



# AGENDA

## ORDINARY COUNCIL MEETING

### 26 OCTOBER 2023

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

The meeting is scheduled to commence at 5.30 pm.

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#### PRAYER:

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

#### ACKNOWLEDGEMENT OF COUNTRY:

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

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**CCL23/269 LEAVE OF ABSENCE (ID23/2340)**

**CCL23/270 CONFLICTS OF INTEREST (ID23/2339)**

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

**CCL23/271 PUBLIC FORUM (ID23/2341)**

**CCL23/272 CONFIRMATION OF MINUTES (ID23/2346)**

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 28 September 2023.

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#### INFORMATION ONLY MATTERS:

**CCL23/273 MAYORAL APPOINTMENTS AND MEETINGS (ID23/2465)**

The Council had before it the report dated 9 October 2023 from the Chief Executive Officer regarding Mayoral Appointments and Meetings.

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**CCL23/274 STATUS OF NOTICES OF MOTION - QUARTERLY UPDATE (ID23/2466) 36**

The Council had before it the report dated 9 October 2023 from the Manager Corporate Governance regarding Status of Notices of Motion - Quarterly Update.

**CCL23/275 MONTHLY REPORTING SNAPSHOT FOR COUNCILLORS - SEPTEMBER 2023 (ID23/2468) 50**

The Council had before it the report dated 9 October 2023 from the Director Strategy, Partnerships and Engagement regarding Monthly Reporting Snapshot for Councillors - September 2023.

**MATTERS CONSIDERED BY COMMITTEES:**

**CCL23/276 REPORT OF THE INFRASTRUCTURE, PLANNING AND ENVIRONMENT COMMITTEE - MEETING 12 OCTOBER 2023 (ID23/2343) 64**

The Council had before it the report of the Infrastructure, Planning and Environment Committee meeting held 12 October 2023.

**CCL23/277 REPORT OF THE CULTURE AND COMMUNITY COMMITTEE - MEETING 12 OCTOBER 2023 (ID23/2344) 68**

The Council had before it the report of the Culture and Community Committee meeting held 12 October 2023.

**CCL23/278 REPORT OF THE CORPORATE SERVICES COMMITTEE - MEETING 12 OCTOBER 2023 (ID23/2345) 75**

The Council had before it the report of the Corporate Services Committee meeting held 12 October 2023.

**CCL23/279 REPORT OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE - MEETING 3 OCTOBER 2023 (ID23/2380) 80**

The Council had before it the report of the Audit, Risk and Improvement Committee meeting held 3 October 2023.

**NOTICES OF MOTION:**

**CCL23/280 TREE PLANTING (ID23/2369) 86**

Council had before it a Notice of Motion dated 27 September 2023 from Councillor S Chowdhury regarding the Tree Planting.

- CCL23/281      CONCEPT DUBBO INDOOR AQUATIC CENTRE (ID23/2370)** 88  
Council had before it a Notice of Motion dated 27 September 2023 from Councillor S Chowdhury regarding the Concept Dubbo Indoor Aquatic Centre.
- CCL23/282      RENEWABLE ENERGY AWARENESS AND CAREER TRAINING (REACT) CENTRE (ID23/2510)** 90  
Council had before it a Notice of Motion dated 18 October 2023 from Councillor R Ivey regarding the Renewable Energy Awareness and Career Training (REACT) Centre.
- CCL23/283      CALLING FOR ACTION TO REDUCE RATES OF CRIME IN THE DUBBO LOCAL GOVERNMENT AREA (ID23/2514)** 93  
Council had before it a Notice of Motion dated 19 October 2023 from Councillor J Black regarding the Calling for Action to Reduce Rates of Crime in the Dubbo Local Government Area.
- REPORTS FROM STAFF:**
- CCL23/284      PRESENTATION OF COUNCIL'S 2022/2023 FINANCIAL STATEMENTS (ID23/2366)** 96  
The Council had before it the report dated 26 September 2023 from the Statutory Accountant regarding Presentation of Council's 2022/2023 Financial Statements.
- CCL23/285      APPROACH ROAD TO NEW DUBBO BRIDGE INTERSECTION - FUNDING CONSIDERATIONS (ID23/2506)** 107  
The Council had before it the report dated 17 October 2023 from the Chief Executive Officer regarding Approach Road to New Dubbo Bridge Intersection - Funding Considerations.
- CCL23/286      DRAFT BUNGLEGUMBIE ROAD DEVELOPMENT CONTROL PLAN (ID23/2373)** 114  
The Council had before it the report dated 13 October 2023 from the Senior Growth Planner regarding Draft Bunglegumbie Road Development Control Plan.

<b>CCL23/287</b>	<b>TREE PRESERVATION ORDER - OUTCOME OF COMMUNITY CONSULTATION (ID23/2384)</b>	167
	The Council had before it the report dated 4 October 2023 from the Manager Recreation and Open Space regarding Tree Preservation Order - Outcome of Community Consultation.	
<b>CCL23/288</b>	<b>DISCLOSURE OF INTEREST RETURNS (ID23/2490)</b>	191
	The Council had before it the report dated 13 October 2023 from the Manager Corporate Governance regarding Disclosure of Interest Returns.	
<b>CCL23/289</b>	<b>ANNUAL REPORT ON COMPLAINT STATISTICS UNDER COUNCIL'S CODE OF CONDUCT - SEPTEMBER 2022 TO AUGUST 2023 (ID23/2485)</b>	195
	The Council had before it the report dated 11 October 2023 from the Manager Corporate Governance regarding Annual Report on Complaint Statistics Under Council's Code of Conduct - September 2022 to August 2023.	
<b>CCL23/290</b>	<b>AMENDMENT TO COUNCIL POLICY - PUBLIC INTEREST DISCLOSURES AND INTERNAL REPORTING (ID23/2170)</b>	200
	The Council had before it the report dated 3 October 2023 from the Manager Corporate Governance regarding Amendment to Council Policy - Public Interest Disclosures and Internal Reporting.	
<b>CCL23/291</b>	<b>REVIEW OF COUNCIL COMMUNITY COMMITTEES (ID22/2626)</b>	223
	The Council had before it the report dated 13 October 2023 from the Manager Corporate Governance regarding Review of Council Community Committees.	
<b>CCL23/292</b>	<b>COMMENTS AND MATTERS OF URGENCY (ID23/2342)</b>	

**CONFIDENTIAL**

**CCL23/293 DUBBO ADVANCED WASTEWATER TREATMENT PLANT PROPOSAL (ID23/2486)**

The Council had before it the report dated 11 October 2023 from the Manager Strategy Water Supply and Sewerage regarding Dubbo Advanced Wastewater Treatment Plant Proposal.

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

**CCL23/294 ANNUAL URBAN AND RURAL BITUMEN SEALING PROGRAM – QUOTATION APPROVAL (ID23/2457)**

The Council had before it the report dated 5 October 2023 from the Manager Infrastructure Delivery regarding Annual Urban and Rural Bitumen Sealing Program – Quotation Approval.

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

**CCL23/295 RIVER STREET WEST STAGE 1 - PRE-CAST STORMWATER PIPES (ID23/2487)**

The Council had before it the report dated 11 October 2023 from the Project Engineer regarding River Street West Stage 1 - Pre-cast Stormwater Pipes.

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

**CCL23/296 WHEELERS LANE DUBBO STAGE 2 - ASPHALT TENDER APPROVAL (ID23/2410)**

The Council had before it the report dated 4 October 2023 from the Project Engineer regarding Wheelers Lane Dubbo Stage 2 - Asphalt Tender Approval.

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

**CCL23/297 TENDER FOR THE RESURFACING OF BARDEN PARK ATHLETIC TRACK (ID23/2386)**

The Council had before it the report dated 3 October 2023 from the Sporting Asset Coordinator regarding Tender for the Resurfacing of Barden Park Athletic Track.

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

**CCL23/298 STRATEGIC PLAN FOR ACQUISITION OF THE FORMER DUBBO CITY BOWLING CLUB SITE (ID23/2375)**

The Council had before it the report dated 29 September 2023 from the Director Organisational Performance regarding Strategic Plan for Acquisition of the Former Dubbo City Bowling Club Site.

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

**CCL23/299 COMPULSORY ACQUISITION OF EASEMENTS FOR THE HUCKEL/MACQUARIE STREET SEWERAGE AND STORMWATER UPGRADE WORKS (ID23/2469)**

The Council had before it the report dated 10 October 2023 from the Manager Property and Land Development regarding Compulsory Acquisition of Easements for the Huckel/Macquarie Street Sewerage and Stormwater Upgrade Works.

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

**CCL23/300 PROPOSED SALE OF, AND CREATION OF EASEMENT OVER, LOT 131 ON DP1277458 (ID23/2488)**

The Council had before it the report dated 11 October 2023 from the Manager Property and Land Development regarding Proposed Sale of, and Creation of Easement Over, Lot 131 on DP1277458.

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

**CCL23/301 APPOINTMENTS TO THE AUDIT, RISK AND IMPROVEMENT COMMITTEE (ID23/2484)**

The Council had before it the report dated 11 October 2023 from the Manager Corporate Governance regarding Appointments to the Audit, Risk and Improvement Committee.

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

**CCL23/302 AMENDED COMPULSORY ACQUISITION OF CROWN LAND FOR PUBLIC ROAD - UPGRADE OF GOOLMA ROAD AND TWELVE MILE ROAD INTERSECTION (ID23/2483)**

The Council had before it the report dated 11 October 2023 from the Property Development Officer regarding Amended Compulsory Acquisition of Crown Land for Public Road - Upgrade of Goolma Road and Twelve Mile Road Intersection.

*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)).*





DUBBO REGIONAL  
COUNCIL

## Confirmation Of Minutes

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 28 September 2023.

### RECOMMENDATION

That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council meeting held on 28 September 2023 comprising pages 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29 of the series be taken as read, confirmed as correct minutes and signed by the Mayor and the Chief Executive Officer.

### APPENDICES:

- [1](#) Minutes - Ordinary Council Meeting - 28/09/2023



**REPORT  
ORDINARY COUNCIL MEETING  
28 SEPTEMBER 2023**

DUBBO REGIONAL  
COUNCIL

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

**ALSO IN ATTENDANCE:** The Chief Executive Officer, the Director Organisational Performance, the Manager Corporate Governance, the Governance Team Leader, the Governance Officers Governance, the Manager Property and Land Development, the Director Strategy, Partnerships and Engagement, the Communications Services Team Leader, the IT Infrastructure Specialist, the Director Development and Environment, the Manager Growth Planning, the Director Infrastructure, the Manager Infrastructure Delivery, and the Director Community, Culture and Places.

Councillor M Dickerson assumed the Chair of the meeting.

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

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.

**CCL23/237 ELECTION OF MAYOR AND DEPUTY MAYOR FOR THE REMAINDER OF THE COUNCIL TERM (ID23/2270)**

The Council had before it the report dated 12 September 2023 from the Chief Executive Officer regarding Election of Mayor and Deputy Mayor for the Remainder of the Council Term.

**CCL23/238 METHOD OF VOTING (ID23/2348)**

The Council had before it the report dated 22 September 2023 from the Chief Executive Officer regarding Election of Mayor, Deputy Mayor and Formation of Standing and Other Committees, Panels, Working Parties and Other Groups.

Moved by Councillor D Mahon and seconded by Councillor S Chowdhury

ORDINARY COUNCIL MEETING - 28 SEPTEMBER 2023  
REPORT

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

**Against:** Nil.

**CCL23/239 ELECTION OF MAYOR FOR THE MAYORAL TERM (ID23/2322)**

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:

- Councillor J Black, nominated by Councillor V Etheridge and Councillor J Black.
- Councillor M Dickerson, nominated by Councillor V Etheridge and Councillor J Gough.

Councillors M Dickerson and J Black 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 first name drawn out of the barrel, being Councillor J Black, was written first on the tally sheet, and the second name drawn out of the barrel, being Councillor M Dickerson, was written second on the tally sheet.

A vote, by way of show of hands, was taken, with the candidate with the greatest number of votes declared as Mayor.

The following votes were recorded:

FOR COUNCILLOR J BLACK	FOR COUNCILLOR M DICKERSON
Councillor J Black	Councillor L Burns Councillor S Chowdhury Councillor M Dickerson
Councillor V Etheridge	Councillor J Gough Councillor R Ivey Councillor D Mahon
Councillor P Wells	Councillor M Wright
<b>Total: 3</b>	<b>Total: 7</b>

As a result of the show of hands,

**ORDINARY COUNCIL MEETING - 28 SEPTEMBER 2023  
REPORT**

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Councillor J Black had 3 votes, and Councillor M Dickerson had 7 votes.

The Chief Executive Officer as Returning Officer declared that as a higher number of votes were received for Councillor M Dickerson, he is duly elected to the office of Mayor of Dubbo Regional Council for the duration of the Mayoral term.

Councillor M Dickerson assumed the Chair of the meeting, the time being 5.38 pm.

**CCL23/240 CREATION OF OFFICE OF DEPUTY MAYOR (ID23/2323)**

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

Moved by Councillor M Wright and seconded by Councillor S Chowdhury

**MOTION**

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

**CARRIED**

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

**Against:** Nil.

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.

**CCL23/241 ELECTION OF DEPUTY MAYOR FOR THE MAYORAL TERM (ID23/2324)**

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:

- Councillor R Ivey, nominated by Councillor V Etheridge and Councillor J Black.
- Councillor P Wells, nominated by Councillor J Gough and Councillor S Chowdhury.

Councillors R Ivey and P Wells 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 first name drawn out of the barrel, being Councillor P Wells, was written first on the tally sheet, and the second name drawn out of the barrel, being Councillor R Ivey, was written second on the tally sheet.

A vote, by way of show of hands, was taken, with the candidate with the greatest number of votes declared as Deputy Mayor.

ORDINARY COUNCIL MEETING - 28 SEPTEMBER 2023  
REPORT

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The following votes were recorded:

FOR COUNCILLOR P WELLS	FOR COUNCILLOR R IVEY
Councillor J Black	Councillor L Burns Councillor S Chowdhury Councillor M Dickerson
Councillor V Etheridge	Councillor J Gough Councillor R Ivey Councillor D Mahon
Councillor P Wells	Councillor M Wright
<b>Total: 3</b>	<b>Total: 7</b>

As a result of the show of hands,

Councillor P Wells had 3 votes and Councillor R Ivey had 7 votes.

The Chief Executive Officer as Returning Officer declared that as more votes were received for Councillor R Ivey, he is duly elected to the office of Deputy Mayor of Dubbo Regional Council for the duration of the Mayoral term.

Councillor M Dickerson assumed the Chair of the meeting, the time being 5.48 pm.

**CCL23/242 LEAVE OF ABSENCE (ID23/1098)**

There were no requests for leaves of absence.

Councillor R Ivey attended via audio-visual link.

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

**Against:** Nil.

**CCL23/243 CONFLICTS OF INTEREST (ID23/1093)**

The following conflicts of interest were declared:

- Clr D Mahon – Non Pecuniary Less than Significant in Item CCL23/257
- Director Organisational Performance – Non Pecuniary Significant in Item CCL23/268
- Clr V Etheridge – Non Pecuniary Significant in Item CCL23/256
- Clr M Dickerson – Non Pecuniary Less than Significant in Item CCL23/289

ORDINARY COUNCIL MEETING - 28 SEPTEMBER 2023  
REPORT

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**CCL23/244 PUBLIC FORUM (ID23/1088)**

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

- Brett Anderson - regarding CCL23/256 – Draft North West Urban Release Area DCP – Results of Public Exhibition
- Mark Stacey - regarding CCL23/256 – Draft North West Urban Release Area DCP – Results of Public Exhibition
- Barbara Sutherland – regarding proposed tree preservation order on private property.

**CCL23/245 CONFIRMATION OF MINUTES (ID23/1103)**

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 24 August 2023.

Moved by Councillor P Wells and seconded by Councillor V Etheridge

**MOTION**

**That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council meeting held on 24 August 2023 comprising pages 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and 30 of the series be taken as read, confirmed as correct minutes and signed by the Mayor and the Chief Executive Officer.**

**CARRIED**

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

**Against:** Nil.

**CCL23/246 FORMATION OF STANDING COMMITTEES AND DETERMINATION OF ALL MEETING DATES, TIMES AND LOCATION (ID23/2017)**

The Council had before it the report dated 8 August 2023 from the Governance Team Leader regarding Formation of Standing Committees and Determination of All Meeting Dates, Times and Location.

Moved by Councillor M Wright and seconded by Councillor S Chowdhury

**MOTION**

1. **That Council adopts a meeting structure including three standing committees, with meetings to be held once per month; and an Ordinary Council meeting to be held once per month.**
2. **That the following Standing Committees be created:**
  - a. **Infrastructure, Planning and Environment Committee, to deal with matters relating to Development and Environment and Infrastructure, as outlined in the report.**
  - b. **Culture and Community Committee, to deal with matters relating to Culture**

ORDINARY COUNCIL MEETING - 28 SEPTEMBER 2023  
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- and Economy and Liveability, as outlined in the report.
- c. Corporate Services Committee, to deal with matters relating to Organisational Performance and Strategy Partnerships and Engagement, as outlined in the report.
3. That the Standing Committee meetings be held on the second Thursday of each month commencing at 5.30 pm with the Infrastructure, Planning and Environment Committee, immediately followed by the Culture and Community Committee and the Corporate Services Committee; with the exception of December, January and August where no Standing Committee meetings will be held.
  4. That the dates and times of meetings of the Standing Committees be as follows:
    - a. Infrastructure, Development and Environment Committee on the second Thursday of each month, except January, February, March and December commencing at 5.30pm, as required;
    - b. Culture and Community Committee on the second Thursday of each month, except January, February, March and December immediately following the completion of the Infrastructure, Development and Environment Committee noting that if there is no requirement to conduct an Infrastructure, Development and Environment Committee it will be scheduled for 5.30pm on that day;
    - c. Corporate Services Committee on the second Thursday of each month, except January, February, March and December, immediately following the completion of the Culture and Community Committee;
    - d. Standing Committees meeting scheduled for Thursday 14 March 2024 to be held on 7 March 2024.
  5. That the Standing Committee meetings be held in Dubbo on the dates as provided in the report.
  6. That Ordinary Council meetings be held on the fourth Thursday of each month commencing at 5.30 pm, on the dates as provided in the report, with the exception of:
    - a. January where no meetings be held and one February Ordinary Council meeting be held being Thursday, 15 February 2024.
    - b. Ordinary Council Meeting scheduled for Thursday, 28 March 2024 to be held on Thursday, 21 March 2023.
  7. That it be noted that, due to the Local Government Elections in September 2024, the Ordinary meeting of Council be held on 15 August 2024 as the Caretaker period as per the Local Government Regulations 2005 section 393B will commence from 16 August 2024 to 14 September 2024.
  8. That the location of the Ordinary meeting of Council be Dubbo unless otherwise stated.

**CARRIED**

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

**Against:** Nil.

**CCL23/247 DETERMINATION OF COUNCILLOR REPRESENTATION ON MANDATED COMMITTEES (ID23/2018)**

**ORDINARY COUNCIL MEETING - 28 SEPTEMBER 2023  
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The Council had before it the report dated 8 August 2023 from the Manager Corporate Governance regarding Determination of Councillor Representation on Mandated Committees.

Moved by Councillor J Black and seconded by Councillor S Chowdhury

**MOTION**

1. **That Council determines one Councillor representative and one alternate Councillor representative for the Audit Risk and Improvement Committee.**
2. **That Council determines one Councillor representative and one alternate Councillor representative for the Local Traffic Committee.**
3. **That Council determines one Councillor representative and one alternate Councillor representative 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 Burns, S Chowdhury, M Dickerson, V Etheridge, J Gough, R Ivey, D Mahon, P Wells and M Wright.

**Against:** Nil.

**CCL23/247A DETERMINATION OF COUNCILLOR REPRESENTATION ON MANDATED COMMITTEES**

The Council had before it the report dated 8 August 2023 from the Manager Corporate Governance regarding Determination of Councillor Representation on Mandated Committees.

Moved by Councillor M Wright and seconded by Councillor S Chowdhury

**MOTION**

**That the Councillor representatives for the mandated committees remain the same for the remainder of the Mayoral Term.**

**CARRIED**

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

**Against:** Nil.

**CCL23/248 DETERMINATION OF NUMBER OF COUNCILLORS FOR 2028-2032 TERM OF OFFICE (ID23/2321)**

The Council had before it the report dated 20 September 2023 from the Governance Team Leader regarding Determination of Number of Councillors for 2028-2032 Term of Office.

Moved by Councillor M Wright and seconded by Councillor P Wells



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That in accordance with section 224(2) of the *Local Government Act, 1993* Council maintain 11 Councillors and the current process for Election of Mayor for the 2028-2032 term of office.

**CARRIED**

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

**Against:** Nil.

**INFORMATION ONLY MATTERS:****CCL23/249 MAYORAL APPOINTMENTS AND MEETINGS (ID23/2213)**

The Council had before it the report dated 4 September 2023 from the Chief Executive Officer regarding Mayoral Appointments and Meetings.

Moved by Councillor J Gough and seconded by Councillor L Burns

**MOTION**

That the information contained in the report be noted.

**CARRIED**

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

**Against:** Nil.

**CCL23/250 MONTHLY REPORTING SNAPSHOT FOR COUNCILLORS - AUGUST 2023 (ID23/2241)**

The Council had before it the report dated 11 September 2023 from the Director Strategy, Partnerships and Engagement regarding Monthly Reporting Snapshot for Councillors - August 2023.

Moved by Councillor S Chowdhury and seconded by Councillor V Etheridge

**MOTION**

That the information contained within the report of the Director Strategy, Partnerships and Engagement dated 11 September 2023, be noted.

**CARRIED**

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

ORDINARY COUNCIL MEETING - 28 SEPTEMBER 2023  
REPORT

Against: Nil.

**MATTERS CONSIDERED BY COMMITTEES:****CCL23/251 REPORT OF THE INFRASTRUCTURE, PLANNING AND ENVIRONMENT COMMITTEE - MEETING 14 SEPTEMBER 2023 (ID23/2336)**

The Council had before it the report of the Infrastructure, Planning and Environment Committee meeting held 14 September 2023.

Moved by Councillor J Black and seconded by Councillor V Etheridge

**MOTION**

**That the report of the Infrastructure, Planning and Environment Committee meeting held on 14 September 2023, be adopted.**

**CARRIED**

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

**Against:** Nil.

**CCL23/252 REPORT OF THE CULTURE AND COMMUNITY COMMITTEE - MEETING 14 SEPTEMBER 2023 (ID23/2337)**

The Council had before it the report of the Culture and Community Committee meeting held 14 September 2023.

Moved by Councillor J Gough and seconded by Councillor S Chowdhury

**MOTION**

**That the report of the Culture and Community Committee meeting held on 14 September 2023, be adopted.**

**CARRIED**

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

**Against:** Nil.

**CCL23/253 REPORT OF THE CORPORATE SERVICES COMMITTEE - MEETING 14 SEPTEMBER 2023 (ID23/2338)**

The Council had before it the report of the Corporate Services Committee meeting held 14 September 2023.

Moved by Councillor D Mahon and seconded by Councillor L Burns

ORDINARY COUNCIL MEETING - 28 SEPTEMBER 2023  
REPORT

**MOTION**

**That the report of the Corporate Services Committee meeting held on 14 September 2023, be adopted.**

**CARRIED**

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

**Against:** Nil.

**REPORTS FROM STAFF:****CCL23/254 CENTRAL WEST ORANA RENEWABLE ENERGY ZONE (CWO REZ) STEERING COMMITTEE (ID23/2288)**

The Council had before it the report dated 18 September 2023 from the Chief Executive Officer regarding Central West Orana Renewable Energy Zone (CWO REZ) Steering Committee.

Moved by Councillor M Wright and seconded by Councillor V Etheridge

**MOTION**

1. **That the information contained within the report of the Chief Executive Officer dated 18 September 2023, be noted.**
2. **That the operational nature of the Steering Committee and associated Project Working Groups be noted, having a focus on enacting the policies of Council and driving action to deliver outcomes for the community.**

**CARRIED**

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

**Against:** Nil.

**CCL23/255 RESCISSION OF LAND SWAP - DUBBO RSL MEMORIAL CLUB LTD (ID23/2293)**

The Council had before it the report dated 19 September 2023 from the Chief Executive Officer regarding Rescission of Land Swap - Dubbo RSL Memorial Club Ltd.

Moved by Councillor D Mahon and seconded by Councillor V Etheridge

**MOTION**

That it be noted that the Dubbo RSL Memorial Club has exercised their right of rescission of the Land Swap Deed, further noting that this relates to the Dubbo RSL property that is the site of the former Dubbo City Bowling Club and a 3.3 hectare portion of Council's Keswick Estate.

Moved by Councillor J Black and seconded by Councillor D Mahon

ORDINARY COUNCIL MEETING - 28 SEPTEMBER 2023  
REPORT

**MOTION**

1. That it be noted that the Dubbo RSL Memorial Club has exercised their right of rescission of the Land Swap Deed, further noting that this relates to the Dubbo RSL property that is the site of the former Dubbo City Bowling Club and a 3.3 hectare portion of Council's Keswick Estate.
2. That the CEO provide a report to the October 2023 meeting of council that will provide a broad overview of the possible future strategic use of the former Dubbo City Bowling club site and any previous planning undertaken to date and possible options for purchase from Dubbo RSL Memorial Club.

The amendment on being put to the meeting was carried.

**CARRIED**

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

**CARRIED**

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

**Against:** Nil.

**CCL23/256 DRAFT NORTH-WEST URBAN RELEASE AREA DEVELOPMENT CONTROL PLAN - RESULTS OF PUBLIC EXHIBITION (ID23/2040)**

The Council had before it the report dated 14 September 2023 from the Manager Growth Planning regarding Draft North-West Urban Release Area Development Control Plan - Results of Public Exhibition.

Moved by Councillor S Chowdhury and seconded by Councillor D Mahon

**MOTION**

1. That Council adopt the draft North-West Development Control Plan - Master Plan (attached in Appendix 1).
2. That Council adopt the draft North-West Urban Release Area - Development Control Plan – Stage 1 (attached in Appendix 2).
3. That the Development Control Plans come into effect on 2 October 2023.
4. That Council note the submissions received during the public exhibition period (attached in Appendix 3).
5. That Council note that the draft North-West Development Control Plan – Master Plan (Appendix 1) and the draft North-West Urban Release Area – Development Control Plan – Stage 1 (Appendix 2) have been suitably amended to remove the potential for direct vehicle access from the Precinct to Chifley Drive and to include the proposed Chifley Drive connection as a pedestrian and cyclist connection only.

**CARRIED**

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

**Against:** Councillors J Black, P Wells and S Chowdhury.

Moved by Councillor J Black and seconded by Councillor P Wells

**AMENDMENT**

1. That Council adopt the draft North-West Development Control Plan - Master Plan

**ORDINARY COUNCIL MEETING - 28 SEPTEMBER 2023  
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(attached in Appendix 1).

2. That Council adopt the draft North-West Urban Release Area - Development Control Plan – Stage 1 (attached in Appendix 2).
3. That the Development Control Plans come into effect on 2 October 2023.
4. That Council note the submissions received during the public exhibition period (attached in Appendix 3).
5. That Council note that the draft North-West Development Control Plan – Master Plan (Appendix 1) and the draft North-West Urban Release Area – Development Control Plan – Stage 1 (Appendix 2) have been suitably amended to remove the potential for direct vehicle access from the Precinct to Chifley Drive and to include the proposed Chifley Drive connection as a pedestrian and cyclist connection only.
6. That Appendices 1 and 2 be amended to remove the Chifley Drive walkway/cycleway and potential for direct vehicle access and be updated prior to the Draft North-West Development Control Plan – Master Plan coming into effect.

The amendment on being put to the meeting was lost.

LOST

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

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

*Councillor V Etheridge declared a non-pecuniary, significant interest in the matter now before the Council and left the room during the Council's consideration of this matter. The reason for such interest is that Councillor V Etheridge resides in Chifley Drive.*

**CCL23/257 DRAFT BLUERIDGE PRECINCT DEVELOPMENT CONTROL PLAN (ID23/1781)**

The Council had before it the report dated 13 September 2023 from the Team Leader Growth Planning Projects regarding Draft Blueridge Precinct Development Control Plan.

Moved by Councillor M Wright and seconded by Councillor S Chowdhury

**MOTION**

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

**CARRIED**

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

**Against:** Nil.

*Councillor D Mahon declared a non-pecuniary, less than significant interest in the matter now before the Council and remained in the room during the Council's consideration of this matter.*

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*The reason for such interest is that Councillor D Mahon owns property within the Blueridge Precinct.*

**CCL23/258 DRAFT CLEARMONT RISE DEVELOPMENT CONTROL PLAN - RESULTS OF PUBLIC EXHIBITION (ID23/1295)**

The Council had before it the report dated 11 September 2023 from the Senior Growth Planner regarding Draft Clearmont Rise Development Control Plan - Results of Public Exhibition.

Moved by Councillor M Wright and seconded by Councillor V Etheridge

**MOTION**

1. That Council adopt the updated draft Clearmont Rise Development Control Plan (attached in Appendix 1), and that it come into effect on 2 October 2023.
2. That Council note the submissions received during the public exhibition period (attached in Appendix 2).
3. That Council prepare a separate Planning Proposal to reclassify Bourke Hill, 1L Narromine Road, Dubbo (Lot 2 DP1183095) from Community Land to Operational Land to allow for the future provision of a public road only, which will ultimately allow for an additional legal access to the Central-West Urban Release Area.

**CARRIED**

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

**Against:** Nil.

**CCL23/259 NAMING OF THOROUGHFARE ASSOCIATED WITH D2021/820 - 59 LOT RESIDENTIAL SUBDIVISION - LOT 10 DP1142232 JOIRA ROAD DUBBO (ID23/2245)**

The Council had before it the report dated 12 September 2023 from the LIS and E-Services Coordinator regarding Naming of Thoroughfare Associated with D2021/820 - 59 Lot Residential Subdivision - Lot 10 DP1142232 Joira Road Dubbo.

Moved by Councillor S Chowdhury and seconded by Councillor V Etheridge

**MOTION**

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

**CARRIED**

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

**Against:** Nil.

*Councillor M Dickerson declared a non-pecuniary, less than significant interest in the matter now before the Council and remained in the room during the Council's consideration of this matter. The reason for such interest is that Councillor M Dickerson sits on an advisory board for the Bathurst Diocese.*

**CCL23/260 SUBMISSION TO PARLIAMENTARY INQUIRY INTO ANIMAL POUNDS IN NSW (ID23/2171)**

The Council had before it the report dated 12 September 2023 from the Manager Environmental Compliance regarding Submission to Parliamentary Inquiry into Animal Pounds in NSW.

Moved by Councillor J Black and seconded by Councillor P Wells

**MOTION**

**That the report of the Manager Environmental Compliance, dated 12 September 2023, be noted.**

**CARRIED**

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

**Against:** Nil.

**CCL23/261 EXISTING AND FUTURE REST AREAS FOR FREIGHT TRAFFIC IN THE DUBBO LOCAL GOVERNMENT AREA - RESPONSE TO NOTICE OF MOTION (ID23/2192)**

The Council had before it the report dated 1 September 2023 from the Director Infrastructure regarding Existing and Future Rest Areas for Freight Traffic in the Dubbo Local Government Area - Response to Notice of Motion.

Moved by Councillor S Chowdhury and seconded by Councillor L Burns

**MOTION**

**That the report provided by the Director Infrastructure be noted.**

**CARRIED**

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

**Against:** Nil.

**CCL23/262 SAXA ROAD - COMOBELLA CROSSING, MITCHELL CREEK CAUSEWAY OPTIONS (ID23/2280)**

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The Council had before it the report dated 13 September 2023 from the Manager Infrastructure Delivery regarding Saxa Road - Comobella Crossing, Mitchell Creek Causeway Options.

Moved by Councillor L Burns and seconded by Councillor S Chowdhury

**MOTION**

1. That Council note the resolution from August 2023 as below:
  - “1. That Council seek tenders for a design and construction of either a box culvert crossing or a bridge to replace the damaged Comobella crossing culvert in line with Options 2 and 3 outlined within the business paper IPEC23/34.*
  - 2. That Council seek funding under the Bridge Replacement Program and Disaster Recovery Funding Arrangements program to supplement project costs.*
  - 3. That Council write to the Minister for Roads advising of the importance of this crossing to secure the necessary funding for the replacement crossing.”*
2. That Council amend the resolution outlined in point one above to remove Option 2, the box culvert crossing, as further information obtained following the August 2023 resolution indicates that the additional engineering requirements and timeframes required by a Box Culvert solution means it is considered no longer suitable.
3. That the resolution now reads:
  - a. That Council seek tenders for the design and construction of a bridge to replace the damaged Comobella crossing culvert.
  - b. That Council seek funding under the Bridge Replacement Program and Disaster Recovery Funding Arrangements program to supplement project costs.
  - c. That Council write to the Minister for Roads advising of the importance of this crossing to secure the necessary funding for the replacement crossing.

**CARRIED**

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

**Against:** Councillor J Black.

**CCL23/263 2024 WELLINGTON VINTAGE FAIR STREET PARADE (ID23/2215)**

The Council had before it the report dated 4 September 2023 from the Senior Traffic Engineer regarding 2024 Wellington Vintage Fair Street Parade.

Moved by Councillor J Gough and seconded by Councillor S Chowdhury

**MOTION**

**That Council approval be granted to the Rotary Club of Wellington Vintage Fair Committee to undertake the 2024 Wellington Vintage Fair Street Parade on Saturday, 2 March 2024, and implement temporary road closures of the Mitchell Highway between Maughan and Lee Streets from 10.00 am to approximately 11.30 am and Percy Street between Maxwell and Maughan Streets from 8.30 am to 11.30 am on Saturday, 2 March 2024, subject to Transport for NSW (TfNSW) approval and conditions of Dubbo Regional Council and NSW**



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**Police as considered necessary:**

- a. The Parade will be marshalled on the western side of Percy Street between Maxwell and Maughan streets at 8.30 am. The Parade will commence at 10.00 am and enter Nanima Crescent, then north through the Wellington CBD adjacent to Cameron Park, to the Warne Street roundabout and return to Percy Street. The event is to be undertaken under Police escort, in accordance with the requirements of NSW Police and approval documentation forwarded to Council for notation. Event set-up time to commence at 8.30 am with pack-down finish time at 11.30 am – 12.00pm
- b. The submission of a Traffic Management Plan and Traffic Control Plan to Council and NSW Police Service prior to the event date. All traffic control measures contained in the Plan are to be in accordance with the Australian Standard (AS 1742.3:2019) and TfNSW's 'Guide to Traffic Control at Worksites and approved by an accredited person. Council Traffic Control Plan TM 7241 is to be implemented for the event.
- c. The organiser is to provide Council's relevant appointed officer with a copy of the Public Liability Insurance Policy for the amount of at least \$20 million. Such policy is to note that Council, TfNSW and the NSW Police are indemnified against any possible action as a result of the Parade.
- d. The implementation of the traffic management and traffic control is to be undertaken by an accredited traffic control company with personnel required to have current TfNSW certification.
- e. The applicant is responsible for all traffic control required for the event in accordance with the approved Traffic Control Plan.
- f. The applicant is to provide Council with a formal letter of acceptance of the conditions prior to final approval.
- g. The traffic control company is to ensure that the roadway is clear of any residue that might be deposited by participants along the Parade route.
- h. The traffic control company is to gain approval from TfNSW for the closure and detour of the Mitchell Highway and a Road Occupancy Licence with evidence provided to Council of such conditions as warranted.
- i. All costs associated with implementing the event are to be met by the event organiser.

**CARRIED**

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

**Against:** Nil.

**CCL23/264 CENTRAL WEST CYCLE TRAIL - PROPOSED DIRECTIONAL SIGNAGE (ID23/2216)**

The Council had before it the report dated 4 September 2023 from the Senior Traffic Engineer regarding Central West Cycle Trail - Proposed Directional Signage.

Moved by Councillor J Gough and seconded by Councillor S Chowdhury

**MOTION**

**That Council approval be granted to the Central West Cycle Trail Committee to undertake the installation of white on blue cycle trail directional signage (fingerboard) as submitted to**

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**Council (Appendix 1) at the selected locations along the Central West Cycle Trail subject to:**

- a. **Locations to be installed:**
  - Dubbo, Corner of Myall St and Sheraton road x 2
  - Dubbo, Corner of Old Dubbo Rd and Hennessy Road x 1
  - Wongarbon, Corner of Railway Lane and Beni Street x 2
  - Geurie, Corner of Mitchell HWY and Arthurville road x 2
  - Wellington, Corner of Mitchell Hwy and Goolma road x 1
  - Wellington, Corner of Mitchell Hwy and Showground road x 2
- b. The concurrence of TfNSW for the signs to be installed at the Mitchell Highway intersections.
- c. The directional signs are to be installed in accordance with by Council's Directional Signs Policy, TfNSW guidelines and the Australian Standard – For Bicycle Trails
- d. Council reserves the right to remove the signage
- e. The Central West Cycle Trail Committee is responsible for all costs associated with the supply, installation and ongoing maintenance of the trail directional signage. If such signage is not maintained to the satisfaction of Council then the applicant is required to show cause as to why such signage should not be removed.
- f. Council's Governance Team Leader must sight a current copy of the Public Liability Insurance Policy for a minimum amount of \$20 million on which Dubbo Regional Council and TfNSW are specifically noted to be indemnified against any action resulting from the signage installation.

**CARRIED**

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

**Against:** Nil.

**CCL23/265 REGIONAL PRECINCTS AND PARTNERSHIPS PROGRAM (ID23/2285)**

The Council had before it the report dated 18 September 2023 from the Executive Officer Strategy Partnerships and Engagement regarding Regional Precincts and Partnerships Program.

Moved by Councillor J Black and seconded by Councillor L Burns

**MOTION**

1. That the Chief Executive Officer submit an application for the Wellington CBD Precinct Plan for Stream 1 in the September/October 2023 round of the Regional Precincts and Partnerships Program.
2. That the Chief Executive Officer submit an application for Dubbo North West Precinct delivery for Stream 2 in the September/October 2023 round of the Regional Precincts and Partnerships Program.
3. That Councillors be advised as to the status of applications as the information becomes available.
4. That a further report be provided to Council in January 2024 with recommendations for the March/April 2024 funding round.

**CARRIED**

## ORDINARY COUNCIL MEETING - 28 SEPTEMBER 2023

## REPORT

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

**Against:** Nil.

**CCL23/266 QUESTIONS ON NOTICE - COUNCILLOR JESS GOUGH (ID23/1810)**

The Council had before it the report dated 19 July 2023 from the Councillor regarding Questions on Notice - Councillor Jess Gough.

Moved by Councillor J Gough and seconded by Councillor V Etheridge

**MOTION**

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

**CARRIED**

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

**Against:** Nil.

**CCL23/267 COMMENTS AND MATTERS OF URGENCY (ID23/1153)**

There were no matters recorded under this clause.

**CONFIDENTIAL**

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

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

- *CCL23/268 – Update on Proposed Acquisition for the Dubbo Northern Borefield Project (Section 10A(2)(c))* - information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposed to conduct) business.

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

At this juncture it was moved by Councillor S Chowdhury and seconded by Councillor M Wright that the Council resolves into closed session, the time being 7.57 pm.

The open session resumed at 7.59 pm.

The Governance Team Leader read out the following resolutions made in the closed session in Council.

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**CCL23/268 UPDATE ON PROPOSED ACQUISITION FOR THE DUBBO NORTHERN BOREFIELD PROJECT (ID23/2287)**

The Council had before it the report dated 18 September 2023 from the Manager Property and Land Development regarding Update on Proposed Acquisition for the Dubbo Northern Borefield Project.

Moved by Councillor S Chowdhury and seconded by Councillor M Wright

**MOTION**

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

**CARRIED**

Moved by Councillor M Wright and seconded by Councillor J Gough

**MOTION**

1. That Council approve and proceed with the acquisition of approximately 50ha from Lot 2 on DP820709 and Lot 1003 on DP1201712:
  - a. pursuant to s186(1) of the *Local Government Act 1993*; and
  - b. in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*, and upon acquisition, classify the land as operational land.
2. That Council register an acquisition plan against Lot 2 on DP820709 and Lot 1003 on DP1201712.
3. That Council approve the making of an application to the Minister for Local Government to issue a Proposed Acquisition Notice under the *Land Acquisition (Just Terms Compensation) Act 1991* for Council to compulsorily acquire part of Lot 2 on DP820709 and Lot 1003 on DP1201712.
4. That Council approve the making of an application to the Governor of NSW for the publication of an Acquisition Notice in the NSW Government Gazette under the *Land Acquisition (Just Terms Compensation) Act 1991* for Council to compulsorily acquire part of Lot 2 on DP820709 and Lot 1003 on DP1201712.
5. That Council delegate to the Chief Executive Officer the power to negotiate, finalise and execute any applications, notices, documents and compensation claims required to be executed as part of the process for Council to compulsorily acquire part of Lot 2 on DP820709 and Lot 1003 on DP1201712.
6. That any documents which may not be executed by the Chief Executive Officer under delegation be executed under the Common Seal of Council.
7. That all documentation in relation to this matter remain confidential to Council.

**CARRIED**

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

**Against:** Nil.

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*The Director Organisational Performance declared a non-pecuniary, significant interest in the matter now before the Council and left the room during the Council's consideration of this matter. The reason for such interest is that the Director Organisational Performance is close friends with the company owners and there may be a perceived conflict.*

The meeting closed at 8.02 pm.

.....  
CHAIRPERSON



DUBBO REGIONAL  
COUNCIL

## REPORT: Mayoral Appointments and Meetings

**DIVISION:** Chief Executive Officer  
**REPORT DATE:** 9 October 2023  
**TRIM REFERENCE:** ID23/2465

### EXECUTIVE SUMMARY

<b>Purpose</b>	Provide review or update	
<b>Issue</b>	Details of Mayoral appointments and meetings for the period 11 September 2023 through to 8 October 2023.	
<b>Reasoning</b>	To ensure transparency of Mayoral appointments and meetings.	
<b>Financial Implications</b>	Budget Area	There are no financial implications arising from this report.
<b>Policy Implications</b>	Policy Title	There are no policy implications arising from this report.

### STRATEGIC DIRECTION

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

Theme: 4 Leadership

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

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

### RECOMMENDATION

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

*Murray Wood*  
Chief Executive Officer

*MW*  
Chief Executive Officer

## REPORT

### Consultation

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

### Resourcing Implications

Nil

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

#### Monday, 11 September 2023

- Attended radio interview with 2BS.
- Attended radio interview with 2WEB
- Attended a meeting with Commissioner Brenton Charlton from the VRA.
- Attended a meeting with Rebecca Davey from the Rosewood Grove Action Group, Carolyn Lean, Fred Griffiths and Lyn Griffiths.
- Attended an interview with Hamish from Prime 7.
- Attended interview with 2SM News.
- Attended interview with ABC Western Plains.
- Attended interview with ABC Illawarra.
- Attended interview with Allison Hore from the Daily Liberal.

#### Tuesday, 12 September 2023

- Submitted Mayoral Memo to the Daily Liberal.
- Submitted Mayoral Memo to the Wellington and District Leader.
- Attended a meeting with Councillor Pam Wells.
- Attended media opportunity regarding the 3D printed amenities block.
- Attended along with Council's Chief Executive Officer, Murray Wood the Regional Capital Australia Board Meeting via video link.

#### Wednesday, 13 September 2023

- Attended radio interview with Triple M.
- Attended interview with Chris Roe from Region Riverina.
- Attended along with Councillors Jess Gough and Richard Ivey, Director Community, Culture and Places, Craig Arms and Director Development and Environment, Stephen Wallace the Public Spaces Tree Committee meeting.

- Attended along with Councillors Shibli Chowdhury; Vicki Etheridge; Jess Gough; Damien Mahon and Matt Wright and Council Chief Executive Officer, Murray Wood the Mayoral Developers Forum.

**Thursday, 14 September 2023**

- Attended along with Councillor Matt Wright and Council's Chief Executive Officer, Murray Wood the final exhibition of student artworks at West Dubbo Public School as part of the Art in Schools Program.
- Attended Briefing for Standing Committee Meetings.
- Attended Standing Committee Meetings.

**Friday, 15 September 2023**

- Attended radio interview with 2DU.
- Attended radio interview with Binjang.
- Attended radio interview with DC FM.
- Attended a meeting with Councillor Damien Mahon.
- Attended along with Council's Chief Executive Officer, Murray Wood a meeting with Tim Kojevnikov from Fortex 3DCP.

**Saturday, 16 September 2023**

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

**Monday, 18 September 2023**

- Attended radio interview with Zoo FM.
- Attended Dunedoo Central School to judge Public Speaking Competition.
- Attended the Dubbo College Celebration of Sport 2023.

**Tuesday, 19 September 2023**

- Submitted Mayoral Memo to the Daily Liberal.
- Submitted Mayoral Memo to the Wellington and District Leader.
- Attended along with Councillors Richard Ivey; Shibli Chowdhury and Matt Wright; Council's Chief Executive Officer, Murray Wood; Director Organisational Performance, Jane Bassingthwaite; Director Strategy, Partnership and Engagement, Natasha Comber and Chief Financial Officer, Michael Howlett the Financial Performance Committee Meeting.
- Attended the Dubbo and Regional Dementia Alliance Walk to open the event.
- Attended an interview with Anthony from WIN News Canberra.
- Attended along with Councillor Jess Gough and Council's Chief Executive Officer, Murray Wood the 2023 GP Registrars Welcome.



