



# AGENDA

## ORDINARY COUNCIL MEETING

### 24 OCTOBER 2024

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

The meeting is scheduled to commence at 5.30pm.

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#### **PRAYER:**

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

#### **ACKNOWLEDGEMENT OF COUNTRY:**

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

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#### **CCL24/243 LEAVE OF ABSENCE (ID24/1894)**

#### **CCL24/244 CONFLICTS OF INTEREST (ID24/1895)**

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

#### **CCL24/245 PUBLIC FORUM (ID24/1896)**

#### **CCL24/246 CONFIRMATION OF MINUTES (ID24/1923)**

Confirmation of the minutes of the proceedings of the Extraordinary Council meetings held on 5 September 2024 and 3 October 2024.

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#### **INFORMATION ONLY MATTERS:**

- CCL24/247 INVESTMENT UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - AUGUST 2024 (ID24/1774)** 18  
The Council had before it the report dated 2 September 2024 from the Revenue Accountant regarding Investment Under Section 625 of the Local Government Act - August 2024.
- CCL24/248 INVESTMENT UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - SEPTEMBER 2024 (ID24/1875)** 35  
The Council had before it the report dated 3 October 2024 from the Revenue Accountant regarding Investment Under Section 625 of the Local Government Act - September 2024.
- CCL24/249 2023/2024 ANNUAL REPORT - DUBBO REGIONAL COUNCIL (ID24/1842)** 52  
The Council had before it the report dated 23 September 2024 from the Director Strategy, Partnerships and Engagement regarding 2023/2024 Annual Report – Dubbo Regional Council.
- CCL24/250 STATE OF OUR REGION REPORT - DUBBO REGION 2021-2024 (ID24/1843)** 56  
The Council had before it the report dated 23 September 2024 from the Director Strategy, Partnerships and Engagement regarding State of Our Region Report – Dubbo Region 2021-2024.
- CCL24/251 MONTHLY REPORTING SNAPSHOT FOR COUNCILLORS - SEPTEMBER 2024 (ID24/1888)** 86  
The Council had before it the report dated 23 September 2024 from the Corporate Strategy Performance Coordinator regarding Monthly Reporting Snapshot for Councillors – September 2024.
- CCL24/252 ANNUAL REPORT ON COMPLAINT STATISTICS UNDER COUNCIL'S CODE OF CONDUCT - 2023/2024 REPORTING PERIOD (ID24/1846)** 98  
The Council had before it the report dated 25 September 2024 from the Manager Corporate Governance regarding Annual Report on Complaint Statistics Under Council's Code of Conduct - 2023/2024 Reporting Period.



<b>CCL24/253</b>	<b>MAYORAL APPOINTMENTS AND MEETINGS - MAYOR MATHEW DICKERSON (ID24/1905)</b>	104
	The Council had before it the report dated 14 October 2024 from the Chief Executive Officer regarding Mayoral Appointments and Meetings - Mayor Mathew Dickerson.	
<b>CCL24/254</b>	<b>MAYORAL APPOINTMENTS AND MEETINGS - MAYOR JOSH BLACK (ID24/1909)</b>	112
	The Council had before it the report dated 14 October 2024 from the Chief Executive Officer regarding Mayoral Appointments and Meetings - Mayor Josh Black.	
<b>NOTICES OF MOTION:</b>		
<b>CCL24/255</b>	<b>24 HOUR POLICE PRESENCE IN WELLINGTON (ID24/1920)</b>	115
	Council had before it a Notice of Motion dated 17 October 2024 from Councillor L Butler regarding the 24 Hour Police Presence in Wellington.	
<b>CCL24/256</b>	<b>REINSTATEMENT OF THE VILLAGES COMMITTEE (ID24/1906)</b>	117
	Council had before it a Notice of Motion dated 14 October 2024 from Councillor J Cowley regarding the Reinstatement of the Villages Committee.	
<b>CCL24/257</b>	<b>175TH ANNIVERSARY OF DUBBO (ID24/1911)</b>	119
	Council had before it a Notice of Motion dated 15 October 2024 from Councillor S Chowdhury regarding the 175th Anniversary of Dubbo.	
<b>CCL24/258</b>	<b>VILLAGE ROADSHOW PROGRAM (ID24/1899)</b>	121
	Council had before it a Notice of Motion dated 11 October 2024 from Councillor S Chowdhury regarding the Village Roadshow Program.	
<b>CCL24/259</b>	<b>COMMUNITY FUNDING (ID24/1913)</b>	123
	Council had before it a Notice of Motion dated 15 October 2024 from Councillor M Dickerson regarding the Community Funding.	

- CCL24/260 FINANCIAL REPORTING (ID24/1900)** 126  
Council had before it a Notice of Motion dated 11 October 2024 from Councillor M Dickerson regarding the Financial Reporting.
- CCL24/261 CONTINUATION OF MEMBERSHIP OF ASSOCIATED LG ORGANISATIONS (ID24/1902)** 129  
Council had before it a Notice of Motion dated 11 October 2024 from Councillor R Ivey regarding the Continuation of Membership of Associated LG Organisations.
- CCL24/262 NEWELL HIGHWAY BYPASS DUBBO (ID24/1901)** 131  
Council had before it a Notice of Motion dated 11 October 2024 from Councillor R Ivey regarding the Newell Highway Bypass Dubbo.
- CCL24/263 FEASIBILITY AND ESTIMATED COSTS OF EXTENDING TOWN WATER SUPPLY MUMBIL TO STUART TOWN (ID24/1903)** 133  
Council had before it a Notice of Motion dated 11 October 2024 from Councillor P Toynton regarding the Feasibility and Estimated Costs of Extending Town Water Supply Mumbil to Stuart Town.
- REPORTS FROM STAFF:**
- CCL24/264 PRESENTATION OF COUNCIL'S 2023/2024 FINANCIAL STATEMENTS (ID24/1881)** 135  
The Council had before it the report dated 4 October 2024 from the Chief Financial Officer regarding Presentation of Council's 2023/2024 Financial Statements.
- CCL24/265 PLANNING PROPOSAL R24-003 - COUNCIL-OWNED ROAD CLOSURE AS EXEMPT DEVELOPMENT - RESULTS OF PUBLIC EXHIBITION (ID24/1769)** 148  
The Council had before it the report dated 27 September 2024 from the Manager Growth Planning regarding Planning Proposal R24-003 - Council-Owned Road Closure as Exempt Development - Results of Public Exhibition.

- CCL24/266 DRAFT PLANNING AGREEMENT VPA23-001 - WELLINGTON SOUTH BATTERY ENERGY STORAGE SYSTEM - RESULTS OF EXHIBITION (ID24/1655)** 163
- The Council had before it the report dated 27 September 2024 from the Manager Growth Planning regarding Draft Planning Agreement VPA23-001 - Wellington South Battery Energy Storage System - Results of Exhibition.
- CCL24/267 HOUSING FOR OUR FUTURE - COMMUNITY ENGAGEMENT UPDATE (ID24/1873)** 194
- The Council had before it the report dated 27 September 2024 from the Manager Growth Planning regarding Housing for Our Future - Community Engagement Update.
- CCL24/268 DELEGATION OF AUTHORITY TO THE CHIEF EXECUTIVE OFFICER (ID24/1795)** 198
- The Council had before it the report dated 30 August 2024 from the Manager Corporate Governance regarding Delegation of Authority to the Chief Executive Officer.
- CCL24/269 REVIEW OF DETERMINATION - D22-122 PART 5 - 35 LOT SUBDIVISION - LOT 8 DP 1063425, 4L CAMP ROAD DUBBO APPLICANT: SLR CONSULTING AUSTRALIA PTY LTD OWNER: MR L BENDER (ID24/1893)** 221
- The Council had before it the report dated 10 October 2024 from the Director Development and Environment regarding Review of Determination - D22-122 Part 5 - 35 Lot Subdivision - Lot 8 DP 1063425, 4L Camp Road Dubbo Applicant: SLR Consulting Australia Pty Ltd Owner: Mr L Bender.
- CCL24/270 FOOTPATHS IN DUBBO AND WELLINGTON (ID24/1802)** 251
- The Council had before it the report dated 8 September 2024 from the Director Infrastructure regarding Footpaths in Dubbo and Wellington.
- CCL24/271 WELLINGTON HISTORICAL SOCIETY REQUEST FOR OPERATING LOCATION(S) FOR WELLINGTON MUSEUM. (ID24/1811)** 256
- The Council had before it the report dated 12 September 2024 from the Manager Regional Experiences regarding Wellington Historical Society request for operating location(s) for Wellington Museum..

<b>CCL24/272</b>	<b>DUBBO AQUATIC LEISURE CENTRE - REFURBISHMENT AND UPGRADE OF 50 METRE POOL AND WATER SLIDE PLANT ROOM (ID24/1880)</b>	268
	The Council had before it the report dated 3 October 2024 from the Manager Recreation and Open Spaces regarding Dubbo Aquatic Leisure Centre - Refurbishment and upgrade of 50 metre pool and Water Slide Plant Room.	
<b>CCL24/273</b>	<b>FORMATION OF STANDING COMMITTEES AND DETERMINATION OF MEETING DATES AND TIMES (ID24/1558)</b>	274
	The Council had before it the report dated 29 July 2024 from the Governance Team Leader regarding Formation of Standing Committees and Determination of Meeting Dates and Times.	
<b>CCL24/274</b>	<b>CEO PERFORMANCE REVIEW COMMITTEE (ID24/1885)</b>	282
	The Council had before it the report dated 7 October 2024 from the Manager People Culture and Safety regarding CEO Performance Review Committee.	
<b>CCL24/275</b>	<b>DISCLOSURE OF INTEREST RETURNS (ID24/1557)</b>	299
	The Council had before it the report dated 27 September 2024 from the Manager Corporate Governance regarding Disclosure of Interest Returns.	
<b>CCL24/276</b>	<b>LOCAL GOVERNMENT NSW - 2024 ANNUAL CONFERENCE (ID24/1801)</b>	303
	The Council had before it the report dated 3 September 2024 from the Manager Corporate Governance regarding Local Government NSW - 2024 Annual Conference.	
<b>CCL24/277</b>	<b>QUESTION ON NOTICE - UPDATE ON THE PROPOSED RECYCLE OUTLETS IN DUBBO AND WELLINGTON (ID24/1907)</b>	307
	The Council had before it the report dated 14 October 2024 regarding a Question on Notice - Update on the Proposed Recycle Outlets in Dubbo and Wellington.	
<b>CCL24/278</b>	<b>QUESTIONS ON NOTICE - AOD REHAB FACILITY (ID24/1915)</b>	310
	The Council had before it the report dated 15 October 2024 regarding Questions on Notice - AOD Rehab Facility.	

- CCL24/279      QUESTIONS ON NOTICE - DUBBO REGIONAL LIVESTOCK MARKETS UPDATE (ID24/1918)** 312  
The Council had before it the report dated 17 October 2024 regarding Questions on Notice - Dubbo Regional Livestock Markets Update.
- CCL24/280      QUESTION ON NOTICE - MAYORAL EMPLOYMENT (ID24/1919)** 315  
The Council had before it the report dated 17 October 2024 regarding Question on Notice - Mayoral Employment.
- CCL24/281      QUESTIONS ON NOTICE - DUKE OF WELLINGTON BRIDGE (ID24/1921)** 317  
The Council had before it the report dated 17 October 2024 regarding Questions on Notice - Duke of Wellington Bridge.
- CCL24/282      COMMENTS AND MATTERS OF URGENCY (ID24/1898)**

**CONFIDENTIAL**

- CCL24/283      CLASSIFICATION OF LAND UNDER THE LOCAL GOVERNMENT ACT 1993 - 74 WINGEWARRA STREET, DUBBO (ID24/1841)**  
The Council had before it the report dated 20 September 2024 from the Property Services Officer regarding Classification of land under the Local Government Act 1993 - 74 Wingewarra Street, Dubbo.
- In accordance with the provisions of Section 9 (2A) of the Local Government Act 1993 the Chief Executive Officer is of the opinion that consideration of this item is likely to take place when the meeting is closed to the public for the following reason: information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c)).*
- CCL24/284      PEOPLE CULTURE AND SAFETY QUARTERLY METRICS REPORT (ID24/1884)**  
The Council had before it the report dated 7 October 2024 from the Manager People Culture and Safety regarding People Culture and Safety Quarterly Metrics Report.

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



## Confirmation of Minutes

Confirmation of the minutes of the proceedings of the Extraordinary Council meetings held on 5 September 2024 and 3 October 2024.

### RECOMMENDATION

That the minutes of the proceedings of the Dubbo Regional Council at the Extraordinary Council meetings held on 5 September 2024 and 3 October 2024 (as attached) be taken as read, confirmed as correct minutes and signed by the Mayor and the Chief Executive Officer.

### APPENDICES:

- 1 [↓](#) Minutes - Extraordinary Council Meeting - 5 September 2024
- 2 [↓](#) Minutes - Extraordinary Council Meeting - 3 October 2024



**REPORT  
EXTRAORDINARY COUNCIL MEETING  
5 SEPTEMBER 2024**

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

**ALSO IN ATTENDANCE:**

The Chief Executive Officer, the Director Organisational Performance, the Governance Team Leader, the Governance Officers, the Chief Financial Officer, the Director Strategy, Partnerships and Engagement, the Communications Team Leader, the IT Infrastructure Specialist, the Director Development and Environment, the Director Infrastructure and the Director Community, Culture and Places (K McAlister).

Councillor M Dickerson assumed the Chair of the meeting.

The proceedings of the meeting commenced at 12:00 PM at the Dubbo Civic Administration Building, Council Chamber, with a prayer for Divine Guidance to the Council in its deliberations and activities. The acknowledgement of country was also read by Councillor P Wells.

**CCL24/227 LEAVE OF ABSENCE (ID24/1676)**

Requests for leave of absence were received from Councillors L Burns, S Chowdhury, V Etheridge and D Mahon who were absent from the meeting due to personal reasons.

Moved by Councillor R Ivey and seconded by Councillor P Wells

**MOTION**

**That such requests for leave of absence be accepted and Councillors L Burns, S Chowdhury, V Etheridge and D Mahon be granted leave of absence from this meeting.**

**CARRIED**

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

**Against:** Nil.

**CCL24/228 CONFLICTS OF INTEREST (ID24/1677)**

There were no conflicts of interest declared.



EXTRAORDINARY COUNCIL MEETING - 5 SEPTEMBER 2024  
REPORT

**CCL24/229 PUBLIC FORUM (ID24/1678)**

There were no attendances in public forum.

**CCL24/230 CONFIRMATION OF MINUTES (ID24/1797)**

Council had before it the report of the Ordinary Council meeting held on 15 August 2024.

Moved by Councillor J Gough and seconded by Councillor M Wright

**MOTION**

**That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council Meeting held on 15 August 2024 (as attached) be taken as read, confirmed as correct minutes and signed by the Mayor and the Chief Executive Officer.**

**CARRIED**

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

**Against:** Nil.

**CCL24/230A LEGACY INFRASTRUCTURE FUND**

The Council had before it the Mayoral Minute Legacy Infrastructure Fund.

Moved by Councillor M Dickerson

**MOTION**

- 1. That Council endorses the Renewable Energy Awareness and Career Training Centre (REACT) being submitted as the focus project for Dubbo Regional Council's application to the Central West Orana Renewable Energy Zone – Legacy Infrastructure Fund.**
- 2. That further financial analysis continues on both sites along with consultation on both site options with key stakeholders.**

**CARRIED**

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

**Against:** Councillor J Black.

**REPORTS FROM STAFF:**

**CCL24/231 REFERRAL OF 2023/2024 FINANCIAL STATEMENTS FOR AUDIT (ID24/1773)**

The Council had before it the report dated 26 August 2024 from the Chief Financial Officer regarding Referral of 2023/2024 Financial Statements for Audit.

Moved by Councillor M Wright and seconded by Councillor J Black

EXTRAORDINARY COUNCIL MEETING - 5 SEPTEMBER 2024  
REPORT

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**MOTION**

**That the Draft 2023/2024 Financial Statements submitted for audit be noted.**

**CARRIED**

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

**Against:** Nil.

**CCL24/232 LAND CLASSIFICATION - LOT 530 DEPOSITED PLAN 1303733 - HOLMWOOD  
DRIVE, DUBBO (ID24/1742)**

The Council had before it the report dated 22 August 2024 from the Property and Land Officer regarding Land Classification - Lot 530 Deposited Plan 1303733 - Holmwood Drive, Dubbo.

Moved by Councillor M Wright and seconded by Councillor R Ivey

**MOTION**

1. **That Council classifies Lot 530 on DP1303733 as operational land for the purposes of the *Local Government Act 1993*.**
2. **That the Chief Executive Officer execute all documentation necessary to complete the classification of Lot 530 on DP1303733 as operational land under his Temporary Power of Attorney.**

**CARRIED**

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

**Against:** Nil.

**CCL24/233 COMMENTS AND MATTERS OF URGENCY (ID24/1679)**

There were no matters recorded under this clause.

The meeting closed at 12:19pm.

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CHAIRPERSON



**REPORT  
EXTRAORDINARY COUNCIL MEETING  
3 OCTOBER 2024**

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

**ALSO IN ATTENDANCE:**

The Chief Executive Officer, the Director Organisational Performance, the Manager Corporate Governance, the Governance Team Leader, the Governance Officers, the Executive Assistant Mayor, the Director Strategy, Partnerships and Engagement, the Team Leader Corporate Communications, the Communications Partner, the Director Development and Environment, the Director Infrastructure and the Director Community, Culture and Places.

Chief Executive Officer Murray Wood assumed the Chair of the meeting.

The proceedings of the meeting commenced at 5.30 pm at the Dubbo Civic Administration Building, Council Chamber, with a prayer for Divine Guidance to the Council in its deliberations and activities read by Councillor Lukas Butler. The acknowledgement of country was read by Councillor Pam Wells, who also gave an Acknowledgement to Country.

**CCL24/234 LEAVE OF ABSENCE (ID24/1574)**

There were no requests for leave of absence.

**CCL24/235 METHOD OF VOTING FOR THE ELECTION OF MAYOR AND DEPUTY MAYOR  
(ID24/1569)**

The Council had before it the report dated 26 September 2024 from the Chief Executive Officer regarding Method of Voting for the Election of Mayor and Deputy Mayor.

Moved by Councillor J Black and seconded by Councillor S Chowdhury

**MOTION**

**That the method of voting for the election of Mayor and Deputy Mayor be by Open Voting (show of hands).**

**CARRIED**

**For:** Councillors J Black, L Butler, J Cowley, K Richardson, A Ryan, P Toynton, and P Wells.

**Against:** Councillor S Chowdhury, M Dickerson, R Ivey, and M Wright.

**EXTRAORDINARY COUNCIL MEETING - 3 OCTOBER 2024  
REPORT**

**CCL24/236 ELECTION OF MAYOR FOR MAYORAL TERM (ID24/1570)**

At this stage, the Chief Executive Officer as Returning Officer invited nominations for the election of the office of Mayor for the Mayoral term with the following written nominations received:

1. Councillor Mathew Dickerson nominated by Councillor Phillip Toynton and Councillor Matt Wright.
2. Councillor Josh Black nominated by Councillor Josh Black and Councillor Phillip Toynton.

Acceptance of Nominations

Councillors Mathew Dickerson and Josh Black have formally accepted their nominations.

In accordance with Clause 12 of Schedule 7 of the *Local Government (General) Regulation 2005*, each candidate's name was written on a slip of paper which was placed in a sealed canister and deposited into a barrel to determine the order of voting. The order of the names being drawn out of the barrel were as follows:

Councillor Mathew Dickerson was written first on the tally sheet and Councillor Josh Black was written second on the tally sheet.

A vote, by way of show of hands, was taken. The following votes were recorded:

<b>FOR COUNCILLOR MATHEW DICKERSON</b>	<b>FOR COUNCILLOR JOSH BLACK</b>
Shibli Chowdhury	Josh Black
Jen Cowley	Lucas Butler
Mathew Dickerson	Kate Richardson
Richard Ivey	Adam Ryan
Matt Wright	Phillip Toynton
	Pam Wells
<b>Total: 5</b>	<b>Total: 6</b>

As a result of the show of hands, Councillor Mathew Dickerson had 5 votes and Councillor Josh Black had 6 votes.

The Chief Executive Officer as Returning Officer declared that Councillor Josh Black is duly elected to the office of Mayor of Dubbo Regional Council for the duration of the Mayoral term.

Councillor Josh Black assumed the Chair of the meeting, the time being 5:42 pm.

**CCL24/237 CONFLICTS OF INTEREST (ID24/1576)**

There were no Conflicts of Interest declared.

EXTRAORDINARY COUNCIL MEETING - 3 OCTOBER 2024  
REPORT

**CCL24/238 PUBLIC FORUM (ID24/1575)**

There were no speakers during Public Forum.

**CCL24/239 CREATION OF OFFICE OF DEPUTY MAYOR (ID24/1572)**

The Council gave consideration to determining whether it would create the office of Deputy Mayor.

Moved by Councillor S Chowdhury and seconded by J Cowley

**MOTION**

**That the Office of Deputy Mayor be created and operate for the duration of the Mayoral Term.**

**CARRIED**

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

**Against:** Nil.

In accordance with Schedule 7 Section 1 of the Local Government (General) Regulation 2021, the Chief Executive Officer acted as the returning officer to conduct this election.

**CCL24/240 ELECTION OF DEPUTY MAYOR FOR MAYORAL TERM (ID24/1571)**

At this stage, the Chief Executive Officer as Returning Officer invited nominations for the election of the office of Deputy Mayor for the Mayoral term with the following written nominations received:

1. Councillor Phillip Toynton nominated by Councillor Kate Richardson and Councillor Lukas Butler.
2. Councillor Matt Wright nominated by Councillor Shibli Chowdhury and Councillor Richard Ivey.

Acceptance of Nominations

Councillors Phillip Toynton and Matt Wright have formally accepted their nominations.

In accordance with Clause 12 of Schedule 7 of the *Local Government (General) Regulation 2005*, each candidate's name was written on a slip of paper which was placed in a sealed canister and deposited into a barrel to determine the order of voting. The order of the names being drawn out of the barrel were as follows:

Councillor Phillip Toynton was written first on the tally sheet and Councillor Matt Wright was written second on the tally sheet.

**EXTRAORDINARY COUNCIL MEETING - 3 OCTOBER 2024  
REPORT**

A vote, by way of show of hands, was taken. The following votes were recorded:

<b>FOR COUNCILLOR PHILLIP TOYNTON</b>	<b>FOR COUNCILLOR MATT WRIGHT</b>
Josh Black	Shibli Chowdhury
Lucas Butler	Jen Cowley
Kate Richardson	Mathew Dickerson
Adam Ryan	Richard Ivey
Phillip Toynton	Matt Wright
Pam Wells	
<b>Total: 6</b>	<b>Total: 5</b>

As a result of the show of hands, Councillor Phillip Toynton had 6 votes and Councillor Matt Wright had 5 votes.

The Chief Executive Officer as Returning Officer declared that Councillor Phillip Toynton is duly elected to the office of Deputy Mayor of Dubbo Regional Council for the duration of the Mayoral term.

Councillor Josh Black assumed the Chair of the meeting, the time being 5:51 pm.

**REPORTS FROM STAFF:**

**CCL24/241 CASUAL VACANCIES DURING THE FIRST 18 MONTHS OF THE COUNCIL TERM  
(ID24/1573)**

The Council had before it the report dated 26 September 2024 from the Manager Corporate Governance regarding Casual Vacancies During the First 18 Months of the Council Term.

Moved by Councillor P Wells and seconded by P Toynton

**MOTION**

**That if a casual vacancy occurs within 18 months after the 1 October 2024 Local Government Election, the methodology for filling such vacancy be by countback of votes, as allowed under Section 291A of the Local Government Act 1993.**

**CARRIED**

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

**Against:** Nil

EXTRAORDINARY COUNCIL MEETING - 3 OCTOBER 2024  
REPORT

**CCL24/242 DETERMINATION OF COUNCILLOR REPRESENTATION ON MANDATED  
COMMITTEES (ID24/1568)**

The Council had before it the report dated 26 September 2024 from the Manager Corporate Governance regarding Determination of Councillor Representation on Mandated Committees.

Moved by Councillor S Chowdhury and seconded by Councillor R Ivey

**MOTION**

1. That Councillor Richard Ivey be the Councillor representative, with Councillor Shibli Chowdhury the alternative, for the Audit, Risk and Improvement Committee.
2. That Councillor Jen Cowley be the Councillor representative, with Councillor Phillip Toynton the alternative, for the Local Traffic Committee.
3. That Councillor Matt Wright be the Councillor representative, with Councillor Adam Ryan the alternative, for the Floodplain Management Committee.
4. That the above representatives will serve on the committees for the duration of the Mayoral Term.

**CARRIED**

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

**Against:** Nil

The meeting closed at 5:58pm.

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CHAIRPERSON



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

**DIVISION:** Organisational Performance  
**REPORT DATE:** 2 September 2024  
**TRIM REFERENCE:** ID24/1774

### EXECUTIVE SUMMARY

<b>Purpose</b>	<ul style="list-style-type: none"> <li>Provide review or update</li> <li>Fulfil legislative requirement/compliance</li> </ul>	
<b>Issue</b>	<ul style="list-style-type: none"> <li>Investment under Section 625 of the <i>Local Government Act 1993</i>.</li> </ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"> <li>Section 212 of the Local Government (General) Regulation 2021</li> <li>Section 625 of the Local Government Act 1993</li> <li>Council's Investment Policy and Strategy</li> </ul>	
<b>Financial Implications</b>	Budget Area	Organisational Performance
	Funding Source	Interest Earned on Investment
<b>Policy Implications</b>	Policy Title	Investment Policy 2024
	Impact on Policy	There are no policy implications arising from this report

### STRATEGIC DIRECTION

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

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

### RECOMMENDATION

**That the information contained within the Investment under Section 625 of the Local Government Act Report be noted.**

*Jane Bassingthwaighe*  
Director Organisational Performance

*BM*  
Revenue Accountant



## BACKGROUND

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

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

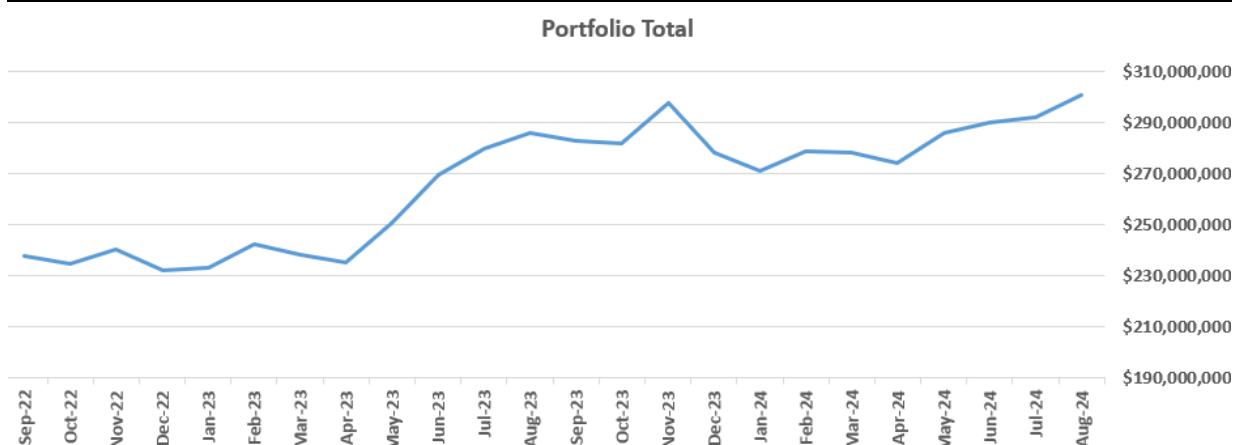
- a. any public funds or securities issued by or guaranteed by the Commonwealth, any State of the Commonwealth or a Territory;
- b. any debentures or securities issued by a council (within the meaning of the *Local Government Act 1993* (NSW));
- c. interest bearing deposits with, or any debentures or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

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

## REPORT

### Portfolio Overview

As of 31 August 2024, Council had a total investment Portfolio Face Value of \$300,658,127.59. This is inclusive of Councils Cash at bank consisting of General Funds, Sewer Funds, Water Funds, and restricted Grant Funding. Laminar Capital have provided a Market Value of \$304,549,873.89 for Council's Total Investment Portfolio.



**Portfolio Fund Breakdown**

<b>Portfolio Breakdown – Current Month</b>			
<b>Fund</b>	<b>Total Amount Invested</b>	<b>PFA Bank Account Balance</b>	<b>Total</b>
General	\$129,000,000.00	\$25,347,455.29	\$154,347,455.29
Water	\$50,000,000.00	\$10,663,855.27	\$60,663,855.27
Sewer	\$75,000,000.00	\$10,646,817.03	\$85,646,817.03
<b>Total</b>	<b>\$254,000,000.00</b>	<b>\$46,658,127.59</b>	<b>\$300,658,127.59</b>

<b>Portfolio Breakdown – Previous Month</b>			
<b>Fund</b>	<b>Total Amount Invested</b>	<b>PFA Bank Account Balance</b>	<b>Total</b>
General	\$120,000,000.00	\$28,380,724.33	\$148,380,724.33
Water	\$50,000,000.00	\$7,310,824.39	\$57,310,824.39
Sewer	\$79,000,000.00	\$7,361,093.21	\$86,361,093.21
<b>Total</b>	<b>\$249,000,000.00</b>	<b>\$43,052,641.93</b>	<b>\$292,052,641.93</b>

**Key Movements**

**Investment Activity during the month was as follows:**

- Investment Maturities – funds returned to Council:

<b>ADI</b>	<b>Instrument</b>	<b>Amount</b>	<b>Funded by</b>
Commonwealth Bank	Term Deposit	\$11,500,000.00	General
Commonwealth Bank	Term Deposit	\$1,500,000.00	Sewer
Commonwealth Bank	Term Deposit	\$2,500,000.00	Sewer

- New Investments Purchased – funds paid out by Council:

<b>ADI</b>	<b>Instrument</b>	<b>Amount</b>	<b>Funded by</b>
National Australia Bank	Term Deposit	\$2,000,000.00	General
Bank of Queensland	Term Deposit	\$5,500,000.00	General
Bank of Queensland	Term Deposit	\$4,000,000.00	General

Westpac	Term Deposit	\$4,000,000.00	General
Northern Territory Treasury Corporation	Fixed Rate Bond	\$5,000,000.00	General

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

- Notable Extraordinary Income – funds received by Council of an extraordinary nature:

Reason for Income	Amount	Fund
Government Grant	\$1,360,475.00	General

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

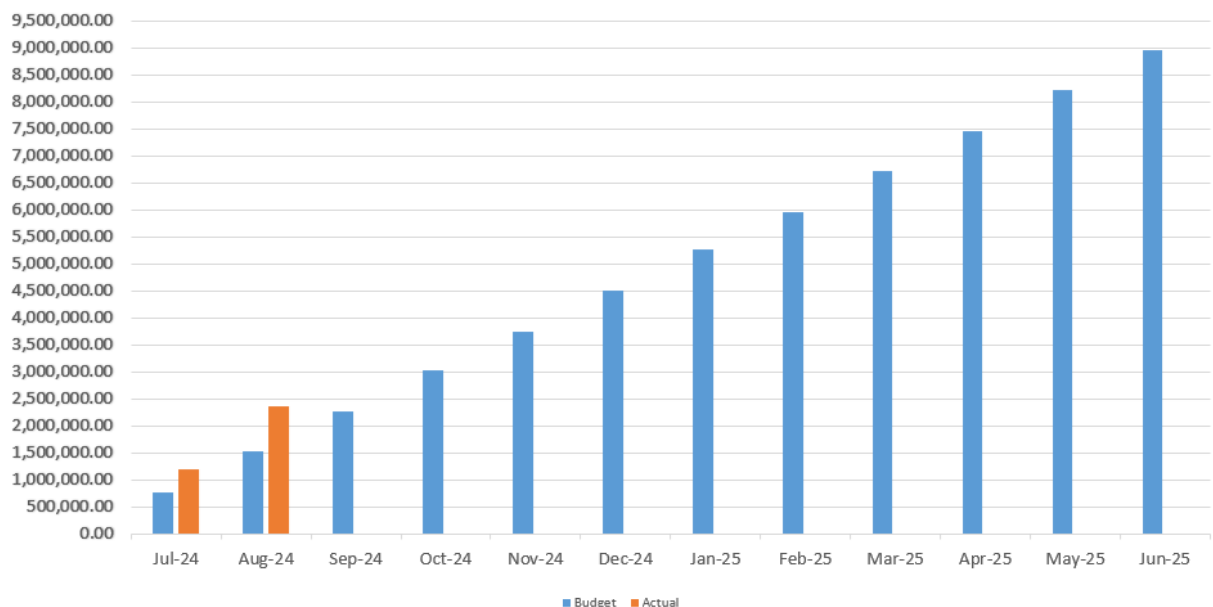
- Notable Expenditure – funds paid out by Council:

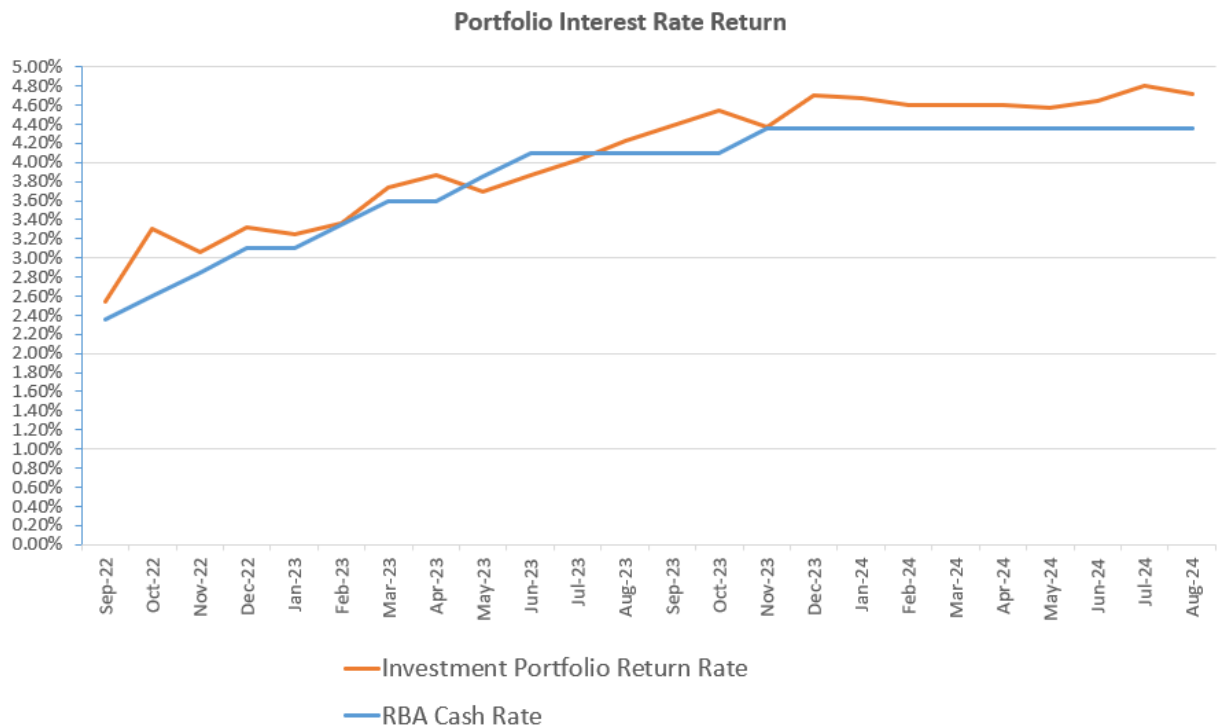
During the month of August there was no notable extraordinary expenditure.

**Investment Interest Overview:**

Interest earned on investments has been included within Council’s 2024/2025 Operational Plan, with total income generated from the Investment Portfolio forecast to be in excess of \$8,957,302.00.

**Budget to Actual - Interest on Investments**





Council has investments totalling \$31,000,000.00 Face Value which were invested with fixed interest rates below the current Official Cash Rate of 4.35%. Investments totalling \$18,000,000.00 will mature in the 2025 Financial Year with interest rates of 0.90% and 1.70%. Longer term investments beyond 30 June 2025 totalling \$13,000,000.00 were invested with interest rates ranging from 1.70% to 4.25%. These investments were placed with competitive interest rates at the time the investments were made.

**Summary**

**Cash Account**

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

**Investment Portfolio**

Council outperformed the one-month Bloomberg AusBond Bank Bill Index of 0.39%, with an average return of 4.72% for its overall portfolio return.

**Consultation**

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

**Resourcing Implications**

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

**APPENDICES:**

- [1](#) Investment Report - Laminar Report - August 2024 - Attachment

# Dubbo Regional Council

## Investment Report

1 August 2024 to 31 August 2024



Portfolio Valuation As At 31 August 2024

Security	Security Rating	ISIN	Face Value Original	Face Value Current	FI Cap Price/ Unit Price/ Share Price	Unit Count/ Share Count	Accrued Interest Price	Market Value	% Total Value	Running Yield	Weighted Running Yield
<b>At Call Investment</b>											
NAB At Call In	S&P ST A1+		46,658,127.59	46,658,127.59	100.000		0.000	<b>46,658,127.59</b>	15.32%	4.75%	
			<b>46,658,127.59</b>	<b>46,658,127.59</b>				<b>46,658,127.59</b>	15.32%		4.75%
<b>Covered Fixed Bond</b>											
SunBank 3.25 24 Aug 2026 COVEREDFIX	Moodys Aaa	AU3CB0239267	5,000,000.00	5,000,000.00	97.809		0.062	<b>4,893,550.00</b>	1.61%	2.95%	
			<b>5,000,000.00</b>	<b>5,000,000.00</b>				<b>4,893,550.00</b>	1.61%		2.95%
<b>Fixed Rate Bond</b>											
MACQ 1.7 12 Feb 2025 Fixed	S&P A+	AU3CB0270387	8,000,000.00	8,000,000.00	98.651		0.088	<b>7,899,120.00</b>	2.59%	1.65%	
NTTC 0.9 15 Jun 2025 - Issued 04 Feb 2021 - Dubbo Regional Council Fixed	Moodys Aa3		5,000,000.00	5,000,000.00	100.000		0.190	<b>5,009,500.00</b>	1.64%	0.90%	
NTTC 0.9 15 Jun 2025 - Issued 10 Feb 2021 - Dubbo Regional Council Fixed	Moodys Aa3		5,000,000.00	5,000,000.00	100.000		0.190	<b>5,009,500.00</b>	1.64%	0.90%	
NTTC 4.8 15 Dec 2028 - Issued 30 August 2024 - Dubbo Council Fixed	Moodys Aa3		5,000,000.00	5,000,000.00	100.000		0.013	<b>5,000,650.00</b>	1.64%	4.80%	
RABOBK 4.25 12 May 2026 Fixed	Moodys Aa2	AU3CB0233898	5,000,000.00	5,000,000.00	99.568		1.282	<b>5,042,500.00</b>	1.66%	3.71%	
			<b>28,000,000.00</b>	<b>28,000,000.00</b>				<b>27,961,270.00</b>	9.18%		2.34%
<b>Floating Rate Note</b>											
Auswide 0.9 17 Mar 2025 FRN	Moodys Baa2	AU3FN0067393	5,000,000.00	5,000,000.00	100.005		1.083	<b>5,054,400.00</b>	1.66%	5.27%	
Auswide 1.3 10 Jun 2025 FRN	Moodys Baa2	AU3FN0069555	5,000,000.00	5,000,000.00	100.242		1.255	<b>5,074,850.00</b>	1.67%	5.66%	
Auswide 1.5 07 Nov 2025 FRN	Moodys Baa2	AU3FN0073037	3,500,000.00	3,500,000.00	100.402		0.387	<b>3,527,615.00</b>	1.16%	5.89%	
BOQ 0.63 06 May 2026 FRN	S&P A-	AU3FN0060406	5,000,000.00	5,000,000.00	99.722		0.341	<b>5,003,150.00</b>	1.64%	4.98%	
MYS 0.65 16 Jun 2025 FRN	Moodys Baa2	AU3FN0061024	8,000,000.00	8,000,000.00	99.856		1.032	<b>8,071,040.00</b>	2.65%	5.02%	
MYS 1.3 13 Oct 2025 FRN	Moodys Baa2	AU3FN0072369	8,000,000.00	8,000,000.00	100.455		0.741	<b>8,095,680.00</b>	2.66%	5.75%	
UBS Aust 0.5 26 Feb 2026 FRN	Moodys Aa3	AU3FN0058608	4,500,000.00	4,500,000.00	99.862		0.066	<b>4,496,760.00</b>	1.48%	4.85%	
			<b>39,000,000.00</b>	<b>39,000,000.00</b>				<b>39,323,495.00</b>	12.91%		5.34%
<b>Term Deposit</b>											
BOQ 5.42 29 Nov 2024 365DAY TD	S&P ST A2		4,000,000.00	4,000,000.00	100.000		4.084	<b>4,163,342.48</b>	1.37%	5.42%	
BOQ 5.2 02 Dec 2024 549DAY TD	S&P ST A2		2,000,000.00	2,000,000.00	100.000		1.268	<b>2,025,358.90</b>	0.67%	5.20%	
BOQ 5.2 02 Dec 2024 549DAY TD	S&P ST A2		3,000,000.00	3,000,000.00	100.000		1.268	<b>3,038,038.35</b>	1.00%	5.20%	
BOQ 5.42 30 Jan 2025 427DAY TD	S&P ST A2		8,000,000.00	8,000,000.00	100.000		4.084	<b>8,326,684.96</b>	2.73%	5.42%	
BOQ 4.95 10 Apr 2025 762DAY TD	S&P ST A2		5,000,000.00	5,000,000.00	100.000		7.323	<b>5,366,164.40</b>	1.76%	4.95%	

BOQ 4.8 02 Feb 2026 549DAY TD	S&P A-	5,500,000.00	5,500,000.00	100.000	0.381	<b>5,520,975.35</b>	1.81%	4.80%
BOQ 4.76 21 Sep 2026 1461DAY TD	S&P A-	5,000,000.00	5,000,000.00	100.000	4.499	<b>5,224,958.90</b>	1.72%	4.76%
BOQ 4.91 23 Sep 2027 1826DAY TD	S&P A-	4,000,000.00	4,000,000.00	100.000	4.587	<b>4,183,486.04</b>	1.37%	4.91%
BOQ 5.15 03 Mar 2028 1827DAY TD	S&P A-	3,000,000.00	3,000,000.00	100.000	2.540	<b>3,076,191.78</b>	1.01%	5.15%
BOQ 5.15 03 Mar 2028 1827DAY TD	S&P A-	2,000,000.00	2,000,000.00	100.000	2.554	<b>2,051,076.72</b>	0.67%	5.15%
BOQ 5.15 03 Mar 2028 1827DAY TD	S&P A-	2,000,000.00	2,000,000.00	100.000	2.540	<b>2,050,794.52</b>	0.67%	5.15%
BOQ 5 23 May 2028 1462DAY TD	S&P A-	2,000,000.00	2,000,000.00	100.000	1.384	<b>2,027,671.24</b>	0.67%	5.00%
BOQ 4.75 02 Aug 2029 1826DAY TD	S&P A-	4,000,000.00	4,000,000.00	100.000	0.377	<b>4,015,095.88</b>	1.32%	4.75%
CBA 5.37 21 Oct 2024 332DAY TD	S&P ST A1+	4,000,000.00	4,000,000.00	100.000	4.134	<b>4,165,366.56</b>	1.37%	5.37%
CBA 5.39 22 Nov 2024 364DAY TD	S&P ST A1+	4,000,000.00	4,000,000.00	100.000	4.150	<b>4,165,982.48</b>	1.37%	5.39%
CBA 4.78 20 Dec 2024 731DAY TD	S&P ST A1+	5,000,000.00	5,000,000.00	100.000	0.799	<b>5,039,942.45</b>	1.65%	4.78%
PCCU 5.2 13 Jun 2025 364DAY TD	S&P ST A2	5,000,000.00	5,000,000.00	100.000	1.111	<b>5,055,561.65</b>	1.66%	5.20%
JUDO 5.2 22 May 2025 365DAY TD	S&P ST A2	3,000,000.00	3,000,000.00	100.000	1.439	<b>3,043,167.12</b>	1.00%	5.20%
JUDO 5.2 22 May 2025 365DAY TD	S&P ST A2	2,000,000.00	2,000,000.00	100.000	1.439	<b>2,028,778.08</b>	0.67%	5.20%
JUDO 5.13 16 Dec 2025 550DAY TD	S&P BBB	3,000,000.00	3,000,000.00	100.000	1.096	<b>3,032,888.22</b>	1.00%	5.13%
JUDO 5.13 16 Dec 2025 550DAY TD	S&P BBB	4,000,000.00	4,000,000.00	100.000	1.096	<b>4,043,850.96</b>	1.33%	5.13%
JUDO 1.7 16 Sep 2026 1826DAY TD	S&P BBB	3,000,000.00	3,000,000.00	100.000	1.621	<b>3,048,624.66</b>	1.00%	1.70%
MACQCU 5.12 18 Feb 2025 365DAY TD	Unrated ST UR	2,000,000.00	2,000,000.00	100.000	2.721	<b>2,054,426.30</b>	0.67%	5.12%
NAB 5.17 03 Sep 2024 330DAY TD	S&P ST A1+	4,000,000.00	4,000,000.00	100.000	4.632	<b>4,185,270.12</b>	1.37%	5.17%
NAB 5.13 11 Sep 2024 240DAY TD	S&P ST A1+	3,000,000.00	3,000,000.00	100.000	3.219	<b>3,096,556.44</b>	1.02%	5.13%
NAB 5.07 28 Feb 2025 365DAY TD	S&P ST A1+	5,000,000.00	5,000,000.00	100.000	2.556	<b>5,127,791.80</b>	1.68%	5.07%
NAB 5.07 28 Feb 2025 365DAY TD	S&P ST A1+	3,000,000.00	3,000,000.00	100.000	2.556	<b>3,076,675.08</b>	1.01%	5.07%
NAB 5.25 02 Jul 2025 397DAY TD	S&P ST A1+	5,000,000.00	5,000,000.00	100.000	1.323	<b>5,066,164.40</b>	1.66%	5.25%
NAB 5.3 07 Jul 2025 376DAY TD	S&P ST A1+	5,000,000.00	5,000,000.00	100.000	0.958	<b>5,047,917.80</b>	1.66%	5.30%
NAB 5.45 07 Jul 2025 371DAY TD	S&P ST A1+	12,000,000.00	12,000,000.00	100.000	0.911	<b>12,109,298.64</b>	3.98%	5.45%
NAB 5.4 08 Jul 2025 365DAY TD	S&P ST A1+	4,000,000.00	4,000,000.00	100.000	0.799	<b>4,031,956.16</b>	1.32%	5.40%
NAB 5.2 04 Aug 2025 367DAY TD	S&P ST A1+	2,000,000.00	2,000,000.00	100.000	0.413	<b>2,008,263.02</b>	0.66%	5.20%
NAB 5.3 15 Aug 2025 385DAY TD	S&P ST A1+	2,000,000.00	2,000,000.00	100.000	0.523	<b>2,010,454.80</b>	0.66%	5.30%
NAB 5.2 24 Sep 2025 488DAY TD	S&P AA-	5,000,000.00	5,000,000.00	100.000	1.410	<b>5,070,520.55</b>	1.66%	5.20%
SunBank 5.15 03 Oct 2024 240DAY TD	S&P ST A1+	3,000,000.00	3,000,000.00	100.000	2.921	<b>3,087,620.55</b>	1.01%	5.15%
SunBank 5.18 05 Feb 2025 365DAY TD	S&P ST A1+	1,500,000.00	1,500,000.00	100.000	2.938	<b>1,544,065.49</b>	0.51%	5.18%
SunBank 5.11 06 May 2025 455DAY TD	S&P ST A1+	5,000,000.00	5,000,000.00	100.000	1.638	<b>5,081,900.00</b>	1.67%	5.11%
SuncorpGp 5.11 13 Aug 2025 547DAY TD	S&P ST A1	5,000,000.00	5,000,000.00	100.000	2.800	<b>5,140,000.00</b>	1.69%	5.11%



Westpac 5.09 18 Mar 2025 365DAY TD	S&P ST A1+	5,000,000.00	5,000,000.00	100.000	2.315	<b>5,115,745.20</b>	1.68%	5.09%
Westpac 5.09 18 Mar 2025 365DAY TD	S&P ST A1+	2,000,000.00	2,000,000.00	100.000	2.315	<b>2,046,298.08</b>	0.67%	5.09%
Westpac 5.29 30 Apr 2025 365DAY TD	S&P ST A1+	1,000,000.00	1,000,000.00	100.000	0.464	<b>1,004,637.81</b>	0.33%	5.29%
Westpac 5.01 23 Jul 2025 516DAY TD	S&P ST A1+	5,000,000.00	5,000,000.00	100.000	0.110	<b>5,005,490.40</b>	1.64%	5.01%
Westpac 5.15 27 Oct 2025 458DAY TD	S&P AA-	2,000,000.00	2,000,000.00	100.000	0.508	<b>2,010,158.90</b>	0.66%	5.15%
Westpac 5.15 27 Oct 2025 458DAY TD	S&P AA-	2,000,000.00	2,000,000.00	100.000	0.508	<b>2,010,158.90</b>	0.66%	5.15%
Westpac 5.2 08 Jan 2026 549DAY TD	S&P AA-	4,000,000.00	4,000,000.00	100.000	0.769	<b>4,030,772.60</b>	1.32%	5.20%
Westpac 5.2 08 Jan 2026 549DAY TD	S&P AA-	2,000,000.00	2,000,000.00	100.000	0.769	<b>2,015,386.30</b>	0.66%	5.20%
Westpac 5.2 08 Jan 2026 549DAY TD	S&P AA-	2,000,000.00	2,000,000.00	100.000	0.769	<b>2,015,386.30</b>	0.66%	5.20%
Westpac 5.17 30 Apr 2029 1826DAY TD	S&P AA-	4,000,000.00	4,000,000.00	100.000	0.453	<b>4,018,130.40</b>	1.32%	5.17%
Westpac 4.5 14 Aug 2029 1826DAY TD	S&P AA-	4,000,000.00	4,000,000.00	100.000	0.210	<b>4,008,383.56</b>	1.32%	4.50%
		<b>182,000,000.00</b>	<b>182,000,000.00</b>			<b>185,713,431.30</b>	<b>60.98%</b>	<b>5.08%</b>
Total Portfolio		<b>300,658,127.59</b>	<b>300,658,127.59</b>			<b>304,549,873.89</b>	<b>100.00%</b>	<b>4.76%</b>

### Portfolio Valuation By Categories As At 31 August 2024

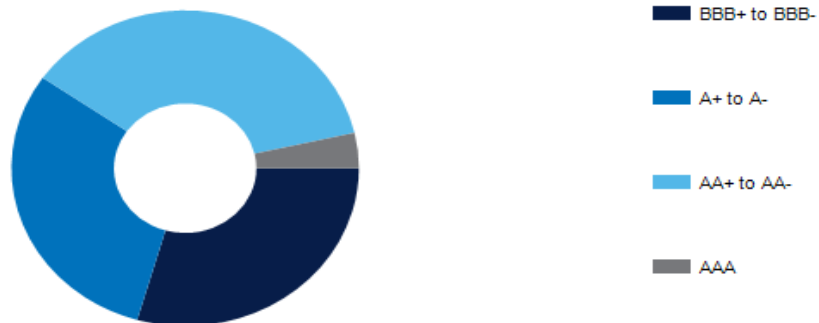
Short Term Issuer/Security Rating Group	Market Value	% Total Value
N/R	2,054,426.30	0.67%
A2	33,047,095.94	10.85%
A1	5,140,000.00	1.69%
A1+	128,675,524.87	42.25%
<b>Portfolio Total</b>	<b>168,917,047.11</b>	<b>55.46%</b>

Market Value by Security Rating Group (Short Term)



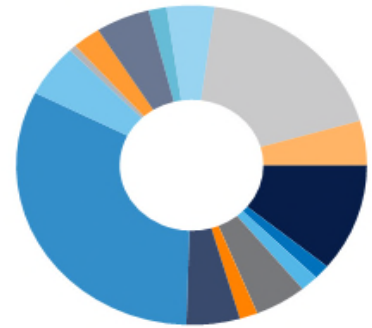
Long Term Issuer/Security Rating Group	Market Value	% Total Value
BBB+ to BBB-	39,948,948.84	13.12%
A+ to A-	41,052,520.43	13.48%
AA+ to AA-	49,737,807.51	16.33%
AAA	4,893,550.00	1.61%
<b>Portfolio Total</b>	<b>135,632,826.78</b>	<b>44.54%</b>

Market Value by Security Rating Group (Long Term)



Issuer	Market Value	% Total Value
Auswide Bank Limited	13,656,865.00	4.48%
Bank of Queensland Ltd	56,072,989.52	18.41%
Commonwealth Bank of Australia Ltd	13,371,291.49	4.39%
People's Choice Credit Union	5,055,561.65	1.66%
Judo Bank	15,197,309.04	4.99%
Macquarie Bank Ltd	7,899,120.00	2.59%
Macquarie Credit Union Limited	2,054,426.30	0.67%
MyState Bank Ltd	16,166,720.00	5.31%
National Australia Bank Ltd	97,488,996.40	32.01%
Northern Territory Treasury Corporation	15,019,650.00	4.93%
Rabobank Nederland Australia Branch	5,042,500.00	1.66%
ANZ	14,607,136.04	4.80%
Suncorp Group Ltd	5,140,000.00	1.69%
UBS Australia Ltd	4,496,760.00	1.48%
Westpac Banking Corporation Ltd	33,280,548.45	10.93%
<b>Portfolio Total</b>	<b>304,549,873.89</b>	<b>100.00%</b>

Market Value by Issuer



Security Type	Market Value	% Total Value
At Call Investment	46,658,127.59	15.32%
Covered Fixed Bond	4,893,550.00	1.61%
Fixed Rate Bond	27,961,270.00	9.18%
Floating Rate Note	39,323,495.00	12.91%
Term Deposit	185,713,431.30	60.98%
<b>Portfolio Total</b>	<b>304,549,873.89</b>	<b>100.00%</b>

Market Value by Security Type



Term Remaining	Market Value	% Total Value
0 to < 1 Year	205,035,457.11	67.32%
1 to < 3 Years	69,082,936.64	22.68%
3 to < 5 Years	30,431,480.14	9.99%
Portfolio Total	304,549,873.89	100.00%

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

Market Value by Term Remaining



### Performance Statistics For Period Ending 31 August 2024

Trading Book		1 Month	3 Month	12 Month	Since Inception
Dubbo Regional Council	Portfolio Return (1)	0.43%	1.25%	5.03%	2.70%
	Performance Index (2)	0.38%	1.11%	4.39%	2.11%
	Excess Performance (3)	0.05%	0.14%	0.64%	0.59%

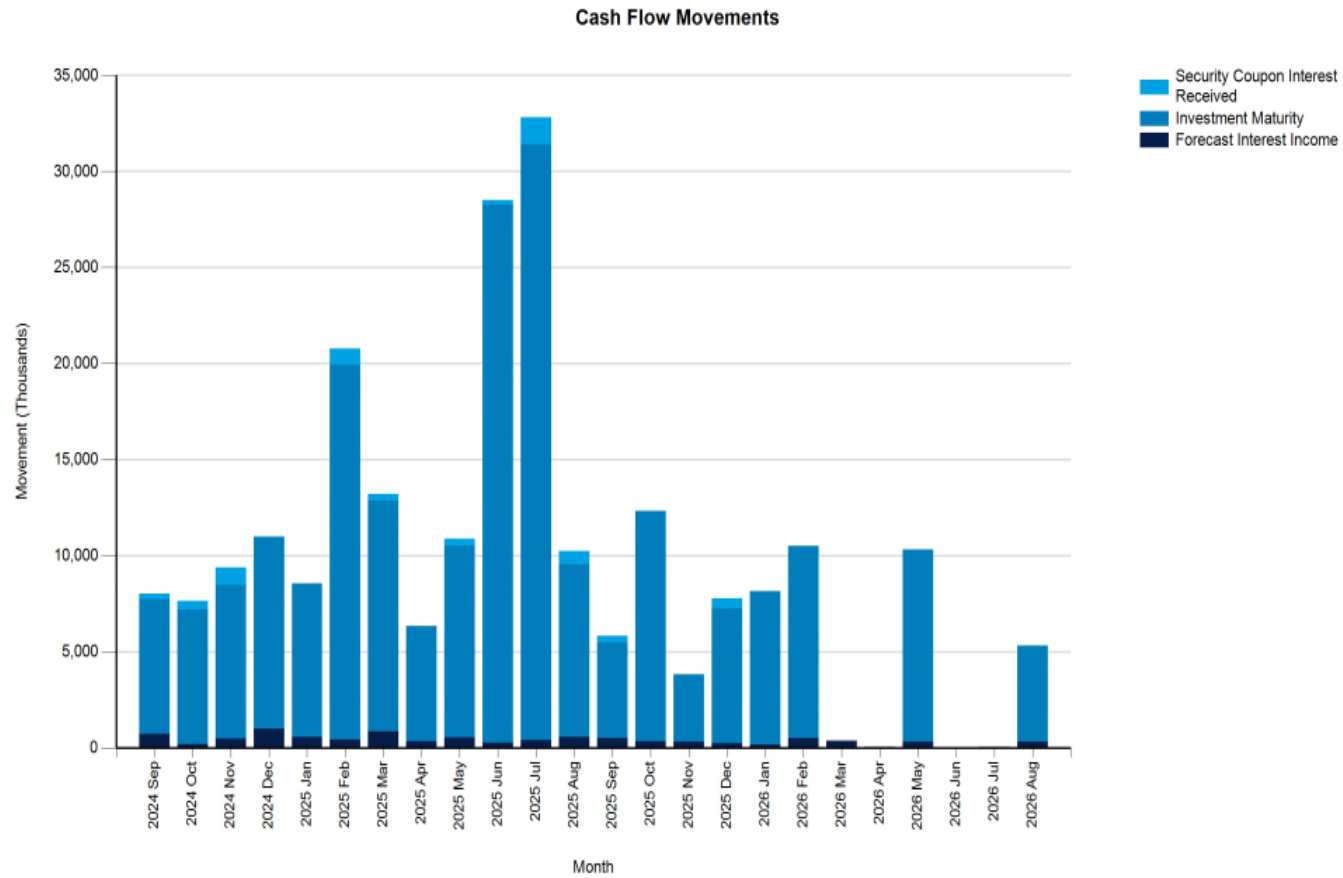
Notes

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

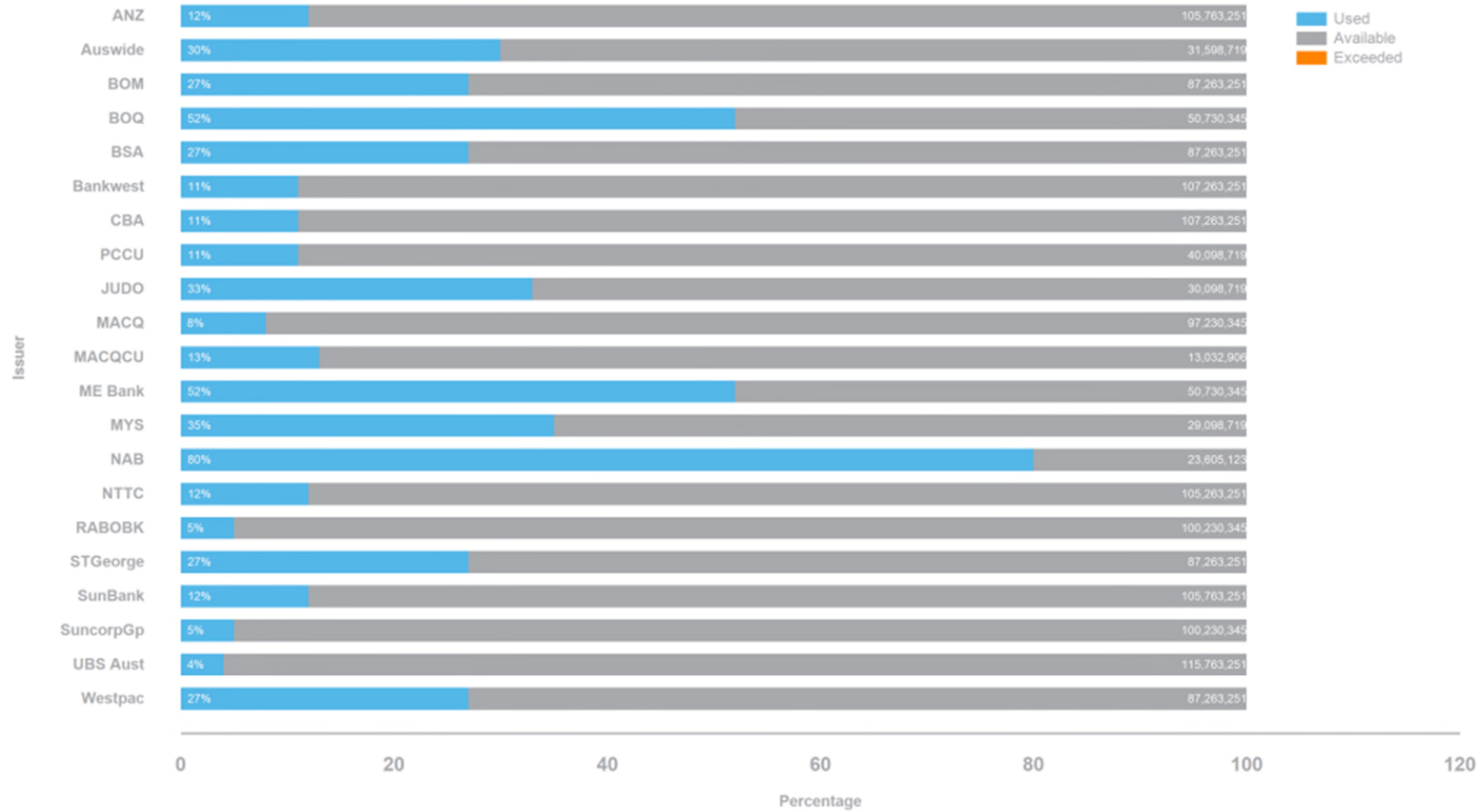
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Trading Book	Weighted Average Running Yield
Dubbo Regional Council	4.76

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### Issuer Trading Limits As At 31 August 2024







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

**DIVISION:** Organisational Performance  
**REPORT DATE:** 3 October 2024  
**TRIM REFERENCE:** ID24/1875

### EXECUTIVE SUMMARY

<b>Purpose</b>	<ul style="list-style-type: none"> <li>Provide review or update</li> <li>Fulfil legislative requirement/compliance</li> </ul>	
<b>Issue</b>	<ul style="list-style-type: none"> <li>Investment under Section 625 of the <i>Local Government Act 1993</i>.</li> </ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"> <li>Section 212 of the Local Government (General) Regulation 2021</li> <li>Section 625 of the Local Government Act 1993</li> <li>Council's Investment Policy and Strategy</li> </ul>	
<b>Financial Implications</b>	Budget Area	Organisational Performance
	Funding Source	Interest Earned on Investment
<b>Policy Implications</b>	Policy Title	Investment Policy 2024
	Impact on Policy	There are no policy implications arising from this report

### STRATEGIC DIRECTION

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

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

### RECOMMENDATION

**That the information contained within the Investment under Section 625 of the Local Government Act Report be noted.**

*Jane Bassingthwaighe*  
Director Organisational Performance

*BM*  
Revenue Accountant

## BACKGROUND

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

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

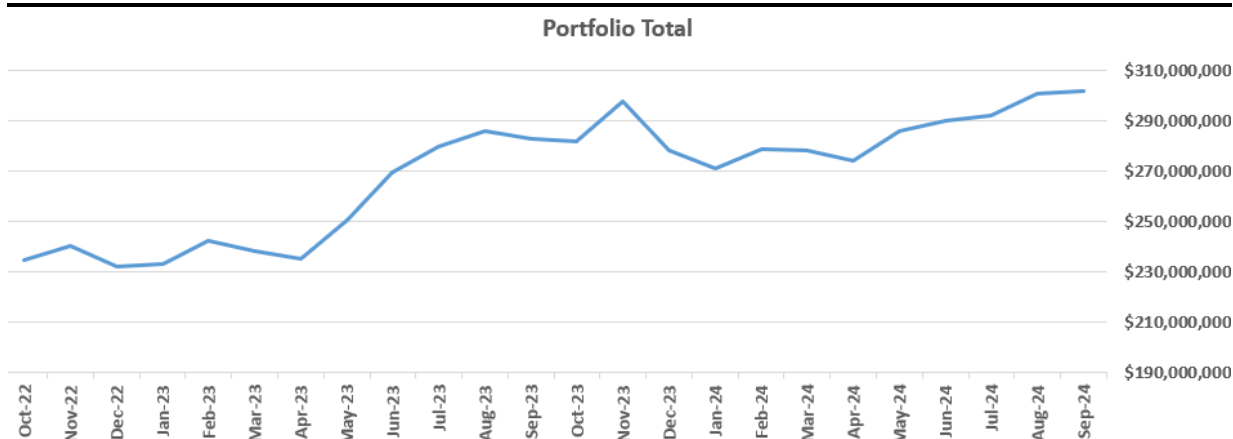
- a. any public funds or securities issued by or guaranteed by the Commonwealth, any State of the Commonwealth or a Territory;
- b. any debentures or securities issued by a council (within the meaning of the *Local Government Act 1993* (NSW));
- c. interest bearing deposits with, or any debentures or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

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

## REPORT

### Portfolio Overview

As of 1 September 2024, Council had a total investment Portfolio Face Value of \$301,856,129.65. This is inclusive of Councils Cash at bank consisting of General Funds, Sewer Funds, Water Funds, and restricted Grant Funding. Laminar Capital have provided a Market Value of \$305,557,667.01 for Council's Total Investment Portfolio.



