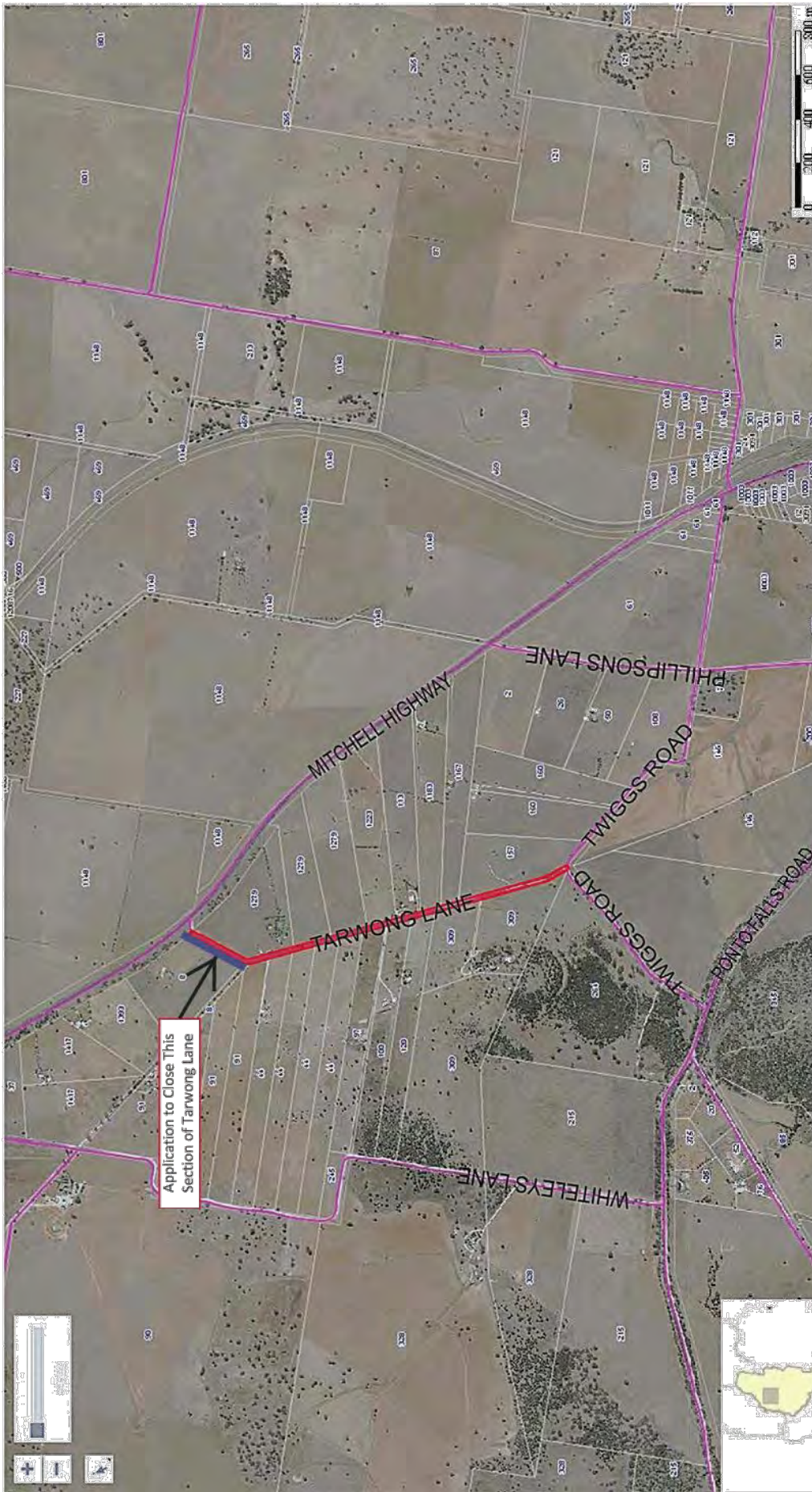
Holding:	Special Lease 80342, formerly Special Lease 1955/3 Walgett
Land District:	Walgett
Parish:	Walgett
County:	Denham
Local Government Area:	Walgett Shire Council
Name of Lessee:	Creen Pty Ltd
Area Forfeited:	Lot 45 DP 752271 of 3048m <sup>2</sup>
Effective Date of Forfeiture:	4 December 2014
Reason for Forfeiture:	Non-payment of rent and holding abandonment
File Reference:	15/09975

### GOULBURN OFFICE

#### NOTICE OF PURPOSE OTHER THAN THE DECLARED PURPOSE PURSUANT TO SECTION 34A (2) (b) OF THE CROWN LANDS ACT 1989

Pursuant to section 34A (2) (b) of the *Crown Lands Act 1989*, the Crown reserve(s) specified in Column 2 of the Schedule is to be used or occupied under a relevant interest granted for





## REPORT: Administrators Appointments

**AUTHOR:** Administrator

**REPORT DATE:** 15 June 2016

**TRIM REFERENCE:** ID16/1109

To the Council  
Ladies and Gentlemen

Office of the Administrator  
Civic Administration Building  
Church Street, Dubbo

I report on my appointment following the proclamation by the NSW Governor of the Western Plains Regional Council on 12 May 2016.