**Wednesday, 20 September 2023**

- Attended the University of Sydney, School of Rural Health to view their \$6.5M Research Project.

**Thursday, 21 September 2023**

- Attended along with Council's Chief Executive Officer, Murray Wood the Dubbo Senior Campus Year 12 Graduation Ceremony.
- Attended Bracken House to perform Poetry.

**Friday, 22 September 2023**

- Attended radio interview with 2DU.
- Attended interview with ABC News.

**Saturday, 23 September 2023**

- Attended along with Councillors Shibli Chowdhury, Josh Black and Matt Wright, Member for Dubbo, Dugald Saunders MP, Member for Parkes, the Hon. Mark Coulton MP and the Hon. Stephen Lawrence MLC the official opening of the Indian Dubbo support Centre.
- Recorded 'Straight From the Mayor's Mouth' with Mark Barnes.
- Attended along with Councillor Shibli Chowdhury and Member for Dubbo, Dugald Saunders MP, the 2023 Cross-Cultural Carnivale.

**Sunday, 24 September 2023**

- Attended Dubbo Regional Airport to farewell students and chaperones heading to Japan for an Exchange Program for two weeks.
- Attended radio interview with 2DU.

**Monday, 25 September 2023**

- 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.
- Attended along with Councillor Josh Black, Council's Chief Executive Officer, Murray Wood; Member for Dubbo, Dugald Saunders MP and the Hon. Stephen Lawrence MLC the official launch of the new LED lighting System at the Dubbo Regional Theatre.

**Tuesday, 26 September 2023**

- Submitted Mayoral Memo to the Daily Liberal.
- Submitted Mayoral Memo to the Wellington and District Leader.
- Attended along with Councillor Josh Black, Council's Chief Executive Officer, Murray Wood, Minister for Regional Transport and Roads, the Hon. Jenny Aitchison MP and the Hon. Stephen Lawrence MLC the launch of the 16 Regional Cities Services Improvement Program and Contactless Trial.
- Attended along with Member for Dubbo, Dugald Saunders MP the Orana Regional Volunteer of the Year Awards.
- Attended a phone interview with Jess from the Sunday Telegraph.

**Wednesday, 27 September 2023**

- Attended radio interview with Triple M.
- Attended Councillor Briefing.
- Attended the University of Sydney School of Rural Health farewell for year 3 and 4 students.

**Thursday, 28 September 2023**

- Attended along with Council's Chief Executive Officer, Murray Wood a meeting with representatives from Dubbo RSL Club.
- Attended along with Member for Dubbo, Dugald Saunders MP the CWO REZ CRG meeting.
- Attended along with Council's Chief Executive Officer, Murray Wood a meeting with Derek Smith from Department of Planning and Environment.
- Attended Council Briefing.
- Attended Ordinary Council Meeting.

**Friday, 29 September 2023**

- Attended radio interview with ABC Radio.
- Attended radio interview with 2DU.
- Attended radio interview with DC FM.
- Met with Students from the University of Sydney School of Rural Health in relation to their annual charity cricket match.
- Recorded 'Straight From the Mayor's Mouth' with Mark Barnes.

**Tuesday, 3 October 2023**

- Submitted Mayoral Memo to the Daily Liberal.
- Submitted Mayoral Memo to the Wellington and District Leader.
- Attended along with Councillor Richard Ivey, Council's Chief Executive Officer, Murray Wood, Director Organisational Performance, Jane Bassingthwaighe, Director

Infrastructure, Luke Ryan, Director Strategy, Partnerships and Engagement, Natasha Comber and Chief Financial Officer, Michael Howlett the Audit and Risk Management Committee Meeting.

- Attended the roundtable to improve community engagement on projects that support the energy transition across Australia via video conference.

**Wednesday, 4 October 2023**

- Attended a meeting with the Hon. Steph Cooke MP, Shadow Minister for Water and Shadow Minister for Crown Lands.
- Attended along with Councillor Lewis Burns the Interrelate Dubbo Open Day.

**Thursday, 5 October 2023**

- Attended the YEF Dubbo Community Battery Call.
- Attended along with Council's Chief Executive Officer, Murray Wood a meeting with Marika Calfas, Campbell Mason and Josh Lawrence from NSW Ports.
- Attended along with Councillors Josh Black; Shibli Chowdhury; Jess Gough; Richard Ivey; Pam Wells and Council's Chief Executive Officer, Murray Wood, Director Infrastructure, Luke Ryan and Director Community, Culture and Places, Craig Arms a community walk through of potential pathways at Regand Park.
- Attended a presentation with Member for Dubbo, Dugald Saunders MP for the Community Recognition Statement for the 3D printed amenities block.
- Recorded a Community Engagement video.

**Friday, 6 October 2023**

- Attended radio interview with 2DU.

**Saturday, 7 October 2023**

- Attended along with Councillors Shibli Chowdhury; Josh Black; Richard Ivey and Pam Wells, Member for Parkes, the Hon. Mark Coulton and Member for Dubbo, Dugald Saunders MP the Community Leaders' Meeting at the Dubbo Farmer's Markets
- Recorded 'Straight From the Mayor's Mouth' with Mark Barnes.

**Sunday, 8 October 2023**

- Attended the Repco Bathurst 1000 race at the invitation of the Mayor of Bathurst Regional Council.



## REPORT: Status of Notices of Motion - Quarterly Update

**DIVISION:** Organisational Performance  
**REPORT DATE:** 9 October 2023  
**TRIM REFERENCE:** ID23/2466

### EXECUTIVE SUMMARY

<b>Purpose</b>	<ul style="list-style-type: none"> <li>Increase transparency</li> <li>Provide update</li> </ul>	
<b>Issue</b>	<ul style="list-style-type: none"> <li>This report provides a quarterly update on the Notices of Motion resolved in this term of Council and provides the current status for each one.</li> </ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"> <li>This report will provide Councillors with a regular update on the actions being undertaken to finalise Council resolutions and notation of the action/s required under a Notice of Motion.</li> <li>Once a Notice of Motion has been reported as completed, it will no longer appear on the report.</li> </ul>	
<b>Financial Implications</b>	Budget Area	There are no financial implications arising from this report.
	Funding Source	N/A
	Proposed Cost	N/A
	Ongoing Costs	There are no costs to provide this report as an administration function, except for staff time.
<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: 4.1.1 Council encourages and facilitates two-way communication with and between stakeholders and the community.
- Theme: 4 Leadership

CSP Objective:	4.1 Council provides transparent, fair and accountable leadership and governance.
Delivery Program Strategy:	4.1.4 Statutory requirements are met, and services are provided in a cost-effective and timely manner.
Theme:	4 Leadership
CSP Objective:	4.2 The resources of Council are sustainably managed.
Delivery Program Strategy:	4.2.5 Service reviews are conducted to improve Council's performance.

## RECOMMENDATION

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

*Jane Bassingthwaite*  
Director Organisational Performance

*AR*  
Director Organisational  
Performance

## BACKGROUND

### Previous Resolutions of Council

24 November 2022  CCL22/301	<ol style="list-style-type: none"><li>1. That the information contained within the report of the Manager Corporate Governance dated 16 November 2022, be noted.</li><li>2. That a report on the status of Notices of Motion be provided on a quarterly basis.</li><li>3. That a register of completed Notices of Motion for this term of Council be included as a separate appendix in every quarterly report.</li></ol>
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In this current term of Council, 12 Notices of Motion have been carried by the elected body. This report will be provided on a quarterly basis, and it will list the status of each of the Notices of Motion. It will also report when a Notice of Motion has been completed, and completed items will be removed for the following report.

It is hoped that this report will increase transparency and monitor the business arising from Notices of Motions, providing the elected body and members of the community with an update on progress of matters raised.

## REPORT

Council's Code of Meeting Practice provides all Councillors with the opportunity to place Notices of Motion (Motions) on the agenda at monthly Ordinary Meetings of Council. These Motions are then put to the group of Councillors for debate; motions that are carried (i.e. when Councillors vote For the Motion) will be reported on quarterly.

The updated Motions for this term of Council are attached as **Appendix 1**.

### Consultation

- Senior staff have been consulted as to the progress of each Motion.
- This report provides the elected body with a formal update to their Motions.

### Resourcing Implications

- Many staff are required to carry out the tasks arising from successful Motions.
- Under the Code of Meeting Practice, the elected body must address financial implications and funding sources in their respective Motions.

## APPENDICES:

- 1 [Updated Report on Notices of Motion - October 2023](#)

<b>Updated Report on Notices of Motion - October 2023</b>			
<b>Completed</b>			
<b>In Progress</b>			
<b>Outstanding</b>			
<b>CCL23/11 - Donations of Park Benches</b>			
Manager of Recreation and Open Spaces	Ordinary Council Meeting 09/02/2023	Councillor Gough	ID23/51 - MROS
<ol style="list-style-type: none"> <li>1. That the CEO provide a report to Council investigating the development of a Council Policy that provides the public the opportunity to plant trees, donate park benches and other approved structures or furniture, and have them dedicated to family or members of our community who have made a significant contribution.</li> <li>2. That an assessment criteria for the donation be made of a seat, structure, furniture or planting of a tree be established and approved to ensure that the values and standards of our community are upheld.</li> <li>3. That the associated costs are in the purchase, installation and ultimate replacement of the memorial are not borne by Dubbo Regional Council.</li> <li>4. That identifies that the cost in maintaining and or/replacement of the plaque remains with the family or group establishing the memorial.</li> </ol>			
<b>In Progress:</b>			
A report is being prepared for the November Standing Committees with results from the Public Exhibition for 'Plaques and Donation of Park Furniture and Trees Policy.'			

<b>CCL22/9 – Development of a Multicultural Park at Elizabeth Park</b> Director Community Culture and Places	Ordinary Council Meeting 27/01/2022	Councillor Chowdhury	ID22/71
<ol style="list-style-type: none"> <li>1. That the CEO provide a report to Council identifying the feasibility of incorporating a multicultural park element into the Dubbo Elizabeth Park, or as an alternative site, to recognise and celebrate the multicultural diversity of the Dubbo region.</li> <li>2. That as part of the report the Elizabeth Park Master Plan 2011 be considered for review and updating to reflect the works completed and what is proposed.</li> <li>3. That the mother language monument promotes the preservation and protection of all languages.</li> </ol>			
<p><b>In Progress:</b></p> <p>The review of the Elizabeth Park Master Plan is progressing with a space for the multicultural garden identified at the northern end of Minokamo Way. A workshop with the Multicultural Advisory Committee was held with Moir Landscape Architects to progress the design of the multicultural garden. Two concept designs have been prepared, with these to be taken to the next Multicultural Advisory Committee for further comment.</p>			



<b>CCL23/70 Christmas Campaign</b> DSPE, EDTL	Ordinary Council Meeting 23/03/2023	Councillor Chowdhury	ID23/395
<ol style="list-style-type: none"> <li>1. That as part of the draft 2023/2024 operational plan and budget process the covering report from the CEO identify potential options and costs for improving place – based activation to celebrate the festive season within Dubbo and Wellington central business districts, in addition to increasing engagement with local business community through campaigns and collaboration.</li> <li>2. That budget to increase place-based activation to celebrate the festive season be considered by Council in the drafting of the 2023/2024 operational budget.</li> </ol>			
<p><b>Completed:</b> The Report of the Corporate Services Committee (CCL23/185) was adopted at the July Ordinary Council Meeting with the following recommendations from the Enhanced Christmas Program 2023 report (CSC23/38) as below:</p> <ol style="list-style-type: none"> <li>1. <i>That the CEO be requested to seek a corporate partner at the value of \$20,000 to extend Council's existing investment in the 2023 Christmas program in the LGA (Option 3).</i></li> <li>2. <i>That if a corporate partner is not identified or endorsed by Council that Council continue with the proposed Christmas Program and associated budget of \$25,000 for 2023.</i></li> </ol>			

<b>CCL23/100 Repatriation of Axe Grinding Groove Rock from Wiradjuri Park to Terramungamine</b> CEO, DCCP	Ordinary Council Meeting 27/04/2023	Councillor Burns	ID23/808
<ol style="list-style-type: none"> <li>1. That the CEO provide formal communications to Transport for NSW regarding the large rock to be repatriated to Terramungamine Reserve.</li> <li>2. That the CEO facilitate relevant stakeholder meetings to progress this initiative including the cost of repatriation be covered by Transport for NSW as part of the new Dubbo bridge project.</li> </ol>			
<b>In Progress:</b>  Discussions have commenced on this matter with Transport for NSW.			
<b>CCL23/125 – Proposal for a Dubbo Crime Summit</b> GTL, DCCP, DOP, CFI, MCS	Ordinary Council Meeting 25/05/2023	Councillor Black	ID23/1159
<b>That Council, through its Social Justice and Youth Committees, work with government agencies, non-government organisations and other stakeholders, to develop a Community Safety Strategy and associated Action Plan.</b>			
<b>In Progress:</b>  The Director Community Culture and Places and Manager Community Services have facilitated a Councillor workshop, two joint community committee meetings (Youth Council/Social Justice Advisory Committee), a third-party meeting and are currently investigating an additional third-party meeting. Next step is to attend the Gunnedah Crime Prevention and Community Safety Conference and provide a report to Council in early 2024.			

<b>CCL23/123 - The Voice Referendum</b> DCCP, DSPE, DOP, MCS, CSTL, MCG	Ordinary Council Meeting 25/05/2023	Councillor Wells	ID23/1079
<ol style="list-style-type: none"> <li>1. That Councillors attend a workshop to consider the educational material regarding the proposed Indigenous Voice to Parliament with a subsequent report to be provided to Council for consideration detailing any logistical or financial considerations.</li> <li>2. That Council develop a program centred on information, education and participation to support the community to make an informed decision on this subject.</li> <li>3. That council promote the importance of registering in the Australian Electoral Commission (AEC) to enable people to have a voice and counted vote.</li> </ol>			
<p><b>Completed:</b></p> <p>A report (CCL23/225 – The Voice: Education, Information and Participation) was provided to the Ordinary Council Meeting held 24 August 2023, with the motion carried:</p> <ol style="list-style-type: none"> <li>1. <i>That the options provided for a Voice Information session be noted.</i></li> <li>2. <i>That Council proceed with Option 3, which includes a Panel of 4 and a Master of ceremonies, livestream, and both the Convention Centre or Dubbo Regional Theatre and Convention Centre as suitable venues as detailed on page 211 of the business papers.</i></li> </ol> <p>A ‘Community Panel – The 2023 Referendum’ was held at the DRTCC on Tuesday, 10 October 2023.</p>			

<b>CCL23/156 – Alcohol and Other Drugs Rehabilitation Centre</b> MCG, DOP, DCCP	Ordinary Council Meeting 22/06/2023	Councillor Wells	ID23/1526
<ol style="list-style-type: none"> <li>1. That council note its support for the construction of an Alcohol and Other Drugs Rehabilitation Facility for the Dubbo Region.</li> <li>2. That the CEO provide a report to the July 2023 Ordinary Meeting of Council addressing the financial, regulatory and legal matters around the provision of land for AOD Rehabilitation Facility.</li> </ol>			
<p><b>Completed:</b></p> <p>A report (CCL23/187) was provided to the July 2023 Ordinary Council Meeting with the following recommendations:</p> <ol style="list-style-type: none"> <li>1. That Council note the matters for consideration should Council determine to provide a land package to NSW Health for the purposes of an Alcohol and Other Drug Rehabilitation Facility, be it via sale, exchange or transfer.</li> <li>2. That based on the site specifications of Western NSW LHD and the constraints expressed by the NSW Minister for Health, being no extra expense and no substantial time delays, it be noted that Council does not have a suitable site option within its property portfolio.</li> </ol> <p>The following Amendment was carried:</p> <p><b>AMENDMENT 3</b></p> <ol style="list-style-type: none"> <li>1. That based upon the information contained within this report and considering the site specifications of Western NSW LHD and the constraints defined by the NSW Minister for Health; they being no extra expense and no substantial time delays, NSW Health be advised that Council is of the opinion it does not have a suitable site option within its property portfolio for the establishment of an Alcohol and Other Drug Rehabilitation Centre.</li> <li>2. That it be noted that Council has provided information to Western NSW LHD, on potentially suitable Council owned parcels of land and introduced other landholding stakeholders such as Dubbo Aboriginal Lands Council, Crown Lands NSW and Property NSW to the Western NSW LHD project team. It is understood that Western NSW LHD assessed potential sites against following criteria: <ul style="list-style-type: none"> <li>• Appropriate zoning for the proposed facility</li> <li>• 10-15 minutes travel time from Dubbo Hospital</li> <li>• Appropriate Land size (suitable to the facility and potential growth)</li> <li>• If parcel required subdividing</li> <li>• Existing connection to services such as Water, Sewer, Power and Roads</li> <li>• Details of surrounding Community (proximity to Residential, Shops, Hotels, Schools, Industrial).</li> </ul> </li> </ol>			

3. *That, it be noted that the sites proffered for consideration included but were not limited to:*
  - *93L Railway Lane, Wongarbon (Railway Lane)*
  - *20R Bunglegumbie Road, Dubbo (Various lots)*
  - *Pine Avon Road, Wongarbon (Pine Avon)*
  - *Green Grove, Dubbo*
  - *6L Furneys Road, Terramungamine*
  - *85 Cobbora Road, Dubbo*
  - *Apex Cottage Dubbo (Cemetery Land)*
  - *Welchman Street, Dubbo (Welchman St)*
  - *Devil's Hole Reserve, Dubbo*
  - *Old Dubbo Road, Dubbo*
  - *Police Paddock Dubbo*
  - *Angle Park Reserve*
  - *Land belonging to CSU site*
  - *Zoological Parks Board Land, Obley Road Dubbo*
  - *Whylandra Reserve*
  - *3L Westview Road, Dubbo (2 sites)*
  - *29 Hawthorn Street, Dubbo*
  - *North Burrabadine Road, Dubbo (Local Land Services land)*
4. *That, as detailed in the report, that it be noted that the parcels of council owned lands typically would require sub division and the provision of essential services infrastructure at an extra cost and increase in time to the AOD Project.*
5. *That in recent meetings between staff of council and Western NSW LHD there was consideration of the North Bunglegumbie site, confirming the requirement of \$1.5 – \$1.7 million expenditure to provide sewer and water services and that this was outside the project funding remit of the Western NSW LHD.*
6. *That in regard to the development consent process it be noted that:*
  - *Any related Development Application submitted to Council by or on behalf of the Crown with a capital investment value greater than \$5 million, is required by State Environmental Planning Policy (Planning Systems) 2021, to be determined by the Western Regional Planning Panel (WRPP).*

- Council’s staff have the responsibility to carry out a professional assessment of the proposal for the WRPP’s subsequent determination of the development application. This will include the public exhibition of the application and assessment of submissions received.
  - The elected body of Council could choose to make representation in this process by submitting any relevant resolution during the formal exhibition period, for general consideration.
7. That the CEO will take all necessary steps to facilitate the Western NSW LHD and/or NSW Health assessing land in the North Bunglegumbie Road area and at Green Grove for suitability for the construction of the Alcohol and Other Drug Rehabilitation Centre, including providing land access, technical advice, and another necessary and reasonable information and advice.
    - a. That the Western NSW Health Local Health District be requested to provide a formal publically available response of the council owned parcels as above.
  8. That Council will decide the question as to whether such land is to be provided, if necessary, and after such assessment has occurred.
  9. That it be noted:
    - a. That the Mayor has responded to Ministerial correspondence in a letter dated 7 July 2023 that sought a guarantee that if Council provided land that the AOD facility would be moved from the Spears Drive site.
    - b. That the Mayoral letter of 7 July 2023 be included in the minutes of the July Ordinary Meeting of Council.

<p><b>CCL23/155 – Resilience Actions</b> MCG, DI</p>	<p>Ordinary Council Meeting 22/06/2023</p>	<p>Councillor Ivey</p>	<p>ID23/1429</p>
<p><b>1. That the Chief Executive Officer provide a report to Council that sets strategies implemented, infrastructure projects completed by Council which will provide greater resilience for our region should it move back into drought conditions.</b></p> <p><b>2. That to also be included in this report any other strategies or projects which are being considered or should be considered to further enhance the drought resilience within our Local Government Area.</b></p>			
<p><b>Completed:</b></p> <p>The Manager Strategy Water Supply and Sewerage presented a report (IPEC23/41) to the Infrastructure Planning and Environment Committee meeting held on 14 September 2023. The Report of the Infrastructure, Planning and Environment Committee – Meeting 14 September 2023 (CCL23/251) was adopted at the September 2023 Ordinary Council Meeting.</p>			

<b>CCL23/154 – Audit of Signs Across the Urban Areas of the LGA</b> DSPE	Ordinary Council Meeting 22/06/2023	Councillor Ivey	ID23/1278
<b>That the CEO provide a report to Council in September 2023 on the accuracy and quality of the signage for which Council has responsibility, across the urban areas of the Local Government Area.</b>			
<b>Completed:</b>			
A report (CSC23/51) was provided to the September Corporate Services Committee with the following recommendations:			
<ol style="list-style-type: none"> <li>1. <i>That the report of the Executive Officer Strategy, Partnerships and Engagement, dated 24 August 2023, be noted.</i></li> <li>2. <i>That a further detailed report be brought to Council in February 2024.</i></li> </ol>			
The Report of the Corporate Services Committee – Meeting 14 September 2023 (CCL23/253) was adopted at the September 2023 Ordinary Council Meeting.			
<b>CCL23/154 – Existing and Future Rest Areas for Freight Traffic</b> CEO, DI, MID	Ordinary Council Meeting 27/07/2023	Councillor S Chowdhury	ID23/1814
<b>That the Chief Executive Officer obtain an update from Transport for NSW on the status of existing and future rest areas for freight traffic surrounding the Dubbo urban area.</b>			
<b>Completed:</b>			
The Director Infrastructure provided a report (CCL23/261) to the September 2023 Ordinary Council Meeting which provided an update on the status of existing and future rest areas for freight traffic surrounding the Dubbo urban area. TfNSW provided the information relating to the review of the rest areas for the freight industry and will continue to explore this with relevant industry partners and stakeholders.			

<p><b>CCL23/219 – Notice of Motion of Rescission – CCL23/187 – Matters for Consideration Around Provision of Land to NSW Health for the Purposes of an Alcohol and Other Drugs Rehabilitation Facility.</b></p> <p>CEO, DOP, DCCP</p>	<p>Ordinary Council Meeting 24/08/2023</p>	<p>Councillor Ivey</p>	<p>ID23/2061</p>
<p>That the CEO undertake no further action as a result of the advice received from Western NSW LHD dated 3 August 2023 advising that <i>“both land parcels identified in the resolution have been previously assessed by the LHD and that the LHD has previously provided advice to both Officers and Councillors regarding both of them prior to the Council meeting on July 27<sup>th</sup>”</i>, and that advice stated that Bunglegumbye Road and Greengrove sites are not considered suitable.</p>			
<p><b>Completed:</b></p> <p>NSW Health advised of Council’s resolution. Action completed 24 August 2023.</p>			



<b>CCL23/216 – Motion for the Local Government NSW Annual Conference 2023</b> CEO, MCG, GTL	Ordinary Council Meeting 24/08/2023	Councillor Gough	ID23/2023
<ol style="list-style-type: none"> <li>1. That Council resolves to submit the following motion for consideration by the delegates at the LGNSW Conference in November 2023.</li> <li>2. That LGNSW formally request the NSW Government to undertake comprehensive reform of the existing Code of Conduct complaint system with specific regard to:               <ol style="list-style-type: none"> <li>a. Code of Conduct complaints about Councillors be lodged directly with the Office of Local Government to centralise the code of conduct complaint system, increasing efficiency, transparency and fairness.</li> <li>b. The Office of Local Government assume full responsibility for the entire process of triaging complaints and managing or undertaking preliminary assessment and full investigation, to resolve complaints.</li> <li>c. In the event that any individual complainant lodges three or more unsuccessful complaints in relation to any Councillors within a single term, such complainant shall be deemed a vexatious complainant. As a consequence, the said complainant will be barred from lodging any further complaints against that specific Council for the remaining term.</li> </ol> </li> </ol>			
<b>Completed:</b>  The Submission was made on 12 September 2023 and Councillors advised accordingly.			



DUBBO REGIONAL  
COUNCIL

## REPORT: Monthly Reporting Snapshot for Councillors - September 2023

**DIVISION:** Strategy, Partnerships and Engagement  
**REPORT DATE:** 9 October 2023  
**TRIM REFERENCE:** ID23/2468

### EXECUTIVE SUMMARY

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

### STRATEGIC DIRECTION

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

Theme: 4 Leadership

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

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

**RECOMMENDATION**

**That the information contained within the report of the Director Strategy, Partnerships and Engagement dated 9 October 2023, be noted.**

*Natasha Comber*  
Director Strategy, Partnerships and Engagement

*NC*  
Director Strategy,  
Partnerships and  
Engagement

## 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>
24 August 2023 CCL23/212	<ol style="list-style-type: none"><li>1. That the information contained within the report of the Chief Executive Officer dated 1 July 2023, be noted.</li><li>2. That the proposed changes to the presentation of Major Capital Projects dashboard, as outlined in the report, be endorsed.</li></ol>

## REPORT

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

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

### Highlights and commentary

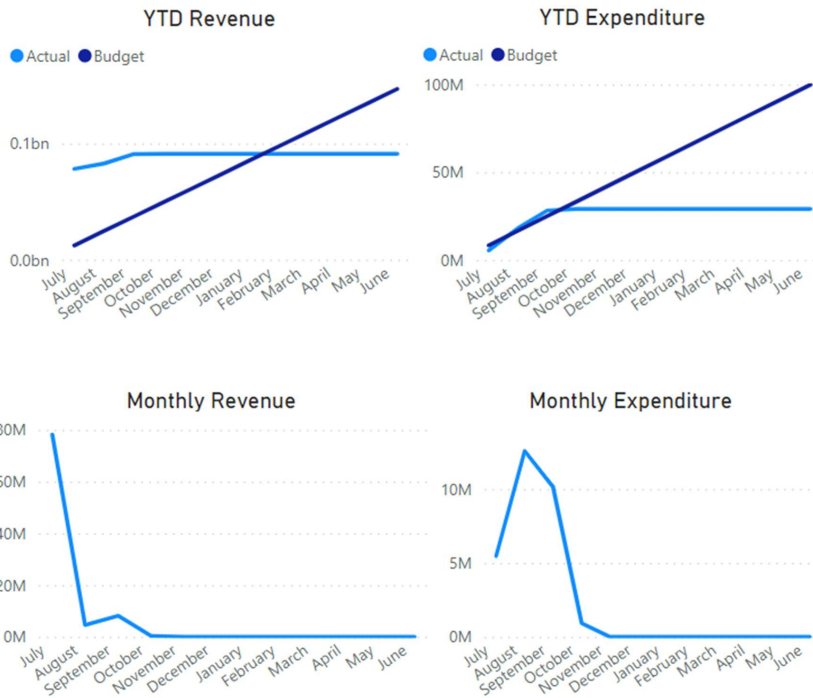
Financial Performance Dashboard - Overdue Debts: The large increase in current debt related to MAAS Group Properties for land subdivisions.

Major Projects: As at the end of August, Council's Your Say platform was showcasing 35 Community consultation or engagement projects, with 11 of these being active capital works projects.

The Monthly Reporting Snapshot for Councillors CSC23/19, put to Council at its meeting held 11 May 2023, proposed a Customer Experience Charter Dashboard. The dashboard has been developed with an extract of the high level data provided at **Appendix 1**. This dashboard seeks to provide data relating to the channels and frequency of contact with Council via the Customer Experience Centre.

## APPENDICES:

[1](#) Dashboard Snapshots - September 2023

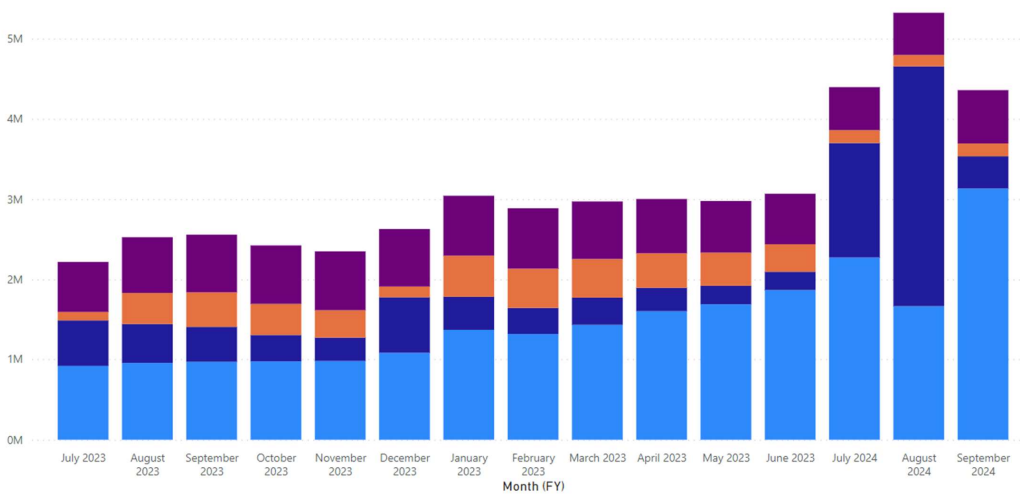


### Overdue Debts

Associated fees are outlined in Council's Fees & Charges document, however the overdue debt balances shown below do not include rates, annual charges or capital grants

#### Prior 12 Months Overdue Debt

● Current Debt ● 31-60 Days Debt ● 61-90 Days Debt ● 90+ Days Debt

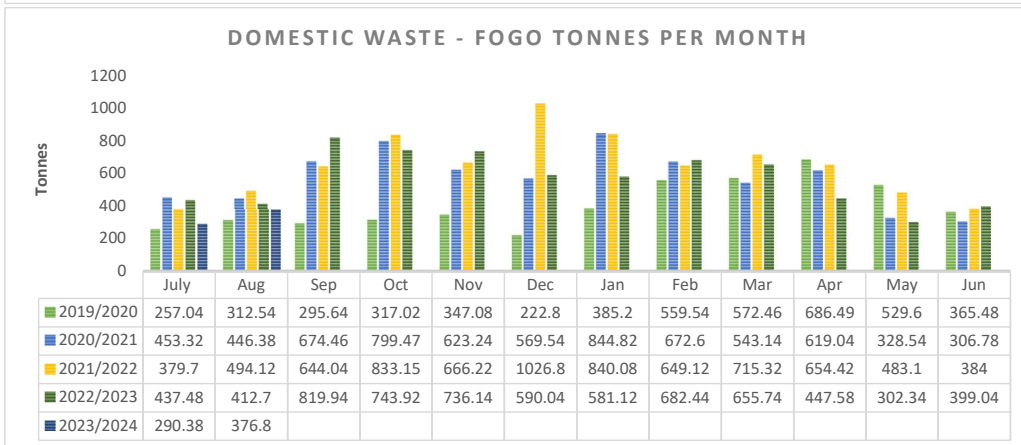
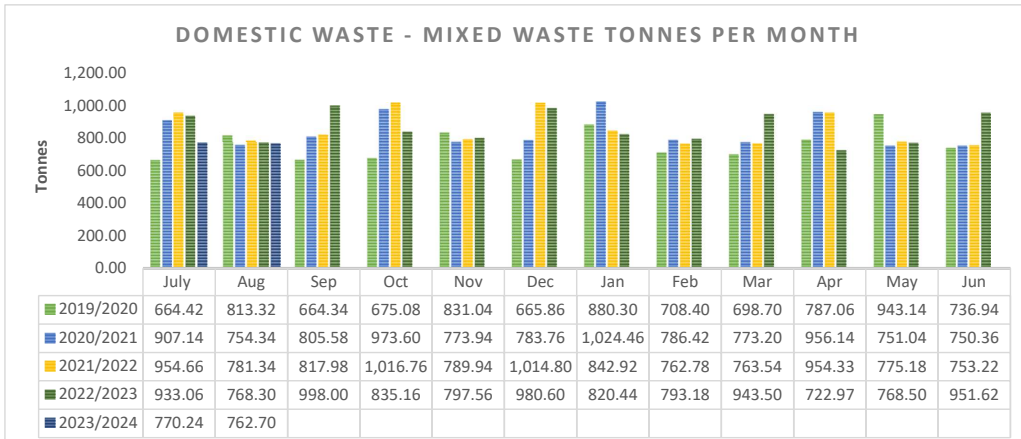




FACILITY AND SERVICE  
PERFORMANCE DASHBOARD

REPORT PRINT DATE: 11/09/2023

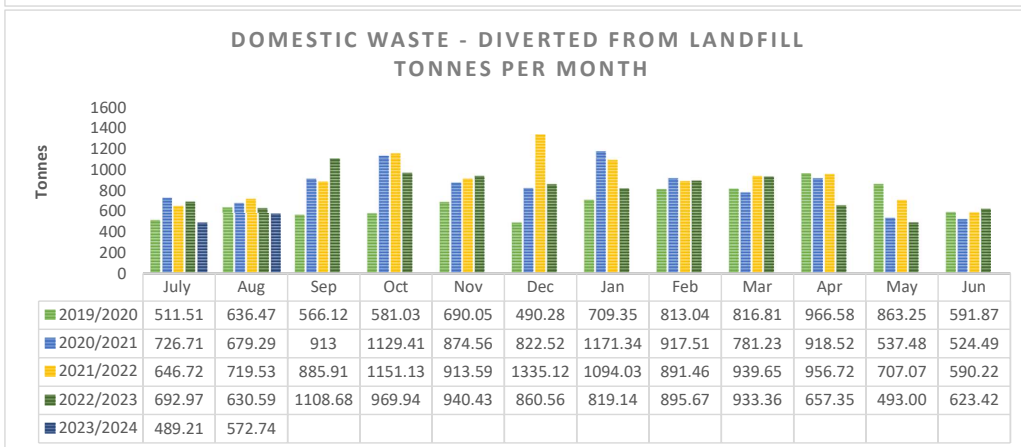
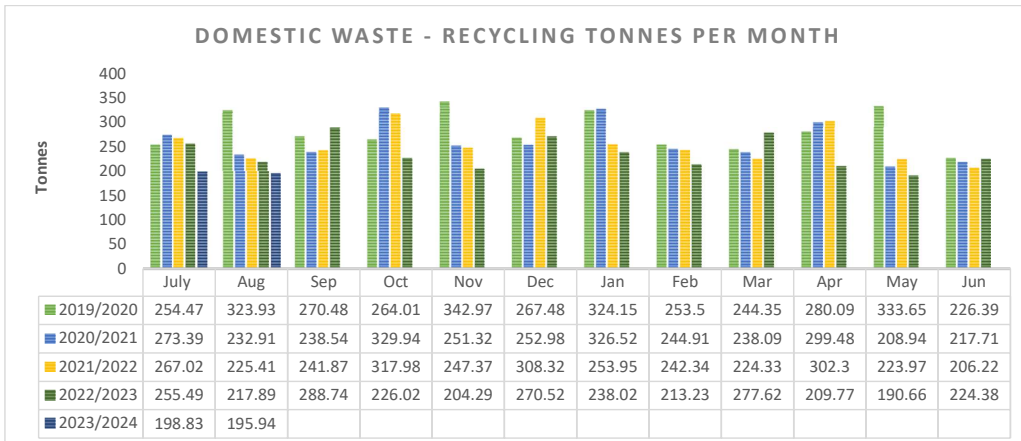
SERVICES PERFORMANCE





FACILITY AND SERVICE  
PERFORMANCE DASHBOARD

REPORT PRINT DATE: 11/09/2023



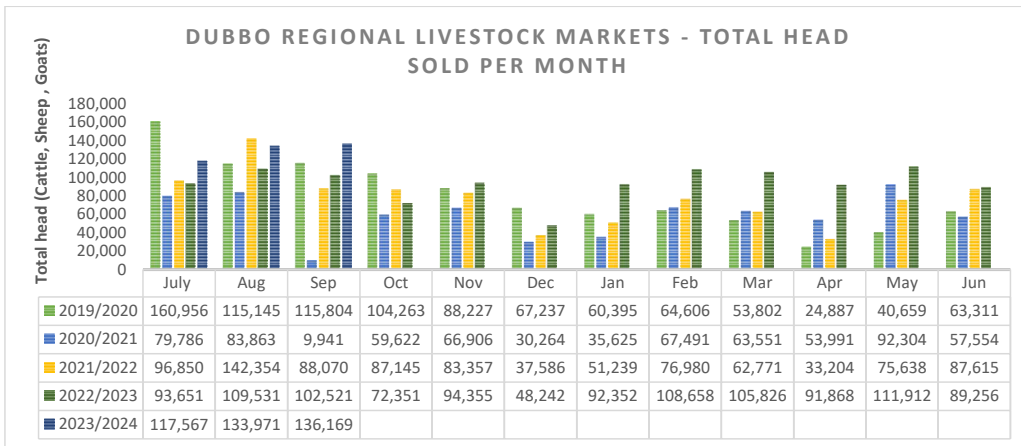
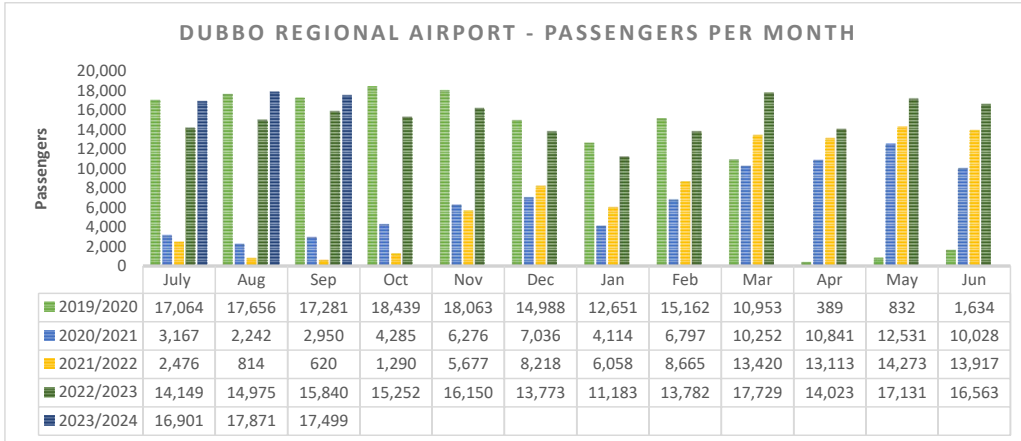
September data for waste was not available at the time of the report being published.



FACILITY AND SERVICE  
PERFORMANCE DASHBOARD

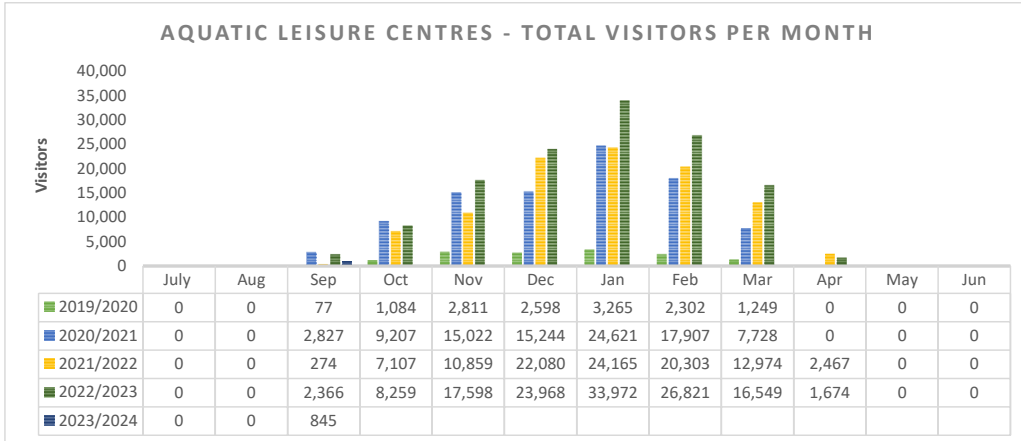
REPORT PRINT DATE: 11/10/2023

VISITORS & VOLUME – COMMERCIAL

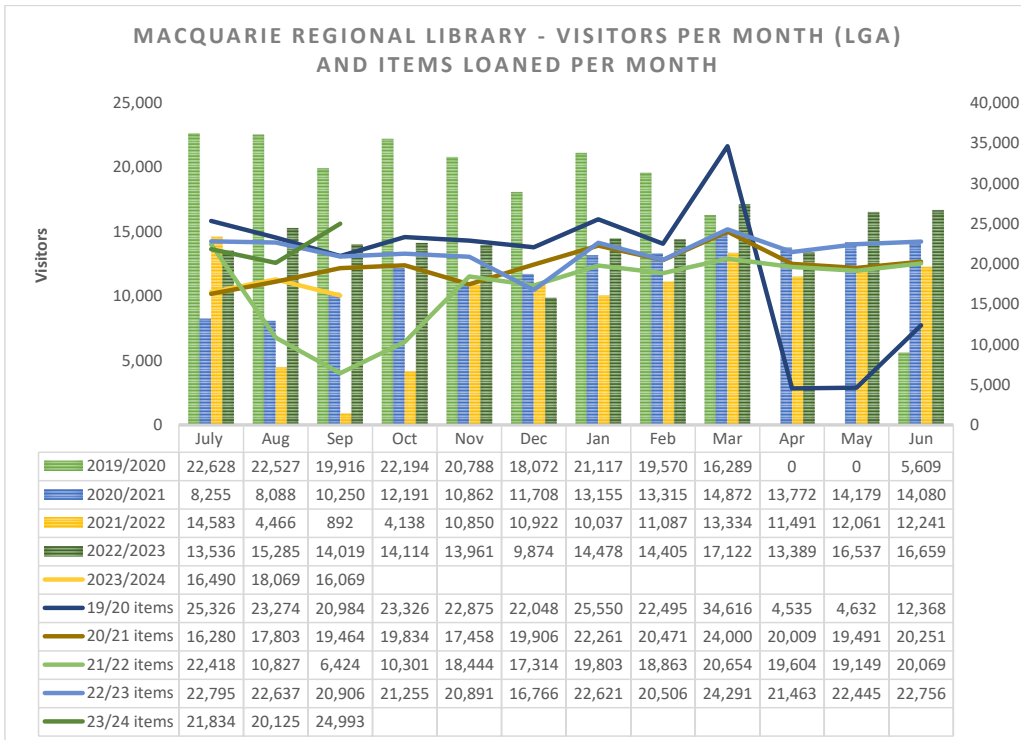




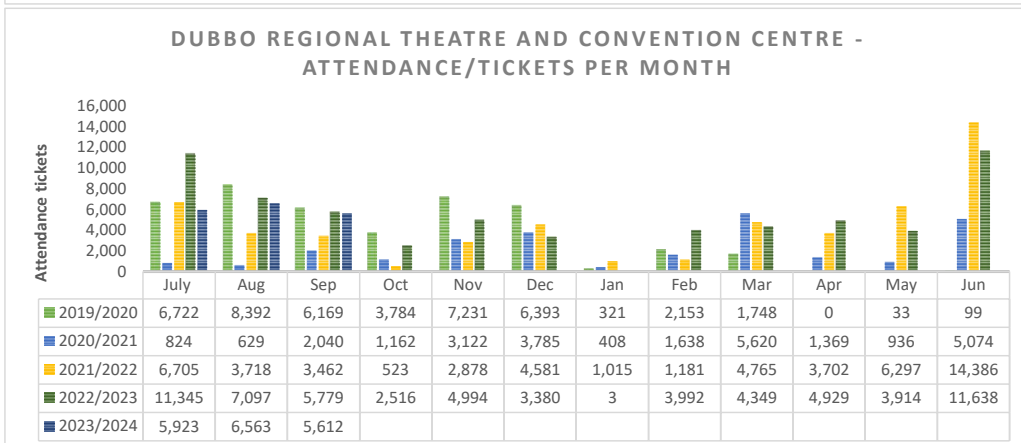
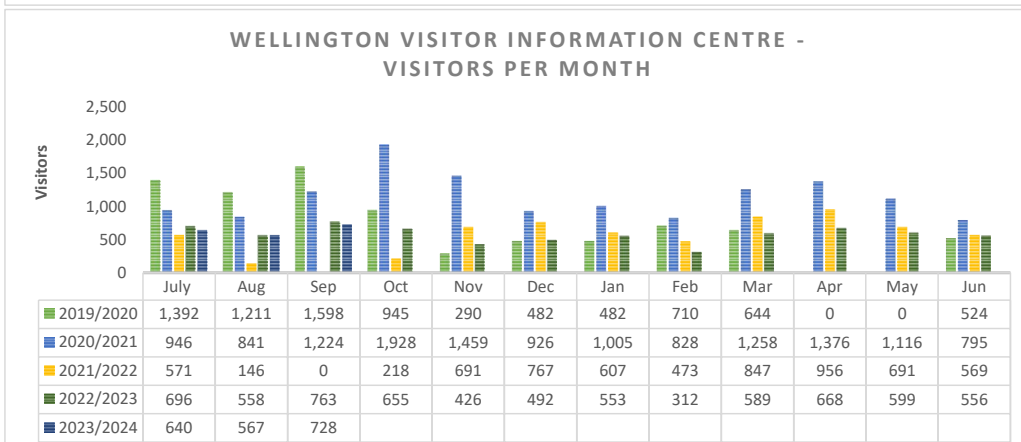
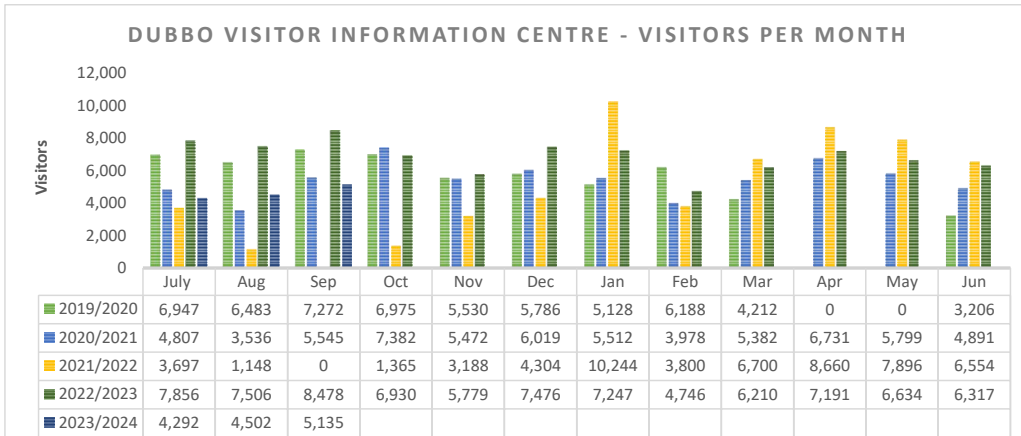
**VISITORS & CUSTOMERS – COMMUNITY**



Note: Belgravia Leisure are the operating partners of the ALCs. Dubbo Aquatic Leisure Centre and Wellington Aquatic Leisure Centre opened on Saturday 2 September 2023. Geurie Pool will reopen on Saturday 4 November 2023.