**Portfolio Fund Breakdown**

Portfolio Breakdown – Current Month			
Fund	Total Amount Invested	PFA Bank Account Balance	Total
General	\$125,000,000.00	\$27,083,660.08	\$152,083,660.08
Water	\$52,000,000.00	\$9,686,665.76	\$61,686,665.76
Sewer	\$78,000,000.00	\$10,085,803.81	\$88,085,803.81
<b>Total</b>	<b>\$255,000,000.00</b>	<b>\$46,856,129.65</b>	<b>\$301,856,129.65</b>

Portfolio Breakdown – Previous Month			
Fund	Total Amount Invested	PFA Bank Account Balance	Total
General	\$129,000,000.00	\$25,347,455.29	\$154,347,455.29
Water	\$50,000,000.00	\$10,663,855.27	\$60,663,855.27
Sewer	\$75,000,000.00	\$10,646,817.03	\$85,646,817.03
<b>Total</b>	<b>\$254,000,000.00</b>	<b>\$46,658,127.59</b>	<b>\$300,658,127.59</b>

**Key Movements**

**Investment Activity during the month was as follows:**

- Investment Maturities – funds returned to Council:

ADI	Instrument	Amount	Funded by
National Australia Bank	Term Deposit	\$4,000,000.00	General
National Australia Bank	Term Deposit	\$3,000,000.00	Sewer

- New Investments Purchased – funds paid out by Council:

ADI	Instrument	Amount	Funded by
National Australia Bank	Term Deposit	\$4,000,000.00	Sewer
Bank of Queensland	Term Deposit	\$2,000,000.00	Sewer
National Australia Bank	Term Deposit	\$2,000,000.00	Water

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

- Notable Extraordinary Income – funds received by Council of an extraordinary nature:

During the month of September there was no notable extraordinary income.

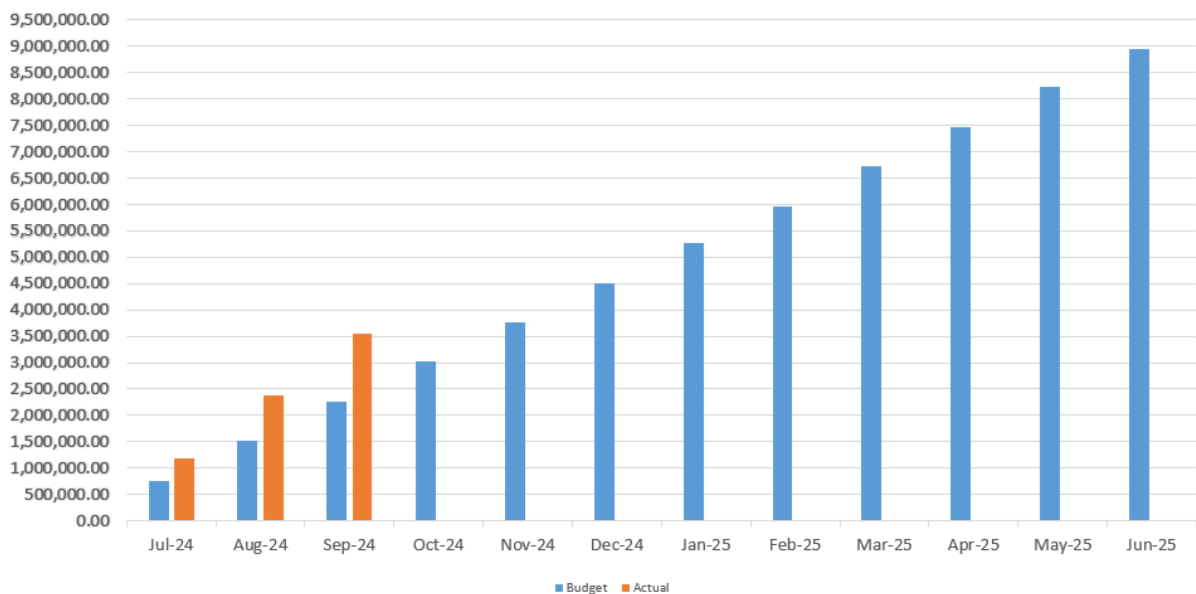
- Notable Expenditure – funds paid out by Council:

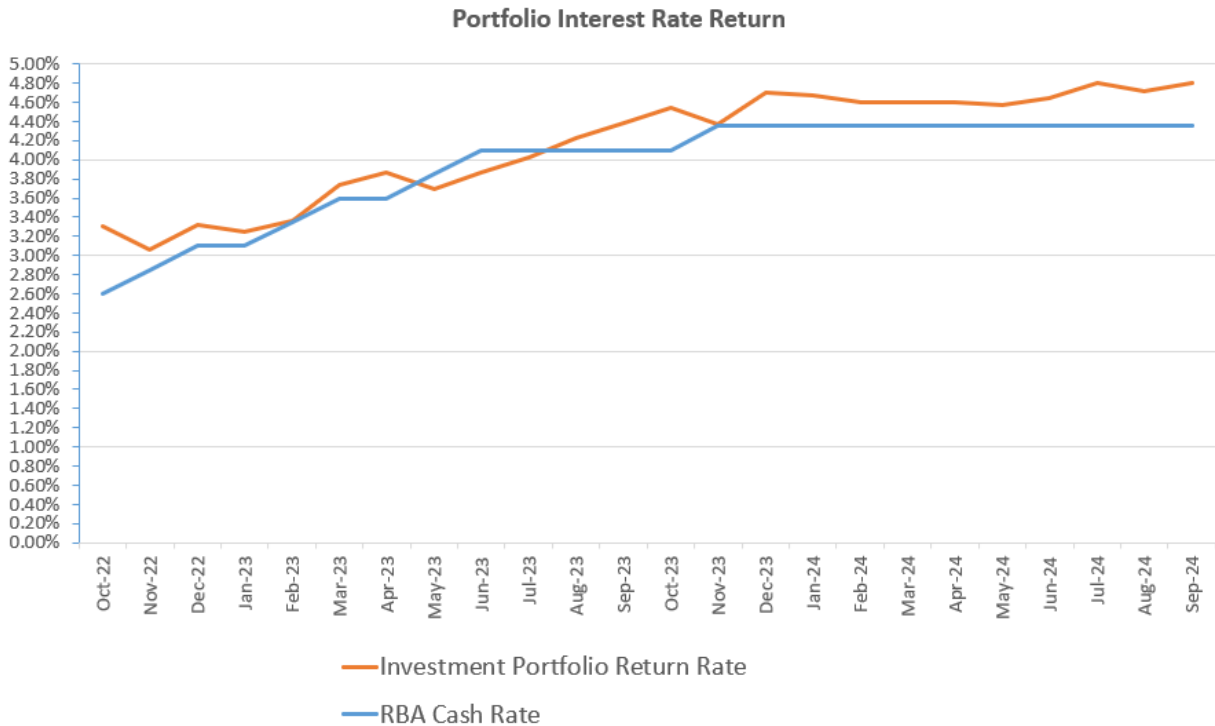
During the month of September there was no notable extraordinary expenditure.

**Investment Interest Overview:**

Interest earned on investments has been included within Council’s 2024/2025 Operational Plan, with total income generated from the Investment Portfolio forecast to be in excess of \$8,957,302.00.

**Budget to Actual - Interest on Investments**





Council has investments totalling \$31,000,000.00 Face Value which were invested with fixed interest rates below the current Official Cash Rate of 4.35%. Investments totalling \$18,000,000.00 will mature in the 2025 Financial Year with interest rates of 0.90% and 1.70%. Longer term investments beyond 30 June 2025 totalling \$13,000,000.00 were invested with interest rates ranging from 1.70% to 4.25%. These investments were placed with competitive interest rates at the time the investments were made.

**Summary**

**Cash Account**

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

**Investment Portfolio**

Council outperformed the one-month Bloomberg AusBond Bank Bill Index of 0.36%, with an average return of 4.80% for its overall portfolio return.

**Consultation**

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

**Resourcing Implications**

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

**APPENDICES:**

- [1](#) Investment Report - Laminar Report - September 2024 - Attachment

# Dubbo Regional Council

## Investment Report

1 September 2024 to 30 September 2024



Portfolio Valuation As At 30 September 2024

Security	Security Rating	ISIN	Face Value Original	Face Value Current	FI Cap Price/ Unit Price/ Share Price	Unit Count/ Share Count	Accrued Interest Price	Market Value	% Total Value	Running Yield	Weighted Running Yield
<b>At Call Investment</b>											
NAB At Call In	S&P ST A1+		46,856,129.65	46,856,129.65	100.000		0.000	<b>46,856,129.65</b>	15.33%		
			<b>46,856,129.65</b>	<b>46,856,129.65</b>				<b>46,856,129.65</b>	15.33%		
<b>Covered Fixed Bond</b>											
SunBank 3.25 24 Aug 2026 COVEREDFIX	Moodys Aaa	AU3CB0239267	5,000,000.00	5,000,000.00	98.247		0.327	<b>4,928,700.00</b>	1.61%		
			<b>5,000,000.00</b>	<b>5,000,000.00</b>				<b>4,928,700.00</b>	1.61%		
<b>Fixed Rate Bond</b>											
MACQ 1.7 12 Feb 2025 Fixed	S&P A+	AU3CB0270387	8,000,000.00	8,000,000.00	98.869		0.226	<b>7,927,600.00</b>	2.59%		
NTTC 0.9 15 Jun 2025 - Issued 04 Feb 2021 - Dubbo Regional Council Fixed	Moodys Aa3		5,000,000.00	5,000,000.00	100.000		0.264	<b>5,013,200.00</b>	1.64%		
NTTC 0.9 15 Jun 2025 - Issued 10 Feb 2021 - Dubbo Regional Council Fixed	Moodys Aa3		5,000,000.00	5,000,000.00	100.000		0.264	<b>5,013,200.00</b>	1.64%		
NTTC 4.8 15 Dec 2028 - Issued 30 August 2024 - Dubbo Council Fixed	Moodys Aa3		5,000,000.00	5,000,000.00	100.000		0.408	<b>5,020,400.00</b>	1.64%		
RABOBK 4.25 12 May 2026 Fixed	Moodys Aa2	AU3CB0233898	5,000,000.00	5,000,000.00	99.869		1.628	<b>5,074,850.00</b>	1.66%		
			<b>28,000,000.00</b>	<b>28,000,000.00</b>				<b>28,049,250.00</b>	9.18%		
<b>Floating Rate Note</b>											
Auswide 0.9 17 Mar 2025 FRN	Moodys Baa2	AU3FN0067393	5,000,000.00	5,000,000.00	100.021		0.189	<b>5,010,500.00</b>	1.64%		
Auswide 1.3 10 Jun 2025 FRN	Moodys Baa2	AU3FN0069555	5,000,000.00	5,000,000.00	100.243		0.313	<b>5,027,800.00</b>	1.65%		
Auswide 1.5 07 Nov 2025 FRN	Moodys Baa2	AU3FN0073037	3,500,000.00	3,500,000.00	100.408		0.871	<b>3,544,765.00</b>	1.16%		
BOQ 0.63 06 May 2026 FRN	S&P A-	AU3FN0060406	5,000,000.00	5,000,000.00	99.800		0.751	<b>5,027,550.00</b>	1.65%		
MYS 0.65 16 Jun 2025 FRN	Moodys Baa2	AU3FN0061024	8,000,000.00	8,000,000.00	99.896		0.194	<b>8,007,200.00</b>	2.62%		
MYS 1.3 13 Oct 2025 FRN	Moodys Baa2	AU3FN0072369	8,000,000.00	8,000,000.00	100.450		1.214	<b>8,133,120.00</b>	2.66%		
UBS Aust 0.5 26 Feb 2026 FRN	Moodys Aa3	AU3FN0058608	4,500,000.00	4,500,000.00	99.941		0.465	<b>4,518,270.00</b>	1.48%		
			<b>39,000,000.00</b>	<b>39,000,000.00</b>				<b>39,269,205.00</b>	12.85%		
<b>Term Deposit</b>											
BOQ 5.42 29 Nov 2024 365DAY TD	S&P ST A2		4,000,000.00	4,000,000.00	100.000		4.529	<b>4,181,161.64</b>	1.37%		
BOQ 5.2 02 Dec 2024 549DAY TD	S&P ST A2		2,000,000.00	2,000,000.00	100.000		1.695	<b>2,033,906.84</b>	0.67%		
BOQ 5.2 02 Dec 2024 549DAY TD	S&P ST A2		3,000,000.00	3,000,000.00	100.000		1.695	<b>3,050,860.26</b>	1.00%		
BOQ 5.42 30 Jan 2025 427DAY TD	S&P ST A2		8,000,000.00	8,000,000.00	100.000		4.529	<b>8,362,323.28</b>	2.74%		
BOQ 4.95 03 Mar 2025 181DAY TD	S&P ST A2		2,000,000.00	2,000,000.00	100.000		0.366	<b>2,007,323.28</b>	0.66%		



BOQ 4.95 10 Apr 2025 762DAY TD	S&P ST A2	5,000,000.00	5,000,000.00	100.000	2.753	<b>5,137,650.70</b>	1.68%
BOQ 4.8 02 Feb 2026 549DAY TD	S&P A-	5,500,000.00	5,500,000.00	100.000	0.776	<b>5,542,673.95</b>	1.81%
BOQ 4.76 21 Sep 2026 1461DAY TD	S&P A-	5,000,000.00	5,000,000.00	100.000	0.091	<b>5,004,564.40</b>	1.64%
BOQ 4.91 23 Sep 2027 1826DAY TD	S&P A-	4,000,000.00	4,000,000.00	100.000	0.094	<b>4,003,766.56</b>	1.31%
BOQ 5.15 03 Mar 2028 1827DAY TD	S&P A-	3,000,000.00	3,000,000.00	100.000	2.963	<b>3,088,890.42</b>	1.01%
BOQ 5.15 03 Mar 2028 1827DAY TD	S&P A-	2,000,000.00	2,000,000.00	100.000	2.977	<b>2,059,542.46</b>	0.67%
BOQ 5.15 03 Mar 2028 1827DAY TD	S&P A-	2,000,000.00	2,000,000.00	100.000	2.963	<b>2,059,260.28</b>	0.67%
BOQ 5.23 23 May 2028 1462DAY TD	S&P A-	2,000,000.00	2,000,000.00	100.000	1.795	<b>2,035,890.42</b>	0.67%
BOQ 4.75 02 Aug 2029 1826DAY TD	S&P A-	4,000,000.00	4,000,000.00	100.000	0.768	<b>4,030,712.32</b>	1.32%
CBA 5.37 21 Oct 2024 332DAY TD	S&P ST A1+	4,000,000.00	4,000,000.00	100.000	4.576	<b>4,183,021.36</b>	1.37%
CBA 5.39 22 Nov 2024 364DAY TD	S&P ST A1+	4,000,000.00	4,000,000.00	100.000	4.593	<b>4,183,703.00</b>	1.37%
CBA 4.78 20 Dec 2024 731DAY TD	S&P ST A1+	5,000,000.00	5,000,000.00	100.000	1.192	<b>5,059,586.30</b>	1.66%
PCCU 5.2 13 Jun 2025 364DAY TD	S&P ST A2	5,000,000.00	5,000,000.00	100.000	1.539	<b>5,076,931.50</b>	1.66%
JUDO 5.2 22 May 2025 365DAY TD	S&P ST A2	3,000,000.00	3,000,000.00	100.000	1.866	<b>3,055,989.03</b>	1.00%
JUDO 5.2 22 May 2025 365DAY TD	S&P ST A2	2,000,000.00	2,000,000.00	100.000	1.866	<b>2,037,326.02</b>	0.67%
JUDO 5.13 16 Dec 2025 550DAY TD	S&P BBB	3,000,000.00	3,000,000.00	100.000	1.518	<b>3,045,537.54</b>	1.00%
JUDO 5.13 16 Dec 2025 550DAY TD	S&P BBB	4,000,000.00	4,000,000.00	100.000	1.518	<b>4,060,716.72</b>	1.33%
JUDO 1.7 16 Sep 2026 1826DAY TD	S&P BBB	3,000,000.00	3,000,000.00	100.000	0.065	<b>3,001,956.15</b>	0.98%
MACQCU 5.12 18 Feb 2025 365DAY TD	Unrated ST UR	2,000,000.00	2,000,000.00	100.000	3.142	<b>2,062,842.74</b>	0.68%
NAB 4.95 02 Dec 2024 90DAY TD	S&P ST A1+	4,000,000.00	4,000,000.00	100.000	0.366	<b>4,014,646.56</b>	1.31%
NAB 5.07 28 Feb 2025 365DAY TD	S&P ST A1+	5,000,000.00	5,000,000.00	100.000	2.973	<b>5,148,627.40</b>	1.68%
NAB 5.07 28 Feb 2025 365DAY TD	S&P ST A1+	3,000,000.00	3,000,000.00	100.000	2.973	<b>3,089,176.44</b>	1.01%
NAB 5.25 02 Jul 2025 397DAY TD	S&P ST A1+	5,000,000.00	5,000,000.00	100.000	1.755	<b>5,087,739.75</b>	1.67%
NAB 5.3 07 Jul 2025 376DAY TD	S&P ST A1+	5,000,000.00	5,000,000.00	100.000	1.394	<b>5,069,698.65</b>	1.66%
NAB 5.45 07 Jul 2025 371DAY TD	S&P ST A1+	12,000,000.00	12,000,000.00	100.000	1.359	<b>12,163,052.04</b>	3.98%
NAB 5.4 08 Jul 2025 365DAY TD	S&P ST A1+	4,000,000.00	4,000,000.00	100.000	1.243	<b>4,049,709.60</b>	1.33%
NAB 5.2 04 Aug 2025 367DAY TD	S&P ST A1+	2,000,000.00	2,000,000.00	100.000	0.841	<b>2,016,810.96</b>	0.66%
NAB 5.3 15 Aug 2025 385DAY TD	S&P ST A1+	2,000,000.00	2,000,000.00	100.000	0.958	<b>2,019,167.12</b>	0.66%
NAB 4.9 10 Sep 2025 365DAY TD	S&P ST A1+	2,000,000.00	2,000,000.00	100.000	0.268	<b>2,005,369.86</b>	0.66%
NAB 5.2 24 Sep 2025 488DAY TD	S&P ST A1+	5,000,000.00	5,000,000.00	100.000	1.838	<b>5,091,890.40</b>	1.67%
SunBank 5.15 03 Oct 2024 240DAY TD	S&P ST A1+	3,000,000.00	3,000,000.00	100.000	3.344	<b>3,100,319.19</b>	1.01%
SunBank 5.18 05 Feb 2025 365DAY TD	S&P ST A1+	1,500,000.00	1,500,000.00	100.000	3.363	<b>1,550,451.78</b>	0.51%
SunBank 5.11 06 May 2025 455DAY TD	S&P ST A1+	5,000,000.00	5,000,000.00	100.000	2.058	<b>5,102,900.00</b>	1.67%

SuncorpGp 5.11 13 Aug 2025 547DAY TD	S&P ST A1	5,000,000.00	5,000,000.00	100.000	3.220	<b>5,161,000.00</b>	1.69%
Westpac 5.09 18 Mar 2025 365DAY TD	S&P ST A1+	5,000,000.00	5,000,000.00	100.000	2.733	<b>5,136,663.00</b>	1.68%
Westpac 5.09 18 Mar 2025 365DAY TD	S&P ST A1+	2,000,000.00	2,000,000.00	100.000	2.733	<b>2,054,665.20</b>	0.67%
Westpac 5.29 30 Apr 2025 365DAY TD	S&P ST A1+	1,000,000.00	1,000,000.00	100.000	0.899	<b>1,008,985.75</b>	0.33%
Westpac 5.01 23 Jul 2025 516DAY TD	S&P ST A1+	5,000,000.00	5,000,000.00	100.000	0.522	<b>5,026,079.45</b>	1.64%
Westpac 5.15 27 Oct 2025 458DAY TD	S&P AA-	2,000,000.00	2,000,000.00	100.000	0.931	<b>2,018,624.66</b>	0.66%
Westpac 5.15 27 Oct 2025 458DAY TD	S&P AA-	2,000,000.00	2,000,000.00	100.000	0.931	<b>2,018,624.66</b>	0.66%
Westpac 5.2 08 Jan 2026 549DAY TD	S&P AA-	4,000,000.00	4,000,000.00	100.000	1.197	<b>4,047,868.48</b>	1.32%
Westpac 5.2 08 Jan 2026 549DAY TD	S&P AA-	2,000,000.00	2,000,000.00	100.000	1.197	<b>2,023,934.24</b>	0.66%
Westpac 5.2 08 Jan 2026 549DAY TD	S&P AA-	2,000,000.00	2,000,000.00	100.000	1.197	<b>2,023,934.24</b>	0.66%
Westpac 5.17 30 Apr 2029 1826DAY TD	S&P AA-	4,000,000.00	4,000,000.00	100.000	0.878	<b>4,035,127.68</b>	1.32%
Westpac 4.5 14 Aug 2029 1826DAY TD	S&P AA-	4,000,000.00	4,000,000.00	100.000	0.579	<b>4,023,178.08</b>	1.32%
		<b>183,000,000.00</b>	<b>183,000,000.00</b>			<b>186,454,382.36</b>	61.02%
Total Portfolio		301,856,129.65	301,856,129.65			<b>305,557,667.01</b>	100.00% #DIV/0!

**Portfolio Valuation By Categories As At 30 September 2024**

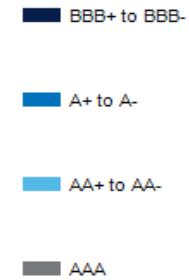
Short Term Issuer/Security Rating Group	Market Value	% Total Value
N/R	2,062,842.74	0.68%
A2	34,943,472.55	11.44%
A1	5,161,000.00	1.69%
A1+	133,018,393.46	43.53%
<b>Portfolio Total</b>	<b>175,185,708.75</b>	<b>57.33%</b>

**Market Value by Security Rating Group (Short Term)**



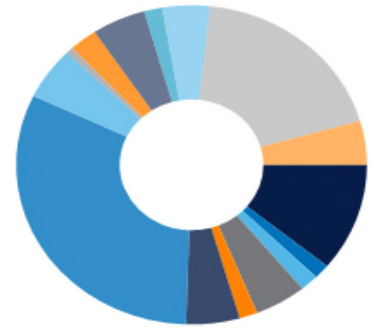
Long Term Issuer/Security Rating Group	Market Value	% Total Value
BBB+ to BBB-	39,831,595.41	13.04%
A+ to A-	40,780,450.81	13.35%
AA+ to AA-	44,831,212.04	14.67%
AAA	4,928,700.00	1.61%
<b>Portfolio Total</b>	<b>130,371,958.26</b>	<b>42.67%</b>

**Market Value by Security Rating Group (Long Term)**



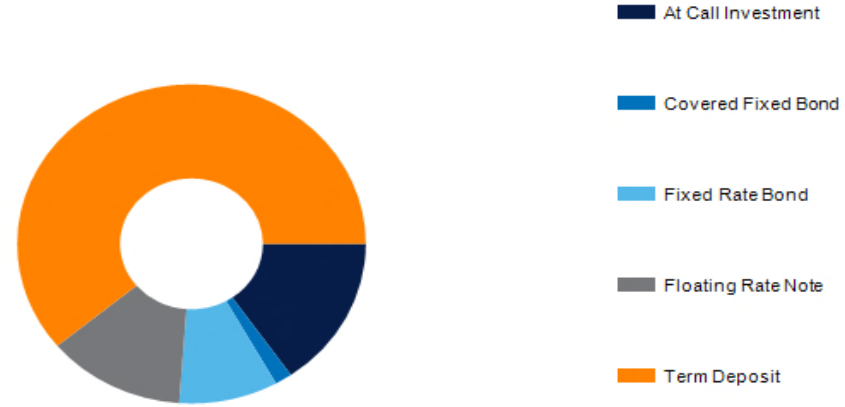
Issuer	Market Value	% Total Value
Auswide Bank Limited	13,583,065.00	4.45%
Bank of Queensland Ltd	57,626,076.81	18.86%
Commonwealth Bank of Australia Ltd	13,426,310.66	4.39%
People's Choice Credit Union	5,076,931.50	1.66%
Judo Bank	15,201,525.46	4.98%
Macquarie Bank Ltd	7,927,600.00	2.59%
Macquarie Credit Union Limited	2,062,842.74	0.68%
MyState Bank Ltd	16,140,320.00	5.28%
National Australia Bank Ltd	96,612,018.43	31.62%
Northern Territory Treasury Corporation	15,046,800.00	4.92%
Rabobank Nederland Australia Branch	5,074,850.00	1.66%
ANZ	14,682,370.97	4.81%
Suncorp Group Ltd	5,161,000.00	1.69%
UBS Australia Ltd	4,518,270.00	1.48%
Westpac Banking Corporation Ltd	33,417,685.44	10.94%
<b>Portfolio Total</b>	<b>305,557,667.01</b>	<b>100.00%</b>

Market Value by Issuer



Security Type	Market Value	% Total Value
At Call Investment	46,856,129.65	15.33%
Covered Fixed Bond	4,928,700.00	1.61%
Fixed Rate Bond	28,049,250.00	9.18%
Floating Rate Note	39,269,205.00	12.85%
Term Deposit	186,454,382.36	61.02%
<b>Portfolio Total</b>	<b>305,557,667.01</b>	<b>100.00%</b>

Market Value by Security Type



Term Remaining	Market Value	% Total Value
0 to < 1 Year	211,185,208.75	69.11%
1 to < 3 Years	68,019,456.60	22.26%
3 to < 5 Years	26,353,001.66	8.62%
Portfolio Total	305,557,667.01	100.00%

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

Market Value by Term Remaining



### Performance Statistics For Period Ending 30 September 2024

Trading Book		1 Month	3 Month	12 Month	Since Inception
Dubbo Regional Council	Portfolio Return (1)	0.33%	1.20%	5.02%	2.73%
	Performance Index (2)	0.36%	1.11%	4.41%	2.16%
	Excess Performance (3)	-0.03%	0.09%	0.61%	0.57%

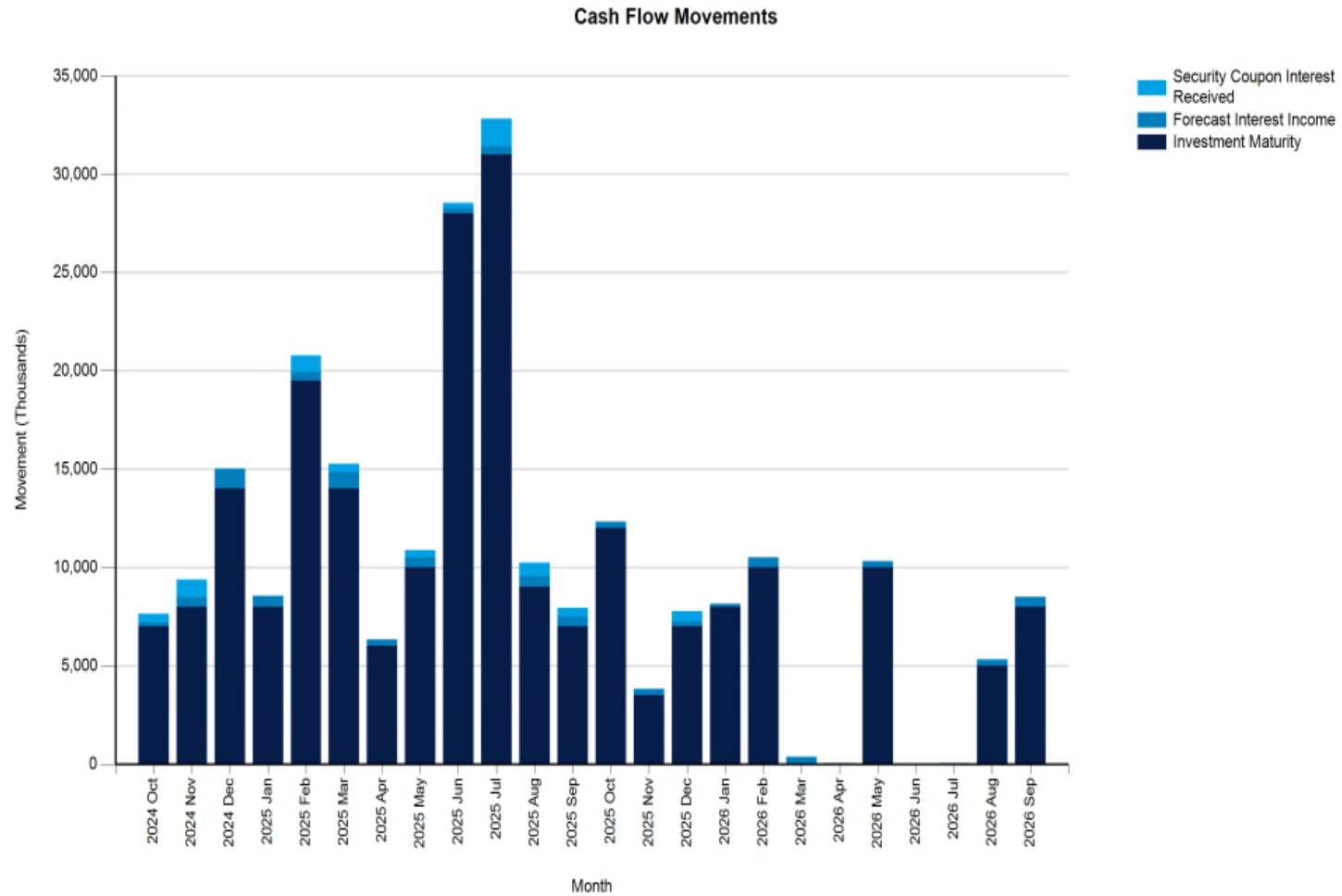
Notes

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

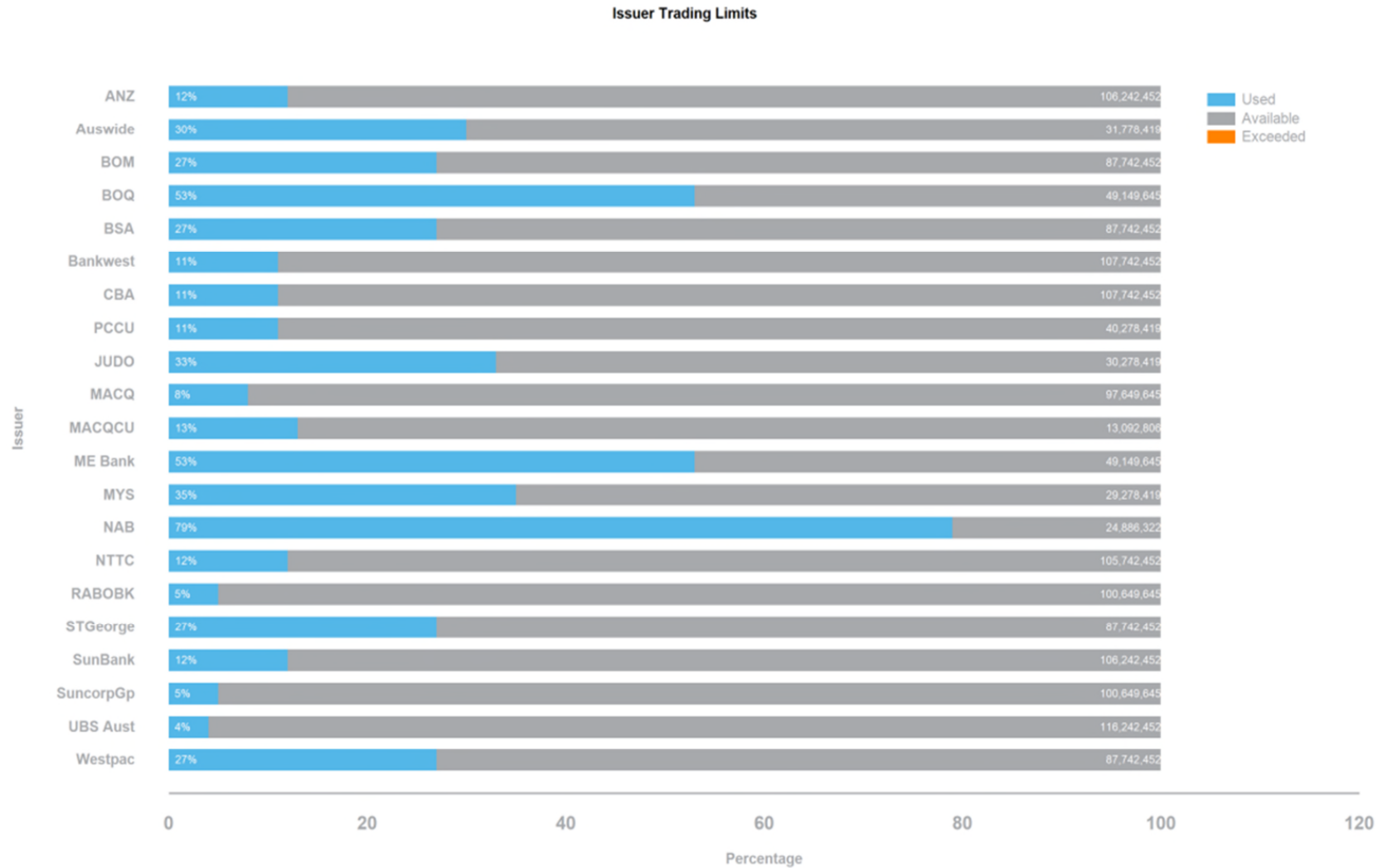
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Trading Book	Weighted Average Running Yield
Dubbo Regional Council	4.76

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DUBBO REGIONAL  
COUNCIL

## 2023/2024 Annual Report - Dubbo Regional Council

**DIVISION:** Strategy, Partnerships and Engagement  
**REPORT DATE:** 23 September 2024  
**TRIM REFERENCE:** ID24/1842

### EXECUTIVE SUMMARY

<b>Purpose</b>	<ul style="list-style-type: none"> <li>Seek endorsement</li> <li>Fulfil legislated requirement/Compliance</li> </ul>	
<b>Issue</b>	<ul style="list-style-type: none"> <li>This report is the covering report to the 2023/2024 Annual Report.</li> </ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"> <li>An Annual Report is required under the reporting obligations of the Local Government Act 1993 and the Local Government (General) Regulation 2021.</li> </ul>	
<b>Financial Implications</b>	Budget Area	Strategy Partnerships and Engagement
	Funding Source	Strategic Strategy Partnership and Engagement
	Proposed Cost	Nil additional, included in operating budget
	Ongoing Costs	Not required
<b>Policy Implications</b>	Policy Title	There are no policy implications arising from this report.
	Impact on Policy	Not required.

### STRATEGIC DIRECTION

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

Theme: 4 Leadership

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

Delivery Program Strategy: 4.1.4 Statutory requirements are met and services are provided in a cost-effective and timely manner

**RECOMMENDATION**

- 1. That the 2023/2024 Annual Report, provided under separate cover, be noted.**
- 2. That any minor corrections or typographical errors be corrected prior to the finalised document being published on Council's website and the Office of Local Government be notified no later than 30 November 2024.**
- 3. That a copy of the 2023/2024 Annual Report be printed and made available for reading at the Dubbo Civic Administration Building, Wellington Administration Building and Macquarie Regional Library (Dubbo and Wellington branches).**

*Jessica Brown*

Director Strategy Partnerships and Engagement

*JB*

Director Strategy  
Partnerships and  
Engagement

## BACKGROUND

Reporting is a key element of the Integrated Planning and Reporting Framework. Reporting back to the community about progress being made on implementation of the Delivery Program and Operational Plan, progress towards achievement of Community Strategic Plan outcomes, and financial performance against the annual and longer-term budgets are all part of the way a council is accountable to its community.

All councils in New South Wales are obliged to prepare an Annual Report within five months of the end of each financial year which is prepared in accordance with the Local Government (General) Regulation and the Integrated Planning and Reporting Guidelines.

The report must include a copy of the council's audited financial reports and be posted on the council's website.

## REPORT

The 2023/2024 Annual Report provides a summary of the Delivery Program and Operational Plan actions including status and commentary. The Annual Report also includes a link to Council's Audit Financial Statements for 2023/2024 and an overview of the major projects and services to the community delivered throughout the year.

In an ordinary election year, the Annual Report is to be accompanied by the State of Our Region Report. The State of Our Region Report will cover the term of the previous Council and will objectively track progress against the Community Strategic Plan. The report provides information that sets the scene for the new Council, includes achievements to date in addition to highlighting future work to be undertaken. The State of Our Region Report is to be considered at CCL24/250.

Council's organisational direction is centred on delivering the outcomes from our Towards 2040 Community Strategic Plan that provided growth, benefited our community, and responded to expectations for our regional community. Long-term financial sustainability continued to be a key focus for Council with an increased demand for services beyond what has traditionally been provided to the community, cost shifting from other levels of government and aging infrastructure. The 2023/2024 financial year included a continued focus on the renewal of key assets in the road network as well as providing essential services such as waste, water and sewerage are key priorities for Council and building on strategic partnerships in our community and region and developing new partnerships that will provide an ongoing benefit to the Dubbo region.

The 2023/2024 Delivery Program and Operational Plan contained 231 actions which were separated into the following six themes:

- |                  |            |                     |
|------------------|------------|---------------------|
| • Housing        | 24 actions | 11% of all actions; |
| • Infrastructure | 49 actions | 21% of all actions; |
| • Economy        | 30 actions | 13% of all actions; |

- |                                |            |                         |
|--------------------------------|------------|-------------------------|
| • Leadership                   | 44 actions | 19% of all actions;     |
| • Liveability                  | 51 actions | 22% of all actions; and |
| • Environmental Sustainability | 33 actions | 14% of all actions.     |

Each action was allocated to a Directorate which is accountable for its progress, reports on the action status and provides commentary. At the end of 2023/2024:

- 79% of actions were complete;
- 14% of actions were on target;
- 2% of actions were off target;
- 4% of actions were formally deferred to a new year;
- 1% of actions were cancelled (1 action).

**Consultation**

- Content collated and developed in consultation with relevant staff members and Council’s Executive Leadership Team.

**Resourcing Implications**

- Production of the content and all graphic design services for the Annual Report was undertaken in-house.

**Timeframe**

Key Date	Explanation
following Ordinary Council Meeting	Media Release: Outcomes of the October Ordinary Council Meeting
No later than 30 November 2024	2023/2024 Annual Report posted on website, Office of Local Government Notified Social media post notifying of the 2023/2024 Annual Report available to community. A hard copy of the Annual Report will be made available at the Dubbo Civic Administration Building, Wellington Administration Building and Macquarie Regional Library (Dubbo and Wellington branches) for reading.

**APPENDICES:**

- 1 2023/2024 Annual Report Provided Under Separate Cover



## State of Our Region Report - Dubbo Region 2021-2024

**DIVISION:** Strategy, Partnerships and Engagement  
**REPORT DATE:** 23 September 2024  
**TRIM REFERENCE:** ID24/1843

### EXECUTIVE SUMMARY

<b>Purpose</b>	<ul style="list-style-type: none"> <li>Seek endorsement</li> <li>Fulfil legislated requirement/Compliance</li> </ul>	
<b>Issue</b>	<ul style="list-style-type: none"> <li>This report is the covering report to the State of Our Region Report – Dubbo Region 2021-2024</li> </ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"> <li>A State of Our Region Report is required under the reporting obligations of the Local Government Action 1993 and Office of Local Government Integrated Planning and Reporting Guidelines.</li> <li>Following an ordinary election of Councillors, the Council must review the Community Strategic Plan (CSP) before 30 June 2025. A report on the progress of implementation and effectiveness of the CSP must be presented to and endorsed at the second meeting of a newly elected Council, this report is known as the State of Our Region Report.</li> </ul>	
<b>Financial Implications</b>	Budget Area	Strategy Partnerships and Engagement
	Funding Source	Strategic Strategy Partnership and Engagement
	Proposed Cost	Nil additional, included in operating budget
	Ongoing Costs	Not required
<b>Policy Implications</b>	Policy Title	There are no policy implications arising from this report.
	Impact on Policy	Not required.

### STRATEGIC DIRECTION

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

Theme: 4 Leadership

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

Delivery Program Strategy: 4.1.4 Statutory requirements are met and services are provided in a cost-effective and timely manner

**RECOMMENDATION**

- 1. That the State of Our Region Report – Dubbo Region 2021-2024, attached at Appendix 1, be noted, and appended to the 2023/2024 Annual Report.**
- 2. That any minor corrections or typographical errors be corrected prior to the finalised document being published on Council’s website no later than 30 November 2024.**
- 3. That a copy of the document be printed and made available for reading at the Dubbo Civic Administration Building, Wellington Administration Building and Macquarie Regional Library (Dubbo and Wellington branches).**

*Jessica Brown*  
Director Strategy Partnerships and Engagement

*JB*  
Director Strategy  
Partnerships and  
Engagement

## BACKGROUND

The Office of Local Government Integrated Planning and Reporting Guidelines and Handbook, in line with the Local Government Act 1993, states:

1.10 Following an ordinary election of councillors, the council must review the Community Strategic Plan before 30 June the following year. The council may endorse the existing plan, endorse amendments to the existing plan, or develop and endorse a new Community Strategic Plan as appropriate to ensure that the area has a Community Strategic Plan covering at least the next 10 years.

1.11 A report on the progress of implementation and the effectiveness of the Community Strategic Plan (the State of our City (formerly referred to as End of Term Report)) must be presented to and endorsed at the second meeting of a newly elected council. The State of our City Report focuses on how effective council has been in delivering social, environmental, economic and civic leadership objectives over the 4-year term of the previous council. It reports against the high-level strategies and priorities of the CSP and has a community focus, rather than a council one.

1.12 The review must include the following:

- a report on the progress of implementation and the effectiveness of the Community Strategic Plan as presented and endorsed at the second meeting of a newly elected council (see Essential Element 1.11)
- a review of the information that informed the previously endorsed Community Strategic Plan
- a review of the council's Community Engagement Strategy (see Essential Element 2.3)

## REPORT

The State of Our Region (SoOR) Report – Dubbo Region 2021-2024, is attached at **Appendix 1**. The Report summarises Council's achievements in implementing the CSP and how well it achieved its social, environmental, economic, and civic leadership objectives over the previous three years. It provides information about how effective the objectives have been, summarises the achievements of Council, identifies key challenges and pressures that Council faced in meeting the objectives, and will help with the review of the CSP.

By measuring our progress, we will be able to understand the answer to the question:

*"How is the Dubbo Region going?"*



The SoOR Report is organised and presented to address the following six themes of the Towards 2040 Dubbo Community Strategic Plan:

- Housing
- Infrastructure
- Economy
- Community Leadership
- Liveability
- Environmental Sustainability

The objectives in the CSP cover a broad range of Council functions and create a balance for delivering the majority of the actions and initiatives in a sustainable manner. They also acknowledge that some initiatives and actions cannot be delivered entirely by Council, and identify where Council may have an advocacy role on behalf of the community.

Council will need to review the existing CSP before 30 June 2025 and either endorse the existing plan, endorse amendments to the existing plan, or develop and endorse a new plan. Council will need to proactively engage with the community after the election, as the CSP seeks to give emphasis to community-led strategy development rather than Council-led. The upcoming review will also provide an opportunity for Council to ensure the existing strategies are still relevant and create any additional strategies to address emerging trends and issues for the region. Several strategies may need to be revisited, updated and/or reaffirmed with a view to strengthening Council's approach to planning and delivery.

The review should aim for outcomes to continue to be delivered by a partnership between individuals, community groups, State Agencies and Council. Creating these partnerships will also help the CSP to be a live document that is constantly referred to and reviewed.

#### **Consultation**

- Content collated and developed in consultation with relevant staff members and Council's Executive Leadership Team and the former elected body.

#### **Resourcing Implications**

- Production of the content and all graphic design services for the State of Our Regional Report was undertaken in-house.

#### **APPENDICES:**

- [1](#) Draft - State of Our Region Report 2021-2024



**2021-2024**  
STATE OF  
OUR REGION  
REPORT





## Acknowledgement of Country

We acknowledge the Wiradjuri people who are the traditional custodians of the land on which we live, work and play. We pay our respects to Elders past, present and emerging of the Wiradjuri Nation and thank them for their care of the land, water and sky and extend that respect to other Indigenous Australians.

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## Chief Executive Officer's Message

During the past Council term, we renewed our commitment to serving residents and visitors in the Dubbo Region.

Despite a shortened term due to COVID-19, which postponed elections twice, we continued to focus on core community values.

Council's role, which has been traditionally centered on roads, rates, and waste management, has expanded to include community-focused initiatives such as infrastructure development, economic growth, housing solutions, liveability, leadership, and ensuring environmental sustainability.

Communicating this broader role has enabled us to proactively address emerging challenges across various sectors.

As the region reopened, we also saw the return of major events with the Sky Castle lighting installation delivered in partnership with the NSW Government, expanded entertainment programs at the Wellington Civic Centre and Dubbo Regional Theatre and Convention Centre, the Dubbo Art Fair at the Western Plains Cultural Centre and the NSW Junior State Cup Northern Conference which boosted the economy during a traditionally low-visitation period.

The past three years has seen an increase in costs to goods and services and Council has not been immune to cost shifting or the rising cost of living. Financial sustainability remains a key focus for us as we look at the budget each year, to ensure we effectively undertake our role as custodians of our community assets in the long term.

The following report will highlight the previous Council's term and objectively track Council's progress against our Community Strategic Plan (CSP) as we work towards a better region in 2040.

I look forward to working with you and the community to progress, partner and deliver on opportunities to better serve our community and shape the region's future during your term as elected members.

Murray Wood  
Chief Executive Officer

“ Financial sustainability remains a key focus for us ...to ensure we effectively undertake our role as custodians of our community assets in the long term”





## About this report

Dubbo Regional Council is required under the Local Government Act 1993 and the Integrated Planning and Reporting (IP&R) Framework and Guidelines to prepare a State of Our Region report that provides information on Council's implementation and the effectiveness of the Community Strategic Plan (CSP) in achieving its social, environment, economic and civic leadership objectives over the previous term of Council.

This report along with the Annual Report and six-monthly performance report are the key points of accountability between Dubbo Regional Council and our community. This report provides the community with an update on the achievements of Dubbo Regional Council from 2021 to 2024. It outlines the progress towards achieving the Towards 2040 CSP by summarising the successes, showcasing key projects delivered, providing information about how effective the objectives have been and identifies key challenges and pressures that Council faced in meeting the objectives. This report assists with the review of the CSP.

Council adopted the Towards 2040 CSP on 27 June 2022. The CSP identifies the main priorities and aspirations for the future of the local government area and takes into consideration the issues and pressures that may affect the community and the level of resources that will realistically be available to deliver their long-term objectives. The CSP is required to answer the following questions:

- Where are we now?
- Where do we want to be in 10 years' time?
- How will we get there?
- How will we know we've arrived?

The State of Our Region Report is organised and presented to address the six themes of Towards 2040:

- Housing
- Infrastructure
- Economy
- Leadership
- Liveability
- Environmental Sustainability

To read more about our Integrated Planning and Reporting visit [dubbo.nsw.gov.au](https://dubbo.nsw.gov.au)



OR SCAN THE QR CODE

# Elected Council December 2021 to September 2024

Dubbo Regional Council has a rich cultural heritage and a diverse Local Government Area which is represented in the elected Councillors.

**Mayor:** Mathew Dickerson

**Deputy Mayor:** Richard Ivey

**Councillors:**

- Joshua Black
- Lewis Burns
- Shibli Chowdhury
- Vicki Etheridge
- Jessica Gough
- Damien Mahon
- Pamela Wells
- Matthew Wright



(back row from left) Lewis Burns , Matthew Wright, Vicki Etheridge, Pamela Wells , Joshua Black, Jessica Gough.  
(front row from left) Shibli Chowdhury, Deputy Mayor Richard Ivey, Mayor Mathew Dickerson and Damien Mahon.

## Councillor term



### Meetings held

- 24 Standing Committees
- 33 Ordinary Council
- 124 Community Committee

**606 resolutions**



### Summary of Notice of Motions by status

- 60 Completed
- 6 In progress
- 2 Outstanding

# Delivering our community's vision

In 2040 we will be an innovative, resilient and sustainable region with opportunities to grow and a high quality of life.

- Our thinking, practices and solutions will make things better for all generations and be innovative
- Our community will respond to challenges and become stronger and resilient
- Our natural and built environment will be sustainable
- Our housing, economic, educational, social, equity, cultural, entertainment and recreational facilities will have opportunities to grow
- Our community will have a high quality of life



AFFORDABLE LIVING



LIFESTYLE OPPORTUNITIES



URBAN INFRASTRUCTURE



VILLAGE INFRASTRUCTURE



ENVIRONMENT AND SUSTAINABILITY



THRIVING ECONOMY



CULTURE AND HERITAGE



QUALITY OF LIFE



COLLABORATION



TRANSPARENCY

The objectives in the CSP cover a broad range of Council functions and create a balance for delivering the majority of the actions and initiatives in a sustainable manner. They also acknowledge that some initiatives and actions cannot be delivered entirely by Council and identify where Council may have an advocacy role on behalf of the community.

Council will have the following roles when implementing this Plan:



PROVIDER



LEADER



COLLABORATOR



ADVOCATOR



# Dubbo Region at a glance

## Population

2021	2024	2040 forecast
<b>54,843</b> Dubbo Region population*	<b>57,298</b> Dubbo Region population <sup>^</sup>	<b>65,697</b> Dubbo Region population*
<b>18%</b> Aged 65+ years*	<b>17.3%</b> Aged 65+ years#	<b>23.3%</b> Aged 65+ years*
<b>16.5%</b> Aboriginal or Torres Strait Islander*	<b>16.6%</b> Aboriginal or Torres Strait Islander <sup>^</sup>	<b>16.5%</b> Aboriginal or Torres Strait Islander*

## Housing

2021	2024	2040 forecast
<b>DWELLINGS</b> Dwellings: <b>22,500*</b> Person occupancy rate: <b>2.4*</b>	<b>DWELLINGS</b> Dwellings: <b>24,258<sup>^</sup></b> Person occupancy rate: <b>2.5#</b>	<b>DWELLINGS</b> Dwellings: <b>28,068*</b>
<b>HOUSEHOLDS</b> Owned outright or with a mortgage: <b>68%*</b> Renting: <b>32%*</b> Other Tenure Type : <b>4%*</b>	<b>HOUSEHOLDS</b> Owned outright or with a mortgage: <b>64.2%#</b> Renting: <b>31.5%#</b> Other Tenure Type : <b>2.3%#</b>	<b>HOUSEHOLDS</b> Owned outright or with a mortgage: <b>68%*</b> Renting: <b>32%*</b> Other Tenure Type : <b>4%*</b>
<b>HOUSEHOLD TYPES</b> Lone person: <b>24.2%*</b> Group households: <b>2.8%*</b>	<b>HOUSEHOLD TYPES</b> Lone person: <b>27.3%#</b> Group households: <b>3.4%#</b>	<b>HOUSEHOLD TYPES</b> Lone person: <b>25.6%*</b> Group households: <b>2.8%*</b>
<b>\$400,000</b> Median house price (Dubbo) 2021	<b>\$565,000</b> Median house price (Dubbo) 2024 <sup>^^</sup> <b>\$295,000</b> Median house price (Wellington) 2024 <sup>^^</sup>	

## Employment

2021	2024	Source:
<b>26,395</b> Local jobs	<b>26,650</b> Local jobs	* 2021 Towards 2040 DRC Community Strategic Plan
<b>\$284.62 M</b> Value of DAs submitted**	<b>\$331.67 M</b> Value of DAs submitted**	** DRC data
	<b>404</b> New citizens welcomed (2024)	# ABS 2021 Census
		<sup>^^</sup> CoreLogic Asia Pacific
		<sup>^</sup> REMPLAN Forecast



# Theme 1. Housing

We are a well-designed region that includes a variety of housing types, densities, locations and price points



## Our strategies

<b>1.1: Housing meets the current and future needs of our community</b>
1.1.1: A variety of housing types and densities are located close to appropriate services and facilities
1.1.2: Housing is affordable and secure
1.1.3: Urban renewal occurs in the Dubbo Central Business District and Wellington Town Centre
1.1.4: Public and social housing are integrated into residential areas
1.1.5: Development opportunities are communicated to the community
<b>1.2: An adequate supply of land is located close to community services and facilities</b>
1.2.1: Land is suitably zoned, sized and located to facilitate a variety of housing types and densities
1.2.2: Adequate land is available in the villages for development
1.2.3: Development is supported by a strategic and affordable infrastructure framework
1.2.4: Rural and productive agricultural land is managed sustainably
<b>1.3: Short-term and emergency accommodation is available</b>
1.3.1: Short-term accommodation is available for the workforce associated with significant infrastructure, major projects and employment generators
1.3.2: Crisis and emergency accommodation supports the needs of the community

**Why it's important**

A range of affordable housing ranked with high importance for residents who participated in the Community Insights Survey managed by Council in 2024.

Overall 80 per cent of people ranked a range of affordable housing as important or very important, while their satisfaction sat at 54 per cent. The affordability of housing was one of three areas that fell into the needs improvement area of the overall scorecard from the survey.

Across Dubbo and Wellington considerable land is available for the development of housing and in the past three years Council has been working with the appropriate agencies to develop many of these areas.

Council recognises the importance of affordable and available housing when looking at the growth of the region; with new investment opportunities and businesses being put forward there needs to be a place for new residents to live. Workforce accommodation for major investments is also something that must be considered.

Council has a number of roles to play when it comes to housing including the identification of land, setting appropriate policies through planning instruments and assessing applications as well as building and maintaining relationships with stakeholders. Council also has a role to play in negotiating and advocating the government in respect of the need and demand for public housing and crisis accommodation.

Through the roles outlined Council remains committed to being on the front foot in tackling the housing shortage crisis.

**Council's progress**

In the past three years there has been a steady increase in the development sector. Council has approved 1,472 applications with 603 for single dwellings, 679 other residential dwellings, representing \$994.87M value of development.

**Residential Land development:**

The North-West Urban Release Area consists of 375 hectares of vacant land on the north-western fringe of Dubbo. Under the design controls developed by Council the development of the area will see a mixture of medium and higher density living in the area.

Developer contribution plans, including road upgrade retirements for this area have also been drafted. Council is also continuing to ensure developed land in Keswick Estate is available to provide affordable and competitive entry into the housing market for home buyers in a location close to retail and medical services.

**Large lot residential study:**

Australian Government Funding from the Housing Support Program – Stream 1 will assist Council to create Regional and Affordable Housing Strategies while further developing the North-West Urban Release Area Master Plan. The strategies will help drive increased delivery of new housing in the region and in turn get more people into homes. It will provide a clear framework that considers demographic, supply and demand factors for housing as well as different typologies, land use opportunities and potential barriers to meet those needs.