### **13 May 2016**

- Attended Ministerial Briefing in Sydney.

### **14 May 2016**

- Attended Department of Premier and Cabinet Amalgamation Workshop - with Council's Interim General Manager, Mark Riley and Director Organisational Services, Craig Giffin in Sydney.

### **15 May 2016**

- Attended Department of Premier and Cabinet Amalgamation Workshop - with Council's Interim General Manager, Mark Riley and Director Organisational Services, Craig Giffin in Sydney.

### **16 May 2016**

- Media Interview – ABC

### **17 May 2016**

- Media interview – 2DU

### **18 May 2016**

- Attended Wellington Branch with Council's Interim General Manager, Mark Riley.
- Media interview – Daily Liberal

### **19 May 2016**

- Attended meeting with Department of Premier and Cabinet and Council's Interim General Manager, Mark Riley.
- Attended Bi-Annual Residents evening at the Dubbo Regional Theatre Convention Centre along with Council's Interim General Manager, Mark Riley, Director Community Services, David Dwyer, DRTCC Operations Manager, Linda Christof and City Promotions and Events Supervisor, Lana Willetts.

**20 May 2016**

- Attended the South Dubbo Weir construction project along with Interim General Manager, Mark Riley and Director Technical Services, Stewart McLeod.
- Attended meeting with former Mayor of Wellington, Anne Jones.
- Attended meeting with Mr R Borg, Hudson Homes Chief Executive Officer

**23 May 2016**

- Met with Council's Interim General Manager, Mark Riley to review Week One Department Premier and Cabinet Tasks.
- Met with Dubbo residents Mr K and Mrs E Russell to discuss their concerns relating to the Council merger.
- Media interview – Prime TV
- Met with Real Estate Institute NSW (Orana Division) along with Council's Interim General Manager, Mark Riley, REI Acting Chairperson, Bob Berry, REI Vice Chairperson, Graeme Stapleton, Committee members Andrew McDonald, Daniel Wilson and Col Knight.
- Attended meeting with Dubbo Developer, Mr W Maas, Mr B Kelly and Mr S Guy along with Council's Interim General Manager, Mark Riley concerning Southlake's Estate.

**24 May 2016**

- Media interview – 2DU
- Participated in weekly Teleconference with Department of Premier and Cabinet along with Council's Interim General Manager, Mark Riley.
- Attended the Orana Regional Organisation of Council's - Regional Leadership Network Meeting along with Council's Interim General Manager, Mark Riley.
- Attended the launch of the NSW Government's Stronger Communities Fund along with Deputy Premier and Member for Dubbo, The Hon. Troy Grant MP and Minister for Local Government, The Hon. Paul Toole MP and Council's Interim General Manager, Mark Riley.

**25 May 2016**

- Attended meeting with Dubbo Police Acting Area Commander, Scott Tanner and Crime Manager, Detective Inspector Rod Blackman and Council's Interim General Manager, Mark Riley and Council's Economic Development Staff.
- Attended Ordinary Council meeting briefing.
- Met with Sir Roden Cutler Park Entertainment/Events Development Committee Chairperson, Mr J Anderson and Director Mr G Braithwaite and Council's Director Parks and Landcare, Murray Wood.
- Attended Ordinary Council meeting held at Wellington Council Chambers.

**26 May 2016**

- Met with Department of Premier and Cabinet, Implementation Management Liaison Officer, Ms G Cole.
- Media interview – ABC

**27 May 2016**

- Attended Wellington Branch for Wellington Branch related matters.

- Photo opportunity for the lead up to the refurbished Dubbo Branch Library.

**28 May 2016**

- Attended the official opening of the Hudson Homes display village.

**30 May 2016**

- Media interview – Star FM
- Photo opportunity with Deputy Premier and Member for Dubbo, The Hon. Troy Grant MP and Director Parks and Landcare, Murray Wood regarding the Apollo Estate Luna Park playground.
- Attended the Dubbo and District Pre School Sod Turning for the new building along with Deputy Premier and Member for Dubbo, The Hon. Troy Grant MP, Council's Director Community Services, David Dwyer and Manager of Social Services, John Watts.