**VISITORS & CUSTOMERS – TOURISM & CULTURAL**

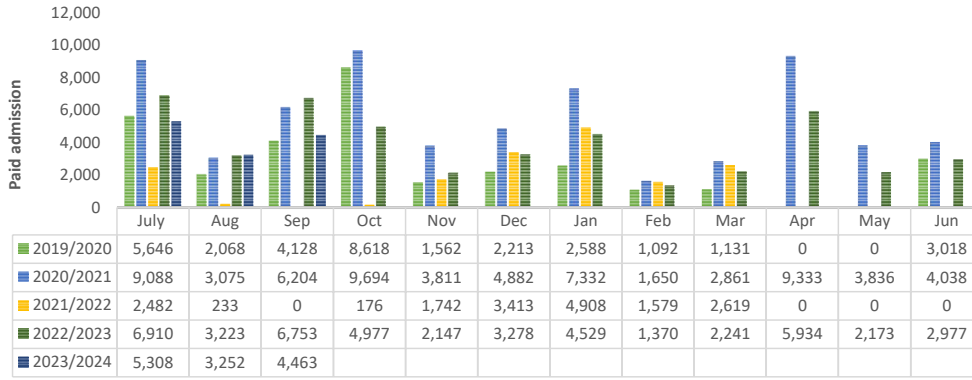




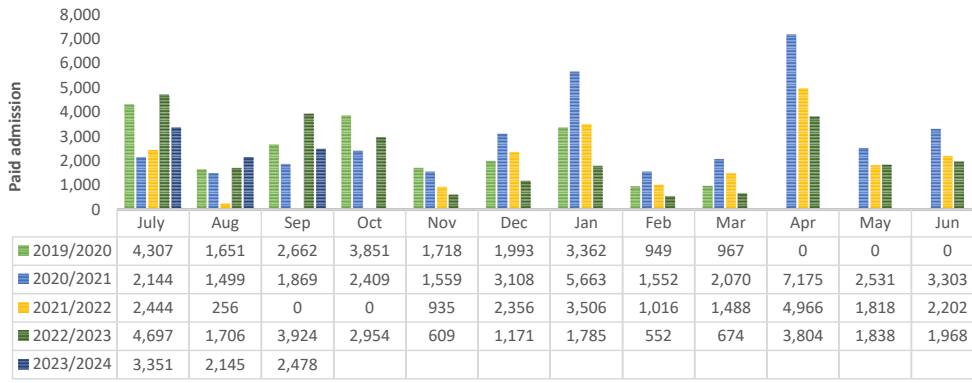
FACILITY AND SERVICE  
PERFORMANCE DASHBOARD

REPORT PRINT DATE: 11/10/2023

OLD DUBBO GAOL - PAID ADMISSION PER MONTH



WELLINGTON CAVES - PAID ADMISSION PER MONTH

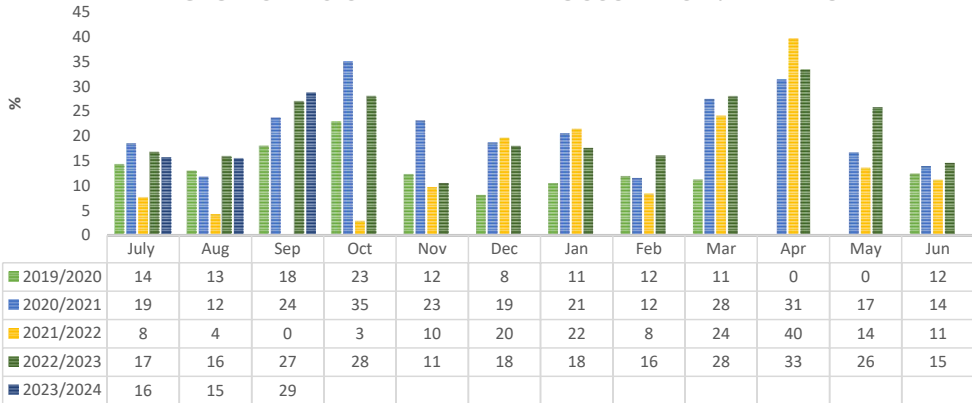




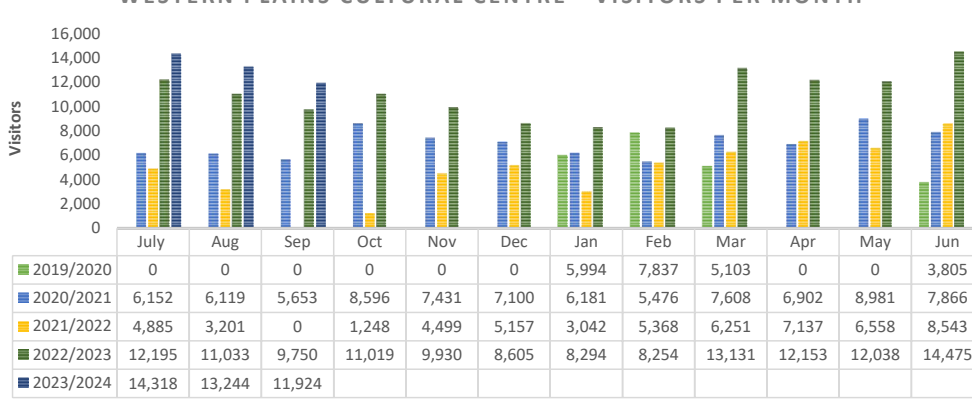
FACILITY AND SERVICE  
PERFORMANCE DASHBOARD

REPORT PRINT DATE: 11/10/2023

WELLINGTON CAVES CARAVAN PARK - OCCUPANCY % PER MONTH



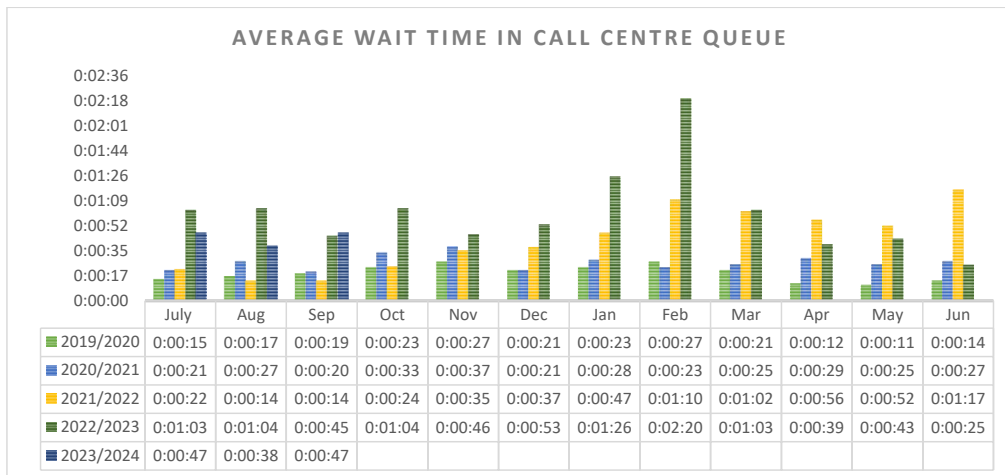
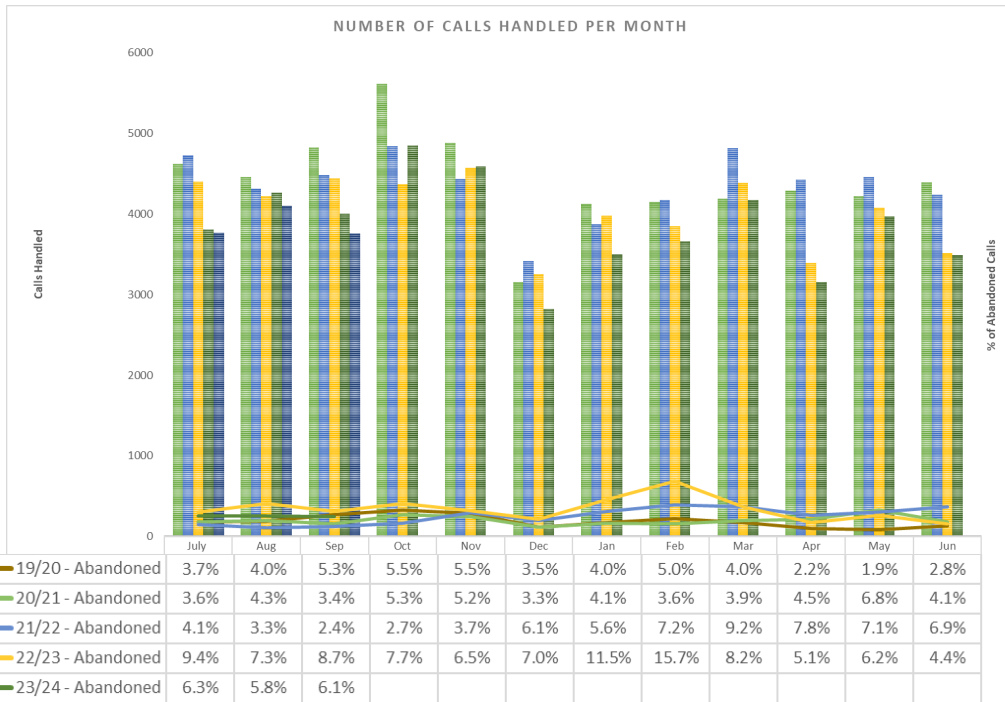
WESTERN PLAINS CULTURAL CENTRE - VISITORS PER MONTH

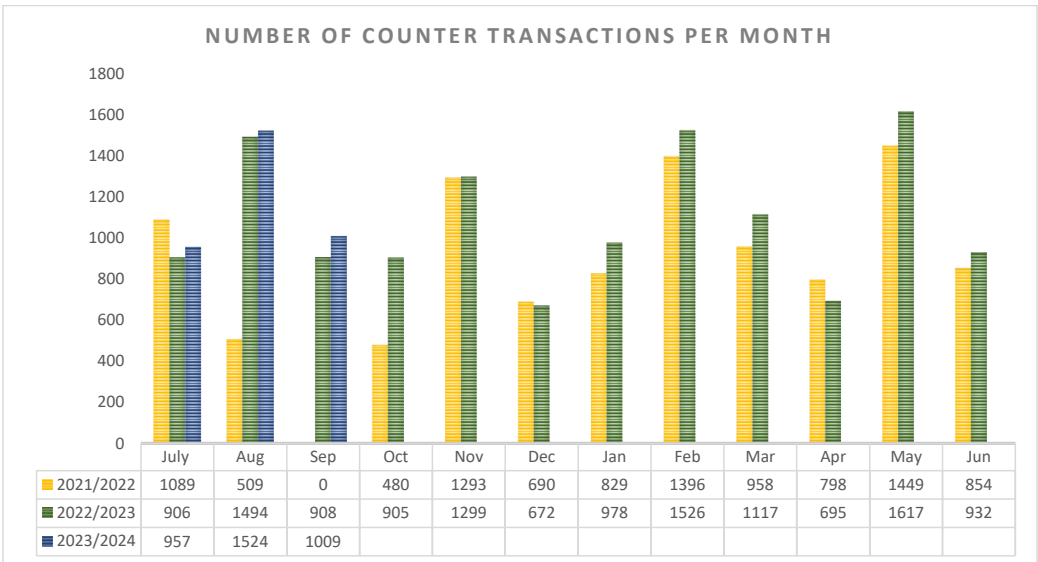
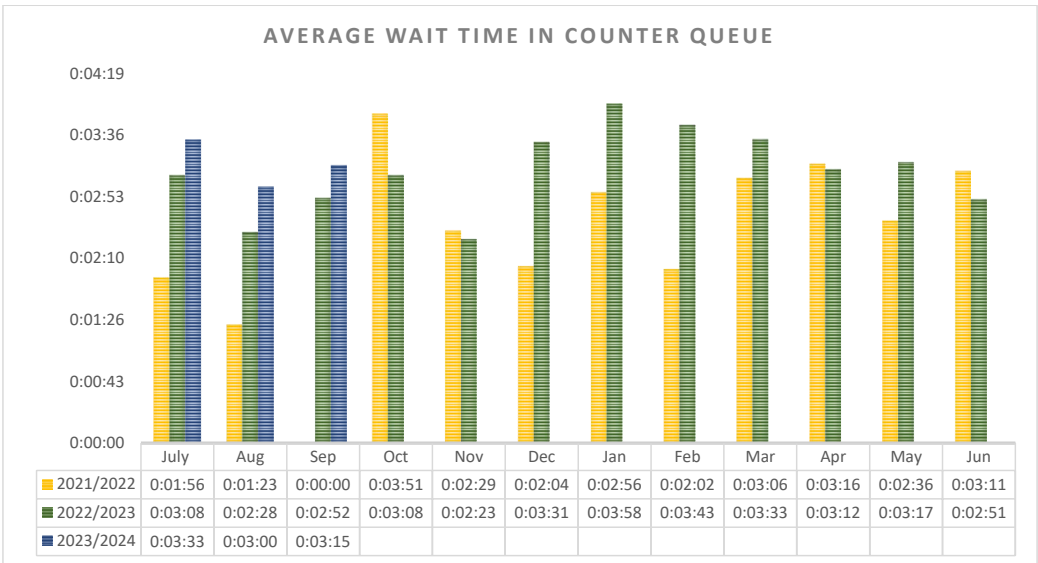




CUSTOMER EXPERIENCE  
CHARTER DASHBOARD

REPORT PRINT DATE: 11/10/2023



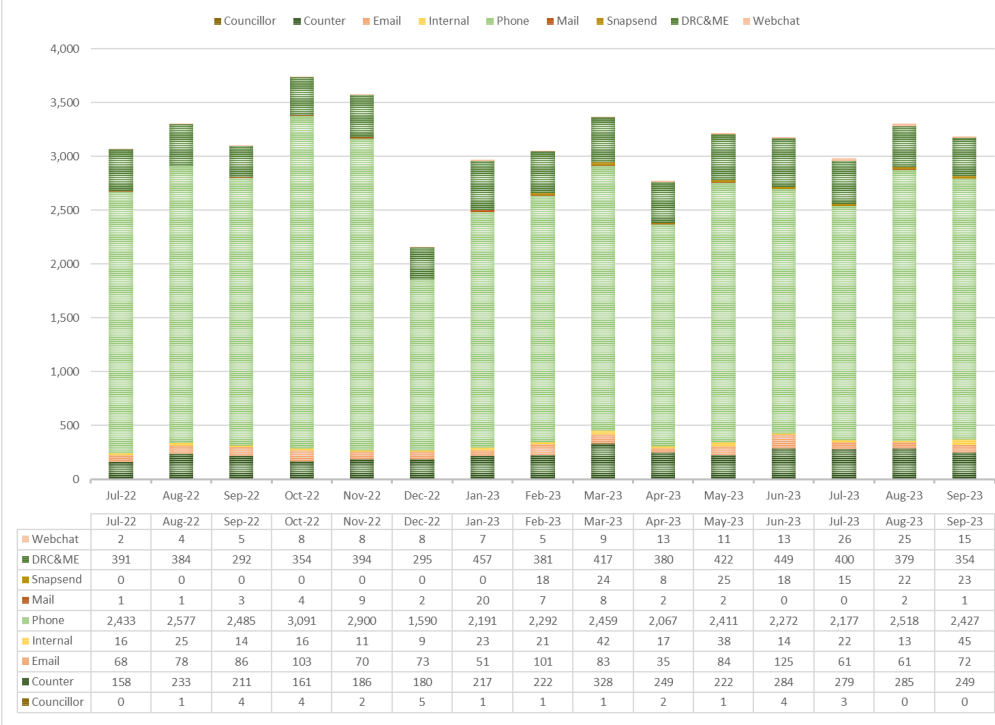




CUSTOMER EXPERIENCE  
CHARTER DASHBOARD

REPORT PRINT DATE: 11/10/2023

CUSTOMER SERVICE REQUEST TOTAL PER MONTH BY CATEGORY





**DUBBO REGIONAL  
COUNCIL**

## **Report of the Infrastructure, Planning and Environment Committee - meeting 12 October 2023**

**AUTHOR: Governance Officer**  
**REPORT DATE: 21 September 2023**

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The Council had before it the report of the Infrastructure, Planning and Environment Committee meeting held 12 October 2023.

### **RECOMMENDATION**

**That the report of the Infrastructure, Planning and Environment Committee meeting held on 12 October 2023, be adopted.**





**REPORT**  
**INFRASTRUCTURE, PLANNING AND**  
**ENVIRONMENT COMMITTEE**  
**12 OCTOBER 2023**

---

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

**ALSO IN ATTENDANCE:** The Chief Executive Officer, the Director Organisational Performance, the Manager Corporate Governance, the Governance Team Leader, the Governance Officer, the Director Strategy Partnership and Engagement, the Communications Partner, the IT Infrastructure Specialist, the Corporate Strategy and Performance Coordinator, the Director Development and Environment (S Jennings), the Manager Resource Recovery and Efficiency, the Organisational Sustainability Coordinator, the Director Infrastructure, the Director Community Culture and Places, and the Events and Partnerships Team Leader.

Councillor M Dickerson assumed the chair of the meeting.

The proceedings of the meeting commenced at 5.31 pm.

**IPEC23/44 ACKNOWLEDGEMENT OF COUNTRY (ID23/2327)**

Councillor L Burns delivered a Welcome to Country.

**IPEC23/45 ELECTION OF CHAIRPERSON (ID23/2452)**

At this juncture, the Mayor invited nominations for the election of Chairperson Infrastructure, Planning and Environment Committee for the remainder of the Mayoral term with the following nomination received:

Councillor M Wright nominated by Councillor R Ivey and Councillor S Chowdhury

Councillor M Wright accepted their nomination.

The Mayor advised that as only one nomination was received for the position of the Chairperson of Infrastructure, Planning and Environment Committee that Councillor M Wright be duly elected for the remainder of the Mayoral term.

Councillor M Wright assumed the chair of the meeting.

**IPEC23/46 LEAVE OF ABSENCE (ID23/2328)**

A request for leave of absence was received from Councillor P Wells who was absent from the meeting due to personal reasons.

Moved by Councillor R Ivey and seconded by Councillor J Gough

**MOTION**

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

**CARRIED**

Councillors D Mahon and S Chowdhury attended via audio visual link.

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

**Against:** Nil.

**IPEC23/47 CONFLICTS OF INTEREST (ID23/2329)**

There were no Conflicts of Interest declared.

**IPEC23/48 DRAFT NET ZERO FRAMEWORK FOR COUNCIL OPERATIONS - RESULTS OF PUBLIC EXHIBITION (ID23/2290)**

The Committee had before it the report dated 26 September 2023 from the Organisational Sustainability Coordinator regarding Draft Net Zero Framework for Council Operations - Results of Public Exhibition.

Moved by Councillor J Black and seconded by Councillor V Etheridge

**MOTION**

**That the draft Net Zero Framework for Council Operations (Appendix 1) be adopted by Council.**

**CARRIED**

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

**Against:** Nil.

**IPEC23/49 BUILDING SUMMARY - SEPTEMBER 2023 (ID23/2355)**

The Committee had before it the report dated 29 September 2023 from the Director Development and Environment regarding Building Summary - September 2023.

Moved by Councillor M Dickerson and seconded by Councillor L Burns

**MOTION**

**That the report of the Director Development and Environment, dated 29 September 2023, be noted.**

**CARRIED**

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

**Against:** Nil.

The meeting closed at 5.37 pm.

.....  
CHAIRPERSON



**DUBBO REGIONAL  
COUNCIL**

## **Report of the Culture and Community Committee - meeting 12 October 2023**

**AUTHOR: Governance Officer**  
**REPORT DATE: 21 September 2023**

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The Council had before it the report of the Culture and Community Committee meeting held 12 October 2023.

### **RECOMMENDATION**

**That the report of the Culture and Community Committee meeting held on 12 October 2023, be noted.**



**REPORT**  
**CULTURE AND COMMUNITY COMMITTEE**  
**12 OCTOBER 2023**

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

**ALSO IN ATTENDANCE:** The Chief Executive Officer, the Director Organisational Performance, the Manager Corporate Governance, the Governance Team Leader, the Governance Officer, the Director Strategy Partnership and Engagement, the Communications Partner, the IT Infrastructure Specialist, the Corporate Strategy and Performance Coordinator, the Director Development and Environment (S Jennings), the Manager Resource Recovery and Efficiency, the Organisational Sustainability Coordinator, the Director Infrastructure, the Director Community Culture and Places, and the Events and Partnerships Team Leader.

Councillor M Dickerson assumed chair of the meeting.

The proceedings of the meeting commenced at 5.38 pm.

**CCC23/79 ELECTION OF CHAIRPERSON (ID23/2453)**

At this juncture, the Mayor invited nominations for the election of Chairperson Culture and Community Committee for the remainder of the Mayoral term with the following nomination received:

Councillor J Gough nominated by Councillor M Wright and Councillor R Ivey.

Councillor J Gough accepted their nomination.

The Mayor advised that as only one nomination was received for the position of the Chairperson of Culture and Community Committee that Councillor J Gough be duly elected for the remainder of the Mayoral term.

Councillor J Gough assumed the chair of the meeting.

**CCC23/80 LEAVE OF ABSENCE (ID23/2330)**

A request for leave of absence was received from Councillor P Wells who was absent from the meeting due to personal reasons.

Moved by Councillor L Burns and seconded by Councillor M Wright

**MOTION**

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

**CARRIED**

Councillors D Mahon and R Ivey attended via audio visual link.

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

**Against:** Nil.

**CCC23/81 CONFLICTS OF INTEREST (ID23/2331)**

The following conflicts of interest were declared:

- Councillor L Burns – Pecuniary, Significant in CCC23/84
- Councillor M Dickerson – Non Pecuniary, Significant in CCC23/84
- Councillor S Chowdhury – Non Pecuniary, Less than Significant in CCC23/84
- Councillor J Gough – Pecuniary, Significant in CCC23/85
- Councillor S Chowdhury – Non Pecuniary, Less than Significant in CCC23/85

**CCC23/82 REPORT OF THE PUBLIC SPACES TREE COMMITTEE - MEETING 13 SEPTEMBER 2023 (ID23/2297)**

The Committee had before it the report of the Public Spaces Tree Committee meeting held 13 September 2023.

Moved by Councillor M Dickerson and seconded by Councillor R Ivey

**MOTION**

**That the report of the Public Spaces Tree Committee meeting held on 13 September 2023, be noted.**

**CARRIED**

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

**Against:** Nil.

**CCC23/83 REPORT OF THE WELLINGTON TOWN COMMITTEE - MEETING 4 SEPTEMBER 2023 (ID23/2299)**

The Committee had before it the report of the Wellington Town Committee meeting held 4 September 2023.

Moved by Councillor R Ivey and seconded by Councillor L Burns

**MOTION**

**That the report of the Wellington Town Committee meeting held on 4 September 2023, be**

noted.

**CARRIED**

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

**Against:** Nil.

**CCC23/84 COMMUNITY SERVICES FUND 2023/2024 - ROUND 1 - COMMUNITY BENEFIT FUNDING IN ACCORDANCE WITH SECTION 356 LOCAL GOVERNMENT ACT 1993 (ID23/2233)**

The Committee had before it the report dated 7 September 2023 from the Manager Community Services regarding Community Services Fund 2023/2024 - Round 1 - Community Benefit Funding in Accordance with Section 356 Local Government Act 1993.

Moved by Councillor M Wright and seconded by Councillor V Etheridge

**MOTION**

1. That Council allocate \$101,800.99 to the community based organisations in accordance with Section 356 of The Local Government Act 1993 and notification to be sent to each recommended applicant:

• Orana Education & Training Co Operative -	\$ 993.89
• Dubbo Legacy/Division of Orange Legacy -	\$ 5,000.00
• Orana Arts Inc -	\$15,556.00
• Boys to the Bush Ltd -	\$12,800.00
• Creative Community Concepts -	\$16,000.00
• Tubba-Gah Wiradjuri Aboriginal Corporation -	\$11,220.00
• City of Dubbo Turf Club -	\$16,859.80
• Orana Broadcasters Inc -	\$ 8,716.60
• Comobella Hall Trust -	\$ 3,307.70
• Orana Support Services -	\$ 4,726.00
• Dubbo Rivercare Group -	\$ 1,856.00
• Dubbo View Club -	\$ 1,395.00
• Western Region Academy of Sport -	\$ 3,370.00

2. That all not recommended applicants be advised of Council's Grants Hub, as well as other funding opportunities and any advice to assist future applications for council financial assistance.

3. That surplus funds remaining from the 2023/2024 Round One be rolled over to 2023/2024 Round Two of the Community Services Fund.

**CARRIED**

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

**Against:** Councillors J Black and R Ivey.

Moved by Councillor J Black and seconded by Councillor R Ivey

**AMENDMENT**

1. That Council allocate \$84,941.19 to the community based organisations in accordance with Section 356 of The Local Government Act 1993 and notification to be sent to each

recommended applicant:

- |  |             |
|--|-------------|
| • Orana Education & Training Co Operative -    | \$ 993.89   |
| • Dubbo Legacy/Division of Orange Legacy -     | \$ 5,000.00 |
| • Orana Arts Inc -                             | \$15,556.00 |
| • Boys to the Bush Ltd -                       | \$12,800.00 |
| • Creative Community Concepts -                | \$16,000.00 |
| • Tubba-Gah Wiradjuri Aboriginal Corporation - | \$11,220.00 |
| • Orana Broadcasters Inc -                     | \$ 8,716.60 |
| • Comobella Hall Trust -                       | \$ 3,307.70 |
| • Orana Support Services -                     | \$ 4,726.00 |
| • Dubbo Rivercare Group -                      | \$ 1,856.00 |
| • Dubbo View Club -                            | \$ 1,395.00 |
| • Western Region Academy of Sport -            | \$ 3,370.00 |
2. That all not recommended applicants be advised of Council's Grants Hub, as well as other funding opportunities and any advice to assist future applications for council financial assistance.
  3. That surplus funds remaining from the 2023/2024 Round One be rolled over to 2023/2024 Round Two of the Community Services Fund.

The amendment on being put to the meeting was lost.

LOST

**For:** Councillors J Black, V Etheridge, and R Ivey.

**Against:** Councillors J Gough, M Wright, D Mahon and S Chowdhury.

*Councillor L Burns declared a pecuniary, significant interest in the matter now before the Council and left the room during the Council's consideration of this matter. The reason for such interest is that Councillor L Burns sits on the board of the Tubba-Gah Wiradjuri Aboriginal Corporation.*

*Councillor M Dickerson declared a non-pecuniary, significant interest in the matter now before the Council and left the room during the Council's consideration of this matter. The reason for such interest is that Councillor M Dickerson is a volunteer board member of Orana Education and Training Co Operative (OEC), who have applied for funding from Council.*

*Councillor S Chowdhury declared a non-pecuniary, less than significant interest in the matter now before the Council and remained in the room during the Council's consideration of this matter. The reason for such interest is that Councillor S Chowdhury was previously part of the ORISCON INC community group, but is no longer part of this group.*

**CCC23/85 2023/2024 EVENT ASSISTANCE PROGRAM (ID23/2347)**

The Committee had before it the report dated 21 September 2023 from the Events and Partnerships Team Leader regarding 2023/2024 Event Assistance Program.

Moved by Councillor M Wright and seconded by Councillor V Etheridge

**MOTION**

**That each applicant be advised of the outcome of their application in accordance with the**



**Financial Assistance Policy.**

**CARRIED**

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

**Against:** Nil.

*Councillor J Gough declared a pecuniary, significant interest in the matter now before the Council and left the room during the Council's consideration of this matter. The reason for such interest is that Councillor J Gough owns a business which has applied/will be applying to trade at these events.*

*Councillor S Chowdhury declared a non-pecuniary, less than significant interest in the matter now before the Council and remained in the room during the Council's consideration of this matter. The reason for such interest is that Councillor S Chowdhury volunteers for the Stuart Town Multicultural Festival and the Cross Cultural Carnivale events.*

Councillor M Dickerson assumed the chair of the meeting for this matter.

**CONFIDENTIAL**

Moved by Councillor R Ivey and seconded by Councillor M Wright

**MOTION**

**I move to defer the Confidential item CCC23/86 Two Year Partnership Proposal – Western Sydney Wanderers Football Club to the conclusion of the Corporate Services Committee.**

**CARRIED**

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

**Against:** Nil.

The meeting closed at 6.10 pm.

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

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

- *CCC23/86 – Two Year Partnership Proposal - Western Sydney Wanderers Football Club (Section 10A(2)(c)) - information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposed to conduct) business.*

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

At this juncture the Council resolved into closed session, the time being 6.25 pm.

The open session resumed at 6.28 pm.

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

**CCC23/86 TWO YEAR PARTNERSHIP PROPOSAL - WESTERN SYDNEY WANDERERS FOOTBALL CLUB (ID23/2362)**

The Committee had before it the report dated 25 September 2023 from the Events and Partnerships Team Leader regarding Two Year Partnership Proposal - Western Sydney Wanderers Football Club.

Moved by Councillor M Wright and seconded by Councillor R Ivey

**MOTION**

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

**CARRIED**

Moved by Councillor M Wright and seconded by Councillor R Ivey

**MOTION**

- 1. That given the low economic return and the high financial risk to Council that it not accede to the proposal based on the current hosting fee structure.**
- 2. That, at no cost to Council, an offer be put to support the communications and marketing of Western Sydney Wanderers Football Club's club engagement activities and school holiday clinics to help bolster awareness and attendance at clinics and coaching sessions held in 2023/2024 and 2024/2025.**
- 3. That Council continue to negotiate with Western Sydney Wanderers Football Club to secure fixtures over multiple years that will attract a greater return on investment.**

**CARRIED**

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

**Against:** Nil.

The meeting closed at 6.29 pm.

.....  
CHAIRPERSON



**DUBBO REGIONAL  
COUNCIL**

## **Report of the Corporate Services Committee - meeting 12 October 2023**

**AUTHOR: Governance Officer**  
**REPORT DATE: 21 September 2023**

---

The Council had before it the report of the Corporate Services Committee meeting held 12 October 2023.

### **RECOMMENDATION**

**That the report of the Corporate Services Committee meeting held on 12 October 2023, be adopted.**



DUBBO REGIONAL  
COUNCIL

**REPORT**  
**CORPORATE SERVICES COMMITTEE**  
**12 OCTOBER 2023**

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

**ALSO IN ATTENDANCE:** The Chief Executive Officer, the Director Organisational Performance, the Manager Corporate Governance, the Governance Team Leader, the Governance Officer, the Director Strategy Partnership and Engagement, the Communications Partner, the IT Infrastructure Specialist, the Corporate Strategy and Performance Coordinator, the Director Development and Environment (S Jennings), the Manager Resource Recovery and Efficiency, the Organisational Sustainability Coordinator, the Director Infrastructure, the Director Community Culture and Places, and the Events and Partnerships Team Leader.

Councillor M Dickerson assumed the chair of the meeting.

The proceedings of the meeting commenced at 6.11 pm.

**CSC23/53 ELECTION OF CHAIRPERSON (ID23/2454)**

At this juncture, the Mayor invited nominations for the election of Chairperson Corporate Services Committee for the remainder of the Mayoral term with the following nomination received:

Councillor S Chowdhury nominated by Councillor R Ivey and Councillor M Wright.

Councillor S Chowdhury accepted their nomination.

The Mayor advised that as only one nomination was received for the position of the Chairperson of Corporate Services Committee that Councillor S Chowdhury be duly elected for the remainder of the Mayoral term.

Councillor M Dickerson remained in the chair as Councillor S Chowdhury was in attendance via audio-visual link.

**CSC23/54 LEAVE OF ABSENCE (ID23/2335)**

A request for leave of absence was received from Councillor P Wells who was absent from the

meeting due to personal reasons.

Moved by Councillor M Wright and seconded by Councillor J Gough

**MOTION**

**That such request for leave of absence be accepted and Councillor P Wells be granted leave of absence from this meeting.**

**CARRIED**

Councillors D Mahon and S Chowdhury attended via audio visual link.

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

**Against:** Nil.

**CSC23/55 CONFLICTS OF INTEREST (ID23/2334)**

There were no Conflicts of Interest declared.

**CSC23/56 REPORT OF THE DUBBO REGIONAL LIVESTOCK MARKETS ADVISORY COMMITTEE - MEETING 12 SEPTEMBER 2023 (ID23/2296)**

The Committee had before it the report of the Dubbo Regional Livestock Markets Advisory Committee meeting held 12 September 2023.

Moved by Councillor V Etheridge and seconded by Councillor L Burns

**MOTION**

**That the report of the Dubbo Regional Livestock Markets Advisory Committee meeting held on 12 September 2023, be adopted.**

**CARRIED**

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

**Against:** Nil.

**CSC23/57 REPORT OF THE FINANCIAL PERFORMANCE COMMITTEE - MEETING 19 SEPTEMBER 2023 (ID23/2332)**

The Committee had before it the report of the Financial Performance Committee meeting held 19 September 2023.

Moved by Councillor M Wright and seconded by Councillor J Gough

**MOTION**

**That the report of the Financial Performance Committee meeting held on 19 September 2023, be adopted.**

**CARRIED**

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

**Against:** Nil.

**CSC23/58 SERVICE REVIEW PROGRAM UPDATE (ID23/2382)**

The Committee had before it the report dated 3 October 2023 from the Director Strategy, Partnerships and Engagement regarding Service Review Program Update.

The Committee received a presentation from the DSPE on this item.

Moved by Councillor J Gough and seconded by Councillor V Etheridge

**MOTION**

- 1. That the information regarding the current Service Review Program be noted.**
- 2. That the Draft Service Review Framework and 2024 - 2025 Service Review Program (as attached as Appendices 1 and 2) be endorsed.**

**CARRIED**

Councillor D Mahon left the meeting, time being 6.23 pm.

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

**Against:** Nil.

**CSC23/59 INVESTMENT UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - SEPTEMBER 2023 (ID23/2212)**

The Committee had before it the report dated 3 October 2023 from the Graduate Accountant regarding Investment Under Section 625 of the Local Government Act - September 2023.

Moved by Councillor M Wright and seconded by Councillor J Gough

**MOTION**

**That the information contained within the Investment under Section 625 of the Local Government Act Report, dated 3 October 2023, be noted.**

**CARRIED**

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

**Against:** Nil.

**CSC23/60 DRAFT COUNCIL POLICY - CODE OF MEETING PRACTICE - RESULTS OF PUBLIC EXHIBITION (ID23/2320)**

The Committee had before it the report dated 20 September 2023 from the Governance Team Leader regarding Draft Council Policy - Code of Meeting Practice - Results of Public Exhibition.

Moved by Councillor J Gough and seconded by Councillor J Black

**MOTION**

**That the draft Council Policy, Code of Meeting Practice, as attached at Appendix 1, be adopted.**

**CARRIED**

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

**Against:** Nil.

The meeting closed at 6.24 pm.

.....  
CHAIRPERSON



**DUBBO REGIONAL  
COUNCIL**

## **Report of the Audit, Risk and Improvement Committee - meeting 3 October 2023**

**AUTHOR: Governance Team Leader**  
**REPORT DATE: 3 October 2023**

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The Council had before it the report of the Audit, Risk and Improvement Committee meeting held 3 October 2023.

### **RECOMMENDATION**

**That the report of the Audit, Risk and Improvement Committee meeting held on 3 October 2023, be adopted.**





**REPORT  
AUDIT, RISK AND IMPROVEMENT  
COMMITTEE  
3 OCTOBER 2023**

**PRESENT:** Councillors M Dickerson, R Ivey, Mr T Breen (Independent Member) and Mr J Walkom (Independent Member and Council Appointed C).

**ALSO IN ATTENDANCE:** The Chief Executive Officer, the Director Organisational Performance, the Governance Team Leader, the Governance Officer, the Chief Financial Officer, the Director Strategy, Partnerships and Engagement, the Communications Partner, the Director Community, Culture and Places, the Manager Macquarie Regional Library, the Manager Community Services, Ms M Lee (Audit Office) and Ms S Leahy (Centium Auditor).

Mr J Walkom assumed the Chair of the meeting.

The proceedings of the meeting commenced at 11.05 am.

**ARIC23/1 ACKNOWLEDGMENT OF COUNTRY (ID23/1248)**

Mr J Walkom delivered an Acknowledgement of Country.

**ARIC23/2 LEAVE OF ABSENCE (ID23/1253)**

A request for leave of absence was received from Councillor S Chowdhury who was absent from the meeting due to personal reasons.

Clr R Ivey, Ms M Lee (Audit Office) and Ms S Leahy (Centium Auditor) attended via Audio-Visual Link.

**ARIC23/3 CONFLICTS OF INTEREST (ID23/1251)**

The following conflict of interest was declared:

- Mr J Walkom – Non-Pecuniary Significant in ARIC23/11

**ARIC23/4 REPORT OF THE AUDIT AND RISK MANAGEMENT COMMITTEE - MEETING 4  
JULY 2023 (ID23/2352)**

The Committee had before it the report of the Audit and Risk Management Committee meeting held 4 July 2023.

Moved by Councillor R Ivey and seconded by Mr T Breen (Independent Member)

**RECOMMENDATION**

The Committee recommends:

**That the report of the Audit and Risk Management Committee meeting held on 4 July 2023, be adopted.**

**CARRIED**

**ARIC23/5 ANNUAL REPORT 2023 - PROVIDED BY ARIC CHAIR (ID23/2368)**

The Committee were addressed by the Chairperson regarding the Annual Report.

Moved by Councillor R Ivey and seconded by Mr T Breen (Independent Member)

**RECOMMENDATION**

The Committee recommends:

- 1. That the report of the Audit, Risk and Improvement Committee Chairperson be noted.**
- 2. That any feedback provided before the close of the Council agenda be forwarded to the Manager Corporate Governance to be noted.**

**CARRIED**

**ARIC23/6 COMPLETED DRIVES AUDIT (ID23/2302)**

The Committee had before it the report dated 20 September 2023 from the Manager Corporate Governance regarding Completed DRIVES Audit.

Moved by Mr T Breen (Independent Member) and seconded by Councillor R Ivey

**RECOMMENDATION**

The Committee recommends:

- 1. That the DRIVES Audit be accepted.**
- 2. That the audit recommendations be added to the quarterly action report.**

**CARRIED**

**ARIC23/7 REFERRAL OF 2022/2023 FINANCIAL STATEMENTS FOR AUDIT (ID23/2289)**

The Committee had before it the report dated 18 September 2023 from the Chief Financial Officer regarding Referral of 2022/2023 Financial Statements for Audit.

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

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**RECOMMENDATION**

The Committee recommends:

- 1. That the Draft 2022/2023 Financial Statements submitted for audit be noted.**
- 2. That it be noted that a further ARIC Meeting be held on Tuesday, 24 October 2023 for the purpose of reviewing the financial statements.**

**CARRIED**

**ARIC23/8 CHANGES AND UPDATES TO THE ARMC (ID23/2307)**

The Committee had before it the report dated 20 September 2023 from the Manager Corporate Governance regarding Changes and Updates to the ARMC.

Moved by Mr T Breen (Independent Member) and seconded by Councillor R Ivey

**RECOMMENDATION**

The Committee recommends:

**That the report of the Manager Corporate Governance be noted.**

**CARRIED**

**ARIC23/9 TENDERING FOR INSURANCE PROVIDER (ID23/2178)**

The Committee had before it the report dated 30 August 2023 from the Emergency and Risk Team Leader regarding Tendering for Insurance Provider.

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

**RECOMMENDATION**

The Committee recommends:

**That Council remain with CivicRisk Mutual.**

**CARRIED**

**ARIC23/10 ARIC ACTION ITEMS - OCTOBER 2023 (ID23/2351)**

The Committee had before it the report dated 22 September 2023 from the Manager Corporate Governance regarding ARIC Action Items - October 2023.

Moved by Councillor R Ivey and seconded by Mr T Breen (Independent Member)

**RECOMMENDATION**

The Committee recommends:

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

CARRIED

**ARIC23/11 ANNUAL REPORT ON SUPPLIERS PAID OVER \$100,000 AND PURCHASE ORDER AFTER INVOICE DATE - 2022/2023 FINANCIAL YEAR (ID23/2006)**

The Committee had before it the report dated 6 September 2023 from the Chief Financial Officer regarding Annual Report on Suppliers Paid Over \$100,000 and Purchase Order After Invoice Date - 2022/2023 Financial Year.

Moved by Councillor R Ivey and seconded by Mr T Breen (Independent Member)

**RECOMMENDATION**

The Committee recommends:

- 1. That the information contained within the report be noted.**
- 2. That subject to legislative requirements being clarified by the Chief Financial Officer, that the cut off point for reporting be increased to \$150,000.**

CARRIED

*Mr J Walkom declared a non-pecuniary, significant interest in the matter now before the Council and left the room during the Council's consideration of this matter. The reason for such interest is that Mr J Walkom is related to the owner of Techni-Clean Dubbo.*

**ARIC23/12 SERVICE REVIEW PROGRAM UPDATE (ID23/2193)**

The Committee had before it the report dated 1 September 2023 from the Director Strategy, Partnerships and Engagement regarding Service Review Program Update.

Moved by Mr T Breen (Independent Member) and seconded by Councillor R Ivey

**RECOMMENDATION**

The Committee recommends:

CARRIED

- 1. That the information regarding the current Service Review Program be noted.**
- 2. That the Draft Service Review Framework and 2024 - 2025 Service Review Program**

**ARIC23/13 ATTACHED MACQUARIE REGIONAL LIBRARY SERVICE DELIVERY REVIEW (ID23/2082)**

The Committee had before it the report dated 22 September 2023 from the Manager Macquarie Regional Library regarding Macquarie Regional Library Service Delivery Review.

Moved by Councillor R Ivey and seconded by Mr T Breen (Independent Member)

**RECOMMENDATION**

The Committee recommends:

- 1. That the Macquarie Regional Library (MRL) Service Improvement Plan, contained within the report of the Manager Macquarie Regional Library, dated 22 September 2023, be noted.**

2. That the MRL Service Improvement Plan be implemented in accordance with the approved timeframes.
3. That MRL Member Councils be consulted on the endorsed Service Improvement Plan.
4. That discussions are held with member councils with a view of including relevant improvement strategies into their strategic planning documents.

**CARRIED**

**ARIC23/14 DUBBO FAMILY DAY CARE AUDIT REPORT (ID23/2300)**

The Committee had before it the report dated 20 September 2023 from the Manager Community Services regarding Dubbo Family Day Care Audit Report.

Moved by Councillor R Ivey and seconded by Mr T Breen (Independent Member)

**RECOMMENDATION**

The Committee recommends:

1. That the report from Manager Community Services be noted.

**CARRIED**

**ARIC23/15 END OF CURRENT TERM FOR INDEPENDENT MEMBERS (ID23/2350)**

The Manager Corporate Governance addressed the Committee with regard to this item and thanked the current independent members for their participation and oversight for the past three years.

The meeting closed at 12.59 pm.