**Regional Energy Zone:**

Council are actively participating in the Central-West Orana Renewable Energy Zone (REZ) Steering Group – Workforce Accommodation to assist in ensuring the workforce accommodation issues for the REZ are adequately planned for. To assist further Council has agreed to lease land at Keswick Estate to Squadron Energy or an associated entity to assist with workers accommodation in the region. Zoning for the area of land has been changed to general residential and existing minimum lot sizes have been removed for approximately 10ha of land.

**Indicators**

Legend ; Community Insights Survey 2024 results

↑ Increase ↓ Decrease (compared to 2022 survey)



# Theme 2. Infrastructure

We have well-maintained, fit for purpose and new infrastructure that helps our community grow



## Our strategies

<b>2.1: The road transportation network is safe, convenient and efficient</b>
2.1.1: Traffic management facilities enhance the safety and efficiency of the road transport network
2.1.2: The road network meets the needs of users in terms of traffic capacity, functionality and economic and social connectivity
2.1.3: Additional flood-free road access over the Macquarie River at Dubbo is provided
2.1.4: Adequate and convenient car parking is available in commercial centres
2.1.5: Council works collaboratively with government and stakeholders on transport-related issues
<b>2.2: Infrastructure meets the current and future needs of our community</b>
2.2.1: Water and sewer infrastructure and services meet the needs of the community
2.2.2: Solid waste management services meet the needs of the community
2.2.3: Urban drainage systems meet the needs of the community
2.2.4: Enhanced telecommunications coverage is available in the region
2.2.5: Council maintains infrastructure and delivers services at the adopted service levels as agreed with the community
2.2.6: Council utilises a modern and efficient plant fleet that meets operational needs



<b>2.3: The transportation systems support connections within and outside the region</b>
2.3.1: Appropriate and well-connected rail infrastructure is available
2.3.2: A network of cycleways and pedestrian facilities is provided and maintained
2.3.3: Public transport services are available in our villages
2.3.4: Our community has convenient air access to a variety of destinations
2.3.5: Roadside environments and entrance statements are developed and maintained

**Why it's important**

Infrastructure provides the foundations for our community and some of the services that are relied upon in our everyday lives. Well developed infrastructure, including roads, utilities and public facilities ensures efficient transportation, access to essential services and promotes business investment.

Infrastructure plays a key role in community well-being by providing reliable water and waste management, while effective infrastructure planning helps mitigate risks such as drought, flooding or traffic congestion, creating a safer and more resilient environment.

Traditional infrastructure includes roads, reticulated sewer and water supply, stormwater drainage, and street lighting that aims to deliver a safe environment for our community.

The Dubbo Region lies at the junction of three highways and has access to capital cities across eastern Australia through a daily rail service and flights from the Dubbo Regional Airport. The community also has access to Bodangora Airstrip which is a vital asset for the Wellington Community.

The provision and maintenance of infrastructure is a key consideration for Council and the community across the wider Local Government Area. The provision of appropriate infrastructure provides economic development opportunities and ensures our community can continue to benefit.

Ultimately, infrastructure forms the backbone of our region's development, fostering both social and economic prosperity.



## Council's progress

### Infrastructure and asset renewal:

A backlog of asset renewal works has been highlighted over the past term of Council and focused on in the annual budget each year.

Council has been working at not only upgrading assets, but also planning for the future years when it comes to determining what needs to be upgraded.

The 3D printed amenities facility demonstrates Council's ability to lead the way by utilising cutting edge technology to build infrastructure that was due for renewal. The trial build has since lead to further interest in the technology including State Government interest in building homes in Dubbo using the 3D printing technology.

### Water for the future:

An optimisation study of the John Gilbert Water Treatment Plant is being undertaken with short, medium and long term priorities for capital works being identified.

The Northern Borefield Pipeline project extended Dubbo's existing groundwater infrastructure by implementing a further 9km of pipeline and connected three new bore sites in North Dubbo with the John Gilbert Water Treatment Plant in Macquarie Street, Dubbo. The Wellington Groundwater pipeline project was also started.

### Roads network:

Flooding events in 2022 destroyed much of the road network across the Region with Council working hard to identify and repair areas as we moved from crisis to recovery.

In other areas Stage 2 of the Boundary Road Extension Project and the Wheelers Lane rehabilitation works were completed. Boothenba Road intersection upgrade was also completed.

### Community areas highlighted:

A new amenities facility was constructed in Elston Park while further amenities at the Riverside sporting precinct were officially opened.

A playspace for the children and visitors of Brocklehurst was opened while in Wellington the pedestrian bridge crossing the Macquarie River near Cameron Park was completed.

The Waste Strategy for 2024/2034 was created and has been placed on public exhibition with an outcome to be determined by the newly elected body.

## Indicators

Legend : Community Insights Survey 2024 results

↑ Increase ↓ Decrease (compared to 2022 survey)



# Theme 3. Economy

We have a strong and diverse local economy that provides employment opportunities for people of all ages and abilities



## Our strategies

<b>3.1: Visitor economy growth is supported</b>
3.1.1: Diverse and unique visitor opportunities are explored, developed and supported
3.1.2: Events that foster cultural, recreational and community interaction opportunities are supported
3.1.3: Visitor accommodation is available
<b>3.2: Employment opportunities are available in all sectors of our economy</b>
3.2.1: Employment and investment opportunities for all sectors of the community are fostered
3.2.2: Traineeships and employment pathways are available for all sectors of the community
3.2.3: The growth, development and diversification of the agricultural industry is supported
3.2.4: The Dubbo Central Business District and Wellington Town Centre are supported by commercial activation programs and activities
<b>3.3: A strategic framework is in place to maximise the realisation of economic development opportunities for the region</b>
3.3.1: Land is suitably zoned, sized and located to facilitate a variety of development and employment generating activities
3.3.2: The Dubbo Central Business District and Wellington Centre are supported by long-term plans
3.3.3: Major investment is proactively attracted and supported in line with regional opportunities



### Why it's important

Council has a role in providing leadership in the region to promote the significant economic development opportunities available and to partner with existing business, industry and providers to ensure our workforce has the appropriate range of skills and experience to meet industry demands. A strong regional economy attracts investment and encourages business development, which leads to increased innovation, job diversity and resilience against unplanned economic downturns.

The Dubbo Region includes significant tourism assets which serve to drive the visitor economy and attract significant numbers of both domestic and overseas tourists. Some of these assets including the Wellington Caves and Old Dubbo Gaol are facilitated by Council, adding to Council's already vast portfolio of assets.

The region benefits from its strategic location in the centre of NSW at the junction of the Golden, Newell and Mitchell highways as well as the connections offered by the Dubbo Regional Airport to Brisbane, Melbourne and Sydney. The region is also traversed by the Main Western Rail Line which provides connections for both passengers and freight between the east and west as well as being in close proximity to the Inland Rail network. The location of the region and the significant infrastructure and transport connections in place ensure the foundations for the development of a diverse economy are provided for.

The region's economy is also strongly reliant on robust health and education services. This is reflective of the role the region now plays in servicing a significant percentage of the population of western NSW.



### Council's progress

**Established partnerships with local businesses:**

Council has actively established partnerships with local businesses through various initiatives and engagements. A notable example is the three-year contract for the NSW Touch Junior State Cup, which draws visitors and boost the local economy during a traditionally quieter period of the year in February.

Council also hosted and participated in key workshops such as the 2023/2024 Housing Reference Group, the Mayoral Developers Forum and Chamber of Commerce breakfasts, where business leaders and stakeholders collaborate on regional development.

In addition, annual food safety inspections, conducted at approximately 278 retail food premises, including home-based food businesses, ensure compliance and support the local food industry.

To further promote economic activity, Council organises Shop Local campaigns, Christmas promotions, Small Business Month events and new resident nights, all of which strengthen community ties and stimulate local spending.

**Support for diverse and unique visitor opportunities:**

Council signed a Memorandum of Understanding with Taronga Western Plains Zoo for the Serengeti Plains Visitor Experience Program and the Regional Hospitality and Tourism Centre of Excellence. Council assisted the zoo with the application for the grant program and will assist with ongoing administration of the grant funding. The Serengeti Plains Experience includes 20 premium eco-cabins fronting an open range animal exhibit as well as café, restaurant and function centre with adjoining pool and playground.

The annual Financial Assistance programs saw funding opportunities made available for community events and destination events. These are over subscribed each year showing the growing need for financial support among event organisers each year.

**Traineeships and employment pathways:**

Council invested funding into the BOOTS (Building Opportunities through Outreach Training and Support) women in construction program. The program is a fee free trade readiness program which prepares participants to enter the construction industry and potentially secure employment. The program was organised by Abergeldie and the NSW Department of Education. Due to the success of the program Council will support further programs that assist women in gaining employment in the construction industry.

**Dubbo Regional Airport:**

In 2024 Council secured the RAAF PC21 Exercise which saw 40 personnel relocate to Dubbo for two weeks to undertake RAAF training, using the airport as the base. With the first exercise a success the RAAF will now relocate four exercises per year to Dubbo Regional Airport which will be scheduled when the NSW RFS Large Air Tanker service is not in operation.

### Indicators

Legend ; Community Insights Survey 2024 results

↑ Increase ↓ Decrease (compared to 2022 survey)





# Theme 4. Leadership

We have leaders who are engaged, transparent, accountable, and represent the best interest of our community



## Our strategies

<b>4.1: Council provides transparent, fair and accountable leadership and governance</b>
4.1.1: Council encourages and facilitates two-way communication with and between stakeholders and the community
4.1.2: Council's decision-making processes are open, transparent and accountable
4.1.3: Council provides quality customer service
4.1.4: Statutory requirements are met and services are provided in a cost-effective and timely manner
<b>4.2: The resources of Council are sustainably managed</b>
4.2.1: The system of raising revenue is equitable, and revenue from grants and other income sources is maximised
4.2.2: Technological capabilities meet the requirements of Council and the community
4.2.3: A highly skilled, diverse and motivated workforce is maintained
4.2.4: The business activities of Council provide financial returns to the community
4.2.5: Service reviews are conducted to improve the performance of Council

**Why it's important**

Leadership aims to ensure the delivery of the actions and initiatives provided by the community is achieved across a variety of connected stakeholders, levels of government, and other interconnected service providers. More importantly our leaders are the champions of Council's IP&R framework and an effective liaison between the community and Council.

Leadership ensures Council continues to operate within its means and ensure income streams, including land rates, are treated with respect and value for money. Council recognises that there are limited funds to deliver all of the identified actions and initiatives outlined by the community which means decisions must be undertaken.

The CSP will guide Council's actions up until 2040, allowing leaders to have a view on the future while continuing to leverage and maintain existing community assets.

Council looks to ensure this decision making is open, transparent and accountable by providing the community with regular updates on the Delivery Program and Operational Plan, which link back through to the aspirations outlined in the CSP.

**Council's progress**

**Two-way communication:**

A centralised hub for all public participation and engagement activities, YourSay was launched in 2023 allowing community to engage, participate and provide feedback on a range of Council's projects, plans, policies and studies. YourSay is one way Council can ensure our community understands the vast variety of projects and works we undertake. It allows community member to have their say in consultation processes, as well as during public exhibition periods.

**Accessibility is a priority:**

Following COVID-19 and online Council meetings, Councillors and staff returned to the Council chambers and offices for meetings each month. The Council Chambers in Dubbo were moved to create a new accessible Council Chamber on the lower floor of the Council Administration Building. Not only did this create greater access to Council meetings for the community, the chambers are now part of a multi-purpose suite of rooms, allowing staff to utilise the space as meeting rooms when not in use as the Chamber. The former Chamber area will be repurposed into staff working areas.

Council also undertook an accessibility trial to investigate opportunity to improve website accessibility compliance. Following this trial, four websites have implemented the accessibility widget.

Internally an Inclusion, Diversity and Belonging committee and charter were endorsed with the committee established and regular meetings held.

**Connection with Community:**

A referendum at the 2021 Local Government Election saw the wards abolished and it was decided 11 councillors would be elected at the 2024 elections.

Council took a leadership role in the Federal Government's 2023 Referendum, providing a Q and A event highlighting both sides of the argument, and providing key information for the community, allowing them to determine which way they would cast their vote.

**Financial Considerations:**

During the past term Council undertook a review of its long term financial plan as well as worked with AEC Group on a Financial Sustainability Review.

These bodies of work highlighted the financial pressures faced by Council, while also drawing further attention to the increasing pressures of the cost of living.

Council remains committed to finding service efficiencies but is also not immune to rising costs, cost shifting from other levels of government as well as varying economic and market challenges.

**Indicators**

Legend ; Community Insights Survey 2024 results

↑ Increase ↓ Decrease (compared to 2022 survey)

<p>Level of community satisfaction with the visibility and involvement of elected officials within the community</p>  <p><b>3.14</b></p>	<p>Level of community satisfaction with Council's engagement with the community</p>  <p><b>3.15 ↑</b></p>
<p>Level of community satisfaction with Council's provision of information</p>  <p><b>3.14 ↑</b></p>	<p>Level of community satisfaction with Council being a wellrun and managed Council</p>  <p><b>3.02 ↑</b></p>

# Theme 5. Liveability

We are a diverse, vibrant, safe and healthy region that includes a variety of public spaces and amenities



## Our strategies

<b>5.1: The health and safety of the community is improved</b>
5.1.1: Effective medical services and facilities are available
5.1.2: The needs of older people and people with a disability are monitored to ensure appropriate services and facilities are available
5.1.3: There is an appropriate level of policing in our region
<b>5.2: Our First Nations communities and cultures are celebrated and enhanced</b>
5.2.1: The health, education and socio-economic status of our First Nations communities is improved
5.2.2: The culture of our First Nations communities is recognised and celebrated
5.2.3: Items, areas and places of First Nations cultural heritage significance are protected and conserved
<b>5.3: The lifestyle and social needs of the community are supported</b>
5.3.1: The social services requirements of our community are identified and met
5.3.2: A variety of youth activities and entertainment is available
5.3.3: People have access to a range of burial and interment options
5.3.4: Our community values domestic, companion and other animals

<b>5.4: Our community has access to a full range of educational opportunities</b>
5.4.1: Access to a variety of high quality education facilities, opportunities and choice is available
5.4.2: Childhood, pre-school and after hours care meets the needs of the community
5.4.3: Access to a high standard of library services and facilities is available
<b>5.5: Our community has access to a diverse range of recreational opportunities</b>
5.5.1: Passive and active open space is located to maximise access and use by the community
5.5.2: Unique recreation and open space facilities are available
5.5.3: Our sporting facilities cater for a wide range of events and opportunities
<b>5.6: The diversity of our heritage, cultural services and facilities are maintained and promoted</b>
5.6.1: Our community participates in and celebrates the high quality of cultural services and facilities available
5.6.2: Culturally and Linguistically Diverse peoples' culture and heritage is celebrated
5.6.3: Items of heritage significance are protected, conserved and adapted for re-use where appropriate

## Why it's important

The quality of life our community enjoys comprises of a number of interconnect components.

During the Community Insights Survey 2024 87 per cent of respondents rated their quality of life living in the Dubbo Region LGA as 'good' to 'excellent'.

The rural aspect, country living, and open spaces were rated as the most valuable aspects of living in the Dubbo LGA, while the quality and variety of services, facilities and infrastructure and the sense of community were also rated highly.

Over the next decade, the following areas were deemed the priority, addressing crime and safety issues; road, traffic and infrastructure; and services and facilities to cater for growth.

Our quality of life and the liveability of the community is underpinned by key elements that include access to health care, education, public health and safety, recreation and an understanding of our past in terms of Aboriginal and European heritage.

Council has a community leadership role in ensuring our population is provided with services and facilities in line with those provided in other areas, however it should also be recognised that while these services add to the liveability of the area, Council's role in some areas is to advocate for the community to governments and other service providers.

Crime and safety are viewed by our community as a high priority for addressing. Council's work on the Community Safety and Crime Prevention Plan will outline Council's role in various areas, as all levels of government work to address the issues of crime across the region.

Our community has access to a unique range of arts and cultural facilities and parks and recreation facilities providing opportunity for our community that is unparalleled in regional NSW.

## Council's progress

### Grants for community organisations and events:

Council coordinated and administered grants to provide assistance to local community organisations, not-for-profit organisations, sporting groups and businesses that make a difference in their local area.

These grants and assistance programs aim to:

- Support community organisations with financial support for projects that deliver social or environmental outcomes to the Dubbo Regional Local Government Area to help create, enhance or build community well-being and amenity.
- Provide financial assistance to locally organised events that deliver social and cultural benefits, creating social connections and improving the liveability and well-being of our residents.
- Support events that help elevate the Dubbo Region as a destination for events and assist in driving visitation and delivering significant economic benefits.
- Assist in the development of arts and culture in the Local Government Area.
- Support conservation works for owners of properties listed as a heritage item in the Dubbo Regional Local Environmental Plan 2022.

**Activities and entertainment:**

During the past term Council has hosted or facilitated a number of different activities and entertainment to cater for the varied interests in our community.

In 2022 Council welcomed the Rabbitohs and Canberra Raiders to Apex Oval as part of the NRL season, with a second sell-out crowd as the state opened following the COVID-19 pandemic.

Following State Government grant funding Council hosted the interactive public art installation Sky Castle by ENESS which saw over 24,000 people visit the site during the duration of the events.

Alongside Seattle and Athens, Dubbo also hosted the Aerial Fire firefighting Asia Pacific Conference in 2023, with Tangent Link announcing the return of the conference to Dubbo in 2025.

**Upgrades to playgrounds and sporting facilities:**

A number of parks and recreation areas have been upgraded with the Victoria Park play space moved on the site while the former area was reconfigured to become a dedicated fitness zone.

State Government funding assisted with upgrades to the Nita McGrath Netball Courts, lighting for John McGrath Ovals, a refurbishment of the Victoria Number One Oval Grandstand and an upgrade to a section of the Tracker Riley Shared Pathway.

Council adopted the Macquarie River Corridor North and South Precinct Masterplan with works in that area to be guided by the master plan.

**Cultural facilities and awareness:**

Twenty years since the first sod was turned on Dubbo's Shoyoen Japanese Gardens a birthday celebration was held with hundreds of people enjoying live music, tea ceremonies and cultural performances.

The \$14.4 million Wiradjuri Tourism Centre was granted approval with works on the building expected to start in 2025.

The Public Art Strategy was endorsed and placed in action with further funding being sought, while the first exhibiting artist for the HomeGround Regional artist program was displayed at the Western Plains Cultural Centre.

**From cradle to grave:**

The importance of Council's services catering for all ages is highlighted by our commitment to these services.

Rainbow Cottage Daycare Centre celebrated 30 years as a childcare centre under Council's leadership, while the Macquarie Regional Library introduced the 1000 books before school program to promote the importance of early literacy.

Council's Cemeteries Improvement Plan is also underway, with the launch of a new platform on DRC&ME allowing residents and funeral directors access to a wide range of services including applications, internment bookings and plot reservations.

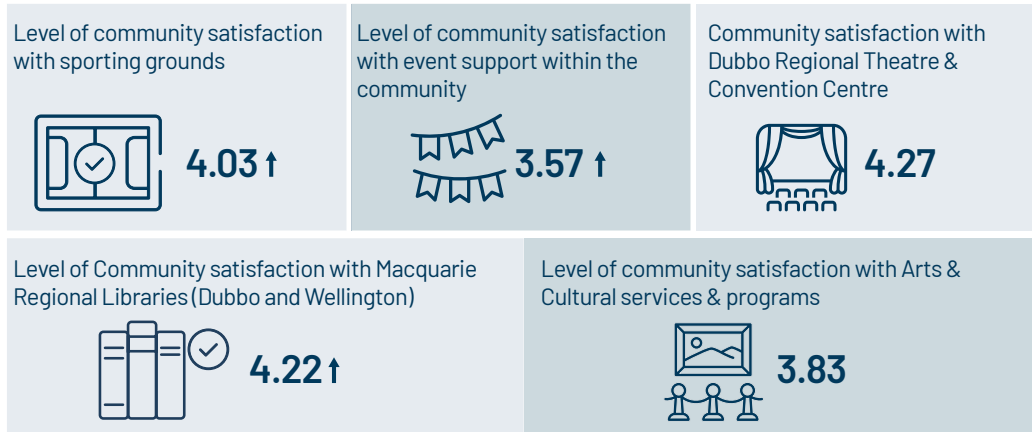
**Disability improvements:**

The current 2022-2025 Disability Inclusion Action Plan is up for renewal next year. Council will undertake an engagement process before the development of a 2025 -2028 is undertaken and presented to Council. The plan will continue to assist in the removal of barriers so that people living with a disability have a better opportunity to live a meaningful life and enjoy the full benefits of our community.

**Indicators**

Legend ; Community Insights Survey 2024 results

↑ Increase ↓ Decrease (compared to 2022 survey)



# Theme 6. Environmental sustainability

We have a healthy natural environment that is resilient to the impacts of climate change and natural hazards



## Our strategies

<b>6.1: We achieve net zero emissions</b>
6.1.1: Investment in renewable energy opportunities are encouraged and supported
6.1.2: Council buildings and facilities are energy efficient, carbon neutral and utilise renewable energy sources
6.1.3: Alternative modes of transport are available
6.1.4: Existing and new development is sustainable, has sufficient greenspace and efficiently uses resources
<b>6.2: We recognise, plan for and respond to the impacts of climate change</b>
6.2.1: The impacts of climate change are identified and addressed through collaboration with our community and government
6.2.2: Water supply is provided efficiently and sustainably to our community
6.2.3: Waste management processes reduce our environmental footprint and impact on the environment



<b>6.3: Land use management sustains and improves the built and natural environment</b>
6.3.1: The quality of the Macquarie, Talbragar and Bell river corridors are managed and enhanced
6.3.2: Stormwater discharge into receiving waters is limited
6.3.3: Endangered ecological communities, threatened species, habitats and environmental assets are protected
<b>6.4: We plan for and mitigate the impacts of natural events and disasters</b>
6.4.1: People and property are protected from fire-related incidents
6.4.2: Development does not place the community at risk from flood impacts
6.4.3: Local emergency management organisations and local State Emergency Services are capable of responding to emergencies

**Why it's important**

The climate in Australia is changing with many extreme weather events observed since the 1950s. The weather events of the past five to 10 years in the region have included severe drought to devastating floods. The management of fire, flood and drought risks are mitigated through comprehensive planning which allows emergency services and relevant government agencies to respond to these events collaboratively.

The LGA has one of the highest take-up rates for solar energy provisions in Australia. The CSP recognises that the community, businesses and industry understand the financial and environment benefits of renewable energy and the role it can play in a sustainable future.

Council acknowledges the impacts climate change is playing on the region and is committed to environmental sustainability by prioritising investment in renewable energy and aiming for energy efficiency and carbon neutrality.

The development of sustainable communities with adequate greenspace, efficient water supply and waste management system reduces environment impact.

The health of the Bell, Macquarie and Talbragar Rivers is important for the health of the natural environment in the region. The continued conservation of the natural environment and the further education of the community in the importance of environmental issues will ensure we sustainably manage the environment for future generations.



### Council's progress

**Drought and water supply management:**

Proactive planning for drought management in the future is a focus with Council partnering with Narromine Shire Council to create a drought resilience plan that works on a regional scale, considering drought resilience beyond water security and including environmental and social resilience needs.

With a focus on the future Council has also constructed new bores and associated pipelines in Wellington and Geurie. The Macquarie River Pump Station project works also continue and upon completion this will allow the Geurie Water Treatment Plant to operate on both river water, bore water or a mix of both.

Council launched the Water Portal app which allows residents to monitor and manage their water consumption via their mobile device.

**Diversion of waste:**

Reducing Council's environmental footprint and diverting waste from landfill is a priority, with Council working closely with Mid-Western Regional Council and Narromine Shire Council on educating the community on this important topic.

Together with these groups, Council took part in the Scrap Together FOGO Education Campaign, helping educate the community on the importance of the FOGO service.

A polystyrene recycling program was trialed and put into action full time as well as a textile recycling program, which has seen positive results for the community.

A first-of-its kind solar panel recycling program was also established, providing second hand solar panels a new lease on life. There are more than 2.8 million small-scale solar systems installed Australia-wide and Dubbo is the second largest installer of small-scale solar systems in NSW, with current predictions showing by 2025 there will be between 3,000 and 10,000 tonnes of solar panel going to landfill per year.

**Reduction in emissions:**

Council resolves to achieve net zero emissions through several portals including alternative modes of transport.

In December 2022 Councillors adopted the Zero Emissions Fleet Strategy and Implementation Plan, designed to support and guide Council in reducing greenhouse gas emissions associated with its fleet operations. Since the adoption a number of electronic vehicles, including a lawn mower have been purchased in line with asset renewal.

Four new public electric vehicle charging stations were also installed in Wellington, two at Wellington Library and two at Wellington Caves, adding to the growing EV charging network across the Dubbo region.

### Indicators

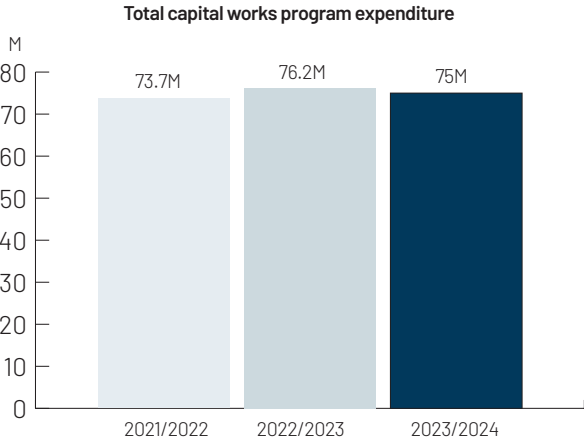
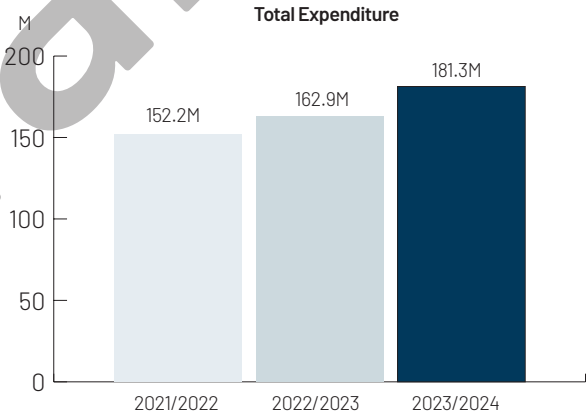
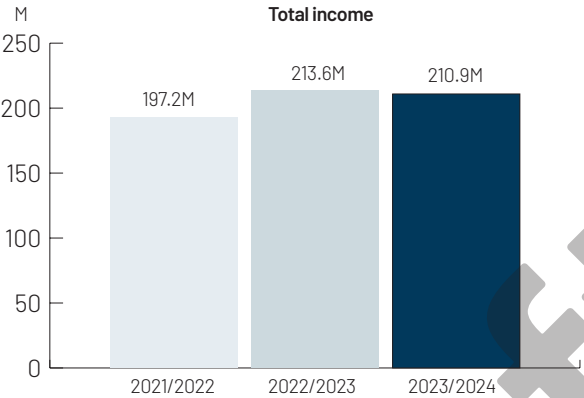
Legend ; Community Insights Survey 2024 results

↑ Increase ↓ Decrease (compared to 2022 survey)





# Financial performance



## Challenges faced by Council

The start of the 2021/2022 financial year saw the final stage of COVID-19 lockdown living, with NSW working to reach a vaccination goal that would re-open the state for travel. Council worked closely with other departments to ensure messaging and availability of vaccinations for the community with clinics and testing stations conducted in the city, towns and villages.

The pandemic affected Council's established revenue streams, creating a real 'pinch' to the bottom line of Council's overall budget with an expectation that it was to worsen short term.

This downturn was then followed by some of the worst flooding the Dubbo Region has experienced with the natural disaster causing large amounts of damage across the region.

Proposed works post COVID-19 were once again put on hold as Council moved from crisis mode to clean up following the natural disaster.

Recovery funding assisted as assets were repaired across the region. Two years later works are still occurring in some areas to rectify damages caused by the floods.

As a result of these disasters financial sustainability has also been an important measure across the past term.

Long term financial sustainability is a key challenge for Council with an increased demand for services beyond what has traditionally been provided to the community, cost shifting from other levels of government and aging infrastructure.

## Recommendations to the incoming Council

The incoming Council will need to review the existing CSP before 30 June 2025 and either endorse the existing plan, endorse amendments to the existing plan, or develop and endorse a new plan.

It is noted that the CSP was last updated and reviewed in 2022. During the review a sixth theme of Environmental Sustainability was added to ensure Council's need to address the risks of climate change were highlighted following community recommendations.

Should Council plan to amend the existing or develop and endorse a new plan there will need to be proactive engagement with the community as the CSP seeks to give emphasis to community-led strategy development rather than Council-led.

The CSP provides mutual benefits for Council, Government agencies, non-Government agencies and community groups in working together to deliver services for the community. To work effectively, it is important to build on established relationships and utilise existing forums to identify common goals and strategic partnerships.

An important part of gathering information is to look at existing and proposed plans, strategies and other sources of information to see what has been highlighted before and what is planned for the future.



Draft

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DUBBO REGIONAL  
COUNCIL

## Monthly Reporting Snapshot for Councillors - September 2024

**DIVISION:** Strategy, Partnerships and Engagement  
**REPORT DATE:** 8 October 2024  
**TRIM REFERENCE:** ID24/1888

### EXECUTIVE SUMMARY

<b>Purpose</b>	<ul style="list-style-type: none"> <li>Provide review or update</li> </ul>	
<b>Issue</b>	<ul style="list-style-type: none"> <li>Provide high level report snapshots for Councillors regarding Council's Financial Performance, Facility Performance and Customer Experience.</li> </ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"> <li>Councillors are provided high level data and reporting on a monthly basis for visibility and oversight on performance trends.</li> </ul>	
<b>Financial Implications</b>	Budget Area	Budget Area
	Funding Source	Funding Source
	Proposed Cost	Proposed Cost
	Ongoing Costs	Ongoing Costs
<b>Policy Implications</b>	Policy Title	Policy Title
	Impact on Policy	Impact on Policy

### STRATEGIC DIRECTION

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

### RECOMMENDATION

**That the information contained within the report of the Corporate Strategy and Performance Coordinator, dated 8 October 2024, be noted.**

*Jessica Brown*  
Director Strategy Partnerships and Engagement

*ZJ*  
Corporate Strategy  
Performance Coordinator

## BACKGROUND

### Previous Resolutions of Council

11 May 2023 CSC23/19	<ol style="list-style-type: none"><li>1. That the report from the Chief Executive Officer dated 11 April 2023, be noted.</li><li>2. That the report in the current format continue to be produced monthly until the end of the current Council term.</li><li>3. That upon election of a new Council in September 2024, a review of the Monthly Report for Councillors be undertaken in consideration of the new Councillor's priorities.</li></ol>
15 August 2024 CCL24/195	<ol style="list-style-type: none"><li>1. That the information contained within the report of the Corporate Strategy and Performance Coordinator, dated 1 August 2024, be noted.</li><li>2. That monthly data in relation to services and facility performance;<ol style="list-style-type: none"><li>a. Continues to be collated.</li><li>b. Is presented to the new elected body.</li></ol></li><li>3. That the newly elected body determine the categories of data and/or format of reporting for the new Councillor term.</li></ol>

## REPORT

High-level data and statistics from the Finance, Services and Facility Performance and Customer Experience dashboards has been collated monthly and is attached as **Appendix 1**. Data collected at the time of the reporting may not have been validated/audited and numbers are subject to change pending published annual reports.

The data points included were determined by the former elected body.

Major Projects: As at the end of September 2024, Council's Your Say platform was showcasing **73** Community consultation or engagement projects, with **30** of these being active capital works projects.

## APPENDICES:

[1](#) Dashboard Snapshots - September 2024

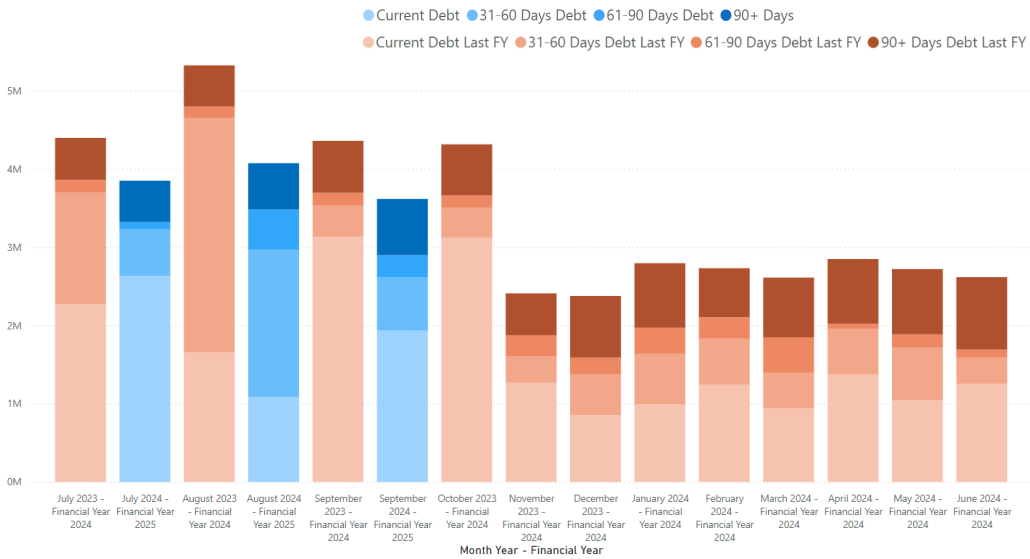


FINANCIAL PERFORMANCE  
DASHBOARD

REPORT PRINT DATE: 09/10/2024

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

**Current and last Financial Year Overdue Debt**



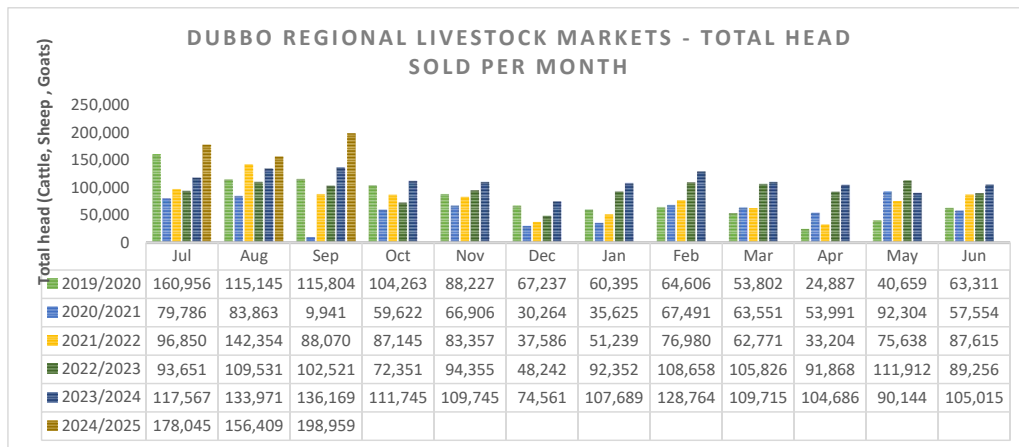
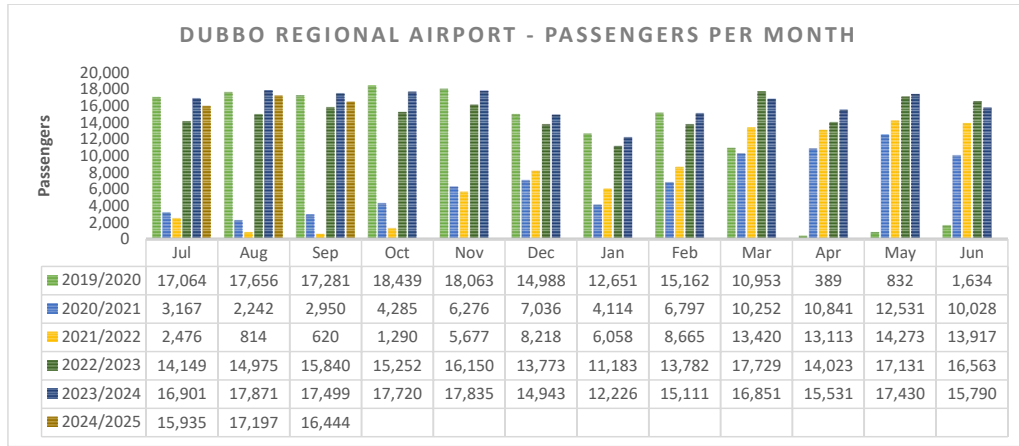


**FACILITY AND SERVICE  
PERFORMANCE DASHBOARD**

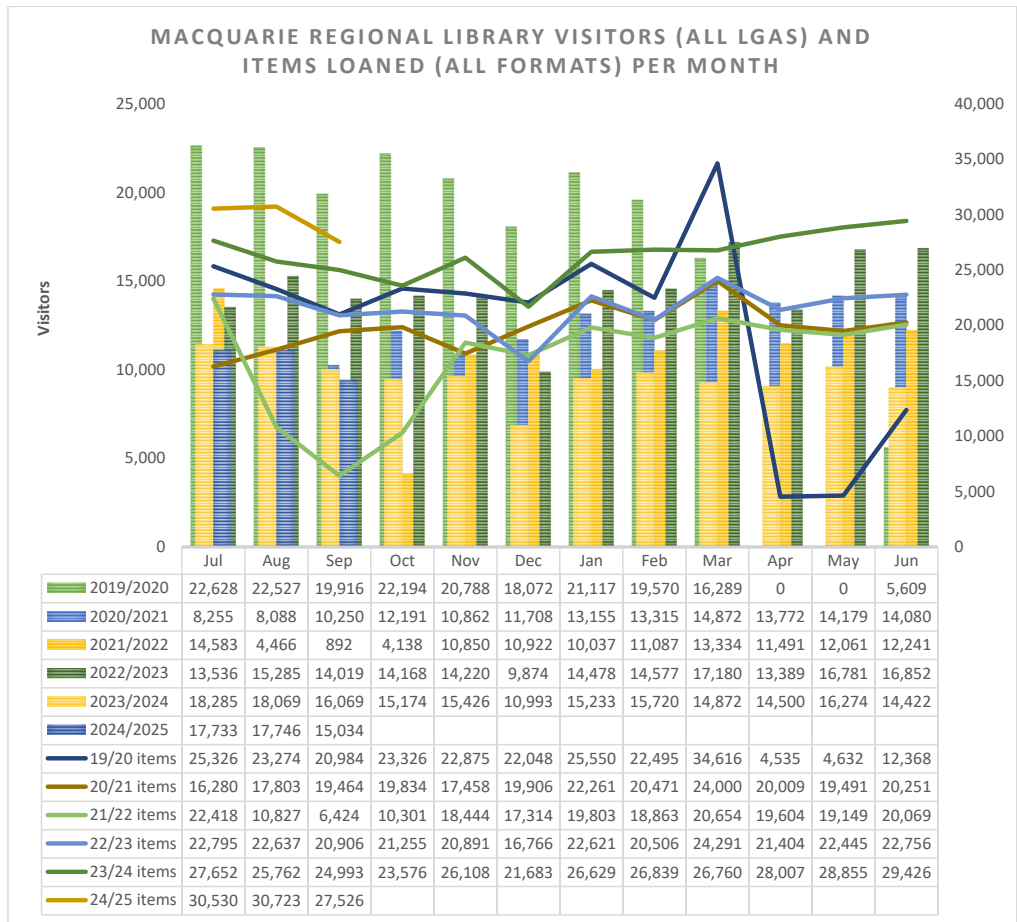
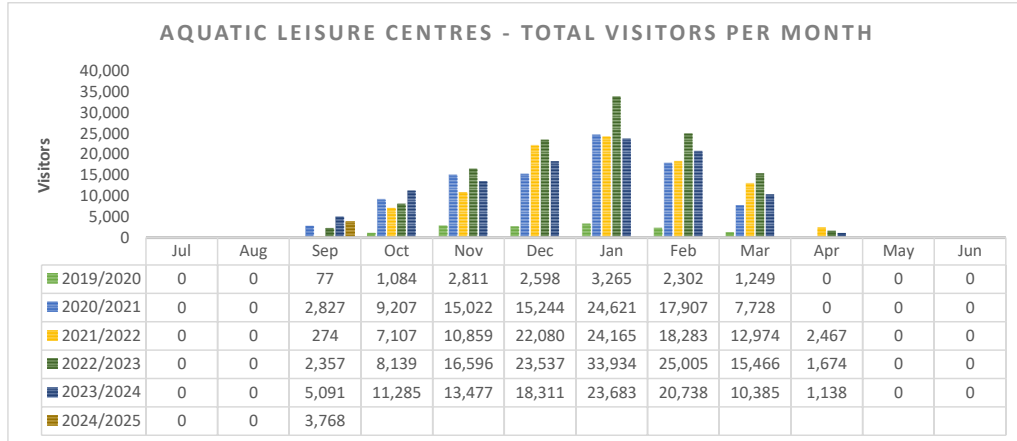
REPORT PRINT DATE: 09/10/2024

**SERVICES PERFORMANCE**


**PASSENGERS & VOLUME – COMMERCIAL**



VISITORS & CUSTOMERS – COMMUNITY



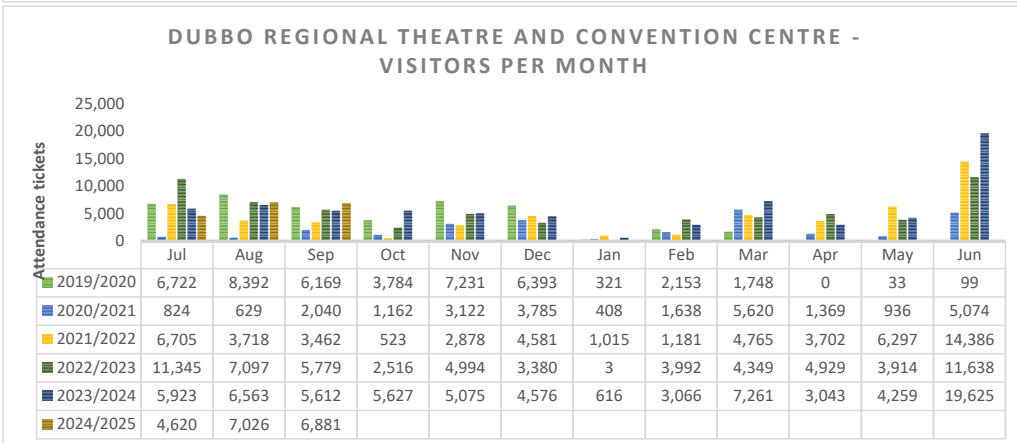
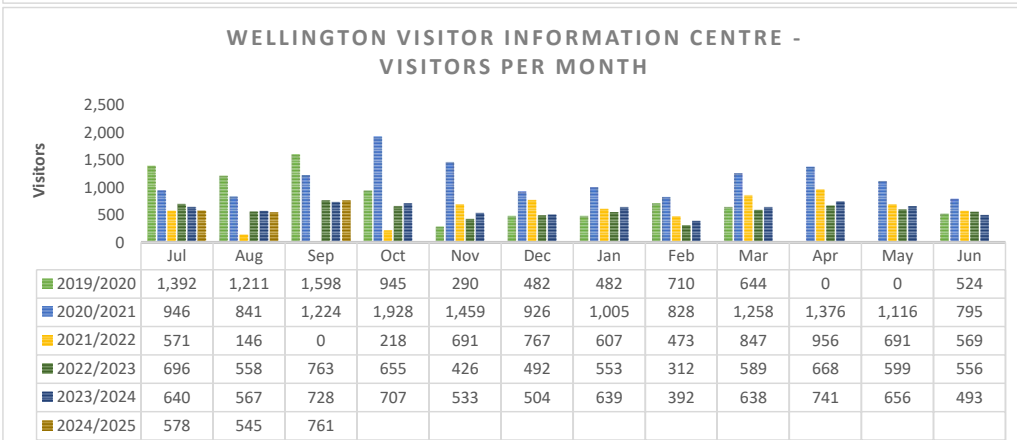
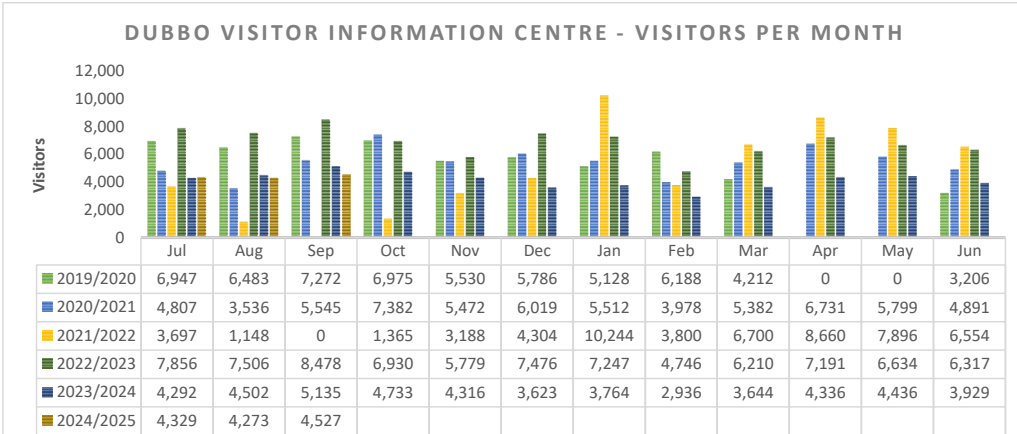




**FACILITY AND SERVICE  
PERFORMANCE DASHBOARD**

REPORT PRINT DATE: 09/10/2024

**VISITORS & CUSTOMERS – TOURISM & CULTURAL**

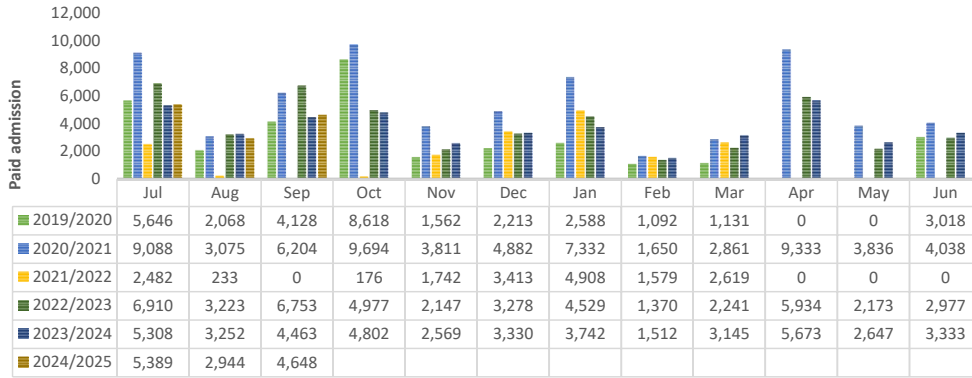




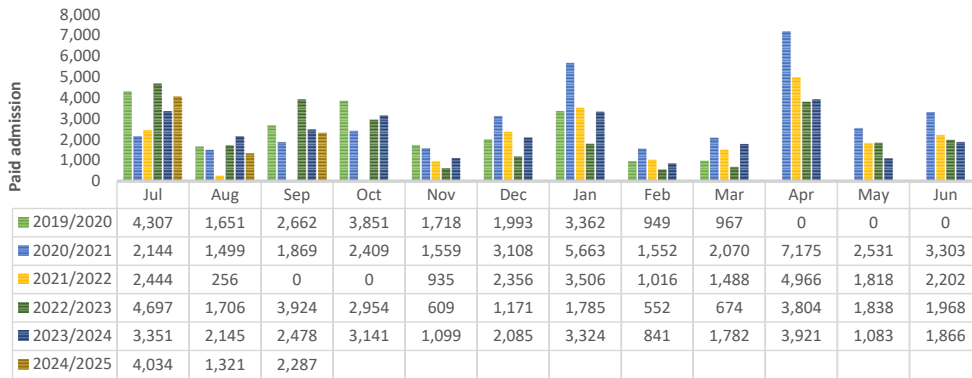
FACILITY AND SERVICE  
PERFORMANCE DASHBOARD

REPORT PRINT DATE: 09/10/2024

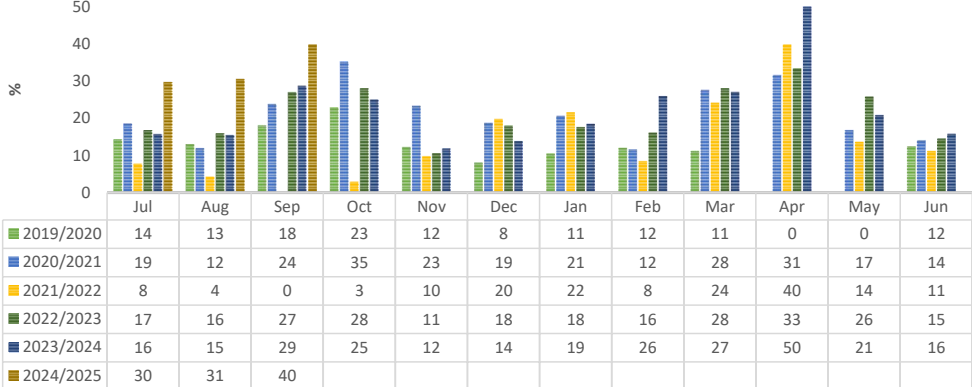
OLD DUBBO GAOL - VISITORS PER MONTH



WELLINGTON CAVES - PAID ADMISSION PER MONTH



WELLINGTON CAVES CARAVAN PARK - OCCUPANCY % PER MONTH

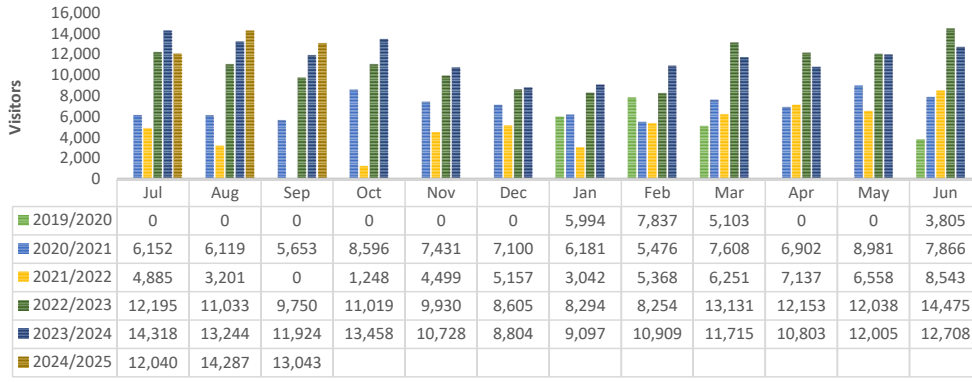




FACILITY AND SERVICE  
PERFORMANCE DASHBOARD

REPORT PRINT DATE: 09/10/2024

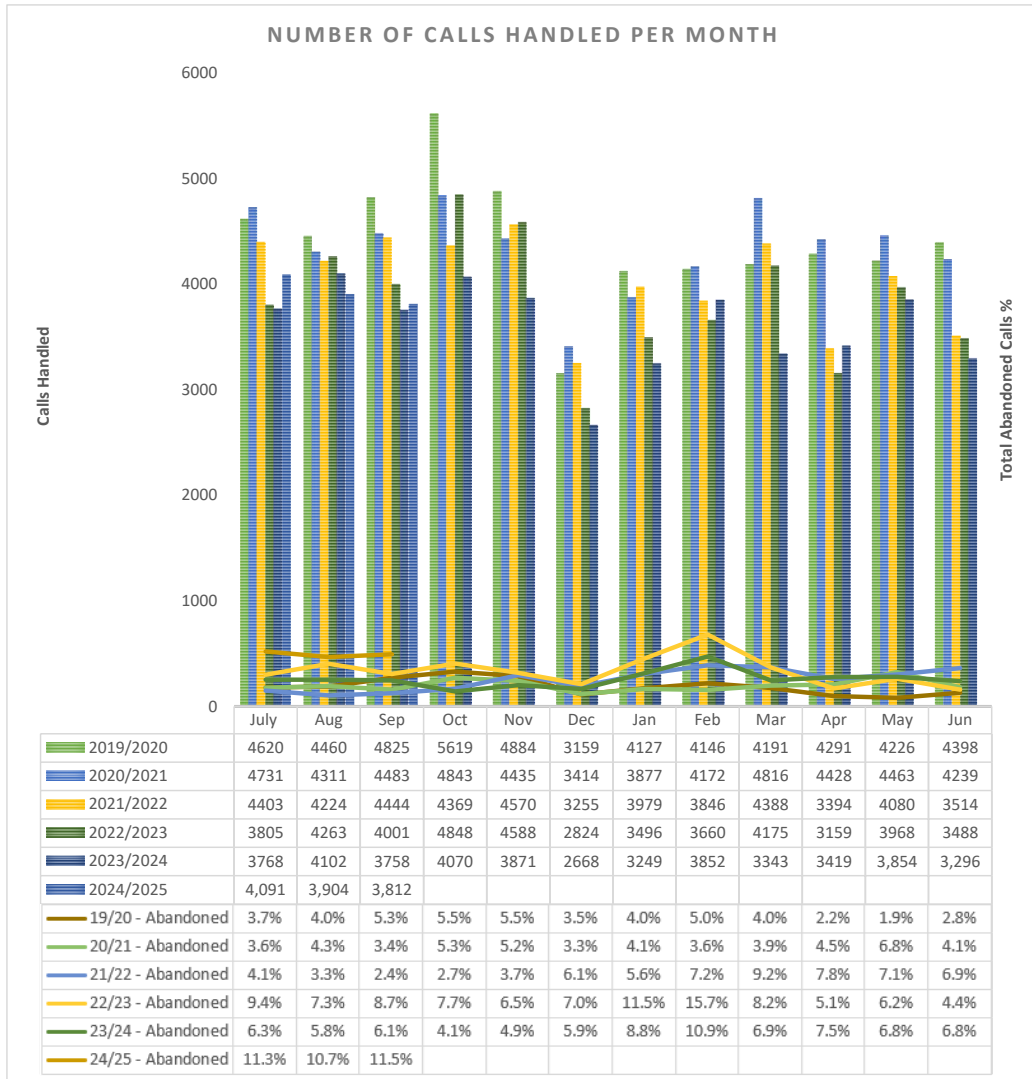
WESTERN PLAINS CULTURAL CENTRE - VISITORS PER MONTH





CUSTOMER EXPERIENCE  
CHARTER DASHBOARD

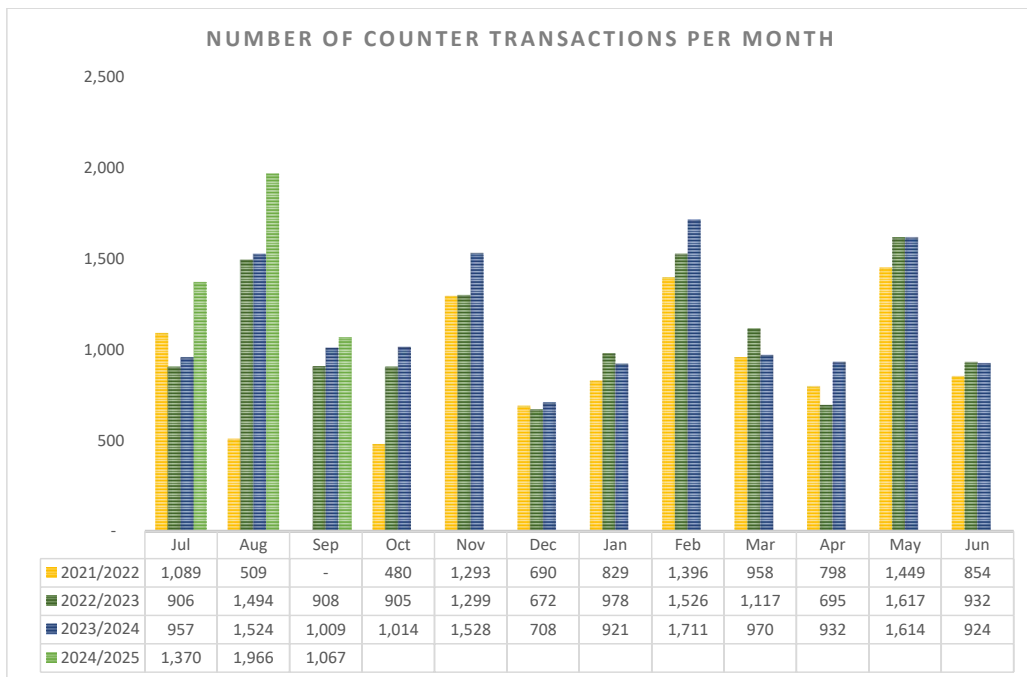
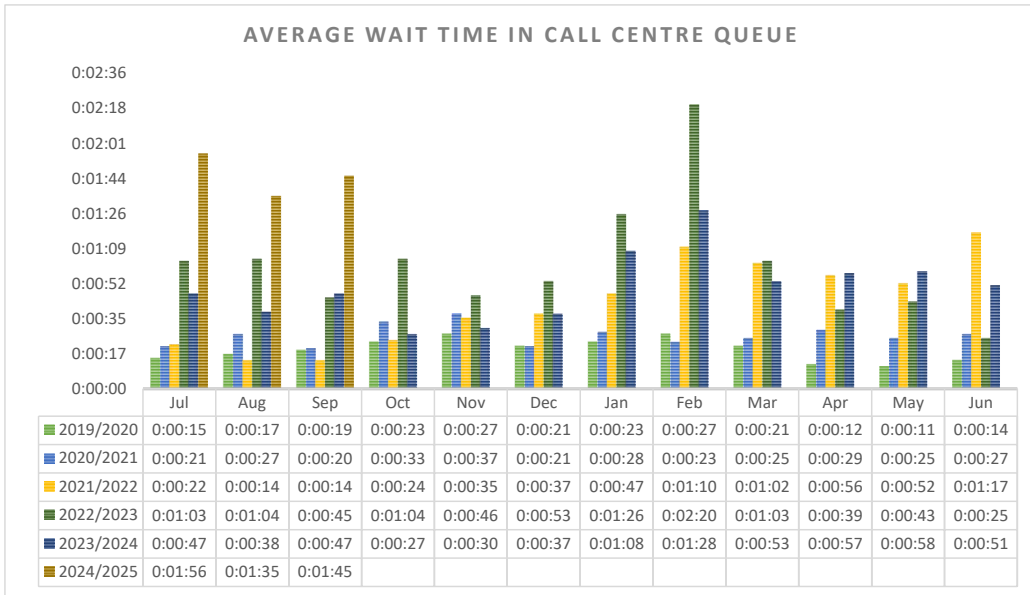
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CUSTOMER EXPERIENCE  
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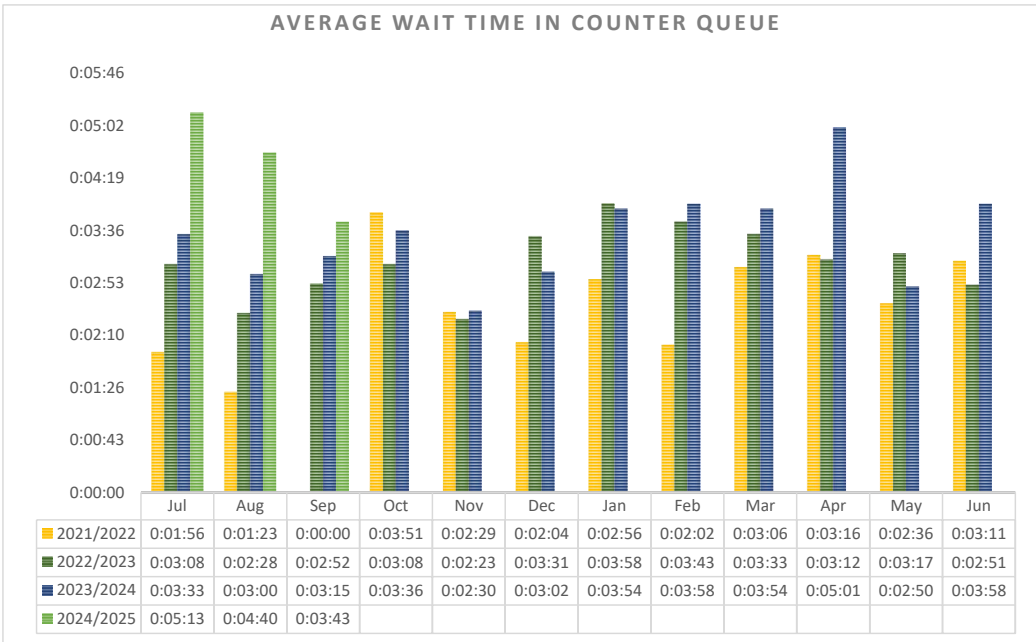
REPORT PRINT DATE: 09/10/2024





CUSTOMER EXPERIENCE  
CHARTER DASHBOARD

REPORT PRINT DATE: 09/10/2024

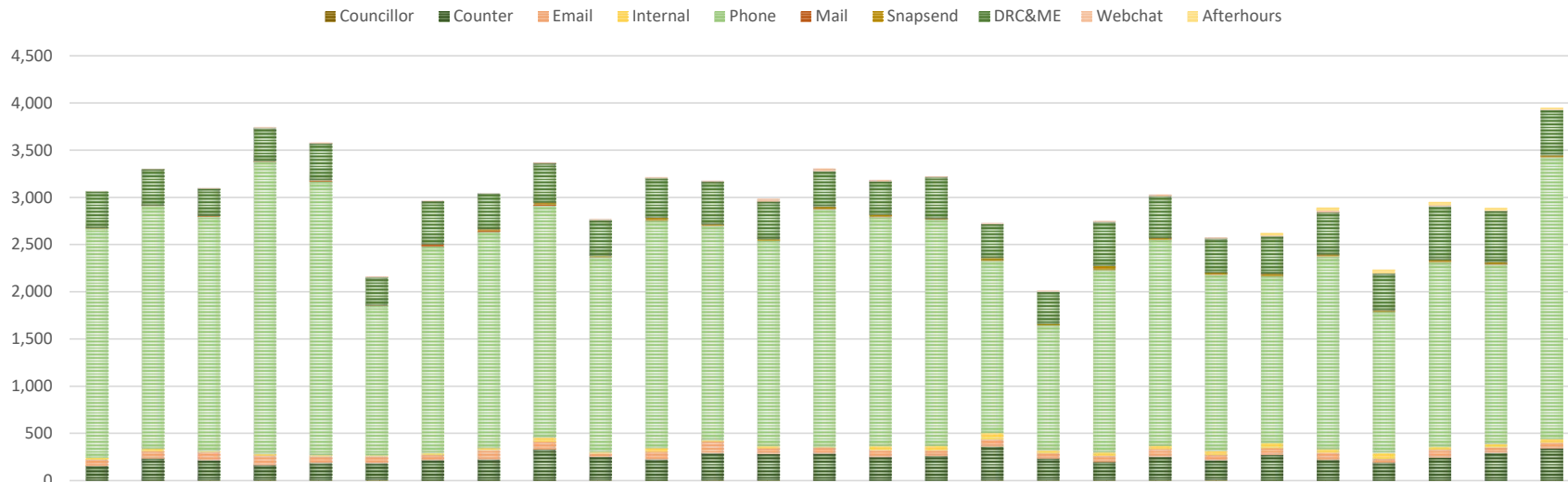




FACILITY AND SERVICE PERFORMANCE DASHBOARD

REPORT PRINT DATE: 09/10/2024

CUSTOMER SERVICE REQUEST TOTAL PER MONTH BY CATEGORY



	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24
Afterhours																						29	34	39	33	27	13
Webchat	2	4	5	8	8	8	7	5	9	13	11	13	26	25	15	7	14	9	12	16	9	9	17	4	12	6	11
DRC&ME	391	384	292	354	394	295	457	381	417	380	422	449	400	379	354	436	359	342	464	443	362	397	447	390	571	541	479
Snapsend	0	0	0	0	0	0	0	18	24	8	25	18	15	22	23	17	28	15	44	20	24	24	20	15	23	23	22
Mail	1	1	3	4	9	2	20	7	8	2	2	0	0	2	1	0	0	0	0	0	0	0	0	0	0	1	0
Phone	2,433	2,577	2,485	3,091	2,900	1,590	2,191	2,292	2,459	2,067	2,411	2,272	2,177	2,518	2,427	2,394	1,825	1,327	1,929	2,184	1,867	1,769	2,045	1,497	1,956	1,906	2,986
Internal	16	25	14	16	11	9	23	21	42	17	38	14	22	13	45	48	70	30	38	33	41	55	36	63	29	33	37
Email	68	78	86	103	70	73	51	101	83	35	84	125	61	61	72	60	75	57	66	83	56	72	73	41	84	60	63
Counter	158	233	211	161	186	180	217	222	328	249	222	284	279	285	249	260	358	231	195	247	210	271	221	190	244	293	338
Councillor	0	1	4	4	2	5	1	1	1	2	1	4	3	0	0	0	2	2	3	4	6	1	1	0	1	0	1

Note: Snap Send Solve tracking implemented February 2023, Afterhours CRMs lodges implemented April 2024.