**31 May 2016**

- Participated in weekly Teleconference with Department of Premier and Cabinet along with Council's Interim General Manager, Mark Riley.
- Attended launch of the Dubbo Stampede at Taronga Western Plains Zoo.
- Met with Mr J Kirk from Lake Burrendong and Director Environmental Services, Melissa Watkins concerning planning issues.
- Met with Dubbo resident Mrs McKinnon who wished to introduce herself.

**1 June 2016**

- Attended Wellington Branch for Wellington Branch related matters.
- Attended meeting with a developer and Council's Interim General Manager, Mark Riley to discuss a redevelopment in Dubbo.
- Attended a tour with Director Community Services, David Dwyer, highlighting various areas in the Division to provide the Administrator with an overview.

**2 June 2016**

- Attended Media Training and evening function with Minister for Local Government, The Hon. Paul Toole MP in Sydney.

**3 June 2016**

- Attended the Department of Premier and Cabinet Amalgamation Implementation Forum in Sydney along with Council's Interim General Manager, Mark Riley.

**6 June 2016**

- Attended regular meeting with Deputy Premier and Member for Dubbo, The Hon. Troy Grant MP and Council's Interim General Manager, Mark Riley.
- Attended meeting with Dubbo Chamber of Commerce President, Matt Wright and Junior Vice President, John Southwell along with Council's Interim General Manager, Mark Riley.
- Attended a tour with Director of Wellington Branch, Karen Roberts, highlighting various areas in the Division to provide the Administrator with an overview.

**7 June 2016**

- Participated in weekly Teleconference with Department of Premier and Cabinet along with Council's Interim General Manager, Mark Riley.
- Media interview – WIN TV
- Meeting held with Dubbo resident Mr J Rankmore.
- Meeting held with Dubbo Resident Mr I Trapman.
- Meeting held with staff of the Dubbo Council Administration Building along with Interim General Manager, Mark Riley providing updates to staff on the merger process.
- Meeting held with staff of the Dubbo Works Depot along with Interim General Manager, Mark Riley providing updates to staff on the merger process.
- Meeting held with Dubbo resident Mr R Mutton and Director Community Services to discuss the Community Radio Station and cottage, Sister City Committee and a proposal for a swimming pool.
- Attended the Dubbo Ratepayers and Residents Association meeting held at Club Dubbo.

**8 June 2016**

- Attended meeting to discuss a possible Civic event.
- Attended Extraordinary Meeting of Council held at Wellington Council Chambers.
- Attended meeting with Wellington residents Mr and Mrs F Barker along with Director Environmental Services, Melissa Watkins.
- Attended meeting of the Local Representation Committee along with Committee members Mr Graham Cross, Mr David Grant, Mrs Anne Jones, Mr Kevin Parker, Mr Ben Shields, Mrs Pip Smith, Mr Rod Towney and Mr John Walkom.

**9 June 2016**

- Attended the Inland Forum, Sydney along with Council's Interim General Manager, Mark Riley.

**10 June 2016**

- Attended the Country Mayor's Association meeting, Sydney along with Council's Interim General Manager, Mark Riley.

**11 June 2016**

- Attended Mayor luncheon at Narromine Aero Club, Narromine along with Council's Interim General Manager, Mark Riley.
- Attended Official Opening of Narromine Aviation Museum Expansion, Narromine along with Council's Interim General Manager, Mark Riley.
- Attended the Rotary Club of Dubbo - 80th Changeover Dinner.

**14 June 2016**

- Participated in weekly Teleconference with Department of Premier and Cabinet along with Council's Interim General Manager, Mark Riley.
- Attended a tour with Director Parks and Landcare, Murray Wood, highlighting various areas in the Division to provide the Administrator with an overview.

- Attended a tour with Director Technical Services, Stewart McLeod, highlighting various areas in the Division to provide the Administrator with an overview.
- Media interview – 2DU

**15 June 2016**

- Attended Wellington Branch for Wellington Branch related matters.
- Met with Wellington resident Mr Pilling.
- Attended a tour with Director Organisational Services, Craig Giffin, highlighting various areas in the Division to provide the Administrator with an overview.
- Attended a tour with Director Corporate Development, Ken Rogers, highlighting various areas in the Division to provide the Administrator with an overview.

**16 June 2016**

- Attended the official opening of Dubbo's Darling Street redevelopment along with Federal Member for the Electorate of Parkes, The Hon. Mark Coulton MP, Dubbo Sub Branch of the RSL President, Mr T Gray, Council's Interim General Manager, Mark Riley, Director Technical Services, Stewart McLeod, Director Community Services, David Dwyer and Director Corporate Development, Ken Rogers.
- Introductory meeting held with Dubbo Artz Committee.

**RECOMMENDATION**

**The information contained in the Administrator Minute be noted.**

*Michael Kneipp*  
Administrator