.....  
CHAIRPERSON



## NOTICE OF MOTION: Tree Planting

REPORT DATE: 27 September 2023  
FILE: ID23/2369

Council had before it a Notice of Motion dated 27 September 2023 from Councillor S Chowdhury regarding the Tree Planting as follows:

*That the CEO provide a report on potential community tree planting activities from existing funding.*

### RECOMMENDATION

**That the CEO provide a report on potential community tree planting activities from existing funding.**

SC  
Councillor

### APPENDICES:

- [1](#) Notice Of Motion - Ordinary Council meeting 24/08/2023 - Clr S Chowdhury - Tree Planting

*Councillor Shibli Chowdhury*  
PO Box 81  
DUBBO NSW 2830

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14 August 2023

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

Dear Murray

**NOTICE OF MOTION – TREE PLANTING**

I would like to place the following notice of motion on the agenda for the 24 August 2023 Ordinary meeting of Council;

*That the CEO provide a report on potential community tree planting activities from existing funding.*

Yours faithfully



Shibli Chowdhury  
Councillor



DUBBO REGIONAL  
COUNCIL

## NOTICE OF MOTION: Concept Dubbo Indoor Aquatic Centre

REPORT DATE: 27 September 2023

FILE: ID23/2370

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Council had before it a Notice of Motion dated 27 September 2023 from Councillor S Chowdhury regarding the Concept Dubbo Indoor Aquatic Centre as follows:

*That the CEO provide a report back to council that:*

- a. includes previous architectural concept designs for indoor aquatic facilities, and*
- b. costs and associated quantity surveying for construction, operational costs and provide funding alternatives.*

### RECOMMENDATION

**That the CEO provide a report back to council that:**

- a. includes previous architectural concept designs for indoor aquatic facilities, and**
- b. costs and associated quantity surveying for construction, operational costs and provide funding alternatives.**

SC  
Councillor

### APPENDICES:

- 1** [↓](#) Notice Of Motion - Ordinary Council meeting 24/08/2023 - Clr S Chowdhury - Concept Dubbo Indoor Aquatic Centre



Councillor Shibli Chowdhury  
PO Box 81  
DUBBO NSW 2830

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14 August 2023

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

Dear Murray

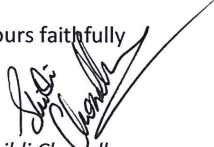
**NOTICE OF MOTION – CONCEPT DUBBO INDOOR AQUATIC CENTRE**

I would like to place the following notice of motion on the agenda for the 24 August 2023 Ordinary meeting of Council;

*That the CEO provide a report back to council that:*

- a. includes previous architectural concept designs for indoor aquatic facilities, and*
- b. costs and associated quantity surveying for construction, operational costs and provide funding alternatives.*

Yours faithfully

  
Shibli Chowdhury  
Councillor



## NOTICE OF MOTION: Renewable Energy Awareness and Career Training (REACT) Centre

REPORT DATE: 18 October 2023  
FILE: ID23/2510

Council had before it a Notice of Motion dated 18 October 2023 from Councillor R Ivey regarding the Renewable Energy Awareness and Career Training (REACT) Centre as follows:

*That the CEO provide a report back to council that:*

*That the Chief Executive Officer produce a high level conceptual business case for a Renewable Energy Awareness and Career Training (REACT) Centre by December 2023. The proposal will have, at a minimum, the following focus areas:*

- *To be based in Wellington district.*
- *Focused on building skills in the renewable sector as a whole.*
- *Focused on building capacity in the local community to participate in the REZ delivery and maintenance.*
- *Providing a tourism and public education experience that has state-wide significance and quality as the long lasting legacy for the region.*
- *Opportunities for external funding.*

### RECOMMENDATION

**That the Chief Executive Officer produce a high level conceptual business case for a Renewable Energy Awareness and Career Training (REACT) Centre by December 2023. The proposal will have, at a minimum, the following focus areas:**

- **To be based in Wellington district.**
- **Focused on building skills in the renewable sector as a whole.**
- **Focused on building capacity in the local community to participate in the REZ delivery and maintenance.**
- **Providing a tourism and public education experience that has state-wide significance and quality as the long lasting legacy for the region.**
- **Opportunities for external funding.**

*RI*  
Councillor

### APPENDICES:

1 [↓](#) Notice Of Motion - Ordinary Council Meeting 24/08/2023 - Clr R Ivey - Renewable

Energy Awareness and Career Training (REACT) Centre

**Councillor Richard Ivey**  
PO Box 81  
DUBBO NSW 2830

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19 October 2023

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

Dear Murray

**NOTICE OF MOTION – RENEWABLE ENERGY AWARENESS AND CAREER TRAINING (REACT) CENTRE**

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

*That the Chief Executive Officer, by December 2023, produce a high level conceptual business case for the establishment of a Renewable Energy Awareness and Career Training (REACT) Centre. The proposal will have, at a minimum, the following focus areas:*

- *To be based in Wellington district.*
- *Focused on building skills in the renewable sector as a whole.*
- *Focused on building capacity in the local community to participate in the REZ delivery and maintenance.*
- *Providing a tourism and public education experience that has state-wide significance and quality as a long lasting legacy for the region.*
- *Opportunities for external funding.*

Yours faithfully



*Richard Ivey*  
Councillor



## NOTICE OF MOTION: Calling for Action to Reduce Rates of Crime in the Dubbo Local Government Area

REPORT DATE: 19 October 2023  
FILE: ID23/2514

Council had before it a Notice of Motion dated 19 October 2023 from Councillor J Black regarding the Calling for Action to Reduce Rates of Crime in the Dubbo Local Government Area as follows:

I would like to place the following notice of motion on the agenda for the 26 October 2023 Ordinary meeting of Council.

1. *That Dubbo Regional Council acknowledges that the Dubbo Regional Council LGA has levels of crime in numerous categories that are well above the NSW State average as recorded by the NSW Bureau of Crime Statistics and Research (BOCSAR), and that this is a completely unsatisfactory situation which requires immediate government action.*
2. *That the Chief Executive Officer write to relevant Federal and State Government Ministers on the following matters:*
  - a. *addressing the underlying causes of these high crime rates.*
  - b. *requesting funding for Justice Reinvestment pilot projects, and other initiatives, to be implemented in the Dubbo LGA with a focus on reducing the underlying factors which lead to engagement with the criminal justice system.*
3. *That the Chief Executive Officer write to the NSW Minister for Police and Counter-terrorism on the following matters*
  - a. *to request an audit of police numbers across the Dubbo LGA, and for all vacant positions that service the Dubbo LGA to be filled immediately.*
  - b. *to immediately implement 24 hour policing in Wellington, which includes a 24-hour police presence (meaning on-duty police) and a 24 hour police station.*
4. *That the CEO provide a report back to Council updating on responses received.*

### RECOMMENDATION

- 1 **That Dubbo Regional Council acknowledges that the Dubbo Regional Council LGA has levels of crime in numerous categories that are well above the NSW State average as recorded by the NSW Bureau of Crime Statistics and Research (BOCSAR), and that this is a completely unsatisfactory situation which requires immediate government action.**
- 2 **That the Chief Executive Officer write to relevant Federal and State Government Ministers on the following matters:**
  - a. **addressing the underlying causes of these high crime rates.**
  - b. **requesting funding for Justice Reinvestment pilot projects, and other initiatives,**

- to be implemented in the Dubbo LGA with a focus on reducing the underlying factors which lead to engagement with the criminal justice system.
- 3 That the Chief Executive Officer write to the NSW Minister for Police and Counter-terrorism on the following matters
    - a. to request an audit of police numbers across the Dubbo LGA, and for all vacant positions that service the Dubbo LGA to be filled immediately.
    - b. to immediately implement 24 hour policing in Wellington, which includes a 24-hour police presence (meaning on-duty police) and a 24 hour police station.
  - 4 That the CEO provide a report back to Council updating on responses received.

*JB*  
Councillor

**APPENDICES:**

- 1 [↓](#) Notice of Motion - Councillor J Black - 26/10/2023 - Calling for action to reduce rates of crime in the Dubbo Local Government Area

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

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19 October 2023

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

Dear Murray

**NOTICE OF MOTION – CALLING FOR ACTION TO REDUCE RATES OF CRIME IN THE DUBBO LOCAL GOVERNMENT AREA**

I would like to place the following notice of motion on the agenda for the 26 October 2023 Ordinary meeting of Council.

1. *That Dubbo Regional Council acknowledges that the Dubbo Regional Council LGA has levels of crime in numerous categories that are well above the NSW State average as recorded by the NSW Bureau of Crime Statistics and Research (BOCSAR), and that this is a completely unsatisfactory situation which requires immediate government action.*
2. *That the Chief Executive Officer write to relevant Federal and State Government Ministers on the following matters:*
  - a. *addressing the underlying causes of these high crime rates.*
  - b. *requesting funding for Justice Reinvestment pilot projects, and other initiatives, to be implemented in the Dubbo LGA with a focus on reducing the underlying factors which lead to engagement with the criminal justice system.*
3. *That the Chief Executive Officer write to the NSW Minister for Police and Counter-terrorism on the following matters*
  - a. *to request an audit of police numbers across the Dubbo LGA, and for all vacant positions that service the Dubbo LGA to be filled immediately.*
  - b. *to immediately implement 24 hour policing in Wellington, which includes a 24-hour police presence (meaning on-duty police) and a 24 hour police station.*
4. *That the CEO provide a report back to Council updating on responses received.*

Yours faithfully

  
Josh Black  
Councillor



DUBBO REGIONAL  
COUNCIL

## REPORT: Presentation of Council's 2022/2023 Financial Statements

**DIVISION:** Organisational Performance  
**REPORT DATE:** 26 September 2023  
**TRIM REFERENCE:** ID23/2366

### 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

**That the General Purpose Financial Statements and the Special Purpose Financial Statements for the year ended 30 June 2023 be accepted by Council.**

*Jane Bassingthwaighte*  
Director Organisational Performance

*EM*  
Statutory Accountant



## 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.*

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".

Section 419 of the Local Government Act 1993 requires that Council must present its audited financial reports, together with the Auditor's reports at a meeting of the Council held on the date fixed for the meeting and Council's Auditor may, and if so, required in writing by the Council, must attend the meeting at which the Financial Reports are presented. The Audit Office will be attending the meeting remotely to present the 2022/2023 audited financial statements.

## REPORT

The General Purpose Financial Statements consists of:

- an Income Statement which provides information on the changes in net assets resulting from operations;
- a Statement of Comprehensive Income which includes transfers to and from Revaluation Reserves'

- Statement of Financial Position, which shows the assets and liabilities of the Council at the end of the year;
- Statement of Changes in Equity which shows the movement in equity for the year;
- Statement of Cash Flows which provides information on inflows and outflows of cash for the year; and
- Notes to the General Purpose Financial Statements which provide more detail on items appearing in the statements.

The statements also consist of Special Purpose Financial Statements designed to meet National Competition Policy reporting requirements for Category 1 and 2 businesses.

### Income Statement

In regard to the financial results for the year, the Income Statement shows the change in net assets resulting from operations for the year to be a \$50.7M surplus with a net operating result for the year before grants and contributions provided for capital purposes of \$5.8M deficit.

### Summary of Current and Prior Year Income Statement

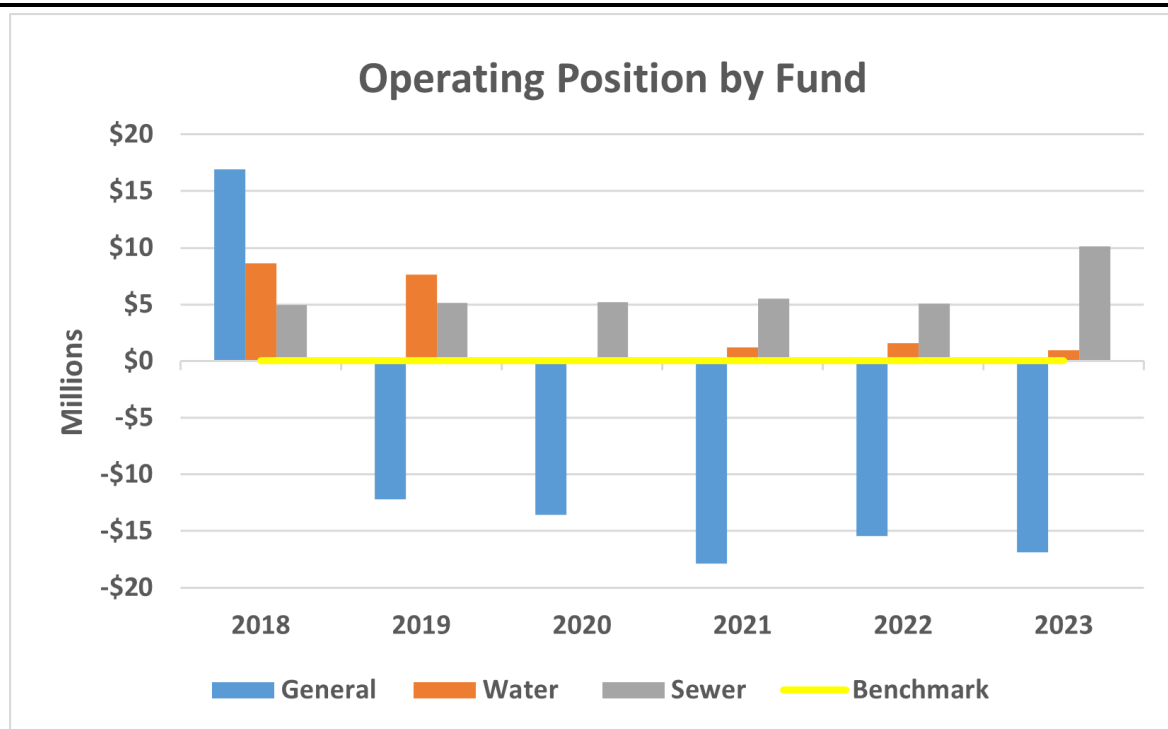
Total Financial Implications	2023 Actual (\$'000)	2023 Budget (\$'000)	2022 Actual (\$'000)	2021 Actual (\$'000)	2020 Actual (\$'000)
a. Total income	213,640	162,537	192,666	186,754	169,828
b. Total Operating expenses	162,924	140,935	152,221	149,630	145,084
c. Operating budget impact (a – b)	50,716	21,602	40,445	37,124	24,744
d. Capital Grants & Contributions Income	56,552	25,089	49,260	48,265	33,077
e. Net operating result for the year before grants and contributions provided for capital purposes (c – d)	(5,836)	(3,487)	(8,815)	(11,141)	(8,333)

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

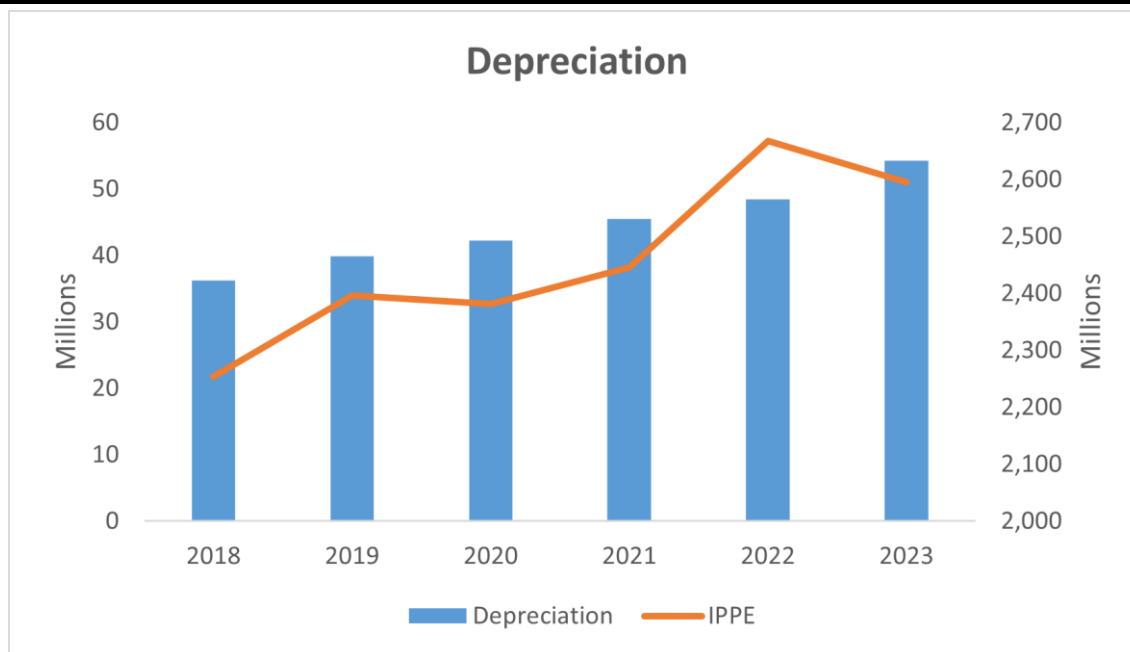
Material variations of more than 10% between original budget and actual results or where the variance is considered material by nature are explained in Note B5 Performance against budget.

Significant items relating to the Income statement are as follows.

1. The net operating result before capital grants and contributions has been declining since 2017/2018 for General Fund, where Water has been stable and Sewer fund have had positive profits due to investment profits being reserved for significant Capital renewals and improvement purposes.



2. Revenue areas that have increased are Investment income reporting \$3M in 2021/2022 and more than doubling to \$7.6M in 2022/2023; Operating grants are reported at \$28.5M, an increase of \$2.5M from prior year which directly relates to receiving the full allocation of the Financial Assistance Grant. User fees and charges also had a significant increase of \$5.14M overall with increases from Airport and Livestock Markets, discussed in detail below, and improved Ticket sales from events and Theatre productions.
3. Expense Areas with movement include:
  - i. Loss on Disposal of assets which decreased \$3.8M due to efforts in recognising completion of projects and proper componentisation of Capital Work in Progress and also due to the major focus drawn on fair value processes and correctly identifying assets and conditions.
  - ii. Material and services increased by \$5.2M overall, with most costs categories remaining similar confirming \$60.105M in 2021/2022 and \$59.627M in 2022/2023. The difference being the offset of capitalised costs associated with materials and services reduced \$5.2M to \$7.66M down from the prior year of \$13.4M, as per note B3-2.
  - iii. Depreciation is a significant expense to council and will react in accordance to the condition and useful remaining life in the asset. This correlates to the Asset register where the values and conditions are reported on annually on which depreciation is calculated. Values of Depreciation expense and overall value of Infrastructure, Property, Plant and Equipment (IPPE) are displayed in the graph below.



Two years that stand out are 2018/2019 which had an asset class restatement (stormwater) and 2021/2022 which had an indexation adjustment, further detailed in Statement of Financial Position section.

**Statement of Financial Position**

The Statement of Financial Position indicates that Council is in a stable but restricted financial position with Net Assets of \$2,826M.

Within Current Assets, receivables have had an overall increase of \$10.88M containing \$14.8M Grants due from other levels of Government, \$9.23M of which is River Street West Connector Road Grant. However there has been active remediation of other debtors, reducing by \$3.4M. Inventories increased \$3.0M as land held for sale for Keswick Stage 5 Release 2 pending settlements.

Expenditure on the acquisition of infrastructure assets such as roads, footpaths, cycleways, stormwater drainage, water and sewer infrastructure, parks, gardens, plant and equipment amounted to \$73.04M, including the value of assets contributed by developers.

During the financial year ended 30 June 2023, Dubbo Regional Council undertook a comprehensive revaluation of its Roads network, Bulk Earthworks, Heritage and Other infrastructure assets using an external consultant.

Through the Revaluation process, it was determined that there was a prior year error that required correcting for opening balance 1 July 2021 and closing balance 30 June 2022 within the Community Land asset class. It was found that 23 Assets were in the register valued at 100% of the land rate, when Council was only in control of parts of the land lots. This resulted in an Overstatement of \$14.74M in Community land as at 1 July 2021 and a subsequent revaluation of that overstatement of \$3.138M with a total overstatement of \$17.19M. The Financial Position statements for 2020/2021 have been included to record the change in IPPE and Equity. Note G4-2 has all disclosure changes of the error.

The opening written down value of the road’s infrastructure assets (approximately \$979M) incurred a decrement of \$69.9M which reduced the accumulated revaluation reserve. The decrement is attributable to an aggregate of the collection of assets and not identified to a small group of significantly impacted assets.

The opening written down value of the bulk earthworks (non-depreciable) assets (approximately \$446M) incurred a decrement of \$111.1M which reduced the accumulated revaluation reserve. The decrement is attributable to an aggregate of the collection of assets and not identified to a small group of significantly impacted assets.

It should also be noted that in prior year financial statements, an indexation was applied to certain asset classes, including roads network and Bulk Earthworks, due to an inconclusive fair value review. Below is an extract from CCL22/267 Presentation of Council's 2021/2022 Financial Statements:

*“Audit conducted a calculation of one asset class (roads and bridges) in an attempt to form an opinion on the final assets balance. Using ABS data for indexation from 2019 when roads was last comprehensively valued and applying the indexation increase to 2022 rates, being 10.43%, it was found that the high level assumption showed an understatement of \$92.5 million. This amount was concern enough that the Audit would partially qualify the Statements recognising a misstatement in the fair value.*

*As a result of a meeting with Council executives and Audit office, Asset classes were identified that would have a material misstatement if this high level indexation was applied. It was agreed that using the relevant data from the Australia Bureau of Statistics (Producer Price index) and Land values from the NSW Valuer General would be applied to the following assets classes and the resulting increase overall of \$182.6 million.*

Asset Class	Last revalued Year	Net Carrying Value	Percentage applied	Adjustment recognised	Net Carrying value reported
Operational Land	2018	\$36,961,306	20.35%	\$7,521,324	\$44,482,630
Airport Runways and Taxiways	2020	\$52,065,164	11.66%	\$6,070,577	\$58,135,742
Buildings Non Specialised	2018	\$26,365,179	16.38%	\$4,318,824	\$30,684,004
Buildings Specialised	2018	\$115,168,743	17.26%	\$19,882,552	\$135,051,296
Other Structures	2021	\$104,758,389	9.70%	\$10,162,495	\$114,920,884
<b>Roads, Bridges &amp; Footpaths</b>	<b>2019</b>	<b>\$886,852,708</b>	<b>10.43%</b>	<b>\$92,521,529</b>	<b>\$979,374,238</b>
<b>Bulk Earthworks</b>	<b>2019</b>	<b>\$403,803,389</b>	<b>10.43%</b>	<b>\$42,127,071</b>	<b>\$445,930,460</b>

*Council Executives and members of the Audit and Risk committee commented on the \$92.5 million addition to roads stating it is not a true representation of the conditions of the roads however with a planned revaluation being brought forward to 2023 financial year, these high level indexation amounts would be used to give the Audit Office NSW comfort over the potential misstatement in the financial statements.”*

The Fair value assessments are conducted by Asset Managers yearly for assets classes not being comprehensively revalued as per the revaluation schedule. As stated, the 2021/2022 Audit found that processes were lacking, resulting with indexation of material assets classes. For 2022/2023 Auditors reviewed the improved fair value work papers submitted to finance by the assets managers and found comfort that they were reviewed in enough detail and supported by comprehensive conclusions on the fair value changes.

Cash and Investments total \$269.716M, which is significant, however, 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:

	<b>2023</b>	<b>2022</b>
	<b>\$'000</b>	<b>\$'000</b>
Developer Contributions (Section 94 (EP&A Act) and Section 64 (Local Government Act))	\$15,621	\$11,698
Unexpended Grants	\$38,938	\$25,476
Water and Sewer Services (The assets of these Funds can only be used for the purposes of the fund)	\$136,879	\$122,263
Domestic Waste Management Services (The assets can only be used for Domestic Waste purposes)	\$4,220	\$4,149
Stormwater Drainage (The assets can only be used for Stormwater purposes)	\$4,357	\$4,047
<b>Total External Restrictions</b>	<b>\$200,015</b>	<b>\$167,633</b>

As also detailed on Note C1-3, Council has previously resolved to set aside funds in the form of specific cash or investments for future long term purposes. Differences from prior year reported amounts include \$3.7M increase to Other Waste Services. Property Development has been reduced to Nil due to the development of Keswick Estate Stage 5 Release 2 which will be recouped in the 2023/2024 Financial year after property sale settlements. Outline of the 2022/2023 funds with internally restricted assets totalling \$69.7M are as follows:

	<b>2023</b>	<b>2022</b>
	<b>\$'000</b>	<b>\$'000</b>
Employee leave entitlements	\$3,401	\$3,446
Property development	NIL	\$1,577
Dubbo Regional Airport	\$2,027	\$2,827
Dubbo Regional Livestock Markets	\$3,298	\$2,771
Other waste management services	\$21,612	\$17,904
Roads network – state roads	\$1,401	\$1,431
Fleet management services	\$9,728	\$9,991
Future asset renewal	\$28,234	\$28,830
<b>Total Internal Restrictions</b>	<b>\$69,701</b>	<b>\$68,777</b>

**Statement of Cash Flow**

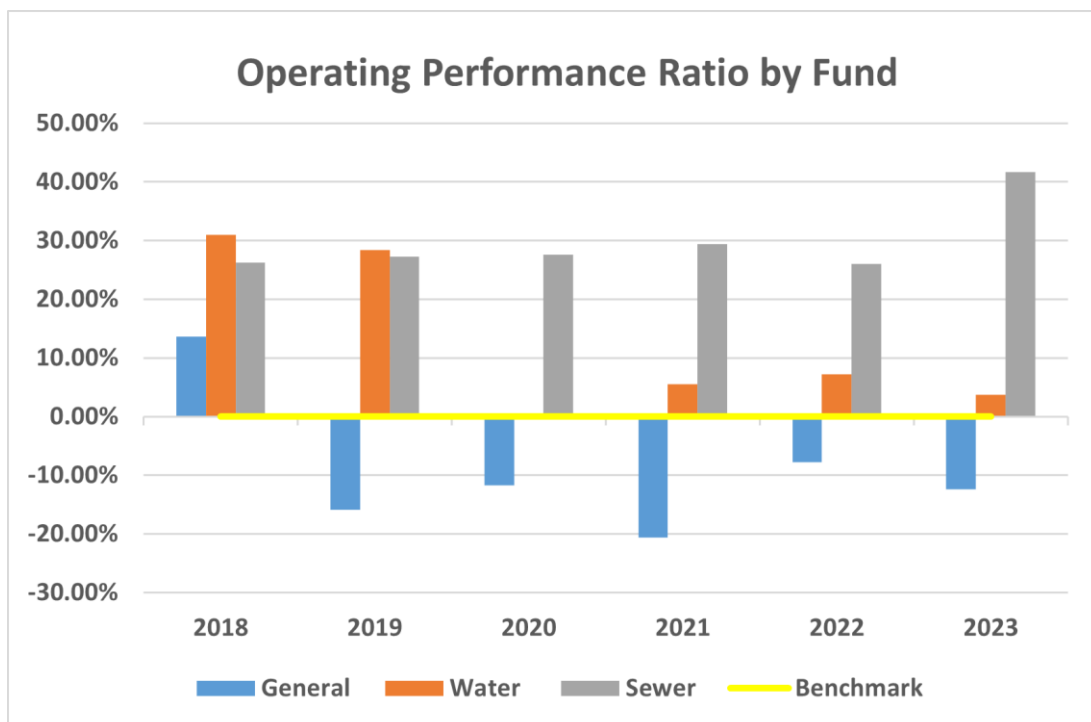
Cash and cash equivalents have increased for the year by \$5.1M largely resulting from operating receipts increases and reduced Capital IPPE purchases. Movements in operating cash flow receipts include anticipated rate and user charges increases, Investment interest received (\$2.8 M), grants and contributions (\$10.91M) and other income (\$5.9M) where payments stayed relatively similar with cash flow increasing by \$17.6M from 2021/2022.

Investing activities showed a strong growth in Term Deposit purchases, doubling from prior year, whilst using the majority of the surplus cash receipts allows council to take advantage of improved interest rates following prudential investment strategy. A reduction on capital IPPE purchasing of \$7.6M attributable to increased developer contributions has also contributed to the overall cash increase.

**Office of Local Government Statement of performance measures (Performance Indicators)**

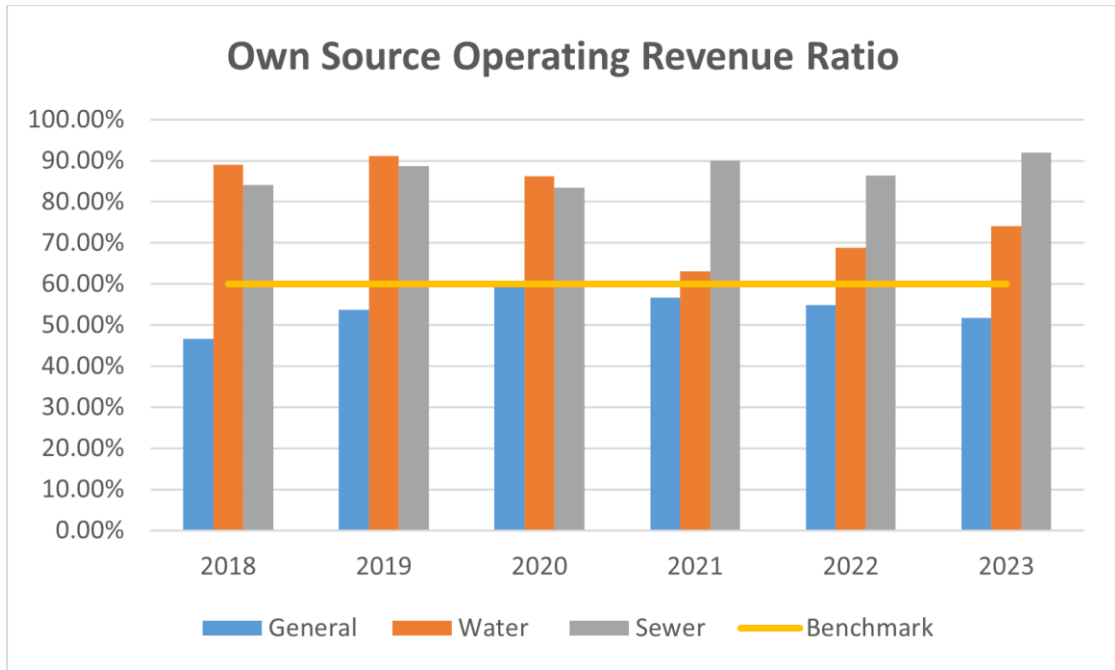
Standard Office of Local Government Performance indicators show how Council funds its operations and displays statistics on the financial health of council. Note G6-2 of the financial statements shows all ratios that are measured, with an overall four out of the six surpassing the Office of Local Government benchmarks. The two that have not passed are the General Fund operating performance ratio and the own source operating revenue ratio.

The General Fund operating performance ratio which shows the amount of revenue required to cover our expenses without reliance on capital grants. Council’s General fund has not met this performance ratio since 2018 (highlighted below).



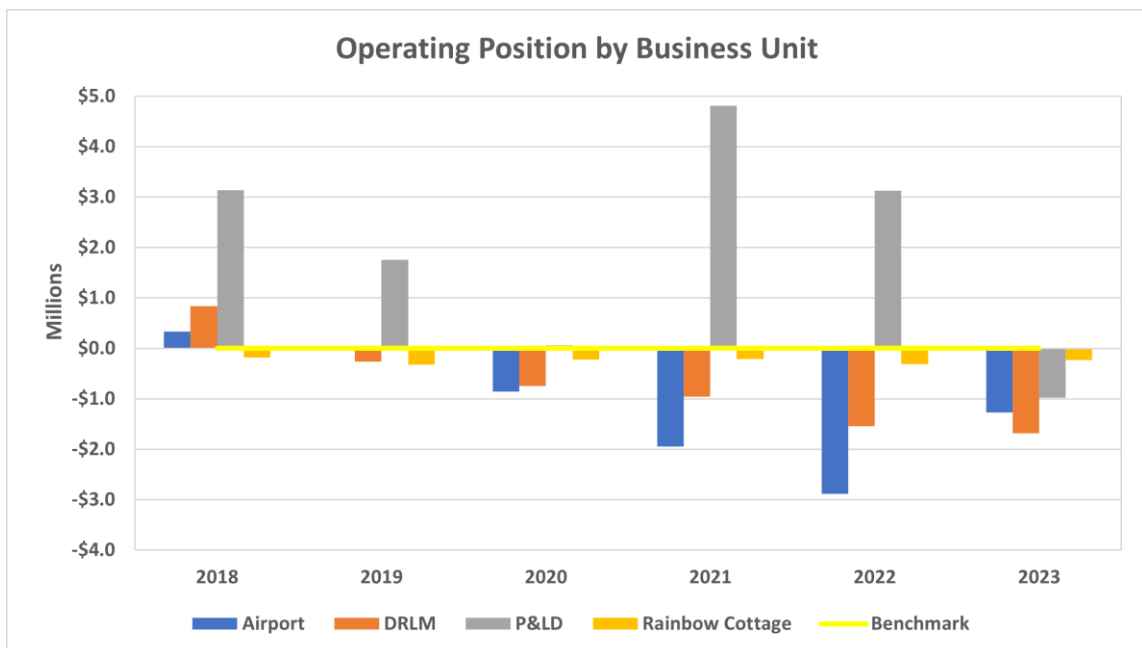
The second Own Source Operating Revenue ratio which depicts what percentage of total revenue is attributable to capital grants and highlighting the need for diversified revenue

streams. The graphs below display the ratio by fund where general fund did not meet the benchmark.



**Special Purpose Financial statements**

The Special Purpose Financial statements details the Performance of individual business units as well as Water and Sewer funds. The graph below displays the profit or loss of those business units, other than Water and Sewer fund, over the last 5 years. The Airport is still recovering from the Covid travel restrictions, yet revenue increased \$1.8M due in part to passenger fees and user charges. The livestock Markets also can attribute \$876,000 loss of disposal of assets to the deficit for 2022/2023 as well as not receiving any grants since 2020/2021. Property land and Development recorded as loss due the Keswick Stage 5 release two land sales settling in 2023/2024.





### Consultation

- The Financial Performance Committee have been presented the draft results for the 2022/2023 financial year.
- An external valuer, Asset Val Pty Ltd, was engaged for the annual asset revaluation of the Roads network, Bulk earthworks, Heritage and Other Assets infrastructure asset classes.
- The Audit Risk and Improvement Committee for Dubbo Regional Council were presented with the audited financial statements on 3 October 2023
- Audit Office of NSW conducted the final audit and have presented their findings with a clearance meeting with Council Management held on 24 October 2023, presented findings to the Audit Risk and Improvement Committee and have provided an unqualified opinion.

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 26 October 2023 meeting of the Council.

Section 418 provides that as soon as practicable after the Council receives a copy of the Auditor's report:

- a. it must fix a date for the meeting at which it proposes to present its audited Financial Statements, together with the Auditors reports to the public; and
- b. it must give public notice of the date so fixed.

The date fixed for the meeting must be at least seven days after the date on which the notice is given but not more than five weeks after the Auditor's reports are given to the Council.

The required Public Notice was given by advertisement on Council's website. The Public Notice advises that the Council will present its audited financial statements, together with the Auditor's reports, to the public at its meeting to be held on Thursday, 26 October 2023.

### APPENDICES:

1	2022/2023 Annual Financial Statements - General Purpose Financial Statements	Excluded
2	2022/2023 Annual Financial Statements - Special Purpose Financial	Excluded

Statements

**3** 2022/2023 Annual Financial Statements - Special Schedules

Excluded



## REPORT: Approach Road to New Dubbo Bridge Intersection - Funding Considerations

**DIVISION:** Chief Executive Officer  
**REPORT DATE:** 17 October 2023  
**TRIM REFERENCE:** ID23/2506

### EXECUTIVE SUMMARY

<b>Purpose</b>	<ul style="list-style-type: none"> <li>Seeking endorsement</li> <li>Seek direction or decision</li> <li>Adopt funding</li> </ul>	
<b>Issue</b>	<ul style="list-style-type: none"> <li>The North West Urban Release Area requires a signalised intersection on the approach road to the new Dubbo Bridge to maximise access to the CBD, recreation areas and other employment zones in Dubbo.</li> <li>The most cost-effective time to construct an intersection is when it is a greenfield site.</li> <li>The intersection is not funded as part of the new Dubbo Bridge project by Transport for NSW.</li> <li>Council has yet to receive Australian Government funding for the works (application submitted).</li> </ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"> <li>Whilst there is confidence that the intersection, being needed for housing supply, is a strong candidate for Australian Government grant funding, there is no absolute certainty.</li> <li>Council needs to accept a risk that it fully funds the signalised intersection.</li> </ul>	
<b>Financial Implications</b>	Budget Area	Infrastructure
	Funding Source	Internal borrowing
	Proposed Cost	\$11,000,000 (conceptual estimate)
	Ongoing Costs	Minor due to intersection being on the Newell Highway
<b>Policy Implications</b>	Policy Title	Transportation Strategy
	Impact on Policy	Positive alignment
<b>Consultation</b>		Transport for NSW

### STRATEGIC DIRECTION

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

Theme: 2 Infrastructure

CSP Objective:	2.1 The road transportation network is safe, convenient and efficient
Delivery Program Strategy:	2.1.2 The road network meets the needs of the community in terms of traffic capacity, functionality and economic and social connectivity
Theme:	2 Infrastructure
CSP Objective:	2.1 The road transportation network is safe, convenient and efficient
Delivery Program Strategy:	2.1.5 Council works collaboratively with the government and stakeholders on transport-related issues
Theme:	4 Leadership
CSP Objective:	4.1 Council provides transparent, fair and accountable leadership and governance
Delivery Program Strategy:	4.1.2 Council's decision-making processes are open, transparent and accountable

## RECOMMENDATION

**That Council accepts the risk that there is the potential that Council is required to fund the signalised intersection on the new Dubbo Bridge approach road to the value of \$11 million should grant applications be unsuccessful.**

*Murray Wood*  
Chief Executive Officer

*MW*  
Chief Executive Officer

## BACKGROUND

### Previous Resolutions of Council

CCL23/265 REGIONAL PRECINCTS AND PARTNERSHIPS PROGRAM	<ol style="list-style-type: none"><li>1. That the Chief Executive Officer submit an application for the Wellington CBD Precinct Plan for Stream 1 in the September/October 2023 round of the Regional Precincts and Partnerships Program.</li><li>2. That the Chief Executive Officer submit an application for Dubbo North West Precinct delivery for Stream 2 in the September/October 2023 round of the Regional Precincts and Partnerships Program.</li><li>3. That Councillors be advised as to the status of applications as the information becomes available.</li><li>4. That a further report be provided to Council in January 2024 with recommendations for the March/April 2024 funding round.</li></ol>
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## REPORT

Council has been the recipient, approximately eight months ago, of funding for the road way that connects Bunglegumbie Road and the New Dubbo Bridge approach road. The Department of Planning and Environment NSW is contributing \$9,230,118 and Council \$3,076,707 to the roadway.

In terms of intersection treatment, there was a commitment to work with Transport for NSW to design an intersection that fitted the needs of the urban release area and did not impact the performance of the Newell Highway from a safety perspective.

Council has been holding meetings with Transport for NSW since the grant has been received including engaging the designers of the bridge and supporting roadway as consultants to design the intersection treatment.

The design has been completed (as at September 2023) to 20% completion – a concept level that assessed the safety performance and appropriateness of a signalised intersection. The current estimate, based on conservative view, is \$11 million for a signalised intersection.

The program is for design to reach 80% completion by the end of November 2023 thereby giving more certainty to costings and timing of delivery.

Council has received a formal request from Transport for NSW (**Appendix 1**) to commit to the signalised intersection including progress payments in November 2023 for early works and procurement as part of the new Dubbo Bridge Project.

The need for the intersection to be delivered at this time is due to the commencement of the New Dubbo Bridge. Whilst the site is greenfield and the construction is established, there is an opportunity for a significantly reduced cost when compared to ‘opening’ a newly built national highway with the extra expense of significant traffic control, the hazards working in a traffic zone, new site establishment costs and the need to open up a new roadway and reinstate. Councillors may recall the scale of traffic control required on the Whylandra and Victoria Street intersection upgrade as an indication of the added expense versus a greenfield site.

In terms of procurement and required probity, under the Local Government Act Requirements for Tendering, Council can engage the Crown directly to undertake work. Section 55,3,b) states:

- (3) *This section does not apply to the following contracts—*
- (b) *a contract entered into by a council with the Crown (whether in right of the Commonwealth, New South Wales or any other State or a Territory), a Minister of the Crown or a statutory body representing the Crown,*

This represents an opportunity as Transport for NSW has undertaken a market process for the New Dubbo Bridge and appointed a successful tenderer. The tenderer can be engaged to undertake the work for an intersection on the road they are required to build as a formal variation to the contract with Transport for NSW.

### Consultation

- Transport for NSW on current state of the new Dubbo Bridge Project.
- Participation in information sessions with the department responsible for the Regional Precincts and Partnerships program.
- Landholders that would be serviced by the new roadway.

### Resourcing Implications

- Council staff have been designing the roadway and have contracted out the design of the intersection to reduce timeframes for design and alignment with the designs of the new Dubbo Bridge,
- There is not likely to be a significant increase in maintenance required of the intersection. That is because the significant majority of the infrastructure would be located on a State Classified road.

Total Financial Implications	Current year (\$)	Current year + 1 (\$)	Current year + 2 (\$)	Current year + 3 (\$)	Current year + 4 (\$)	Ongoing (\$)
a. Operating revenue	0	0	0	0	0	0
b. Operating expenses	0	0	0	0	0	0

c. Operating budget impact (a – b)	0	0	0	0	0	0
d. Capital Expenditure	\$11 mill	0	0	0	0	0
e. Total net impact (c – d)	\$11 mill	0	0	0	0	0
Does the proposal require ongoing funding?	No					
What is the source of this funding?	Borrowing against Restricted Assets					

**Table 1.** Ongoing Financial Implications

### Options Considered

#### Left In – Left Out Intersection

- This would mean traffic could ONLY turn into the north west urban release area from the approach road and turn left from the north west urban release area onto the road heading north.
- Pros
  - Would be a cheaper intersection than traffic signals noting this has not been designed
- Cons
  - There would be no opportunity for cyclists nor pedestrians to traverse the highway to reach the embellished and natural open space of the river foreshore other than the Thompson Street intersection.
  - There would be no driving nor cyclist access to the CBD via the Highway.
  - There would be no driving access from north Dubbo – Health/ Hospital/ Education precinct into the north west urban release area.
  - Would cause significant increase in Bunglegumbie Road to access the north west urban release area.
  - Due to inability to turn right into River Street West from the bridge, this will cause more traffic to travel via Thomson Street and Bunglegumbie Road into the North West precinct, leading to failure and unacceptable delays at Thompson Street/ Newell Hwy intersection and Bunglegumbie/Thompson Street intersection.

### Preferred Option

#### Traffic lights – 4 way signalised intersection

- This would enable vehicles to access the north west urban release area from both directions of the Newell Highway. This integrates the north west urban areas more effectively in a transportation sense with the existing Dubbo urban areas.
- Four way signals would allow for controlled pedestrian and cyclist crossing of the Newell Highway, giving ease of access to the riverside open space.
- Potential for a car park to be on river side of intersection as starting point for cycling and recreation activities.

- Reduces demand on Bunglegumbie and the need for a significant upgrade in the immediate short term as the north west urban area develops.

**Timeframe**

Key Date	Explanation
November 2023	Respond to the request for a commitment via MOU with Transport for NSW
June 2026	Delivery of the road and intersection to meet grant and potential grant) commitments.

**Next Steps**

- Continue to explore external funding options.
- Complete design to 80% detail and associated quantities
- Enter into an MOU with Transport for NSW

**APPENDICES:**

- 1↓ Letter from Transport for NSW - New Signalised Intersection - New Dubbo Bridge Project



Transport for NSW



17 October 2023

Murray Wood  
Chief Executive Officer  
Dubbo Regional Council  
PO Box 81  
Dubbo NSW 2830

Dear Murray,

**New signalised intersection to facilitate the Urban Growth area in Dubbo's North-West Precinct**

The Newell Highway Upgrade – New Dubbo Bridge project aims to reduce traffic congestion in Dubbo and improve access across the Macquarie River, particularly during flood events.

Following discussions between Transport for NSW (Transport) and Dubbo Regional Council, it became evident that the new road alignment offers an opportunity to improve access to the North-West Urban Release Area.

Transport supports Council's proposal to design and construct a signalised intersection alongside the Newell Highway Upgrade – New Dubbo Bridge project.

It is essential to ensure that this new signalised intersection's construction will not result in any cost to Transport or alter the timeline of the New Dubbo Bridge project.

Council requested to purchase drainage pipes and plan for site drainage and earthworks to commence in November 2023.

Council will be required to sign a Memorandum of Understanding (MOU) in November 2023 and confirm the availability of funding for progress payments starting in November 2023.

A formal variation will be requested from our contractor once Council provides the 80% detail design and schedule of quantities.

We would greatly appreciate if Council could formally acknowledge and confirm their agreement with the details above.

Regards

A handwritten signature in black ink, appearing to read "Damien Pfeiffer".