## REPORT: Annual Report on Complaint Statistics Under Council's Code of Conduct - 2023/2024 Reporting Period

**DIVISION:** Organisational Performance  
**REPORT DATE:** 25 September 2024  
**TRIM REFERENCE:** ID24/1846

### EXECUTIVE SUMMARY

<b>Purpose</b>	<ul style="list-style-type: none"> <li>Fulfil legislated requirement/compliance</li> <li>Increase transparency</li> </ul>	
<b>Issue</b>	<ul style="list-style-type: none"> <li>Report providing statistics on quarter four of the 2023/2024 reporting period along with an annual summary of statistics for the entire 2023/2024 period.</li> </ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"> <li>In accordance with Part 11.1 of the Procedures for the Administration of the Model Code of Conduct as issued by the NSW Department of Premier and Cabinet, Council's Complaints Coordinator is required to report to council within three months of the end of September each year on complaint statistics under Council's Code of Conduct.</li> <li>Updates are provided to Councillors each quarter with this annual report also encompassing quarter four of the reporting period.</li> </ul>	
<b>Financial Implications</b>	Budget Area	Corporate Governance
	Funding Source	Corporate Governance – Code of Conduct
	Actual Cost	\$13,868.25
	Ongoing Costs	Budgeted \$50,000 per annum
<b>Policy Implications</b>	Policy Title	Council's Code of Conduct
	Impact on Policy	No policy implications from this report

### STRATEGIC DIRECTION

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

- Theme: 4 Leadership
- CSP Objective: 4.1 Council provides transparent, fair and accountable leadership and governance
- Delivery Program Strategy: 4.1.4 Statutory requirements are met and services are provided in a cost-effective and timely manner



**RECOMMENDATION**

- 1. That the information contained within the report of the Manager Corporate Governance, dated 25 September 2024, be noted.**
- 2. That that the annual Code of Conduct statistics be reported to the Office of Local Government in line with statutory requirements.**

*Jane Bassingthwaite*  
Director Organisational Performance

*AR*  
Manager Corporate  
Governance

## BACKGROUND

### Annual Reporting Requirements

Part 11.1 of the Procedures for the Administration of the Model Code of Conduct, as issued by the NSW Office of Local Government, requires the Complaints Coordinator (Manager Corporate Governance) to report to Council within three months of the end of September each year on complaint statistics received within the previous 12 months (specifically 1 September to 31 August), under Council's Code of Conduct as follows:

*11.1 The complaints coordinator must arrange for the following statistics to be reported to the council within 3 months of the end of September of each year:*

- a) the total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the year to September (the reporting period)*
- b) the number of code of conduct complaints referred to a conduct reviewer during the reporting period*
- c) the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage during the reporting period and the outcome of those complaints*
- d) the number of code of conduct complaints investigated by a conduct reviewer during the reporting period*
- e) without identifying particular matters, the outcome of investigations completed under these procedures during the reporting period*
- f) the number of matters reviewed by the Office during the reporting period and, without identifying particular matters, the outcome of the reviews, and g) the total cost of dealing with code of conduct complaints made about councillors and the CEO during the reporting period, including staff costs.*

### Quarterly Reporting

Council previously requested quarterly reports regarding Code of Conduct complaints received against Councillors or the Chief Executive Officer.

As resolved at the Ordinary Council meeting held on 26 October 2023, following are the revised quarterly reporting periods which will align with annual reporting:

Reporting Period		Report to Council
Quarter 1	1 September to 30 November	December
Quarter 2	1 December to 28 February (or 29 February in a leap year)	March
Quarter 3	1 March to 31 May	June
Quarter 4	1 June to 31 August	September

## REPORT

This report provides statistics on quarter four of the 2023/2024 reporting period along with an annual summary of statistics for the entire 2023/2024 period (**Appendix 1**).

### Quarter Four Reporting

- The fourth reporting quarter for the 2023/2024 period is 1 June 2024 to 31 August 2024.
- Two Code of Conduct complaints were received during this quarter.
- Costs incurred during the quarter totalled \$13,868.25.

### Annual Reporting

- The annual reporting period is from 1 September 2023 to 31 August 2024.
- During the 2023/2024 reporting period, a total of four Code of Conduct complaints were received.
- Costs incurred during the 2023/2024 reporting period totalled \$13,868.25, which relate to three of the four complaints received.
- Council expects further invoices to be received in the first quarter of the 2024/2025 reporting period relating to these complaints.

This information is provided in line with Part 11.1 of Council's Procedures for the Administration of the Dubbo Regional Council Code of Conduct.

### Annual Reporting Comparisons

Reporting Period	Number of Code of Conduct Complaints Received	Total Expenditure
2020/2021	55	\$236,000.00
2021/2022	9	\$61,392.60
2022/2023	4	\$16,170.00
2023/2024	4	\$13,868.25

### Consultation

- Reporting complaint statistics regularly allows for transparency both within Council and in the broader community.
- Council is also required to report its annual Code of Conduct statistics to the Office of Local Government each December (for the period 1 September to 31 August).
- All Councillors are required to undertake Code of Conduct training. Ten of the 11 newly elected Councillors attended Code of Conduct training on Wednesday 2 October, delivered by Kath Roach from Sinc Solutions. An alternative training session is currently being arranged for the Councillor who could not attend (and an in part alternative session as another Councillor had to depart early).

### Resourcing Implications

- Staff resources are used to manage the administration of complaints and liaise with external conduct reviewers.

**APPENDICES:**

- 1 [↓](#) 2023/2024 Code of Conduct Complaint Reporting Statistics - Quarter Four and Annual

**REPORTING STATISTICS ON CODE OF CONDUCT COMPLAINTS ABOUT COUNCILLORS AND THE CHIEF EXECUTIVE OFFICER**  
 Reporting Period: 1 September 2023 to 31 August 2024

Prepared in accordance with Part 11.1 of Council’s Procedures for the Administration of the Dubbo Regional Council Code of Conduct.

Reporting Period	Complaints Received	Referred to Conduct Reviewer	Finalised at Preliminary Assessment Stage	Investigated by Conduct Reviewer	Outcome of Investigations	Reviewed by Office of Local Government	Total Costs (including GST)
<b>Q1</b> 1 September 2023 to 30 November 2023	0	0	0	0	-	0	\$0
<b>Q2</b> 1 December 2023 to 28 February 2024	0	0	0	0	-	0	\$0
<b>Q3</b> 1 March 2024 to 31 May 2024	2	2	1	1	DRC24/1: Resolved at preliminary assessment stage through alternative and appropriate strategies as per Clause 6.13(b) of the Code of Conduct. DRC24/2: Investigation ongoing.	0	\$0
	DRC24/1 DRC24/2	DRC24/1 DRC24/2	DRC24/1	DRC24/2			
<b>Q4</b> 1 June 2024 to 31 August 2024	2	2	1	1	DRC24/4: Resolved at preliminary assessment stage and no action taken as per Clause 6.13(a) of the Code of Conduct. DRC24/3: Investigation ongoing.	0	<b>\$2,420</b> - DRC24/1 <b>\$7906.25</b> - DRC24/2 <b>\$3,542</b> - DRC24/3
	DRC24/3 DRC24/4	DRC24/3 DRC24/4	DRC24/4	DRC24/3			
<b>TOTAL</b>	4	4	2	2	-	0	<b>\$13,868.25</b>



DUBBO REGIONAL  
COUNCIL

## REPORT: Mayoral Appointments and Meetings - Mayor Mathew Dickerson

**DIVISION:** Chief Executive Officer  
**REPORT DATE:** 14 October 2024  
**TRIM REFERENCE:** ID24/1905

### EXECUTIVE SUMMARY

<b>Purpose</b>	<ul style="list-style-type: none"><li>Provide review or update</li></ul>	
<b>Issue</b>	<ul style="list-style-type: none"><li>Details of Mayoral appointments and meetings for the period 29 July 2024 through to 13 September 2024.</li></ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"><li>To ensure transparency of Mayoral appointments and meetings.</li></ul>	
<b>Financial Implications</b>	Budget Area	There are no financial implications arising from this report.
<b>Policy Implications</b>	Policy Title	There are no policy implications arising from this report.

### STRATEGIC DIRECTION

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

Theme: 4 Leadership

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

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

### RECOMMENDATION

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

*MW*  
Chief Executive Officer

## REPORT

### Consultation

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

### Resourcing Implications

Nil

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

#### Tuesday, 30 July 2024

- Submitted Mayoral Memo to the Daily Liberal.
- Submitted Mayoral Memo to the Wellington and District Leader.
- Attended radio interview with 2BS.
- Attended phone interview with Declan from 7 News.

#### Wednesday, 31 July 2024

- Attended radio interview with ABC.
- Attended radio interview with 2DU.
- Attended phone interview with Tijana Birdjan from Dubbo News.
- Attended phone interview with Catherine Naylor from Sydney Morning Herald.
- Attended phone interview with David Dixon from Dubbo Photo News.
- Attended radio interview with ABC Drive.

#### Friday, 2 August 2024

- Attended radio interview with 2DU.
- Attended a meeting with Emeritus Mayor Allan Smith.
- Attended Royal Freemason' Benevolent Institution to perform poetry.
- Recorded 'Straight From the Mayor's Mouth'.

#### Saturday, 3 August 2024

- Attended the Rural Fire Service – Bodangora Brigade Opening and Tankers Handover.
- Attended the Minokamo Exchange Students Dinner Party.

**Monday, 5 August 2024**

- Attended along with Councillors Shibli Chowdhury; Jess Gough; Damien Mahon; Matt Wright and Council's Chief Executive Officer, Murray Wood a site visit and walk through of the new Dubbo Bridge.
- Attended radio interview with Zoo FM.
- Attended a meeting with Councillor Lewis Burns.
- Attended a meeting with Deputy Mayor, Councillor Richard Ivey.
- Attended a meeting with Councillor Jess Gough.
- Attended a meeting with Rachel Yangoyan, CEO QantasLink.
- Attended along with Councillors Shibli Chowdhury and Richard Ivey the Audit, Risk and Improvement Committee Meeting.
- Attended along with Councillors Shibli Chowdhury, Richard Ivey and Council's Chief Executive Officer, Murray Wood the GP Registrar Night Event.

**Tuesday, 6 August 2024**

- Attended along with Councillor Matt Wright the Dubbo Business Chamber ASX 200 CEO Series Breakfast with guest speaker Rachel Yangoyan, CEO QantasLink.
- Submitted Mayoral Memo to the Daily Liberal.
- Submitted Mayoral Memo to the Wellington and District Leader.
- Attended a meeting with Councillor Vicki Etheridge.
- Attended a media opportunity regarding for the one millionth attendee at the Dubbo Regional Theatre and Convention Centre.
- Attended a meeting with Christ from the Ash Group.
- Attended a phone meeting with the Mayor of Wagga Wagga City Council, Councillor Dallas Tout.

**Wednesday, 7 August 2024**

- Attended radio interview with Triple M.
- Attended the Regional Cities NSW Sydney Delegation meetings.
  - Attended a meeting with Mat Campbell – Director of Policy, Housing, Homelessness and Mental Health – Office of the Hon. Rose Jackson MLC.
  - Attended a meeting with the Hon. Ron Hoenig, Minister for Local Government.
  - Attended a meeting with Mr Dugald Saunders MP – Shadow minister for Regional NSW and Mr Dave Layzell MP – Shadow Minister for Regional Transport and Roads.
  - Attended a meeting with the Hon. Daniel Mookhey MLC, NSW Treasurer.
  - Attended a meeting with the Hon. Jo Haylen MP – Minister for Transport.
- Attended the Regional Cities NSW dinner.



**Thursday, 8 August 2024**

- Attended the Regional Cities NSW Board meeting.
- *The Deputy Mayor, Councillor Richard Ivey attended the Macquarie Anglican Grammar School Grand Opening Ceremony – General Learning Area in lieu of the Mayor.*
- Attended along with Council's Chief Executive Officer, Murray Wood a briefing with the Hon. Kristy McBain MP, Minister for Regional Development, Local Government and Territories.

**Friday, 9 August 2024**

- Attended radio interview with 2DU.
- Attended the Country Mayors meeting in Sydney.
- Attended an interview with SCA.
- Attended an interview with WIN.

**Sunday, 11 August 2024**

- *Deputy Mayor, Councillor Richard Ivey attended the 2024 Variety B to B Bash to flag off participants in lieu of the Mayor.*

**Monday, 12 August 2024**

- Attended radio interview with 2BS.
- Attended radio interview with 2WEB.
- Attended radio interview with 2DU.
- Attended an interview with Chris Roe from Regional Riverina.
- Attended radio interview with Triple M.
- Attended a National Local Government Housing Summit meeting with Darren Hunter from ALGA.

**Tuesday, 13 August 2024**

- Submitted Mayoral Memo to the Daily Liberal.
- Submitted Mayoral Memo to the Wellington and District Leader.
- Attended Orana Gardens Lodge to perform poetry recital.
- Attended Orana Gardens John Whittle House to perform poetry recital.
- Attended a phone meeting with Stephen Beckett from Virgin.
- Attended a phone meeting with Tijana Birdjan from Dubbo News.
- Attended a Regional Capitals Australia board meeting.

**Wednesday, 14 August 2024**

- Attended along with Council's Chief Executive Officer, Murray Wood a Regional Capitals Australia Delegation meeting in Canberra.
  - Attended a meeting with the Hon. Darren Chester MP – Shadow Minister for Regional Education, Shadow Minister for Regional Development, Shadow Minister for Local Government and Territories.
  - Attended a meeting with Ms Molly Hughs – Senior Advisor to the Hon. Peter Dutton, Leader of the Opposition.
  - Attended a meeting with Ms Brooke Curtin – Chief of Staff to the Hon. Paul Fletcher MP, Shadow Minister for Science, Arts, Government Services and the Digital Economy.
  - Attended a meeting with the Office of Mr Ted O'Brien Shadow Minister for Climate Change and Energy.
- Attended a media interview with Hamish Southwell from Prime 7.

**Thursday, 15 August 2024**

- Attended phone interview with Tijana Birdjan from the Dubbo News.
- Attended Councillor Briefing.
- Attended the Ordinary Council Meeting.
- Attended interview with 2DU.

**Friday, 16 August 2024**

- Attended radio interview with ABC.
- Attended radio interview with 2DU.
- Attended radio interview with Binjang.
- Attended and spoke at a conference in Adelaide on behalf of ALGA.

**Saturday, 17 August 2024**

- Attended a meeting with the walkers from EDS Big Big Big Walk for little kids.
- Recorded 'Straight from the Mayor's Mouth'.

**Monday, 19 August 2024**

- Attended radio interview with Zoo FM.
- Attended radio interview with DC FM.
- Attended West Dubbo Public School Book Week as a guest reader.
- Attended the INT College opening.

**Tuesday, 20 August 2024**

- Submitted Mayoral Memo to the Daily Liberal.
- Submitted Mayoral Memo to the Wellington and District Leader.
- Attended Bracken House to perform poetry recitals.

**Thursday, 22 August 2024**

- Attended the Homelessness Week fundraiser event at the Old Dubbo Gaol.
- Attended the Regional Leaders Network Meeting.

**Friday, 23 August 2024**

- Attended radio interview with 2DU.

**Saturday, 24 August 2024**

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

**Monday, 26 August 2024**

- Attended radio interview with 2BS.
- Attended radio interview with 2WEB.
- Attended a Zoom interview with Declan from 7 News.
- Attended radio interview with Prue Bentley from ABC Radio Drive for Regional Capitals Australia.
- Attended radio interview with Andrew Collins from ABC Western Australia – Regional Drive for Regional Capitals Australia.

**Tuesday, 27 August 2024**

- Submitted Mayoral Memo to the Daily Liberal.
- Submitted Mayoral Memo to the Wellington and District Leader.
- Attended a meeting with the Hon. Steve Whan MP, Minister for Skills, TAFE and Tertiary Education.
- Attended radio interview with ABC Whyalla.
- Attended a meeting with Narelle Stocks from Skillset
- Attended a phone interview with Angira Bharadwaj from News Corp.

**Wednesday, 28 August 2024**

- Attended radio interview with Triple M.

**Thursday, 29 August 2024**

- Attended a Spicers Creek Wind Farm Public meeting in Dunedoo.
- Attended a meeting with Council's Chief Executive Officer, Murray Wood and Director Strategy, Partnerships and Engagement, Jess Brown.

**Friday, 30 August 2024**

- Wave off a group of riders going to Newcastle as part of a Zoo to Zoo ride.
- Attended radio interview with 2DU.
- Attended a meeting with Elyce Poga at the Riverside Church.
- Attended along with Councillors Shibli Chowhury, Jess Gough and Matt Wright, Federal Member for Parkes, the Hon. Mark Coulton MP and Member for Dubbo, Dugald Saunders MP a Citizenship Ceremony.
- Attended along with Councillors Shibli Chowdhury and Matt Wright the Vinnies Community Sleep Out

**Saturday, 31 August 2024**

- Attended along with Councillors Shibli Chowdhury and Matt Wright the Vinnies Community Sleep Out.
- Recorded 'Straight From the Mayor's Mouth'.

**Monday, 2 September 2024**

- Attended radio interview with Zoo FM.
- Attended a meeting with Zoe Pike from Royal Far West.

**Tuesday, 3 September 2024**

- Submitted Mayoral Memo to the Daily Liberal.
- Submitted Mayoral Memo to the Wellington and District Leader.
- Attended an event at Lowes Petroleum Depot – Trucking Company urges motorists: Don't be "THAT" driver.

**Thursday, 5 September 2024**

- Attended Royal Freemason's Benevolent Institution for their Aged Care Employee Day.
- Attended an Extraordinary Council Meeting.

**Friday, 6 September 2024**

- Attended radio interview with 2DU.
- Recorded 'Straight From the Mayor's Mouth'.

**Saturday, 7 September 2024**

- Attended the Dubbo Aquatic Leisure Centre for the opening of the pool for the season.

**Monday, 9 September 2024**

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

**Tuesday, 10 September 2024**

- Submitted Mayoral Memo to the Daily Liberal.
- Submitted Mayoral Memo to the Wellington and District Leader.
- Attended the 'Better Futures Forum' in Canberra as a guest speaker.

**Wednesday, 11 September 2024**

- Attended along with Council's Chief Executive Officer, Murray Wood a meeting with Superintendent Tim Chinn from Orana Mid-Western Police District.

**Thursday, 12 September 2024**

- Attended the Community, Culture and Places cheque presentations 2024/2025 Round one.

**Friday, 13 September 2024**

- Attended radio interview with 2DU.
- Attended the Dubbo College South Campus – Official Opening of the Gindaymanha Sports Complex.



DUBBO REGIONAL  
COUNCIL

## REPORT: Mayoral Appointments and Meetings - Mayor Josh Black

DIVISION: Chief Executive Officer  
REPORT DATE: 14 October 2024  
TRIM REFERENCE: ID24/1909

### EXECUTIVE SUMMARY

<b>Purpose</b>	<ul style="list-style-type: none"><li>Provide review or update</li></ul>	
<b>Issue</b>	<ul style="list-style-type: none"><li>Details of Mayoral appointments and meetings for the period 3 October 2024 through to 11 October 2024.</li></ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"><li>To ensure transparency of Mayoral appointments and meetings.</li></ul>	
<b>Financial Implications</b>	Budget Area	There are no financial implications arising from this report.
<b>Policy Implications</b>	Policy Title	There are no policy implications arising from this report.

### STRATEGIC DIRECTION

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

Theme: 4 Leadership

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

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

### RECOMMENDATION

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

*MW*  
Chief Executive Officer

## REPORT

### Consultation

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

### Resourcing Implications

Nil

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

#### Thursday, 3 October 2024

- Attended interview with The Daily Liberal.
- Attended interview with Prime 7 News.

#### Friday, 4 October 2024

- Attended radio interview with DC FM.
- Attended radio interview with 2DU.
- Attended radio interview with Triple M.

#### Tuesday, 8 October 2024

- Attended interview with ABC Western Plains.
- Attended meeting with Councillor Jen Cowley.
- Attended a meeting with Member for Dubbo, Dugald Saunders MP.
- Attended along with Manager People Culture and Safety, Karen Robertson a meeting with Jamie Anderson from MasterTek.

#### Wednesday, 9 October 2024

- Attended the Wellington Caves tour as part of the Councillor Induction.
- Attended a CivicRisk Presentation as part of the Councillor Induction.
- Attended a Caves Service Review as part of the Councillor Induction.
- Attended a tour of Wellington including Bodangora, Wellington Waste Management Facility, Cemetery, Duke of Wellington Bridge, Pioneer Park as part of the Councillor Induction.
- Attended an interview with 2BS.

**Thursday, 10 October 2024**

- Attended a presentation from MasterTek as part of the Councillor Induction.
- Attended a presentation from DPE Water as part of the Councillor Induction.
- Attended a DRC&ME presentation as part of the Councillor Induction.
- Attended a bus tour of the Western Plains Cultural Centre, Keswick Estate, John Gilbert Water Treatment Plant, Airport Precinct, Whylandra Waste Facility, Dubbo Regional Livestock Markets, Sewer Treatment Plant as part of the Councillor Induction.

**Friday, 11 October 2024**

- Attended radio interview with 2DU.





DUBBO REGIONAL  
COUNCIL

## NOTICE OF MOTION: 24 Hour Police Presence in Wellington

REPORT DATE: 17 October 2024

FILE: ID24/1920

Council had before it a Notice of Motion dated 17 October 2024 from Councillor L Butler regarding the 24 Hour Police Presence in Wellington as follows:

1. *That it be noted that the community of Wellington remains concerned about a lack of a 24 hour police station and a 24 hour police presence.*
2. *That the Superintendent Orana Midwestern Police District be invited to meet the elected body for a briefing on crime in Wellington, how the community is serviced by police and to hear of the community's concern.*
3. *That a representative of BOCSAR (the NSW Bureau of Crime Statistics & Research) be invited to present to a Councillor workshop on the latest crime statistics and trends for the Local Government Area.*
4. *That subject to the outcomes of the briefing and workshop, a further report be provided by the CEO detailing options for the next steps to obtain better policing in Wellington including consideration within the draft Community Safety and Crime Prevention Plan that is under development.*

### RECOMMENDATION

1. **That it be noted that the community of Wellington remains concerned about a lack of a 24 hour police station and a 24 hour police presence.**
2. **That the Superintendent Orana Midwestern Police District be invited to meet the elected body for a briefing on crime in Wellington, how the community is serviced by police and to hear of the community's concern.**
3. **That a representative of BOCSAR (the NSW Bureau of Crime Statistics & Research) be invited to present to a Councillor workshop on the latest crime statistics and trends for the Local Government Area.**
4. **That subject to the outcomes of the briefing and workshop, a further report be provided by the CEO detailing options for the next steps to obtain better policing in Wellington including consideration within the draft Community Safety and Crime Prevention Plan that is under development.**

LB  
Councillor

### APPENDICES:

- 1 [Notice of Motion - Clr Butler - 24hr Police Presence in Wellington](#)

**Councillor Lukas Butler**

PO Box 81  
DUBBO NSW 2830

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14 October 2024

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

Dear Murray

**NOTICE OF MOTION – 24 HOUR POLICE PRESENCE IN WELLINGTON**

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

1. *That it be noted that the community of Wellington remains concerned about a lack of a 24 hour police station and a 24 hour police presence.*
2. *That the Superintendent Orana Midwestern Police District be invited to meet the elected body for a briefing on crime in Wellington, how the community is serviced by police and to hear of the community's concern.*
3. *That a representative of BOCSAR (the NSW Bureau of Crime Statistics & Research) be invited to present to a Councillor workshop on the latest crime statistics and trends for the Local Government Area.*
4. *That subject to the outcomes of the briefing and workshop, a further report be provided by the CEO detailing options for the next steps to obtain better policing in Wellington including consideration within the draft Community Safety and Crime Prevention Plan that is under development.*

Yours faithfully

  
Lukas Butler  
Councillor



DUBBO REGIONAL  
COUNCIL

## NOTICE OF MOTION: Reinstatement of the Villages Committee

REPORT DATE: 14 October 2024

FILE: ID24/1906

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Council had before it a Notice of Motion dated 14 October 2024 from Councillor J Cowley regarding the Reinstatement of the Villages Committee as follows:

*That the CEO provide a report to Council in November 2024 on the reinstatement of the Villages Committee to ensure full and strategic representation for all Villages within our Local Government Area.*

### RECOMMENDATION

**That the CEO provide a report to Council in November 2024 on the reinstatement of the Villages Committee to ensure full and strategic representation for all Villages within our Local Government Area.**

JC  
Councillor

### APPENDICES:

1 [↓](#) Notice of Motion - Villages Committee - Clr Jen Cowley

**Councillor Jen Cowley**  
PO Box 81  
DUBBO NSW 2830

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14 October 2024

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

Dear Murray

**NOTICE OF MOTION – REINSTATEMENT OF THE VILLAGES COMMITTEE**

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

1. *That the CEO provide a report to Council in November 2024 on the reinstatement of the Villages Committee to ensure full and strategic representation for all Villages within our Local Government Area.*

Yours faithfully



Jen Cowley OAM  
Councillor



DUBBO REGIONAL  
COUNCIL

## NOTICE OF MOTION: 175th Anniversary of Dubbo

REPORT DATE: 15 October 2024

FILE: ID24/1911

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Council had before it a Notice of Motion dated 15 October 2024 from Councillor S Chowdhury regarding the 175th Anniversary of Dubbo as follows:

*That Dubbo Regional Council include a celebration of 175<sup>th</sup> anniversary of Dubbo at the Dubbo Day event being held on 21 November 2024.*

### RECOMMENDATION

**That Dubbo Regional Council include a celebration of 175<sup>th</sup> anniversary of Dubbo at the Dubbo Day event being held on 21 November 2024.**

SC  
Councillor

### APPENDICES:

1 [↓](#) Notice of Motion - Clr Chowdhury - 175th Anniversary of Dubbo

**Councillor Shibli Chowdhury**  
PO Box 81  
DUBBO NSW 2830

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14 October 2024

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

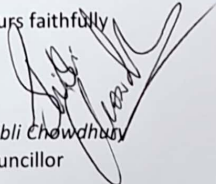
Dear Murray

**NOTICE OF MOTION – 175<sup>TH</sup> ANNIVERSARY OF DUBBO**

Please place the following notice of motion on the agenda for the 24 October 2024 Ordinary meeting of Council.

*That Dubbo Regional Council include a celebration of the 175<sup>th</sup> anniversary of Dubbo at the Dubbo Day event being held on 21 November 2024.*

Yours faithfully

  
Shibli Chowdhury  
Councillor



DUBBO REGIONAL  
COUNCIL

## NOTICE OF MOTION: Village Roadshow Program

REPORT DATE: 11 October 2024

FILE: ID24/1899

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Council had before it a Notice of Motion dated 11 October 2024 from Councillor S Chowdhury regarding the Village Roadshow Program as follows:

*That the CEO prepare a report for the November 2024 Council meeting, outlining a potential schedule and budget for a "Village Roadshow Program." This program will facilitate feedback opportunities and foster stronger relationships and dialogue among village residents, Councillors, and Executive staff.*

### RECOMMENDATION

**That the CEO prepare a report for the November 2024 Council meeting, outlining a potential schedule and budget for a "Village Roadshow Program." This program will facilitate feedback opportunities and foster stronger relationships and dialogue among village residents, Councillors, and Executive staff.**

SC  
Councillor

### APPENDICES:

[1](#) Village Roadshow Program

**Councillor Shibli Chowdhury**

PO Box 81  
DUBBO NSW 2830

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8 October 2024

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

Dear Murray

**NOTICE OF MOTION – VILLAGE ROADSHOW PROGRAM**

I would like to place the following notice of motion on the agenda for the 24 October 2024 Ordinary meeting of Council.

That the CEO prepare a report for the November 2024 Council meeting, outlining a potential schedule and budget for a "Village Roadshow Program." This program will facilitate feedback opportunities and foster stronger relationships and dialogue among village residents, Councillors, and Executive staff.

Yours faithfully



*Shibli Chowdhury*  
Councillor





## NOTICE OF MOTION: Community Funding

REPORT DATE: 15 October 2024

FILE: ID24/1913

Council had before it a Notice of Motion dated 15 October 2024 from Councillor M Dickerson regarding the Community Funding as follows:

*That Dubbo Regional Council resolves to:*

1. **Review** all existing separate funding programs currently available to organisations and community groups, including but not limited to:
  - a. Community Venue Hire Program;
  - b. Corporate Sponsorship;
  - c. SPARC Support Program;
  - d. Community Services Fund;
  - e. Community Events Fund;
  - f. Destination Events Fund;
  - g. Discretionary funds under the control of the Mayor and/or CEO.
2. **Consider**, as part of the review, the establishment of a single Community Fund with an annual budget allocation of \$250,000. This fund will support applications for financial assistance, requests for venue hire fee reductions, use of discretionary funds and other similar requests.
3. **Ensure** the review results in a streamlined, transparent, and user-friendly application process for community funding. This review should include:
  - a. Implementing four funding rounds annually (quarterly);
  - b. Allocating one-quarter of the total annual budget to each round;
  - c. Rolling over unallocated funds to the next funding round.
4. **Develop** and adopt guidelines for the proposed Community Fund, using previous eligibility criteria as a base, that ensure:
  - a. All applications are assessed against the total annual budget;
  - b. The process is transparent and easily understandable;
  - c. Funding decisions are made on merit and aligned with Council's strategic objectives.

**RECOMMENDATION**

That Dubbo Regional Council resolves to:

1. Review all existing separate funding programs currently available to organisations and community groups, including but not limited to:
  - a. Community Venue Hire Program;
  - b. Corporate Sponsorship;
  - c. SPARC Support Program;
  - d. Community Services Fund;
  - e. Community Events Fund;
  - f. Destination Events Fund;
  - g. Discretionary funds under the control of the Mayor and/or CEO.
2. Consider, as part of the review, the establishment of a single Community Fund with an annual budget allocation of \$250,000. This fund will support applications for financial assistance, requests for venue hire fee reductions, use of discretionary funds and other similar requests.
3. Ensure the review results in a streamlined, transparent, and user-friendly application process for community funding. This review should include:
  - a. Implementing four funding rounds annually (quarterly);
  - b. Allocating one-quarter of the total annual budget to each round;
  - c. Rolling over unallocated funds to the next funding round.
4. Develop and adopt guidelines for the proposed Community Fund, using previous eligibility criteria as a base, that ensure:
  - a. All applications are assessed against the total annual budget;
  - b. The process is transparent and easily understandable;
  - c. Funding decisions are made on merit and aligned with Council's strategic objectives.

*MD*  
Councillor

**APPENDICES:**

- 1 [↓](#) Notice of Motion - Community Funding - Mathew Dickerson

14 October 2024

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

Please place the following Notice of Motion on the agenda for the October 2024 Ordinary Meeting of Council.

**NOTICE OF MOTION: COMMUNITY FUNDING**

That Dubbo Regional Council resolves to:

1. **Review** all existing separate funding programs currently available to organisations and community groups, including but not limited to:
  - a. Community Venue Hire Program;
  - b. Corporate Sponsorship;
  - c. SPARC Support Program;
  - d. Community Services Fund;
  - e. Community Events Fund;
  - f. Destination Events Fund;
  - g. Discretionary funds under the control of the Mayor and/or CEO.
2. **Consider**, as part of the review, the establishment of a single Community Fund with an annual budget allocation of \$250,000. This fund will support applications for financial assistance, requests for venue hire fee reductions, use of discretionary funds and other similar requests.
3. **Ensure** the review results in a streamlined, transparent, and user-friendly application process for community funding. This review should include:
  - a. Implementing four funding rounds annually (quarterly);
  - b. Allocating one-quarter of the total annual budget to each round;
  - c. Rolling over unallocated funds to the next funding round.
4. **Develop** and adopt guidelines for the proposed Community Fund, using previous eligibility criteria as a base, that ensure:
  - a. All applications are assessed against the total annual budget;
  - b. The process is transparent and easily understandable;
  - c. Funding decisions are made on merit and aligned with Council's strategic objectives.



**Councillor Mathew Dickerson**



## NOTICE OF MOTION: Financial Reporting

REPORT DATE: 11 October 2024  
FILE: ID24/1900

Council had before it a Notice of Motion dated 11 October 2024 from Councillor M Dickerson regarding the Financial Reporting as follows:

*That Dubbo Regional Council resolves to:*

1. **Undertake** a comprehensive review of the accounting practices and reporting requirements of all Council-operated business units.
2. **Ensure** the review delivers an accurate representation of the financial performance of each business unit to facilitate improved strategic decision-making and enhance long-term sustainability, while also adhering to the accounting standards outlined in the Local Government Act.
3. **Include** in the review, but not be limited to, the following elements:
  - a. **Evaluate** the internal overhead allocation methodology to ensure it accurately reflects the true cost of services provided;
  - b. **Assess** internal charges applied to Council-operated businesses, including rates, water and other fees, to determine consistency with external business practices;
  - c. **Review** the current fixed dividend structure, which currently mandates a set dollar figure to be returned to general revenue irrespective of individual business unit performance.
4. **Implement** any proposed changes as part of the 2025/2026 Draft Budget and Operational Plan process.

### RECOMMENDATION

**That Dubbo Regional Council resolves to:**

1. **Undertake** a comprehensive review of the accounting practices and reporting requirements of all Council-operated business units.
2. **Ensure** the review delivers an accurate representation of the financial performance of each business unit to facilitate improved strategic decision-making and enhance long-term sustainability, while also adhering to the accounting standards outlined in the Local Government Act.
3. **Include** in the review, but not be limited to, the following elements:
  - a. **Evaluate** the internal overhead allocation methodology to ensure it accurately reflects the true cost of services provided;
  - b. **Assess** internal charges applied to Council-operated businesses, including rates, water and other fees, to determine consistency with external business practices;

- c. **Review the current fixed dividend structure, which currently mandates a set dollar figure to be returned to general revenue irrespective of individual business unit performance.**
- 4. **Implement any proposed changes as part of the 2025/2026 Draft Budget and Operational Plan process.**

*MD*  
Councillor

**APPENDICES:**

- 1↓ [Notice of Motion - Financial Reporting - Mathew Dickerson](#)

14 October 2024

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

Please place the following Notice of Motion on the agenda for the October 2024 Ordinary Meeting of Council.

**NOTICE OF MOTION: FINANCIAL REPORTING**

That Dubbo Regional Council resolves to:

1. **Undertake** a comprehensive review of the accounting practices and reporting requirements of all Council-operated business units.
2. **Ensure** the review delivers an accurate representation of the financial performance of each business unit to facilitate improved strategic decision-making and enhance long-term sustainability, while also adhering to the accounting standards outlined in the Local Government Act.
3. **Include** in the review, but not be limited to, the following elements:
  - a. **Evaluate** the internal overhead allocation methodology to ensure it accurately reflects the true cost of services provided;
  - b. **Assess** internal charges applied to Council-operated businesses, including rates, water and other fees, to determine consistency with external business practices;
  - c. **Review** the current fixed dividend structure, which currently mandates a set dollar figure to be returned to general revenue irrespective of individual business unit performance.
4. **Implement** any proposed changes as part of the 2025/2026 Draft Budget and Operational Plan process.



**Councillor Mathew Dickerson**



DUBBO REGIONAL  
COUNCIL

## NOTICE OF MOTION: Continuation of Membership of Associated LG Organisations

REPORT DATE: 11 October 2024

FILE: ID24/1902

Council had before it a Notice of Motion dated 11 October 2024 from Councillor R Ivey regarding the Continuation of Membership of Associated LG Organisations as follows:

1. *That Council maintain membership of and participation in the following umbrella organisations.*
  - a. *The Alliance of Western Councils*
  - b. *Regional Cities NSW*
  - c. *Regional Capitals Australia*
  - d. *Country Mayors*
  - e. *Local Government NSW*
  - f. *Regional Leaders Network*
  - g. *Mining and Energy Related Councils*
2. *That Council's ongoing membership of/participation in each of these organisations be reviewed and a report be brought to Council prior to the expiration of the current term of Council.*

### RECOMMENDATION

1. **That Council maintain membership of and participation in the following umbrella organisations.**
  - a. **The Alliance of Western Councils**
  - b. **Regional Cities NSW**
  - c. **Regional Capitals Australia**
  - d. **Country Mayors**
  - e. **Local Government NSW**
  - f. **Regional Leaders Network**
  - g. **Mining and Energy Related Councils**
2. **That Council's ongoing membership of/participation in each of these organisations be reviewed and a report be brought to Council prior to the expiration of the current term of Council.**

*RI*  
Councillor

### APPENDICES:

- 1 [↕](#) Notice of Motion - Clr R Ivey - Continuation of Membership of associated LG Organisations

***Councillor Richard Ivey***

PO Box 81  
DUBBO NSW 2830

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14 October 2024

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

Dear Murray

**NOTICE OF MOTION – CONTINUATION OF MEMBERSHIP OF ASSOCIATED LG ORGANISATIONS**

I would like to place the following notice of motion on the agenda for the 24 October 2024 Ordinary meeting of Council.

1. *That Council maintain membership of and participation in the following umbrella organisations.*
  - a. *The Alliance of Western Councils*
  - b. *Regional Cities NSW*
  - c. *Regional Capitals Australia*
  - d. *Country Mayors*
  - e. *Local Government NSW*
  - f. *Regional Leaders Network*
  - g. *Mining and Energy Related Councils*
2. *That Council's ongoing membership of/participation in each of these organisations be reviewed and a report be brought to Council prior to the expiration of the current term of Council.*

Yours faithfully



*Richard Ivey*  
Councillor





DUBBO REGIONAL  
COUNCIL

## NOTICE OF MOTION: Newell Highway Bypass Dubbo

REPORT DATE: 11 October 2024

FILE: ID24/1901

Council had before it a Notice of Motion dated 11 October 2024 from Councillor R Ivey regarding the Newell Highway Bypass Dubbo as follows:

1. *That Council note that a strategic study is required to examine the need for a Newell Highway Bypass of West Dubbo, including analysis of possible route locations, integration with existing road networks and future development.*
2. *That the Chief Executive Officer prepare a report to the February 2025 Ordinary Council meeting that considers the following:*
  - *costs of undertaking the body of work,*
  - *identify any impacts on existing work activities,*
  - *the relationship with the City-Wide Traffic Model being developed,*
  - *steps moving forward including timing for completion of the work.*

### RECOMMENDATION

1. **That Council note that a strategic study is required to examine the need for a Newell Highway Bypass of West Dubbo, including analysis of possible route locations, integration with existing road networks and future development.**
2. **That the Chief Executive Officer prepare a report to the February 2025 Ordinary Council meeting that considers the following:**
  - **costs of undertaking the body of work,**
  - **identify any impacts on existing work activities,**
  - **the relationship with the City-Wide Traffic Model being developed,**
  - **steps moving forward including timing for completion of the work.**

*RI*  
Councillor

### APPENDICES:

1. [Notice of Motion - Clr R Ivey - Newell Highway Bypass](#)

**Councillor Richard Ivey**

PO Box 81  
DUBBO NSW 2830

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14 October 2024

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

Dear Murray

**NOTICE OF MOTION – NEWELL HIGHWAY BYPASS DUBBO**

I would like to place the following notice of motion on the agenda for the 24 October 2024 Ordinary meeting of Council.

1. *To facilitate Council's long-term planning, including land releases, that potential alignments for a Newell Highway bypass be identified.*
2. *That the Chief Executive Officer prepare a report to the February 2025 Ordinary Council meeting that considers the following:*
  - *costs of undertaking the body of work,*
  - *identify any impacts on existing work activities,*
  - *the relationship with the City-Wide Traffic Model being developed,*
  - *steps moving forward including timing for completion of the work.*

Yours faithfully



*Richard Ivey*  
Councillor



## NOTICE OF MOTION: Feasibility and Estimated Costs of Extending Town Water Supply Mumbil to Stuart Town

REPORT DATE: 11 October 2024  
FILE: ID24/1903

Council had before it a Notice of Motion dated 11 October 2024 from Councillor P Toynton regarding the Feasibility and Estimated Costs of Extending Town Water Supply Mumbil to Stuart Town as follows:

*That as part of the 2025 – 2029 Four Year Delivery Plan and associated Operational Plans and budget, Council undertake the feasibility and options analysis in the 2025/2026 financial year for the provision of town water (potable water) to the Stuart Town village.*

### RECOMMENDATION

**That as part of the 2025 – 2029 Four Year Delivery Plan and associated Operational Plans and budget, Council undertake the feasibility and options analysis in the 2025/2026 financial year for the provision of town water (potable water) to the Stuart Town village.**

*PT*  
Councillor

### APPENDICES:

[1↓](#) Notice of Motion - Clr P Toynton - Potable Water Stuart Town Village

**Councillor Phillip Toynton**

PO Box 81  
DUBBO NSW 2830

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11 October 2024

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

Dear Murray

**NOTICE OF MOTION – POTABLE WATER STUART TOWN VILLAGE**

I would like to place the following notice of motion on the agenda for the 24 October 2024 Ordinary meeting of Council.

- 1. That as part of the 2025 – 2029 Four Year Delivery Plan and associated Operational Plans and budget, Council undertake the feasibility and options analysis in the 2025/2026 financial year for the provision of town water (potable water) to the Stuart Town village.*

Yours faithfully



*Phillip Toynton*  
Councillor



## REPORT: Presentation of Council's 2023/2024 Financial Statements

**DIVISION:** Organisational Performance  
**REPORT DATE:** 4 October 2024  
**TRIM REFERENCE:** ID24/1881

### EXECUTIVE SUMMARY

<b>Purpose</b>	<ul style="list-style-type: none"> <li>Seek endorsement</li> <li>Fulfil legislated requirement/Compliance</li> </ul>	
<b>Issue</b>	<ul style="list-style-type: none"> <li>Presentation of the Audited Financial Statements for submission to the Office of Local Government</li> </ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"> <li>The Local Government Act 1993 requires that Council prepare financial statements annually and must meet specific requirements in preparing and presenting the annual financial statements.</li> </ul>	
<b>Financial Implications</b>	Budget Area	There are no budget implications arising from this report.
	Funding Source	N/A
<b>Policy Implications</b>	Policy Title	There are no policy implications arising from this report.
	Impact on Policy	N/A

### STRATEGIC DIRECTION

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

Theme: 4 Leadership

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

Delivery Program Strategy: 4.1.4 Statutory requirements are met and services are provided in a cost-effective and timely manner

### RECOMMENDATION

1. That the General Purpose Financial Statements and the Special Purpose Financial Statements for the year ended 30 June 2024 be accepted by Council.
2. That Council authorises the Mayor, the Deputy Mayor, the Chief Executive Officer and the Responsible Accounting Officer to sign the General Purpose Financial Statements.
3. That Council authorises the Mayor, the Deputy Mayor, the Chief Executive Officer

and the Responsible Accounting Officer to sign the Special Purpose Financial Statements.

4. That Council authorises the display of the Annual Financial Statements and Auditor's Reports for the year ended 30 June 2024.

*Jane Bassingthwaite*  
Director Organisational Performance

*SW*  
Chief Financial Officer

## BACKGROUND

Section 413 of the Local Government Act 1993, provides as follows:

- 413 (1) *A Council must prepare financial reports for each year and must refer them for audit as soon as practicable (having regard to the requirements of section 416(1)) after the end of that year.*
- (2) *A council's financial reports must include:*
- (a) a general purpose financial report: and*
  - (b) any other matter prescribed by the regulations, and*
  - (c) a statement in the approved form by the Council as to its opinion on the general purpose financial report.*
- (3) *The general purpose financial report must be prepared in accordance with this Act and the regulations, and requirements of:*
- (a) the publications issued by the Australian Accounting Standards Board, as in force for the time being, subject to the regulations, and*
  - (b) such other standards as may be prescribed by the regulations.*

Clause 214 of the Local Government (General) Regulation 2021 imposes additional requirements for preparation of a Council's financial reports.

- (1) For the purpose of Section 413(2)(b) of the Act, any matters required by the Code [Local Government Code of Accounting Practice and Financial Reporting] or the Manual [Local Government Asset Accounting Manual] to be included in Council's financial reports are prescribed matters.*
- (2) For the purpose of section 413(3)(b) of the Act, the Code and the Manual are prescribed standards.*

With regards to 'any other matter prescribed by the regulation', this refers to the Local Government (General) Regulations 2021 and includes:

- *the financial reports are to include general purpose financial statements, special purpose financial statements if applicable, and special schedules, and must be prepared in accordance with the Local Government Code of Accounting Practice and Financial Reporting.*
- *the statement by the council must be made by resolution, and be signed by the mayor, at least one other member of the council, the responsible accounting officer, and the general manager (if not the responsible accounting officer).*
- *The statement must indicate:*
  - *whether or not the council's annual financial reports have been drawn up in accordance with the Act and the Regulation. o the Code.*
  - *the Australian Accounting Standards issued by the Australian Accounting Standards Board.*
  - *whether or not those reports present fairly the council's financial position and operating result for the year.*

- *whether or not those reports accord with the council's accounting and other records.*
- *whether or not the signatories know of anything that would make those reports false or misleading in any way and include such information and explanations as will prevent those reports from being misleading because of any qualification that is included in the statement.*
- *The Council must ensure that the statement is attached to the relevant annual financial reports.*

Section 416(1) of the Local Government Act 1993 requires that: "A Council's financial reports for a year must be prepared and audited within the period of 4 months after the end of that year".

In accordance with Sections 418 and 419 of the Local Government Act, 1993, Dubbo Regional Council notified the public seven days prior, that the audited Financial Statements and Auditor's Reports would be presented to Council, for the financial year ending 30 June 2024, at the Ordinary Council Meeting on Thursday, 24 October 2024. The Audit Office of New South Wales will be attending the meeting remotely to present the 2023/2024 audited financial statements.

In accordance with Section 420 of the Local Government Act, 1993, any person may make a submission in writing to Council with respect to the Council's Audited Financial Statements or Auditor's Reports. With copies of the audited Financial Statements being displaced at the Dubbo Civic Administration Building in Church Street Dubbo or Wellington Civic Administration Building in Warne Street Wellington. Submissions close one week after the above Public Meeting has been held.

### **General Purpose Financial Statements**

The General Purpose Financial Statements presents Council's consolidated financial statements for the year ended 30 June 2024. The report incorporates five primary financial statements:

- **Income Statement:** Summarises Council's financial performance for the year, listing all income and expenses. This statement also displays Council's original adopted budget to provide a comparison between what was projected and what actually occurred.
- **Statement of Comprehensive Income:** Primarily records changes in the fair value of Council's Infrastructure, property, plant and equipment resulting from comprehensive revaluations and indexation of asset classes.
- **Statement of Financial Position:** The Balance Sheet presenting Council's financial position as at 30 June 2024 and listing its assets, liabilities and "net wealth" or equity.
- **Statement of Changes in Equity:** The overall change for the year of Council's "net wealth".
- **Statement of Cash Flows:** Indicates where Council's cash came from and where it was spent in the categories of operating activities, investing activities and financing activities. This statement also displays Council's original adopted budget to provide a comparison between what was projected and what actually occurred.



- Notes to the financial statements: Support the primary statements and provide more detail on respective items and include material accounting policy information when required.

### ***Special Purpose Financial Statements***

In accordance with the Local Government Code of Accounting Practice and Financial Reporting, Council must complete Special Purpose Financial Statements for all declared business activities.

Special Purpose Financial Statements are designed to meet National Competition Policy reporting requirements with businesses defined as either Category 1 or 2. Council's business activities are:

- Water Supply
- Sewerage Services
- Dubbo Regional Airport
- Dubbo Regional Livestock Markets
- Property Development
- Rainbow Cottage Childcare Centre

The purpose of these reports is to detail the performance of business activities under the principles of 'competitive neutrality'. This reporting requires costs such as taxation equivalents and dividends to be included even though they may not actually be paid, and a return on investment to be calculated. Any subsidy from Council is also disclosed. The key elements of the Special Purpose Financial Statements are the Income Statement and Statement of Financial Position for each nominated business activity. These statements are supported by the Notes to the Special Purpose Financial Statements.

### ***Special Schedules***

The Special Schedules have been designed to meet the requirements of special purpose users such as the NSW Grants Commission, Australian Bureau of Statistics, NSW Office of Water, and the NSW Office of Local Government. The Special Schedules comprises the Statement of Permissible Income and the Report on Infrastructure Assets.

REPORT

**Income Statement**

The net operating result before capital grants and contributions for the year ended 30 June 2024 was a surplus of \$29.6M, in comparison to a surplus of \$50.7M at 30 June 2023. The net operating result from continuing operations before grants and contributions provided for capital purposes was a \$3.5M deficit, in comparison to a deficit of \$5.8M at 30 June 2023.

**Summary of Current and Prior Year Income Statement**

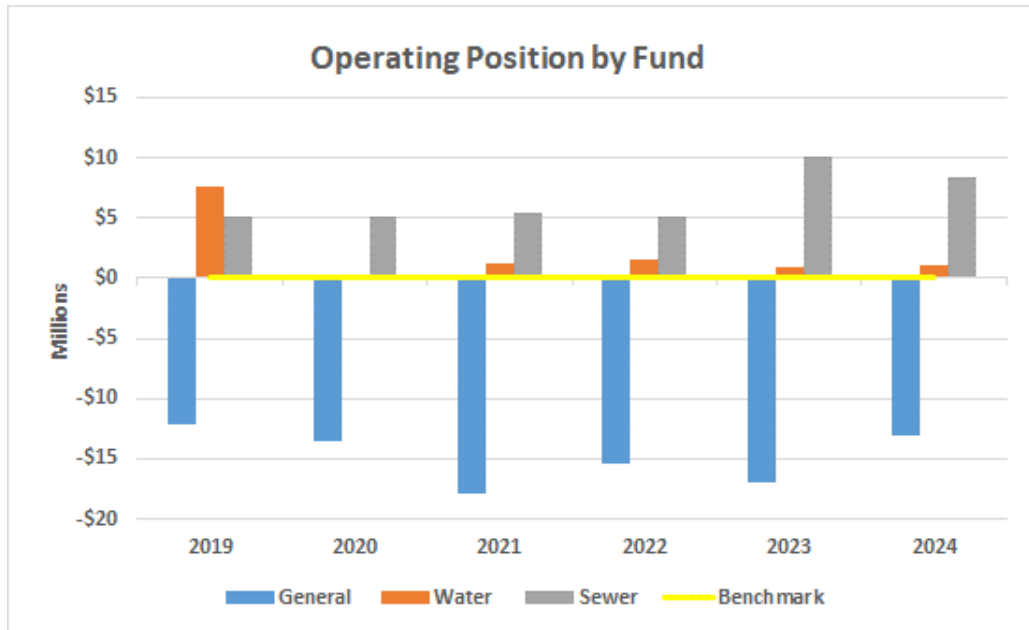
Total Financial Implications	2024 Actual (\$'000)	2023 Actual (\$'000)	2022 Actual (\$'000)	2021 Actual (\$'000)
a. Total income	210,896	213,640	192,666	186,754
b. Total Operating expenses	181,317	162,924	152,221	149,630
c. Operating budget impact (a – b)	29,579	50,716	40,445	37,124
d. Capital Grants & Contributions Income	33,122	56,552	49,260	48,265
e. Net operating result for the year before grants and contributions provided for capital purposes (c – d)	(3,543)	(5,836)	(8,815)	(11,141)

**Table 1.** Income Statement and prior year actuals

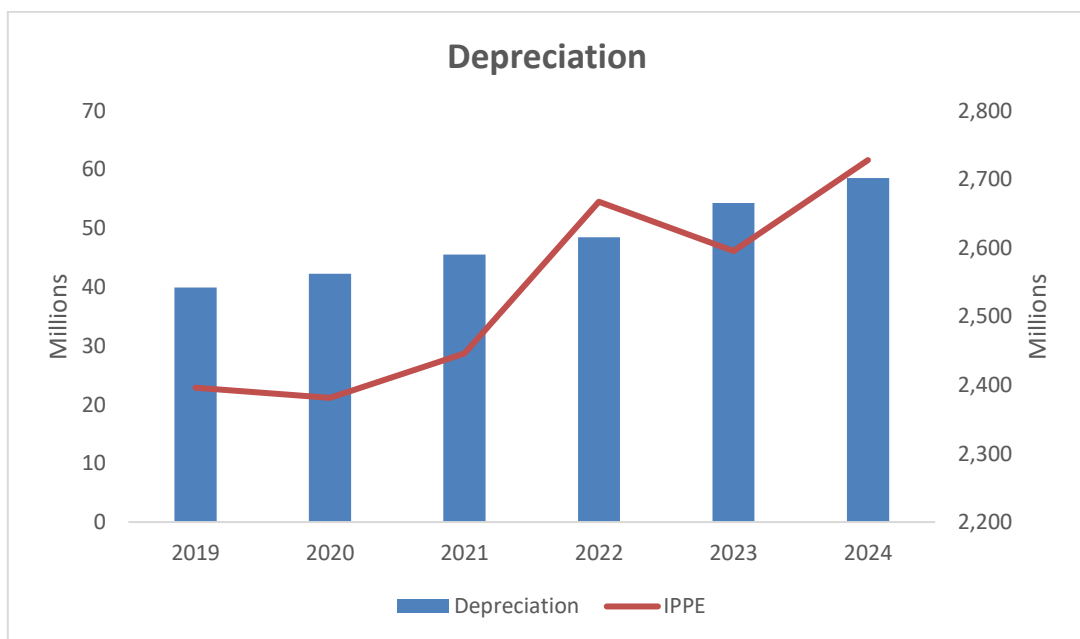
Where material variations exceed 10% between original budget and actual results or where the variance is considered material by nature, an explanation for the variance is included in Note B-5 Performance Against Budget.

**Operating Results by Fund**

The consolidated operating result comprises the surpluses and deficits associated with Council’s General, Water and Sewer funds. The results of each fund are provided below:



The General Fund had a net operating deficit for the year before grants and contributions provided for capital purposes of \$13.1M (2022/2023: \$16.9M). The Water Fund and Sewer Fund had net operating surpluses for the year of \$1.1M and \$8.4M, respectively (2022/2023: \$950K and \$10.1M, respectively).



Depreciation expense totalled \$58.5M in 2023/2024, in comparison to \$54.3M in 2022/2023. Depreciation has continued to increase in proportion to the increase in the gross carrying

value of Infrastructure, property, plant and equipment (IPPE). A breakdown of depreciation by asset class can be found in the IPPE note to the financial statements at C1-8.

### Statement of Financial Position

The Statement of Financial Position at 30 June 2024 indicates that Council is in a stable but restricted financial position with Net Assets of \$2,977M. The increase in net assets from the position as at 30 June 2023 totals \$150.4M which has resulted predominantly from the comprehensive revaluation of Operational Land and Buildings asset classes, and the indexation of infrastructure asset classes.

### Major Asset classes

#### Cash and cash equivalents and Investments

Cash and cash equivalents and Investments totalled \$290.7M as at 30 June 2024, which is a significant increase of \$21.0M from \$269.7M as at 30 June 2023.

It should be noted that there are restrictions on the future use of these funds. As per the details on Note C1-3, the following restrictions have been imposed by legislation or other externally imposed requirements:

	2024	2023
	\$'000	\$'000
Developer Contributions - General	18,315	15,621
Unexpended Grants	20,169	23,632
Water fund	54,949	63,219
Sewer fund	82,490	73,660
Stormwater management	5,499	4,357
Domestic waste management	3,279	4,220
<b>Total external restrictions</b>	<b>184,701</b>	<b>184,709</b>

As also detailed in Note C1-3, Council has previously resolved to set aside funds in the form of specific cash or investments for future long term purposes. A breakdown of the internal allocations as at 30 June 2024 and 30 June 2023 is shown below:

	2024	2023
	\$'000	\$'000
Employee leave entitlements	3,528	3,401
Dubbo Regional Airport	1,549	2,027
Dubbo Regional Livestock Markets	3,744	3,298
Other waste management services	25,026	21,612
Roads network – state roads	1,439	1,401
Fleet management services	7,734	9,728
Future Asset Renewal	62,988	43,540
<b>Total internal allocations</b>	<b>106,008</b>	<b>85,007</b>

### **Statement of Cash Flows**

The Statement of Cash Flows shows total cash, cash equivalents and investments have increased for the year by \$21.0M. This is the net result of decreased net cash flows from operating activities and net cashflows from financing activities, and increased cash flows from investing activities.