Damien Pfeiffer  
A/Regional Director West  
Transport for NSW



## REPORT: Draft Bunglegumbie Road Development Control Plan

**DIVISION:** Development and Environment  
**REPORT DATE:** 13 October 2023  
**TRIM REFERENCE:** ID23/2373

### EXECUTIVE SUMMARY

Purpose	Seek endorsement	Fulfil legislated requirement
<b>Issue</b>	<ul style="list-style-type: none"> <li>The North-West Urban Release Area Precinct Plan and Development Control Plan (DCP) Master Plan identify the key strategic issues and planning requirements that need to be considered in the development of the area and also define the future strategic direction and vision across the broader North-West Residential Urban Release Area.</li> <li>A proponent-initiated draft Development Control Plan was received from Maas Group Properties to provide detailed planning and design guidance for development at 168A Bunglegumbie Road, Dubbo (Lot 6 DP 250606).</li> <li>A DCP is required as this land is within the North-West Urban Release Area under the provisions of the Dubbo Regional Local Environmental Plan 2022.</li> <li>The draft DCP contains a range of controls to manage residential subdivision and development. The draft DCP is required to be read in conjunction with other relevant provisions of the Dubbo Development Control Plan 2013, however, will prevail in the event of any inconsistency.</li> <li>Subject to endorsement by Council, the draft DCP will be placed on public exhibition for a minimum of 28 days.</li> </ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"> <li>Environmental Planning and Assessment Act 1979.</li> <li>Clause 6.3 of the Dubbo Regional LEP 2022 requires a DCP to be prepared before development consent can be granted on land in an Urban Release Area.</li> </ul>	
<b>Financial Implications</b>	Budget Area	Growth Planning
	Funding Source	Application fees
	Proposed Cost	Council received \$21,000 upon lodgement as part of the required fees.
	Ongoing Costs	Nil
<b>Policy Implications</b>	Policy Title	Dubbo Development Control Plan 2013
	Impact on Policy	Upon adoption the draft DCP will provide development guidance for the subject land.

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**STRATEGIC DIRECTION**

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

Theme: 1 Housing  
CSP Objective: 1.1 Housing meets the current and future needs of our community  
Delivery Program Strategy: 1.1.1 A variety of housing types and densities are located close to appropriate services and facilities

Theme: 1 Housing  
CSP Objective: 1.1 Housing meets the current and future needs of our community  
Delivery Program Strategy: 1.1.5 Development opportunities are communicated to the community

**RECOMMENDATION**

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

*Steven Jennings*  
Director Development and Environment

*SI*  
Senior Growth Planner

## BACKGROUND

### 1. Previous Resolutions of Council

Date	Resolution
23 March 2023	<i>In Part</i> <ol style="list-style-type: none"><li>3. That the updated draft North-West Urban Release Area Precinct Plan be adopted for the purposes of consultation with land owners and persons who provided a submission.</li><li>4. That Council undertake targeted consultation with landowners in the North-West Urban Release Area.</li></ol>
28 September 2023	<i>In Part</i> <ol style="list-style-type: none"><li>1. That Council adopt the draft North-West Development Control Plan – Master Plan.</li><li>2. That Council adopt the draft North-West Urban Release Area - Development Control Plan – Stage 1.</li></ol>

### 2. Why is a Development Control Plan required?

The Dubbo Regional Local Environmental Plan (LEP) 2022 identifies a number of Urban Release Areas in Dubbo. The site is located in the North-West Urban Release Area.

Clause 6.3 of the Dubbo Regional LEP 2022 requires a site-specific DCP to be prepared and adopted by Council prior to the approval of any development application on the land.

### 4. North-West Urban Release Area Precinct Plan

The North-West Urban Release Area Precinct Plan and Development Control Plan (DCP) Master Plan identify the key strategic issues and planning requirements that need to be considered in development of the overall Precinct, in addition to identifying the future strategic directions and vision.

The broad aims of the Precinct Plan are to:

- Identify the opportunities and constraints of the land and the anticipated needs of the community;
- Broadly indicate the likely future development potential of the area;
- Enable the characteristics of the study area to determine the most appropriate location and form for future development;
- Provide a broad context of the consideration of a future land zoning regime in the area; and
- Establish a vision and set of development objectives which future development will be required to meet.

Whilst the DCP Master Plan does not specifically apply to the subject land at 168A Bunglegumbie Road, it is considered that all development within the North-West Residential Urban Release Area needs to integrate to present a unified Precinct.

REPORT

1. Details of the Development Control Plan

A proponent-initiated draft DCP was received from Maas Group Properties to provide detailed planning and design guidance for the future development of 168A Bunglegumbie Road, Dubbo (Lot 6 DP 250606). The draft DCP will apply to land within Figure 1.

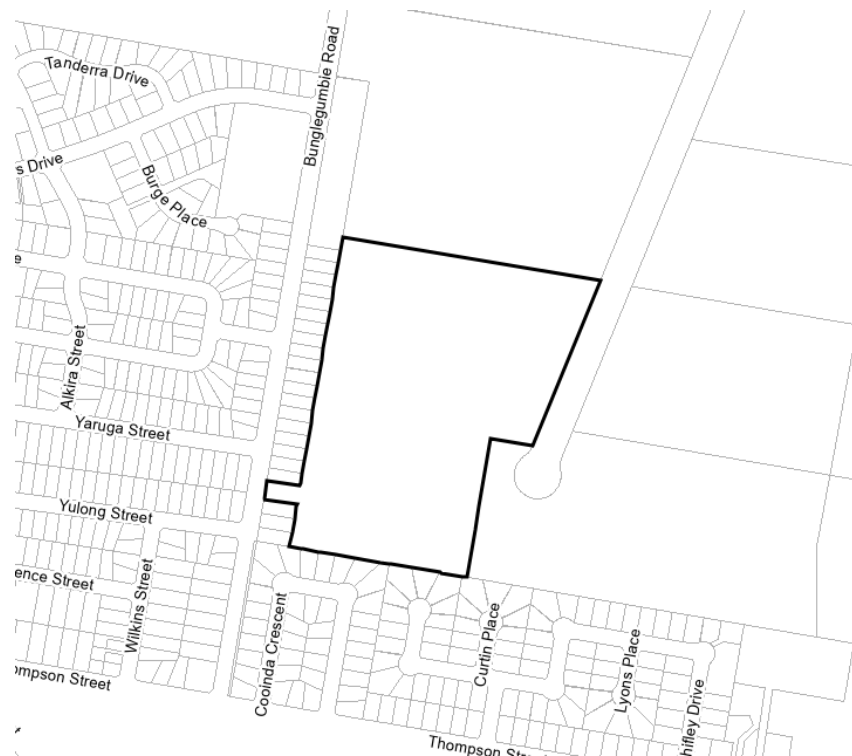


Figure 1 – Land to which this Plan applies

The draft DCP is attached in **Appendix 1**.

Council recently adopted a DCP for land to the north and west of this site that is also within the North-West Urban Release Area. To ensure suitable and efficient connectivity and integration between these sites, and a level of parity between performance criteria and acceptable solutions between DCPs, the draft Bunglegumbie Road DCP has been amended to include similar objectives and acceptable outcomes whilst recognising the individual characteristics of the site.

This integration also aims to ensure the overall efficiency, safety and function of Bunglegumbie Road and the wider North-West Residential Urban Release Area is not impacted.

The draft DCP consists of the following components:

- (a) Part 1 – Introduction

This section includes administrative components required by the Environmental Planning and Assessment Act, 1979.

(b) Part 2 – Residential Development and Subdivision

(i) Residential Subdivision Controls

This section includes requirements to assist in the undertaking of residential subdivision, and seeks to ensure subdivision is undertaken in accordance with planning and infrastructure provisions.

(ii) Residential Design Controls

This section includes requirements to assist in the planning, design and undertaking of residential development, and to ensure it is responsive to site and the surrounding neighbourhood.

(iii) Residential Landscaping Controls

This section is designed to ensure landscaping can be strategically developed and maintained to optimise the standard of the estate's presentation and increase attractiveness to both potential residents and visitors.

**2. Consultation and Next Steps**

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

The draft DCP will be notified in the following ways:

- A notice will be placed on Council's YourSay page;
- A notice will be placed in Council's Customer Experience Centre and Macquarie Regional Library Branches;
- An advertisement will be placed in the Daily Liberal newspaper; and
- Adjoining land- owners will be notified by letter.

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

**3. Resourcing Implications**

Council received \$21,000 upon lodgement as part of the required fees.

Total Financial Implications	Current year (\$)	Current year + 1 (\$)	Current year + 2 (\$)	Current year + 3 (\$)	Current year + 4 (\$)	Ongoing (\$)
a. Operating revenue	21,000	0	0	0	0	0
b. Operating expenses	21,000	0	0	0	0	0
c. Operating budget impact (a – b)	0	0	0	0	0	0
d. Capital Expenditure	0	0	0	0	0	0
e. Total net impact (c – d)	0	0	0	0	0	0
Does the proposal require ongoing funding?	No					
What is the source of this funding?	Not applicable.					

**Table 1.** Ongoing Financial Implications

## 6. Timeframe

Key Dates	Outcome
26 October 2023	Council consideration
Middle November 2023	Public exhibition commences
Middle December 2023	Public exhibition concludes
Late December 2023 to January 2024	Consideration of submissions
February 2024	Council consideration

## APPENDICES:

[1](#) Draft Bunglegumbie Road Development Control Plan



# Draft Bunglegumbie Road Development Control Plan

168A Bunglegumbie Road, Dubbo  
Lot 6 DP250606



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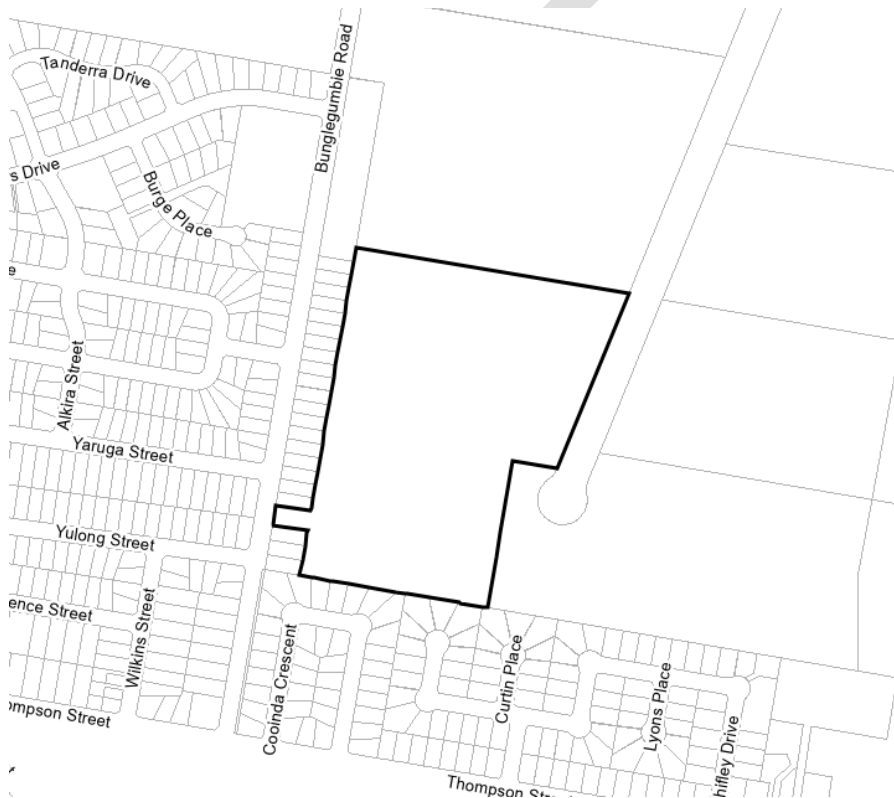
## Part 1 Introduction

### 1.1. Name and Application of this Plan

This Development Control Plan (DCP) is known as the Bunglegumbie Road Development Control Plan (the Plan).

### 1.2. Application of Plan

This Plan applies to 168A Bunglegumbie Road, Dubbo (Lot 6 DP250606) identified in **Figure 1**.



**Figure 1** – Land to which this Plan applies

### 1.3. The Vision and Desired Future Character

The vision and desired character of the North-West Urban Release Area embeds the provision of high-quality and innovative housing alongside retail and commercial services, a hierarchy of new roads and active transport connections, and well-connected open spaces. The

connections to and integration with surrounding land uses will encourage various and sustainable travel modes, a strong community character, and social interaction.

To ensure this Plan contributes to the vision and desired future character of the North-West Urban Release Area, future development will include:

- The establishment of the urban framework through the delivery of key roads, transport linkages and pedestrian linkages;
- The provision of new green corridors to maximise pedestrian and cycle access;
- The provision of appropriate infrastructure, including stormwater drainage and stormwater quality control measures to protect the water quality in the Macquarie River;
- The preservation of existing trees and introduction of street tree plantings to maximise the urban tree canopy cover and mitigate urban heat-island effects;
- The promotion of high-quality urban design outcomes delivering environmental, social and economic sustainability.
- Embedding a positive legacy for Dubbo.

#### **1.4. Purpose of this Plan**

The purpose of this plan is to:

- Provide guidance on the design of development upon land to which this Plan applies;
- Reinforce the vision and desired future character of the North-West Urban Release Area;
- Communicate the planning, design and environmental objectives and controls against which the Consent Authority will assess Development Applications on the land;
- Provide guidance on the orderly, efficient and environmentally sensitive development of the land to which this Plan applies;
- Promote the achievement of residential amenity and an attractive neighbourhood by encouraging quality urban design outcomes to meet environmental, social and economic sustainability;
- Reinforce the aims and objectives of the R2 Low Density Residential Zone under the provisions of the Dubbo Regional Local Environmental Plan 2022;

#### **1.5. Statutory Context**

This Plan has been prepared by Council in accordance with Section 3.44 of the Environmental Planning and Assessment Act 1979 (the Act), Part 2 of the Environmental Planning and Assessment Regulation 2021 (the Regulation), and Clause 6.3 of Dubbo Regional Local Environmental Plan (LEP) 2022.

#### **1.6. Adoption and Commencement**

This Plan was adopted by Council on XXXXX and commenced on XXXXX.

**1.7. Relationship to other Plans and Documents**

Under the Act, Council is required to take into consideration the relevant provisions of any Environmental Planning Instrument (EPI) and this Plan when determining a development application on land to which this Plan applies. Compliance with any EPI or this Plan does not infer development consent will be granted.

The provisions of this Plan must be read in conjunction with any relevant EPI. In the event of any inconsistency between an EPI and this Plan, the provisions of the EPI prevail.

**1.8. Relationship to the Dubbo Development Control Plan 2013**

The provisions of this Plan must be read in conjunction with other relevant provisions of the Dubbo Development Control Plan 2013. In the event of any inconsistency between this Plan and the Dubbo DCP 2013, the provisions of this Plan prevail.

## Part 2 Residential Development and Subdivision

### 2.1. Residential Subdivision Controls

This section is designed to encourage current 'best practice' solutions for the design and development of residential subdivisions that are pleasant, safe and functional.

The objectives of this section are:

- Ensure development integrates with, is well-connected to, and enhances the vision and desired future character the North-West Urban Release Area;
- Subdivision facilitates the achievement of a pleasant, safe and functional neighbourhood;
- A mix of low density dwelling sizes are facilitated and complement the character of the area; and
- Low density residential accommodation is facilitated with the economic use of infrastructure.

This section lists design elements under the following headings:

Element 1	Implementing the Urban Structure
Element 2	Neighbourhood Design
Element 3	Lot Layout
Element 4	Landscaping
Element 5	Street Design and Road Hierarchy
Element 6	Infrastructure
Element 7	Stormwater Management
Element 8	Water Quality Management
Element 9	Environmental Management
Element 10	Development near the Dubbo Regional Airport

**Element 1. Implementing the Urban Structure**

**Objectives**

- Development is consistent with the vision and desired future character of the North-West Urban Release Area;
- Development is well connected and has a legible movement network that provides a variety of routes for vehicles, pedestrians and cyclists both within the neighbourhood and to surrounding areas; and
- Development is undertaken in a coordinated manner that responds to the street network, topography, views and the natural environment.

<b>Performance Criteria</b>		<b>Acceptable Solution</b>	
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:	
P1	Development provides good internal and external connections for pedestrian, cycle and vehicle movements.	A1.1	Development is generally consistent with and delivers the urban infrastructure in accordance with
		A1.2	<b>Figure 2.</b>
		A1.3	Development is designed with high levels of physical connectivity for pedestrians, cyclists and vehicles within the site and to adjoining sites.
		A1.4	Street blocks generally have a maximum length between 160 to 220 metres for residential and mixed use developments.
P2	Land is developed in an orderly manner to assist in the coordinated provision of necessary infrastructure.	A2.1	Staging Plans are included with any development application. They must identify proposed sequencing, layouts, lot sizes, shapes, likely development densities, required infrastructure, and timing of infrastructure.
		A2.2	Staging is undertaken generally in accordance with <b>Figure 3.</b>
		A2.3	Staging does not comprise the delivery of infrastructure or overload the capacity of existing infrastructure.
P3	The staging and release of lots does not impact the safety and intersection requirements of Bunglegumbie Road and the surrounding road network.	A3.1	The existing access on Bunglegumbie Road can only be utilised up to the 60th lot until additional access points are available.
		A3.2	Development safely and effectively distributes traffic onto Bunglegumbie Road without causing traffic congestion, conflict at existing and new intersections, or a reduction in the safety and function of existing intersections at Yaruga Street and Yulong Street.

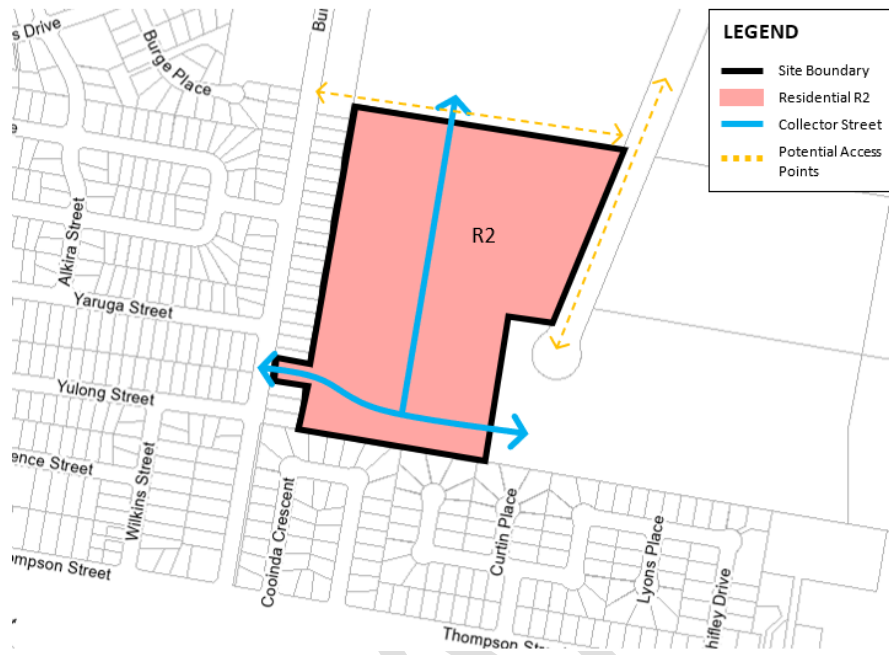


Figure 2 – Indicative Structure Plan

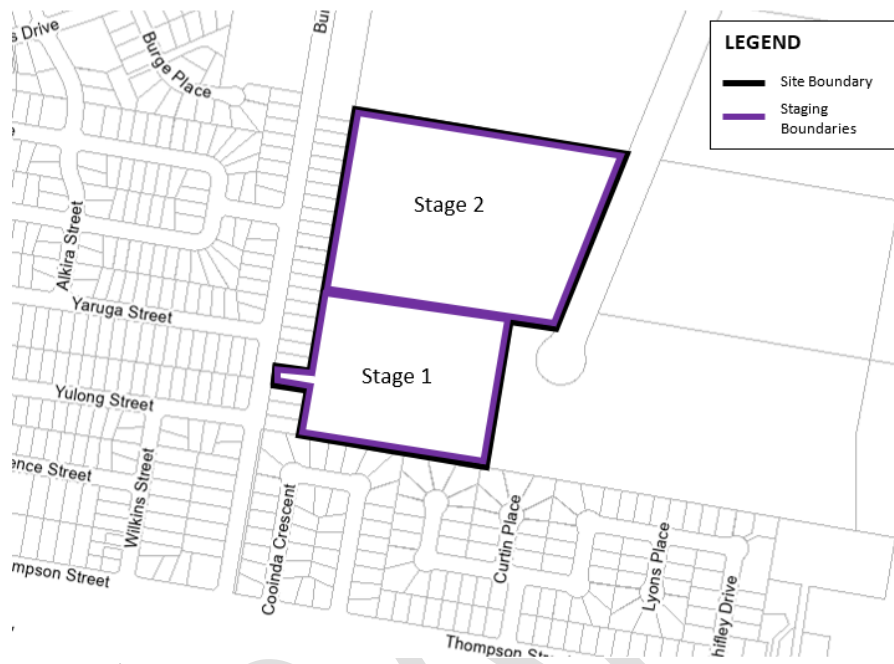


Figure 3 – Indicative Staging



**Element 2. Neighbourhood Design**

**Objectives**

- Development integrates with adjoining and surrounding development;
- Development is aesthetically pleasing and caters for a broad diversity of housing needs; and
- Development has a clear residential structure that facilitates a ‘sense of neighbourhood’ and encourages walking and cycling within and to adjoining sites;

Performance Criteria	Acceptable Solution
The objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1 Development considers the constraints and opportunities of the site and surrounding sites to ensure effective integration.	A1.1 A site analysis plan is included with any development application. It must identify the unique characteristics of the site and adjoining sites, any constraints and opportunities to ensure they are reflected in the design and layout, and the likely impacts on surrounding development. It must: <ul style="list-style-type: none"> <li>• be at an appropriate scale, show true north and property address details;</li> <li>• show topographic features such as contours, drainage lines and ridge lines;</li> <li>• show existing and proposed surrounding buildings, roads, paths, cycleways, trees and vegetation;</li> <li>• show existing and proposed services;</li> <li>• show any boundaries, easements or other site encumbrances;</li> <li>• show overland flow paths and natural site drainage; and</li> <li>• show any applicable bushfire asset protection zones and other firefighting requirements.</li> </ul>
P2 Neighborhood design provides for passive surveillance of residences and public areas to enhance personal safety and minimise the potential for crime.	A2.1 The neighbourhood minimises the use of: <ul style="list-style-type: none"> <li>• battle-axe lots and cul-de-sacs; and</li> <li>• narrow pedestrian pathways between or behind development.</li> </ul> A2.2 The subdivision layout enhances legibility and way-finding through an easily-understood street layout.
P3 The neighbourhood maintains existing topography, drainage, stability and amenity of the site and adjoining sites.	A3.1 Excavation and/or filling does not change the natural ground level of the site by more than 1 metre. A3.2 Where excavation or filling works are intended to be undertaken, development applications are accompanied by: <ul style="list-style-type: none"> <li>• A geotechnical report evaluating site stability;</li> </ul>

	<ul style="list-style-type: none"> <li>• A schedule of earth works indicating depths of excavation and filling; and</li> <li>• Details of construction techniques.</li> </ul> <p>A3.3 Development recognises the natural drainage patterns across the site to minimise excavation and filling.</p>
P4 Cul-de-sacs are minimised to ensure efficient connections are available.	A4.1 Cul-de-sacs are not to be provided in subdivision of the land.
P5 Natural and environmental features in the area are emphasised and enhanced in the design of the subdivision.	A5.1 Development considers and maximises the protection of existing natural features in the planning, development construction and operation phases.

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**Element 3. Lot Layout**

**Objectives**

- Lot sizes provide opportunities for a variety of dwelling types that contribute to the enhancement of the site and the surrounding locality; and
- Subdivisions have direct access to a public road, rather than battle-axe lots, in order to maintain the residential amenity and character of the locality.

Performance Criteria	Acceptable Solution
The objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1 A range of lot types with varying areas, frontages and depths are provided to enable a mix of housing types and sizes.	A1.1 Development complies with the minimum lot size area requirements of the Dubbo Regional LEP 2022. A1.2 Lots are regular in shape and provided with variable dimensions and widths to achieve diversity of housing products that add interest to the streetscape. A1.3 Lots have a minimum frontage of: <ul style="list-style-type: none"> <li>• 15 metres when their area is 600m<sup>2</sup> – 900m<sup>2</sup>; or</li> <li>• 25 metres when their area is larger than 900m<sup>2</sup>.</li> </ul> A1.4 Irregular shape lots are only provided where topography and site hazards result in regular lots not being able to be achieved. A1.5 Lot sizes and shapes take into account the slope of the land to minimise earthworks and retaining walls.
P2 Development is designed to optimise outlook and proximity to public open spaces.	There are no Acceptable Solutions.
P3 Lots are oriented to optimise solar access and reduce energy consumption for future development.	A3.1 Lots are orientated in an east-west direction to allow for maximum solar access to future development. Exceptions to this orientation may be considered where topography, site hazards or drainage lines prevent achievement of the preferred orientation.
P4 Battle-axe lots are avoided, but where provided, do not compromise the amenity of the streetscape, public domain and neighbouring lots.	A4.1 Battle-axe lots are only provided where topography and site hazards result in regular lots not being able to be achieved. A4.2 Where provided, battle-axe lots are not located in a consecutive arrangement. A4.3 Where provided, battle-axe lots have an area larger than 600m <sup>2</sup> , excluding the access handle. A4.4 Where provided, a battle-axe handle must:

<b>Performance Criteria</b>	<b>Acceptable Solution</b>
The objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
	<ul style="list-style-type: none"> <li>• be at least 4.3 metres wide;</li> <li>• not service more than one lot;</li> <li>• have a maximum length of 60 metres;</li> <li>• incorporate a landscaping strip with a minimum width of 1 metre;</li> <li>• allow vehicles to enter and exit in a forward direction; and</li> <li>• not have reciprocal rights of way imposed on a 88B Instrument.</li> </ul>
<p><b>P5</b> The lot layout does not compromise waste collection services.</p>	<p>A5.1 Each lot must identify a waste collection area that is suitable for the presentation of three bins to be collected.</p> <p>A5.2 Waste collection areas must not obstruct other major traffic or property use including garage access.</p>
<p><b>P6</b> Corner lots are of a sufficient dimension and size.</p>	<p>A6.1 Corner lots have a size greater than the minimum lot size required by the Dubbo Regional LEP 2022 to accommodate additional setback requirements, sufficient building envelopes and allow future development to positively address both street frontages.</p>

**Element 4. Landscaping**

**Objectives**

- Streetscape components do not detrimentally affect solar access to lots; and
- Landscaping is aesthetically pleasing, cost effective and has minimal risk to the public.

Performance Criteria		Acceptable Solution	
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:	
<p>P1 Street trees are provided to:</p> <ul style="list-style-type: none"> <li>• enhance the local environment;</li> <li>• provide an attractive and interesting landscape;</li> <li>• regulate the ambient air temperature; and</li> <li>• provide summer shading while not impeding solar access in winter.</li> </ul>	<p>A1.1 A minimum of one street tree is provided per lot.</p> <p>A1.2 Landscaping within the road reserve includes appropriate detailed designs that address:</p> <ul style="list-style-type: none"> <li>• access and manoeuvrability of heavy vehicles, street sweepers and vehicles;</li> <li>• the impact of the root system on the carriage way;</li> <li>• ongoing maintenance of the tree and carriageway;</li> <li>• relationships with future driveway locations; and</li> <li>• impacts on and location of underground infrastructure.</li> </ul> <p>A1.3 Street trees are located to provide appropriate shade to pedestrian pathways.</p> <p>A1.4 Street trees must:</p> <ul style="list-style-type: none"> <li>• be used consistently to distinguish public and private spaces;</li> <li>• minimise risk to utilities and services;</li> <li>• minimise ongoing water consumption;</li> <li>• be durable and suited to the street environment and include endemic species; and</li> <li>• complement and define the neighbourhood area, ecological linkages, street hierarchy, precinct entries, significant intersections, and significant view lines.</li> </ul>	<p>P2 Landscaping is designed and located to not impact built infrastructure.</p>	<p>A2.1 The selection and placement of landscaping takes into consideration:</p> <ul style="list-style-type: none"> <li>• The location of infrastructure and easements;</li> <li>• Pruning and shaping adaptability of selected trees;</li> <li>• Driveways placements;</li> <li>• Front setbacks;</li> <li>• Lateral spread of branches;</li> <li>• Road verge widths;</li> <li>• Waste services collections; and</li> <li>• Pedestrian and vehicle vision.</li> </ul> <p>A2.2 Street trees are not planted:</p>

<b>Performance Criteria</b>	<b>Acceptable Solution</b>
The objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
	<ul style="list-style-type: none"><li>• less than 5 metres from street lights and stormwater entry pits;</li><li>• less than 1 metre from a footpath or cycleway; and</li><li>• less than 10 metres from road corners or intersections.</li></ul>

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**Element 5. Street Design and Road Hierarchy**

**Objectives**

- Development has a legible road hierarchy that recognises the broader strategic road proposals internal and external to the site;
- The road network has flexibility to allow future connections to adjoining sites;
- Streets fulfil their designated function within the street network;
- Street designs to accommodate public service utilities and drainage systems;
- The efficiency, safety and function of the street network is not impacted by on-street parking; and
- The road network creates a safe and attractive environment for vehicles, pedestrians and cyclists.

Performance Criteria The objectives may be achieved where:	Acceptable Solution The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>P1 The street reserve width is sufficient to cater for all street functions, including:</p> <ul style="list-style-type: none"> <li>• Connections to and from lots and adjoining sites;</li> <li>• Safe and efficient movement of all users, including pedestrians and cyclists;</li> <li>• Provision for emergency and service vehicles;</li> <li>• Provision for parked vehicles;</li> <li>• Provision for waste collection vehicles;</li> <li>• Provision for landscaping;</li> <li>• Location, construction and maintenance of public utilities;</li> <li>• Stormwater conveyance; and</li> <li>• Geometric design for intersections, roundabouts and slow points is consistent with the vehicle speed intended for each</li> </ul>	<p>A1.1 A Traffic Impact Assessment is submitted with any development application. The Traffic Impact Assessment must be prepared by a suitably qualified and experienced consultant and include:</p> <ul style="list-style-type: none"> <li>• Traffic generation rates on all roads and intersections;</li> <li>• Swept path analysis,</li> <li>• Identification of impacts and required infrastructure upgrades to the road network and highways;</li> <li>• Identification and timing of upgrades to support the additional traffic generated by the development;</li> <li>• Consideration of key pieces of infrastructure in the broader traffic network, as identified in the Dubbo Transportation Strategy 2020 that will relieve traffic congestion on the Mitchell Highway, Newell Highway, and Erskine Street.</li> </ul> <p>A1.2 Roads are designed and constructed in accordance with the requirements of Dubbo Regional Council's Infrastructure division, adopted AUS-SPEC#1 and Transport for NSW design standards.</p> <p>A1.3 Roads are designed in accordance with <b>Figure 4</b> and <b>Figure 5</b> and the following:</p> <ul style="list-style-type: none"> <li>• For local streets: a total width of 17.5 metres, a 8 metre wide central carriageway kerb face to kerb face, and provision of cross section widths, footpath and tree planting configurations; or</li> <li>• For collector streets: a total width of 22 metres, a 13 metre wide central carriageway kerb face to kerb face, and provision for cross section widths, on street</li> </ul>

<b>Performance Criteria</b>	<b>Acceptable Solution</b>
The objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
street.	<p>parking, footpaths and tree planting configurations.</p> <p>A1.4 The street network does not incorporate sudden changes in road corridor widths or rumble bars.</p> <p>A1.5 The street network incorporates the following:</p> <ul style="list-style-type: none"> <li>• Adequate pavement markings;</li> <li>• Well-lit lighting;</li> <li>• Stable surface;</li> <li>• Safe sight distances; and</li> <li>• Warning signs.</li> </ul> <p>A1.6 Road crossings at intersections comply with AS/NZS Australia Standard 1428 Design for Access and Mobility and incorporate tactile ground surface indicators and requirements for people with a disability.</p> <p>A1.7 The road reserve widths are designed to accommodate the required urban services as well as capacity for generous street tree planting within the road reserves so as to provide shading to the road pavements.</p>
P2 The street design caters for all pedestrian users including the elderly, disabled and children, and is designed to limit the speed motorists can travel.	<p>A2.1 Streets are designed to limit vehicle speed and provide for safe pedestrian and cyclist movements.</p> <p>A2.2 Streets provide a logical hierarchy to maximise accessibility to all parts of the community and provide an appropriate response to address key interfaces.</p> <p>A2.3 Safe street crossings are to be provided for all street users with safe sight distances and adequate pavement markings, warning signs, regulatory signs (where applicable) and safety rails (where appropriate for cyclists).</p>
<p>P3 Footpaths and shared paths are:</p> <ul style="list-style-type: none"> <li>• designed with appropriate widths, longitudinal gradients and sight distances to cater for pedestrians and cyclists; and</li> <li>• constructed to provide a stable surface and is easily maintained.</li> </ul>	<p>A3.1 Footpaths and shared paths are provided on at least one verge, and footpaths are provided on both verges. They are to be setback 1 metre from the property boundary and be well-lit.</p> <p>A3.2 Footpaths are designed to take into consideration:</p> <ul style="list-style-type: none"> <li>• Street trees and their root systems;</li> <li>• The need to encourage walking;</li> <li>• Pedestrian safety for all users;</li> <li>• The ease of use via cycling networks; and</li> <li>• Lighting requirements of AS/NZ 1158.1 and the Dark Sky Planning Guideline 2016.</li> </ul>

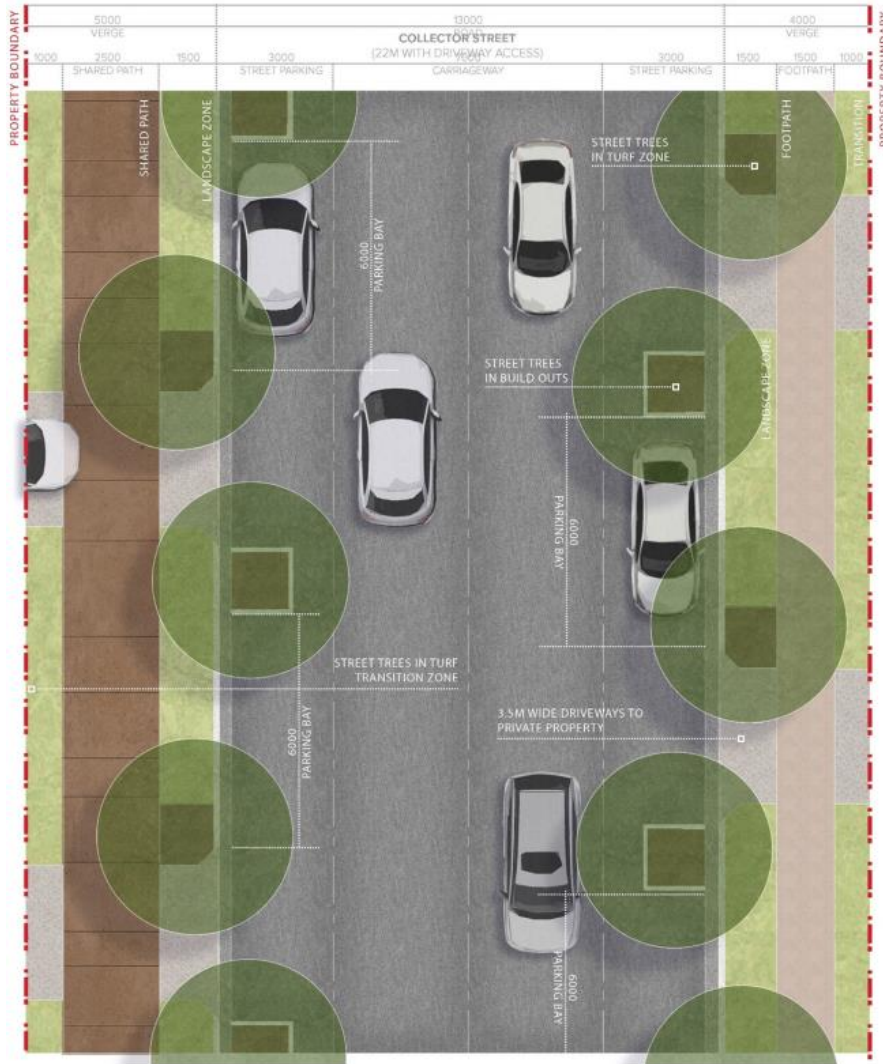


<b>Performance Criteria</b>		<b>Acceptable Solution</b>	
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:	
P4	<p>Bus routes have a carriageway width that:</p> <ul style="list-style-type: none"> <li>• Allows for the movement of buses unimpeded by parked cars;</li> <li>• Safely accommodates cyclists; and</li> <li>• Avoids cars overtaking parked buses.</li> </ul>	A4.1	Bus routes utilise collector roads to provide sufficient integration through the North-West Urban Release Area.
		A4.2	Identification of alternative/additional bus routes are shown within the Traffic Impact Assessment.
		A4.3	The geometry of streets identified as bus routes provides suitable turning, stopping sight distance, grade and parking for buses.
P5	The road network is sufficient to cater for waste collection vehicles.	A5.1	The road network reduces the need for reversing of waste collection vehicles. This includes cul-de-sacs and temporary turning heads as a result of staging and construction works.
		A5.2	Sufficient area is provided for waste disposal vehicles, including space to make a three-point turn where required.
		A5.3	The road width accommodates Council's waste vehicles without impacting other road users, including the side loading vehicle and lift arm movement/rotation.
		A5.4	Sufficient area is provided at the head of cul-de-sacs for waste disposal vehicles to manoeuvre even when cars are parked in the street.
		A5.5	Each lot has a sufficient waste collection area at the front that: <ul style="list-style-type: none"> <li>• is suitable for the storage of three bins to be collected that doesn't obstruct traffic flows, vehicle entry to the property or pedestrian movements; and</li> <li>• is not located near street trees.</li> </ul>



Indicative only - subject to change, depending on additional detailed assessment including but not limited to future services alignment agreement.

Figure 4 – Indicative Local Street



Indicative only - subject to change, depending on additional detailed assessment including but not limited to future services alignment agreement.

Figure 5 – Indicative Collector Street

**Element 6. Infrastructure**

**Objectives**

- The design and provision of utility services are cost-effective over their lifecycle, consider embedded energy costs and incorporate provisions to minimise adverse environmental impact in the short and long term;
- Infrastructure has the capacity and can be economically extended in a timely manner to accommodate new development;
- Lots are serviced with essential infrastructure in a cost-effective and timely manner;
- Development does not create conflict between infrastructure utilities and driveways, landscaping and streetlights; and
- Infrastructure is designed and constructed to withstand the effects of salinity.

Performance Criteria	Acceptable Solution
The objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1 The design and provision of infrastructure is cost-effective over their lifecycle minimises adverse environmental impacts in the short and long term.	<p>A1.1 Utility services are designed and provided in accordance with the requirements of Council and all relevant service authorities.</p> <p>A1.2 Water and sewerage services are provided to each lot at the full cost of the developer.</p> <p>A1.3 Servicing for water considers Dubbo Regional Council Integrated Water Cycle Management Plan (IWCM) and ensures there is sufficient capacity to service the Precinct.</p> <p>A1.4 Water and sewerage services are designed and constructed in accordance with Council’s adopted AUS-SPEC#1 Development Specification Series – Design and Construction and Technical Schedules – Construction of Water Reticulation and Gravity Sewerage Reticulation and Water Services Association of Australia.</p> <p>A1.5 Each lot is provided with a separate water meter.</p> <p>A1.6 Electricity supply is provided to each lot via underground trenching in accordance with the requirements of the energy supply authority.</p> <p>A1.7 Activities near or within Electricity Easements or close to Electricity Infrastructure comply with ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Electricity Infrastructure 2012.</p> <p>A1.8 Telecommunications and National Broadband Network infrastructure is provided to each lot in accordance with the requirements of the appropriate authority.</p> <p>A1.9 Energy efficient and appropriately located street lighting</p>

<b>Performance Criteria</b>		<b>Acceptable Solution</b>	
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:	
		is provided in accordance with AS/NZS 1158.1.1.	
P2	Compatible public utility services are located in common trenching in order to minimise the land required and the costs for underground services.	A2.1	Services are located next to each other in accordance with Council's policy.
P3	Construction techniques are appropriate for the salinity risk and engineering solutions are implemented to minimise impacts on infrastructure.	A3.1	Site-specific testing is undertaken to confirm exposure classification.
		A3.2	Infrastructure is constructed from salt resistant materials.
		A3.3	Roads are designed and constructed with suitable drainage measures to maintain subsurface flow conditions and minimise groundwater table rise.
		A3.4	Backfilling of the trenches should be done keeping the original depths to avoid potential mixing between saline and non-saline soil or transported to landfill.
		A3.5	Imported fill is tested for salinity.

**Element 7. Stormwater Management**

**Objectives**

- Stormwater drainage systems are provided in accordance with the requirements of Council;
- Stormwater drainage systems adequately protect people and the natural and built environment from an acceptable level of risk and in a cost-effective manner in terms of initial costs, longevity and maintenance;
- Stormwater drainage systems incorporate appropriate treatment measures to manage any water leaving the site; and
- Stormwater drainage systems incorporate appropriate measures to manage salinity by minimising water logging, maintaining natural flows, and being structural adequate in areas of saline subsoil.

<b>Performance Criteria</b>		<b>Acceptable Solution</b>	
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:	
P1	Stormwater infrastructure has the capacity to safely convey all stormwater flows without causing nuisance or substantial damage to the site, upstream and downstream properties.	A1.1	A Stormwater Drainage Strategy is included with any development application. It must be prepared by a suitably qualified and experienced consultant and: <ul style="list-style-type: none"> <li>• detail how the projected stormwater volumes can be managed on the subject land and through to receiving waters;</li> <li>• consider the entire upstream and downstream catchments;</li> <li>• consider existing developed catchments; and</li> <li>• consider post-developed discharge of currently undeveloped catchments.</li> </ul>
		A1.2	Stormwater drainage is provided in accordance with the requirements of Council’s Infrastructure Division.
		A1.3	The stormwater system’s capacity is designed assuming the lots have a maximum impervious surface area.
		A1.4	The Stormwater Drainage Strategy considers a holistic detention and water quality strategy for the broader catchment, ensuring that water quality targets are met for the entire catchment and that stormwater discharge for major and minor flows do not exceed the capacity of stormwater systems provided at the downstream Newell Highway development.
		A1.5	Overland flow paths for stormwater are defined via proposed road alignments or dedicated stormwater reserves.
P2	Development reduces peak	A2.1	Post development peak flows, up to the 1% AEP storm

<b>Performance Criteria</b>		<b>Acceptable Solution</b>	
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:	
	flows into Council's stormwater drainage system.		events, are limited to 'pre-development' levels. Pre-development assumes 0% impervious area unless otherwise agreed with Council.
P3	The stormwater drainage system has the capacity to safely convey stormwater flows.	A3.1	Lots are graded to discharge stormwater and run-off from roads and other hard areas to the public road, and discharged to a drainage network.
		A3.2	The design and construction of the stormwater drainage system is in accordance with the requirements of: <ul style="list-style-type: none"> <li>• Australian Rainfall and Runoff: A Guide to Flood Estimation, Commonwealth of Australia (Geoscience Australia), 2019; and</li> <li>• Council's adopted AUS-SPEC #1 NSW 1999 Development Specification Series – Design and Construction.</li> </ul>
		A3.3	Minor stormwater drainage systems are designed to cater for the 10% AEP storm event. Major stormwater drainage systems are designed to cater for the 1% AEP storm event. These systems are to be evident as 'self-draining'.
P4	Stormwater systems minimise maintenance requirements and safety risks within grassed areas, open channels, basins and roads.	A4.1	Adequately manage continual and frequent low flows through the development.
		A4.2	The stormwater system is designed and constructed with adequate scour protection to prevent erosion.
		A4.3	The batter slope must not be greater than 1:7 (vertical to horizontal).

<b>Performance Criteria</b>		<b>Acceptable Solution</b>
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:
P5	Subdivision design and layout provides for adequate site drainage.	<p>A5.1 Lots are graded to discharge stormwater to the public road.</p> <p>A5.2 Interallotment drainage and associated easements are provided where any part of any lot, roof water or surface water does not drain to a public road without traversing one or more adjacent downhill lots.</p> <p>A5.3 Each lot requiring interallotment drainage has a surface inlet pit located in the lowest corner or portion of the allotment. Lots are graded to the interallotment pit.</p> <p>A5.4 Interallotment drainage lines are located approximately 1 metres from property boundaries within a 2 metres easement created for this purpose and reflected on the subdivision plan and 88B instrument.</p> <p>A5.5 The design of the inter-allotment drainage system is in accordance with Australian Rainfall and Runoff: A Guide to Flood Estimation, Commonwealth of Australia (Geoscience Australia), 2019.</p>



**Element 8. Water Quality Management**

**Objective**

- Development minimises disturbance to natural stream systems; and
- Stormwater discharge to surface and underground receiving waters, during construction and in developing catchments, does not degrade the quality of water in the receiving areas.

<b>Performance Criteria</b>	<b>Acceptable Solution</b>
The objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>P1 Development minimises on site erosion and downstream sediment deposition.</p>	<p>A1.1 An Erosion and Sediment Control Plan is included with any development application. It must be prepared by a suitably qualified and experienced professional using the 'Blue Book – Managing Urban Stormwater: Soils and Construction' and address the existing site, proposed development and the protection of the environment, adjoining properties and infrastructure.</p> <p>A1.2 Adequate provision is made for measures during construction to ensure the landform is stabilized and erosion is controlled.</p>
<p>P2 Development optimises the interception, retention and removal of water-borne pollutants through the use of appropriate criteria prior to their discharge to receiving waters.</p>	<p>A2.1 Development manages stormwater discharges and pollutants by including, but not limited to, one or more of the following elements:</p> <ul style="list-style-type: none"> <li>• Rainwater tanks on each lot;</li> <li>• Gross pollutant removal prior to discharging to basins;</li> <li>• Bio-retention areas.</li> </ul>

**Element 9. Environmental Management**

**Objective**

- Development is designed and sited to avoid environmental impacts;
- Development is designed to address any contamination;
- Development is designed and managed to prevent potential sources of groundwater contamination and salinity; and
- Appropriate landscaping and engineering designs are utilised to minimise groundwater risks.

<b>Performance Criteria</b>		<b>Acceptable Solution</b>
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1	Development minimises the impacts to groundwater through construction of roads and drainage.	<p>A1.1 Road drains and outlets are designed to avoid large volumes of runoff infiltrating the ground at any one location.</p> <p>A1.2 Runoff from roads and other hard areas are discharged to a drainage network.</p>
P2	Drainage infrastructure is of a standard that limits the potential for leakage and recharge of groundwater.	<p>A2.1 Development applications must be accompanied by a Salinity and Groundwater Assessment Report.</p> <p>A2.2 Detention/drainage basins (if required) are lined with compacted impervious clay to avoid local recharge.</p>
P3	Potential site contamination issues are adequately identified and remediated.	<p>A3.1 Development complies with the State Environmental Planning Policy (Resilience and Hazards) 2021.</p> <p>A3.2 All contamination investigations (stage 1 or 2), remediation (stage 3) and validation work (stage 4) must be undertaken at the development application stage. It must be undertaken by a suitably qualified consultant and in accordance with the protocols of NSW EPA Contaminated Sites Guideline Booklets or NEPM (2013 Amended) or the relevant.</p>
P4	Development on bushfire prone land protects life and does not increase bushfire risk management and maintenance responsibilities.	A4.1 Development on the land identified as bushfire prone complies with the bush fire protection measures in the NSW RFS's <i>Planning for Bush Fire Protection Guideline 2019</i> (or equivalent).

**Element 10. Development near the Dubbo Regional Airport**

**Objectives**

- Development does not impact the safety and ongoing efficiency of the Dubbo Regional Airport;
- Development addresses the National Airports Safeguarding Framework (NASF);
- Developments considers a range of factors that could affect the operation of the Airport, including light glare, plumes and bird attractants; and
- Development does not increase wind shear impacts on aircraft.

Performance Criteria	Acceptable Solution
The objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1 Development does not impact the safety and ongoing efficiency of the Dubbo Regional Airport.	<p>A1.1 Development applications include information detailing compliance with the National Airports Safeguarding Framework.</p> <p>A1.2 Development does not impact PANS-OPS for the Dubbo Regional Airport.</p> <p>A1.3 Development in the vicinity of the airport does not protrude into the Obstacle Limitation Surface (OLS):</p> <ul style="list-style-type: none"> <li>• cranes do not penetrate the OLS.</li> <li>• development complies with specifications provided by the Civil Aviation Safety Authority (CASA). The OLS protects the immediate airspace in the vicinity of the airport for visual operation.</li> </ul> <p>A1.4 Any lighting associated with development in vicinity of the airport may be subject to lighting limitations as advised by CASA.</p> <p>A1.5 Development takes into consideration any amenity impacts resulting from the airport operations, including but not limited to noise and vibration.</p> <p>A1.6 Development, including any drainage basins, minimises the hazard to aircraft operations created by the presence of birds and or animals resulting from the development, and does not attract wildlife.</p> <p>A1.7 Development does not release emissions that could cause air turbulence or reduce the visibility or operation of aircraft engines.</p> <p>A1.8 Development does not create a physical line-of-sight obstruction between transmitting or receiving devices that:</p> <ul style="list-style-type: none"> <li>• transmits an electromagnetic field that will interfere with the functioning of the airport; and</li> <li>• contains a reflective surface that will interfere with the functioning of the airport.</li> </ul>

## 2.2. Residential Design Controls

This section is designed to encourage 'best practice' solutions for the design and development of dwelling houses and dual occupancy development.

The objectives of this section are:

- Development integrates with, is well-connected to, and enhances the vision and desired future character the North-West Urban Release Area;
- A mix of dwelling sizes are provided to complement the character of the area and provide accommodation for all sectors of the community; and
- Low density residential accommodation is facilitated with economic use of infrastructure.

This section lists design elements under the following headings:

Element 1	Architectural Design and Streetscape Character
Element 2	Building Envelopes
Element 3	Infrastructure
Element 4	Solar Access
Element 5	Visual and Acoustic Privacy
Element 6	Vehicular Access and Car Parking
Element 7	Waste Management
Element 8	Fencing
Element 9	Detached Development

**Element 1. Architectural Design and Streetscape Character**

**Objectives**

- Development is designed to create an attractive neighbourhood;
- Development creates visual interest through articulation and varied design features;
- Development is consistent with the desired future streetscape and neighbourhood character; and
- A mix of dwelling sizes are provided to accommodate the needs of the community and encourage a diversity of built form design.

<b>Performance Criteria</b>		<b>Acceptable Solution</b>	
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:	
P1	<p>Development is designed to:</p> <ul style="list-style-type: none"> <li>• respect and reinforce the positive characteristics of the neighbourhood;</li> <li>• ensure the frontage of buildings and their entries are apparent from the street;</li> <li>• ensure walls visible from the street are adequately detailed for visual interest;</li> <li>• provide a range of lot sizes to suit a variety of household types and forms of development; and</li> <li>• promote better walkability, improve access to amenities and enhance overall connectivity in the Precinct.</li> </ul>	A1.1	The primary frontage façade of development addresses the street and incorporates a visible front entrance and door.
		A1.2	<p>At least three of the following design features are incorporated into the primary frontage façade:</p> <ul style="list-style-type: none"> <li>• façade articulation and detailing with varying building materials, patterns, textures, and colours;</li> <li>• entry feature or porch;</li> <li>• awnings or other features over windows;</li> <li>• balcony treatment to any first floor element;</li> <li>• recessing or projecting architectural elements;</li> <li>• bay windows or similar features; and</li> <li>• verandah, eaves, pergolas and parapets above garage doors.</li> </ul>
		A1.3	Development located on a corner lot is designed to face each street frontage.
		A1.4	Walls longer than 10 metres are articulated with a variation of more than 600mm for a minimum length of 4 metres.
P2	Roofs materials minimise glare, particularly for those near the Dubbo Regional Airport.	A2.1	Black/dark/other strong coloured roofs, or roofs that absorb heat, will not be supported.
		A2.2	Services which penetrate the roof and flashing should be painted or finished in a material that is consistent with the roof colour.
P3	Dual occupancy development and densities are appropriate and compatible with the local context.	A3.1	Dual occupancies are not located on a battle-axe lot.
		A3.2	Dual occupancies are not designed as 'mirror image'.

<b>Performance Criteria</b>		<b>Acceptable Solution</b>	
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:	
P4	<p>Garages and parking structures are located and designed to ensure they:</p> <ul style="list-style-type: none"> <li>integrate with features of the dwelling;</li> <li>do not dominate the street frontage.</li> </ul>	A4.1	Development is designed to highlight the entry and front rooms rather than the garage.
		A4.2	Large parking areas are broken up with trees, buildings or different surface treatments.
		A4.3	Garages and parking structures are located so that the front windows of development are not obscured.

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**Element 2. Building Envelopes**

**Objectives**

- The setback of development from the property boundaries, the height and length of walls, site coverage and visual bulk are appropriate for a residential neighbourhood;
- Habitable rooms and private open space of dwellings within and in adjacent sites receive adequate sunlight, ventilation and amenity;
- Each lot has sufficient area for landscaping and deep soil planting areas;
- The quality of the built environment is enhanced through landscaping;
- Private outdoor open space is well-integrated with development and is of sufficient area to meet the needs of occupants; and
- Private open space provides a pleasant, safe and attractive level of residential amenity;

Performance Criteria		Acceptable Solution
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1	<p>Development is designed to ensure:</p> <ul style="list-style-type: none"> <li>• setbacks are consistent with the desired low density character of the locality;</li> <li>• the height, bulk and scale reflects the intended use and is consistent with the desired character of the locality;</li> <li>• landscaping is appropriate in nature and scale for the site and the local environment; and</li> <li>• there is an appropriate area for landscaping and private open space.</li> </ul>	<p>A1.1 Development complies with development standards outlined in <b>Table 1</b>.</p> <p>A1.2 Development has a maximum height of 8 metres above existing ground level to the underside of eaves at any point.</p> <p>A1.3 Development does not exceed two storeys.</p>

	Dwelling house		Dual occupancy
Lot range	≥ 600m <sup>2</sup> < 900m <sup>2</sup>	> 900m <sup>2</sup>	≥ 600m <sup>2</sup>
<b>Setbacks</b>			
Front setback (minimum)	4.5 metres from the front property boundary In accordance with <b>Figure 6</b> in established areas	6 metres from the front property boundary In accordance with <b>Figure 6</b> in established areas	4.5 metres from the front property boundary In accordance with <b>Figure 6</b> in established areas
Secondary frontage setback (minimum)	3 metres		
Side setback – Ground floor (minimum)	0.9 metres	1.5 metres	0.9 metres
Side setback – First floor (minimum)	1.5 metres	2 metres	1.5 metres
Rear setback	3 metres		
<b>Garage setbacks</b>			
Front and secondary setbacks (minimum)	5.5 metres to the façade of the garage 1 metre behind the building façade for single or double garages 2 metres behind the building façade for third garage		
Percentage of dwelling frontage	The width of a garage shall not be greater than 50% of the total width of the lot measured at the building façade line.		
<b>Car parking requirements</b>			
Garage width (maximum)	3 metres (single garage) 6 metres (double garage) 9 metres (triple garage)		
Parking requirements (minimum)	1 bedroom dwelling – 1 garage space 2 or more bedroom dwelling – 2 parking spaces, with at least 1 garage space		
<b>Landscaping requirements</b>			
Landscaped area (minimum)	15%	35%	20%
	A minimum of 25% of the lot forward of the building line is to be landscaped. A minimum of 50% of the lot located behind the building line is to be landscaped. Areas less than 3 metres in width are not to be included in the calculation of landscaped area.		
Principal private open space (minimum)	25m <sup>2</sup> with a minimum dimension of 5 metres. All principal private open space is directly accessible from the main living area. All private open space is located behind the front building line and is screened to provide for the privacy of occupants and the occupants of adjoining properties.		

**Table 1 – Development Controls**



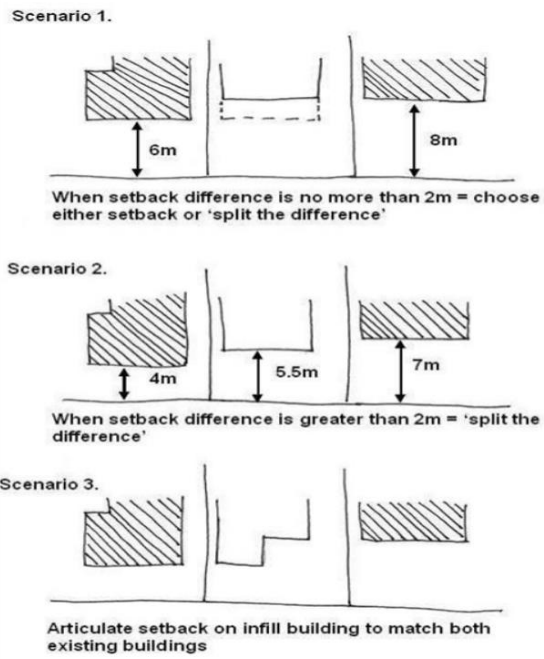


Figure 6 – Setbacks for infill development in established areas

**Element 3. Infrastructure**

**Objectives**

- Infrastructure has the capacity or can be economically extended to accommodate new development;
- Development is designed to take advantage of existing physical and social infrastructure;
- Development is provided with appropriate physical services; and
- Development captures and retains roof water and stormwater to minimise run-off to stormwater drainage systems.

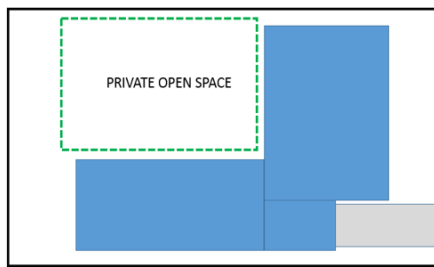
<b>Performance Criteria</b>		<b>Acceptable Solution</b>	
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:	
P1	Development does not overload the capacity of public infrastructure including reticulated services, streets, open space and human services.	A1.1	Infrastructure is provided in accordance with: <ul style="list-style-type: none"> <li>• Council's adopted version of AUS-SPEC; and</li> <li>• the requirements of the appropriate relevant authority.</li> </ul>
P2	Development is connected to reticulated sewerage, water supply, electricity, telecommunications and natural gas as appropriate.	A2.1	Development is connected to: <ul style="list-style-type: none"> <li>• Council's reticulated water supply, sewerage and stormwater drainage system in accordance with Council's adopted version of AUS-PEC and relevant policies;</li> <li>• Electricity in accordance with the requirements of the appropriate authority; and</li> <li>• Telecommunications system and the National Broadband Network Infrastructure in accordance with the requirements of the appropriate authority.</li> </ul>
P3	Stormwater leaving the site does not exceed the capacity of the stormwater system.	A3.1	Development incorporates minimal impervious areas and is limited to the capacity of Council's stormwater system.
		A3.2	Stormwater is not directed onto neighbouring lots.
		A3.3	Finished lot levels allow for a stormwater overland flow path through the lot.
		A3.4	Rainwater and stormwater should be captured, stored and reused on site where possible.
P4	Development conforms to the natural land forms and site constraints without the need for excessive excavation and/or fill.	A4.1	Excavation and/or filling does not change the natural ground level of the site by more than 1 metre.

**Element 4. Solar Access**

**Objectives**

- Development provides an acceptable level of solar access for occupants;
- Development does not significantly impact on the solar access and amenity of adjoining and adjacent lots; and
- Habitable rooms and private open space on the lot/s and adjacent lot receive adequate sunlight, ventilation and amenity.

Performance Criteria	Acceptable Solution
The objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>P1 Development is designed to ensure solar access is available to habitable rooms, solar collectors, private open space and clothes drying facilities on the lot and adjoining lots.</p>	<p>A1.1 Shadow diagrams are submitted for any development above single storey, and are prepared for 9am, 12pm and 3pm on 22 June.</p> <p>A1.2 Dwellings are sited in accordance with <b>Figure 7</b>.</p> <p>A1.3 On lots with an east-west orientation, the setback on the north-side of the lot is increased to allow for maximum solar access to habitable rooms located on the north-side of development.</p> <p>A1.4 Outdoor clothes drying area/s are located to ensure adequate sunlight and ventilation are provided between the hours of 9am and 3pm on 22 June to a plan of 1 metre above the finished ground-level under the drying lines.</p> <p>A1.5 Habitable rooms of adjoining development receive a minimum of four hours solar access between the hours of 9 am and 3 pm on 22 June.</p> <p>A1.6 Principal private open space of adjoining development receives a minimum of four hours solar access over 75% its area between 9am and 3pm on 22 June.</p> <p>A1.7 Landscaping is designed to ensure that when mature, required areas of private open space on adjoining allotments maintain solar access on 22 June.</p>



NORTH



A dwelling built close to the southern boundary enables winter sunlight to enter habitable rooms in the dwelling. Good solar access is available to private open space during winter.

Figure 7 – Required siting of development on east-west lots

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**Element 5. Visual Privacy and Acoustic Impacts**

**Objectives**

- Development is designed to limit overlooking into private open space of adjoining development;
- Noise within each dwelling and noise from communal areas or shared facilities affecting nearby dwellings is contained; and
- Internal living and sleeping areas are protected from inappropriate levels of external noise.

<b>Performance Criteria</b>		<b>Acceptable Solution</b>	
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:	
P1	Private open spaces and living rooms of adjacent development are protected from direct overlooking by an appropriate layout, screening devices and distance.	A1.1	Windows of habitable rooms with an outlook to habitable room windows in adjacent development within 10 metres: <ul style="list-style-type: none"> <li>• have a sill height of 1.5 metres above floor level;</li> <li>• have fixed obscure glazing in any window pane below 1.5 metres above floor level;</li> <li>• are offset a minimum of 1 metre from the edge of the opposite window;</li> </ul>
		A1.2	Screens are solid, translucent or perforated panels or trellis which: <ul style="list-style-type: none"> <li>• have a minimum of 25% openings,</li> <li>• are permanent and fixed,</li> <li>• are of durable materials such as galvanised steel, iodised aluminium or treated timber, and</li> <li>• are painted or coloured to blend in with the surrounding environment.</li> </ul>
		A1.3	Windows and balconies do not overlook more than 50% of the private open space of any adjoining development.
		A1.4	Balconies on the first floor are screened to a height of 1.7 metres above the finished floor level along the side and rear boundaries to prevent noise and overlooking.
P2	Development minimises the transition of noise to and between habitable rooms of adjoining development.	A2.1	Living rooms or garages do not adjoin or abut bedrooms of adjacent development.
		A2.2	The plumbing of residential development is separate and contained sufficiently to prevent transmission of noise.
		A2.3	Electrical, mechanical or hydraulic equipment or plant generating a noise level no greater than 5dBA above ambient L90 sound level at the boundary of the property.

<b>Performance Criteria</b>	<b>Acceptable Solution</b>
The objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
	A2.4 Development is constructed to ensure habitable rooms are not exposed to noise levels in excess of the standards contained in the relevant Australian Standard(s) including AS 3671 – Road Traffic.
P3 Development achieves an acceptable noise environment and reduces the impacts of noise on sensitive receivers.	<p>A3.1 Dwellings within close proximity to collector roads locate non-habitable rooms on the noise affected side, and enable doors to be sealed off from living areas and bedrooms.</p> <p>A3.2 Where a landscape buffer is proposed as part of acoustic treatments, it is designed, constructed and maintained in accordance with the following:</p> <ul style="list-style-type: none"> <li>• Selected plant species meet the buffer’s functional requirements and require minimal ongoing maintenance;</li> <li>• Selected plant species are appropriate to the location, drainage and soil type; and</li> <li>• Plant selection includes a range of species to provide variation in form, colour and texture to contribute to the natural appearance of the buffer.</li> </ul> <p>A3.3 Noise attenuation measures must not adversely impact upon passive surveillance, active street frontages and energy efficiency.</p>

**Element 6. Vehicular Access and Car Parking**

**Objectives**

- Adequate and convenient parking is provided for residents, visitors and service vehicles.
- Street and access ways provide safe and convenient vehicle access to dwellings and can be efficiently managed; and
- Parking and traffic difficulties are avoided in the development and the neighbourhood.

Performance Criteria The objectives may be achieved where:	Acceptable Solution The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>P1 Car parking facilities are designed and located to conveniently and safely serve users including pedestrians, cyclists and vehicles.</p>	<p>A1.1 Accessways and driveways are designed to enable vehicles to enter the designated parking space in a single turning movement and leave the space in no more than two turning movements.</p> <p>A1.2 The layout and dimensions of car parking areas, access ways, driveways, roadways and manoeuvrability areas comply with Australian Standard AS2890.1-2004, AS2890.2 and AUSTROADS.</p> <p>A1.3 Car spaces, accessways and driveways are formed, defined and drained to a Council drainage system and surfaced with:</p> <ul style="list-style-type: none"> <li>• An all-weather seal such as concrete, coloured concrete, asphalt or mortared pavers; and</li> <li>• Stable, smooth, semi-porous paving material (such as brick, stone or concrete pavers) laid to the paving standard of light vehicle use.</li> </ul>
<p>P2 Driveways, car parks and access points are of a suitable construction.</p>	<p>A2.1 Driveways are located clear of stormwater pits, street light poles, water meters and landscaping.</p>
<p>P3 Standing and turning areas for service, emergency or delivery vehicles are provided where access from a public street is remote or difficult.</p>	<p>A3.1 Access ways are designed to cater for an 'AUSTROADS 8.8 metres length Design Service Vehicle'.</p>

**Element 7. Waste Management**

**Objectives**

- Waste disposal is carried out in a manner which is environmentally responsible and sustainable.

<b>Performance Criteria</b>		<b>Acceptable Solution</b>	
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:	
P1	Design and construction approaches and techniques minimise waste.	A1.1	A Waste Management Plan is included with any development application. It must include accurate site specific details in relation to demolition/site preparation, construction, use of premises and on-going management as applicable.
P2	Domestic solid waste is disposed of in an environmentally responsible and legal manner.	A2.1	Development participates in Council's garbage, recycling and organic materials collection service.
P3	Adequate space is provided to store waste collection bins in a position which will not adversely impact upon the amenity of the area.	A3.1	Sufficient space is provided on site for loading and unloading of wastes. This activity is not undertaken on any public place.
		A3.2	Development has a sufficient waste collection area at the front of the lot that is suitable for the storage of three bins to be collected that doesn't obstruct traffic flows, vehicle entry to the property, pedestrian movements or landscaping.
		A3.3	Garbage bin storage and collection areas are located behind the front building line and are screened from view.



**Element 8. Fencing**

**Objectives**

- Fencing is of a high quality and does not detract from the streetscape;
- Rear and side fencing assists in providing privacy to private open space areas; and
- Fencing does not affect vehicle, pedestrian and cyclist visibility at intersections.

Performance Criteria	Acceptable Solution
The objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>P1 Fencing:</p> <ul style="list-style-type: none"> <li>• is consistent with the existing character of the area;</li> <li>• reflects the local streetscape; and</li> <li>• does not cause undue overshadowing of adjoining development.</li> </ul>	<p>A1.1 Fences are articulated and softened with the use of landscaping.</p> <p>A1.2 Fences are constructed of materials which are consistent with those used in development on the site and adjoining developments.</p> <p>A1.3 Barbed, razor wire, electrical, solid metal panels or chain wire fencing are not permitted.</p>
<p>P2 Fences enable outlook from the development to the street or open space to facilitate casual surveillance and safety.</p>	<p>A2.1 Fences forward of the building line have a maximum height of:</p> <ul style="list-style-type: none"> <li>• 1.2 metres if solid or less than 20% transparent; or</li> <li>• 1.5 metres if greater than 50% transparent.</li> </ul> <p>A2.2 Fences on the secondary frontage have a maximum height of 1.8 metres for 50% of the length of the boundary of the secondary road, measured from the corner splay of the primary road boundary.</p> <p>A2.3 Fences on the secondary frontage are setback and articulated, and provided with vegetation screening</p>
<p>P3 Fencing on corner lots does not impede visibility at the intersection.</p>	<p>A3.1 Fencing on corner lots is either splayed, setback, reduced in height or transparent to maintain visibility for vehicles, pedestrians and cyclists. The extent of the splay will be determined by Council in consideration of the characteristics of the road and the radius of the kerb return.</p>
<p>P4 Gates are designed to ensure pedestrian, cyclist and vehicle safety.</p>	<p>A4.1 Where a driveway is provided through a solid fence, adequate visibility for the driver is maintained.</p>
<p>P5 Solid fences along public open space areas are avoided.</p>	<p>A5.1 Fences along the boundary of a public open space area are open, low hedges or incorporate permeable vegetation.</p>

P6	Fences along battle-axe handles do not impact the amenity of both the lot and the neighbouring lots.	There are no Acceptable Outcomes.
P7	Fences do not interfere with stormwater flows across the site.	There are no Acceptable Outcomes.

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**Element 9. Detached Development**

**Objectives**

- Detached development, outbuildings, sheds and garages integrate with development on site;
- Detached development maintains appropriate private open space;
- Detached development is of a scale, size and character that is appropriate for the urban environment and the size of the lot; and
- Detached development does not detrimentally impact upon the amenity of adjoining residents.

Performance Criteria	Acceptable Solution														
The objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:														
P1 Detached development is of a height reflecting its intended use and in keeping with the urban environment.	A1.1 Detached development has a maximum height of 4.5 metres above existing ground level.  Note: Building height is defined in the Dubbo Regional LEP 2022.														
P2 Detached development has a floor area that: <ul style="list-style-type: none"> <li>• is proportionate with the size of the lot; and</li> <li>• maintains sufficient private open space</li> </ul>	A2.1 The maximum gross floor area (GFA) of all detached development is: <table border="1" style="margin-left: 20px;"> <thead> <tr> <th>Lot size</th> <th>GFA</th> </tr> </thead> <tbody> <tr> <td>200m<sup>2</sup> – 300m<sup>2</sup></td> <td>36m<sup>2</sup></td> </tr> <tr> <td>&gt; 300m<sup>2</sup> - 600m<sup>2</sup></td> <td>60m<sup>2</sup></td> </tr> <tr> <td>&gt; 600m<sup>2</sup> – 900m<sup>2</sup></td> <td>90m<sup>2</sup></td> </tr> <tr> <td>&gt; 900m<sup>2</sup> – 1500m<sup>2</sup></td> <td>120m<sup>2</sup></td> </tr> <tr> <td>&gt; 1500m<sup>2</sup> – 2000m<sup>2</sup></td> <td>150m<sup>2</sup></td> </tr> <tr> <td>&gt; 2000m<sup>2</sup></td> <td>180m<sup>2</sup></td> </tr> </tbody> </table> A2.2 Detached development maintains the overall principal private open space and private open space area in accordance with 0.	Lot size	GFA	200m <sup>2</sup> – 300m <sup>2</sup>	36m <sup>2</sup>	> 300m <sup>2</sup> - 600m <sup>2</sup>	60m <sup>2</sup>	> 600m <sup>2</sup> – 900m <sup>2</sup>	90m <sup>2</sup>	> 900m <sup>2</sup> – 1500m <sup>2</sup>	120m <sup>2</sup>	> 1500m <sup>2</sup> – 2000m <sup>2</sup>	150m <sup>2</sup>	> 2000m <sup>2</sup>	180m <sup>2</sup>
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Performance Criteria		Acceptable Solution											
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:											
<p><b>P3</b> Detached development is appropriately sited to minimise impacts on the streetscape.</p>	<p><b>A3.1</b> Detached development is located behind the building line of a dwelling house that is adjacent to any primary road or secondary road.</p>												
	<p><b>A3.2</b> Detached development maintains the setback requirements of Element 2.</p>												
<p><b>P4</b> Detached development is appropriately setback from the side and rear boundaries</p>	<p><b>A4.1</b> Detached development is setback a minimum of the following from the side and rear boundaries:</p> <table style="margin-left: 40px;"> <tr> <td>Setback</td> <td>Wall height</td> </tr> <tr> <td>0.5 metres</td> <td>2.4 metres</td> </tr> <tr> <td>0.9 metres</td> <td>2.7 metres</td> </tr> <tr> <td>1.5 metres</td> <td>3.0 metres</td> </tr> <tr> <td>2.1 metres</td> <td>3.6 metres</td> </tr> </table> <p>Note: Wall in this clause refers to a generally vertical external portion of a building that supports the roof structure, and includes a gable end, column or pier.</p>	Setback	Wall height	0.5 metres	2.4 metres	0.9 metres	2.7 metres	1.5 metres	3.0 metres	2.1 metres	3.6 metres		
Setback	Wall height												
0.5 metres	2.4 metres												
0.9 metres	2.7 metres												
1.5 metres	3.0 metres												
2.1 metres	3.6 metres												
	<p><b>A4.2</b> Detached development maintains the setback requirements of 0.</p>												

**2.3. Landscaping Design Controls**

This section is designed to ensure landscaping can be strategically developed and maintained to optimise the standard of the estate’s presentation, and increase its attractiveness to both potential residents and visitors. Landscaping can help define boundaries, reduce traffic speeds and provide shade.

The objectives of this section are:

- Development preserves significant trees and natural vegetation;
- Landscaping provides a pleasant, safe and attractive level of amenity and contributes to the identify and environmental health of the community;
- Landscaping is aesthetically pleasing, cost effective and has minimal risk to the public;
- Landscaping softens the visual impact of development;
- Natural features and vegetation are emphasized in the design of development;
- Appropriate plant species are utilised that are environmentally sustainable and offer effective water management;
- Streetscape components do not detrimentally affect solar access to development.

Performance Criteria	Acceptable Solution
<p>The objectives may be achieved where:</p> <p>P1 Landscaping is appropriately designed, well suited to the site and able to be maintained as per Council’s guidelines.</p>	<p>The acceptable solutions illustrate one way of meeting the associated performance criteria:</p> <p>A1.1 A Landscape Plan and Planting schedule is included with any development application for subdivision or dual occupancy. It must be prepared by a suitability qualified person, and:</p> <ul style="list-style-type: none"> <li>• show indicative plantings;</li> <li>• identify the scientific name of all plant material;</li> <li>• identify the height and characteristics of plant material at maturity;</li> <li>• identify the maintenance regime.</li> <li>• specify irrigation systems for maintenance, referencing Council’s current standards;</li> <li>• show planting specifications showing staking, hole preparation, depth and root control devices; and</li> <li>• Indicate any land proposed to be dedicated to Council and the location of the landscaping on that site.</li> </ul> <p>A1.2 Landscaping is provided in accordance with the requirements of Council’s Community, Culture and Places Division and any applicable Tree Planting Standards.</p> <p>A1.3 Landscaping is selected and located taking into consideration the size of the root zone of the tree at maturity and the likelihood of potential for the tree to shed/drop material.</p>

<b>Performance Criteria</b>		<b>Acceptable Solution</b>	
The objectives may be achieved where:		The acceptable solutions illustrate one way of meeting the associated performance criteria:	
P2	Development is designed to maintain the amount of existing and native vegetation.	A2.1	Existing native and significant trees are retained and integrated into the development.
		A2.2	Development applications include sufficient documentation to highlight that any relevant vegetation and biodiversity legislation is complied with.
P3	Landscaping is: <ul style="list-style-type: none"> <li>functional and meets user requirements for privacy, solar access, shade and recreation; and</li> <li>undertaken in an environmentally sustainable manner which limits time and costs associated with maintenance.</li> </ul>	A3.1	Landscaping uses locally endemic species or species with a proven tolerance to the local climate and conditions.
		A3.2	Landscaping avoids species that have the potential to become an environmental weed or are known to be toxic to people or animals.
		A3.3	Landscaping requires low maintenance and minimal watering, and does not impact salinity or ground water levels by encouraging over-watering.
		A3.4	The height and density of vegetation at maturity screens and softens the development.
		A3.5	Landscaping on bushfire prone land is designed and maintained to the standard of an Inner Protection Area.
		A3.6	Sensors are used to control watering systems.
P4	Landscaping is designed and located to not negatively impact built infrastructure, development on the site or adjoining sites.	A4.1	Landscaping does not restrict vehicle sightlines.
		A4.2	Landscaping incorporates elements such as root barriers or appropriate species to prevent damage to the built infrastructure.
		A4.3	Landscaping does not reduce: <ul style="list-style-type: none"> <li>casual surveillance</li> <li>the level of solar access enjoyed by adjoining development; and</li> <li>the safety of vehicles, pedestrians and cyclists.</li> </ul>
P5	Development under construction does not damage or destroy vegetation.	A5.1	Protective measures are provided around trees during site work and construction in accordance with Australian Standard AS4970-2009.
P6	Landscaping is selected and located to minimise the risk to maintenance personnel, and the public.	There are no Acceptable Outcomes.	



## REPORT: Tree Preservation Order - Outcome of Community Consultation

**DIVISION:** Community, Culture and Places  
**REPORT DATE:** 4 October 2023  
**TRIM REFERENCE:** ID23/2384

### EXECUTIVE SUMMARY

<b>Purpose</b>	<ul style="list-style-type: none"> <li>Addressing Council resolution</li> <li>Seek direction or decision</li> </ul>	
<b>Issue</b>	<ul style="list-style-type: none"> <li>Provision of information relating to the introduction of Tree Preservation Order through the State Environmental Planning Policy (Biodiversity and Conservation) 2021, to protect trees on private property in the urban area, and other native vegetation within the local government area.</li> </ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"> <li>Introduction of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 would satisfy the original intent of the Council Resolution and provide protection to private urban trees, level to be determined, and vegetation generally across the local government area.</li> <li><i>Biodiversity Conservation Act 2016</i></li> </ul>	
<b>Financial Implications</b>	Budget Area	Community Culture and Places
	Funding Source	General rates
	Proposed Cost	Range between \$0 and \$220,000. Compliance not included in these estimates.
	Ongoing Costs	Range between \$0 and \$228,000 (CPI). Compliance not included in these estimates.
<b>Policy Implications</b>	Policy Title	Development Control Plan (DCP)
	Impact on Policy	Would need to be redrafted

### STRATEGIC DIRECTION

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

Theme: 6 Environmental Sustainability  
 CSP Objective: 6.1 We achieve net zero emissions  
 Delivery Program Strategy: 6.1.4 Existing and new development is sustainable, has sufficient greenspace and efficiently uses resources

Theme:	6 Environmental Sustainability
CSP Objective:	6.2 We recognise, plan for and respond to the impacts of climate change
Delivery Program Strategy:	6.2.1 The impacts of climate change are identified and addressed through collaboration with our community and government

## RECOMMENDATION

### 1. That Council determine whether to:

- a. **Prepare a report to come back to Council outlining a proposed framework for tree management guidelines for Tree's on private land to an intervention level 10 metres or higher (with DBH measurements) threshold, including;**
  - Administration design
  - Compliance; and
  - Resourcing implications

OR

- b. **Prepare a report to come back to Council outlining a proposed framework for tree management guidelines for Tree's on private land to an intervention level lower than 10 metres (with DBH measurements) threshold , including;**
  - Administration design
  - Compliance; and
  - Resourcing implications

OR

- c. **Not proceed with any changes to existing Tree Preservation policies.**

### 2. That Council develops an education program highlighting the importance of retaining trees, increasing canopy coverage and the benefits that they provide to our urban communities.

*Kathryn McAlister*  
Director Community, Culture and Places

*IM*  
Manager Recreation and  
Open Space



**BACKGROUND**

**Previous Resolutions of Council**

27 September 2021 CCL21/209	<i>That the CEO provide a report to October 2021 Ordinary Council meeting on the options and indicative costs of the implementation of a Tree Preservation Order.</i>
25 October 2021 CCL21/253	<ol style="list-style-type: none"> <li>1. <i>That the report of the Manager Recreation and Open Space, dated 6 October 2021, be noted.</i></li> <li>2. <i>That further investigation in regards to the level of resourcing and associated costs in developing, implementing and resourcing the State Environmental Planning Policy (Vegetation) be carried out with a further report to Council by May 2022.</i></li> </ol>
12 May 2022 CCC22/20	<ol style="list-style-type: none"> <li>1. <i>That Council considers the adoption of Chapter 2 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 to protect prescribed vegetation across defined areas of the local government area.</i></li> <li>2. <i>That</i> <ol style="list-style-type: none"> <li>a. <i>Council undertakes community consultation on the options including the status quo; and</i></li> <li>b. <i>This consultation takes place in July 2022 with a subsequent report to the relevant Standing Committee of Council in August 2022.</i></li> </ol> </li> </ol>
27 July 2023 CCL/199	<ol style="list-style-type: none"> <li>1. <i>That the report dated 23 May 2023 be noted.</i></li> <li>2. <i>That Council undertake community consultation regarding the options contained within the report for urban tree management regulation on private and public property including:</i> <ol style="list-style-type: none"> <li>a. <i>Urban tree height and size options to which the regulations would apply</i></li> <li>b. <i>Administration fee structure options including a no fee option.</i></li> </ol> </li> <li>3. <i>That a report be provided to Council's Ordinary Meeting in October 2023 that provides details on:</i> <ol style="list-style-type: none"> <li>a. <i>outcome of community consultation</i></li> <li>b. <i>options for what a potential Tree Preservation Order structure could look like given that community consultation</i></li> <li>c. <i>impact on resource allocation within Council to service a new policy setting, and</i></li> <li>d. <i>financial adjustments required for the 2023-24 budget.</i></li> </ol> </li> </ol>

**REPORT**

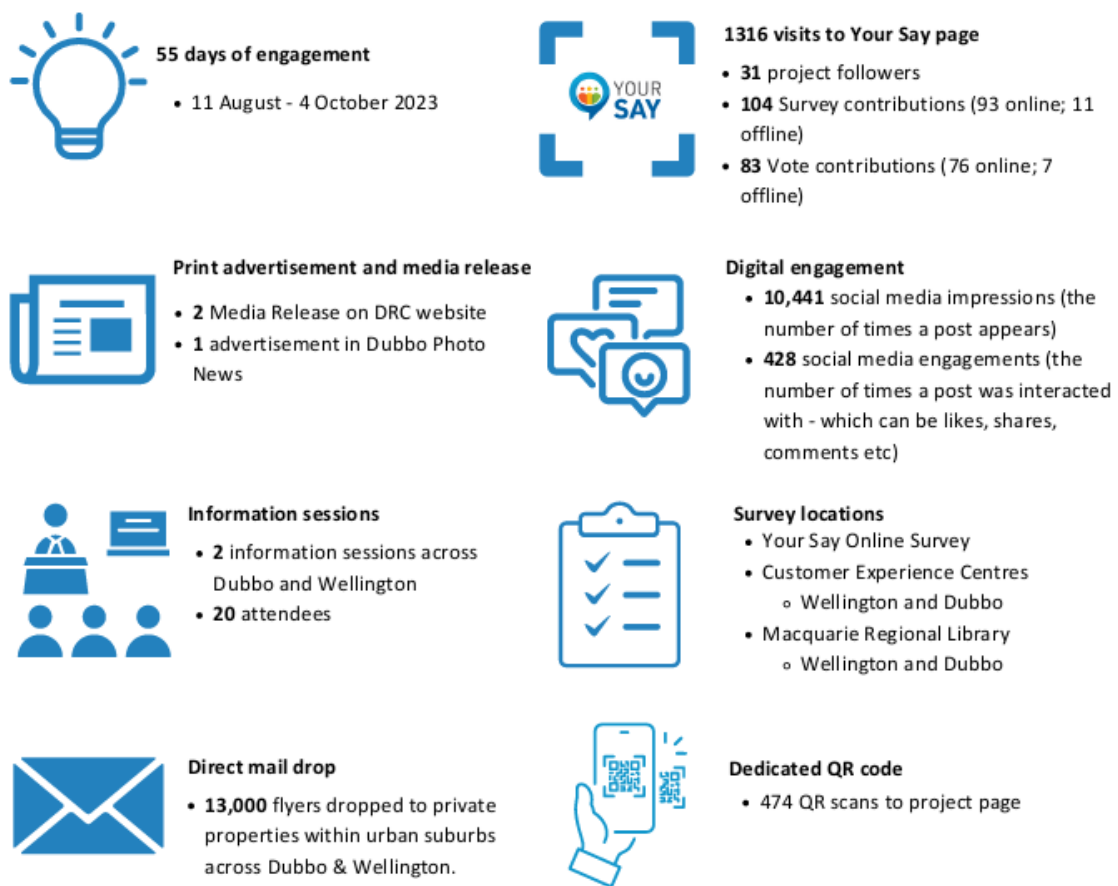
At the July Ordinary Meeting of Council held on 27 July 2023, a report was tabled proposing the implementation of a Tree Preservation Order, through the State Environmental Planning Policy (Biodiversity and Conservation) 2021, that would offer protection of trees located on private property.

In accordance with the Council Resolution (2), an extensive community engagement program was developed and implemented to ascertain the community views of whether or not Council should consider the implementation of a Tree Preservation Order on Private Trees and, if so, at what intervention standard (i.e. height of tree) should it come into force. Included in the survey were questions around the establishment of an administrative fee structure and whether a penalty structure for illegal removal of trees should be considered.

### Consultation

Information on the Tree Preservation Order for Private Land was placed on public exhibition from 11 August 2023 through to 4 October 2023.

A summary of the engagement activities, and the level of community awareness and participation, is shown below.



**Figure 1.** Snapshot of community engagement for the proposal of the introduction of a Tree Preservation Order to cover private trees.

## Survey and Vote results

We received 104 surveys.



- Majority of participants identified as **Urban Resident - Private landowners (90%)**, whilst the remaining participants identified as non-urban residents/urban business or organisation/business or industry related.

When we asked 'Do you support an implementation of a Tree Preservation Order on privately owned land?'



- Of those who selected NO, 15% indicated, I support the concept, but it is not **Dubbo Regional Councils responsibility**.

When we asked 'Do you believe Council should be managing trees and canopy coverage on privately owned land?'



When we asked 'Do you believe Council should resource the managing trees and canopy coverage on privately owned land?'



When we asked 'Do you support a cost associated to a permit application fee/charge?'



When we asked 'Do you support a penalty structure for those who do not comply?'



The following themes emerged in relation to Council's role in;

- Increasing urban canopy through tree planting: **51%** selected educator, whilst **27%** selected enforcer.
- Increasing urban canopy through a replacement planting approach: **42%** selected educator, whilst **35%** selected enforcer.
- Safeguarding future urban canopy: **40%** selected educator, whilst **36%** selected enforcer.

**Figure 2.** Survey results for the proposal of the introduction of a Tree Preservation Order to cover private trees.

**Council received 83 votes on the intervention standard of what height / size of tree should the TPO come into force.**

The results indicate that while there is a level of community support for the implementation of a Tree Preservation Order to protect trees on privately owned land, the majority of the respondents did not support the proposition. This would be irrespective of any agency, including Dubbo Regional Council, introducing restrictions over the management of privately owned trees.

The level of support for a Tree Preservation Order (TPO) on privately owned trees imposed by Dubbo Regional Council, in association with canopy cover controls, saw the level of support reduce. This erosion of support is likely associated with the theme identified in the earlier response that some people do not see it as a responsibility of Council to restrict private land owners of managing trees on their land. This response is then further supported that an increased number of respondents identified that Council resources should not be used for this purpose that would then indicate that, if Council proceeded with a TPO, that an external model of assessment and enforcement could be explored. However, the strongest response from the survey component was around the implementation of a fee structure that saw over 80% of respondents vote against this proposition.

To summarise the results of the survey – there is not a majority support for the introduction of a TPO on privately owned land utilising Dubbo Regional Council resources, and that people are not prepared to pay for the implementation of the policy that restricts what they can or cannot do on their own trees.

However, strong support was also shown for Dubbo Regional Council to take a leading approach in and around the education of the public regarding the importance of trees and increasing the canopy coverage of our urban areas generally, rather than assuming the role of enforcer.

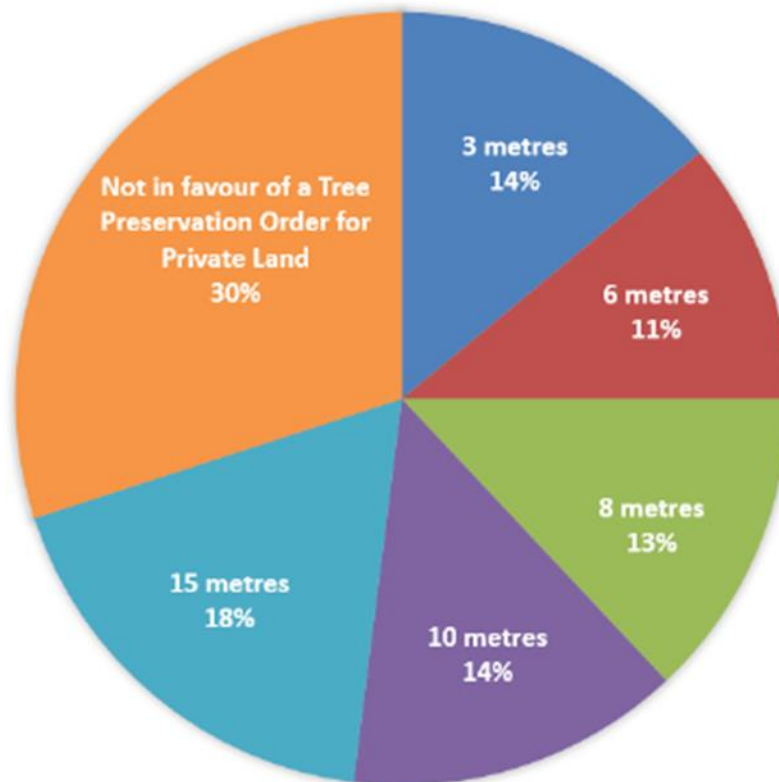
The above themes are evident in many of the comments received. These comments have been included as an appendix.

Residents were also given the opportunity to identify at what height/size of tree should the TPO come into force if it was implemented. To ensure transparency in the process and to enable respondents who chose this voting mechanism over the survey the opportunity to identify that they were not in favour of a TPO, this response was also identified. Various intervention heights were identified – 3, 6, 8, 10 and 15 metres, and respondents requested to allocate their bucket of 5 points to what they believed would be a reasonable intervention standard.