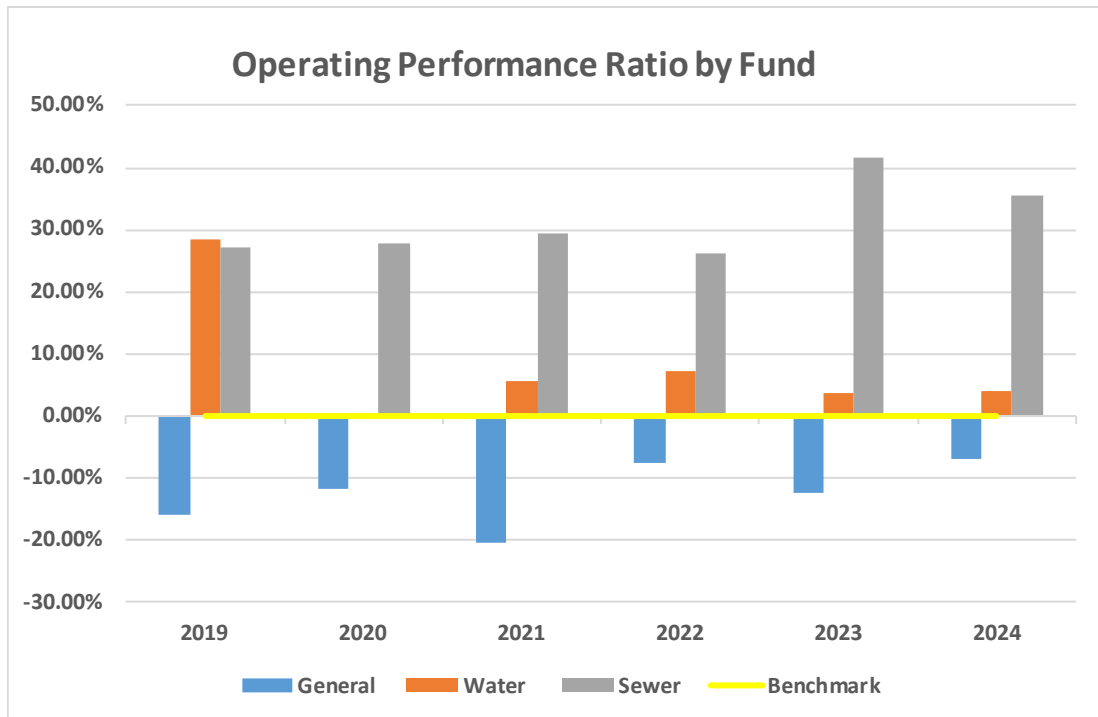
An increase of \$28.4M in investments on hand at the end of the year resulted from continued strong growth in the acquisition of term deposits. This enabled Council to use the majority of surplus cash receipts to take advantage of improved interest rates in accordance with the annual Investment Strategy.

### **Statement of performance measures**

The Office of Local Government's performance measurement framework defines benchmarks and performance indicators to assist understand and compare industry performance and measure how a Council funds their operations.

Note G5-1 of the financial statements shows all ratios that are measured. At a consolidated level for the year ended 30 June 2024, Council achieved all of the benchmarks; however, the General fund did not achieve the Operating Performance Ratio and the consolidated Own Source Operating Revenue Ratio has historically had a borderline benchmark position. These are analysed further below.

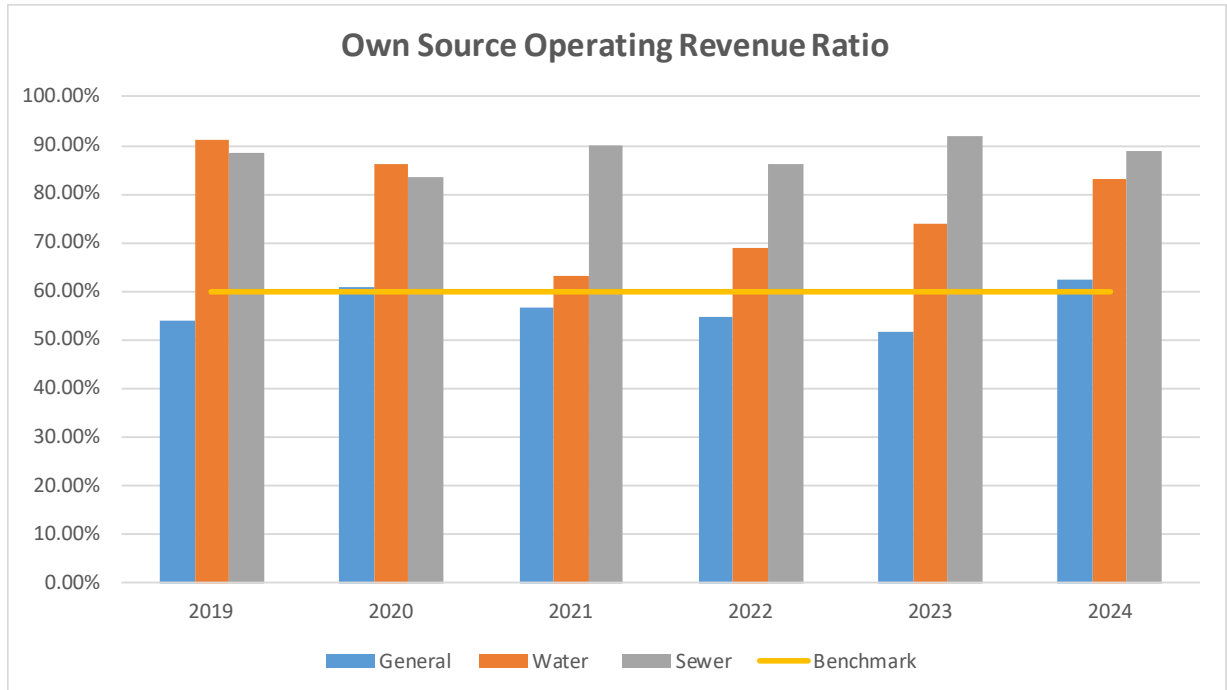
Operating Performance Ratio by Fund



The Operating Performance Ratio measures the extent to which a council has succeeded in containing operating expenditure within operating revenue. It is important to emphasise that this ratio is focused on operating performance and hence capital grants and contributions, and gains / (losses) from the disposal of assets are excluded.

As shown in the graph above, Council’s General fund Operating Performance Ratio for the year ended 30 June 2024 was -6.85% (in comparison to the benchmark of > 0.00%). Council’s General fund has not met this performance ratio since 2018.

**Own Source Operating Revenue Ratio**

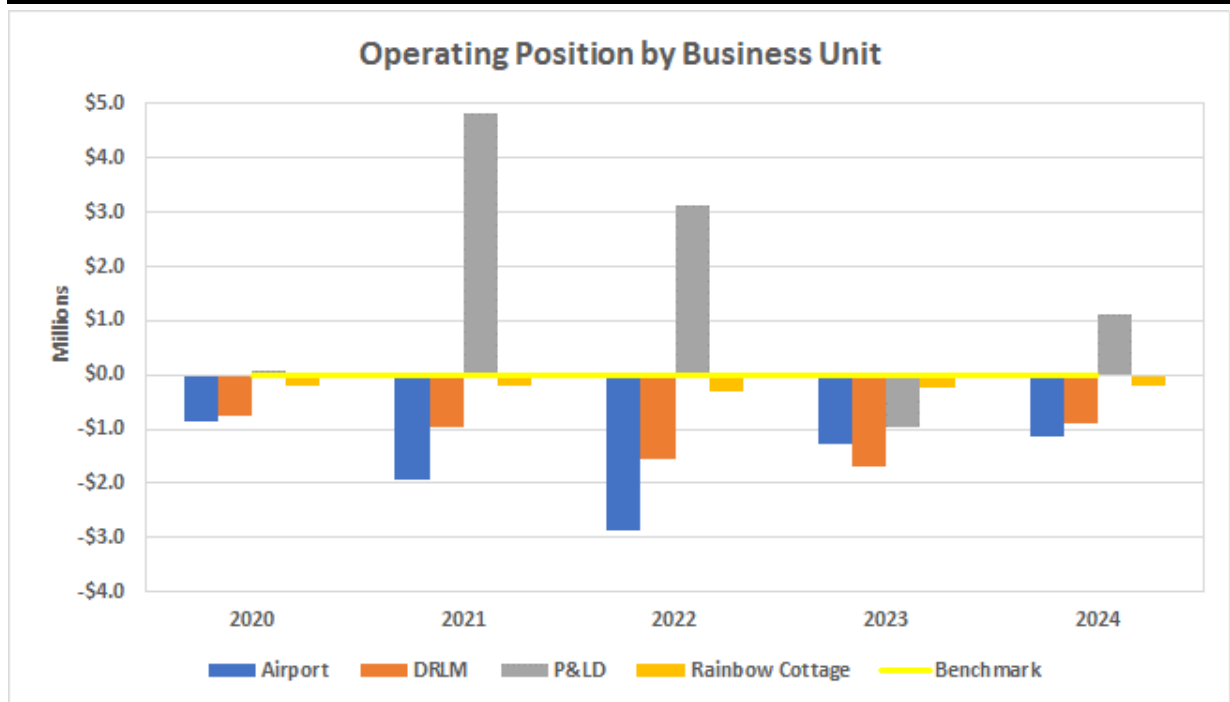


The Own Source Operating Revenue ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions. A council’s financial flexibility improves as its own source revenue increases.

The graph below shows all funds achieved the benchmark of > 60% in the year ended 30 June 2024 with a result of 62.27% for General fund (2022/2023: 51.66%).

**Special Purpose Financial Statements**

The Special Purpose Financial Statements details the performance of Council’s six individual business units, including the Water Supply and Sewerage Services funds. The graph below displays the profit or loss of those business units, other than Water and Sewer fund, over the last 5 years.



Section 415(1) provides that the Council's auditor must audit the Council's Financial Reports as soon as practicable (having regard to the requirements of Section 416(1)) after they are referred for audit. Section 417 details the requirements of the Auditor's Reports. Council's auditor must prepare two reports:

- a report on the General Purpose Financial Statements
- a report on the conduct of the audit.

These reports must include statements by the Auditor as to their opinion on various matters including the keeping of accounting records, preparation of the Financial Statements and any information relevant to the conduct of the audit. The audit certificates and report on conduct of audit will be tabled by Council's Auditor on the day of the 24 October 2024 meeting of the Ordinary Council.

### Consultation

- The draft results for the 2023/2024 financial year were presented to Council at the Special Council Meeting held on 5 September 2024.
- An independent external valuer was engaged to complete the comprehensive asset revaluation of the operational land, non-specialised buildings and specialised building asset classes.
- Audit Office of NSW conducted the final audit and have provided an unqualified opinion. They presented their findings during a clearance meeting with Council Management held on 26 September 2024.
- Audit Office of NSW presented their findings to the Audit Risk and Improvement Committee on 21 October 2024.
- In accordance with Section 420 of the Local Government Act, 1993, any person may make a submission in writing to Council with respect to the Council's Audited Financial Statements or Auditor's Reports. Submissions close one week after the above public



meeting has been held. Financial Statements are provided to the public seven days prior to the public meeting being held.

**APPENDICES:**

- 1 2023/2024 Dubbo Regional Council Financial Statements - Provided Under Separate Cover



## REPORT: Planning Proposal R24-003 - Council-Owned Road Closure as Exempt Development - Results of Public Exhibition

**DIVISION:** Development and Environment  
**REPORT DATE:** 27 September 2024  
**TRIM REFERENCE:** ID24/1769

### EXECUTIVE SUMMARY

<b>Purpose</b>	<ul style="list-style-type: none"> <li>Seek endorsement</li> <li>Fulfil legislated requirement</li> </ul>	
<b>Issue</b>	<ul style="list-style-type: none"> <li>The Dubbo Regional Local Environmental Plan (LEP) 2022 guides planning in the Local Government Area through the provision of land and development controls such as zoning, minimum lot sizes, development standards and land use permissibility.</li> <li>A planning proposal is the process in which an amendment is sought and undertaken to a Local Environmental Plan.</li> <li>Council at its meeting on 27 June 2024 endorsed a Planning Proposal that seeks to amend the Dubbo Regional LEP 2022 to make the subdivision of a Council-owned road for the purposes of a road closure only as exempt development, which would not require approval to be obtained from Council through a development application.</li> <li>The Planning Proposal was placed on public exhibition from 2 September 2024 to 16 September 2024. Council received no submissions.</li> <li>This report recommends the Planning Proposal be adopted.</li> </ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"> <li>Environmental Planning and Assessment Act 1979</li> <li>NSW Government – Local Environmental Plan Making Guidelines</li> </ul>	
<b>Financial Implications</b>	Budget Area	Growth Planning
	Funding Source	Growth Planning Branch Budget
	Proposed Cost	The proposed cost will be accounted for in the Growth Planning budget as the amendment is operational and transactional in nature.
	Ongoing Costs	Nil
<b>Policy Implications</b>	Policy Title	Dubbo Regional Local Environmental Plan 2022
	Impact on Policy	Schedule 2 Exempt Development would be amended.

### STRATEGIC DIRECTION

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

strategies. This report is aligned to:

Theme:	2 Infrastructure
CSP Objective:	2.1 The road transportation network is safe, convenient and efficient
Delivery Program Strategy:	2.1.5 Council works collaboratively with the government and stakeholders on transport-related issues

## RECOMMENDATION

- 1. That Council adopt the Planning Proposal (attached in Appendix 1) to amend the Dubbo Regional Local Environmental Plan 2022 and make the subdivision of a Council-owned road for the purposes of a road closure under the Roads Act 1993, Part 4, Division 3, as exempt development.**
- 2. That Council prepare and submit the Planning Proposal Finalisation Package to the NSW Government Department of Planning, Housing and Infrastructure, who are the local-plan making authority.**

*Steven Jennings*  
Director Development and Environment

*TH*  
Manager Growth Planning

## BACKGROUND

### 1. Previous Resolutions of Council

13 June 2024 IPEC24/40	<ol style="list-style-type: none"><li>1. That Council endorse the Planning Proposal to amend the Dubbo Regional Local Environmental Plan 2022 and make the subdivision of a Council-owned road for the purposes of road closure under the Roads Act 1993, Part 4, Division 3, as exempt development.</li><li>2. That Council submit the Planning Proposal to the NSW Department of Planning, Housing and Infrastructure for a Gateway Determination.</li><li>5. That following the completion of the public exhibition period, a further report be presented to Council for consideration, including the results of public exhibition.</li></ol>
27 June 2024 CCL24/144	That the report of the Infrastructure, Planning and Environment Committee meeting held on 13 June 2024, be adopted...

### 2. What is a Planning Proposal?

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

The six key stages for amending an LEP are:

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

This Planning Proposal is at Stage 5 of the key stages as included above.

### 3. Gateway Determination – Department of Planning, Housing and Infrastructure

The NSW Government Department of Planning, Housing and Infrastructure issued a Gateway Determination for the Planning Proposal on 1 August 2024. The Gateway Determination allowed the Planning Proposal to proceed to public exhibition.

## REPORT

### 1. Closing a Council-Owned Road

Since December 2019, Council has been responsible for closing Council-owned roads under the Roads Act, 1993, Part 4, Division 3. Council may propose the closure of a Council-owned road if:

- the road is not reasonably required as a road for public use (whether for present or future needs);
- the road is not required to provide continuity for an existing road network; and
- if the road provides a means of vehicular access to particular land, another public road provides lawful and reasonably practicable vehicular access to that land.

Council-owned roads to be closed must be subdivided to create a title lot for the specific area of road. The NSW Land Registry Services requires a Subdivision Certificate, which can only be issued after development consent has been granted or if a subdivision is undertaken as exempt development. In many instances, the area of the lot to be created is less than the Minimum Lot Size Area identified in the Dubbo Regional LEP 2022 by more than 10%, which requires endorsement from the elected Council for a Clause 4.6 variation. This subsequently delays the process for an item that is administrative and transactional in nature.

### 2. Details of the Planning Proposal

The Planning Proposal (attached in **Appendix 1**) aims to ensure the process of closing a Council-owned road is efficient and straightforward, and removes the requirement for development consent. It seeks to amend the Dubbo Regional LEP 2022 and introduce a provision to permit the subdivision of a Council-owned road for the purposes of a road closure under the Roads Act 1993, Part 4, Division 3, as exempt development. A Subdivision Certificate would still be required to satisfy the requirements of the NSW Land Registry Services, but this is a relatively straightforward process.

The Planning Proposal is required as road closures do not currently constitute exempt development under State Environmental Planning Policy (Exempt and Complying Development) 2008, State Environmental Planning Policy (Transport and Infrastructure) 2021, or the Dubbo Regional LEP 2022.

### 3. Public Exhibition

The Planning Proposal and supporting documentation were placed on public exhibition from 2 September 2024 to 16 September 2024 in accordance with the conditions of the Gateway Determination. Council received no submissions.

The Planning Proposal was notified in the following ways:

Notification	Date
Council website	2 September 2024 – 16 September 2024
Council’s Customer Experience Centres	2 September 2024 – 16 September 2024
Macquarie Regional Library	2 September 2024 – 16 September 2024
Daily Liberal Council Column	31 August, and 7 and 14 September 2024
NSW Government Planning Portal	2 September 2024 – 16 September 2024

#### 4. Legal Drafting of the Local Environmental Plan

In accordance with the conditions of the Gateway Determination, Council is not authorised as the local plan-making authority. Subject to endorsement of the Planning Proposal, Council will submit documentation to the NSW Government Department of Planning, Housing and Infrastructure who will be responsible for finalising the proposed amendment to the Dubbo Regional LEP 2022.

#### 5. Resourcing Implications

There are no resourcing implications arising from this report as it forms part of the work program of the Growth Planning Branch.

#### 6. Timeframe

Key Date	Explanation
Late October 2024	Submit the Planning Proposal Finalisation Package to the Department of Planning, Housing and Infrastructure
November 2024	Gazettal of the LEP amendment

#### APPENDICES:

- [1](#) Planning proposal



# Planning Proposal

## Amendment to the Dubbo Regional Local Environmental Plan 2022

### Subdivision for Road Closure as Exempt Development

Council Reference R24-003

NSW Planning Portal Reference PP-2024-1409

ED24/172567

#### Acknowledgement:

Dubbo Regional Council wish to acknowledge the Wiradjuri People who are the Traditional Custodians of the Land. Council pay respect to the Elders past, present and emerging of the Wiradjuri Nation and extend that respect to other First Nations peoples.



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## EXECUTIVE SUMMARY

This Planning Proposal seeks to amend the Dubbo Regional Local Environmental Plan (LEP) 2022 and introduce a provision to permit the subdivision of a Council-owned road for the purposes of road closure under the Roads Act 1993, Part 4, Division 3, as **exempt development**. Road closures do not currently constitute exempt development under State Environmental Planning Policy (Exempt and Complying Development) 2008, State Environmental Planning Policy (Transport and Infrastructure) 2021, or the Dubbo Regional LEP 2022.

Should this provision not be accepted, Clause 4.1 Minimum Subdivision Lot Size will be amended so that it does not apply to the subdivision of a Council-owned road for the purposes of road closure under the Roads Act 1993, Part 4, Division 3.

Since December 2019, Council has been responsible for closing Council-owned roads. The general process of closing a Council-owned road is attached in **Appendix 1**. Council-owned roads to be closed must be subdivided to create a title lot for the specific area of road. The NSW Land Registry Services requires a subdivision certificate, which can only be issued after development consent has been granted or the subdivision can be undertaken as exempt development. In many instances, the prospective lot area is less than the Minimum Lot Size Area identified in the Dubbo Regional LEP 2022 by more than 10%, which requires endorsement from the elected Council for a Clause 4.6 variation; this delays the process.

This Planning Proposal aims to ensure the process of a Council-owned road closure is efficient and straightforward, and removes the requirement for development consent.

This Planning Proposal is categorised as Basic in accordance with the Local Environmental Plan Making Guideline – August 2023.



## PART 1 OBJECTIVES AND INTENDED OUTCOMES

The objective of this Planning Proposal is to introduce a provision in the Dubbo Regional Local Environmental Plan (LEP) 2022 to permit the of subdivision land occurring in connection with the closure of a Council-owned road, or part of a Council-owned road, under the Roads Act 1993, as **exempt development**. This Planning Proposal aims to ensure the process of road closures is efficient and straightforward, and removes the requirement for development consent. A subdivision certificate would still be required to satisfy the requirements of the NSW Land Registry Services.

This Planning Proposal is required as road closures do not currently constitute exempt development under State Environmental Planning Policy (Exempt and Complying Development) 2008, State Environmental Planning Policy (Transport and Infrastructure) 2021, or the Dubbo Regional LEP 2022.

Since December 2019, Council has been responsible for closing Council-owned roads. Council-owned roads to be closed must be subdivided to create a title lot for the specific area of road. The NSW Land Registry Services requires a subdivision certificate, which can only be issued after development consent has been granted or the subdivision can be undertaken as exempt development. In many instances, the prospective lot area is less than the Minimum Lot Size Area identified in the Dubbo Regional LEP 2022 by more than 10%, which requires endorsement from the elected Council for a Clause 4.6 variation; this delays the process.

The process of closing a Council-owned road is attached in **Appendix 1**. In accordance with the Roads Act 1993, Part 4, Division 3, Council may propose the closure of a Council-owned road if:

- the road is not reasonably required as a road for public use (whether for present or future needs), and
- the road is not required to provide continuity for an existing road network, and
- if the road provides a means of vehicular access to particular land, another public road provides lawful and reasonably practicable vehicular access to that land.

## PART 2 EXPLANATION OF PROVISIONS

This Planning Proposal will amend Schedule 2 Exempt Development of the Dubbo Regional LEP 2022 so that the subdivision of land occurring in connection with the closure of a Council-owned road, or part of a Council-owned road, under the Roads Act 1993, is **exempt development**. A subdivision certificate would still be required to satisfy the requirements of the NSW Land Registry Services, but this is a relatively straightforward process.

Should this provision not be accepted, Clause 4.1 Minimum Subdivision Lot Size will be amended so that it does not apply to the subdivision of land occurring in connection with the closure of a Council-owned road, or part of a Council-owned road, by Council under the Roads Act 1993. Development consent would still be required in this instance, but it would remove the requirement for the elected Council to endorse a Clause 4.6 variation if the prospective lot area is less than the Minimum Lot Size Area identified in the Dubbo Regional LEP 2022 by more than 10%.

These provisions are currently included in the [Camden Local Environmental Plan 2010](#) and [Sutherland Shire Local Environmental Plan 2015](#), and Byron Bay Council considered a report at their [1 August 2024 Planning Meeting](#) to amend the Byron Local Environmental Plan 2014 in the same manner.

## PART 3 JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

This Planning Proposal has been assessed against the following Council strategies, policies and guidelines, the NSW Department of Planning and Environment’s Local Environmental Plan Making Guidelines, State Environmental Planning Policies, and Ministerial Directions.

- Central West and Orana Regional Plan 2041
- Dubbo Regional Council – Towards 2040 Community Strategic Plan
- Dubbo Regional Council – Local Strategic Planning Statement
- Dubbo Urban Areas Development Strategy
- Dubbo Rural Areas Development Strategy
- Ministerial Directions
- State Environmental Planning Policies

Given the minor nature, the assessment indicates it has strategic merit and should be submitted to the NSW Department of Planning, Housing and Infrastructure for a Gateway Determination.

### Section A – Need for the Planning Proposal

Question	Considerations
Is the planning proposal a result of an endorsed LSPS, strategic study or report?	This Planning Proposal is not a result of any strategic study or report. The proposed amendments to the Dubbo Regional LEP 2022 have been identified by Council officers and are minor in nature.
Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	<p>Road closures do not currently constitute exempt development under State Environmental Planning Policy (Exempt and Complying Development) 2008, State Environmental Planning Policy (Transport and Infrastructure) 2021, or the Dubbo Regional LEP 2022.</p> <p>The Planning Proposal is the best means of achieving the objectives and intended outcomes. In a lot of instances, the prospective closure area is less than the Minimum Lot Size Area identified in the Dubbo Regional LEP 2022 by more than 10%, which requires endorsement from the elected Council for the Clause 4.6 variation.</p> <p>This Planning Proposal aims to ensure the process of road closures is efficient and straightforward, and does not require a development application.</p>



## Section B – Relationship to the Strategic Planning Framework

Question	Considerations
Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?	<p><b><u>Central West and Orana Regional Plan 2041</u></b></p> <p>This Planning Proposal is consistent with the Central-West and Orana Regional Plan 2041's (CWORP 2041) objectives. The relevant objectives are:</p> <ul style="list-style-type: none"> <li>• Objective 5: Identify, protect and connect important environmental assets</li> <li>• Objective 19: Protect agricultural production values and promote agricultural innovation, sustainability and value-add opportunities</li> <li>• Objective 20: Protect and leverage the existing and future road, rail and air transport networks and infrastructure</li> </ul>
Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?	<p><b><u>Dubbo Local Strategic Planning Statement</u></b></p> <p>This Planning Proposal is consistent with the Planning Priorities of the Dubbo Local Strategic Planning Statement. The relevant Planning Priorities are:</p> <ul style="list-style-type: none"> <li>• Planning priority 1: Plan for the delivery of infrastructure to support growth</li> <li>• Planning priority 5: Protect and enhance our agricultural industries and agribusiness</li> <li>• Planning priority 15: Protect areas of high environmental value and significance</li> <li>• Planning priority</li> </ul>
Is the planning proposal consistent with other local government strategies?	The Dubbo Urban Areas Strategy and Rural Areas Strategy are not considered relevant to this Planning Proposal.
Is the planning proposal consistent with any other applicable State and regional studies or strategies?	<p><b><u>Other State or Regional Strategies</u></b></p> <p>There are no other applicable State and regional studies or strategies relevant to this Planning Proposal.</p>
Is the planning proposal consistent with applicable SEPPs?	<p><b><u>State Environmental Planning Policies</u></b></p> <p>While this Planning Proposal does not propose any development, it is consistent with the following SEPPs and would require any future development application to consider the requirements:</p> <ul style="list-style-type: none"> <li>• State Environmental Planning Policy (Biodiversity and Conservation) 2021</li> <li>• State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</li> <li>• State Environmental Planning Policy (Resilience and Hazards) 2021</li> <li>• State Environmental Planning Policy (Transport and Infrastructure) 2021</li> </ul>

Question	Considerations
Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?	<p><b>Ministerial Directions</b></p> <p>This Planning Proposal is generally consistent with the following Ministerial Directions:</p> <ul style="list-style-type: none"> <li>• Direction 1.1 Implementation of Regional Plans</li> <li>• Direction 1.3 Approval and Referrals Requirements</li> <li>• Direction 1.4 Site Specific Provisions</li> <li>• Direction 1.4A Exclusion of Development Standards from Variation</li> <li>• Direction 3.1 Conservation Zones</li> <li>• Directions 3.2 Heritage Conservation</li> <li>• Focus Area 4: Resilience and Hazards</li> <li>• Direction 6.1 Residential Zones</li> <li>• Direction 7.1 Employment Zones</li> <li>• Direction 9.1 Rural Zones</li> <li>• Direction 9.2 Rural Land</li> </ul> <p>This Planning Proposal does not introduce restrictive site-specific planning controls as it allows development to occur in all land use zones, and does not impose any development standards or requirements in addition to those already contained in that zone.</p> <p>This Planning Proposal does not seek to rezone rural land or increase the density of land within a rural zone, ensuring land fragmentation or land use conflict is avoided. The portion of closed road is often sold to an adjoining land owner and consolidated into a larger lot, ultimately increasing the ongoing viability of agriculture. A recent example of this approach is <a href="#">development application D23-498</a> at Terramungamine Road, Terramungamine, and a recent example of this approach in an urban area is <a href="#">development application D19-571</a> at Fitzroy Street, Dubbo.</p>

### Section C – Environmental, Social and Economic Impacts

Question	Considerations
Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?	<p>There is no likelihood that this Planning Proposal will have adverse effects on critical habitat, threatened species, populations, ecological communities, or their habitats.</p> <p>Although the Planning Proposal is proposed to apply to all land within the Dubbo Local Government Area, it will only impact Council-owned roads and doesn't involve new development. As such, it will have no impact on ecologically sensitive habitats.</p>
Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?	<p>This Planning Proposal will only affect Council-owned roads and doesn't involve new development. As such, it will have no environmental effects.</p>

Question	Considerations
Has the planning proposal adequately addressed any social and economic effects?	This Planning Proposal will only affect Council-owned roads and doesn't involve new development. As such, there will be no social or economic effects.

### Section D – Infrastructure

Question	Considerations
Is there adequate public infrastructure for the planning proposal?	This is not considered relevant as this Planning Proposal is minor in nature.

### Section E – State and Commonwealth Interests

Question	Considerations
What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?	Due to the minor nature of this Planning Proposal, consultation with State and Commonwealth public authorities was not undertaken. Public consultation will be undertaken for 10 business days following receipt of a Gateway determination.

## PART 4 MAPS

This Planning Proposal does not require map amendments.

## PART 5 COMMUNITY CONSULTATION

This Planning Proposal is categorised as Basic in accordance with the Local Environmental Plan Making Guideline – August 2023.

Community consultation occurred in accordance with the requirements of the Gateway Determination. It was placed on public exhibition for a minimum of 10 working days from 2 to 16 September 2024, and was notified in the following ways:

- NSW Planning Portal
- Council's Customer Experience Centres – Dubbo and Wellington
- Macquarie Regional Library - Dubbo and Wellington branches
- Council's website
- Local newspapers

Council received no public submissions. Council did not undertake consultation with State agencies.



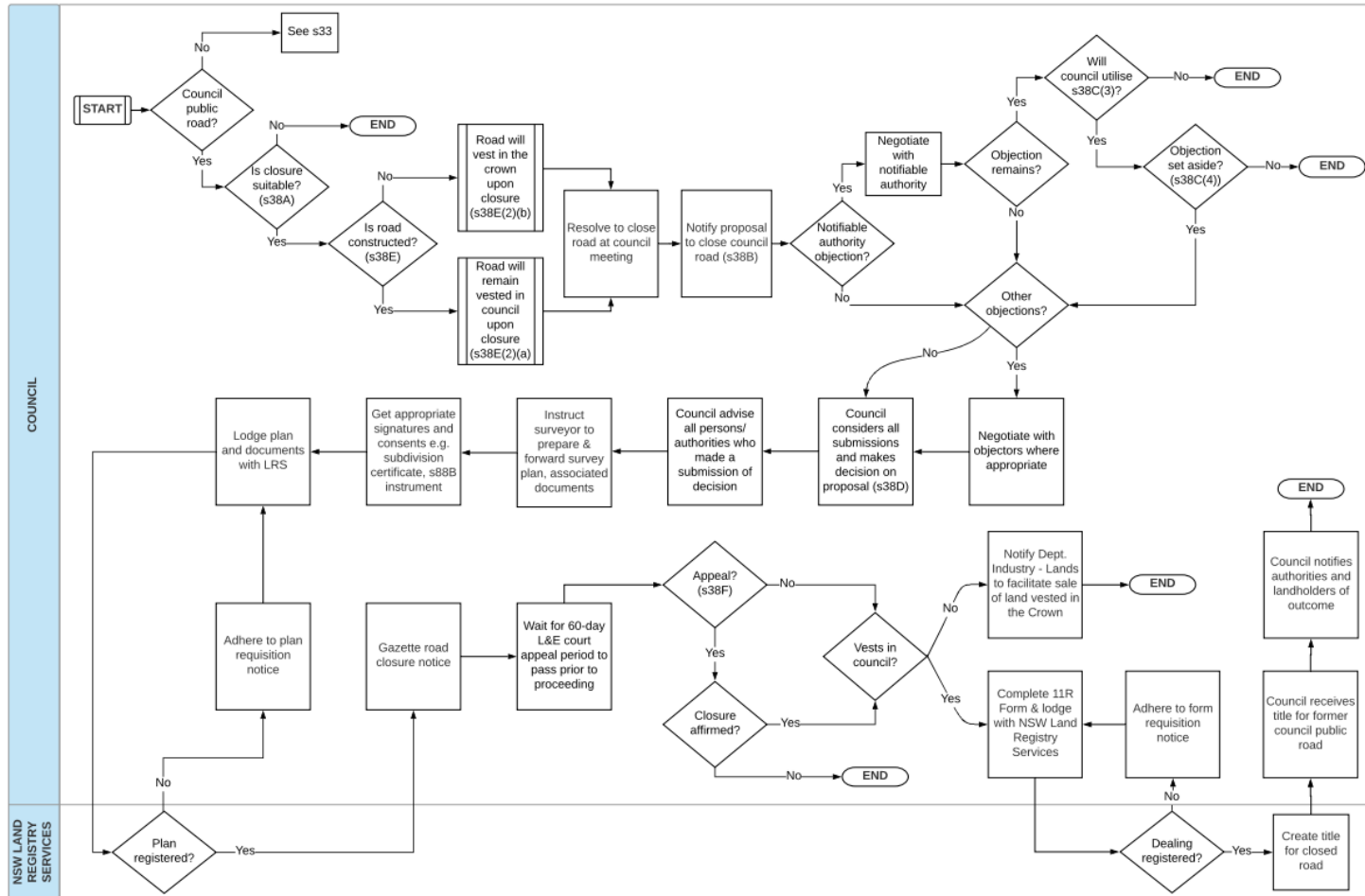
## PART 6 PROJECT TIMELINE

The below estimated timeline provides a mechanism to monitor and resource the various steps required to progress this Planning Proposal:

Key Date	Explanation
13 June 2024	Consideration by Infrastructure, Planning and Environment Committee
27 June 2024	Consideration by Council
1 August 2024	Gateway Determination
August 2024	Updated in response to Gateway Determination conditions
2 – 16 September 2024	Public exhibition period
24 October 2024	Consideration by Council
Late October 2024	Submission to Department for finalisation
November 2024	Making of the LEP amendment



## APPENDIX 1 – ROAD CLOSURE PROCESS







## REPORT: Draft Planning Agreement VPA23-001 - Wellington South Battery Energy Storage System - Results of Exhibition

**DIVISION:** Development and Environment  
**REPORT DATE:** 27 September 2024  
**TRIM REFERENCE:** ID24/1655

### EXECUTIVE SUMMARY

<b>Purpose</b>	<ul style="list-style-type: none"> <li>Seek endorsement</li> <li>Fulfil legislated requirement</li> </ul>	
<b>Issue</b>	<ul style="list-style-type: none"> <li>Council at its meeting on 24 April 2024 adopted a draft Planning Agreement for the Wellington South Battery Energy Storage System, for the purposes of public exhibition.</li> <li>The draft Planning Agreement relates to a State Significant Development Application (SSD-27014706) that was approved by the State Government Department of Planning, Housing and Infrastructure on 22 December 2023 for the construction and operation of a 500 MW battery energy storage system at 6773 Goolma Road, Montefiores.</li> <li>The draft Planning Agreement requires the developer to pay Council a monetary contribution based on 0.45% of the Capital Investment Value (CIV) of the final layout of the project, with funds paid every five years. The payments will also be subject to indexation. This could be up to an equivalent monetary contribution of \$613,125 per five-year period and a total contribution of \$2,452,500 over the life of the project (20 years).</li> <li>The funds would be utilised for youth welfare and support initiatives in Wellington and for administration of the Planning Agreement.</li> <li>The draft Planning Agreement and Explanatory Note were placed on public exhibition from 7 August 2024 to 9 September 2024. Council received no public submissions.</li> <li>It is recommended that Council enter into the Planning Agreement.</li> </ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"> <li>Part 7.1 of the Environmental Planning and Assessment Act 1979 and associated Regulation.</li> </ul>	
<b>Financial Implications</b>	Budget Area	Growth Planning Branch
	Funding Source	Growth Planning Branch budget
	Proposed Cost	Council could receive a five-yearly contribution of \$613,125.
	Ongoing Costs	There are no ongoing costs associated with this report.
<b>Policy Implications</b>	Policy Title	There are no policy implications arising from this report.

## STRATEGIC DIRECTION

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

Theme:	4 Leadership
CSP Objective:	4.1 Council provides transparent, fair and accountable leadership and governance
Delivery Program Strategy:	4.1.1 Council encourages and facilitates two-way communication with and between stakeholders and the community
Theme:	5 Liveability
CSP Objective:	5.3 The lifestyle and social needs of the community are supported
Delivery Program Strategy:	5.3.2 A variety of youth activities and entertainment is available

## RECOMMENDATION

- 1. That Council enter into a Planning Agreement (attached in Appendix 1) with The Trustee for WEBESS01 PROJECT TRUST or a Council approved associated entity.**
- 2. That all documentation in relation to this matter be signed under the Common Seal of Council.**
- 3. That Council note no submissions were received during the public exhibition period.**

*Steven Jennings*  
Director Development and Environment

*TH*  
Manager Growth Planning

## BACKGROUND

### 1. Previous Resolutions of Council

<p>11 April 2024 IPEC24/18</p>	<p>1. <i>That a draft Planning Agreement be prepared in accordance with the terms identified in this report.</i></p> <p>3. <i>That a draft Planning Agreement and Explanatory Note prepared in accordance with the terms identified in this report be placed on public exhibition in accordance with the provisions of the Environmental Planning and Assessment Act 1979.</i></p> <p>4. <i>That following the conclusion of the public exhibition period, a further report be presented to Council for consideration, including any submissions received.</i></p>
<p>24 April 2024 CCL24/81</p>	<p>1. <i>That the report of the Infrastructure, Planning and Environment Committee meeting held on 11 April 2024, be adopted.</i></p>

### 2. What is a Planning Agreement?

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

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

### 3. Wellington South Battery Energy Storage System

On 22 December 2023, the NSW Department of Planning, Housing and Infrastructure approved a State Significant Development Application (SSD-27014706) for the construction and operation of the Wellington South Battery Energy Storage System (BESS) at 6773 Goolma Road, Montefiores.

The development will have an overall capacity of 500 megawatts (MW), up to 1,000 megawatt hours (MWh) and a Capital Investment Value of \$545M.

The general layout and location of the development is shown in **Figure 1**.

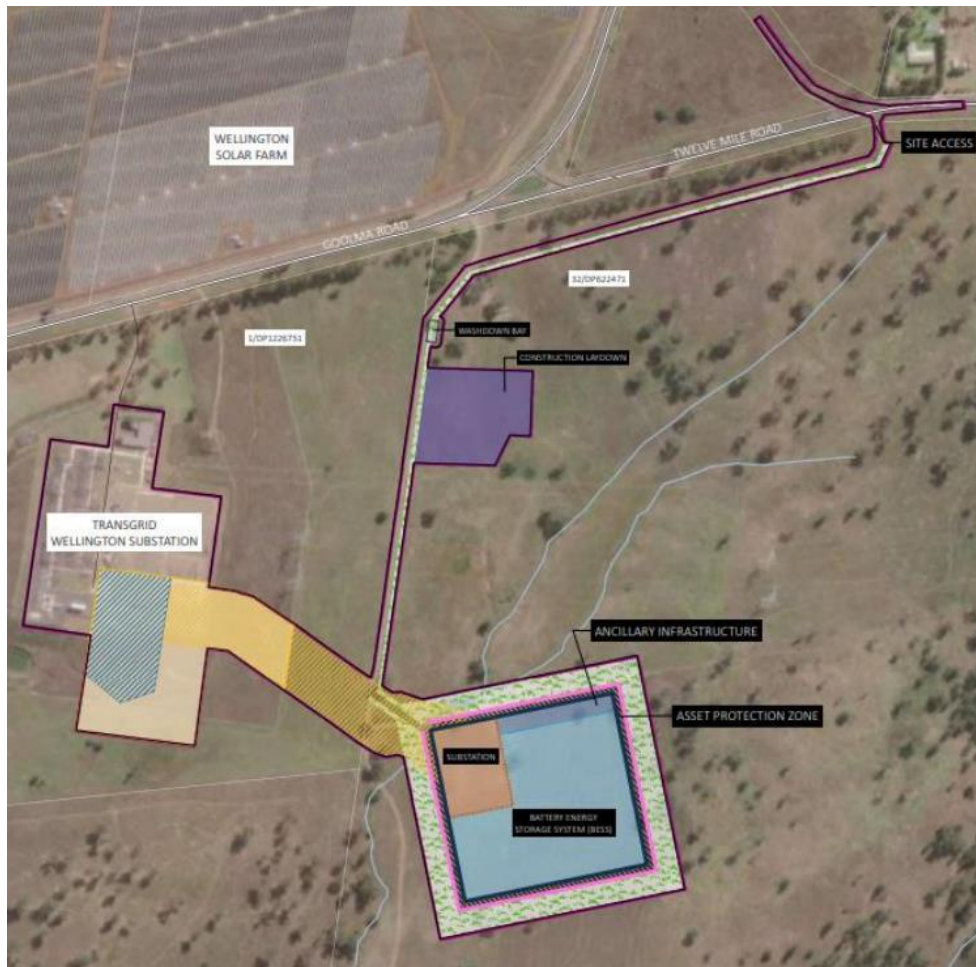


Figure 1: Location of the development

## REPORT

### 1. Details of the Planning Agreement

The terms of the draft Planning Agreement (attached in **Appendix 1**) require The Trustee for WEBESS01 PROJECT TRUST, or a Council approved related entity of the same, to pay to Council a monetary contribution based on 0.45% of the Capital Investment Value (CIV) of the final layout of the project, with funds paid every five years. Funding will also be subject to indexation throughout the life of the agreement.

Funds would be pro-rated based on the operating capacity of the battery, as this would impact the final CIV of the project.

Each monetary contribution per five-year period would be an amount equal to the following formula:

$$\text{Monetary Contribution} = \text{Capital Investment Value} \times 0.45\% \times (\text{Operating Capacity} \div \text{Total Delivery Capacity}) \div 4$$

If the operating capacity increases after the monetary contribution is paid, the developer must pay an additional monetary contribution on a pro-rata basis for the remainder of that contribution period.

Subject to final layout of the project, this could be equivalent to:

- Contribution per five-year period: \$613,125
- Total contribution: \$2,452,500
- Length of agreement: 20 years
- Payment of first contribution: Commencement of operations. Operations is defined as:

*The operation of the development, but does not include commissioning, trials of equipment or the use of temporary facilities.*

Funding would be indexed annually from commencement of operations to the Australian Consumer Price Index – Sydney All Groups.

Funding would be allocated to the following public purposes:

Years	Development contribution	%pa
1-5	<b>Youth and welfare support initiatives</b> Funds allocated towards not-for-profit organisations that focus on intervention strategies for disengaged youth.	98%
	<b>Administration</b> Costs, charges and expenses of administering and auditing the monetary contributions paid under the agreement.	2%
6-20	<b>Strategic project</b> Strategic infrastructure projects located within the former Wellington Local Government Area that are not otherwise to be carried out or funded by or on behalf of a government entity. Strategic Projects are projects that are in accordance with Council’s Renewable Energy Benefit Framework and the Developer’s Business Standards, as amended from time to time.	98%
	<b>Administration</b> Costs, charges and expenses of administering and auditing the monetary contributions paid under the agreement.	2%

Within three months of commencement of operations, Council and the developer must prepare guidelines to govern administration of the Youth and Welfare Support Initiatives (which may be amended from time to time). The guidelines must provide for the following:

- The number of rounds for applications during the contribution period;
- Eligibility criteria and expected outcomes for applications;
- Timeframes for expenditure of funds;
- Criteria and process for assessing applications projects;
- Conditions of funding for projects including probity requirements utilising ethics and compliance standards materially equivalent to those of Council and the developer; and
- Advertisement of the availability of funds.

## 2. Public Exhibition and Submissions

The draft Planning Agreement and Explanatory Note were placed on public exhibition from 7 August 2024 until 9 am, 9 September 2024. Council received no submissions.

The draft Planning Agreement and Explanatory Note were publicly notified in the following ways:

Channel	Date
Council Website	7 August 2024 - 9 September 2024
Council Customer Experience Centres	7 August 2024 – 9 September 2024
Macquarie Regional Library Branches	7 August 2024 – 9 September 2024
Daily Liberal Council Column	7, 14, 21 and 31 August 2024, and 7 September 2024
Letter to adjoining landowners	6 August 2024

## 3. Next Steps

Subject to Council resolution, the Planning Agreement will be executed by affixing the Common Seal, and then sent to the developer for signing. It will then be uploaded to Council's website and the NSW Planning Portal. This process is required in accordance with the Environmental Planning and Assessment Regulation, 2021.

### APPENDICES:

[1](#) Draft Planning agreement and Explanatory Note

## **PLANNING AGREEMENT for Wellington South Battery Energy Storage System**

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**Land to which the Agreement applies:**

Lot 32 DP622471  
6773 Goolma Road, Wuuluman

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**Dubbo Regional Council** (ABN 53 539 070 928) (Council)  
**The Trustee for WEBESS01 Project Trust** (ABN 50 714 284 083)  
(Developer)





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DRAFT



## Parties to this Agreement

<b>Developer</b>	Name	<b>The Trustee for WEBESS01 PROJECT TRUST</b>
	Address	Level 17, 167 Macquarie Street, Sydney NSW 2000
	ABN	50 714 284 083
	Contact Name	Anthony Yeates, Projects Director
	Contact email	<a href="mailto:anthony.yeates@ampyreenergy.com">anthony.yeates@ampyreenergy.com</a>
<b>Council</b>	Name	Dubbo Regional Council
	Address	PO Box 81, Dubbo NSW 2830
	ABN	53 539 070 928
	Contact Name	Infrastructure Contributions
	Contact email	<a href="mailto:infrastructurecontributions@dubbo.nsw.gov.au">infrastructurecontributions@dubbo.nsw.gov.au</a>

## Background

- A The project incorporates a large-scale battery energy storage system (BESS) with a discharge capacity of 500 megawatts (MW) and a storage capacity of 1,000 megawatt hours (MWh), along with connection to the Wellington substation (and associated upgrade works) and associated ancillary infrastructure to facilitate transfer of energy to and from the electrical grid.
- B The project will be one of the largest battery projects in the State, contributing up to 1,000 MWh of storage capacity in the NEM. It will support new and existing renewable energy projects. The project will also provide broader security to the grid by providing back-up power during network disruptions.
- C The Developer has made an offer in connection with the Development Application to enter into this Planning Agreement. Monetary contributions will be paid every five years over 20 years, with the first payable upon the project's commencement of operation.



## Operative provisions

### Part 1 - Preliminary

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#### 1 Definitions and Interpretation

- 1.1 In this Agreement the following definitions apply:
- 1.1.1 **Act** means the Environmental Planning and Assessment Act 1979 (NSW).
  - 1.1.2 **Administration** means the costs, charges and expenses of administering and auditing the Monetary Contributions under this Agreement
  - 1.1.3 **Agreement** means this agreement and includes any schedules, annexures and appendices to this Agreement.
  - 1.1.4 **Audit** means audit requirements undertaken in accordance with the Act and the Regulation.
  - 1.1.5 **Capital Investment Value** is the same definition as provided in the Regulation, represented as a real value on the date of Development Consent.
  - 1.1.6 **Contribution Period** means every 5-year period from commencement of Operation and the anniversary of commencement of Operation.
  - 1.1.7 **Contributions Table** means the table in Schedule 1.
  - 1.1.8 **Costs** means a cost, charge, expense, outgoing, payment, fee and other expenditure of any nature.
  - 1.1.9 **Department** means the Department of Planning, Housing and Infrastructure or replacement government authority responsible for administering the Act and the Development Consent.
  - 1.1.10 **Development** means the development authorised by the Development Consent for the Wellington South Battery Energy Storage System.
  - 1.1.11 **Development Application** means the application SSD-27014706 approved by the Minister for Planning, as modified from time to time, for the Wellington South Battery Energy Storage System.
  - 1.1.12 **Development Consent** means the development consent granted by the Minister for Planning pursuant to the Development Application, as modified from time to time.
  - 1.1.13 **Dispute** means a dispute or difference between the Parties under or in relation to this Agreement.



- 1.1.14 **Event of Default** means a breach of this Agreement.
- 1.1.15 **Indexation** means the Consumer Price Index – Sydney All Groups.
- 1.1.16 **Monetary Contribution** means the monetary contribution required to be made under this Agreement, as further described in clause 8.
- 1.1.17 **Land** means Lot 32 DP622471.
- 1.1.18 **Operating Capacity** means the installed discharge capacity, measured in megawatts.
- 1.1.19 **Operation** is the same definition as provided in the Development Consent.
- 1.1.20 **Operations date** means the date of commencement of operation as notified to the Department in accordance with the Development Consent.
- 1.1.21 **Party** means a party to this Agreement, including their successors and assigns.
- 1.1.22 **Rectify** means rectify, remedy or correct.
- 1.1.23 **Regulation** means the Environmental Planning and Assessment Regulation 2021.
- 1.1.24 **Renewable Energy Benefit Framework** means the Renewable Energy Benefit Framework adopted by Council on 8 December 2022, and amended from time to time, used to guide developers of electricity generating works on Council's requirements to deliver benefits to the community.
- 1.1.25 **Strategic Project** means strategic infrastructure projects located within the former Wellington Local Government Area that are not otherwise to be carried out or funded by or on behalf of a government entity. Strategic Projects are projects that are in accordance with Council's Renewable Energy Benefit Framework and the Developer's Business Standards, as amended from time to time.
- 1.1.26 **Total Delivery Capacity** means the total delivery capacity identified in Condition A5 of the Development Consent, as modified from time to time.
- 1.1.27 **Wellington South BESS Planning Agreement Fund** means the fund to be established by Council and administered in accordance with this Agreement.
- 1.1.28 **Youth and Welfare Support Initiatives** means the funds allocated towards not-for-profit organisations that focus on intervention strategies for disengaged youth.



## 1.2 Interpretation

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

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



- 1.2.14 A reference to 'dedicate' or 'dedication' in relation to land is a reference to dedicate or dedication free of cost.
- 1.2.15 Any schedules, appendices and attachments form part of this Agreement.
- 1.2.16 Notes appearing in this Agreement are operative provisions of this Agreement.

## **2 Planning agreement under the Act**

- 2.1 This Agreement is a planning agreement within the meaning of Section 7.4(1) of the Act, governed by Subdivision 2 of Part 7 of the Act.

## **3 Application of this Agreement**

- 3.1 This Agreement applies to the Land and the Development.

## **4 Date upon which this Agreement takes effect**

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

## **5 Warranties**

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

## **6 Further agreements**

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

## **7 Surrender of right of appeal**

- 7.1 The Developer is not to commence or maintain, or to cause or procure the commencement or maintenance, of any proceedings in any court or tribunal or similar body appealing against, or questioning the validity of this Agreement, or an Approval relating to the Development in so far as the subject-matter of the proceedings relates to this Agreement.



## Part 2 - Payment and Application of the Monetary Contributions

### 8 The Monetary Contribution under this Agreement

- 8.1 Prior to commencing Operation, or other timeframe agreed by Council, the Developer must serve Council with a notice that specifies:
- 8.1.1 the date of commencement of Operation, as per the Development Consent; and
  - 8.1.2 the Capital Investment Value of the project.
- 8.2 The Developer is required to make each Monetary Contribution in accordance with the provisions of this Agreement.
- 8.3 The Developer must pay to Council the Monetary Contribution on commencement of each Contribution Period in accordance with clause 12.1
- 8.4 Each Monetary Contribution will be an amount equal to the following formula, and be indexed in accordance with clause 11:
- $$\text{Monetary Contribution} = \text{Capital Investment Value} \times 0.45\% \times (\text{Operating Capacity} \div \text{Total Delivery Capacity}) \div 4$$
- For the avoidance of doubt, the dollar value referenced in this clause is in real terms as at the commencement of Operation.
- 8.5 If the Operating Capacity increases after the Monetary Contribution is paid to Council in a Contribution Period, the Developer must:
- 8.5.1 notify Council of the increase in Operating Capacity within 10 business days of the increase occurring, or other timeframe agreed by Council, and
  - 8.5.2 pay an additional Monetary Contribution on a pro-rata basis for the remainder of the Contribution Period in accordance with clause 12.1
- 8.6 The Developer's requirement to pay the Monetary Contribution under this Agreement will cease when all four Monetary Contribution payments (and, if applicable, any additional Monetary Contribution payable pursuant to clause 8.5) have been received under this Agreement.

### 9 Application of the Monetary Contribution

- 9.1 The Council will apply each Monetary Contribution towards the public purpose identified in Schedule 1 in accordance with the relevant Contribution Period.



- 9.2 Within three months of commencement of Operation, Council and the Developer must prepare guidelines to govern administration of the Youth and Welfare Support Initiatives (which may be amended from time to time). The guidelines must provide for the following:
- 9.2.1 The number of rounds for applications during the Contribution Period;
  - 9.2.2 Eligibility criteria and expected outcomes for applications;
  - 9.2.3 Timeframes for expenditure of funds;
  - 9.2.4 Criteria and process for assessing applications projects;
  - 9.2.5 Conditions of funding for projects including probity requirements utilising ethics and compliance standards materially equivalent to those of Council and the Developer;
  - 9.2.6 Advertisement of the availability of funds for Youth and Welfare Support Initiatives.
- 9.3 If requested by the Developer, Council must facilitate the participation of the Developer in the Council's decision making in relation to the expenditure of the Planning Agreement Funding in the following way:
- 9.3.1 Council must provide the Developer with briefing information in relation to potential projects eligible for funding from the Planning Agreement Fund, including relevant background, alignment with the community benefits identified in the Framework, community need and financial implications.
  - 9.3.2 The Developer will have 15 business days to review the information and provide submission/s to the Council at its discretion.
  - 9.3.3 Any submissions made by the Developer must be included in the business papers and considered by Council when resolving to expend monies from the Planning Agreement Fund.
- 9.4 This Agreement expressly authorises Council to progressively or otherwise pool funds for Youth and Welfare Support Initiatives and Strategic Projects, subject to the Developer having the opportunity to make representations to Council.
- 9.5 This Agreement acknowledges that in order to meet its business standards the Developer may also execute a formal agreement with recipient projects/groups.
- 10 Application of Section 7.11, 7.12 and 7.24 of the Act to the Development**
- 10.1 This Agreement excludes the application of Section 7.11 of the Act to the Development.





10.2 This Agreement excludes the application of Section 7.12 of the Act to the Development.

10.3 This Agreement excludes the application of Section 7.24 of the Act to the Development.

## 11 Indexation of Monetary Contribution

11.1 All monetary contributions are to be indexed (except for the first Monetary Contribution) from the commencement of Operation to the date of payment in accordance with the following formula:

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

C

Where:

- MC** is the Monetary Contribution for the following Contribution Period, calculated in accordance with clause 8.4;
- A** the Monetary Contribution, calculated in accordance with clause 8.4, payable during the Contribution Year just ended;
- B** is the most recent Index number (last published) before the end of the Contribution Period just ended;
- C** is the most recent Index number (last published) at commencement of Operation.

## 12 How the Monetary Contribution is Paid

12.1 The Council must issue a tax invoice to the Developer for payment of the Monetary Contribution. The Developer must pay to Council the Monetary Contribution within 30 business days after having received a tax invoice from Council.

12.2 A Monetary Contribution is made for the purposes of this Agreement when the Council receives the full amount of the Monetary Contribution payable under this Agreement by endorsed bank cheque or by the deposit by means of electronic funds transfer of cleared funds into a bank account nominated by the Council. Council will not accept any other forms of payment.

12.3 Despite clause 12.2, if Council agrees, in its absolute discretion, to accept payment of a Monetary Contribution by EFTPOS using a credit card, the Developer will be required to pay a surcharge in accordance with Council's adopted schedule of fees and charges.

12.4 Council will under no circumstances refund any Monetary Contribution made under this Agreement.



### 13 Public Recognition

- 13.1 The Council must, if requested by the Developer, publicly and positively acknowledge the payment of the Monetary Contribution by the Developer and the Developer's role in funding each project under the funding agreement in this Agreement at the time of announcement and when project progress and/or outcomes are communicated.
- 13.2 The form of public acknowledgement required is to be agreed by Council and the Developer (acting reasonably) but must include:
- 13.2.1 The prominent inclusion of the Developer's approved logo in any advertisement for funding applications and/or or recognition in any announcements made in relation to the target activity or local project; and
- 13.2.2 where appropriate, a permanent sign recognising that the project is funded by the Developer via this Agreement.

## Part 3 - Review and Monitoring

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### 14 Review of Agreement

- 14.1 If either Party is of the opinion that any change of circumstance has occurred, or is imminent, that materially affects the operation of this Agreement the Party may request a review of the whole or any part of this Agreement.
- 14.2 For the purposes of clause 14.1, the relevant changes include (but are not limited to) any change to a law that restricts or prohibits or enables the Council or any other Authority to restrict or prohibit any aspect of the Development.
- 14.3 If a review is requested in accordance with clause 14.1, the Parties are to use all reasonable endeavours, in good faith, to agree on and implement appropriate amendments to this Agreement.
- 14.4 If this Agreement becomes illegal, unenforceable or invalid as a result of any change to a law, the Parties agree to do all things necessary to ensure that an enforceable agreement of the same or similar effect to this Agreement is entered into.
- 14.5 A failure by a Party to agree to take action requested by the other Party as a consequence of a review referred to in clause 14.1 (but not 14.4) is not a Dispute for the purposes of this Agreement and is not a breach of this Agreement.



- 14.6 If the Parties agree to amend this Agreement under this clause 14, any such amendment must be in writing and signed by the Parties, and exhibited in accordance with the Act and Regulation.

## **15 Monitoring and Reporting**

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

## **16 Audit**

- 16.1 During each year in which there are funds in the Wellington South Battery Energy Storage Planning Agreement Fund, the Council must undertake audit functions in accordance with the Act and Regulation.

## **Part 4 - Dispute Resolution**

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### **17 Notice of Dispute**

- 17.1 If a party claims that a dispute has arisen under this agreement (Claimant), it must give written notice to the other party (Respondent) stating the matters in dispute and designating as its representative a person to negotiate the dispute (Claim Notice). If a notice is given, the Parties are to meet within 10 business days of the notice in an attempt to resolve the Dispute.
- 17.2 If the Dispute is not resolved within a further 20 business days, the Dispute is to be referred to the President of the NSW Law Society to appoint an expert for expert determination.
- 17.3 The expert determination is binding on the Parties except in the case of fraud or misfeasance by the expert.
- 17.4 Each Party is to bear its own costs arising from or in connection with the appointment of the expert and the expert determination.
- 17.5 The Parties are to share equally the costs of the President, the expert, and the expert determination.
- 17.6 The contents of the note issued under clause 17.1 are deemed to be confidential.

### **18 Mediation**

- 18.1 This clause applies to any Dispute arising in connection with this Agreement other than a Dispute to which clause 17 applies.
- 18.2 Such a Dispute is taken to arise if one Party gives another Party a notice in writing specifying particulars of the Dispute.



- 18.3 If a notice is given under clause 18.2, the Parties are to meet within 14 days of the notice in an attempt to resolve the Dispute.
- 18.4 If the Dispute is not resolved within a further 20 business days, the Parties are to mediate the Dispute in accordance with the Mediation Rules of the Law Society of New South Wales published from time to time and are to request the President of the Law Society to select a mediator.
- 18.5 If the Dispute is not resolved by mediation within a further 20 business days, or such longer period as may be necessary to allow any mediation process which has been commenced to be completed, then the Parties may exercise their legal rights in relation to the Dispute, including by the commencement of legal proceedings in a court of competent jurisdiction in New South Wales.
- 18.6 Each Party is to bear its own costs arising from or in connection with the appointment of a mediator and the mediation.
- 18.7 The Parties are to share equally the costs of the President, the mediator, and the mediation.

## Part 5 - Indemnities & Insurance

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### 19 Risk

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

### 20 Release

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

### 21 Indemnity

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

## Part 6 - Other Provisions

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### 22 Confidentiality

- 22.1 This agreement is a public document and its terms are not confidential.



- 22.2 The parties acknowledge that:
- 22.2.1 Confidential Information may have been supplied to some or all of the Parties in negotiations leading up to the making of this agreement; and
  - 22.2.2 the Parties may disclose to each other further Confidential Information in connection with the subject matter of this agreement.
- 22.3 Subject to clauses 22.4 and 22.5, each Party agrees:
- 22.3.1 not to disclose any confidential information received before or after the making of this agreement to any person without the prior written consent of the Party who supplied the Confidential Information; or
  - 22.3.2 to take all reasonable steps to ensure all Confidential Information received before or after the making of this agreement is kept confidential and protected against unauthorised use and access.
- 22.4 A Party may disclose Confidential Information in the following circumstances:
- 22.4.1 in order to comply with the law, or the requirements of any Authority; or
  - 22.4.2 to any of their employees, consultants, advisers, financiers or contractors to whom it is considered necessary to disclose the information, if the employees, consultants, advisers, financiers or contractors undertake to keep the Confidential Information confidential.
- 22.5 The obligations of confidentiality under this clause do not extend to information which is public knowledge other than as a result of a breach of this clause.

## **23 Notices**

- 23.1 Any notice, consent, information, application or request that is to or may be given or made to a Party under this Agreement is only given or made if it is in writing and sent in one of the following ways:
- 23.1.1 delivered or posted to that Party at its address, or
  - 23.1.2 emailed to that Party at its email address.
- 23.2 For the purposes of this clause a Party's address and email address are as noted under 'Parties to this Agreement'.
- 23.3 If a Party gives the other Party 5 business days' notice of a change of its address or email, any notice, consent, information, application or request is only given or made by that other Party if it is delivered, posted or emailed to the latest address.



- 23.4 Any notice, consent, information, application or request is to be treated as given or made if it is:
- 23.4.1 delivered, when it is left at the relevant address,
  - 23.4.2 sent by post, 2 business days after it is posted, or
  - 23.4.3 sent by email and the sender does not receive a delivery failure message from the sender's internet service provider within a period of 24 hours of the email being sent.
- 23.5 If any notice, consent, information, application or request is delivered, or an error free transmission report in relation to it is received, on a day that is not a business day, or if on a business day, after 5pm on that day in the place of the Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next business day.

## **24 Costs**

- 24.1 The Developer is to pay Council's actual costs of preparing, negotiating, executing and stamping and registering this Agreement, and any document related to this Agreement within 10 business days of a written demand by the Council for such payment.
- 24.2 The Developer is also to pay Council's reasonable costs of enforcing this Agreement within 10 business days of a written demand by the Council for such payment. These costs do not relate to those referred to in Council's Fees and Charges Document.

## **25 Entire Agreement**

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

## **26 Further Acts**

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

## **27 Governing Law and Jurisdiction**

- 27.1 This Agreement is governed by the law of New South Wales.
- 27.2 The Parties submit to the non-exclusive jurisdiction of its courts and courts of appeal from them.



27.3 The Parties are not to object to the exercise of jurisdiction by those courts on any basis.

## **28 Joint and Individual Liability and Benefits**

28.1 Except as otherwise set out in this Agreement:

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

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

## **29 No Fetter**

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

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

29.2.1 the power of Council to make any law; or

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

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

## **30 Illegality**

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

## **31 Severability**

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

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

## **32 Amendment**

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



### 33 Waiver

- 33.1 The fact that a Party fails to do, or delays in doing, something the Party is entitled to do under this Agreement, does not amount to a waiver of any obligation of, or breach of obligation by, another Party.
- 33.2 A waiver by a Party is only effective if it:
- 33.2.1 is in writing,
  - 33.2.2 is addressed to the Party whose obligation or breach of obligation is the subject of the waiver,
  - 33.2.3 specifies the obligation or breach of obligation the subject of the waiver and the conditions, if any, of the waiver,
  - 33.2.4 is signed and dated by the Party giving the waiver.
- 33.3 Without limitation, a waiver may be expressed to be conditional on the happening of an event, including the doing of a thing by the Party to whom the waiver is given.
- 33.4 A waiver by a Party is only effective in relation to the particular obligation or breach in respect of which it is given, and is not to be taken as an implied waiver of any other obligation or breach or as an implied waiver of that obligation or breach in relation to any other occasion.
- 33.5 For the purposes of this Agreement, an obligation or breach of obligation the subject of a waiver is taken not to have been imposed on, or required to be complied with by, the Party to whom the waiver is given.

### 34 GST

- 34.1 In this clause:
- 34.1.1 Adjustment Note, Consideration, GST, GST Group, Margin Scheme, Money, Supply and Tax Invoice have the meaning given by the GST Law.
  - 34.1.2 GST Amount means in relation to a Taxable Supply the amount of GST payable in respect of the Taxable Supply.
  - 34.1.3 GST Law has the meaning given by the A New Tax System (Goods and Services Tax) Act 1999 (Cth).
  - 34.1.4 Input Tax Credit has the meaning given by the GST Law and a reference to an Input Tax Credit entitlement of a party includes an Input Tax Credit for an acquisition made by that party but to which another member of the same GST Group is entitled under the GST Law.





- 34.1.5 Taxable Supply has the meaning given by the GST Law excluding (except where expressly agreed otherwise) a supply in respect of which the supplier chooses to apply the Margin Scheme in working out the amount of GST on that supply.
- 34.2 Subject to clause 34.3, if GST is payable on a Taxable Supply made under, by reference to or in connection with this Agreement, the Party providing the Consideration for that Taxable Supply must also pay the GST Amount as additional Consideration.
- 34.3 No additional amount shall be payable by the Council under clause 34.2 unless, and only to the extent that, the Council (acting reasonably and in accordance with the GST Law) determines that it is entitled to an Input Tax Credit for its acquisition of the Taxable Supply giving rise to the liability to pay GST.
- 34.4 If there are Supplies for Consideration which is not Consideration expressed as an amount of Money under this Agreement by one Party to the other Party that are not subject to Division 82 of the A New Tax System (Goods and Services Tax) Act 1999, the Parties agree:
- 34.4.1 to negotiate in good faith to agree the GST inclusive market value of those Supplies prior to issuing Tax Invoices in respect of those Supplies;
- 34.4.2 that any amounts payable by the Parties in accordance with clause 34.2 (as limited by clause 34.3) to each other in respect of those Supplies will be set off against each other to the extent that they are equivalent in amount.
- 34.5 No payment of any amount pursuant to this clause 34, and no payment of the GST Amount where the Consideration for the Taxable Supply is expressly agreed to be GST inclusive, is required until the supplier has provided a Tax Invoice or Adjustment Note as the case may be to the recipient.
- 34.6 Any reference in the calculation of Consideration or of any indemnity, reimbursement or similar amount to a cost, expense or other liability incurred by a party, must exclude the amount of any Input Tax Credit entitlement of that party in relation to the relevant cost, expense or other liability.
- 34.7 This clause continues to apply after expiration or termination of this Agreement.

### **35 Explanatory Note**

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



## Schedule 1

### Use of Monetary Contributions

Council will utilise the Monetary Contribution received from the Developer towards the benefit of the community of the Dubbo Regional Council Local Government Area as described in the Renewable Energy Benefit Framework, being allocated to Youth and Welfare Support Initiatives and Strategic Projects. The resulting projects must align with the Developer's Business Standards.

Benefits to the community, as described in the Renewable Energy Framework may include (but may not be limited to) the following:

- Economic development and investment attraction opportunities and initiatives;
- Skills development;
- Community facilities and recreation opportunities;
- Youth welfare and support;
- Other infrastructure provision that provides for the continued health, wellbeing and development of the community.

Contribution Period	Allocation of Monetary Contribution	% of Monetary Contribution
Year 1 - 5	Youth and Welfare Support Initiatives	98%
	Administration	2%
Year 6 - 20	Strategic Project	98%
	Administration	2%



**Execution**

Executed as an Agreement

**Dated:**

Executed by **Dubbo Regional Council**

The Common Seal of Dubbo Regional Council was hereunto affixed this       day of  
pursuant to a resolution of Council dated

\_\_\_\_\_  
**Signature of Chief Executive Officer**

\_\_\_\_\_  
**Signature of Mayor**

Executed by/on behalf of **The Trustee for WEBESS01 PROJECT TRUST** by its authorised representative.

\_\_\_\_\_  
**Signature of**

\_\_\_\_\_  
**Signature of**

\_\_\_\_\_  
**Name**

\_\_\_\_\_  
**Name**



## Explanatory Note

### Draft Planning Agreement for the Wellington South Battery Energy Storage System

Council Planning Agreement reference VPA23-001

State Significant Development Application reference SSD-27014706

#### 1 Introduction

The purpose of this explanatory note is to provide a plain English summary to support the notification of the draft Planning Agreement for the Wellington South Battery Energy Storage System. This explanatory note has been prepared jointly by Dubbo Regional Council and The Trustee for WEBESS01 Project Trust.

#### 2 Parties

The Parties to the Planning Agreement are:

- Dubbo Regional Council (ABN 53 539 070 928) (**Council**); and
- The Trustee for WEBESS01 Project Trust (ABN 50 714 284 083) (the **Developer**).

#### 3 Description of the development

On 22 December 2023, the NSW Department of Planning and Environment approved State Significant Development Application SSD-27014706 for the construction and operation of the Wellington South Battery Energy Storage System (BESS), located at 6773 Goolma Road, Montefiores. The BESS will have an overall capacity of up to 500 megawatts / 1,000 megawatt hours, and generally comprise of battery storage modules, and an on-site substation. It will connect to the existing Transgrid Wellington substation to the north-west of the site.

Further information about the project is available on the NSW Government's website at <https://www.planningportal.nsw.gov.au/major-projects/projects/wellington-south-battery-energy-storage-system>

The Developer has made an offer to Council to enter into a Planning Agreement in relation to the development.



#### 4 Summary of objectives, nature and effect of the Planning Agreement

The Planning Agreement provides that the Developer will pay to Council a monetary contribution per five-year period, with the amount equal to the following formula:

$$\text{Monetary contribution} = \text{Capital Investment Value} \times 0.45\% \times (\text{Operating Capacity} \div \text{Total Delivery Capacity}) \div 4.$$

Council will utilise the funds towards the following purposes:

Contribution Period	Allocation of Monetary Contribution	% of Monetary Contribution
Year 1 - 5	<b>Youth and Welfare Support Initiatives</b> Funds allocated towards not-for-profit organisations that focus on intervention strategies for disengaged youth.	98%
	<b>Administration</b> Costs, charges and expenses of administering and auditing the Monetary Contributions.	2%
Year 6 - 20	<b>Strategic Project</b> Strategic infrastructure projects located within the former Wellington Local Government Area that are not otherwise to be carried out or funded by or on behalf of a government entity. Strategic Projects are projects that are in accordance with Council's Renewable Energy Benefit Framework and the Developer's Business Standards, as amended from time to time.	98%
	<b>Administration</b> Costs, charges and expenses of administering and auditing the Monetary Contributions.	2%

#### 5 Assessment of the merits of the Planning Agreement

##### 5.1 The planning purpose served by the Planning Agreement, and whether it provides for a reasonable means of achieving the planning purpose

The main objectives of the Planning Agreement are as follows:

- Ensure the community positively benefits from the development;
- Manage the secondary impacts of the development; and
- Provide opportunities for the Developer to proactively and positively add to the betterment of the community.



### **5.2 How the Planning Agreement promotes the public interest and objects of the Act**

In accordance with section 7.4(2) of the Act, the Planning Agreement has the following public purpose:

- the provision of (or the recoupment of the cost of providing) public amenities or public services.

The Council and the Developer have assessed the Planning Agreement and both hold the view that it provides a reasonable means of achieving the public purpose set out above. This is because it will ensure the Developer makes an appropriate contribution towards initiatives and infrastructure, facilities and services which will have a positive impact on the public who will ultimately use the initiatives, infrastructure, facilities and services.

The Planning Agreement promotes the public interest by ensuring that an appropriate contribution is made towards the provision of initiatives, infrastructure, facilities and services to satisfy needs that arise from the development of the subject land.

### **5.3 How the Planning Agreement promotes elements of the Council's charter under the Local Government Act 1993**

The Planning Agreement promotes elements of Council's charter by:

- providing effective and efficient services to meet the diverse needs of the local community in a way that provides the best possible value for residents and ratepayers;
- investing in responsible and sustainable initiatives for the benefit of the local community;
- providing a means that allows the wider community to make submissions to the Council in relation to the Planning Agreement; and

### **5.4 How the Planning Agreement conforms to Council's capital works program**

The works identified in the Planning Agreement directly address and responds to strategic priorities identified within relevant Council strategies, plans and delivery programs.

### **5.5 Whether the Planning Agreement specifies certain requirements must be complied with before a construction certificate, occupation certificate or subdivision certificate is issued.**

The Planning Agreement does not specify any requirements that must be complied with prior to the issuing of a construction certificate, occupation certificate or subdivision certificate. Clause 4 of the Planning Agreement sets out the requirements

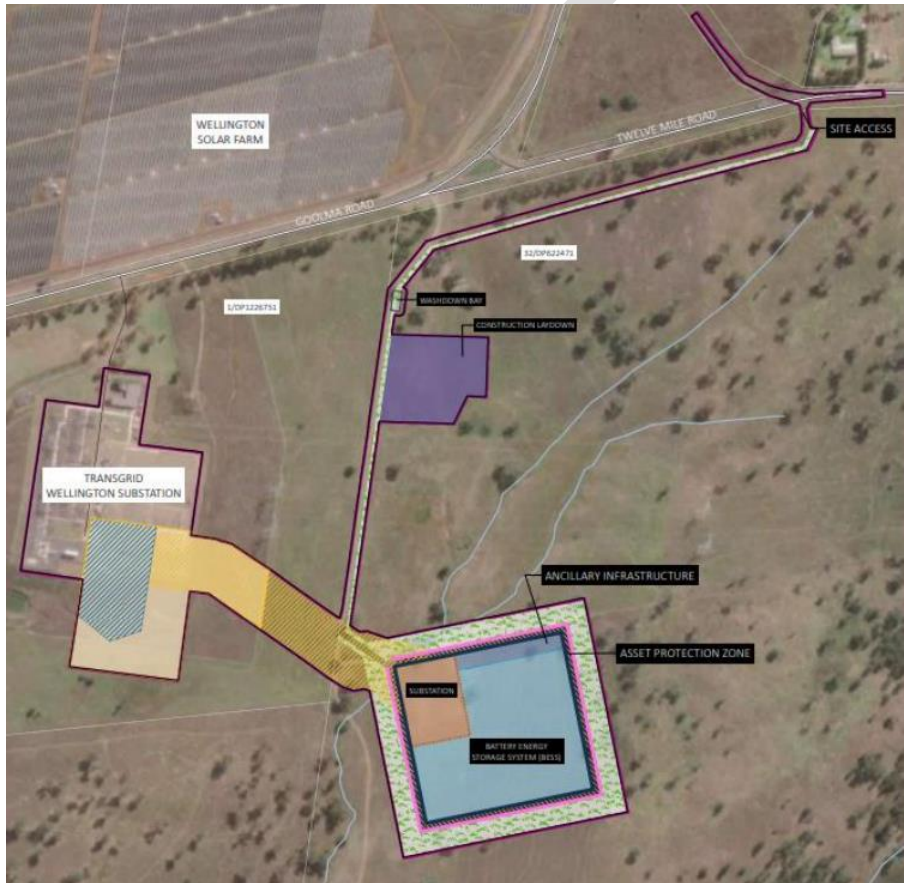


for when it becomes operative and binding, and Clauses 8 and 9 of the Planning Agreement set out the requirements for the Monetary Contributions.

**6 Notes**

This explanatory note is a summary only and must not be used to assist in construing the Planning Agreement.

**7. Development site**





## REPORT: Housing for Our Future - Community Engagement Update

**DIVISION:** Development and Environment  
**REPORT DATE:** 27 September 2024  
**TRIM REFERENCE:** ID24/1873

### EXECUTIVE SUMMARY

<b>Purpose</b>	Strategic Project Update	
<b>Issue</b>	<ul style="list-style-type: none"> <li>Council received \$580,000 under the Federal Government Housing Support Program – Stream 1 to prepare Housing Strategies that define the requirements for the delivery of new, diverse and affordable housing in our region.</li> <li>Council has engaged consultants to prepare the Strategies and undertake community consultation, however, Council project manage the consultants to ensure the final outputs meet the requirements of our community.</li> <li>Council will undertake community consultation in October, November and December 2024 to help understand the community’s housing priorities, goals and issues for the region, and ensure they are appropriately considered in the Strategies. The dates and times for these sessions are still being finalised.</li> <li>The results of this engagement will be presented to Council in February 2025.</li> </ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"> <li>Council’s role in housing involves facilitating an appropriate supply and mix of housing to meet community needs, as well as developing strategies and policies that encourage the construction of more and affordable housing.</li> </ul>	
<b>Financial Implications</b>	Budget Area	Growth Planning
	Funding Source	Federal Government Housing Support Program – Stream 1
	Proposed Cost	\$580,000
	Ongoing Costs	There are no financial implications arising from this report.
<b>Policy Implications</b>	Impact on Policy	There are no policy implications arising from this report.

### STRATEGIC DIRECTION

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

Theme: 1 Housing  
CSP Objective: 1.1 Housing meets the current and future needs of our community



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

Theme: 1 Housing

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

Delivery Program Strategy: 1.1.2 Housing is affordable and secure

Theme: 1 Housing

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

Delivery Program Strategy: 1.2.2 Adequate land is available in the villages for development

#### RECOMMENDATION

**That the information contained within the report of the Manager Growth Planning dated 27 September 2024, be noted.**

*Steven Jennings*  
Director Development and Environment

*TH*  
Manager Growth Planning

## BACKGROUND

### 1. Previous Resolutions of Council

15 August 2024 CCL24/207	<i>That the information contained within the report of the Manager Growth Planning dated 23 July 2024, be noted.</i>
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### 2. Federal Government Housing Support Program

The Federal Government created the Housing Support Program (HSP) to provide funding of \$500 million to State and Local Governments over 2023-24 and 2024-25 to help achieve the National Housing Accord's target of building 1.2 million new, well-located homes over five years from 1 July 2024. The HSP consists of the following two streams:

- Stream 1 provides funding for projects that improve planning capability and provide resources to improve the efficiency and effectiveness of planning processes, including master planning; and
- Stream 2 (Community Enabling Infrastructure Stream) provides funding to deliver enabling infrastructure (such as water, power, sewage, and roads) and provide amenities to support new housing development.

Successful applications under Stream 1 were announced by the Prime Minister, the Hon Anthony Albanese MP, the Hon Catherine King MP, and the Hon Julie Collins MP on 4 July 2024. Successful applications for Stream 2 are likely to be announced in November 2024.

## REPORT

### 1. Preparation of Housing Strategies

Council received \$580,000 to prepare Housing Strategies that will define the existing and future requirements for the delivery of new, diverse, affordable and well-located housing in our Region.

The following work will be undertaken as part of this project:

- **Regional Housing Strategy**

This includes the preparation of a Housing Strategy in accordance with the NSW Government *Local Housing Strategy Guidelines* that incorporates a review and update of the Dubbo Urban Areas Strategy (1995) and Wellington Settlement Strategy (2012) to identify how and where the region will need to grow to support our future population.

- **Large Lot Residential Strategy**

This includes a critical review of the existing supply of R5 Large Lot Residential zoned land in terms of location and minimum lot size and identifies other areas within the Local Government Area that may be suitable to zone R5 Large Lot Residential with an appropriate minimum lot size control.

- **Affordable Housing Policy**

This will identify Council's role and options for incentivising an increase in social and affordable housing in the region, and partnerships required for success.

- **Place Plans for Villages**

This includes preparing statements that identify future housing directions/potential for growth, vision and desired future character for Wongarbon, Eumungerie, Mogriguy, Brocklehurst, Geurie, Stuart Town, Mumbil, Euchareena, Ballimore and Elong Elong.

## 2. **Consultation**

Council has engaged consultants to undertake community consultation for this project. The following consultation will be undertaken in October, November and December 2024, but dates and times are still to be finalised:

- A survey will be available on Council's YourSay webpage in October and November 2024.
- Targeted consultation will be undertaken in October and early November 2024 with elected officials, NSW Government Agencies, First Nations stakeholders, affordable housing suppliers, and the Housing Supply Reference Group.
- General consultation will be undertaken in November and December 2024 with some R5 Large Lot Residential landowners, development and economic stakeholders, the general community, and villages.

Council's dedicated YourSay webpage, <https://yoursay.dubbo.nsw.gov.au/dubbo-region-housing-our-future>, contains information about the project and will identify upcoming consultation sessions. Engagement is likely to occur over multiple three to four day blocks, with a combination of business hours and after hours workshops. Information about the project has already been emailed to development stakeholders, and former members of the Wellington Town Committee and the Village Committee.

## 3. **Next Steps**

A report will be presented to Council in February 2025 that includes the results of public engagement and to set forward the next steps for the various bodies of work included in this package.



## REPORT: Delegation of Authority to the Chief Executive Officer

**DIVISION:** Organisational Performance  
**REPORT DATE:** 30 August 2024  
**TRIM REFERENCE:** ID24/1795

### EXECUTIVE SUMMARY

<b>Purpose</b>	Seek endorsement	Fulfil legislated requirement/Compliance
<b>Issue</b>	<ul style="list-style-type: none"> <li>Council is to determine Delegations of Authority to the Chief Executive Officer in accordance with Section 377(1) of the Local Government Act, 1993.</li> <li>Council may choose to give Power of Attorney to the Chief Executive Officer.</li> <li>The Chief Executive Officer was granted additional delegations during the time between the outgoing elected body and the newly declared Councillors, being 14 September to 2 October; any use of these extended delegations must be reported to Council.</li> </ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"> <li>Section 380 of the Local Government Act, 1993, requires that each Council must review all of its delegations during the first 12 months of each term of office.</li> </ul>	
<b>Financial Implications</b>	Budget Area	There are no financial implications arising from this report.
<b>Policy Implications</b>	Policy Title	There are no policy implications arising from this report.

### STRATEGIC DIRECTION

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

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

Delivery Program Strategy: 4.1.4 Statutory requirements are met and services are provided in a cost-effective and timely manner

**RECOMMENDATION**

- 1. That the Delegation of Authority to the Chief Executive Officer be determined.**
- 2. That any Power of Attorney to the Chief Executive Officer be determined.**
- 3. That Council note the use of extended delegations by Chief Executive Officer, Murray Wood, during the period of 14 September and 2 October 2024, during the Non Council Period**

*Abbey Rouse*  
Manager Corporate Governance

*AR*  
Manager Corporate  
Governance

BACKGROUND

Previous Resolutions of Council

3 June 2021	That the Delegation of Authority to the interim Chief Executive Officer be as contained in the document attached to the report of the Director Organisational Performance, dated 31 May 2021 as Appendix 1. (2021 Delegation of Authority attached at <b>Appendix 1</b> )
26 May 2022	<ol style="list-style-type: none"> <li>1. That the Delegation of Authority to the Chief Executive Officer, as attached at Appendix 1 of the report of the Executive Manager Governance and Internal Control dated 9 May 2022, be adopted to come into effect from 1 July 2022.</li> <li>2. That the Power of Attorney issued to Chief Executive Officer, Murray Wood, being Book 4788 No. 549, be revoked on 30 June 2022.</li> </ol> (2022 Delegation of Authority attached at <b>Appendix 2</b> )
27 June 2024	<ol style="list-style-type: none"> <li>1. That Council delegate the additional functions as outlined in the report for the period of 14 September to 2 October 2024 due to the local government elections.</li> <li>2. That the use of any of these extended delegations be reported to the first full meeting of the new Council on 24 October 2024.</li> <li>3. That Council delegate to the Chief Executive Officer, Murray Alexander Wood a Power of Attorney for the period of 14 September to 2 October 2024 due to the local government elections.</li> <li>4. That Council authorise the Mayor and Deputy Mayor to execute the General Power of Attorney under the Common Seal of the Council.</li> <li>5. That Council rescind the power of attorney granted to the Chief Executive Officer upon the newly elected body taking office.</li> <li>6. That the Chief Executive Officer report to Council on all documents signed under the prescribed Power of Attorney, during this period.</li> <li>7. That the Mayor be granted delegation to continue the Ceremonial duties during the period 14 September to 2 October 2024.</li> </ol>

## REPORT

In accordance with Section 377(1) of the Local Government Act 1993, Council may, by resolution, delegate the Chief Executive Officer any functions of the Council with the exception of those listed in Section 377(1).

### Delegation of Authority to the Chief Executive Officer (CEO)

The delegation of functions to the CEO assists the role to understand their authority to make decisions on behalf of the Organisation. Delegating authority to the CEO provides the ability for the CEO to perform functions of Council and sets clear parameters to allow Council to concentrate on strategic issues and also enables staff to be authorised to undertake functions under other legislation.

Additionally, Section 380 of the Local Government Act requires that each Council must review all of its delegations during the first 12 months of each term of office. Accordingly, this report is provided for Council to review the current delegations (at **Appendix 2**). An earlier version of the delegations is also provided at **Appendix 1** for broader context.

### Power of Attorney to the Chief Executive Officer (CEO)

As part of the above review, Council should consider whether it would like the CEO to have a Power of Attorney.

At present the CEO does not have Power of Attorney (POA) and all documents are signed under the Common Seal of Council. The Seal is like the signature of the Council, affixing the Seal demonstrates approval of the content of a document and shows what a Council has agreed to do. Council's Seal can only be used following a resolution of Council and must be signed by both the Mayor and the CEO.

Formerly, a POA has been granted to the Chief Executive Officer and a copy is attached as **Appendix 3** for reference. This POA was revoked in 2022 following a Council resolution.

The benefits and practicality of having a POA include the fact that the holder of the POA can sign documentation quickly and easily (ie no second signature of the Mayor or formal Seal) only following Council resolutions. A POA cannot sign any document that does not relate directly to a Council resolution and it cannot be delegated to another person, including staff acting in the CEO role should the CEO be on leave; the POA directly relates to a person as opposed to a position.

Use of Delegation During Non Council Period

The CEO used his extended delegations to refuse modified development application D22-122 Part 5 - 35 Lot Residential Subdivision - 4L Camp Road, Dubbo. The applicant has sought a review of the determination and accordingly, this matter is before Council and will be considered immediately following consideration of this report, under the following title:

*“Review of Determination - D22-122 Part 5 - 35 Lot Subdivision - Lot 8 DP 1063425, 4L Camp Road Dubbo*

*Applicant: SLR Consulting Australia Pty Ltd*

*Owner: Mr L Bender”*

**Consultation**

- This report has been prepared as per Section 380 of the Local Government Act, 1993, which requires that each Council must review all its delegations during the first 12 months of each term of office.
- Councillors may review the attached versions of the delegations of authority to the CEO (**Appendices 1 and 2**).

**Resourcing Implications**

- This matter forms part of required routine tasks undertaken by staff.

**Options Considered**

- Maintain the current delegations as per **Appendix 2**.
- Determine alternative delegations such as **Appendix 1** or as otherwise determined by Council.
- Maintain the current status of not delegating a Power of Attorney to the Chief Executive Officer.
- Delegate a Power of Attorney to the Chief Executive Officer (such as **Appendix 3** or otherwise determined by Council).
- Should Council require further time for consideration, this matter may be deferred for a Councillor Workshop.

**APPENDICES:**

[1](#) 2021 Delegation of Authority

[2](#) 2022 Delegation of Authority

[3](#) General Power of Attorney Document - Dubbo Regional Council - Murray Alexander Wood - Registered 23/06/2021





# Delegation of Authority to the Chief Executive Officer

FEBRUARY 2021

<b>Document Revision History</b>	
<b>Description</b>	<b>Date</b>
Amended and adopted following merger of Dubbo City and Wellington councils	May 2016
Amended as a result of delegations with respect to the Defined Asset Management Policy as adopted August 2017	August 2017
Adopted by Council	26 February 2018
Updated title of General Manager to Chief Executive Officer	26 March 2018
Updated for Appointment of Acting Chief Executive Officer	22 February 2021
<b>Notes</b>	

## PURPOSE

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In accordance with Section 377 of the Local Government Act 1993, Council may, by resolution, delegate the General Manager (Chief Executive Officer) any of the functions of the Council with the exception of those functions as listed below. Such delegations assist the Chief Executive Officer to understand his/her authority to make decisions on behalf of the organisation. Delegating authority to the Chief Executive Officer is not a hindrance to effective decision-making, or a bureaucratic mechanism that slows decision-making. Rather, it provides the ability for the Chief Executive Officer to perform functions of Council to allow Council to concentrate on strategic issues.


This document outlines what functions are, and are not, delegated to the Chief Executive Officer and thereby the Chief Executive Officer has delegation to undertake all other functions.

## DELEGATIONS

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The Chief Executive Officer does not have the delegation to undertake the following in accordance with Section 377 of the *Local Government Act 1993* (the Act):

1. The appointment of a General Manager (Chief Executive Officer).
2. The making of a rate.
3. A determination under section 549 as to the levying of a rate.
4. The making of a charge.
5. The fixing of a fee.
6. The borrowing of money.
7. The voting of money for expenditure on its works, services or operations.
8. The compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment).
9. The acceptance of tenders to provide services currently provided by members of staff of the council.
10. The adoption of an operational plan under section 405.
11. The adoption of a financial statement included in an annual financial report.
12. A decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6.
13. The fixing of an amount or rate for the carrying out by the council of work on private land.



Delegations of Authority to the Chief Executive Officer


3

14. The decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work.
15. The review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979.
16. The power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194.
17. A decision under section 356 to contribute money or otherwise grant financial assistance to persons.
18. A decision under section 234 to grant leave of absence to the holder of a civic office.
19. The making of an application, or the giving of a notice, to the Governor or Minister.
20. This power of delegation.
21. Any function under this or any other Act that is expressly required to be exercised by resolution of the council.

#### Development Application Delegations

The Chief Executive Officer cannot approve Development Applications where:

1. A petition with eight or more signatures from separate households within the notification area has been received and the application has not been refused.
2. Where eight or more valid planning objections to the development application have been received from separate households within the notification area and the application has not been refused.
3. Development where there is major variation (more than a 10%) from Council's Development Standards under Clause 4.6 of the Dubbo LEP 2011 and Wellington LEP 2012 unless concurrence has been received from the State Government to determine particular matters under delegation.
4. Where two or more Councillors request a Development Application to be bought to Council.
5. Any matter subject to appeal where the matter has gone to a hearing or Section 34A Conference.
6. Applications having a major environmental impact on the locality and which involve land owned by Council.
7. Applications where income is to be forgone such as a reduction in developer contributions levied under an adopted Section 94 Plan or Section 64 Policy.



Delegations of Authority to the Chief Executive Officer

4

**Voluntary Planning Agreements**

- The Chief Executive Officer does not have the delegation to enter into Voluntary Planning Agreements (VPAs)

These matters must be referred to either Council or the Planning, Development and Environment Committee where appropriate for determination.

**Other Matters**

- **Writing Off Accounts**  
The Chief Executive Officer does not have the delegation to approve the writing off of accounts greater than \$20,000. Write offs are reported to Council on an annual basis.
- **Writing Off Stores and Materials**  
The Chief Executive Officer does not have the delegation to approve the write on and off stores and materials greater than \$10,000.
- **Leases**  
The Chief Executive Officer cannot approve on behalf of Council:
  - (a) Any lease or licence of land classified operational pursuant to s26 of the Local Government Act 1993 where:
    - i. The term (including any option(s)) exceeds 10 years
    - ii. The rent is less than fair market rent, but excluding any lease of licence for which tenders are required under the Local Government Act 1993 to be invited by the Council
  - (b) Any temporary lease and/or licence of Crown Land controlled or managed by Council where the term exceeds 12 months.
- **Power of Attorney**  
The Chief Executive Officer has delegation to sign documents on behalf of Council under Power of Attorney which give effect to Council's resolutions or in accordance with the Delegations to the Chief Executive Officer.



**DUBBO REGIONAL  
COUNCIL**

## **Delegation of Authority to the Chief Executive Officer**

**MAY 2022**

<b>Document Revision History</b>	
<b>Description</b>	<b>Date</b>
Amended and adopted following merger of Dubbo City and Wellington councils	May 2016
Amended as a result of delegations with respect to the Defined Asset Management Policy as adopted August 2017	August 2017
Adopted by Council	26 February 2018
Updated title of General Manager to Chief Executive Officer	26 March 2018
Updated for Appointment of Acting Chief Executive Officer	22 February 2021
Reviewed for Appointment of permanent Chief Executive Officer	October 2021
Reviewed in accordance with Section 380 of the Local Government Act, within the first 12 months of the new term of office.	May 2022
Adopted by Council	26 May 2022
<b>Notes</b>	

## PURPOSE

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In accordance with Section 377 of the Local Government Act 1993, Council may, by resolution, delegate the General Manager (Chief Executive Officer) any of the functions of the Council with the exception of those functions as listed below. Such delegations assist the Chief Executive Officer to understand his/her authority to make decisions on behalf of the organisation. Delegating authority to the Chief Executive Officer provides the ability for the Chief Executive Officer to perform functions of Council and sets clear parameters to allow Council to concentrate on strategic issues.

This document outlines what functions are, and are not, delegated to the Chief Executive Officer and thereby the Chief Executive Officer has delegation to undertake all other functions.

## DELEGATIONS

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The Chief Executive Officer does not have the delegation to undertake the following in accordance with Section 377 of the *Local Government Act 1993* (the Act):

1. The appointment of a General Manager (Chief Executive Officer).
2. The making of a rate.
3. A determination under section 549 as to the levying of a rate.
4. The making of a charge.
5. The fixing of a fee.
6. The borrowing of money.
7. The voting of money for expenditure on its works, services or operations.
8. The compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment).
9. The acceptance of tenders to provide services currently provided by members of staff of the council.
10. The adoption of an operational plan under section 405.
11. The adoption of a financial statement included in an annual financial report.
12. A decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6.
13. The fixing of an amount or rate for the carrying out by the council of work on private land.
14. The decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work.



15. The review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979.
16. The power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194.
17. A decision under section 356 to contribute money or otherwise grant financial assistance to persons.
18. A decision under section 234 to grant leave of absence to the holder of a civic office.
19. The making of an application, or the giving of a notice, to the Governor or Minister.
20. This power of delegation.
21. Any function under this or any other Act that is expressly required to be exercised by resolution of the council.

#### **Development Application Delegations**

The Chief Executive Officer cannot approve Development Applications where:

1. A petition with eight or more signatures from separate households within the notification area has been received and the application has not been refused.
2. Where eight or more valid planning objections to the development application have been received from separate households within the notification area and the application has not been refused.
3. Development where there is major variation (more than a 10%) from Council's Development Standards under Clause 4.6 of the Dubbo Regional LEP 2022 unless concurrence has been received from the State Government to determine particular matters under delegation.
4. Where two or more Councillors request a Development Application to be brought to Council.
5. Any matter subject to appeal where the matter has gone to a hearing or Section 34A Conference.
7. Applications where income is to be forgone such as a reduction in developer contributions levied under an adopted Section 94 Plan or Section 64 Policy.
8. In the case of development where the estimated value is higher than \$5 million, unless the Development Application is required to be determined by a Joint Regional Planning Panel.
9. Development Applications recommended for refusal must go to an Ordinary Meeting of Council for determination.

**Voluntary Planning Agreements**

- The Chief Executive Officer does not have the delegation to enter into Voluntary Planning Agreements (VPAs).

These matters must be referred to either Council or the relevant Standing Committee where appropriate for determination.

**Other Matters**

- **Writing Off Accounts**

The Chief Executive Officer does not have the delegation to approve the writing off of accounts greater than \$10,000. Write offs are reported to Council on an annual basis.

- **Writing Off Stores and Materials**

The Chief Executive Officer does not have the delegation to approve the write on and off stores and materials greater than \$10,000.

- **Awarding Tenders**

The Chief Executive Officer does not have the delegation to award Tenders above the value of \$250,000. A register of council contracts is available on the Dubbo Regional Council website.

- **Leases**

The Chief Executive Officer cannot approve on behalf of Council:

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

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DUBBO REGIONAL COUNCIL  
(Principal)

AND  
MURRAY ALEXANDER WOOD

(Attorney)

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**GENERAL POWER OF ATTORNEY**

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### GENERAL POWER OF ATTORNEY

A general power of attorney is a legal document that allows you, the principal, to nominate one or more persons, referred to as attorneys, to act on your behalf. A general power of attorney gives the attorney the authority, if you choose, to manage your legal and financial affairs, including buying and selling real estate, shares and other assets for you, operating your bank accounts, and spending money on your behalf.

A general power of attorney ceases if you lose your mental capacity after its execution. If you wish the power of attorney to continue if you lose your mental capacity, use the enduring power of attorney prescribed form. An attorney under a general power of attorney cannot make decisions about your lifestyle or health. These decisions can only be made by a guardian, whether an enduring guardian appointed by you or a guardian appointed by the New South Wales Civil and Administrative Tribunal or the Supreme Court.

You may set whatever conditions and limitations on your attorney that you choose. An attorney must always act in your best interest. If your attorney does not follow your directions or does not act in your best interest, you should revoke the power of attorney. You or someone on your behalf should inform the attorney of the revocation, preferably in writing. The attorney must then immediately cease to act as your attorney. If anyone else, such as a bank, has been advised about the power of attorney, that person or entity should also be informed of the revocation.

The important information set out at the end of this form includes notes to assist in completing this form and more fully explains the role and responsibilities of an attorney.

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**GENERAL POWER OF ATTORNEY**

**1. Appointment of attorney by the principal**

**DUBBO REGIONAL COUNCIL (Principal)**

of Civic Administration Building, Church Street, Dubbo, NSW 2830, appoints

**MURRAY ALEXANDER WOOD** of

██████████ Dubbo, NSW 2830

to be its attorney (**Attorney**).

**Nomination of substitute attorney**

Not applicable

**2. Powers**

The Attorney may exercise the authority conferred on him by Part 2 of the Powers of Attorney Act 2003 to do anything on behalf of the Principal anything which the Principal may lawfully authorise an attorney to do. The Attorney's authority is subject to the conditions and limitations specified in Part 3 of this document.

**Additional powers**

Not applicable

**3. Conditions and limitations**

The following limits and/or conditions apply to the authority of the Attorney:

(a) This power of attorney is limited to the execution of documents which give effect to:

(i) resolutions of the Principal where resolutions are required for the exercise of any function of the Principal; and

(ii) functions of the Principal which have been delegated to the Attorney,

in accordance with the Local Government Act 1993.

(b) This power of attorney does not operate as a delegation of any function of the Principal for the purposes of Section 377 of the Local Government Act 1993.


**4. Commencement**


This power of attorney operates for up to 12 months commencing 11 June 2021.


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5. Signing by principal to give effect to the appointment of the attorney

The Common Seal of DUBBO REGIONAL COUNCIL was hereunto affixed on this day of 17.6.2021 pursuant to the authority conferred by Council resolution made 3 June 2021 in the presence of the Mayor and Deputy Mayor:

  
 Mayor  
 Stephen Gigell Lawrence  
 Full Name 16.06.21.

  
 Deputy Mayor  
 ANNEMARIE JONES DAM  
 Full Name 17-06-2021



REGISTERED  
23/6/2021  
BK 4788 NO 549



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**6. Attorney responsibilities**

Your attorney must do the following:

- (a) Keep your money and property separate from the attorney's money and property;
- (b) Keep reasonable accounts and records of your money and property;
- (c) Not benefit from being an attorney, unless expressly authorised by you;
- (d) Always act in your best interests; and
- (e) Always act honestly in all matters concerning your legal and financial affairs.

Failure to do so may incur civil and/or criminal penalties.

NSW LRS OFFICE USE ONLY



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### IMPORTANT INFORMATION

- A power of attorney is an important and powerful legal document. You should get legal advice before you sign it.
- It is important that you trust the person you are appointing as attorney to make financial decisions on your behalf. Your attorney must be over 18 years old and must not be bankrupt or insolvent. If your financial affairs are complicated, you should appoint an attorney who has the skills to deal with complex financial arrangements.
- A power of attorney cannot be used for health or lifestyle decisions. You should appoint an enduring guardian under the Guardianship Act 1987 if you want a particular person to make these decisions. For further information, contact the New South Wales Civil and Administrative Tribunal or New South Wales Trustee and Guardian.
- Clause 2 of the power of attorney contains powers which will permit your attorney to use your money and assets for the attorney or anyone else as provided. You include those provisions in clause 2 if you want your attorney to have those powers.
- This power of attorney is for use in New South Wales only. If you need a power of attorney for interstate or overseas, you may need to make a power of attorney under their laws. The laws of some other states and territories in Australia may give effect to this power of attorney. However, you should not assume this will be the case. You should confirm whether the laws of the state or territory concerned will in fact recognise this power of attorney.
- Your attorney must keep the attorney's own money and property separate from your money and property, unless you are joint owners, or operate joint bank accounts. Your attorney should keep reasonable accounts and records about your money and property. The cost of providing and maintaining these records by the attorney may be recoverable from you.
- If your attorney is signing certain documents that affect real estate, the power of attorney must be registered at NSW Land Registry Services. Please contact NSW LRS on 1300 052 637 to see whether the power of attorney must be registered.
- An attorney must always act in your best interest. If your attorney does not follow your directions or does not act in your best interest, you should consider revoking the power of attorney. If you revoke the power of attorney you should notify the attorney, preferably in writing, that they are no longer your attorney. The attorney must stop acting immediately once they have knowledge of the revocation.
- This power of attorney does not automatically revoke earlier powers of attorney made by you. If you have made an earlier power of attorney that you do not want to continue, you must revoke the earlier power of attorney. It is advisable that you notify the attorney, preferably in writing, of the revocation, if you have not already done so. You should also give notice of the revocation to anyone who is aware of the earlier power of attorney, such as a bank.

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## NOTES FOR COMPLETION

### Joint attorneys

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If you appoint more than one attorney, you should indicate whether the attorneys are to act jointly or jointly and severally. Attorneys who are appointed jointly are only able to act and make decisions together.

Attorneys who are appointed jointly and severally — that is, together or separately — are able to act and make decisions independently of each other. However, you can specify that a simple majority, if you appoint three or more attorneys, must agree before they can act.

### Substitute attorney/s

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If you appoint a substitute attorney, the substitute attorney will only have authority to act as your attorney if the first appointed attorney dies, resigns or otherwise vacates their position.

You can specify for whom the substitute is to act — for example, if you appoint A and B as attorneys and X and Y as substitutes, you can specify that X takes A's place if A vacates office.

### Attorney vacates office

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Section 5 of the Powers of Attorney Act 2003 states that there is a vacancy in the office of attorney if the attorney dies, resigns, becomes bankrupt, loses mental capacity or the authority to act is revoked.

If you have appointed a substitute attorney, it may be helpful that some sort of documentation evidencing the vacation of the original attorney is attached to this power of attorney when that vacancy happens. This will assist to satisfy a third party that the substitute attorney is entitled to act for you.

### Further information

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For information on powers of attorney, the attorney's duties and registration, contact NSW Land Registry Services [www.nswlrs.com.au](http://www.nswlrs.com.au), the New South Wales Trustee and Guardian [www.tag.nsw.gov.au](http://www.tag.nsw.gov.au), a solicitor or a trustee company.

The New South Wales Government's Planning Ahead Tools website [www.planningaheadtools.com.au](http://www.planningaheadtools.com.au) provides up-to-date information and resources about powers of attorney, enduring guardianship, wills and advanced care planning.



**REPORT: Review of Determination - D22-122 Part 5 - 35 Lot Subdivision - Lot 8 DP 1063425, 4L Camp Road Dubbo**

**Applicant: SLR Consulting Australia Pty Ltd**

**Owner: Mr L Bender**

**DIVISION: Development and Environment**  
**REPORT DATE: 10 October 2024**  
**TRIM REFERENCE: ID24/1893**

**EXECUTIVE SUMMARY**

<b>Purpose</b>	<ul style="list-style-type: none"> <li>Seek decision</li> <li>Provide planning approval</li> </ul>	
<b>Issue</b>	<ul style="list-style-type: none"> <li>Development Application D22-122 for a 32 lot subdivision was originally approved on 14 July 2023.</li> <li>The Development Consent was for 32 lots varying in size from 2ha to 6.81ha.</li> <li>Condition 18 on the approval requires a covenant on the Property Title of a number of lots in the subdivision to inform purchases of certain construction requirements for dwelling houses to manage noise impacts from the adjoining Morris Park Speedway complex.</li> <li>A Modified Development Application was lodged with Council on 9 August 2024 seeking to amend this condition, which would result in these requirements not being included on the Property Title of such lots.</li> <li>The Modified Development Application was refused under Delegated Authority on 23 September 2024.</li> <li>The Applicant has lodged a Review of Determination of this refusal.</li> <li>In accordance with the requirements of the Environmental Planning and Assessment Act, 1979 the request for review is provided to Council for consideration and determination.</li> </ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"> <li>Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&amp;A Act).</li> </ul>	
<b>Financial Implications</b>	Budget Area	There are no financial implications arising from this report. However, should the matter proceed to the NSW Land and Environment Court this will have inherent cost implications for Council.

	Funding Source	Building and Development Services budget
	Proposed Cost	Nil
<b>Policy Implications</b>	Policy Title	There are no policy implications arising from this report.

### STRATEGIC DIRECTION

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

Theme: 1 Housing  
 CSP Objective: 1.2 An adequate supply of land is located close to community services and facilities  
 Delivery Program Strategy: 1.2.1 Land is suitably zoned, sized and located to facilitate a variety of housing types and densities

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

Theme: 4 Leadership  
 CSP Objective: 4.1 Council provides transparent, fair and accountable leadership and governance  
 Delivery Program Strategy: 4.1.4 Statutory requirements are met and services are provided in a cost-effective and timely manner

### RECOMMENDATION

**That Council determines one of the following options for consideration of the request for a Review of the Determination in accordance with Section 8.2 of the Environmental Planning and Assessment Act, 1979:**

#### Option 1

1. That the request for a Review of the Determination of the Application to Modify Development Consent D2022-122 (Part 5) be approved.
2. That the Application to Modify Development Consent D2022-122 (Part 5) would be approved to incorporate the following:
  - (a) Amend Condition 18 (as included in the body of the report)

(b) Relocate driveway of Lot 401.

**Option 2**

- 1. That the request for a Review of the Determination of the Application to Modify Development Consent D2022-122 (Part 5) be refused.**

*Steven Jennings*  
Director Development and Environment

*SJ*  
Director Development and  
Environment

**BACKGROUND**

Development Consent for a 32 lot Torrens Title subdivision of the subject land was granted on the 14 July 2023. The Development Consent was for 32 lots in size from 2ha to 6.81ha, and associated infrastructure such as roads, reticulated water and sewer services and stormwater systems.

The Development has been subject to a number of modifications post the original Development Consent, as included in the following table:

<b>Application Reference</b>	<b>Date of Determination</b>	<b>Nature of Modifications</b>
D22-122 Part 2	18 January 2024	<p>Amend approved plan to include one additional allotment (Lot 17 being split into two lots,) including an additional driveway and building envelope to service the new lot.</p> <p>Stage the subdivision works (Stage 1 – 14 lots; Stage 2 – 9 lots; Stage 3 – 10 lots).</p> <p>Condition 4 - Amend Table 1 (ecosystem credit obligation – reduction in clearing).</p> <p>Condition 5 - Amend Table 2 (species credit obligation – Pine Donkey Orchid (<i>Diuris tricolour</i>)).</p>
D22-122 Part 3	27 June 2024	<p>A subsequent modified Development Application (D22-122 Part 3) was granted consent at the Ordinary Council meeting on the 27 June 2024 with Condition 5 (credits for Squirrel Glider) being deleted.</p>
D22-122 Part 4	19 August 2024	<p>To increase the subdivision lot yield from 33 to 35 lots and amend lot areas to cater for additional lots.</p> <p>Delete Conditions 21 and 22.</p> <p>To amend ingress/egress from Camp Road and realignment of internal road.</p>
D22-122 Part 5		<p>A further modified application (D22-122 Part 5) was lodged with Council on 9 August 2024 requesting Condition 18 be modified to remove the requirement for a positive covenant on the title of certain allotments.</p> <p>This application is subject to the Review of Determination process.</p>

The approved subdivision plan is provided in **Figure 1**.

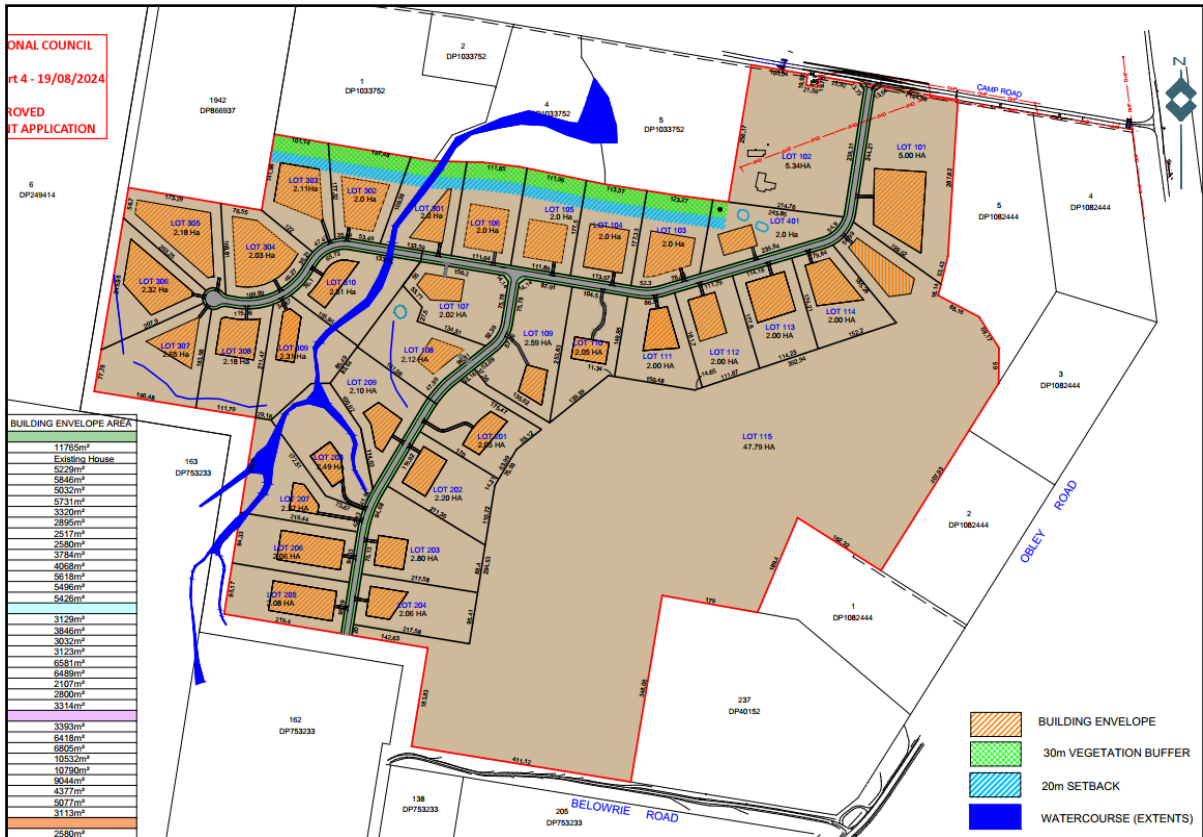


Figure 1: Approved subdivision plan

**REPORT**

**1. Modified Development Application D22-122 Part 5**

Modified Development Application D22-122 Part 5 sought the following modifications to the Development Consent:

- Amend Condition 18 – positive covenant (acoustic construction measures); and
- Relocate driveway of Lot 401.

In respect of the proposed amendment to condition 18, the condition as included in the Development Consent states as follows:

(18) *The Plan of Subdivision must incorporate a positive covenant to the following effect in accordance with Section 88E of the Conveyancing Act 1919 noting Dubbo Regional Council as the prescribed authority having the right to enforce, release, vary, or modify the positive covenant:*

(a) *Any dwelling that is erected or is to be erected on Lots 101 & 115 (previously Lot 1), 103-104 (previously Lots 3-4), 109-114 (previously Lots 27 – 32) and 201-209 (previously Lots 18-26) must comply with the recommendations*

*pertaining to that Lot set out in Section 8.0 of the document prepared by PKA Acoustic Consulting titled "Acoustic Report Subdivision at 4L Camp Road Dubbo" ID:12378 R03v1 dated 11 May 2023 unless lesser alternatives are the subject of an approval from the consent authority.*

*The precise terms of the positive covenant to be incorporated in the plan of subdivision in accordance with this condition must be submitted to and approved by the Council prior to issue of any subdivision certificate.*

*{Reason: To provide acoustic amenity to the future dwellings and residents}*

The Applicant sought to modify condition 18 to state as follows:

*(18) Any dwelling that is erected or is to be erected on Lots 101 & 115 (previously Lot 1), 103-104 (previously Lots 3-4), 109-114 (previously Lots 27 – 32) and 201-209 (previously Lots 18-26) must comply with the recommendations pertaining to that Lot set out in Section 8.0 of the document prepared by PKA Acoustic Consulting titled "Acoustic Report Subdivision at 4L Camp Road Dubbo" ID:12378 R03v1 dated 11 May 2023 unless lesser alternatives are the subject of an approval from the consent authority.*

*{Reason: To provide acoustic amenity to the future dwellings and residents}*

The Application to Modify the Development Consent was refused under the Delegated Authority of the Chief Executive Officer on 23 September 2024.

The reasons for refusal of the Application were as follows:

- The Modified Development Application is likely to result in significant land use conflict in relation to the existing and established adjoining land use.  
*(Section 4.15(1)(b) Environmental Planning and Assessment Act 1979)*
- The Modified Development is contrary to the public interest in relation to ensuring prospective purchasers are aware of the site-specific environmental constraints of the site.  
*(Section 4.15(1)(e) Environmental Planning and Assessment Act 1979)*

A copy of the Statement of Environmental Effects provided with the Application to Modify the Development Consent is provided here in **Appendix 1**.

## **2. Review of Determination**

The Applicant has lodged a request for a Review of Determination under Section 8.2 of the Environmental Planning and Assessment Act 1979. The Act allows an Applicant to lodge a request for a review of Council's determination if they are not satisfied with the outcome of the determination.

Any request for a review of a determination made is required to be considered and determined by a person or body with a higher level of delegation. In this instance, the report



is being provided for the consideration of Council as the Chief Executive Officer, under delegation, determined the subject application to Modify the Development Consent.

In accordance with Clause 8.3(4) of the Act, this report has also been prepared by a Council delegate who did not undertake assessment of the previous Development Application and is not subordinate to the officer that undertook the previous assessments.

Determination of the Review is to be undertaken by the Elected Body, noting the previous Development Application was determined under Delegated Authority.

**(a) Consideration of the Review**

The subject land adjoins the Morris Park Speedway complex, which also includes the Motorcross Track operated by the Dubbo City Dirt Bike Club.

An Acoustic Report (prepared by PKA Acoustic Consulting – dated 11 May 2023) was submitted by the Applicant with the original Development Application. This report provided recommendations in respect to what future dwellings would require acoustic treatments as part of their construction to ensure internal noise for future dwellings on a number of lots complies with the requirements of State Environmental Planning Policy (Transport & Infrastructure) 2007. Council's acoustic consultant at that time reviewed the report and advised that the recommendations should form conditions of any development consent.

Correspondence from the Proponent prepared by Addison's Legal provides information that in their view condition 18 of the Development Consent is not reasonable or necessary because of a number of reasons. Below, the statement from the Addison's advice is provided in italics and a comment in respect of each statement is included:

- *The positive covenant just repeats the wording of the condition and the condition is enforceable.*

*Comment:*

The positive covenant repeats the wording of the condition. However, the intent behind the positive covenant being included on the title of the subject lots is to ensure future purchasers are made aware of the requirements of condition 18.

At the time of purchase of a property, land title information, including any covenants on the land form part of the contract of sale of a property. Through this process, a land purchaser is likely to be made aware of any positive covenants or restrictions in respect of the land.

- *The Land and Environment Court regularly concludes that imposition of covenants on title are not needed to enforce conditions of consent.*

*Comment:*

The Land and Environment Court does acknowledge that the imposition of covenants on the title of land are appropriate in some circumstances.

In this regard, *Parrott v Kiama Council* [2004] NSWLEC 77: at [108] states, “...when the proposed allotments are smaller than usual, or environmentally sensitive or where significant impacts on neighbours is likely and needs careful design to minimise them...”.

It is considered that the subject site is ‘environmentally sensitive’ with regard to noise and acoustic impacts. It is also considered that the imposition of a covenant on the title of the subject lots would ensure that future property owners are aware of the requirements of condition 18 without having to find and read the Development Consent for the subdivision.

However, it is also acknowledged that Land and Environment Caselaw around the use of positive covenants is varied and can be highly dependent on the individual circumstances of the development in question, the location of the land, the type of environmental impact and the specific intent of a condition of Development Consent.

- *Purchasers will already be aware of the requirement by reviewing the conditions of the consent.*

*Comment:*

The Development Consent for the subdivision of the land is publicly available and future purchases of the subject lots will have access to the Development Consent through Council’s Development Application Tracker system, which is available through Council’s website.

However, it should be noted that there is no requirement that ensures purchasers review a Development Consent to understand the basis on which the consent was approved.

- *Council will be able to ensure that the requirements are met at development application stage for the erection of the dwelling (noting that, as advised by SLR Consulting, there is no avenue for a complying development certificate to approve the dwellings).*

*Comment:*

Council at the Development Application stage for individual dwellings will have the ability to ensure the requirements as included in condition 18 of the Development Consent are met. However, if a property purchaser hasn’t undertaken their due diligence, there is the opportunity that development plans may be prepared and lodged with Council without the required acoustic measures.

In relation to Complying Development approval pathways, which negate the need for a Development Application to be lodged in certain circumstances, such consent is granted under State Environmental Planning Policy (Exempt and Complying Code) 2008 (SEPP).

Current Legislation does not allow use of the Complying Development approval pathway consent to be granted under the SEPP. However, it should be noted this is State Legislation to which Council has no control over in respect to changes or amendments applicable in the future.

Council imposed the condition to ensure prospective purchasers are aware of the site-specific constraints that would not be highlighted during the standard conveyancing/due diligence process of purchasing the land.

**(b) Condition 18**

Council has previously sought advice from Marsdens Law Group in respect of whether a condition requiring a positive covenant is reasonable to apply.

The advice (in part) provided the following:

*“When dealing with the validity of conditions of development consents the three-part test referred to in the case *Newbury District Council v Secretary of State for the Environment* [1981] AC 578 (“**Newbury**”) has frequently been applied by the Land and Environment Court (and other courts). In the case of *Planning Commission (WA) v Temwood Holdings Pty Ltd* [2004] HCA 63 (“**Temwood**”) at [57], Justice McHugh of the High Court of Australia summarised the three-part test from the *Newbury* case and said:*

*“A condition attached to a grant of planning permission will not be valid therefore unless:*

- 1. The condition is for a **planning purpose** and not for any ulterior purpose. A planning purpose is one that implements a planning policy whose scope is **ascertained by reference to the legislation that confers planning functions** on the authority, not by reference to some preconceived general notion of what constitutes planning.*
- 2. The condition **reasonably and fairly relates to the development** permitted.*
- 3. The condition is **not so unreasonable that no reasonable planning authority could have imposed it.**”*

*The advice concludes:*

*“If there is appropriate technical or expert advice obtained that supports the imposition of the requirements of the conditions on the future construction of dwellings on the land, it would be arguable that the conditions are reasonable and necessary responses to the environmental constraints of the land and to ensure future purchasers are aware of these constraints.”*

*Comment:*

It is considered that the acoustic assessment submitted with the Development Application demonstrates that appropriate technical or expert advice was obtained that supports the imposition of the condition requiring a ‘restriction on the land’ for the future construction of dwellings on the subject lots.

The Applicant was made aware of Council’s position in a subsequent letter dated 30 August 2024 which requested the application be withdrawn.

Correspondence dated 6 September 2024 was submitted in response to Council's letter. The response was prepared by the Applicant's lawyers (Addisons) and undertook an assessment of the condition against the Newbury Test. The correspondence ultimately concluded that in their opinion the condition potentially fails the Newbury Test and should be modified as requested:

*"In our view, the positive covenant elements of Condition 18 do not satisfy the principles in Newbury District Council v Secretary of State for the Environment [1981] AC 578 (Newbury) because:*

- (a) Although the Council's reason for the condition is cited for the purpose of providing acoustic amenity to the future dwellings and residents this is addressed by the requirement for acoustic measures and future applications to Council. The stated reason does not explain the need for the covenant. It is reasonable to assume that the covenant requirement was principally imposed to reduce the likelihood of future owners complaining about the noise impacts of the nearby Morris Park Speedway Complex (**Speedway**) at 46R Obley Road, Dubbo which does not have the benefit of a development consent (or existing use rights for the current operation), and has been advised as such and is not taking steps to rectify the situation by lodging a development application.*
- (b) Condition 18 does not reasonably and fairly relate to the permitted approved 35 lot subdivision being a condition imposed not to mitigate and ameliorate the impacts of the subdivision, but rather for the benefit of the Speedway to avoid having to address its own impacts; and*
- (c) Is unreasonable such that no reasonable planning authority could have imposed it given that all future persons seeking to construct a house will need to obtain a development consent from Council and the acoustic status of the site will be considered and assessed at the relevant time that an approval for a house is sought."*

It is understood that Condition 18 was imposed to minimise land use conflict between the residential subdivision and Morris Park Speedway and to ensure all prospective purchasers of the subject lots are aware of site-specific environmental constraints.