A poll was made available on the project page to gauge community sentiment on potential intervention levels. Each participant had up to 5 points to spread across the 6 intervention levels of: 3 metres (diameter at breast height 200mm), 6 metres (diameter at breast height 250mm), 8 metres (diameter at breast height 300mm), 10 metres (diameter at breast height 350mm), 15 metres (diameter at breast height 400mm) and Not in favour of a Tree Preservation Order.

83 people took part in the poll and 148 votes were allocated across the below interventions;

- 30% - Not in a favour of a Tree Preservation Order for Private Land
- 18% - 15 metres (diameter at breast height 400mm)
- 14% - 10 metres (diameter at breast height 200mm)
- 14% - 3 metres (diameter at breast height 350mm)
- 13% - 8 metres (diameter at breast height 300mm)
- 11% - 6 metres (diameter at breast height 250mm)



**Figure 3.** Results from the poll to identify height intervention preference

As with the survey results, the introduction of a TPO was not broadly supported. From Figure 3, the most supported intervention height was 15 metres (18%), with 10 metres and 3 metres both scoring 14%.

In the event that Council decides to implement a TPO across private lands, the intervention point will significantly impact the staffing resources to oversee its implementation and management. Effectively, the lower the intervention standard, the higher number of trees

that will be captured under the TPO and the higher the level of resourcing required. Conversely, the higher the intervention threshold, the lower the resource requirements to implement the TPO.

In March 2023, Dubbo Regional Council aerially mapped the canopy coverage of both Dubbo and Wellington. From this mapping exercise height-stratified vegetation statistics were calculated. The overall results are shown below:

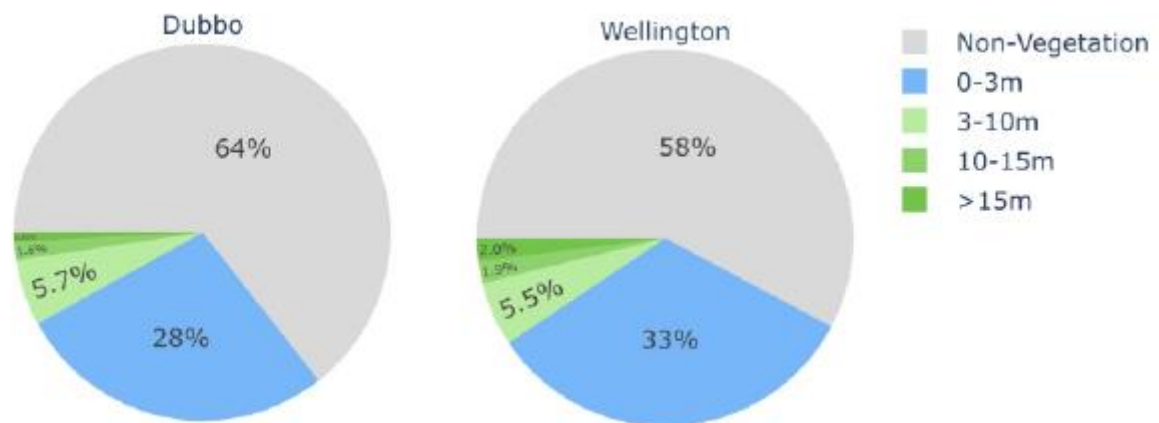


Figure 4. Height-stratified vegetation results for Dubbo and Wellington (March 2023).

The six figures below showing Dubbo and Wellington illustrate the impact that a low, medium or high intervention threshold will potentially have on the staffing resources.

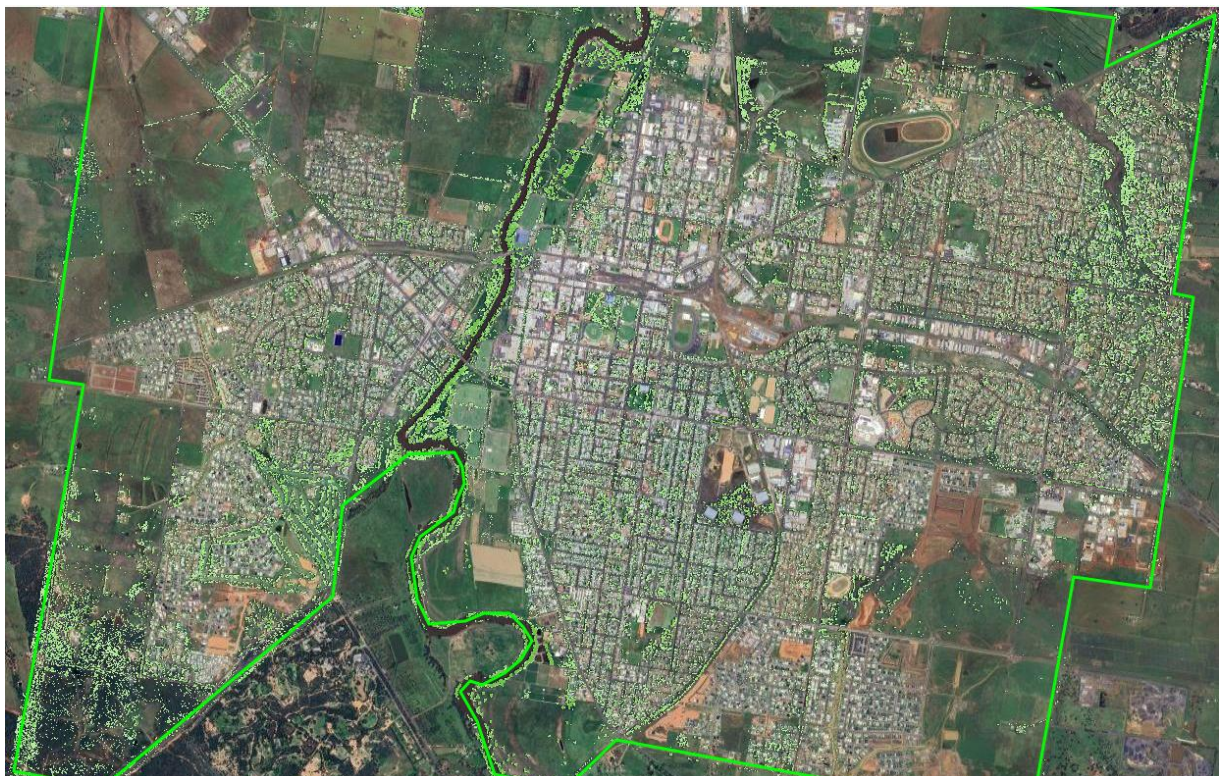


Figure 5. Mapped vegetation of Dubbo that exceeds 3 metres in height.

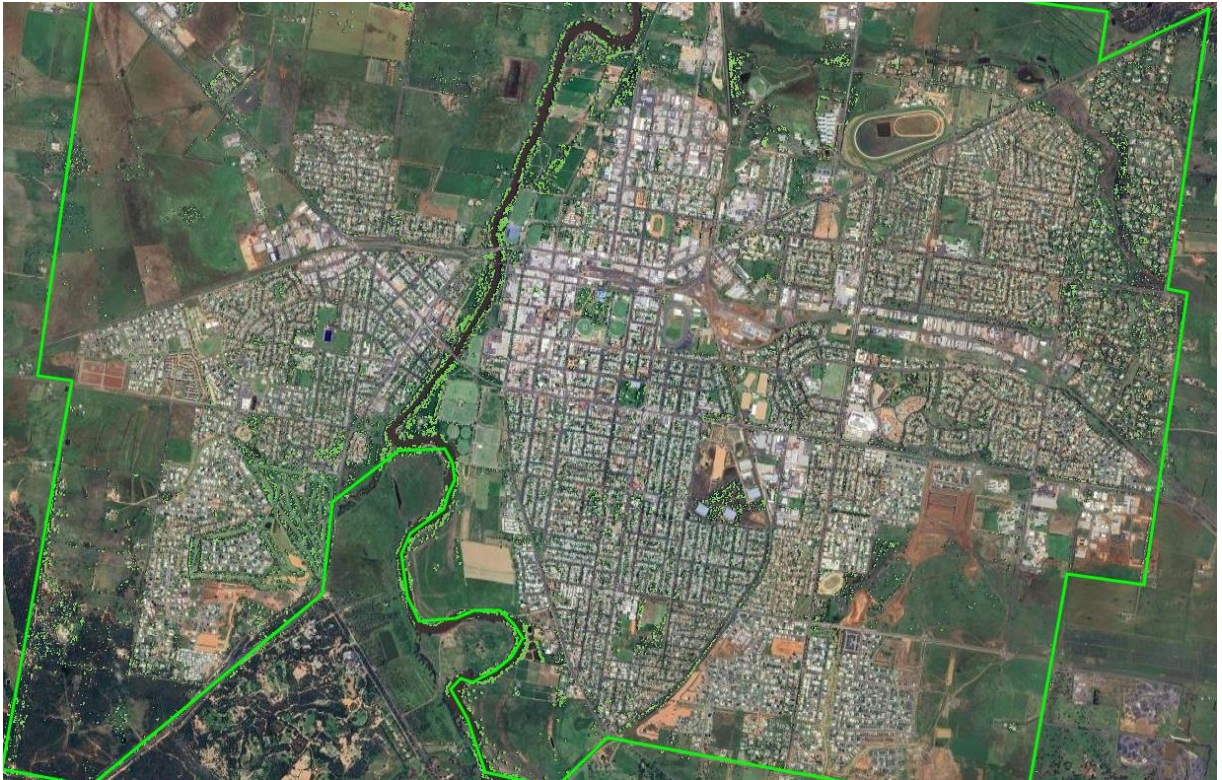


Figure 6. Mapped vegetation of Dubbo that exceeds 10 metres in height.

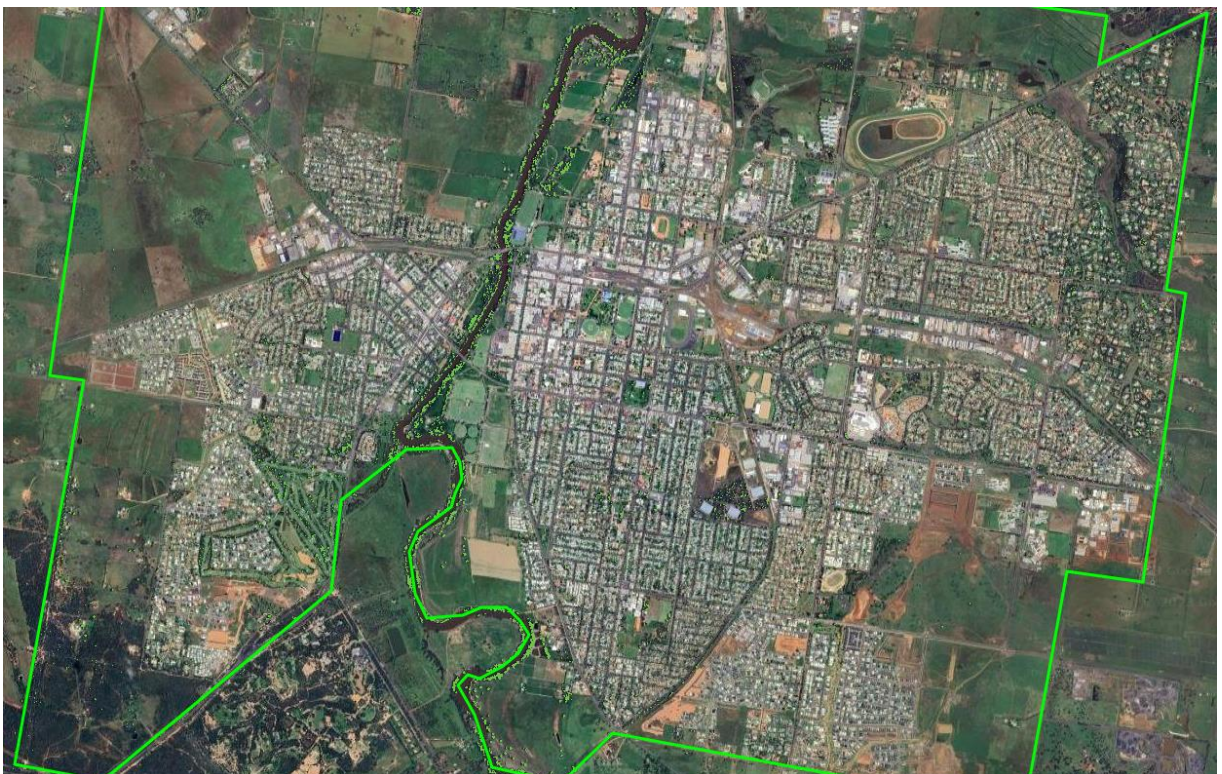


Figure 7. Mapped vegetation of Dubbo that exceeds 15 metres in height.



Figure 8. Mapped vegetation of Wellington that exceeds 3 metres in height.





Figure 9. Mapped vegetation of Wellington that exceeds 10 metres in height.



Figure 10. Mapped vegetation of Wellington that exceeds 15 metres in height.

As identified in the report prepared for Council for the May 2023 meeting, the actual number of privately owned trees are not known, although it is projected to be in excess of 117,500 for Dubbo (Wellington not known) based on past audits of the public urban forest. The number of trees for each of the proposed intervention thresholds is also not known.

### Options Considered and Financial Implications

There are number of implications associated with the introduction of a Tree Preservation Order for privately owned trees, with the most significant implication being the resourcing and associated costs to Council in its implementation. This impact will directly be related to the intervention threshold of the Tree Preservation Order. Essentially, the smaller the tree (either height or diameter of trunk) the more trees will be protected under the Order, and the higher the resourcing requirements and cost in implementing the Tree Preservation Order. Conversely the larger the tree (height or diameter of trunk) the fewer the trees protected and the lower resource demand to implement the system.

#### Option 1. Setting an Intervention Level that can be managed with existing Resources

Setting an intervention level 10m or higher (with DBH measurements) could be managed with no additional staff resources required.

**Option 2. Setting an Intervention Level that will require additional Resources**

Setting an intervention level lower than 10m will require additional staff resources to manage. The lower the intervention level the more staff resources required.

Council staff can construct and propose for consideration an administrative framework and associated costings for option 1 and/or 2 once a height (with DBH measurements) threshold (intervention level) is identified.

**Option 3: Do not proceed with an amendment to the existing TPO**

This retains the *status quo* with trees located on public lands and trees located on the Significant Tree Register protected under the TPO. No additional resources are required for this option.

**Next Steps**

Following a determination from Council to introduce a Tree Preservation Order, and the intervention height (with DBH measurements), Council staff will commence on developing an administrative framework, develop cost implications and implementation schedule for consideration at the May 2024 Ordinary meeting of Council.

**APPENDICES:**

[1](#) Councillor - Tree Preservation Order Private Trees

## Councillor Engagement Snapshot | Your Say Overview

### CONSULTATION | Tree Preservation Order Private Land

This overview is a representation of submissions and contributions across the Your Say platform.

## How we raised awareness and reach



#### 55 days of engagement

- 11 August - 4 October 2023



#### 1316 visits to Your Say page

- 31 project followers
- 104 Survey contributions (93 online; 11 offline)
- 83 Vote contributions (76 online; 7 offline)



#### Print advertisement and media release

- 2 Media Release on DRC website
- 1 advertisement in Dubbo Photo News



#### Digital engagement

- 10,441 social media impressions (the number of times a post appears)
- 428 social media engagements (the number of times a post was interacted with - which can be likes, shares, comments etc)



#### Information sessions

- 2 information sessions across Dubbo and Wellington
- 20 attendees



#### Survey locations

- Your Say Online Survey
- Customer Experience Centres
  - Wellington and Dubbo
- Macquarie Regional Library
  - Wellington and Dubbo



#### Direct mail drop

- 13,000 flyers dropped to private properties within urban suburbs across Dubbo & Wellington.



#### Dedicated QR code

- 474 QR scans to project page

## What we heard from our Survey

of 104 Survey participants;



- Majority of participants identified as **Urban Resident - Private landowners (90%)**, whilst the remaining participants identified as non-urban residents/urban business or organisation/business or industry related.

When we asked ‘Do you support an implementation of a Tree Preservation Order on privately owned land?’



- Of those who selected NO, **15%** indicated, I support the concept, but it is not **Dubbo Regional Councils responsibility**.

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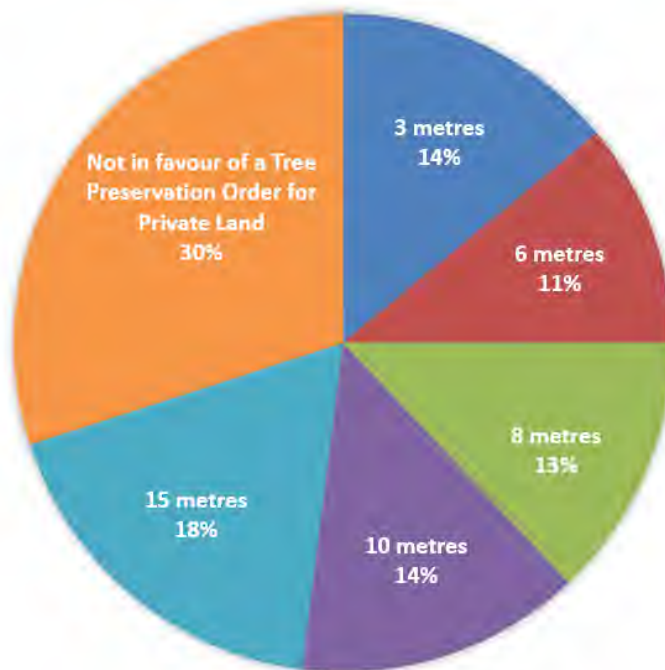
- Increasing urban canopy through tree planting: **51%** selected educator, whilst **27%** selected enforcer.
- Increasing urban canopy through a replacement planting approach: **42%** selected educator, whilst **35%** selected enforcer.
- Safeguarding future urban canopy: **40%** selected educator, whilst **36%** selected enforcer.

### Voting Results - Poll

A poll was made available on the project page to gauge community sentiment on potential intervention levels. Each participant had up to 5 points to spread across the 6 intervention levels of: 3 metres (diameter at breast height 200mm), 6 metres (diameter at breast height 250mm), 8 metres (diameter at breast height 300mm), 10 metres (diameter at breast height 350mm), 15 metres (diameter at breast height 400mm) and Not in favour of a Tree Preservation Order.

83 people took part in the poll and 148 votes were allocated across the below interventions:

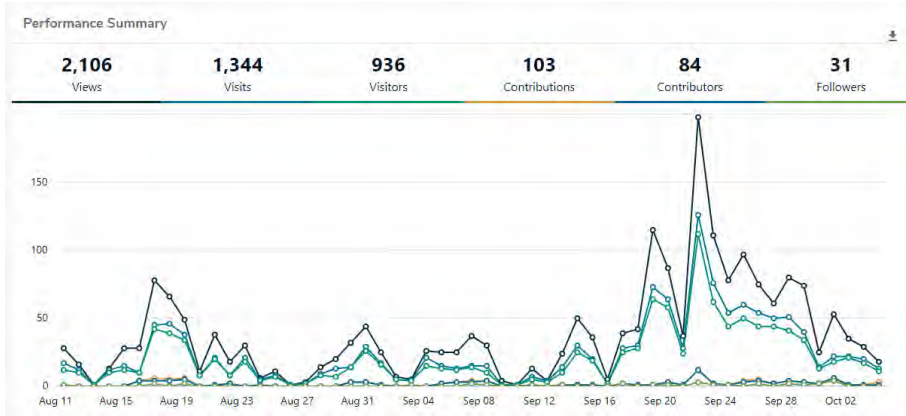
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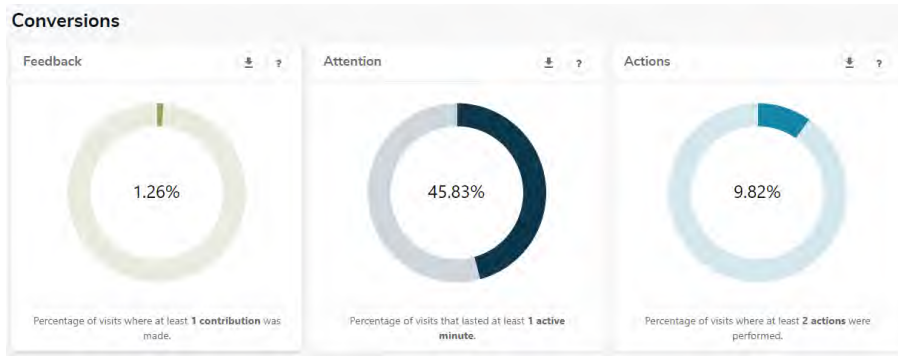
### Summary

Contributions and Visitors saw peaks at the middle and end of the consultation period. These peaks can be attributed to the communication plans and marketing campaigns encouraging participation. Particularly social media, community information session and mail drop activities.



Visitors: are unique public or single user.  
 Contributors: include submissions and interactions on the page.  
 Followers: include the number of visitors who have subscribed to the project. Must be a member to follow a page.

### Conversion



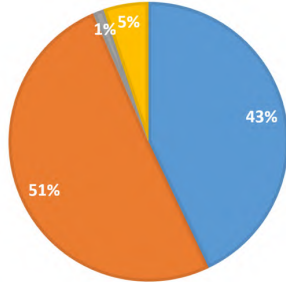
Feedback: The Feedback Index measures the level of feedback coming in through the project.  
 Attention: The Attention Index measures the amount of active time our users spend on the project.  
 Actions: The Action Index measures the level of interaction users have with the project.

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### Contribution Demographics

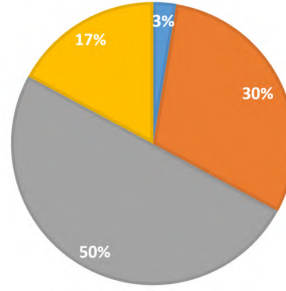
Results reflect those who participated online. Written submissions are not included within this data set.

#### Gender



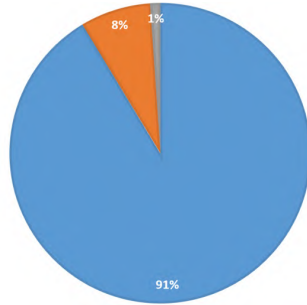
Male Female Self-Described Prefer not to say

#### Age



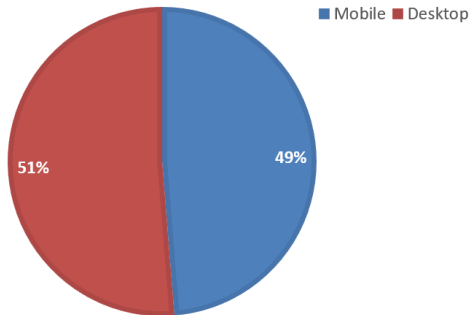
15-29 30-49 50-69 70-84

#### Location

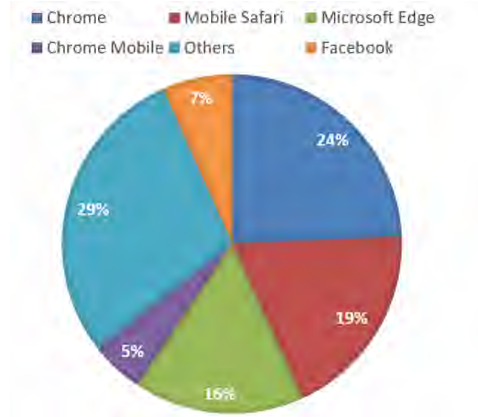


Dubbo Wellington Other

### Submissions by device type & Browsers



Mobile Desktop



Chrome Mobile Safari Microsoft Edge Chrome Mobile Others Facebook

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**Referral Types**

Referral traffic is the segment of traffic that arrives on your website through another source, like through a link on another domain.



**Direct: 61.9%**  
**Social Media: 22.5%**  
**Websites: 12.5%**  
**Search Engine: 2.9%**

\*Direct traffic could also be attributed to activities driving visitors directly to the survey page, outlined in the how we reached you., public snapshot.

**Referral Types**

Direct - Visitors who have arrived at a Site by entering the exact web address or URL of the page, this includes QR code scans.

Websites - Visitors who have arrived at a site by clicking a link from an external general website.

Social Media - Visitors who have arrived at a Site by clicking a link from a known social media site such as Facebook, Twitter, LinkedIn, etc.

Search Engine - Visitors who have arrived at a site by searching key words on Google.

**What we learnt from our Community**

Of the 104 Survey submissions, 61 comments reflect the following key themes within their comments.

- 24 identified Council over-reach to privately owned land.
- 20 identified Council should hold an educator role for planting & managing trees on private land.
- 16 solutions were provided, from LGA's to unique ideas to support private land tree canopy cover.
- 10 expressed concern for the flow on effects a TPO will have on resourcing and sector related businesses.
- 4 expressed solutions and concerns within land development.

**All comments received from survey submission**

DRC should not be the ENFORCER, they should be working TOGETHER with the landowner.  
 By enforcing things you will make people give you a finger and do what they want.  
 I don't know what dubbo landowners will do but I do know Wellington is not going to appreciate being told what they can and cant do in their yards, this needs tree preservation to be introduced in an appropriate way and not an 'order'. Supporting private landowners option to remove trees on their property but educating them on how to remove, and how to replace the trees and the value the trees add to their properties.  
 There should be no fee to apply to remove a tree from your private land.  
 You are already paying a fee to remove the tree but it must be removed properly and the tree to be removed should be replaced with an appropriate number of trees and/or shrubs at landowners cost. (1 planted tree is worth more than 1 planted shrub)  
 There should be a penalty for those who remove significant/large 5 meters, or any native trees.  
 No penalty for removing toxic or invasive species of any size.  
 New estates should have a higher number of tree requirements than 1 per allotment – minimum 3 and at least one of those needs to be a large growing tree of minimum 5 meters height, plus the already identified trees on the street by the developers.  
 DRC to work in better consultation with Burrendong Arboretum and Private Landowners to purchase their plant stock and to plant relevant species best suited to our climate, for birds and wildlife including native bees to flourish.  
 Our climate is different to Sydney so there's no point planting trees suited to Sydney climate here.



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With all due respect, I understand the idea of urban canopy and its importance, however if Covid has shown us anything, it's shown us how heavy handed approaches work. They are mean spirited and are an over reach of peoples basic human freedoms. We are over governed and over regulated now. The idea of charging an application fee ( for someone to say no, as they sip on their soy latte') is rude and obnoxious at best and tyrannical in nature. To think we would have to apply and pay to have a tree investigated for removal is Orwellian.

I believe a positive approach, encouragement of tree planting and preservation through interesting and positive education methods. Show people the benefits, the good reasons for tree preservation...by enlarge people are smart enough to make the right decision, but we are tired of another tax and some finger pointing political ideologue that is bent on forcing their views through a mechanized regulatory bullying system.

At the very least, no fees and no penalties, good communication and desired outcomes from the community, treat us as adults, lets work together.

Thank you.

Most councils in NSW have a TPO in some form or another. Given our westerly location and vulnerability to climate change, plus our low current canopy cover vs aspirational canopy cover targets and the fact that 50% of our trees are privately owned, I strongly feel that a TPO could be a vital tool for council. To ensure Dubbo's liveability we need more shade, particularly in public spaces linking residential and workplaces. By protecting our existing trees, wherever practical, our LGA would have a more certain baseline to work with.

I strongly feel that in the first instance, council should act as an educator and not an enforcer. But if large trees were maliciously damaged or knocked down, there should be some recourse. We know that value of trees. Currently they enjoy no safeguards or permitting, with the exception of the significant tree register.

It does seem a little odd that you can't erect a patio or shed in a backyard without consent, but you could knock down a tree without any ramifications.

Yes I am aware that other LGA's have TPO for private trees, the inclusion of this policy will provide DRC with another tool to manage the Urban Forest in the urban areas of the Dubbo Regional Council area.

We live in a hot environment during summer and this should be reason enough to retain canopy cover, however if this is not enough then council should be looking at square meter allocation of minimum building block and increase this figure to an acceptable level where new home not only has the space to have a house and sufficient space surrounding them but also to have space to plant trees as part of the BASIX requirements. Additionally, it should be the councils onus to educate residents on trees but also types of non invasive trees rather than fining residents or placing on them more administration and costs (arborists checks etc). This proposal is overreach on council driven by a minority of extreme views. I love trees but this is not the way to engage or attract support for canopy retainment. Maybe offset the replacement cost of trees, i.e if you do take one out then you can purchase a replacement tree at cost that has suitable characteristics for desired species that are not invasive etc vetted by council in line with attributes and suitable for climate/purpose.

Council needs to stay off private property when it comes to this tree issue. This is the beginning of a Marxist socialism eroding the freedom of owning private property. Vote NO!

Council should have efficient guidelines for residents to select appropriate tree species to plant on private properties.  
Guidelines of good native species suitable for the Dubbo environment.  
Most residents are not aware of appropriate trees for the Dubbo climate, in particular drought conditions and thus they plant inappropriate species.

The Preservation order on private land was previously managed by Dubbo council in the 1990's. Our city would be a greener city if it wasn't removed. Orange do it well.

As an arborist, I don't believe anything will change if there is no cost for permit or no fines for removal without permit. DRC have the ability to fine people now for removal of trees in council without approval, I have never seen or heard of anyone fined... at the end of the day privately owned land is of that, privately owned. People will always do what they want in their own land and so they should. More education to public about trees and their health and maintenance is required more than anything. I mean you have at least 8 tree businesses in town and only half of them are actually qualified arborists.

There is a difference between removing a tree and clearing trees. Private land owners should be able to lop or remove any tree that over hangs their property and has the potential to cause damage to structures or to people. Council should educate people on what trees and shrubs are sensible to plant in their yard. Don't plant trees near your house that require removal in 10-or 15 years. Large eucalypts or pine trees have no place in a small residential yard, and have been the subject of more than 1 neighbor dispute. If council is so concerned about the environment, how come they do absolutely nothing to enforce sediment and erosion control measures on residential subdivision construction? Corner of Minore Road and Joira Road for example. If council can't resource the enforcement of something so obvious, how will it enforce a TPO? or is council only interested in enforcing laws on small individuals for trivial matters rather than enforcing large commercial business's?

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No. Though not only should DCC take an educational role it should also be a role model. Ie, for any tree removed on Council Land DCC should plant eg 2 more. Green spaces and tree canopy of mature trees are not easy or quick to create or replace. Maturation time for trees needs to be considered before removal takes place.

There is a difference between removing a tree and clearing trees. Private land owners should be able to lop or remove any tree that over hangs their property and has the potential to cause damage to structures or to people. Council should educate people on what trees and shrubs are sensible to plant in their yard. Don't plant trees near your house that require removal in 10-or 15 years. Large eucalypts or pine trees have no place in a small residential yard, and have been the subject of more than 1 neighbor dispute. If council is so concerned about the environment, how come they do absolutely nothing to enforce sediment and erosion control measures on residential subdivision construction? Corner of Minore Road and Joira Road for example. If council can't resource the enforcement of something so obvious, how will it enforce a TPO? or is council only interested in enforcing laws on small individuals for trivial matters rather than enforcing large commercial business's?

All DAs and Council REFs should require funding replacement trees either on-site or elsewhere (eg Council land) - no net loss of tree cover (also biodiversity outcome).

Report CCL23/199 describes two objectives relating to theme of environmental sustainability. The loss of biodiversity and adapting to climate change by reducing the effects of urban heat islands require integrated planning solutions.

Here are my suggestions:

1. The report notes that the private urban tree canopy increased from 2003-2017 on private land managed by residents, but that emerging trends associated with urban development that may be detrimental to the urban tree canopy. More data and analysis is required to better under the problem.
2. Better guidelines and state environmental planning policies are needed for new developments that take into account urban tree canopy. Council should be advocating to the state government for more planning reforms.
3. Council should be focusing on improving the urban tree canopy in public spaces, before it steps into the backyard of residents.

Orange City Council has a tree preservation policy. Permits are required to lop and cut down trees with a certain girth. Penalties are rarely needed because the city has nurtured a culture of valuing trees and increasing canopy.

A condition of developing an estate should be the addition of at least 10% of land be set aside as green space and trees.  
A condition of building a new house should be that at least one tree greater than 15m tall at maturity be planted

Orange City Council require a permit for any tree with a trunksize greater than 300mm at 1.4 metre height above the ground.  
Armidale Regional Council specifies a height of 6 metres requiring a permit

Rather than being the LGA with the worst history for tree preservation (on both private and public land) I suggest we step up and adopt a best practice TPO such as Orange's. I am no longer willing to retire in a community that pays no heed to our increasing temperatures by disregarding the role trees play in keeping our city liveable for both people and wildlife.

Real education program to get residents to plant trees. And yearly tree giveaway to residents and farmers.

I think Council has both an educator and enforcer role, thankyou.

Dubbo Regional Council should not be allowing for the clearing of mature trees on private land, unless the tree becomes a safety issue. Most other Councils have tree preservation orders and as a result, their cities appear to have a canopy cover that Dubbo should be looking to achieve. Canberra actually has a Tree Preservation Act. What a beautiful, liveable city.

Come on Dubbo Regional Council Staff, get into the 21st Century and stop meddling around the edges and take a stance on such an important issue. The Science is in, Climate Change is happening. We need all the trees we can to mitigate human impact on our climate. The new developments in MAAS land is a disgrace. The Community talks about it. You will never have to worry about clearing any mature trees in those estates. There is no room to put a tree.

I am a young resident of Dubbo. It alarms me the rate that mature trees are cleared both on private and public land. Climate Change is a real thing. The future is going to be uncertain and we will have to adapt to some major changes which are already happening. How can Dubbo Regional Council even consider allowing the clearing of trees on private land. These should be managed. I do not have any knowledge of any other Council who does such damage. Dubbo Regional Council should get on board with other Councils which I know have Tree Preservation Orders. I can nominate Orange and Wagga as perfect examples of managing trees on private land. The result is vibrant green cities.

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Central Coast Council is years ahead of Dubbo. Tree permits are required to remove up to 5 trees. A permit is required to remove a tree that is over 3m in height and 75mm in diameter. Trees are much more valued by the Central Coast Council and its community than in Dubbo. Education needs to form part of the conversation and Council should extol the benefits of retaining trees to the typical Dubboite. Hopefully Dubbo Council's glee in removing public trees will be held in check as well. While I'm at it Council should leave the Kurrjong trees in Gipps Street alone and replant trees along the road outside of the showground at Wellington and along Talbragar Street opposite the skate park.

Dubbo City Council had a TPO program approximately 20 years ago, that obviously found unsuccessful and discontinued. Although we are for protecting trees in the urban area, I don't think it is the right of Council to be able to dictate to people what tree they can or can't have and what trees should be retained. If a TPO were to be implemented, I would support a program where trees 15m and larger should be inspected. I would also suggest that the person inspecting the trees on behalf of Council would have a minimum AQ5 in Arboriculture. I'm of the opinion that implementing a general TPO on all trees will only encourage rate payers to engage unqualified, non-professional tree people to cut down trees on the weekends regardless of if a permit has been obtained. Means while professional companies, doing the right thing and ensuring permits are obtained, will be losing business due to unscrupulous operators. My suggestion is for Council to be proactive in educating the public to the benefit of having trees in their yard and also making them aware of the correct pruning procedures.

I don't believe that Council should have the say in how to manage trees that are on our own private property.

How much will it cost a rate payer to remove their own tree (council charges)?  
Who is liable if a protected tree damages the owner's or neighbor's property or person?  
Who is going to take responsibility when an owner has their application to remove a tree knocked back by council and it then falls (whole or part) KILLING them as has happened else where (e.g. Wagga Wagga, South coast)?  
Will council respect the opinion of tree specialists in regard to what trees should be removed, or will it be council workers who decide what's best for everyone?

Look at Councils who are already doing a great job of working towards 30% tree canopy such as Orange and Albury. Also Councils who have recognised they have to do more such as Wagga Wagga and implemented policies. They have an 8m height and that is too high. Albury has 4.5 metres and Orange 30 cm circumference at 1.4 metres. Permits should be free like Orange. Council should rely on Education. As Council has taken no responsibility for 30 years for trees on private property now is not the time for prosecutions. Prosecutions should happen after education. This is Tree Contractors core business and they have a greater level of responsibility to follow the rules and regulations. Start with education for all and then prosecutions if this fails. Council must act because of climate change and community expectations and a liveable community for future generations.

As a result of the abolition of the TPO in 1995 DRC are now playing catch up in the race to ameliorate the affect on climate change on the LGA's liveability. We now need to follow the lead of similar councils and ensure we halt the loss of old growth trees with a TPO that has the ability to govern both private and public property. DRC has a strict building code which does not allow open slather with buildings on private property so why should the green environment be any different?

Unfortunately gum trees are destructive when they mature even on council land, removing them should be a priority and replacing with others.

I don't know what happens elsewhere.  
I think the focus should be on the total canopy in private yards rather than individual trees. We should be aiming for canopy targets on private land (as well as public land). For land parcels which meet the minimum proportion (say 30%... in line with targets for public canopy%) once the proposed tree is removed I don't think there should be any charge no matter how big or small the tree is. Even the removal of a small tree on blocks with no canopy should be penalised.  
I think council needs to have both an educator and enforcer role. I think one without the other doesn't make much sense.  
The reason I think the permit should be no cost as this is the opportunity to educate people. The cost of a permit is also likely to prevent those with limited means (such as older people who may own their own home but live on a pension) from taming trees which are in need of trimming to keep them in good order or even replacing when they are at the end of their life... the trees that is :)

Orange Regional Council.....they do a great job!

Stay off private property! Does not government understand PRIVATE!!! The council has a hard enough time to keep their own trees managed without going onto private property! This is the way the Marxists treat the people!

I would prefer to see more street trees being planted, especially in new developments to create the tree canopy we need. Having restrictive TPO's encumbers backyards and may reduce the option of placing a secondary dwelling / developing a site for much needed multi dwelling development

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This question is open ended, and should relate to size. Orange NSW - TPO relates to trunk size greater than 300mm and 1.4m high. Canberra - any work to a regulated tree requires approval: 12 metres or more in height, 1.5 metres or more in circumference at 1 metre above ground level, 12 metres or more in crown width. Wagga Wagga NSW - have a TPO [https://wagga.nsw.gov.au/\\_data/assets/pdf\\_file/0019/2962/Permit-To-Clear-Vegetation-Form.pdf](https://wagga.nsw.gov.au/_data/assets/pdf_file/0019/2962/Permit-To-Clear-Vegetation-Form.pdf) and a list of trees that are considered 'undesirable' in back yards (I think appropriate).

I am not in favour of having trees 10-15 metres high in urban back yards that can uproot house foundations/slabs and break down household plumbing/draining. Trees 3-4 metres can provide shade around the parameter and provide a canopy for lower shrubs and plants.

I also like the ACT policy 'weed swap weekend' in Spring. Residents can bring in their invasive plants from their garden and exchange them for free Australian native plants.

Council could also consider with new house owners providing them with appropriate Australian native plants shrubs/trees/groundcovers to green their plot, instructions how to care for them. Tube stock is cheap and this encourages the community to green their plot.

There could also be a 3 monthly column in the Photo News practical tips on caring for your patch. The paper is available to everyone, and it serves as an educational medium. Thanks :)

Let home owners be allowed to cut down large gum trees that council have planted on footpaths right near their own house in Housing Estates. I have a large gum tree on my property boundary and not allowed to touch it. If it falls over and kills someone or squashes my house, are council going to accept the liability???

Have no problem replanting trees, however in people's own yards it should be their own choice. On public footpaths and roads and things are ok with council approval.

Encourage residents to plant trees and maintain them. Offer free native trees and shrubs to residents to plant. Offer education on how to maintain trees from planting to maturity. Residents aren't chopping down trees for recreation. There is a reason and council don't need to be involved. Council also don't need to be looking for other avenues of revenue. Stay off my property!

Any tree in question should not be limited to only native or only exotic. It should cover all trees.

Let people manage their private property without interference.

Just don't go ahead.

Mind your own business. This does not require council intervention. It's private property, so, in this case, it is no one's business but the owner. If this should get up then there should be no fee to apply to cut your own tree down.

Q: could another entity stop a tree being cut down by the owner? I love trees, have a yard full, I don't need or want someone else telling me how to manage my private property.

You cant tell people what they must grow on there land or you pay for water and for the damage they cause if it falls

This idea of more be red tape will hold Dubbo back. To have to go through more beaucroatic hoops will create community frustration and less community harmony.

Young families have enough overheads already no charges should be incurred for a permit to remove a tree in private land especially if the tree was planted in an incorrect location and causing damage to paths, fences or foundations.

Council should only be in charge of implementing tree removal and replanting on public land including parks and walkways, rivers etc. The nature strip along the fronts or side of private property should be checked in on with private land owners before planting if removal as it can deem a problem to the private land owners.

It needs to be recognised that indigenous and especially local species trees are what is most important to the environment and ecology of the region. A simple tree preservation order system without recognising this is environmentally unsound. Native trees support our dwindling wildlife and (in general) don't release all their carbon back into the atmosphere every winter.

Any tree preservation system needs to ensure that foreign species can always be removed for replacement by more ecological sound local species trees, and without permit fees as this should be encouraged. Business as usual in ripping out our beautiful local species and replacing with foreign species needs to stop if we have any chance of addressing climate change and our wildlife extinction rate.

Do not implement a Tree Preservation Order that will introduce additional administrative processes and regulatory measures for private landowners, potentially leading to heightened operational expenses for the local council. Moreover, it could expose the council to legal proceedings and disputes involving landowners and insurance entities, particularly if requests for tree removal are declined, and subsequent tree or branch incidents occur, posing risks to property or personal safety.

Consequently, these measures might have adverse ripple effects, including the potential dampening of productivity in the nursery, landscaping, and arboriculture sectors or it will impact households by contributing to service cost inflation.

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It is the responsibility of the home owner. It is their duty of care to other residents as well. Council encroachment into private property is absolutely ridiculous to even consider.

I believe there was a tree preservation policy in Dubbo and many other LGAs in the past. I think we'd have been better off this remained, even if only as a deterrent to the removal of trees.

A Tree Preservation Order (TPO) would introduce additional administrative processes and regulatory measures for private landowners and the council, almost certainly leading to increased operational expenses for the council. The TPO could also expose the council to legal proceedings and disputes involving landowners and insurance entities, particularly if requests for tree removal are denied, leading to subsequent tree or branch incidents that pose risks to property and/or personal safety.

The TPO might also have adverse effects on the local economy, including a potential loss of productivity in the nursery, landscaping, and arboriculture sectors, and almost certainly impacting households by further contributing to service cost inflation.

From a societal perspective, people should have the freedom to arrange the plants and trees in their own freehold backyards as they choose.

Something has to be done about black roofs dark coloured roofs on houses.

This is bureaucratic overreach. Council needs to fix roads and footpaths, not build another "empire". It's generally not a problem, Dubbo is fairly "leafy". Less staff in the office block and more on road reconstruction.

No

But Dubbo Council should focus on increasing and maintaining the tree canopy in public places and verges.

Council should not be involved in privately owned land and residential blocks.

Council's position to manage trees is in the public space in Dubbo and its surrounding towns, not on private properties.

If this is approved by Council, it is an overreach of the jurisdiction that Council has over people that own their own properties. Council could then dictate to land owners to remove trees. Further costs added to people that own their own homes, revenue raising for Council without lifting a finger.

Leave private properties and land owners alone, they usually take a lot of pride in their gardens. On small acreage, they plant trees strategically, or sometimes not at all, depending on what they are using the land for. This is not an area that Council should be involved in. Land owners know how to manage their land.

There is already plenty of legislation which protects trees. And Councils existing tree register is good, it should be resourced and promoted to educate wrong doers (mostly vandals) that their actions will be noted.

Trees are a valuable asset for our community and they do need to be managed. But more bureaucracy is not going to achieve anything new. The intersection of many different jurisdictions is already a huge problem in the effective management of vegetation in NSW. More green tape will not help.

Council already has powers conferred on it by various legislation, more boots on the ground may be the way forward rather than legislators.

No I don't. I'd like to see an emphasis on native and non invasive trees that won't seed on our riverbanks. New estates need more green space and tree plantings.

Give more power to council to stop developers on private land destroying trees

Be more involved with the Heritage and Environmental department who prosecute illegal clearing of trees

Have an annual tree planting day

Give a tree to a new citizen of Australia

So they can plant and watch grow

Have private land owners replant illegally cleared areas

Dubbo and Orange have the worse record of Heritage and Environmental in NSW

Letting developers do what they want when it comes to tree management

Council should manage public spaces and not have any control over private land.

Dubbo's urban tree management should not be determined by what other jurisdictions do. Dubbo is a leader not a follower.

This proposal from council infers that it has no trust in private landholders in the community; it is saying it doesn't trust us.

The solution for council is to respect and have faith in the private landholders in this community, and scrap the private tree preservation order.

We already maintain the trees Chinese Tallowood in Stonehaven avenue of our own expense. Dubbo has plenty of land in their own name to plan and revegetate without imposing additional costs on community. Property owners will likely plant canopy trees on their properties because it is common sense. No need to create a nanny local government area!