Council is satisfied that the Morris Park Speedway Complex is benefitted by certain existing use rights. In this regard, Council Staff are currently working through a process with the Morris Park Speedway and the associated Dirt Bike Club to understand the current use, works undertaken over time and the overall history of both facilities.

Council is also aware that physical works and structures have been constructed/undertaken without consent and is currently working with the relevant committee representatives to have this rectified.

**(c) Any other matters for consideration**

It is considered that the request for a Review of the Determination does not raise any other matters for consideration.

## Consultation

The request for a Review of the Determination was not required to be publicly exhibited.

## Resourcing Implications

There are no direct financial implications arising from this report. However, it should be noted that the Applicant has the right to lodge an appeal in the Land and Environment Court should they not be satisfied with the determination of Council. Any appeal to the Land and Environment Court will have inherent cost implications for Council.

## Options Considered

Council in consideration of the request for a Review of Determination of the Modified Development Application have two options for consideration as follows (as provided in no particular order:

### Option 1

That the request for the Review of the Determination be approved.

This would mean that the Application to Modify Development Consent D2022-122 would be approved to incorporate the following:

- Amend Condition 18 – positive covenant (acoustic construction measures); and
- Relocate driveway of Lot 401.

In this regard condition 18 of the Development Consent would be amended to state as follows:

*(18) Any dwelling that is erected or is to be erected on Lots 101 & 115 (previously Lot 1), 103-104 (previously Lots 3-4), 109-114 (previously Lots 27 – 32) and 201-209 (previously Lots 18-26) must comply with the recommendations pertaining to that Lot set out in Section 8.0 of the document prepared by PKA Acoustic Consulting titled "Acoustic Report Subdivision at 4L Camp Road Dubbo" ID:12378 R03v1 dated 11 May 2023 unless lesser alternatives are the subject of an approval from the consent authority.*

*{Reason: To provide acoustic amenity to the future dwellings and residents}*

### Option 2

To not accede to the request for a Review of the Determination.

This would mean that the Application to Modify the Development Consent would remain refused in accordance with the determination of Council on 23 September 2024.

**APPENDICES:**

- [1](#) Statement of Environmental Effects



# Statement of Environmental Effects

## Section 4.55(1A) Modification Application D2022-122 Part 5

### **Matt and Leetina Bender**

4L Camp Road, Dubbo

Prepared by:

**SLR Consulting Australia**

10 Kings Road, New Lambton NSW 2305,  
Australia

SLR Project No.: 640.031428.00001

9 August 2024

Revision 4.0

Making Sustainability Happen

Matt and Leetina Bender  
Statement of Environmental Effects

9 August 2024  
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### Revision Record

Revision	Date	Prepared By	Checked By	Authorised By
1.0	29 July 2024	Mitchell Kennedy		
2.0	30 July 2024	Mitchell Kennedy	Melissa Thomas	Melissa Thomas
3.0	2 August 2024	Mitchell Kennedy	Melissa Thomas	Melissa Thomas
4.0	9 August 2024	Mitchell Kennedy	Melissa Thomas	Melissa Thomas

### Basis of Report

This report has been prepared by SLR Consulting Australia (SLR) with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with Matt and Leetina Bender (the Client). Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of the Client. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from SLR.

SLR disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.





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**Appendix A – Development Plans**



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## 1.0 Introduction

SLR Consulting Australia (SLR) is acting on behalf of its client, Matt and Leetina Bender (the client), in the preparation of this Section 4.55(1A) Modification Application to Dubbo Regional Council. This application aims to request a modification to the Development Application (DA) referenced D2022-122 Part 4, which pertains to the 35-lot subdivision (Torrens Title) at **Lot 8 of DP 1063425, 4L Camp Road, Dubbo**.

The proposed S.4.55(1A) modification application relates to the amendment of:

- Condition 18: Removal of Positive Covenant Title Restriction related to the Acoustic mitigation measures discussed in Acoustic Report, ID: PKA12378 R03v1 Acoustic Report dated 11th May 2023.

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) states that a consent authority may, on application, modify a development consent involving substantially the same development and minimal environmental impact. Further details on approval pathway are detailed in **Section 6**.

## 2.0 Site Details

The site is located at **4L Camp Road, Dubbo NSW 2830** and is formally identified as **Lot 8 of DP 1063425**. The site is situated on the southern side of Camp Road within the suburb of Dubbo, part of the Dubbo City Council Local Government Area (LGA).

The site is approximately 131.2ha and is irregular in shape. The subject land is elevated with an overall slope from south to north. The land is partially vegetated with established grasses and old-growth and regrowth eucalypts to the west and north. The eastern segment encompasses a small hill that is heavily vegetated with regrowth native eucalypts and invasive black pine scrub.

The site is located on the southern outskirts of the city of Dubbo and adjoins important transport routes. Land within the vicinity of the site is generally characterised by a mixture of uses within a SP3 Tourist zone. This includes Lots to the west, north and east which feature an existing vineyard, bed-and-breakfast accommodation, and Observatory, as well as the Morris Park Speedway Complex. Adjoining agricultural land to the south is zoned RU1 for primary production.

Refer to **Figure 1** and **Figure 2** for the site aerial and cadastral plan, respectively.



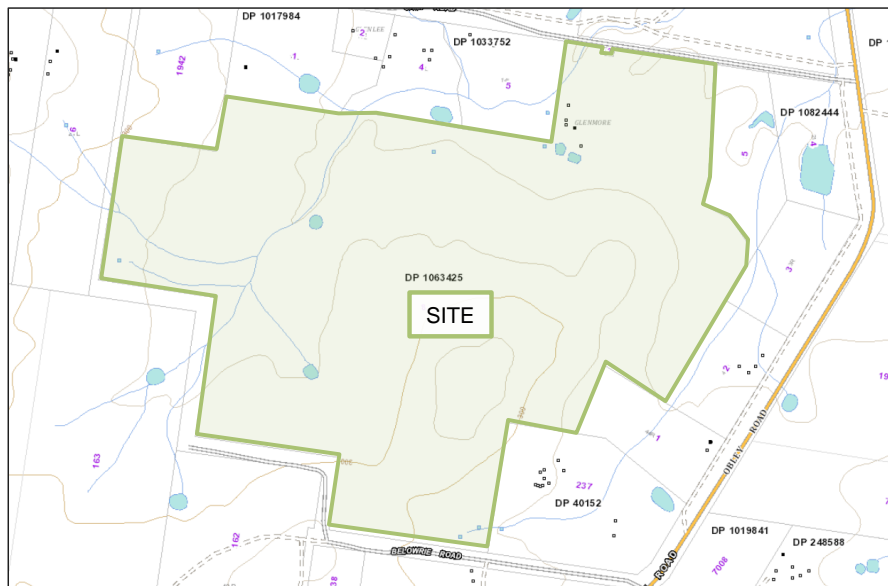
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Figure 1 Site Aerial as of 17 December 2023 (Source: Nearmap)



Figure 2 Cadastral Plan (Source: SIX Maps)



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### 3.0 Background

#### 3.1 Approval – D2022-122

On the 6 April 2021, a Development Application (DA) was submitted at subject site for a 33 lot subdivision and one residue lot. This DA was withdrawn on the 3 September.2021.

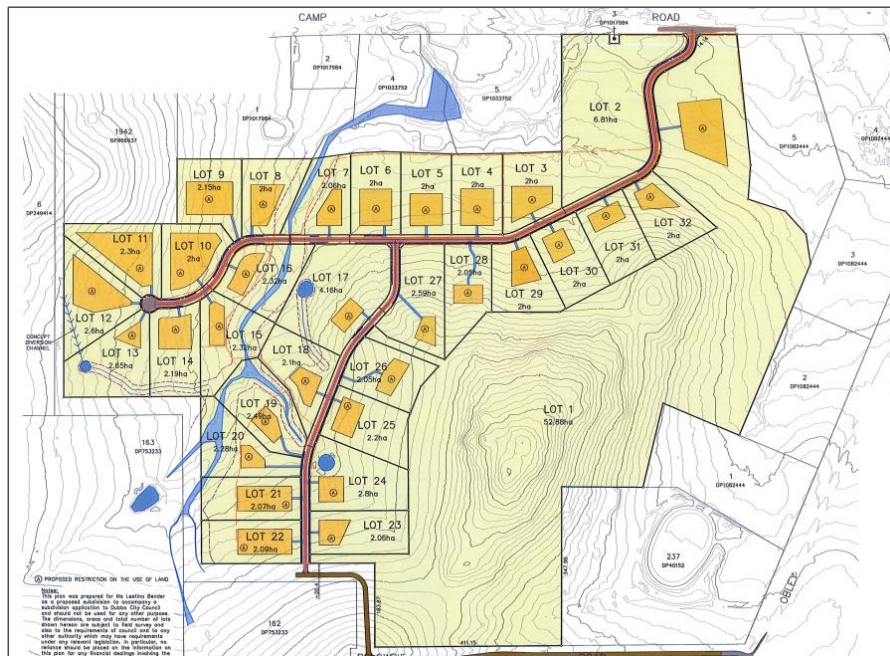
Development Application No. DA 10.2022.122.1 for a 33 lot subdivision (community title) was lodged on the 18 March 2022. A Class 1 appeal against the Council's deemed refusal of the original application was filed with the Land and Environment Court in December 2022.

D2022-122 was lodged in response to Dubbo Regional Council's Statement of Facts and Contentions (SOFC) and was formally approved by Council on 14 July 2023.

The approved site plan (D2022-122) included the subdivision of Lot 8 of DP 1063425 into 32 lots, as seen in **Figure 3**. Prior to the issuance of a Subdivision Works Certificate, the applicant is required to satisfy several conditions listed within the Notice of Determination (D2022-122).

The works of D2022-122 were not staged in this original approval.

**Figure 3 Approved Original Site Plan Excerpt (Source: D2022-122)**





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### 3.2 Approval – D2022-122 Part 2

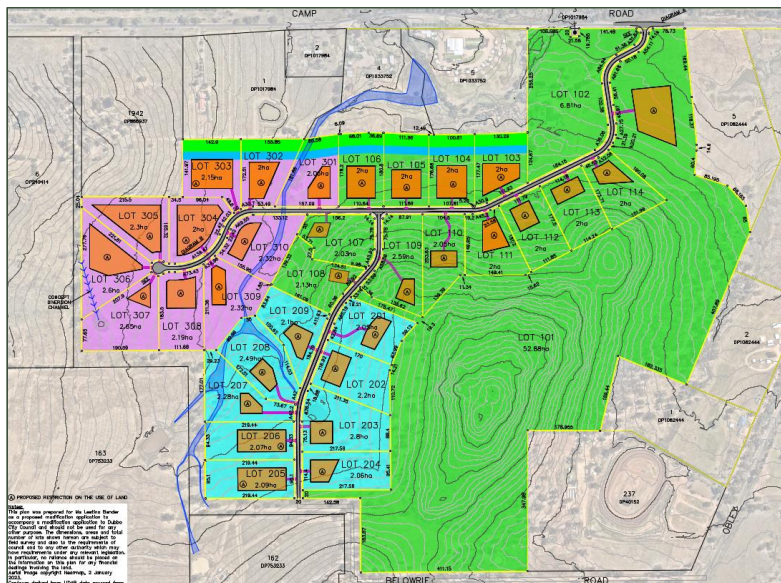
A previous Modification Application has been lodged to D2022-122, relating to the creation of an additional lot, amendment of ecosystem credit obligations, and amendment of species credit obligations. This modification was determined by Dubbo Regional Council on 18 January 2024.

This previous modification modified the number of ecosystem credits required in relation to an existing perimeter road and removing the pine donkey orchid (*Diuris tricolor*) species credit obligation, following additional site floral survey.

The modification was approved and resulted in the amendment of Conditions 1, 2, 4, 5, 18, 25, 41, and 45.

The works of D2022-122 Part 2 were staged, as depicted in Figure 4.

Figure 4 Approved Modified Site Plan Excerpt (Source: D2022-122 Part 2)



### 3.3 Approval – D2022-122 Part 3

A previous Modification Application has been lodged to D2022-122, relating to the removal of Condition 5 in accordance with the findings of a Revised Ecological Assessment. The Revised Ecological Assessment provides justification for the removal of credits associated with *Petaurus norfolcensis* (Squirrel Glider).

The assessment included a Test of Significance and targeted survey for the species in accordance with the *Environmental Planning and Assessment Act 1979*, *Biodiversity Conservation Act 2016*, and *Environmental Protection and Biodiversity Conservation Act 1999*. The assessment detected no resident Squirrel Gliders within the proposal footprint and that the habitat at the development site is degraded and cannot feasibly support this species.



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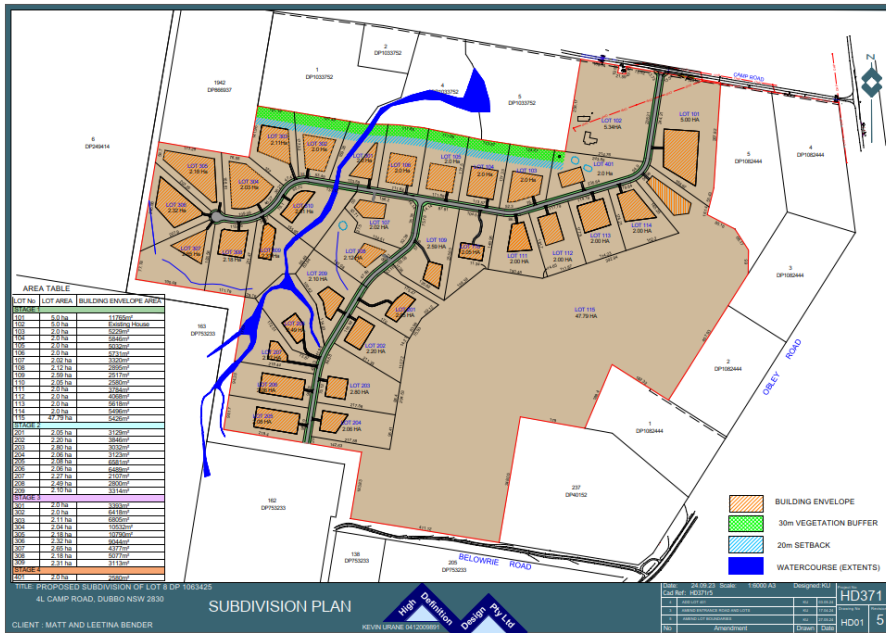
The modification was approved and resulted in the removal of Conditions 5. This modification was determined by Dubbo Regional Council on 28 June 2024.

### 3.4 Lodged Modification – D2022-122 Part 4

A S.455(2) modification application is currently lodged with Council for the removal of Condition 21 and 22, the amendment of the ingress/egress from Camp Road and realignment of internal road, new Lot 101, to be excised from Lot 115, new Lot 401 (an additional lot added from house Lot 102), new Stage 4 (Lot 401) and minor modifications to lot sizes as a result of the additional Lot 401 and road realignment.

If approved, D2022-122 Part 4 would have the effect of the resultant subdivision comprising of 35 lots minor plan amendments for the road realignment and lot sizes, refer to **Figure 5** and the removal of Condition 21 and 22.

**Figure 5 Subject to Approval Subdivision Plan (Source: D2022-122 Part 4)**



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## 4.0 Proposed Modifications - D2022-122 Part 5

The proposed S.4.55(1A) modification application relates to the amendment of:

- Condition 18: Removal of Positive Covenant Title Restriction related to the Acoustic mitigation measures prescribed in ID: PKA12378 R03v1 Acoustic Report dated 11th May 2023.
- Amend driveway location at Lot 401.

This is particularised in detail below;

### 4.1.1 Condition 18

#### Existing Condition 18

Condition 18 currently states:

*(18) The Plan of Subdivision must incorporate a positive covenant to the following effect in accordance with section 88E of the Conveyancing Act 1919 noting Dubbo Regional Council as the prescribed authority having the right to enforce, release, vary, or modify the positive covenant:*

*(a) Any dwelling that is erected or is to be erected on Lots 101 (previously Lot 1), 103-104 (previously Lots 3-4), 109-114 (previously Lots 27 – 32) and 201-209 (previously Lots 18-26) must comply with the recommendations pertaining to that Lot set out in Section 8.0 of the document prepared by PKA Acoustic Consulting titled "Acoustic Report Subdivision at 4L Camp Road Dubbo" ID:12378 R03v1 dated 11 May 2023 unless lesser alternatives are the subject of an approval from the consent authority.*

*The precise terms of the positive covenant to be incorporated in the plan of subdivision in accordance with this condition must be submitted to and approved by the Council prior to issue of any subdivision certificate.*

*{Reason: To provide acoustic amenity to the future dwellings and residents}*

#### Proposed Condition 18

~~*(18) The Plan of Subdivision must incorporate a positive covenant to the following effect in accordance with section 88E of the Conveyancing Act 1919 noting Dubbo Regional Council as the prescribed authority having the right to enforce, release, vary, or modify the positive covenant:*~~

~~*(a) Any dwelling that is erected or is to be erected on Lots 101 (previously Lot 1), 103-104 (previously Lots 3-4), 109-114 (previously Lots 27 – 32) and 201-209 (previously Lots 18-26) must comply with the recommendations pertaining to that Lot set out in Section 8.0 of the document prepared by PKA Acoustic Consulting titled "Acoustic Report Subdivision at 4L Camp Road Dubbo" ID:12378 R03v1 dated 11 May 2023 unless lesser alternatives are the subject of an approval from the consent authority.*~~

~~*The precise terms of the positive covenant to be incorporated in the plan of subdivision in accordance with this condition must be submitted to and approved by the Council prior to issue of any subdivision certificate.*~~

~~*{Reason: To provide acoustic amenity to the future dwellings and residents}*~~



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**Note: Subject to the approval of Modification D2022-122 Part 4, the lot numbers would be updated to Lots 115 (previously Lot 101), 103-104, 109-114, 201-209.**

#### **Justification**

This modification aims to lift the Title restriction related to imposing acoustic mitigation measures. The subdivision has already confirmed the land's suitability for future residential dwellings at the time of determination, and each future dwelling will need to be individually assessed and comply with any requirements set forth by the Council.

Acoustic information is readily available, and it is proposed that each land purchaser receive the Acoustic Report as part of the Contract of Sale for the affected lots. This Acoustic Report details the required mitigation measures necessary to address any potential acoustic issues.

However, it is important to note that while the Acoustic Report provides a foundational assessment, additional work should be conducted at the time of a Development Application (DA) assessment for individual dwellings. This additional assessment will validate the initial results and ensure that the specific design and construction details of each dwelling meet the necessary acoustic standards.

By imposing acoustic mitigation measures on title at the subdivision stage, risks imposing inflexible outcomes on future dwelling designs. The remainder of the consent condition still applies and can be varied by a subsequent development consent, if considered appropriate by Council after a site specific assessment.

It is reiterated that this modification is not seeking the removal of the requirement to include mitigation measures. The modification seeks rather to remove the positive covenant and restriction on title through the 88B instrument. By doing so, it allows for a more adaptable approach where future dwelling designers can conduct and submit their own assessments and certifications as part of their applications. This approach will ensure that each dwelling adheres to the required acoustic standards without being constrained by potentially outdated or overly prescriptive measures determined at an early stage.

As part of our effort to lift the restriction on title (positive covenant), it is important to note that the site is zoned SP3 Tourist. Despite the relevant additional permitted uses for a dwelling and home occupation on the subject site, obtaining a Complying Development Certificate (CDC) is unachievable due to the SP3 zoning. The SP3 Tourist zone prohibits CDC within the housing code and rural housing code because it is not a specified development zone according to Part 3 and Part 3A of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

This CDC restriction means that while the site allows for certain residential and home occupation uses, the standard streamlined approval process available through CDC is not applicable. Instead, any proposed development must undergo a full DA process. This more detailed assessment ensures that all aspects of the proposed development, including acoustic measures, are thoroughly evaluated in the context of the site's specific zoning and conditions.

This approach acknowledges the unique challenges posed by the SP3 zoning and ensures that each development is assessed on its merits, with tailored solutions that meet both the acoustic requirements and the broader planning considerations of the site.

In summary, as the SP3 Tourist zoning prohibits the use of CDC, lifting the positive covenant and restriction on title will enable a more adaptable and thorough assessment process. This will ensure that future developments are still required to be considered by Dubbo Regional Council as the Responsible Authority during the DA process. As a DA is required, the proposed modification provides the proponent and future land owners to achieve high standards of acoustic performance and compliance with all relevant planning regulations.





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Whilst the initial Acoustic Report will provide essential guidance on necessary mitigation measures, it is crucial to allow flexibility for future assessments at the DA stage.

It is further noted that there remains the Clause 7.15 in the LEP, stating that:

*(5) Development consent must not be granted to prescribed development on land to which this clause applies, unless the consent authority is satisfied the development will incorporate appropriate noise mitigation measures to reduce noise reaching the land from Morris Park Speedway.*

This clause ensures that all landowners and future purchasers are aware of the need to acoustically attenuate.

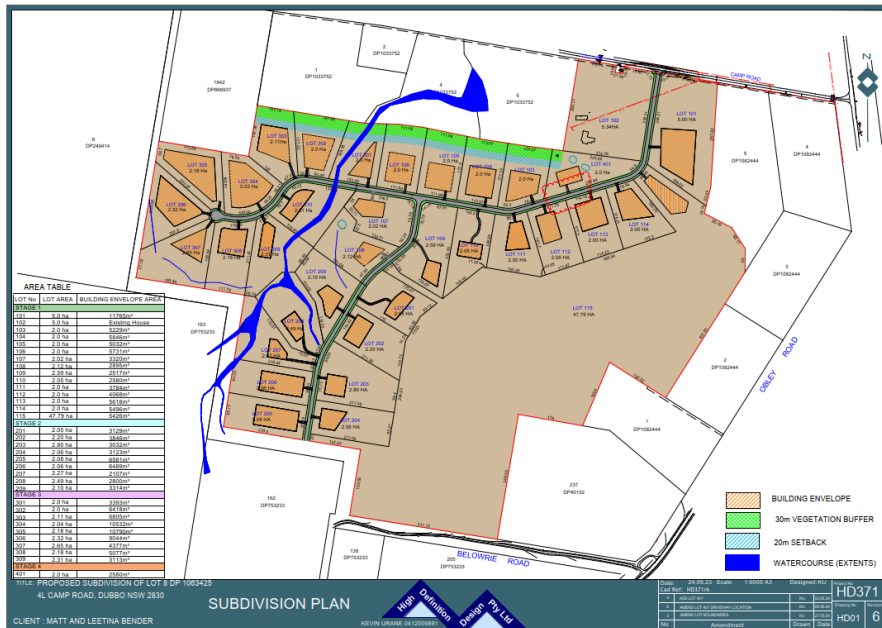
This modification ensures that each dwelling can achieve the highest standards of acoustic performance while accommodating unique design features. Removing the Title restriction through the 88B instrument supports this flexible and adaptive approach, ultimately benefiting both the developers and future residents.

It is proposed that Condition 18 be reworded.

**4.1.2 Amend driveway location at Lot 401**

The modification is seeking to amend the driveway location to Lot 401. As part of this modification, the driveway for Lot 401 has been located to improve traffic safety and accessibility. Relocating the driveway will provide better sight lines for drivers entering and exiting the property. Additionally, it further optimises the layout of the subdivision, allowing for more efficient use of space, and better integration with the overall road network.

**Figure 6 Amended Development Plan (Source: High Definition Design)**



## 5.0 Legislation and Planning Considerations

This development is also subject the following legislation, Environmental Planning Instruments (EPI's Development Control Plan (DCP) are relevant to the proposed development:

- Environmental Planning and Assessment Act 1979;
- State Environmental Planning Policy (Transport and Infrastructure) 2021;
- Dubbo Regional Local Environmental Plan 2022; and
- Dubbo Regional Council Camp Road Structure Plan Revision C.

### 5.1.1 Environmental Planning and Assessment Act 1979

The proposal, as with all development applications, is subject to the provisions of the Environmental Planning and Assessment Act 1979 (EP&A Act). Section 4.15(1) of the EP&A Act, 1979 provides criteria which a consent authority is to take into consideration, where relevant, when considering a DA. An assessment of the subject DA, in accordance with the relevant matters prescribed under Section 4.15(1), is provided within this SEE.

The appropriate approval pathway for the proposed modification is a s4.55(1A) under the Environmental Planning & Assessment Act 1979 (EP&A Act).

#### 4.55 Modification of consents—generally

*(1A) Modifications involving minimal environmental impact A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if—*

- (a) it is satisfied that the proposed modification is of minimal environmental impact, and*
- (b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and*
- (c) it has notified the application in accordance with—*
  - (i) the regulations, if the regulations so require, or*
  - (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- (d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

*Subsections (1), (2) and (5) do not apply to such a modification.*

The relevant matters for consideration are addressed throughout this SEE. This application is made pursuant to Section 4.55(1A) of the EP&A Act 1979 and the proposed modification is 'substantially the same' as the approved development, for the following reasons:

- The proposal retains the approved development and land uses.
- The proposal does not result in any environmental or amenity impacts in addition to those already considered and assessed under the original application.

The proposed modifications are therefore considered reasonable in accordance with s4.55(1A).



## 5.1.2 Dubbo Local Environmental Plan 2022

The site is within the land application area of the Dubbo Regional Local Environmental Plan (LEP) 2022. The site is zoned SP3 Tourist.

The proposal is consistent with the objectives of the SP3 Tourist zoning and does not impact the use of adjoining tourist related developments. This modification will not create any further impacts in relation to the original subdivision considerations.

The relevant clauses of the LEP are detailed below.

### 5.1.2.1 Relevant Clauses

#### Clause 2.6 Subdivision Consent Requirements

Land to which this Plan applies may be subdivided, but only with development consent.

#### Clause 7.15 Use of certain land at Camp Road, Dubbo

(1) *The objectives of this clause are to ensure development on land to which this clause applies—*

- (a) *minimises light pollution and does not impinge on the functioning of the Dubbo Observatory, and*
- (b) *incorporates appropriate noise mitigation measures, and*
- (c) *minimises land use conflict with adjoining land uses, and*
- (d) *does not adversely impact on vegetation on land designated as a buffer zone.*

(2) *This clause applies to Lot 8, DP1063425, 4L Camp Road, Dubbo.*

(3) *The land to which this clause applies is identified as being in a buffer area for the purposes of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, clause 1.19(1)(e)(i) and (5)(f)(i).*

(4) *Development consent must not be granted to development on land to which this clause applies that is identified on the Lighting Controls Map as "Subject to lighting controls in proximity to Dubbo Observatory" unless the consent authority is satisfied the development does not involve the following—*

- (a) *a skylight in a dwelling,*
- (b) *more than 2 outdoor light fittings per dwelling,*
- (c) *an outdoor light that is not controlled by a motion sensor,*
- (d) *an outdoor light that is not shielded or directed downward to prevent upward or horizontal light,*
- (e) *an outdoor light emitting more than 940 lumens.*

*Note—*

*940 lumens is equivalent to 75 watts maximum for an incandescent light bulb or 10 watts for an LED light bulb.*

(5) *Development consent must not be granted to prescribed development on land to which this clause applies, unless the consent authority is satisfied the development will incorporate appropriate noise mitigation measures to reduce noise reaching the land from Morris Park Speedway.*



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(6) *Development consent must not be granted to prescribed development on land to which this clause applies that borders a buffer zone unless the consent authority is satisfied—*

- (a) *all dwellings will be located outside the buffer zone, and*
- (b) *vegetation in the buffer zone will be retained and adequately managed.*

(7) *In this clause—*

*buffer zone means land identified as a buffer zone on the Dubbo Regional Local Environmental Plan 2022 Buffer Map.*

*Lighting Controls Map means the Dubbo Regional Local Environmental Plan 2022 Lighting Controls Map.*

*prescribed development means development for the following purposes—*

- (a) *dwelling houses,*
- (b) *shop top housing,*
- (c) *tourist and visitor accommodation.*

This clause applies to the subject land, being Lot 8 DP1063425 known as 4L Camp Road, Dubbo. This proposal is not complying development for SEPP (Exempt and Complying Development Codes) 2008.

The proposed modification will not create any significant additional impacts having regard to the considerations of this clause. This clause further ensures that all landowners and future purchasers are aware of the need to acoustically attenuate.

There are no dwellings proposed as part of this application. Any mitigation requirements will be addressed future development applications on the affected land.

### **5.1.3 Dubbo Regional Council Camp Road Structure Plan Revision C**

This structure plan was developed by Dubbo Regional Council as part of the Employment Lands Strategy adopted by Council in March 2019. The role of the structure plan is to consider development implications of the area in respect to high-level environmental constraints, future vehicular access and movement, buffer areas and appropriate lot density. It aims to ensure any residential development in the area does not negatively impact existing tourist businesses.

The proposed modifications remain generally consistent with the parameters of the existing approval, and accordingly remains acceptable having regard to the Structure Plan.



## 6.0 Assessment Of Planning Issues

The following is an assessment of the environmental effects of the proposed development as described in the preceding sections of this Amended SEE. The assessment considers only those matters under Section 4.15 (1) of the EP&A Act 1979 that are relevant to the proposal.

### 6.1 Acoustics

It is essential to clarify that this modification's objective is not to remove the required mitigation measures. Instead, this modification seeks to remove the positive covenant and restriction on title imposed by the 88B instrument. By removing this restriction, the future dwelling applicants will have a more flexible approach that allows their designers to undertake and submit their own acoustic assessments and certifications as part of these future DAs.

This approach ensures that each dwelling meets the necessary acoustic standards, while accommodating the specific design and construction details of the individual dwellings. By not being bound by overly prescriptive measures established at an early stage, designers can address the unique acoustic challenges of their dwelling more effectively. Future residents benefit from dwellings that are specifically tailored to address current and site-specific acoustic concerns, rather than relying on generalised measures that may not be perfectly suited to their particular situation.

Reference is made to the report by PKA Acoustic Consulting titled "Acoustic Report Subdivision at 4L Camp Road Dubbo" ID:12378 R03v1 dated 11 May 2023, which notes:

*The acoustic treatments to the external façade of future dwellings will provide appropriate noise mitigation measures in reducing noise from Morris Park Speedway and the Dirt Bike Club. These are summarised in the Speedway Noise Impact Plan and NSS Acoustic Report as follows:*

- External walls to have a min. sound insulation rating of Rw 52.
- Acoustic glazing performance as per Figure 8-1
- Alternate ventilation such as mechanical or passive systems to allow the glazing to be closed while complying with AS 1668.2 fresh air requirements. As per below, each room and glazing element can be assessed based on building orientation and shielding.
- Once architectural plans are available for each future dwelling, an acoustic report can be prepared to determine the extent of façade acoustic treatments based on the dwelling orientation, building shielding, glazing schedules and internal room dimensions.

Accordingly, while the Acoustic Report is recommending options for compliance, but in any event notes that each dwelling can prepare an acoustic report to determine the nature of the elements to be utilised.

Accordingly, between the need for individual acoustic assessments and the LEP clause requiring consideration of acoustic mitigation, the restriction to user is an unnecessary step.

In summary, while maintaining the essential mitigation measures, removal of the positive covenant and restriction on title through the 88B instrument supports a more responsive and adaptive process. This ensures that each new dwelling will not only comply with acoustic standards but will also be designed with the most current and relevant acoustic solutions at the point of their development.



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Road Dubbo - Mod 4 SEEv4.0.docx

## 7.0 Conclusion

The proposed amendments to the conditions of consent will remove an unnecessary title restriction, for a matter covered by separate mechanisms and alter a driveway location for increased safety and accessibility. The revised condition of consent (Condition 18) will allow for reasonable development and the occurrence of lot-specific due diligence. The removal of the restriction on title will not create any further impacts in relation to the original subdivision considerations, however, it provides the proponent and the future purchaser that there are measures in place to safe keep the amenity of the proposed dwellings discussed in the previously prepared Acoustic Report.

Having regard to the objectives of the EP&A Act, the proposal:


- Will enable the allotment to be created to facilitate a subdivision in an orderly manner, which will create positive social and economic impacts to the community.
- Will not have any significant negative impacts on the environmental, that have not already been considered during the subdivision application and subsequent modifications.
- Will not have any significant negative impacts on the built and cultural heritage.
- Will have no significant impacts on the amenity of the built environment, any adjacent properties or amenity and character of surrounding development in the broader locality that has not already been considered.

The modifications have minimal environmental impact and will not change the land use(s) at the site. It is therefore considered an application pursuant S.4.55(1A) under the EP&A Act 1979.

Given the absence of any significant adverse impacts resulting from the modification and consistency with all relevant planning legislation and Council policy, the proposed modification is considered to be worthy of Council's support.

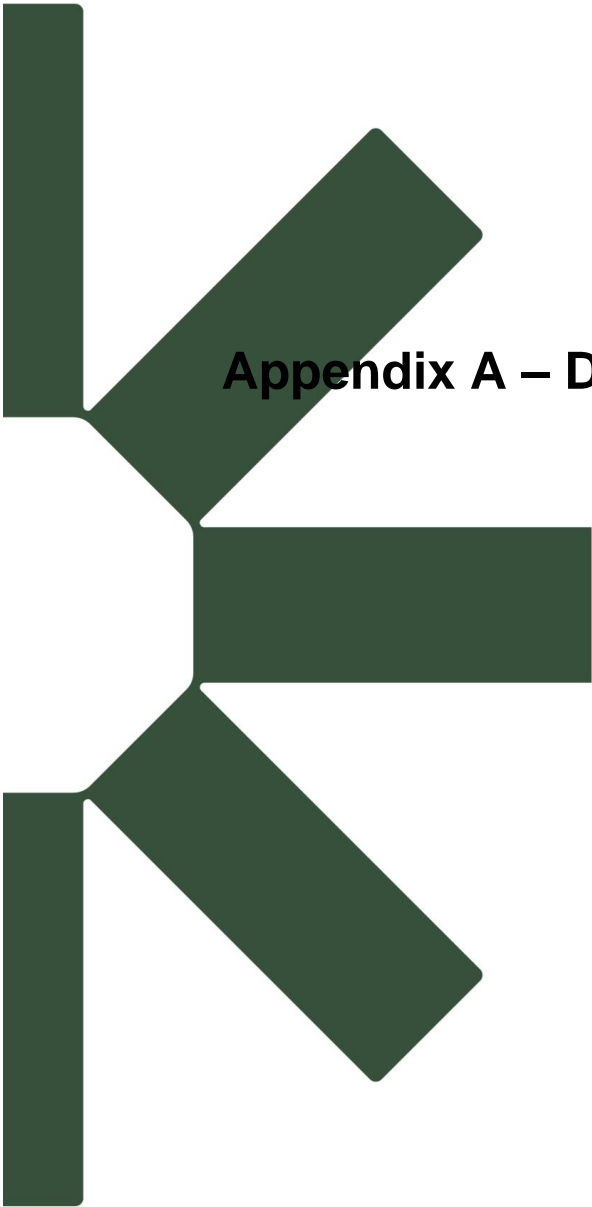
Sincerely,

**SLR Consulting Australia**



**Mitch Kennedy**  
Senior Project Consultant – Planning

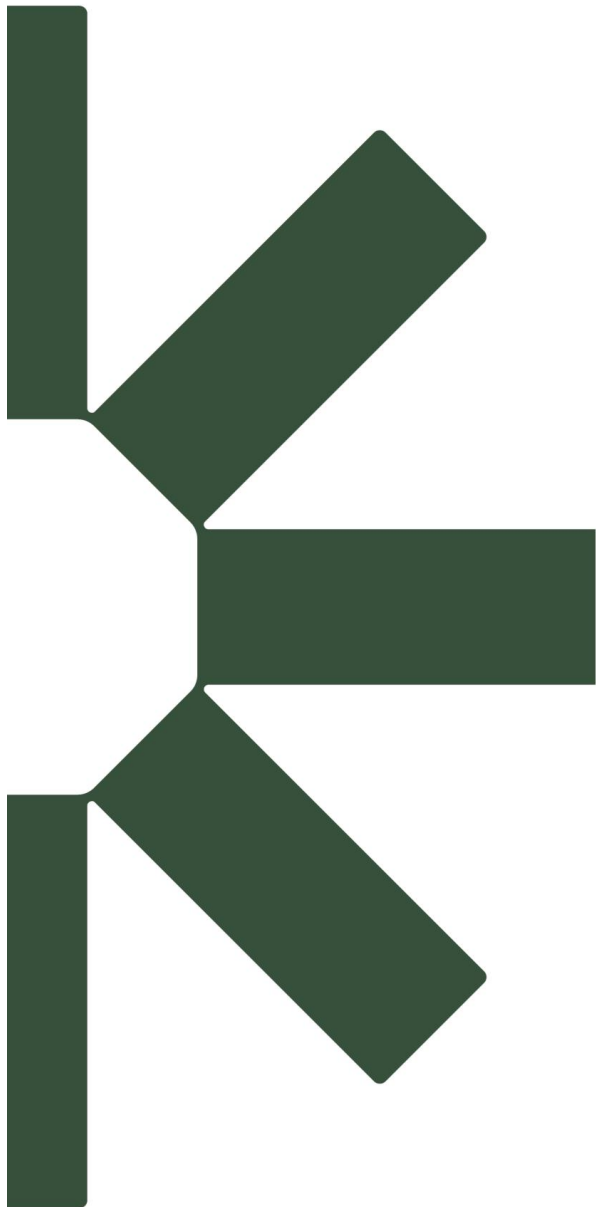




# Appendix A – Development Plans

High Definition Design Pty Ltd

Making Sustainability Happen



Making Sustainability Happen





## REPORT: Footpaths in Dubbo and Wellington

**DIVISION:** Infrastructure  
**REPORT DATE:** 8 September 2024  
**TRIM REFERENCE:** ID24/1802

### EXECUTIVE SUMMARY

<b>Purpose</b>	<ul style="list-style-type: none"> <li>Address Council resolution</li> </ul>	
<b>Issue</b>	<ul style="list-style-type: none"> <li>Provide a report in relation to the Notice of Motion concerning footpaths in Dubbo and Wellington</li> </ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"> <li>To provide information as requested by the Notice of Motion</li> </ul>	
<b>Financial Implications</b>	Budget Area	Roads
	Funding Source	General funds and grants
	Proposed Cost	\$412,535 (current budgeted allocation)
	Ongoing Costs	\$94,188 (current budgeted allocation)
<b>Policy Implications</b>	Policy Title	N/A
	Impact on Policy	N/A
<b>Consultation</b>		N/A

### STRATEGIC DIRECTION

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

Theme: 2 Infrastructure  
 CSP Objective: 2.3 Transportation systems support connections within and outside the region  
 Delivery Program Strategy: 2.3.2 A network of cycleways and pedestrian facilities is provided and maintained

### RECOMMENDATION

- That the information contained within the report be noted.

*Chris Godfrey*  
Director Infrastructure

*CG*  
Director Infrastructure

## BACKGROUND

An asset class in the Infrastructure Delivery portfolio is the footpath and cycleway assets. Council currently owns and maintains 122.00 km of pathways within the Local Government Area (LGA) with an estimated value of \$78 M. The recorded 122 km length only includes those footpaths within public road reserves, constructed from concrete, pavers, bitumen seal, and asphaltic concrete (AC). Further, it is to be noted that this length has grown to 128.85 km with Council built and developer contributed footpath assets being added recently to the Asset Register.

The total length of footpaths within Council facilities is 37.74 km, including 8.27 km of gravel pathways. The total figure includes footpaths, pathways, and cycleways in various works depots, treatment plants, detention basins, the Dubbo Regional Airport, parks, and recreational spaces.

To maintain the existing assets and construct new assets, funding is allocated each year to this asset class. There are operational and capital budget allocations to manage these assets. For the 2024/2025 financial year, there is a budget allocation of \$94,188 for operational purposes and \$412,535 for capital purposes.

To guide new works and improvements, Council is undertaking a complete review of the Pedestrian Access and Mobility Plan (PAMP) for Dubbo and Wellington. This review will consolidate the separate plans and create one PAMP for the entirety of Dubbo Regional Council.

A Notice of Motion was presented to the Ordinary Council meeting held 15 August 2024 by Councillor Chowdhury requesting information on footpaths in Dubbo and Wellington.

### Previous Resolutions of Council

15 August 2024 CCL24/200	<ol style="list-style-type: none"><li>1. <i>That the CEO provide a report to December 2024 Ordinary Meeting of Council that:</i><ol style="list-style-type: none"><li>a. <i>Details the work being undertaken under the adopted 2024/2025 Operational Plan and Budget regarding understanding the demand for and gaps in the provision of footpaths in Dubbo and Wellington.</i></li><li>b. <i>Details what planning instruments Council use to ensure the provision of footpaths in new subdivision developments.</i></li></ol></li></ol>
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This report has been brought forward to the October 2024 Ordinary Council meeting to raise awareness of the development of the PAMP that is currently on display for the purpose of seeking community feedback.

REPORT

1. Details the work being undertaken via the adopted 2024/2025 Operational Plan and Budget regarding understanding the demand for, and gaps in the provision of footpaths in Dubbo and Wellington.

Council has an adopted budget for the next four years. There are functional areas relating to footpath reconstruction (renewals) and construction (new works) within the capital expenditure budget. The two tables below show the adopted budgets for the next four years for each of these functional areas.

Location	2024/2025	2025/2026	2026/2027	2027/2028
Gipps Street (Wingewarra to Bultje)	227,535			
Brisbane Street (Reakes to Mitchell)	185,000			
Future works		430,000	430,000	430,000
	<b>412,535</b>	<b>430,000</b>	<b>430,000</b>	<b>430,000</b>

**Table 1.** Footpath reconstruction budget (renewals)

Works to be performed at Gipps and Brisbane streets are fully funded under phase 4 of the Local Roads and Community Infrastructure Fund administered by the Department of Infrastructure, Transport, Regional Development, Communications, and the Arts.

Location	2024/2025	2025/2026	2026/2027	2027/2028
Future works	0	185,000	190,000	100,000
Fitzroy Street (Bultje to Cobra)				92,000
	<b>0</b>	<b>185,000</b>	<b>190,000</b>	<b>192,000</b>

**Table 2.** New footpath works budget

There are also new footpath works associated with the construction of the River Street West road in West Dubbo that connects Bunglegumbie Road to the new alignment of the Newell Highway, which is associated with the construction of the new bridge works being undertaken by Transport for NSW. This will be a shared pathway running the full length of the new road which is approximately 900 m.

Renewal works have also occurred for approximately 1.04 km along the shared pathway within Pioneer Park and along Showground Road from Pioneer Park toward Renshaw McGirr Way from funding secured under the Severe Weather and Flooding Program administered by the Office of Local Government as well as a contribution from Council. Council staff are also exploring opportunities for funding to complete the renewal project up to Brennans Way.

Maintenance work on existing footpath network assets is also undertaken throughout the LGA. Budget figures for such maintenance works are shown in Table 3.

Function	2024/2025	2025/2026	2026/2027	2027/2028
Footpath Maintenance	64,188	65,793	67,438	69,124
Cycleway Maintenance	30,000	30,750	31,519	32,307
<b>Footpath and Cycleway Total</b>	<b>94,188</b>	<b>96,543</b>	<b>98,957</b>	<b>101,431</b>

**Table 3.** Maintenance budget for footpath and cycleway maintenance activities

There is also an action within the 2024/2025 Operational Plan for a review of the PAMP to be undertaken this financial year. Below is a copy of the action and the link to the Delivery Program Strategy.

Delivery Program Strategy	Operational Plan	Responsible Officer Position
2.3.2 A network of cycleways and pedestrian facilities is provided and maintained	2.3.2.1 Review and implement the Pedestrian Access and Mobility Plan for the Local Government Area	Manager Infrastructure Strategy and Design

**Table 4.** Delivery Program and Operational Plan action in relation to pedestrian facilities.

A consultant has been engaged to undertake this work and a web page on the YourSay platform has been developed for this project with a link to the project shown below:

<https://yoursay.dubbo.nsw.gov.au/dubbo-and-wellington-pedestrian-access-and-mobility-plan-pamp>

Council has been seeking input from the community through the YourSay platform since Monday 30 September 2024 up to Monday 11 November 2024. This has involved the input from community for Council to understand:

- What works well to promote walking and cycling in Dubbo and Wellington.
- What types of infrastructure make walking and cycling safer, more efficient and comfortable.
- Which areas do you want to walk or cycle to.
- Which areas have issues with safety and accessibility for pedestrians and cyclists.

Following the collation of information, the consultant will develop a draft PAMP and this will go to Council recommending that the draft PAMP be placed on public exhibition for community input.

After the draft document is displayed for public exhibition, comments on the document will be reviewed and changes made to the document as required and then presented to Council for formal adoption.

2. Details what planning instruments Council use to ensure the provision of footpaths in new subdivision developments.

Dubbo Regional Council has two development control plans (DCPs) that apply to the old Dubbo City Council and Wellington Council LGAs. These documents are available on Council's website and were both adopted by the respective councils in 2013.

**Dubbo City Council DCP:**

<https://www.dubbo.nsw.gov.au/ArticleDocuments/354/Dubbo%20DCP2013%20-%20Adopted%20on%2001%2005%202023.pdf.aspx?Embed=Y>

Chapter 2.1 Residential Development and Subdivisions, Element 6 relates to pedestrian and cycle links and contains objectives, performance criteria and acceptable solutions that developers are required to address when planning and designing their residential subdivisions.

**Wellington Council DCP:**

<https://www.dubbo.nsw.gov.au/ArticleDocuments/354/ED23%2071915%20%20Wellington%20DCP2013%20-%20Adopted%20on%2001%2005%202023%20-%20Inclusion%20of%20Detached%20development.pdf.aspx?Embed=Y>

Section 2.3.4 Road requirements in residential and village zones, provides specific guidelines including a formed footpath component.

Council's Infrastructure Strategy and Design team review development applications for residential subdivisions, and ensure developers meet the required performance objectives of the DCP, such as providing sufficient connectivity throughout the road network and to key destinations such as public transport, schools, shopping centres, open space and recreational areas.

Typically, shared pathways are designed as a minimum of 2.5 m to accommodate both pedestrians and cyclists and generally follow higher order road classifications such as collector and sub-arterial roads. Typical pedestrian paths are designed to be 1.5 m wide and follow the local road network (lower order roads).



## REPORT: Wellington Historical Society request for operating location(s) for Wellington Museum.

**DIVISION:** Community, Culture and Places  
**REPORT DATE:** 12 September 2024  
**TRIM REFERENCE:** ID24/1811

### EXECUTIVE SUMMARY

<b>Purpose</b>	Seek direction or decision								
<b>Issue</b>	Wellington Historical Society seeks to continue to operate the Wellington Museum and has requested Council help facilitate this with providing ongoing facility(s) to house and display the museum collection.								
<b>Reasoning</b>	<p>Wellington Museum has been operating at the site of the Bank of NSW on the corner of Warne and Percy Streets since 1967 and Old Wellington Police Station (OWPS) since 2022.</p> <p>The collection is currently spread across 2 sites, due to the bank building, established in 1883, becoming unsafe for continued public use. The Wellington Historical Society currently operate the museum, open to the public, from its temporary location at the OWPS.</p> <p>The Society has requested the temporary OWPS, become the new permanent home of the Wellington Museum and is requesting a long-term lease of the entire property to undertake site upgrades to further enhance the experience.</p> <p>The request has also indicated one of the two lots at the old museum location be retained, through lease, by the Society.</p>								
<b>Financial Implications</b>	Budget Area	Regional Experiences							
	Funding Source	General Rates & Revenue							
	Proposed Cost	N/A							
	Ongoing Costs	<p>No operational costs other than building maintenance and upkeep.</p> <p>Minor work currently budgeted for 4 years:</p> <table border="1"> <thead> <tr> <th>2024/2025 Budget</th> <th>2025/2026 Forecast</th> <th>2026/2027 Forecast</th> <th>2027/2028 Forecast</th> </tr> </thead> <tbody> <tr> <td>16,640</td> <td>17,056</td> <td>17,482</td> <td>17,919</td> </tr> </tbody> </table> <p>Major works, currently no budget allocation.</p>	2024/2025 Budget	2025/2026 Forecast	2026/2027 Forecast	2027/2028 Forecast	16,640	17,056	17,482
2024/2025 Budget	2025/2026 Forecast	2026/2027 Forecast	2027/2028 Forecast						
16,640	17,056	17,482	17,919						
<b>Policy Implications</b>	Policy Title	DRC SPARC Dubbo Region Cultural Plan 2020-2025							

	Impact on Policy	Ongoing support of Museum Services delivered by Wellington Historical Society address actions in the 2020-2025 Regional Cultural Plan (SPARC) as listed in report.
<b>Consultation Wellington Historical Society</b>	Regional Experiences	Ongoing correspondence through the development of the move to Old Wellington Police Station through to this request has taken place with the Wellington Historical Society and the Manager Regional Experiences and Team.

**STRATEGIC DIRECTION**

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

Theme: 5 Liveability.  
 CSP Objective: 5.6 The diversity of our heritage, cultural services and facilities are maintained and promoted.  
 Delivery Program Strategy: 5.6.1 Our community participates in and celebrates the high quality of cultural services and facilities available.

Theme: 5 Liveability.  
 CSP Objective: 5.6 The diversity of our heritage, cultural services and facilities are maintained and promoted.  
 Delivery Program Strategy: 5.6.3 Items of heritage significance are protected, conserved and adapted for re-use where appropriate.

Theme: 3 Economy.  
 CSP Objective: 3.1 Visitor economy growth is supported.  
 Delivery Program Strategy: 3.1.1 Diverse and unique tourism opportunities are explored, developed and supported .

**RECOMMENDATION**

- 1. That, Council enter a lease agreement for Lot 2, 5 Maughan Street and Lot 8, 37 Warne Street Wellington between Dubbo Regional Council and the Wellington Historical Society for a five-year term and a five-year option.**
- 2. That it be noted that the recommended market value is \$5,607.20 for Lot 2 on DP1206548 and \$5,000 for Lot 8 on DP759073, totalling \$10,607.20 for both properties.**
- 3. That Council determine a lease \$ value per annum and delegate authority to Chief Executive Officer to negotiate the other terms of the Licence Agreement, including if it could be considered a grant for financial assistance under s356 of the Local Government Act 1993.**

*Craig Arms*  
Director Community, Culture and Places

*JA*  
Manager Regional  
Experiences



## BACKGROUND

### Redevelopment of the Old Wellington Police Station

The Old Wellington Police Station (OWPS) is a highly visible and a much-loved community asset in the heart of the CBD. The site has been underutilised for many years, with the most recent site activation prior to Museum being limited to the Wellington Arts and Crafts Society utilising a small area within the site for a half day one day a week. The large majority of the site, including the large outdoor prisoner exercise yard and cell blocks is currently not utilised. Until 2020, the site was poorly maintained and had been developing into an eyesore in the main street of Wellington.

In June 2020, State Government funded a refurbishment of the facility. Works were undertaken in 2020. Although this renewal project improved the aesthetic appeal of the site, the funds were not adequate to repair much of the building nor to create and deliver content to provide a Justice Museum experience. Furthermore, Council did not have strategic intent or financial capacity to operate another museum experience.

The improved presentation internally and externally included an upgrade to flooring, painting, power, air conditioning and landscaping. The work also commenced Stage 1 of the heritage restoration of the gaol walls and cells, which included an \$85,000 chemical dampcourse restoration of the cell walls. This level of investment was not adequate to fulfil the full building footprint, or undertake the works required on the external walls. This important work is still outstanding and unfunded.



**Figure 1:** Street view of Entrance



**Figure 2:** New front landscaping of the Old Wellington Police Station

### The Oxley Museum building

The Oxley Museum building is located on the corner of Warne and Percy Streets, Wellington. It was originally the bank and manger's residence of the Bank of New South Wales from 1883 to 1922. The building was purchased by Wellington Council in 1967 and is currently occupied by the Wellington Historical Society as a museum collection storage only. This building is not open to the public.

The current building that houses this private collection dates to 1883 and is generally sound at the main section of the building. However, the building needs significant restorative work to improve its safe access, make it more accessible to the public and to prevent further deterioration. Main works required include damp proofing, wall and skirting/architrave repairs, and general painting. There are several areas where floorboards should be repaired or replaced. The second story veranda is currently closed to the public with the ground level veranda requiring works to make it accessible compliant.

An annex attached to the main building, built later at an unspecified date, was determined as not being the Building Code of Australia (BCA). It has significant issues with uneven floors, inadequate support elements, inadequate tying to the existing building and uneven/sloping floors. A toilet/bathroom on the second floor, also an addition to the existing building, is insufficiently tied into the building and has inadequate supports.

The grounds and landscaping are poorly presented, and additional work and repairs are required to bring the facility up to a presentable, secure and safe site for visitors.

### **Current situational report:**

- The Oxley Museum building is owned by Council.
- The site has 2 Lots, Lot 9 includes the Old Museum Building, Lot 8 includes a farm machinery shed and Stinson's Wood Slab Hut.
- The Museum building on Lot 9 has been determined unsafe and not open to the public due to aged infrastructure that has not been maintained over an extended period.

- The Wellington Historical Society signed a licence for the Old Wellington Police Station (OWPS) on a “peppercorn lease” and moved museum operations in 2022. This lease expired in June 2023. The licence period has continued with a month-by-month extension at no cost to the society.
- The Society do not have substantial funds to undertake the development of their own site at this stage but do have the desire to continue providing museum services to the region.
- A museum exhibition has been created within the front three rooms of the OWPS. It is estimated to display roughly 2% of the collection.
- The OWPS location does not have capacity to store the whole museum collection – specifically outdoor displays.
- At the time of signing the licence in 2022, the Society indicated concerns regarding a long-term solution, since then the Society has expressed the OWPS has provided increased exposure and opportunity, and they wish to continue with a long-term lease of the property.
- Currently, the remainder of the collection is still stored at the Old Museum location. This places the collection at risk as it is not being stored within recommended NSW Museum Standards, the Committee is working hard to rectify this and should be commended with the work they have undertaken in the last 12-18 months. The issue remains however on how the collection will be stored into the future.
- Council has no strategic plans or commitment to exploring or undertaking development of a new museum facility in Wellington. The current partnership is an alternative to Council providing museum services for Wellington in-house.
- Council does not have identified funds for a new facility development or capital expenditure planned for the existing OWPS.

**Previous Resolutions of Council**

<p><b>12 May 2022</b></p>	<ol style="list-style-type: none"> <li>1. That Council note the report, including all options for consideration and associated financial implications, in context of the organisations existing and forecasted capital works and maintenance backlog.</li> <li>2. That a workshop be held with Councillors to define the strategic intent of the Old Wellington Police Station building.</li> <li>3. That the workshop also define the level of ongoing support to be offered to the Wellington Historical Society, support of a Wellington exhibition, and/or longer term display or storage options for the collection held by the Wellington Historical Society.</li> <li>4. That Council dispose of the property at the corner of Warne and Percy Streets, Wellington (the former museum).</li> <li>5. That following Council workshop, further discussions be undertaken with the Wellington Historical Society regarding long-term options for their consideration, and agreement of next steps be undertaken to establishing an agreeable long-term solution for their collection.</li> </ol>
<p><b>22 February 2021</b></p>	<ol style="list-style-type: none"> <li>1. That the report of the Manager Regional Experiences be noted.</li> <li>2. That Council provide the Wellington Museum Committee with</li> </ol>

	<p>a license agreement for the amount of \$1.00 a year to operate from the Old Police Station in Wellington for a minimum 12-month period.</p> <ol style="list-style-type: none"><li>3. That in addition to use by the Wellington Museum Committee, Council activate the Old Police Station in Wellington as a community creative arts and culture hub to be included in the public programming by Council.</li><li>4. That during the 12-month licence period Council undertake a further assessment of the Oxley Museum property, and future restoration work required for the Old Police Station and provide a further report on both buildings and future use to Council in March 2022.</li><li>5. An Exhibition Developed and Curated by the Wellington Museum Committee, supported by Dubbo Regional Council be displayed in three rooms of the Old Police Station for a minimum 12-month period commencing 31 May 2021.</li><li>6. That if requested by the Wellington Museum Committee, Council’s Cultural Development Team assist in facilitating the development of a long-term plan in line with Wellington Museum Committee’s vision for their collection and capacity to manage a viable museum experience.</li><li>7. That from the 31 May 2021, the Oxley Museum building on the corner of Warne and Percy Streets be closed for public use and accessed only as a storage site for the Wellington Museum Committee’s private collection during the review period.</li></ol>
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## REPORT

In consideration for Wellington Historical Society’s ongoing concern regarding long-term housing of the Wellington Museum, this report looks to establish Council’s support on the development of a long-term lease (5-year + 5-year option) for the Old Wellington Police Station (5 Maughan St, Wellington – Lot 2 on DP1206548) at the corner of Percy and Maughan Streets and a parcel of the site (37 Warne St, Wellington – Lot 8 on DP759073) of the previous location of the Wellington Museum at the corner of Warne and Percy Streets.

Lot 9 of the Warne and Percy Street property will be disposed of by council as per Council resolution 12 May 2022 **“That Council dispose of the property at the corner of Warne and Percy Streets, Wellington (the former museum).”** Funds Council receive from the sale of this property will be placed in Council’s reserves for use in the ongoing development of the Old Wellington Police Station location.





Lot 2, 5 Maughan Street – Site of the Old Wellington Police Station and current Museum



Lot 8, 37 Warne Street – Proposed location of new lease.



Lot 9, 27 Warne Street – Proposed site to be sold.

Lease Conditions

In consultation with Manager Property and Land Development, the following lease valuations have been recommended to align with Council’s proposed fees associated with operational land usage.

**OWPS (5 Maughan St, Wellington – Lot 2 on DP1206548)**

The VG valuation for this property, including Lot 4 on DP1206548 (which is just a strip of land, 183m<sup>2</sup> in area, behind Lot 2 on DP1206548) is \$102,000.

The p/m<sup>2</sup> value is \$46.70. For 2001m<sup>2</sup>, this equates to \$93,453.  
6% of this amount is **\$5,607.20**.

**Old Museum (37 Warne St, Wellington – Lots 8 and 9, Section No. 77, on DP759073)**

The VG valuation for these 2 lots is \$39,000.00.

The p/m<sup>2</sup> value is \$19.28.

For Lot 8, Section No. 77, on DP759073 (the southern-most lot) being 1012m<sup>2</sup>, this equates to \$19,511.36.

6% of this amount is \$1,170.68. Based on base rental proposal, the rent should be the higher of \$5,000.00 or 6% of the VG valuation for the lease area. Therefore, it is suggested that the proposed rental should be **\$5,000.00**.

Additional lease conditions will be established with Council’s proforma lease documents and in consultation and negotiation with the Wellington Historical Society.

**Consultation**

Who was consulted	Concerns raised	How were the concerns addressed
<b>Wellington Historical Society</b>	<p>The need for a long term, secure location for the ongoing preservation and exhibition of the Wellington Museum and collection.</p> <p>Long term collection storage.</p>	<p>This report addresses the concerns raised as a first step in securing a long-term lease for the Old Wellington Police Station for the Society.</p> <p>Lease part of the property at Warne and Percy Streets will allow part of the collection to remain at the old location, with space available for potential additional sheds to be erected on this site or at the OWPS site (development approvals for any additional structures would be required for both locations).</p>

**Table 1. Consultation of Wellington Museum Services**

### **Resourcing Implications**

Maintenance costs will be established as part of the lease preparations for both sites. The responsibility of costs associated will be established as part of the lease conditions, although Council does need to be aware there are substantial costs associated to the heritage repair and maintenance at the Old Wellington Police Station.

The Wellington Historical Society have expressed their desire and commitment to undertake the upgrade and development of the site. Their approach and keenness to improve amenity at both sites should be praised. However, the costs faced in undertaking the significant work and heritage restoration at the OWPS site need to be noted as part of this decision.

The Society has committed to and has already started preparation of grant applications with council and other government agencies to start work on upgrades including the opportunity to re-open the cells to visitors. With work across the site likely to exceed over \$1 million, in heritage works alone, this will not be an easy undertaking and ongoing financial support from Council will be likely. As Council is the owner of the property, much of this liability would sit with Council regardless of any lease being in place.

### Community benefits of the proposed lease

- Ensure the adaptive re-use of the heritage site.
- Activation of a previously underutilised Council and Community Asset.
- Support of a community group committed to providing ongoing museum services in Wellington.
- Museum operations support community understanding, social inclusion, heritage preservation and contributes to Wellingtons and the wider regional visitor economy.

### Impacts to SPARC Dubbo Region Cultural Plan

This project supports the following outcomes of actions from the SPARC Dubbo Region Cultural Plan. SPARC (Shaping Plans to Advance Regional Culture).

1.1.3 Establish and promote a list of facilities and open spaces suitable for cultural activities.

2.2.1 Council to provide prioritisation to partnering with cultural and community groups who have sought out and established partnerships within the community to demonstrate a collegiate approach to cultural development.

2.3.4 Support Volunteer, Not-for-profit, and community cultural providers (external to DRC) to develop new, innovative, and robust cultural programs.

3.1.1 Support access to genealogical and family history research services.

3.1.2 Support annual programming around local history, with cultural facilities actively presenting original local history content.

3.1.5 Ensure historical, archival and civic collections are accessible to local schools and students through promotion, programs and curriculum-linked resources.

3.3.3 Ensure cultural collections are managed according to current best practice standards.

3.1.6 Work with the local historical societies and facilities to plan for sustainability (including collection stability) so that they remain strong, viable and relevant organisations within the community.

3.4.1 Identify and work to protect the community's heritage assets including natural heritage sites and local archaeological sites, in consultation with appropriate stakeholders.

3.4.4 Support and promote a diversity of heritage experiences throughout our region, with a focus on sites of Aboriginal engagement, colonial and settlement history and environmental history.

4.2.3 Investigate the establishment of additional cultural facilities in Wellington to support the growing cultural life of the town.

5.1.4 Dubbo Regional Council facilities demonstrate a commitment to the presentation of cultural material produced within the local government area.

11.2.4 Encourage volunteerism in the cultural sector and explore ways to make volunteering a more enriching experience.

13.1.1 Cultural Services and resourcing is allocated to the towns and villages to ensure bespoke programming for each community.

13.1.3 Investigate the provision of local history services to the towns and villages to ensure the unique stories of each community are recorded.

13.1.6 Support programs to celebrate the unique and important role of Wellington in Australian history, in particular its recorded Aboriginal history.

20.1.1 Provide increased opportunities for the community to interact with the many diverse cultural, creative, and social identities within our community.

20.2.1 Increase the opportunities and platforms to tell local stories.

20.2.2 Interpret and profile the diverse heritage and multicultural narratives of the region.



Total Financial Implications	Current year (\$)	Current year + 1 (\$)	Current year + 2 (\$)	Current year + 3 (\$)	Current year + 4 (\$)	Ongoing (\$)
a. Operating revenue	10607	10872	11144	11423	11708	+2.5%
b. Operating expenses	16640	17056	17482	17919	18367	+2.5%
c. Operating budget impact (a – b)	-6033	-6184	-6338	-6496	-6659	+2.5%
d. Capital Expenditure	0	0	0	0	0	0
e. Total net impact (c – d)	-6033	-6184	-6338	-6496	-6659	+2.5%
Does the proposal require ongoing funding?	Yes					
What is the source of this funding?	General Rates and revenue					

**Table 2. Ongoing Financial Implications**

### Options Considered

No further options were considered at this time.

The Wellington Historical Society has expressed their desire to remain at the Old Wellington Police Station. Previous reports to Council highlight other options considered, but they remain, as they did at the time, unsuitable options.

### Planned Communications

Ongoing consultation will take place with the Wellington Historical Society from Manager Regional Experiences, Property and Land Development Branch and Building Assets Branch in the development of, and implementation of the two lease documents.

### Next Steps

- Development of lease document for **Lot 2, 5 Maughan Street, Wellington.**
- Development of lease document for **Lot 8, 37 Warne Street, Wellington.**
- Disposal of **Lot 9, 37 Warne Street, Wellington.**



## REPORT: Dubbo Aquatic Leisure Centre - Refurbishment and upgrade of 50 metre pool and Water Slide Plant Room

**DIVISION:** Community, Culture and Places  
**REPORT DATE:** 3 October 2024  
**TRIM REFERENCE:** ID24/1880

### EXECUTIVE SUMMARY

<b>Purpose</b>	<ul style="list-style-type: none"> <li>Seek direction or decision</li> </ul>	
<b>Issue</b>	<ul style="list-style-type: none"> <li>The Dubbo Aquatic Leisure Centre’s Plant Room is out of date and does not meet current water turnover rates for public pools, operational functionality and does not fully comply with <i>Work Health and Safety Act 2011</i>.</li> </ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"> <li>The current Dubbo Aquatic Leisure Plant Room does not meet current standards in terms of water turn-over rates and has issues around compliance under the <i>Work Health and Safety Act 2011</i>.</li> <li>Council can undertake a major refurbishment of the Plant Room during the 2025 winter period to avoid disruption to the swimming season.</li> </ul>	
<b>Financial Implications</b>	Budget Area	Community Culture and Places / Recreation and Open Spaces
	Funding Source	Asset renewal reserves
	Proposed Cost	\$1,100,000 ex gst (\$1,210,000 inc gst)
	Ongoing Costs	Costs would initially reduce (Capital renewals) and building maintenance for a period of up to 5 years. Est: \$10,000 p.a. Est: \$20,000 p.a. after this period, excluding capital renewals for plant and equipment.
<b>Policy Implications</b>	Policy Title	Purchasing and Procurement Policy
	Impact on Policy	Nil impact – Procurement would be in accordance with the Policy.

### STRATEGIC DIRECTION

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

Theme: 5 Liveability

CSP Objective: 5.5 Our community has access to a diverse range of

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	recreational opportunities
Delivery Program Strategy:	5.5.2 Unique recreation and open space facilities are available
Theme:	5 Liveability
CSP Objective:	5.5 Our community has access to a diverse range of recreational opportunities
Delivery Program Strategy:	5.5.3 Our sporting facilities cater for a wide range of events and opportunities
Theme:	6 Environmental Sustainability
CSP Objective:	6.1 We achieve net zero emissions
Delivery Program Strategy:	6.1.2 Council buildings and facilities are energy efficient, carbon neutral and utilise renewable energy sources

#### RECOMMENDATION

- 1. That Council proceed with the issuing of a request for tender for Dubbo Aquatic Leisure Centre refurbishment and upgrade to the 50-metre pool and water slide plant room with the works being carried out during the period April to August 2025.**
- 2. That the proposed cost of the project, \$1,100,1000 ex gst, be considered in the development of the Aquatic Leisure Centres 2025/2026 budget, with this being funded from the Asset renewal reserves.**
- 3. That a further report be submitted to Council for consideration of engagement of a suitably qualified and experienced contractor to undertake the prescribed works.**

*Craig Arms*  
Director Community, Culture and Places

*IM*  
Manager Recreation and  
Open Spaces

## REPORT

The Dubbo Aquatic Leisure Centre (DALC) was originally constructed in the 1930s and has undergone several refurbishments and updates with the latest in the early 1990s. While there have been upgrades to the pools, recirculation systems (mid 1990s) and associated facilities, the Plant Room appears to be largely unchanged from at least 1975 and possibly the 1950s. Since this time there have been significant changes in water quality guidelines for public pools (Department of Health) as well as legislative changes under the *Work Health and Safety Act 2011*.

A review of the Plant Room at DALC highlighted several deficiencies and areas of non-compliance with the WHS Act that need to be addressed prior to the commencement of 2025/2026 swimming season. To facilitate this process Dubbo Regional Council engaged Facility Design Group to undertake a review of the current Plant Room and develop detailed plans and specifications to assist in bringing it back in line with current industry standards and guidelines.

In addition to addressing compliance with Department of Health water quality guidelines and WHS 2011 legislation, DRC has requested to have the 50-metre pool and water slide recirculation and chlorination systems separated. This will prevent the requirement to close both bodies of water (up to 48 hrs) in the event of a contamination event to hyper-chlorinate the water to kill disease causing pathogens.

To undertake the redesign of the DALC Plant Room Council engaged Facility Design Group (FDG). FDG is highly regarded in the aquatic industry and designed the Wellington Aquatic Leisure Centre that was opened in November 2019. This facility has been well received by the Wellington community, and Belgravia Leisure has positively commented on the layout and operational efficiency of the Plant Room.

During the design phase of the DALC Plant Room there was a strong focus on:

- Compliance with WHS legislation
- Compliance with the Department of Health for public pools
- Operational efficiency,
- Reuse of existing structures,
- Environmental sustainability and,
- Cost effectiveness.

This has resulted in a Gravity Assist Filter system being designed for the 50-metre pool. This is a highly sustainable solution that reuses the existing concrete filter cells, provides new laterals and unique nozzles to floor of cells, provides new reticulation, new switchboard, heating to be totally renovated with gas heater to be replaced with electric heat pump.

To enable the 50-metre pool recirculation and filtration system to be separated from the waterslide an additional small plant room extension to the north of the 50m plant room is required to house the new Water Slide Plant.

The current brick building has been assessed as being sound and fit for reuse except for several zones where chlorine erosion has occurred. These zones will be repaired and made good – thus eliminating the need for major demolition of the current plant room. Reuse of concrete and masonry buildings is considered a sustainable methodology. Additional building repairs are required to ‘tidy up’ the existing building to reflect a renovation that has perhaps another 40-year life span.

The upgraded filter cells and pumps will deliver almost full NSW Health Advisory compliance in terms of turn over requirements for a 50m pool. The upgraded filter will deliver exceptional water quality (as proven with many conversions to date), as well as economical operation and servicing. This is a simple system to operate and can be made fully automatic thus reducing the operational complexity for staff.

Council has already undertaken considerable works within the Plant Room during the past 4 months to assist in improving compliance with WHS legislation. To further improve WHS compliance new cameras will be installed to the upper roof overlooking the filter cells to allow staff to monitor the backwash cycle from plant room level without having to climb the stair to view.

As part of the refurbishment of the Plant Room several improvements have been incorporated (Bao Design) to significantly improve the environmental sustainability and functionality of the DALC. These include:

- Remove all gas heating for the 50m pool (no heating allocated for separate slide use).
- New Heat pump as per existing to double heat capacity for seasonal use.
- Variable speed drives for the slide pumps.
- New control panels to conform with AS/NZ3000 wiring rules that can include BMS or alarm monitoring via SMS.
- New wiring for 50m plant will have a cable duct girdle around the plant room walls. New slab for slide plant room would have concrete encased conduits to all relevant equipment from the pool panel location.
- Repair and epoxy treatment to the current plant room floors with lid enclosure for the pump suction risers.
- New gravity assist filtration system including sand and suitable laterals.
- New medium rate sand filtration for the slide system with 4 valve matrix (2 pumps will back wash one filter at a time).

Based on a tender price received in May 2024 a cost estimate of \$1,100,000 ex gst is provided. This cost does include structural repairs to the Plant Room itself and will include the replacement of much of the plant and equipment itself.

### **Consultation**

Belgravia Leisure (State Manager) has been involved in discussions regarding the refurbishment of the DALC Plant Room.

Consultation is still to occur with the Swim Clubs, and the broader community if Council decides to progress with the project. However, due to the proposed timing of the works, there should be limited impacts to user groups.

### Resourcing Implications

Total Financial Implications	Current year (\$)	Current year + 1 (\$)	Current year + 2 (\$)	Current year + 3 (\$)	Current year + 4 (\$)	Ongoing (\$)
a. Operating revenue	0	0	0	0	0	0
b. Operating expenses	0	0	-10,000	-10,000	-10,000	-10,000
c. Operating budget impact (a – b)	0	0	0	0	0	0
d. Capital Expenditure	-250,000	-850,000	0	0	0	0
e. Total net impact (c – d)	-250,000	-850,000	-10,000	-10,000	-10,000	-10,000
Does the proposal require ongoing funding?	Yes – however operational and capital renewal costs will reduce.					
What is the source of this funding?	Belgravia Leisure is responsible for all utilities outgoings whilst Council is responsible for Capital renewals under the contract.					

**Table 1.** Ongoing Financial Implications (ex GST)

### Options Considered

Council can proceed with the refurbishment of the DALC Plant Room that will result in improved compliance with Department of Health guidelines in the management of public pools, as well as significantly improving the operational functionality and safety of the area.

There is a significant cost of undertaking the works (est: \$1,100,000 ex gst), however this is significantly offset by future capital renewals costs. Proposed capital renewal costs are “like for like” and do not address water quality, the operational functionality of the site, or addressing WHS risks.

### Planned Communications

A communication strategy would be developed and implemented. This will involve the local swim clubs and broader community.

Regular meetings are held with Belgravia Leisure and this matter is a regular agenda item.

**Timeframe**

The current schedule proposed is as follows:

Report to Council seeking endorsement	24 October 2024
Design and tender documentation finalised	31 October 2024
Tender out to market	4 November 2024
Tender close	26 November 2024
Assessment of tenders and report	3 December 2024
Extraordinary meeting of Council	December 2024 (date to be confirmed)
Contract signing	23 December 2024 (dependent on above)
Commencement of works	1 April 2025
Undertake works	14 weeks
Handover	14 July 2025.

Time contingency – 7 weeks



## REPORT: Formation of Standing Committees and Determination of Meeting Dates and Times

**DIVISION:** Organisational Performance  
**REPORT DATE:** 29 July 2024  
**TRIM REFERENCE:** ID24/1558

### -EXECUTIVE SUMMARY

<b>Purpose</b>	<ul style="list-style-type: none"> <li>Seek endorsement</li> <li>Fulfil legislated requirement/Compliance</li> </ul>	
<b>Issue</b>	<ul style="list-style-type: none"> <li>Council is required to determine the dates, times and locations of Ordinary Council meetings</li> <li>Council may determine to form Standing Committees</li> </ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"> <li>Section 3.1, Code of Meeting Practice</li> <li>Part 20, Code of Meeting Practice</li> <li>Section 365 of the <i>Local Government Act</i> (the Act) stipulates that councils are required to meet at least 10 times each year.</li> </ul>	
<b>Financial Implications</b>	Budget Area	Corporate Governance
	Proposed Cost	This function of Corporate Governance is included within the adopted budget
<b>Policy Implications</b>	Policy Title	Code of Meeting Practice
	Impact on Policy	Decisions must be in line with Council's Code of Meeting Practice. If changes are to be made, the Code must be reviewed to reflect changes. The Code of Meeting Practice must be reviewed and adopted within 12 months of the new Council Term. The Code is currently scheduled to be reviewed by February 2025.

### STRATEGIC DIRECTION

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

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



**RECOMMENDATION**

- 1. That Council determine the meeting schedule, dates and times from Option 1 or Option 2, or as otherwise determined by the elected body.**
- 2. That Ordinary meetings of Council be held in the Council Chamber in Dubbo, unless otherwise stated.**
- 3. That the Ordinary Council meetings for determined month/s be held in Wellington.**
- 4. That the Code of Meeting Practice be reviewed and adopted as soon as practicable to reflect any changes to the scheduling of meeting dates and times.**

*Jane Bassingthwaight*  
Director Organisational Performance

*SW*  
Governance Team Leader

## BACKGROUND

According to Part 3.1 of Council's Code of Meeting Practice, as attached at **Appendix 1** of this report.

*"The time, date and place of Ordinary meetings will be determined during the Ordinary meeting of Council held each September for the ensuing year, unless it is a Local Government Election year in which case the Ordinary meeting dates will be determined in October for the ensuing year".*

## MEETING DATES AND TIMES

The previous term of Council resolved to create Standing Committees to be held once a month, along with an Ordinary Council meeting to be held once a month. The previous term resolved to hold these meetings on the 2<sup>nd</sup> and 4<sup>th</sup> Thursday of the month commencing at 5.30pm.

The newly elected body must determine the type of meetings, and the dates and times of those meeting (proposed for the two year Mayoral term in this report).

### Options Considered

Under legislation Council is required to hold a minimum of 10 Council meetings each year, and these need to be held in separate months. However, Council can hold more than 10 meetings of Council, and it can resolve to create Standing Committees to be held each month.

For example, Council can resolve to hold two Ordinary Council meetings per month, which provides efficiencies as Council meetings operate with full delegation. This means that once a decision has been made and the item resolved, the decision can be acted on immediately which is effective and lessens the delays that can occur whilst waiting for a decision.

In contrast, the advantage of creating Standing Committees, is that the items that come forward can be discussed more openly, as the debating rules in a committee meeting are less formal than a council meeting. A decision is not made until the item goes to the following council meeting, where the item is resolved via adopting the minutes of that committee. If changes are required then the item can be debated further via an alternative motion or an amendment as required. Holding standing committees allows other councillors to chair these meetings providing them with the experience of chairing meetings.

The Council, under part 3.1 above, will need to determine the type of meetings, for example:

### Option 1

1. That Council hold two Ordinary Council meetings each month, except for January and December, when only one meeting will be held.
2. That the Council meetings to be held on the second and fourth Thursday of the month, commencing at 5.30pm.

3. That the Council meetings be held in the Council Chamber in Dubbo, unless specified otherwise.
4. That the Ordinary Council Meetings for February, May, and August be held in the Council Chamber in Wellington.
5. That the dates for the Ordinary Council meeting be as per the information provided within this report.

**Option 2**

1. That Council form Standing Committees to be held consecutively on the same day commencing with Infrastructure Development and Environment, followed by Culture and Community Committee and Corporate Services Committee; and one Ordinary Council meeting in the same month, except for January and December, when only Council meetings will be held.
2. That Council determine if they will provide delegation to the standing committees.
3. That the Standing Committees to be held on the second Thursday of the month, commencing at 5.30pm in the Council Chamber in Dubbo, unless stated otherwise.
4. That the Ordinary Council meeting to be held on the fourth Thursday of the month, commencing at 5.30pm in the Council Chamber in Dubbo, unless stated otherwise.
5. That the Ordinary Council Meetings for February, May, and August be held in the Council Chamber in Wellington.
6. That the dates for the Standing Committees and Ordinary Council meetings be as per the information provided within this report.

Regarding the setting of meeting dates, it is proposed that they be determined for the Mayoral Term, concluding September 2026.

**FORMATION OF STANDING COMMITTEES**

Part 20 of council’s Code of Meeting Practice provides for the creation of Council Committees. Part 20 only applies to committees whose members are all Councillors. Such committees are to consist of the mayor and such councillors as the Council decides, with the quorum either to be decided by the Council or set as the majority of members of the Committee. These committees are referred to Standing Committees.

Functions of any such committee must be specified when the Committee is established but may be amended from time to time (Part 20.5, Code of Meeting Practice).

Following is a list of proposed Committees.

**a. Infrastructure, Planning and Environment Committee**

To give consideration to and make recommendations to Council in relation to the following matters:

Infrastructure	Infrastructure Delivery Infrastructure Strategy and Design
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	<p>Water Supply and Sewerage Operations</p> <p>Water Supply and Sewerage Strategy</p> <p>Fleet and Depot Services</p> <p>Greenspace Operations</p>
Development and Environment	<p>Building and Development Services</p> <p>Growth Planning</p> <p>Resource Recovery and Efficiency</p> <p>Environmental Compliance</p>

comprising the 11 Councillors with a quorum of five members.

**b. Culture and Community Committee**

To give consideration to and make recommendations to Council in relation to the following matters:

Community, Culture and Places	<p>Community Services</p> <p>Macquarie Regional Library</p> <p>Regional Events</p> <p>Regional Experiences</p> <p>Recreation and Open Spaces</p>
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comprising the 11 Councillors with a quorum of five members.

**c. Corporate Services Committee**

To give consideration to and make recommendations to Council in relation to the following matters:

Chief Executive Officer	People Culture and Safety
Organisational Performance	<p>Financial Operations</p> <p>Project Management</p> <p>Building Assets</p> <p>Property and Land Development</p> <p>Corporate Governance</p> <p>Dubbo Regional Livestock Markets</p> <p>Dubbo Regional Airport and Wellington Aerodrome and Recreation Park</p>
Strategy Partnerships and Engagement	Strategic Partnerships and Investment

	Customer Experience and Engagement Information Services Corporate Strategy and Performance
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comprising the 11 Councillors with a quorum of five members.

### Election of Chairpersons for Council's Standing Committees

The election of Chairperson for each of the standing committees is proposed to be determined as the first item of business at the first scheduled standing committee meetings. The chairperson shall be elected for the corresponding Mayoral term, until September 2026.

### Delegation of Authority to Council Standing Committees

A Council may delegate to the Chief Executive Officer, or any other person or body, any of its functions other than those functions specifically detailed in Section 377 of the *Local Government Act 1993*. The purpose of such delegating would be to allow the Standing Committees to make decisions on behalf of Council.

If Council decides to form Standing Committees as detailed above, Council will need to determine if they will consider Delegations of Authority to Standing Committees.

### MEETING DATES

The following examples are based on maintain a Thursday meeting day. However, the newly elected Councillors may resolve to hold meetings on another day of the week (other than Thursday) and in that case, alternative dates will be provided.

**Option 1** – Council to hold two Ordinary meetings per month, on the second and fourth Thursday of the month (or as determined by Council). Accordingly, the meeting dates for this option are proposed as follows:

#### 2024

Ordinary Council Meeting Date	Time	
14 November 2024	5.30pm	Only one council meeting in December due to Christmas period and holidays
28 November 2024	5.30pm	
12 December 2024	5.30pm	

#### 2025

Ordinary Council Meeting Date	Time	
23 January 2025	5.30 pm	Only one council meeting in January and December due to holiday period
13 February 2025	5.30 pm	
27 February 2025	5.30 pm	
13 March 2025	5.30 pm	
27 March 2025	5.30 pm	

10 April 2025	5.30 pm	
24 April 2025	5.30 pm	
8 May 2025	5.30 pm	
22 May 2025	5.30 pm	
12 June 2024	5.30 pm	
26 June 2025	5.30 pm	
10 July 2025	5.30 pm	
24 July 2025	5.30 pm	
14 August 2025	5.30 pm	
28 August 2025	5.30 pm	
11 September 2025	5.30 pm	
25 September 2025	5.30 pm	
9 October 2025	5.30 pm	
23 October 2025	5.30 pm	
13 November 2025	5.30 pm	
27 November 2025	5.30 pm	
11 December 2025	5.30 pm	

**2026**

<b>Ordinary Council Meeting Date</b>	<b>Time</b>	
22 January 2026	5.30 pm	Only one council meeting in January and December due to holiday period
12 February 2026	5.30 pm	
26 February 2026	5.30 pm	
12 March 2026	5.30 pm	
26 March 2026	5.30 pm	
9 April 2026	5.30 pm	
23 April 2026	5.30 pm	
14 May 2026	5.30 pm	
28 May 2026	5.30 pm	
11 June 2026	5.30 pm	
25 June 2026	5.30 pm	
9 July 2026	5.30 pm	
23 July 2026	5.30 pm	
13 August 2026	5.30 pm	
27 August 2026	5.30 pm	
10 September 2026	5.30 pm	
24 September 2026*	5.30 pm	*Mayoral Election for next 2 year term

**Option 2** - Council to form Standing Committees, to be held once a month consecutively commencing with Infrastructure Development and Environment, followed by Culture and Community Committee and Corporate Services Committee and to hold the Ordinary Council meeting once a month; for the meetings to be held on the second and fourth Thursday (or as determined by Council). Accordingly, the meeting dates for this option are proposed as follows:

2024

Council Standing Committees Meeting Date	Ordinary Council Meeting Date	Time	Only one council meeting in December due to Christmas period and holidays
14 November 2024	28 November 2024	5.30pm	
	12 December 2024	5.30pm	

2025

Council Standing Committees Meeting Date	Ordinary Council Meeting Date	Time	
	23 January 2025	5.30pm	
13 February 2025	27 February 2025	5.30pm	
13 March 2025	27 March 2025	5.30pm	
10 April 2025	24 April 2025	5.30pm	
8 May 2025	22 May 2025	5.30pm	
12 June 2024	26 June 2025	5.30pm	
10 July 2025	24 July 2025	5.30pm	
14 August 2025	28 August 2025	5.30pm	
11 September 2025	25 September 2025	5.30pm	
9 October 2025	23 October 2025	5.30pm	
13 November 2025	27 November 2025	5.30pm	
	11 December 2025	5.30pm	
Council Standing Committees Meeting Date	Ordinary Council Meeting Date	Time	Only one council meeting in January and December due to holiday period  *Mayoral Election for next 2 year term
	22 January 2026	5.30 pm	
12 February 2026	26 February 2026	5.30 pm	
12 March 2026	26 March 2026	5.30 pm	
9 April 2026	23 April 2026	5.30 pm	
14 May 2026	28 May 2026	5.30 pm	
11 June 2026	25 June 2026	5.30 pm	
9 July 2026	23 July 2026	5.30 pm	
13 August 2026	27 August 2026	5.30 pm	
10 September 2026	24 September 2026*	5.30 pm	



## REPORT: CEO Performance Review Committee

**DIVISION:** Organisational Performance  
**REPORT DATE:** 7 October 2024  
**TRIM REFERENCE:** ID24/1885

### EXECUTIVE SUMMARY

<b>Purpose</b>	<ul style="list-style-type: none"> <li>Seek direction or decision</li> </ul>	
<b>Issue</b>	<ul style="list-style-type: none"> <li>With the election of new Councillors nominations are required for the CEO Performance Review Committee</li> </ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"> <li>The CEO Performance Review Framework requires the establishment of a committee to complete the performance reviews for the CEO, in accordance with OLG advice.</li> </ul>	
<b>Financial Implications</b>	Budget Area	Nil
	Funding Source	N/A
<b>Policy Implications</b>	Policy Title	CEO Performance Review Framework
	Impact on Policy	Nil

### STRATEGIC DIRECTION

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

- Theme: 4 Leadership
- CSP Objective: 4.1 Council provides transparent, fair and accountable leadership and governance
- Delivery Program Strategy: 4.1.2 Council's decision-making processes are open, transparent and accountable
- Theme: 4 Leadership
- CSP Objective: 4.2 The resources of Council are sustainably managed
- Delivery Program Strategy: 4.2.3 A highly skilled, diverse and motivated workforce is maintained



**RECOMMENDATION**

- 1. That the CEO Performance Review Committee consist of the Mayor, Deputy Mayor and three Councillors who serve as Chairs of the Standing Committees.**
- 2. That should Council resolve not to have three Standing Committees, that three Councillors in addition to the Mayor and Deputy Mayor be appointed to the CEO Performance Review Committee.**

*Murray Wood*  
Chief Executive Officer

*KR*  
Manager People Culture  
and Safety

## BACKGROUND

Section 7 of the Standard Contract of Employment for General Managers of Local Councils in New South Wales (the Contract) requires the creation of a performance agreement between Council and the CEO. The Contract also requires at least an annual review of performance is conducted. To enable this process Dubbo Regional Council engaged Mastertek to establish and independently support the performance review process. This resulted in the creation and adoption of the CEO Performance Review Framework in 2023.

Previous to this framework being established the Local Government NSW Management Solutions framework was used to assess and review the performance of the CEO. The learnings from this process were used to create a different and robust version with Mastertek. Consistent with both frameworks was the composition of the Committee to review the CEO's performance which consisted of the Mayor, the Deputy Mayor and the Councillors who serve as the Chairs of Standing Committees. Separately to the performance review, all Councillors are involved in the workshop to create the performance targets for the CEO.

## REPORT

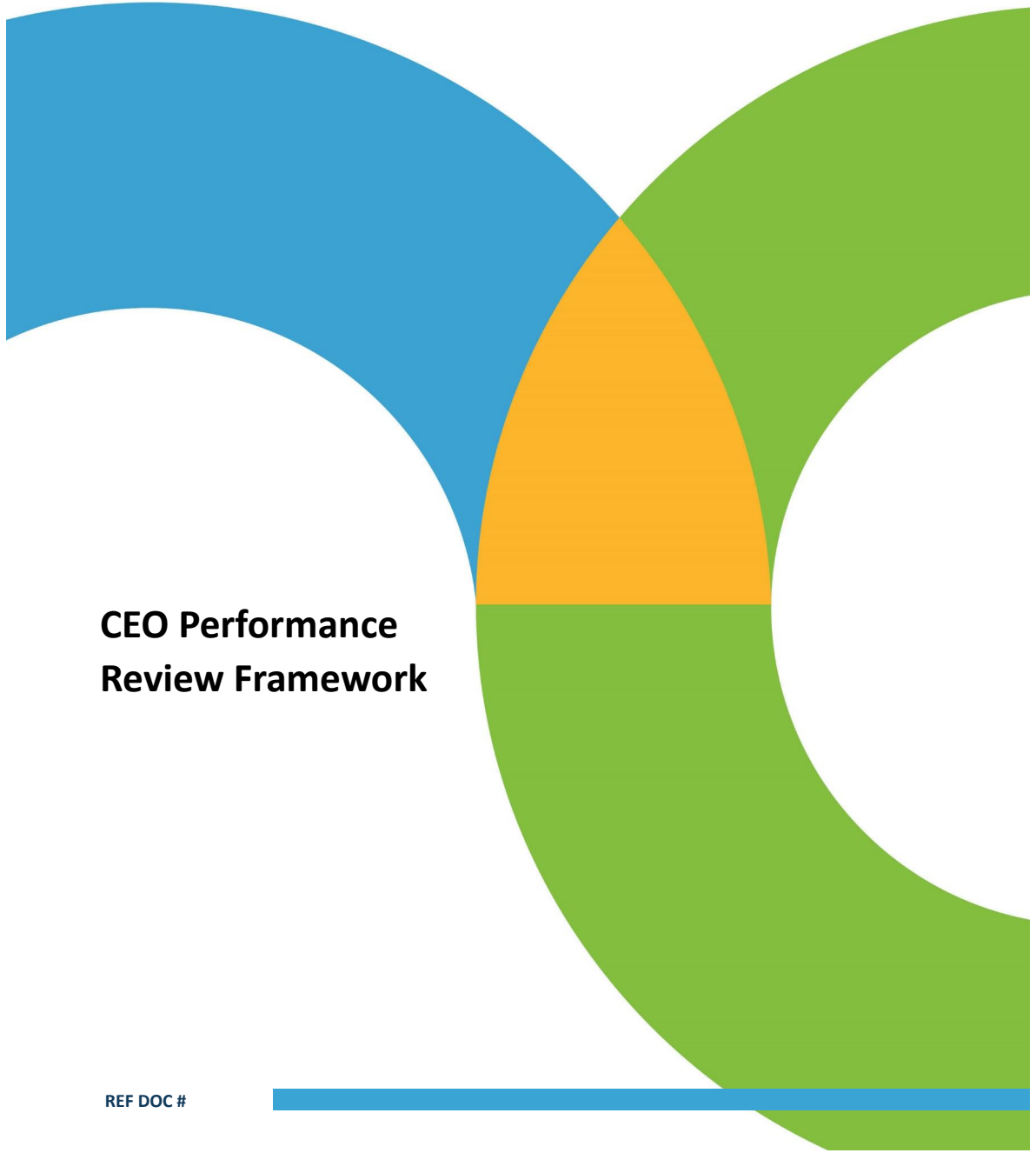
This report is to formally confirm the establishment of the CEO Performance Review Committee with the new elected body. The committee composition is not proposed to change from previous years being the Mayor, the Deputy Mayor and the three Chairs of Standing Committees.

However it is unknown at the time of writing whether Council resolves to continue with Standing Committees structure. Should there be no Chairs of Standing Committees it is proposed to seek an additional three Councillors to be members of the CEO Performance Review Committee from the broader elected body.

Once the Committee membership has been confirmed, the annual performance review for the 2023/24 performance period will be booked to take place at the end of November 2024. The workshop for establishing the new performance goals for the CEO aligned with the framework will also be scheduled around the same time, with all Councillors invited to attend.

## APPENDICES:

- [1](#) CEO Performance Review Framework



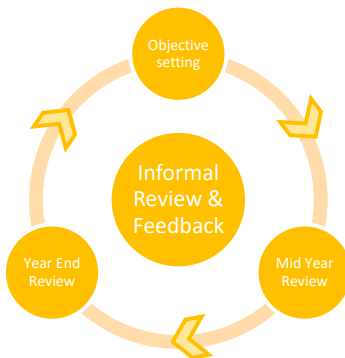
**CEO Performance  
Review Framework**

REF DOC #

# Introduction

Dubbo Regional Council is committed to fostering a performance driven organisation that emphasizes continuous improvement and cultivating culture founded on our core values. The CEO Performance Framework is a structured, holistic approach that has been developed to evaluate the complex aspects of the CEO’s contribution to, and impact on, Dubbo Regional Council. This framework measures the alignment with core values, qualitative facets of leadership, performance against role responsibilities and drives personal commitment to outcomes. The CEO Performance Plan contained within offers an objective, balanced and comprehensive perspective on performance.

The CEO Performance Framework is a cyclical process each year with 3 key phases, starting with objective setting, continues to mid-year review and concluding with year-end review, made effective by frequent informal reviews and feedback throughout the cycle. This annual cycle starts from 1 December each year and concludes on 30 November the following year. The cycle may commence later than intended in the event of a new CEO being appointed. Objectives will be determined to allow for alignment to the annual cycle.



## Performance Framework Benefits

1. Enhanced Accountability
2. Clear Expectations
3. Stakeholder Confidence
4. Continuous Improvement
5. Strategic Alignment

## Objective

The objective of the CEO Performance Framework is to provide a clear, systematic and transparent methodology for evaluating the performance of the CEO. By providing clarity around expectations and performance, the collaborative relationship between the Mayor, Councilors and CEO is further enhanced ensuring a coordinated approach to the pursuit and delivery of Council objectives. Through this framework the Mayor and Councilors aim to uphold the highest standards of governance, ensuring that leadership at DRC remains responsive, effective and aligned with the needs of the community.

## Participation

The individuals involved in the review process include the CEO, the Mayor, Deputy Mayor and the Councilors who serve as Chairs of the Standing Committees. All Councilors will be given an opportunity to engage in the objective setting process. An external independent entity will facilitate the entire process, with internal assistance provided by the Manager of People Culture and Safety.

REF DOC #

## CEO Performance Framework

The CEO Performance Plan is divided into four distinct sections for ease of use. The sections are:

- The **Core Responsibilities** section details the primary duties and essential functions the CEO is expected to perform. This section provides a roadmap for what must be achieved to ensure the success of DRC from Stakeholder and Community Engagement to Operational Excellence, Sustainability and Safety Management.
- The **Personal Commitments** reflect the CEO's unique strengths, initiatives and objectives. This section allows for personalisation, highlighting the proactive contributions and individual accountability to Councils objectives.
- The **Values and Leadership Capabilities** describe the foundation principles and essential leadership qualities expected of the CEO position. This section assesses the CEO's embodiment of Councils values and their demonstration of the desired leadership behaviours.
- The **Performance Summary** provides the overall assessment of the CEO's achievements and areas of improvement throughout the evaluation period. It includes feedback and discussion from the previous sections offering a holistic view of the CEO's performance.

### Performance Framework Elements

#### Section 1 – Core Responsibilities

#### Section 2 – Personal Commitments

#### Section 3 – Values and Leadership Capabilities

#### Section 4 – Performance Summary

## Performance Rating Scale

The CEO Performance Framework is based on a quantitative rating scale with a maximum score of 5 to provide clear guidance on the overall assessment of the CEO's performance. The options for rating are:

1. **Unsatisfactory** – The CEO did not meet the minimum standards for performance missing most or all the established objectives. This rating indicates there are critical gaps in performance, leadership or strategy execution and requires specific information for corrective action.
2. **Needs Improvement** – The CEO met some of the established objectives. This rating indicates there are inconsistencies in the quality, leadership or strategic execution and requires additional support or focus.
3. **Meets Expectations** – The CEO met the established objectives and performance was aligned with expectations. This rating indicates the CEO has fulfilled their responsibilities effectively.
4. **Exceeds Expectations** – The CEO went beyond for most of the established objectives demonstrating high quality performance. This rating indicates excellent leadership and strong results.
5. **Outstanding** – The CEO consistently excelled in all areas of the established objectives. This rating indicates exceptional leadership and significant positive results achieved for Council.

The value of this CEO Performance Framework stems from its capacity to offer clarity, direction and accountability facilitating transparent and constructive conversations throughout the performance cycle.

REF DOC #



# APPENDIX 1

## CEO Performance Plan – Confidential

This Performance Plan is created between Murray Wood, CEO, Name, position, Name, position and name, position for the performance period of on . Any sections of this document that does not contain any commentary will be considered as achieved.

### Section 1

Core Responsibilities	Performance Measure	Comments	Score
Strategic Leadership – provide vision, direction and leadership in the development and execution of Council’s strategic and operational plans.		Mid Year:	
		Year End:	
Community Engagement – Ensure alignment between the community, elected members and employees so that strategic and operational areas reflect community priorities.		Mid Year:	

REF DOC #





Stakeholder Engagement - Establish strong relationships, networks and alliances with local, state and federal governments and other key stakeholders to deliver strategic benefits for the council and our community. Act as the primary spokesperson and representative for Council.

Year End:

Mid Year:

Year End:

Organisation Culture - Promote and foster a positive, inclusive and values focused culture within Council, emphasising continuous improvement, collaboration and community focus.

Mid Year:

Year End:

Sustainability - Ensure organisational sustainability through the efficient and effective management of people, performance, assets, finances, environment and social outcomes.

Mid Year:

REF DOC #





Operational Excellence - Ensure the development and successful delivery of the Community Strategic Plan, Delivery Plan and the annual Operating Plan, in collaboration with the Community, Council and Executive Leadership team and employees.

Year End:

Mid Year:

Innovation and Technology - Champion the adoption of new technologies and innovative solutions to address challenges and improve service delivery, always with the community in mind.

Year End:

Mid Year:

Safety and Risk Management - Ensure the provision of a safe, consultative workplace and the identification, evaluation of risks to ensure effective mitigation of impacts to Council's operations, employees and the community.

Year End:

Mid Year:

REF DOC #







Year End:

Governance and Compliance - Ensure all statutory obligations of the organisation are met in an appropriate and timely manner, including ensuring Council is provides input to and is aware of legislative and regulatory reforms and updates.

Mid Year:

Year End:

REF DOC #





## Section 2

Objective	Personal Commitment	Comments	Score
		Mid Year:    Year End:  Mid Year:	
		Year End:  Mid Year:	
		Year End:  Mid Year:	
		Year End:  Mid Year:	
REF DOC #			



Year End:

Mid Year:

Year End:

REF DOC #





### Section 3

Dubbo Regional Council Values	Comments
Progressive – Be curious, courageous and committed	Mid Year:
	Year End:
Sustainable – Balanced approach to growth and opportunity	Mid Year:
	Year End:
One Team – Working together	Mid Year:
	Year End:
Integrity – Accountable for our actions	Mid Year:
	Year End:

REF DOC #



Leadership Capabilities	Comments
Trust – I inspire trust through my words and actions	Mid Year:  Year End:
Conflict – I transform the environment so everyone benefits	Mid Year:  Year End:
Commitment – I motivate people to guarantee the outcome	Mid Year:  Year End:
Accountability – I drive and inspire accountability and success	Mid Year:  Year End:
Results – I drive a culture of performance	Mid Year:  Year End:
EQ – I anticipate and facilitate emotions to inspire others	Mid Year:
REF DOC #	



Year End:

## Section 4

### Performance Summary

Unsatisfactory    Needs Improvement    Meets Expectations    Exceeds Expectations    Outstanding

**Participant**

**Comments**

**Signature**

Murray Wood

REF DOC #



REF DOC #





Document Control

Responsible Officer:	Manager People Culture and Safety
Division:	People Culture and Safety
Prepared by:	
Version:	2
Revision:	1
Document Date:	7 October 2024
Effective:	October 2023

Previous Cover



Cnr Church and Darling Streets, Dubbo  
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## REPORT: Disclosure of Interest Returns

**DIVISION:** Organisational Performance  
**REPORT DATE:** 27 September 2024  
**TRIM REFERENCE:** ID24/1557

### EXECUTIVE SUMMARY

<b>Purpose</b>	Fulfil legislated requirement/compliance	
<b>Issue</b>	<ul style="list-style-type: none"> <li>• Notation of tabling of Disclosure of Interest Returns.</li> <li>• Placing of Disclosure of Interest Returns on Council's website.</li> </ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"> <li>• Council's Code of Conduct requires Councillors and designated persons to lodge Disclosure of Interest Returns annually in accordance with clause 4.21(b).</li> <li>• The Office of Local Government requests Council to advise of any failures to lodge by 30 September each year.</li> <li>• The Disclosure of Interest Returns, subject of this report, concern the elected group of Councillors who completed the previous term of Council on 13 September 2024.</li> </ul>	
<b>Financial Implications</b>	Budget Area	Corporate Governance
	Funding Source	N/A
	Proposed Cost	There are no financial implications arising from this report.
	Ongoing Costs	N/A
<b>Policy Implications</b>	Policy Title	Code of Conduct
	Impact on Policy	There are no policy implications arising from this report, however, this report has been provided in accordance with Clause 4.21(b) of Council's Code of Conduct.

### STRATEGIC DIRECTION

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

Theme: 4 Leadership

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

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

Theme: 4 Leadership

CSP Objective:	4.1 Council provides transparent, fair and accountable leadership and governance
Delivery Program Strategy:	4.1.4 Statutory requirements are met and services are provided in a cost-effective and timely manner

**RECOMMENDATION**

- 1. That the information in the report of the Manager Corporate Governance dated 27 September 2024, be noted.**
- 2. That the tabling of the Disclosure of Interest Returns, as detailed in the report, be noted.**
- 3. That it be noted that as there were no failures to lodge Disclosure of Interest Returns for the return period, no advice is required to be provided to the Office of Local Government in this matter.**
- 4. That the lodged Disclosure of Interest Returns for Councillors and Designated Persons be placed on Council's website no later than 30 November 2024, noting that some private information will be redacted prior to publishing online.**

*Jane Bassingthwaighte*  
Director Organisational Performance

*AR*  
Manager Corporate  
Governance

## BACKGROUND

On 23 May 2022, the Office of Local Government released a Circular (22-15) providing guidance for councils on the publication of disclosure of interest returns. Section 6 of the Government Information (Public Access) Act 2009 (the GIPA Act) provides for the mandatory proactive release by Council of open access information and that the information must be publicly available, free of charge, on Council's website. Disclosure of Interest Returns are prescribed as open access information for local government under Schedule 1 to the Government Information (Public Access) Regulation 2018. Accordingly, this report recommends that the lodged Returns be placed on Council's website, noting that some private information will be redacted from the Returns prior to publishing online.

## REPORT

Council's Code of Conduct requires Councillors and designated persons to lodge Disclosure of Interest Returns annually in accordance with clause 4.21(b). Clause 4.24 and 4.25 requires that the Chief Executive Officer not only keep a register of the returns, but also table the returns at the first meeting after the last date for their lodgement.

Additionally, the Office of Local Government requests Council to advise of any failures to lodge Disclosure of Interest Returns by 30 September each year. It is noted that there were no failures to lodge Disclosures for this period and therefore, advice is not required to be provided to the Office of Local Government in this regard.

The timing of the Disclosure of Interest Returns concerns the recent outgoing Council. The newly elected group of Councillors will be reported at another time.

## Consultation

- Councillors received training regarding disclosure of interest returns during the induction program held in January 2022 and further, attended a refresher Code of Conduct session in August 2023.
- All designated officers, as listed below, were requested to complete Disclosure of Interest Returns as per Council's adopted Code of Conduct.

Name	Position
Clr Mathew Dickerson	Mayor
Clr Richard Ivey	Deputy Mayor
Clr Josh Black	Councillor
Clr Lewis Burns	Councillor
Clr Shibli Chowdhury	Councillor
Clr Vicki Etheridge	Councillor

Name	Position
Clr Jess Gough	Councillor
Clr Damien Mahon	Councillor
Clr Pam Wells	Councillor
Clr Matt Wright	Councillor
Mr John Walkom	ARMC Voting Member
Mr Thomas Breen	ARMC Voting Member
Mr Greg Matthews	ARMC Voting Member
Mr Murray Wood	Chief Executive Officer
Ms Jessica Brown	Director Strategy, Partnerships and Engagement
Mr Stephen Wallace	Director Development and Environment
Mr Luke Ryan	Director Infrastructure
Ms Jane Bassingthwaighte	Director Organisational Performance
Mr Craig Arms	Director Community, Culture and Places

**Resourcing Implications**

- The coordination of the Disclosure of Interest Returns is incorporated into staff roles within the Corporate Governance Branch, with no further resourcing implications.

**Next Steps**

- Should this report be adopted by Council, the Disclosure of Interest Returns will then be placed on the website with redactions as provided under legislation.



## REPORT: Local Government NSW - 2024 Annual Conference

DIVISION: Organisational Performance  
REPORT DATE: 3 September 2024  
TRIM REFERENCE: ID24/1801

### EXECUTIVE SUMMARY

<b>Purpose</b>	<ul style="list-style-type: none"> <li>Seek direction or decision</li> </ul>	
<b>Issue</b>	<ul style="list-style-type: none"> <li>Council must select four voting delegates as representatives to the Local Government NSW (LGNSW) Annual Conference to be held from 17 November 2024 to 19 November 2024.</li> <li>The nominated voting delegates will attend the conference on behalf of Dubbo Regional Council.</li> <li>Non-voting delegates/attendees also need to be determined for the purpose of registration.</li> </ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"> <li>The number of voting delegates that each member Council is entitled to is determined according to a formula based on the population of the region.</li> <li>Dubbo Regional Council must nominate four voting delegates.</li> <li>Council can determine to send additional non voting delegates.</li> <li>Early bird registration closed on 25 September 2024.</li> </ul>	
<b>Financial Implications</b>	Budget Area	Governance and Internal Control
	Funding Source	Members' Expenses - Delegates
	Proposed Cost	<p><b>Costs are based on 2024 fees</b></p> <p>Early bird registration: \$1,115 Standard registration: \$1,485 Conference dinner: \$230 Sponsor Breakfast: \$88 Other meals: \$200 Accommodation: from \$170/night Travel: \$507</p> <p><b>Total: approx. \$2,480/person</b></p>
	Ongoing Costs	Approximately \$2,400 per person pa Budget within Members' Expenses, Corporate Governance
<b>Policy Implications</b>	Policy Title	Payment of Expenses and Provision of Facilities for the Mayor and Councillors
	Impact on Policy	In line with policy

## STRATEGIC DIRECTION

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

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

## RECOMMENDATION

- 1. That three Councillors be nominated, alongside the Mayor, to act as voting delegates at the Local Government NSW Annual Conference 2024.**
- 2. That Council advise Local Government NSW who the voting delegates for motions and the board elections are, by no later than close of business Wednesday 6 November 2024.**
- 3. That the nominated delegates represent Council at the Local Government NSW Annual Conference 2024.**
- 4. That any non-voting Councillor attendees at the Local Government NSW Annual Conference 2024 be determined.**

*Jane Bassingthwaighte*  
Director Organisational Performance

*AR*  
Manager Corporate  
Governance

## BACKGROUND

The Local Government NSW Annual Conference 2024 will be held at Tamworth Regional Entertainment and Conference Centre from 17 to 19 November 2024. Following the adoption of the Council Policy, Payment of Expenses and Provision of Facilities for the Mayor and Councillors in September 2022, the Mayor, or their nominee, as well as three Councillors will attend the conference as Council's delegates. Other Councillors, as determined by the Council, can attend the conference as observers. To be considered as a voting delegate Councillors must be a financial member of Local Government NSW prior to midnight on Tuesday 12 September 2023.

Additional Councillors may attend as non voting delegates for information and networking purposes.

Due to early bird registration closing on 25 September 2024, Council has registered 4 Councillors to attend at the early bird rate and names will be added once confirmed.

## REPORT

### Consultation

*The Payment of Expenses and Provision of Facilities for the Mayor and Councillors Policy*, which determines the method of selection of delegates to the conference as being by way of council decision, was adopted following community consultation.

### Resourcing Implications

Item	Cost per delegate	Total Cost for 4 delegates
Registration (early bird)	\$1,115	\$4,460
*Conference dinner	\$230	\$920
Travel	\$507	\$2,028
Accommodation	\$340	\$1,360
Additional Meals	\$200	\$800
*Sponsor Breakfast	\$88	\$352
<b>Total</b>	<b>\$2,680</b>	<b>\$9,920</b>

\*Optional additions

Total Financial Implications	Current year (\$)	Current year + 1 (\$)	Current year + 2 (\$)	Current year + 3 (\$)	Current year + 4 (\$)	Ongoing (\$)
a. Operating revenue	0	0	0	0	0	0
b. Operating expenses	9,920	12,245	0	0	0	0
c. Operating budget impact (a – b)	-9,920	-12,245	0	0	0	0
d. Capital Expenditure	0	0	0	0	0	0
e. Total net impact (c – d)	-9,920	-12,245	0	0	0	0
Does the proposal require ongoing funding?	Yes					
What is the source of this funding?	Members' Expenses – Corporate Governance ordinary budget					

**Table 1.** Ongoing Financial Implications

**Planned Communications**

- Local Government NSW must be notified of Council's voting delegates no later than 5pm, 6 November 2024.

**Timeframe**

Key Date	Explanation
25 September 2024	Last day for early bird registrations
20 October 2024	Last day to submit motions
24 October 2024	Council Resolution
6 November 2024	Last day to notify LGNSW of voting delegates
17 to 19 November 2024	LGNSW Annual Conference 2024





## REPORT: Question on Notice - Update on the Proposed Recycle Outlets in Dubbo and Wellington

**DIVISION:** Elected Members  
**REPORT DATE:** 14 October 2024  
**TRIM REFERENCE:** ID24/1907

### QUESTION ON NOTICE

Council has received the following Question on Notice from Councillor J Cowley. The question and answer are submitted below for the information of Councillors.

#### Councillor J Cowley

Please provide an update as to the progress of the proposed recycle outlet/s ('tip shops') in Dubbo and Wellington, and will there be opportunities for engagement with the community and not-for-profit groups?

#### Response:

Council is undertaking the preparation of a Business Case for the provision of two Reuse Shops in the Local Government Area. One is proposed to be based in Dubbo at the Whylandra Waste Facility. A further Reuse Shop is also proposed to be provided in the Wellington Town Centre.

The Business Case is being undertaken to examine proposed shop locations, to outline the operational structure and the infrastructure requirements to ensure long term sustainability of the shops. Pending preparation of a favourable Business Case, the intent is to have both Reuse shops in operation in the second half of 2025. Following completion of the Business Case, Council will also undertake consultation with community and stakeholders.

There are numerous environmental, economic and social benefits associated with Reuse Shops. The Reuse Shops will provide an opportunity to increase diversion of useful products and materials from being landfilled, and instead sold back to community at significantly cheaper prices compared to new products.

Council was recently awarded Consulting Time via Phase 2 of the Circular Economy Accelerator Program to assist with development of the Business Case. This project is being funded by the NSW Environment Protection Authority to encourage Councils to transition towards Circular Economy initiatives.

**RECOMMENDATION**

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

*JC*  
Councillor

**APPENDICES:**

[1↓](#) Question on Notice - Recycle Outlet - Cllr Jen Cowley

14 October 2024

Mr Murray Wood  
Chief Executive Officer  
Dubbo Regional Council  
PO Box 81  
Dubbo NSW 2830

Dear Murray

I submit the following Question on Notice:

Please provide an update as to the progress of the proposed recycle outlet/s ("tip shop/s") in Dubbo and Wellington, and will there be opportunities for engagement with the community and not-for-profit groups?

Kind regards



*Jen Cowley OAM*

Councillor



DUBBO REGIONAL  
COUNCIL

## REPORT: Questions on Notice - AOD Rehab Facility

DIVISION: Elected Members  
REPORT DATE: 15 October 2024  
TRIM REFERENCE: ID24/1915

### QUESTIONS ON NOTICE

Council has received the following Question on Notice from Councillor M Dickerson. The question and answer are submitted below for the information of Councillors.

#### Councillor M Dickerson

Council has previously resolved to oppose the establishment of a Drug and Alcohol Rehabilitation Centre at 58 Spears Drive. A Development Application (DA) for this facility was lodged the day after the Mayoral election in this new term of Council.

Could the CEO provide an update on what additional actions have been taken in this term of Council, as of the date of lodgement of this Question on Notice, to act in accordance with the Council resolution opposing the location of the facility. This would include, but not be limited to, letters or e-mails or phone calls from the Mayor to the relevant Minister.

#### Response

No action to date.

### RECOMMENDATION

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

*MD*  
Councillor

#### APPENDICES:

[1↓](#) Question on Notice - AOD Update - Mathew Dickerson 14 October 2024

14 October 2024

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

Please place the following Question on Notice on the agenda for the October 2024 Ordinary Meeting of Council.

**QUESTION ON NOTICE: AOD REHAB FACILITY**

Council has previously resolved to oppose the establishment of a Drug and Alcohol Rehabilitation Centre at 58 Spears Drive. A Development Application (DA) for this facility was lodged the day after the Mayoral election in this new term of Council.

Could the CEO provide an update on what additional actions have been taken in this term of Council, as of the date of lodgement of this Question on Notice, to act in accordance with the Council resolution opposing the location of the facility. This would include, but not be limited to, letters or e-mails or phone calls from the Mayor to the relevant Minister.

Thank you,



**Councillor Mathew Dickerson**



DUBBO REGIONAL  
COUNCIL

## REPORT: Questions on Notice - Dubbo Regional Livestock Markets Update

DIVISION: Elected Members  
REPORT DATE: 17 October 2024  
TRIM REFERENCE: ID24/1918

### QUESTIONS ON NOTICE

Council has received the following Question on Notice from Councillor M Dickerson. The question and answer are submitted below for the information of Councillors.

#### Councillor M Dickerson

On 27 June 2024, Council resolved to proceed with a 'Modified Status Quo' operating model for the Dubbo Regional Livestock Markets. The resolution specified a six-month timeframe to finalise the arrangements for this model.

Given that we are now beyond the halfway point of the allocated timeframe, could the CEO please provide an update on:

1. The current status of the process to deliver the 'Modified Status Quo' model;
2. Whether the arrangements are on track to be finalised by the 27 December 2024 deadline.

#### Response

1. The process is progressing well. The recruitment for the Manager DRLM role has been successfully completed, and the permanent recruitment of the critical maintenance is underway. The operational structure is under review, for the staffing and skill requirements of the Modified Status Quo.

Meetings with Forbes and Wagga Wagga Livestock Markets have been held to better understand best practices and operational frameworks. These discussions have provided valuable insights into access license agreements and other operational frameworks. The Manager of Dubbo Regional Livestock Markets and the President of the Dubbo Stock and Station Agents attended the Wagga Wagga Cattle sale on the 14th of October to observe operational practices that we aim to incorporate into the Modified Status Quo model. This trip was highly beneficial, and we expect to do a presentation of the Modified Status Quo to the DSSA later this month.

Review of the Saleyard Regulations document is underway. Given the changing operating procedures, this will be a substantial body of work, with significant updates to be made to ensure the regulations align with our new operational framework. Access license agreements with each individual agency have been drafted and are currently under

review by the DSSA agents for feedback before finalising and signing. All other licences and contracts are still under review.

Quotations have been sought from the two potential software providers and are under consideration. The chosen software will enable both Dubbo Regional Council and DSSA to manage operational and billing data effectively, simplifying processes for all parties involved.

2. The implementation plan is being developed and will be adopted in consultation with the DSSA. It should be noted that there are many processes and systems that Dubbo Regional Council need to understand fully before implementing any changes. It is unlikely that all necessary changes will be made by the end of December 2024. In this regard a report will be provided to the December Council meeting updating on the progress.

## RECOMMENDATION

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

*MD*  
Councillor

## APPENDICES:

1. [Question on Notice - DRLM Update - Mathew Dickerson](#)

14 October 2024

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

Please place the following Question on Notice on the agenda for the October 2024 Ordinary Meeting of Council.

**QUESTION ON NOTICE: DUBBO REGIONAL LIVESTOCK MARKETS UPDATE**

On 27 June 2024, Council resolved to proceed with a 'Modified Status Quo' operating model for the Dubbo Regional Livestock Markets. The resolution specified a six-month timeframe to finalise the arrangements for this model.

Given that we are now beyond the halfway point of the allocated timeframe, could the CEO please provide an update on:

1. The current status of the process to deliver the 'Modified Status Quo' model;
2. Whether the arrangements are on track to be finalised by the 27 December 2024 deadline.

Thank you,



**Councillor Mathew Dickerson**





DUBBO REGIONAL  
COUNCIL

## REPORT: Question on Notice - Mayoral Employment

DIVISION: Elected Members  
REPORT DATE: 17 October 2024  
TRIM REFERENCE: ID24/1919

### QUESTIONS ON NOTICE

Council has received the following Question on Notice from Councillor M Dickerson. The question and answer are submitted below for the information of Councillors.

#### Councillor M Dickerson

At previous Council meetings, Councillor Josh Black has declared a Conflict of Interest related to his employment with the Parliament of NSW assigned to the Office of the Hon. Stephen Lawrence, MLC, Member of the Labor Party.

Now that Councillor Josh Black has been elected to the position of Mayor, can the CEO confirm, as of the date of lodgement of this Question on Notice, whether Councillor Josh Black has ceased this and other external employment in order to focus on the role of Mayor as a full-time position.

#### Response

The CEO has not been advised of changes to the Mayor's external employment.

### RECOMMENDATION

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

*MD*  
Councillor

#### APPENDICES:

[1](#) Question on Notice - Mayoral Employment - Mathew Dickerson

14 October 2024

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

Please place the following Question on Notice on the agenda for the October 2024 Ordinary Meeting of Council.

**QUESTION ON NOTICE: MAYORAL EMPLOYMENT**

At previous Council meetings, Councillor Josh Black has declared a Conflict of Interest related to his employment with the Parliament of NSW assigned to the Office of the Hon. Stephen Lawrence, MLC, Member of the Labor Party.

Now that Councillor Josh Black has been elected to the position of Mayor, can the CEO confirm, as of the date of lodgement of this Question on Notice, whether Councillor Josh Black has ceased this and other external employment in order to focus on the role of Mayor as a full-time position.



**Councillor Mathew Dickerson**



DUBBO REGIONAL  
COUNCIL

## REPORT: Questions on Notice - Duke of Wellington Bridge

DIVISION: Elected Members  
REPORT DATE: 17 October 2024  
TRIM REFERENCE: ID24/1921

### QUESTIONS ON NOTICE

Council has received the following Question on Notice from Councillor A Ryan. The question and answer are submitted below for the information of Councillors.

#### Councillor Adam Ryan

1. What is the current status of the low-level bridge, the Duke of Wellington?
2. What are the future plans for the Duke of Wellington low-level bridge?

#### Response

1. During 2022, a series of flood events in the Bell River caused severe erosion at the confluence of the Macquarie-Wambool and Bell rivers, destroying the southern Gobolion Street road approach to the Duke of Wellington Bridge, isolating the structure, and cutting off all vehicular access. Currently, the bridge is open only to pedestrian traffic via a temporary arrangement. Council, through the engagement of engineering consultant SMEC, has determined that the bridge itself is structurally sound. Road pavement, kerb, guttering, and stormwater assets associated with the bridge approach all require full reconstruction however.
2. Council has submitted a funding application through the Disaster Recovery Funding Arrangements (DRFA) to Transport for NSW (TfNSW), requesting full funding of \$23,754,295.49 incl. GST be provided to Council for the reconstruction of the riverbank and Council assets. The latest advice received by Council from TfNSW is that they are still considering the submitted DRFA application. Of the approximate \$23.75m incl. GST funding requested, \$242k incl. GST is required for the reconstruction of road pavement, kerb, guttering, and stormwater assets. The majority of the funding is required to retrain the alignment of the Bell River and stabilise the eroded river bank utilising a sheet pile shoring wall with rock fill revetment arrangement. The proposed works would see full vehicular and pedestrian access returned to the Duke of Wellington Bridge.

**RECOMMENDATION**

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

*AR*  
Councillor

**APPENDICES:**

**1** [↓](#) Question on Notice - Clr Adam Ryan - Duke of Wellington update

14 October 2024

Mr Murray Wood  
Chief Executive Officer  
Dubbo Regional Council  
■ Box 81  
Dubbo NSW 2830

Dear Murray,

I submit the following Question on Notice:

1. What is the current status of the low-level bridge, the Duke of Wellington?
2. What are the future plans for the Duke of Wellington low-level bridge?

Kind regards,

***A.Ryan***

*Adam Ryan*

Councillor