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Most councils in NSW have a TPO in some form or another. Given our westerly location and vulnerability to climate change, plus our low current canopy cover vs aspirational canopy cover targets and the fact that 50% of our trees are privately owned, I strongly feel that a TPO could be a vital tool for council. To ensure Dubbo's liveability we need more shade, particularly in public spaces linking residential and workplaces. By protecting our existing trees, wherever practical, our LGA would have a more certain baseline to work with. I strongly feel that in the first instance, council should act as an educator and not an enforcer. But if large trees were maliciously damaged or knocked down, there should be some recourse. We know that value of trees. Currently they enjoy no safeguards or permitting, with the exception of the significant tree register. It does seem a little odd that you can't erect a patio or shed in a backyard without consent, but you could knock down a tree without any ramifications.

Yes I am aware that other LGA's have TPO for private trees, the inclusion of this policy will provide DRC with another tool to manage the Urban Forest in the urban areas of the Dubbo Regional Council area.



## REPORT: Disclosure of Interest Returns

**DIVISION:** Organisational Performance  
**REPORT DATE:** 13 October 2023  
**TRIM REFERENCE:** ID23/2490

### 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> </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 13 October 2023, 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 2023, noting that some private information will be redacted prior to publishing online.**

*Jane Bassingthwaite*  
Director Organisational Performance

*AR*  
Manager Corporate  
Governance



## 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.

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.

## Consultation

- Councillors received training regarding disclosure of interest returns during the induction program held in January 2022.
- 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
Clr Jess Gough	Councillor
Clr Damien Mahon	Councillor

Name	Position
Clr Pam Wells	Councillor
Clr Matt Wright	Councillor
Mr John Walkom	ARMC Voting Member
Mr Thomas Breen	ARMC Voting Member
Mr Murray Wood	Chief Executive Officer
Ms Natasha Comber	Director Strategy, Partnerships and Engagement
Mr Stephen Wallace	Director Development and Environment
Mr Luke Ryan	Director Infrastructure
Mr Craig Arms	Director Community, Culture and Places
Ms Jane Bassingthwaighte	Director Organisational Performance

#### 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.



## REPORT: Annual Report on Complaint Statistics Under Council's Code of Conduct - September 2022 to August 2023

**DIVISION:** Organisational Performance  
**REPORT DATE:** 11 October 2023  
**TRIM REFERENCE:** ID23/2485

### 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>Annual report regarding the code of conduct complaints received.</li> <li>Quarterly report regarding the code of conduct reports received against Councillors.</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> </ul>	
<b>Financial Implications</b>	Budget Area	Corporate Governance
	Funding Source	Corporate Governance – Code of Conduct
	Actual Cost	\$16,170
	Ongoing Costs	Budgeted \$50,000 per annum
<b>Policy Implications</b>	Policy Title	Council's Code of Conduct
	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: 4.1 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 11 October 2023, be noted.**
- 2. That quarterly Code of Conduct complaint reporting periods be amended as per the details contained within this report.**

*Jane Bassingthwaighte*  
Director Organisational Performance

*AR*  
Manager Corporate  
Governance

## BACKGROUND

### Annual Reporting

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:

*PART 11 REPORTING STATISTICS ON CODE OF CONDUCT COMPLAINTS ABOUT COUNCILLORS AND THE CEO*

*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.*

The current elected body have also requested quarterly reports regarding Code of Conduct complaints against Councillors or the Chief Executive Officer, which are provided as separate standalone reports.

## REPORT

### Annual Reporting

This report covers Code of Conduct complaints received during the reporting period 1 September 2022 to 31 August 2023. Details on the annual statistics are attached as **Appendix 1**, noting that the report is separated into quarterly periods. This report has been reformatted from previous years.

### Quarterly Reporting

Previously, quarterly Code of Conduct reports have been provided in alignment with the Financial Year quarters. However, as the Annual Code of Conduct report is for the period 1 September to 31 August each year, this report is recommending that quarterly reporting periods be amended as follows to align both the quarterly reporting and annual reporting on the one timeline.

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

Going forward, there will also be some changes to the format of the quarterly report. For example, currently the costs paid (for code of conduct investigations) during each quarter are reported, however this will change to be the costs incurred during each quarter.

### 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.
- Councillors participated in Code of Conduct training sessions in January 2022 as part of the induction process.

### Resourcing Implications

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

### APPENDICES:

- 1 [2022/2023 Code of Conduct Reporting Statistics](#)

**REPORTING STATISTICS ON CODE OF CONDUCT COMPLAINTS ABOUT COUNCILLORS AND THE CHIEF EXECUTIVE OFFICER**  
Reporting Period: September 2022 to August 2023

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 2022 to 30 November 2022	0	-	-	-	-	-	-
<b>Q2</b> 1 December 2022 to 28 February 2023	0	-	-	-	-	-	-
<b>Q3</b> 1 March 2023 to 31 May 2023	2	Complaint 1 – No Complaint 2 – No	Complaint 1 – No Complaint 2 – No	Complaint 1 – No Complaint 2 – No	Complaint 1 – no breach Complaint 2 – no breach	Complaint 1 – No Complaint 2 – No	Complaint 1 – \$0 Complaint 2 – \$0
<b>Q4</b> 1 June 2023 to 31 August 2023	2	Complaint 1 – Yes Complaint 2 – Yes	Complaint 1 – Yes Complaint 2 – Yes	Complaint 1 – Yes Complaint 2 – Yes	Complaint 1 – take no action Complaint 2 – take no action	Complaint 1 – Yes Complaint 2 – Yes	Complaint 1 - \$8,140.00 Complaint 2 - \$8,030.00
<b>TOTAL</b>	4	2	2	2	-	0	<b>\$ 16,170</b>



## REPORT: Amendment to Council Policy - Public Interest Disclosures and Internal Reporting

**DIVISION:** Organisational Performance  
**REPORT DATE:** 3 October 2023  
**TRIM REFERENCE:** ID23/2170

### EXECUTIVE SUMMARY

<b>Purpose</b>	<ul style="list-style-type: none"> <li>Provide review or update</li> <li>Fulfil legislated requirement/Compliance</li> </ul>				
<b>Issue</b>	<ul style="list-style-type: none"> <li>Legislative update - the new Public Interest Disclosure Act (PID Act) commenced on 1 October 2023.</li> <li>While Council reviewed its Public Interest Disclosure and Internal Reporting Policy in April 2023 (PID Policy), the NSW Ombudsman has now released a new Model Policy.</li> </ul>				
<b>Reasoning</b>	<ul style="list-style-type: none"> <li>Ensure Councils Policy is current and follows the Model Policy.</li> <li>Ongoing process to revise policies to ensure that they are still meeting statutory and best practice for local government.</li> <li>This is the second review of this policy for this Council Term.</li> </ul>				
<b>Financial Implications</b>	<table border="1"> <tr> <td>Budget Area</td> <td>There are no financial implications arising from this report.</td> </tr> </table>	Budget Area	There are no financial implications arising from this report.		
Budget Area	There are no financial implications arising from this report.				
<b>Policy Implications</b>	<table border="1"> <tr> <td>Policy Title</td> <td>Public Interest Disclosure and Internal Reporting Policy</td> </tr> <tr> <td>Impact on Policy</td> <td>Revision of current policy and once adopted will become the policy of council.</td> </tr> </table>	Policy Title	Public Interest Disclosure and Internal Reporting Policy	Impact on Policy	Revision of current policy and once adopted will become the policy of council.
	Policy Title	Public Interest Disclosure and Internal Reporting Policy			
Impact on Policy	Revision of current policy and once adopted will become the policy of council.				
<b>Consultation</b>	Audit, Risk and Improvement Committee				

### STRATEGIC DIRECTION

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

Theme: 4 Leadership  
 CSP Objective: 4.1 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 amendments to the Public Interest Disclosures and Internal Reporting Policy attached at Appendix 1, be adopted.**

*Jane Bassingthwaite*  
Director Organisational Performance

*AR*  
Manager Corporate  
Governance

## BACKGROUND

The PID Act provides a framework for public officials to report serious wrongdoing in the public sector, and to be protected when they do so.

Whilst the Public Interest Disclosure and Internal Reporting policy was reviewed and adopted in April 2023 under Council review schedule, the NSW Ombudsman has now released a Model Policy for Councils to follow, to meet the requirements of the new Act.

Council is committed to responsible corporate governance, including compliance with laws and regulations. This extends to maintaining Council policies with current and relevant information.

### Previous Resolutions of Council

27 April 2023 CSC23/15	<i>That the amendments to the Public Interest Disclosures and Internal Reporting Policy attached at Appendix 1, be adopted.</i>
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## REPORT

The current Public Interest Disclosure (PID) Act 1994 has been in force for almost 30 years. A review and rewrite of the Act was undertaken and the new Public Interest Disclosure Act 2022 received assent on 13 April 2022 and will come into force up to 18 months after assent, being October 2023. This means that Councils must have the new provision in place by October 2023; NSW Councils were advised by the NSW Ombudsman's Office that a new Model policy and education materials have been released in October this year.

### Preferred Option

- Accordingly, it is recommended that this revised Public Interest Disclosures and Internal Reporting Policy, (which follows the Model Code) as attached at **Appendix 1** be adopted.

### Next Steps

- On adoption, the Policy will come into immediate effect.
- Once adopted, the Policy will be displayed on Council's website.
- Council will complete a suite of staff training, as required by the NSW Ombudsman within a set timeframe.

## APPENDICES:

- [1](#) Amended Public Interest Disclosures and Internal Reporting Policy



# COUNCIL POLICY

## Public Interest Disclosures and Internal Reporting Policy

<b>Date</b>	1 April 2023
<b>Council Resolution Date</b>	27 April 2023
<b>Clause Number</b>	CCL23/99 (CSC23/15)
<b>Responsible Position</b>	Manager Corporate Governance
<b>Branch</b>	Corporate Governance
<b>Division</b>	Organisational Performance
<b>Version</b>	2.0
<b>TRIM Reference Number</b>	ED23/
<b>Review Period</b>	2 years
<b>Review Date</b>	April 2025
<b>Next Review Date</b>	April 2025
<b>Consultation</b>	Not applicable

<b>Document Revision History</b>	
<b>Description</b>	<b>Date</b>
This draft policy has been based on the Model policy as provided by Ombudsman New South Wales	October 2016
Adopted by Council	24 October 2016
Terminology and formatting updated. Reviewed to accord with July 2020 model Code for Internal Reporting From Ombudsman NSW. Schedule document 'Nominated Disclosures Officers' included.	August 2020
Adopted by Council	7 December 2020
Administrative changes and updates of details as ceased employment or position changes have occurred within Council. Included '8. Who Can Receive the Report within Dubbo regional Council' and 'Schedule A, Nominated Disclosures Officers'	March 2023
Adopted by Audit and Risk Management Committee (ARMC)	4 April 2023
Adopted by Standing Communities	13 April 2023
Adopted by Council	27 April 2023
<b>Notes</b>	

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## 1. Purpose and context of the policy

The purpose of this policy is to establish an internal reporting system for staff and Councillors to report wrongdoing without fear of reprisal. The policy sets out who you can report wrongdoing to in Dubbo Regional Council, what can be reported and how reports of wrongdoing will be dealt with by Dubbo Regional Council.

This policy is designed to complement normal communication channels between supervisors and staff. Staff are encouraged to raise matters of concern at any time with their supervisors, but also have the option of making a report about a public interest issue in accordance with this policy and the *Public Interest Disclosures Act 1994* (PID Act).

The internal reporting system established under this policy is not intended to be used for staff grievances, which should be raised through the Grievance Resolution Management Procedure. If a staff member makes a report under this policy which is substantially a grievance, the matter will be referred to Council's Human Resources Branch to be dealt with in accordance with the Grievance Resolution Management Procedure.

It should be noted that in the event Council is under Administration, Council's Administrator, has the same role and responsibilities of that of a Councillor or the Mayor.

## 2. Organisational commitment

Dubbo Regional Council is strongly committed to creating a culture where reports of wrong doing can be dealt with effectively. The aims of this policy are to:

- create a climate of trust, where people are comfortable and confident about reporting wrongdoing
- encourage individuals to come forward if they are aware of wrongdoing within the council
- keep the identity of the person disclosing wrongdoing confidential, where this is possible and appropriate
- protect the person from any adverse action resulting from them making a report
- deal with reports thoroughly and impartially and if some form of wrongdoing has been found, taking appropriate action to rectify it
- keep the individual who makes a report informed of their progress and the outcome
- encourage the reporting of wrongdoing within the council, but respect any decision to disclose wrongdoing outside the council that is made in accordance with the provisions of the PID Act
- ensure managers and supervisors at all levels in the council understand the benefits of reporting wrongdoing, are familiar with this policy, and aware of the needs of those who report wrongdoing
- review the policy periodically to ensure it is relevant and effective
- provide adequate resources, to:
  - encourage reports of wrongdoing
  - protect and support those who make them
  - provide training about how to make reports and the benefits of internal reports to the council and the public interest generally
  - properly assess and investigate or otherwise deal with allegations
  - properly manage any workplace issues that the allegations identify or that result from a report
  - appropriately address any identified problems.

The policy needs to be signed by both the Mayor and the Chief Executive Officer.

Under the PID Act, the Chief Executive Officer, as the head of the public authority is responsible for ensuring that:

- the Council has an internal reporting policy
- the staff of the Council and Councillors are aware of the contents of the policy and the protection under the PID Act for people who make public interest disclosures
- the Council complies with the policy and the Council's obligations under the PID Act
- the policy delegates at least one staff member as being responsible for receiving public interest disclosures. Clause 3.15 of the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW requires the complaints coordinator to be a disclosures coordinator. The NSW Ombudsman recommends Councils nominate more than one person as being responsible for receiving public interest disclosures.

### 3. Who does this policy apply to?

This policy will apply to:

- both Council staff and Councillors
- permanent employees, whether full-time or part-time
- temporary or casual employees
- consultants
- individual contractors working for Dubbo Regional Council
- employees of contractors providing services to Dubbo Regional Council
- other people who perform Council official functions whose conduct and activities could be investigated by an investigating authority, including volunteers.

The policy also applies to public officials of another Council or public authority who report wrongdoing relating to Dubbo Regional Council.

### 4. Roles and responsibilities

#### a. The role of Council staff and Councillors

Staff and Councillors play an important role in contributing to a workplace where known or suspected wrongdoing is reported and dealt with appropriately. All Council staff and Councillors are obliged to:

- report all known or suspected wrongdoing and support those who have made reports of wrongdoing
- if requested, assist those dealing with the report, including supplying information on request, cooperating with any investigation and maintaining confidentiality
- treat any staff member or person dealing with a report of wrongdoing with courtesy and respect
- respect the rights of any person the subject of reports.

Staff and Councillors must not:

- make false or misleading reports of wrongdoing
- victimise or harass anyone who has made a report

Additionally, the behaviour of all Council staff and Councillors involved in the internal reporting process must adhere to the Dubbo Regional Council's Code of Conduct. A breach of the Code could result in disciplinary action.

**b. The role of the Dubbo Regional Council**

Dubbo Regional Council has a responsibility to establish and maintain a working environment that encourages staff and councillors to report wrongdoing and supports them when they do. This includes keeping the identity of reporters confidential where practical and appropriate, and taking steps to protect reporters from reprisal and manage workplace conflict.

Dubbo Regional Council will assess all reports of wrongdoing it receives from staff and councillors and deal with them appropriately. Once wrongdoing has been reported, the Dubbo Regional Council takes 'ownership' of the matter. This means it is up to Council to decide whether a report should be investigated, and if so, how it should be investigated and by whom. The Dubbo Regional Council will deal with all reports of wrongdoing fairly and reasonably, and respect the rights of any person the subject of a report.

Dubbo Regional Council must report on its obligations under the PID Act and provide statistical information about public interest disclosures in Council's annual report and to the NSW Ombudsman every six months.

To ensure the Dubbo Regional Council complies with the PID Act and deals with all reports of wrongdoing properly, all staff and Councillors with roles outlined below and elsewhere in this policy will receive training on their responsibilities.

**c. Roles of key positions**

**Chief Executive Officer**

The Chief Executive Officer, or Interim Chief Executive Officer, has ultimate responsibility for maintaining the internal reporting system and workplace reporting culture, and ensuring the Dubbo Regional Council complies with the PID Act. The Chief Executive Officer can receive reports from staff and Councillors and has a responsibility to:

- assess reports received by or referred to them, to determine whether or not the report should be treated as a public interest disclosure, and to decide how the report will be dealt with
- deal with reports made under the Council's Code of Conduct in accordance with the Council's adopted Code of Conduct procedures
- ensure there are strategies in place to support reporters, protect reporters from reprisal and manage workplace conflict that may arise in relation to a report
- make decisions following any investigation or appoint an appropriate decision-maker
- take appropriate remedial action where wrongdoing is substantiated or systemic problems are identified
- refer actual or suspected corrupt conduct to the Independent Commission Against Corruption (ICAC)
- refer any evidence of a reprisal offence under section 20 of the PID Act to the Commissioner of Police or the ICAC.

**Disclosures Coordinator**

Dubbo Regional Council's Disclosures Officer is the Internal Ombudsman. The Disclosures Coordinator has a central role in Council's internal reporting system and can receive and assess reports, being the primary point of contact in Dubbo Regional Council for the reporter. The Disclosures Coordinator has a responsibility to:



- assess reports to determine whether or not a report should be treated as a public interest disclosure, and to decide how each report will be dealt with (either under delegation or in consultation with the Chief Executive Officer)
- deal with reports made under the Council's Code of Conduct in accordance with the Council's adopted Code of Conduct procedures
- coordinate Dubbo Regional Council's response to a report
- acknowledge reports and provide updates and feedback to the reporter
- assess whether it is possible and appropriate to keep the reporter's identity confidential
- assess the risk of reprisal and workplace conflict related to or likely to arise out of a report, and develop strategies to manage any risk identified
- where required, provide or coordinate support to staff involved in the reporting or investigation process, including protecting the interests of any officer the subject of a report
- ensure Dubbo Regional Council complies with the PID Act
- provide six-monthly reports to the NSW Ombudsman in accordance with section 6CA of the PID Act.

#### Disclosures Officers

Disclosures Officers are additional points of contact within the internal reporting system. They can provide advice about the system and the internal reporting policy, receive reports of wrongdoing and assist staff and councillors to make reports. Dubbo Regional Council has made it easier for staff wanting to make a disclosure by increasing the number of staff who are Disclosure Officers. Trained Disclosure Officers are now located in a number of Council work locations. Please refer to Schedule Document 1, attached, for details of the current Disclosures Officers at Council.

Disclosures Officers have a responsibility to:

- document in writing any reports received verbally, and have the document signed and dated by the reporter
- make arrangements to ensure reporters can make reports privately and discreetly when requested, if necessary away from the workplace
- discuss with the reporter any concerns they may have about reprisal or workplace conflict
- carry out preliminary assessment and forward reports to the Disclosures Coordinator or Chief Executive Officer for full assessment.

#### Mayor (Or Administrator)

The Mayor can receive reports from staff and Councillors about the Chief Executive Officer. Where the Mayor receives such reports, the Mayor has a responsibility to:

- assess the reports to determine whether or not they should be treated as a public interest disclosure, and to decide how they will be dealt with
- deal with reports made under the Council's Code of Conduct in accordance with the Council's adopted Code of Conduct procedures
- refer reports to an investigating authority, where appropriate

- liaise with the Disclosures Coordinator (Internal Ombudsman) to ensure there are strategies in place to support reporters, protect reporters from reprisal and manage workplace conflict that may arise in relation to a report
- refer actual or suspected corrupt conduct to the ICAC
- refer any evidence of a reprisal offence under section 20 of the PID Act to the Commissioner of Police or the ICAC.

### Supervisors and Managers

Supervisors and Managers play an important role in managing the immediate workplace of those involved in or affected by the internal reporting process. Supervisors and Managers should be aware of the internal reporting policy and are responsible for creating a local work environment where staff are comfortable and confident about reporting wrongdoing. They have a responsibility to:

- encourage staff to report known or suspected wrongdoing within the organisation and support staff when they do
- identify reports made to them in the course of their work which could be public interest disclosures, and assist the staff member to make the report to an officer authorised to receive public interest disclosures under this policy
- implement local management strategies, in consultation with the disclosures coordinator, to minimise the risk of reprisal or workplace conflict in relation to a report
- notify the Disclosures Coordinator or Chief Executive Officer immediately if they believe a staff member is being subjected to reprisal as a result of reporting wrongdoing, or in the case of suspected reprisal by the Chief Executive Officer, notify the Mayor.

## **5. What should be reported?**

You should report any suspected wrongdoing within Dubbo Regional Council, or any activities or incidents you see within the Dubbo Regional Council that you believe are wrong.

Reports about five categories of serious misconduct – corrupt conduct, maladministration, serious and substantial waste of public money, breach of the GIPA Act, and local government pecuniary interest contravention – which otherwise meet the criteria of a public interest disclosure, will be dealt with under the PID Act and according to this policy. See below for details about these types of conduct. More information about what can be reported under the PID Act can be found in the NSW Ombudsman's Guideline B2: What should be reported?

All other wrongdoing or suspected wrongdoing should be reported to a supervisor, to be dealt with in line with the relevant policies. This might include:

- harassment or unlawful discrimination
- practices that endanger the health or safety of staff or the public.

Even if these reports are not dealt with as public interest disclosures, Dubbo Regional Council recognises such reports may raise important issues. Council will respond to all reports and make every attempt to protect the staff member making the report from reprisal.

### **a. Corrupt conduct**

Corrupt conduct is the dishonest or partial exercise of official functions by a public official.

For example, this could include:

- the improper use of knowledge, power or position for personal gain or the advantage of others
- acting dishonestly or unfairly, or breaching public trust
- a Council official being influenced by a member of public to use their position in a way that is dishonest, biased or breaches public trust.

**b. Maladministration**

Maladministration is conduct that involves action or inaction of a serious nature that is contrary to law, unreasonable, unjust, oppressive or improperly discriminatory or based wholly or partly on improper motives.

For example, this could include:

- making a decision and/or taking action that is unlawful
- refusing to grant an approval for reasons that are not related to the merits of their application.

**c. Serious and substantial waste of public money**

Serious and substantial waste is the uneconomical, inefficient or ineffective use of resources that could result in losing or wasting public money.

For example, this could include:

- not following a competitive tendering process for a large scale contract
- having bad or no processes in place for a system involving large amounts of public funds.

**d. Breach of the GIPA Act**

A breach of the *Government Information (Public Access) Act 2009* (GIPA Act) is a failure to properly fulfil functions under that Act.

For example, this could include:

- destroying, concealing or altering records to prevent them from being released
- knowingly making decisions that are contrary to the legislation
- directing another person to make a decision that is contrary to the legislation.

**e. Local government pecuniary interest contravention**

A local government pecuniary interest contravention is a failure to comply with requirements under the *Local Government Act 1993* relating to the management of pecuniary interests. These include obligations to lodge disclosure of interests returns, disclose pecuniary interests at council and council committee meetings and leave the meeting while the matter is being discussed. A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person.

For example, this could include:

- a senior Council staff member recommending a family member for a council contract and not declaring the relationship
- a Councillor participating in consideration of a DA for a property they or their family have an interest in.

## 6. Assessment of reports

All reports will be promptly and thoroughly assessed to determine what action will be taken to deal with the report and whether or not the report will be treated as a public interest disclosure.

The Disclosures Coordinator is responsible for assessing reports, in consultation with the Chief Executive Officer where appropriate. All reports will be assessed on the information available to the Disclosures

Coordinator at the time. It is up to the Disclosures Coordinator to decide whether an investigation should be carried out and how that investigation should be carried out. In assessing a report the Disclosures Coordinator may decide that the report should be referred elsewhere or that no action should be taken on the report.

## 7. When will a report be treated as a public interest disclosure?

Dubbo Regional Council will treat a report as a public interest disclosure if it meets the criteria of a public interest disclosure under the PID Act. These requirements are:

- the report must be about one of the following five categories of serious wrongdoing – corrupt conduct, maladministration, serious and substantial waste of public money, breach of the GIPA Act, or local government pecuniary interest contravention
- the person making the disclosure must honestly believe on reasonable grounds that the information shows or tends to show wrongdoing
- the report has to be made to either the Chief Executive Officer or, for reports about the Chief Executive Officer, the Mayor, a position nominated in this policy (see section 8).

Reports by staff are not public interest disclosures if they:

- mostly question the merits of government policy (see section 17)
- are made with the sole or substantial motive of avoiding dismissal or other disciplinary action (see section 18).

## 8. Who can receive a report within the Dubbo Regional Council

Staff are encouraged to report general wrongdoing to their supervisor. However the PID Act requires that, for a report to be a public interest disclosure, it must be made to certain public officials identified in this policy.

The following positions are the only people within Dubbo Regional Council who are authorised to receive a public interest disclosure. Any supervisor who receives a report that they believe may be a public interest disclosure is obliged to assist the staff member to make the report to one of the positions listed below. The broader responsibilities of these positions are outlined under Roles and Responsibilities (section 4).

If your report involves a councillor, you should make it to the Chief Executive Officer. If your report relates to the Chief Executive Officer, you should make it to the Mayor.

### Chief Executive Officer

- **Murray Wood**  
[murray.wood@dubbo.nsw.gov.au](mailto:murray.wood@dubbo.nsw.gov.au) – (02) 6801 4110

### Mayor (for reports about the General Manager only)

- **Mathew Dickerson**  
[mayor@dubbo.nsw.gov.au](mailto:mayor@dubbo.nsw.gov.au) – (02) 6801 4101

### Disclosures Coordinator

- **Manager Corporate Governance – Abbey Rouse**  
[abbey.rouse@dubbo.nsw.gov.au](mailto:abbey.rouse@dubbo.nsw.gov.au) – (02) 6801 4240

Dubbo Regional Council's current Disclosures Officers are listed in Schedule A. *Nominated Disclosures Officers* – attached. The Executive Manager of Governance and Internal Control is authorised to update Schedule A. *Nominated Disclosures Officers* as required to reflect staffing changes and the inclusion of further Disclosures Officers.

## 9. Who can receive a report outside of the Dubbo Regional Council

Staff and councillors are encouraged to report wrongdoing within the Dubbo Regional Council, but internal reporting is not your only option. You can also make a public interest disclosure to an investigating authority.

### a. Investigating authorities

The PID Act lists a number of investigating authorities in NSW that staff and councillors can report wrongdoing to and the type of wrongdoing each authority can deal with. In certain circumstances it may be preferable to make a report of wrongdoing to an investigating authority, for example a report about either the Chief Executive Officer or the Mayor.

The relevant investigating authorities for the Dubbo Regional Council are:

- the Independent Commission Against Corruption (ICAC) — for reports about corrupt conduct
- the Ombudsman — for reports about maladministration
- the Information Commissioner — for disclosures about a breach of the GIPA Act
- the Office of Local Government— for disclosures about local councils including pecuniary interest breaches.

You should contact the relevant investigating authority for advice about how to make a disclosure to them. Contact details for each investigating authority are provided at the end of this policy.

You should be aware that the investigating authority may well discuss any such reports with the Dubbo Regional Council. Council will make every effort to assist and cooperate with the investigating authority to ensure the matter is dealt with appropriately and there is a satisfactory outcome. Council will also provide appropriate support and assistance to staff or Councillors who report wrongdoing to an investigating authority, if we are made aware that this has occurred.

### b. Other external reporting

If you report wrongdoing to a person or authority that is not listed above, you may not be protected under the PID Act. This may mean you will be in breach of legal obligations or Council's Code of Conduct – by, for example, disclosing confidential information.

For more information about reporting wrongdoing outside Dubbo Regional Council, contact the Disclosures Coordinator or the NSW Ombudsman's Public Interest Disclosures Unit. Their contact details are provided at the end of this policy.

## 10. How to make a report

You can report wrongdoing in writing or verbally. You are encouraged to make a report in writing as this can help to avoid any confusion or misinterpretation. Dubbo Regional Council's Internal Reporting Form which is included within this policy is also available for staff or Councillors to use to make a report.

If a report is made verbally, the person receiving the report will make a comprehensive record of the report and ask the person making the report to sign this record. The reporter should keep a copy of this record.

## 11. Can a report be anonymous?

There will be some situations where you may not want to identify yourself when you make a report. Although these reports will still be dealt with by Dubbo Regional Council, it is best if you identify yourself. This allows us to provide you with any necessary protection and support, as well as feedback about what action is to be taken or has been taken to deal with the issues raised in the report, or the outcome of any investigation.

It is important to realise that an anonymous disclosure may not prevent you from being identified by the subjects of the report or your colleagues. If Council does not know who made the report, it is very difficult for Council to prevent any reprisal should others identify you.

## 12. Feedback to staff who report wrongdoing

Staff and councillors who report wrongdoing will be told what is happening in response to their report.

### a. Acknowledgement

When you make a report, Dubbo Regional Council will contact you to confirm that your report has been received and to advise:

- the timeframe within which you will receive further updates
- the name and contact details of the people who can tell you what is happening or handle any concerns you may have.

After a decision is made about how your report will be dealt with, Dubbo Regional Council will send you an acknowledgment letter, providing:

- information about the action that will be taken in response to your report
- the likely timeframes for any investigation or other action
- information about the internal and external resources or services available that you can access for support.

Council will provide this information to you within ten (10) working days from the date you make your report. Council will also advise you if we decide to treat your report as a public interest disclosure and provide you with a copy of this policy at that time, as required by the PID Act.

Please note, if you make a report which meets the requirements of the PID Act but the report was made under a statutory or legal obligation or incidental to the performance of your day to day functions, you will not receive an acknowledgement letter or a copy of this policy.

### b. Progress updates

While your report is being dealt with, such as by investigation or making other enquiries, you will be given:

- information about the progress of the investigation or other enquiries and reasons for any delay
- advice of any decision by Dubbo Regional Council not to proceed with the matter
- advice if your identity needs to be disclosed for the purposes of investigating the matter or making enquiries, and an opportunity to talk about this beforehand.

### c. Feedback

Once the matter has been finalised you will be given:

- enough information to show that adequate and appropriate action was taken and/or is proposed to be taken in response to your disclosure and any problem that was identified

- advice about whether you are likely to be called as a witness in any further matters, such as disciplinary or criminal proceedings.

### 13. Maintaining confidentiality

Dubbo Regional Council realises reporters may want their identity and the fact they have made a report to remain confidential. This can help to prevent any action being taken against them for reporting wrongdoing.

Where possible and appropriate Council will take steps to keep your identity, and the fact you have reported wrongdoing, confidential. Council will discuss with you whether it is possible to keep your identity confidential.

If confidentiality cannot be maintained, Council will develop a plan to support and protect you from reprisal in consultation with you.

If you report wrongdoing, it is important that you only discuss your report with those responsible for dealing with it. This will include the Disclosures Coordinator and the Chief Executive Officer, or in the case of a report about the Chief Executive Officer, the Disclosures Coordinator and the Mayor. The fewer people who know about your report, before and after you make it, the more likely it will be that Council can protect you from any reprisal.

Any staff or councillors involved in the investigation or handling of a report, including witnesses, are also required to maintain confidentiality and not disclose information about the process or allegations to any person except for those people responsible for handling the report.

### 14. Managing the risk of reprisal and workplace conflict

When a staff member or Councillor reports wrongdoing, Dubbo Regional Council will undertake a thorough risk assessment to identify the risk to you of detrimental action in reprisal for reporting, as well as indirect but related risks of workplace conflict or difficulties. The risk assessment will also identify strategies to deal with those risks and determine the level of protection and support that is appropriate.

Depending on the circumstances, Dubbo Regional Council may:

- relocate the reporter or the staff member who is the subject of the allegation within the current workplace
- transfer the reporter or the staff member who is the subject of the allegation to another position for which they are qualified
- grant the reporter or the staff member who is the subject of the allegation leave of absence during the investigation of the disclosure.

These courses of action are not punishment and will only be taken in consultation with the reporter.

### 15. Protection against reprisals

Dubbo Regional Council will not tolerate any reprisal against staff or Councillors who report wrongdoing or are believed to have reported wrongdoing.

The PID Act provides protection for staff and councillors who have made a public interest disclosure by imposing penalties on anyone who takes detrimental action against another person substantially in reprisal for that person making a public interest disclosure. These penalties also apply to cases where a person takes detrimental action against another because they believe or suspect the other person has made or may have made a public interest disclosure, even if they did not.

Detrimental action means action causing, comprising or involving any of the following:

- injury, damage or loss
- intimidation or harassment
- discrimination, disadvantage or adverse treatment in relation to employment
- dismissal from, or prejudice in, employment
- disciplinary proceedings.

A person who is found to have committed a reprisal offence may face criminal penalties such as imprisonment and/or fines, and may be required to pay the victim damages for any loss suffered as a result of the detrimental action. Taking detrimental action in reprisal is also a breach of Council's Code of Conduct which may result in disciplinary action. In the case of councillors, such disciplinary action may be taken under the misconduct provisions of the *Local Government Act 1993* and may include suspension or disqualification from civic office.

It is important for staff and councillors to understand the nature and limitations of the protection provided by the PID Act. The PID Act protects reporters from detrimental action being taken against them because they have made, or are believed to have made, a public interest disclosure. It does not protect reporters from disciplinary or other management action where the Dubbo Regional Council has reasonable grounds to take such action.

#### a. Responding to allegations of reprisal

If you believe that detrimental action has been or is being taken against you or someone else in reprisal for reporting wrongdoing, you should tell your supervisor, the Disclosures Coordinator or the Chief Executive Officer immediately. In the case of an allegation of reprisal by the General Manager, you can alternatively report this to the Mayor.

All supervisors must notify the Disclosures Coordinator or the General Manager if they suspect that reprisal against a staff member is occurring or has occurred, or if any such allegations are made to them. In the case of an allegation of reprisal by the Chief Executive Manager, the Mayor can alternatively be notified.

If the Dubbo Regional Council becomes aware of or suspects that reprisal is being or has been taken against a person who has made a disclosure, Council will:

- assess the allegation of reprisal to decide whether the report should be treated as a public interest disclosure and whether the matter warrants investigation or if other action should be taken to resolve the issue
- if the reprisal allegation warrants investigation, ensure this is conducted by a senior and experienced member of staff
- if it is established that reprisal is occurring against someone who has made a report, take all steps possible to stop that activity and protect the reporter
- take appropriate disciplinary action against anyone proven to have taken or threatened any action in reprisal for making a disclosure
- refer any breach of Part 8 of the Council's Code of Conduct (reprisal action) by a councillor or the General Manager to the Office of Local Government.
- refer any evidence of an offence under section 20 of the PID Act to the ICAC or NSW Police Force.

If you allege reprisal, you will be kept informed of the progress and outcome of any investigation or other action taken in response to your allegation.

If you have reported wrongdoing and are experiencing reprisal which you believe is not being dealt with effectively, contact the Office of Local Government, the Ombudsman or the ICAC (depending on the type of wrongdoing you reported). Contact details for these investigating authorities are included at the end of this policy.



**b. Protection against legal action**

If you make a public interest disclosure in accordance with the PID Act, you will not be subject to any liability, and no action, claim or demand can be taken against you for having made the public interest disclosure. You will not have breached any confidentiality or secrecy obligations and you will have the defence of absolute privilege in defamation.

**16. Support for those reporting wrongdoing**

Dubbo Regional Council will make sure that staff who have reported wrongdoing, regardless of whether their report is treated as a public interest disclosure, are provided with access to any professional support they may need as a result of the reporting process – such as stress management or counselling services.

Access to support may also be available for other staff involved in the internal reporting process where appropriate. Reporters and other staff involved in the process can discuss their support options with the Disclosures Coordinator.

Council currently offers an Employee Assistance Program and details can be sourced from Council's People Culture and Safety branch or on Councilpedia.

**17. Sanctions for making false or misleading statements**

It is important all staff and Councillors are aware that it is a criminal offence under the PID Act to wilfully make a false or misleading statement when reporting wrongdoing. Dubbo Regional Council will not support staff or councillors who wilfully make false or misleading reports. Such conduct may also be a breach of the Code of Conduct resulting in disciplinary action. In the case of Councillors, disciplinary action may be taken under the misconduct provisions of the *Local Government Act 1993* and may include suspension or disqualification from civic office.

**18. The rights of persons the subject of a report**

Dubbo Regional Council is committed to ensuring staff or Councillors who are the subject of a report of wrongdoing are treated fairly and reasonably. This includes keeping the identity of any person the subject of a report confidential, where this is practical and appropriate.

If you are the subject of the report, you will be advised of the allegations made against you at an appropriate time and before any adverse findings. At this time you will be:

- advised of the details of the allegation
- advised of your rights and obligations under the relevant related policies and procedures
- kept informed about the progress of any investigation
- given a reasonable opportunity to respond to any allegation made against you
- told the outcome of any investigation, including any decision made about whether or not further action will be taken against you.

Where the reported allegations against the subject officer are clearly wrong, or have been investigated and unsubstantiated, the subject officer will be supported by Dubbo Regional Council. The fact of the allegations and any investigation will be kept confidential unless otherwise agreed to by the subject officer.

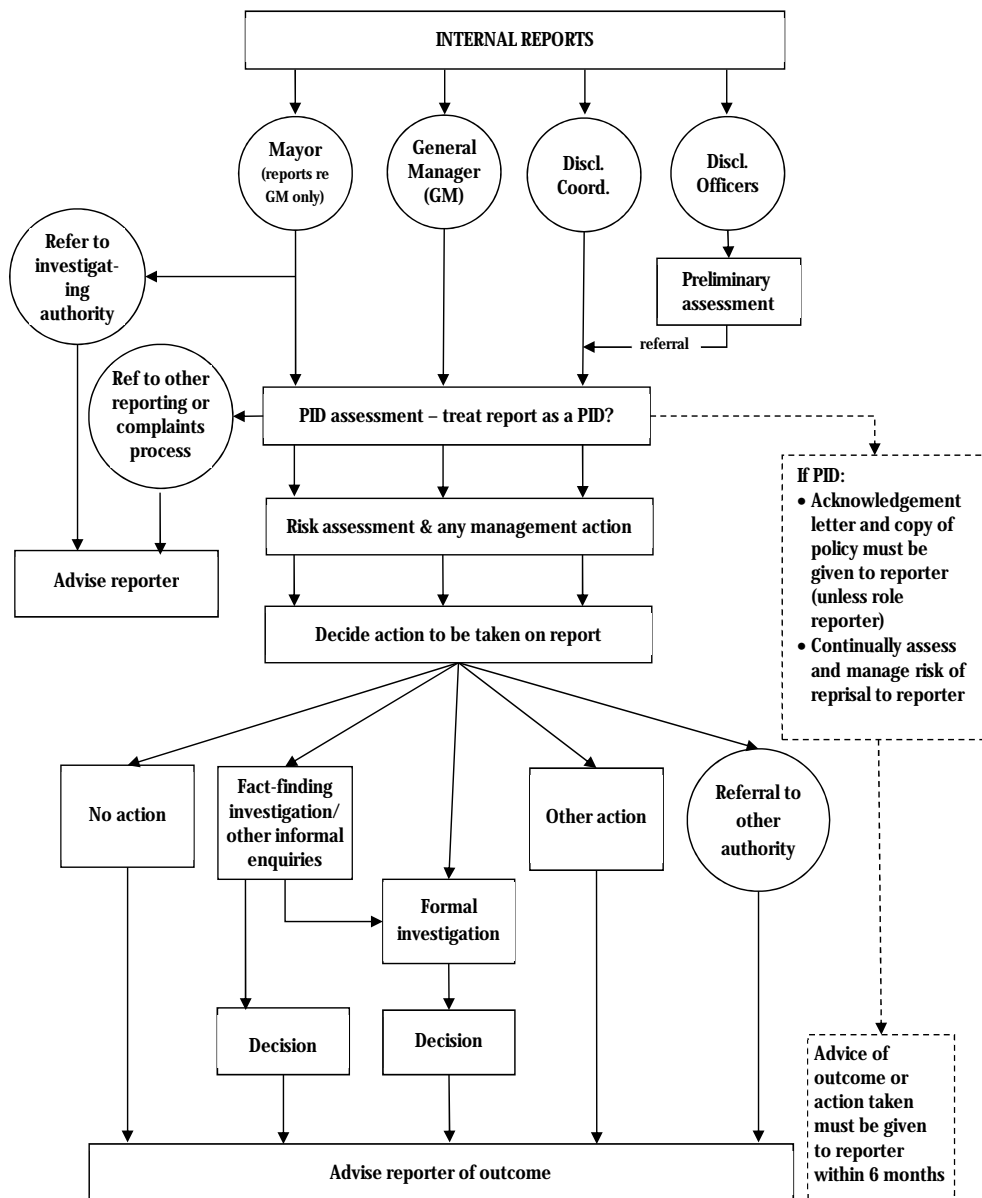
## **19. Review**

This policy will be reviewed by the Dubbo Regional Council every two years.

## **20. More information**

More information around public interest disclosures is available on Councilpedia. Staff can also seek advice and guidance from the Disclosures Coordinator and the NSW Ombudsman's website at [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au).

**21. Flow chart of internal reporting process**



## 22. Resources

The contact details for external investigating authorities that staff can make a public interest disclosure to or seek advice from are listed below.

**For disclosures about corrupt conduct:  
Independent Commission Against Corruption (ICAC)**

Phone: 02 8281 5999  
Toll free: 1800 463 909  
Tel. typewriter (TTY): 02 8281 5773  
Facsimile: 02 9264 5364  
Email: [icac@icac.nsw.gov.au](mailto:icac@icac.nsw.gov.au)  
Web: [www.icac.nsw.gov.au](http://www.icac.nsw.gov.au)  
Address: Level 21, 133 Castlereagh Street,  
Sydney NSW 2000

**For disclosures about breaches of the GIPA Act:  
Information Commissioner**

Toll free: 1800 472 679  
Facsimile: 02 8114 3756  
Email: [ipcinfo@ipc.nsw.gov.au](mailto:ipcinfo@ipc.nsw.gov.au)  
Web: [www.ipc.nsw.gov.au](http://www.ipc.nsw.gov.au)  
Address: Level 11, 1 Castlereagh Street, Sydney  
NSW 2000

**For disclosures about maladministration:  
NSW Ombudsman**

Phone: 02 9286 1000  
Toll free (outside Sydney metro): 1800 451 524  
Tel. typewriter (TTY): 02 9264 8050  
Facsimile: 02 9283 2911  
Email: [nswombo@ombo.nsw.gov.au](mailto:nswombo@ombo.nsw.gov.au)  
Web: [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au)  
Address: Level 24, 580 George Street, Sydney NSW  
2000

**For disclosures about local councils:  
Office of Local Government**

Phone: 02 4428 4100  
Tel. typewriter (TTY): 02 4428 4209  
Facsimile: 02 4428 4199  
Email: [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au)  
Web: [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au)  
Address: 5 O'Keefe Avenue, Nowra, NSW 2541



## Internal Report Form

To be completed and submitted to a nominated Disclosures Officer

(Refer to Council's Internal Reporting Policy for further details)

Details of reporter (You can make an anonymous report by leaving this section blank)		
Name:		
Position:		
Division/Branch/Section:		Preferred method of contact
Telephone:		<input type="checkbox"/> Telephone
Email:		<input type="checkbox"/> Email
Postal address:		<input type="checkbox"/> Post
Details of the wrongdoing being reported		
Please indicate what category of serious misconduct you are reporting		
<input type="checkbox"/> Corrupt Conduct <input type="checkbox"/> Maladministration <input type="checkbox"/> Serious and substantial waste of public money <input type="checkbox"/> Breach of the GIPA Act <input type="checkbox"/> Local Government pecuniary interest contravention		
Description:		
<ul style="list-style-type: none"> <li>• What happened?</li> <li>• Where did this happen?</li> <li>• When did this happen?</li> <li>• Is it still happening?</li> </ul> [Attach an additional page if required]		
How did you become aware of this?		
Name and position of people involved in the wrongdoing:	Name	Position
Attach any additional relevant information or indicate where supporting evidence may be found:	Supporting evidence	Attached
		<input type="checkbox"/>
		<input type="checkbox"/>
Name and position of other people who may have additional information:	Name	Position
Statement		
I honestly believe that the above information shows or tends to show wrongdoing.		
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>_____ Signature of reporter <i>(Do not sign if you want to make an anonymous report)</i></p> </div> <div style="width: 45%;"> <p>_____ Date report submitted <i>(Essential information)</i></p> </div> </div>		

**SCHEDULE A.**

<b>Nominated Disclosures Officers</b>		
<b>Staff Member</b>	<b>Position</b>	<b>Work Location</b>
<b>Karen Robertson</b>	<b>Executive Manager, People Culture and Safety</b>	<b>Council Administration Building, Level 1</b>
<b>Abbey Rouse</b>	<b>Manager Corporate Governance</b>	<b>Council Administration Building, Level 1</b>
<b>Michael Howlett</b>	<b>Chief Financial Officer</b>	<b>Council Administration Building, Level 1</b>
<b>Tim Nicholls</b>	<b>Economic Development and Visitor Services Team Leader</b>	<b>Council Administration Building, Level 1</b>
<b>Desmond Mackay</b>	<b>Team Leader, Natural Resources</b>	<b>Dubbo Works Depot</b>
<b>Lana Willetts</b>	<b>Events and Partnership Team Leader</b>	<b>Council Administration Building, Level 2</b>
<b>Gavin Bornham</b>	<b>DRLM Compliance and Operations Coordinator</b>	<b>Dubbo Regional Saleyards</b>
<b>Michelle Tonkins</b>	<b>Wellington Caves Complex Operations Coordinator</b>	<b>Wellington Caves</b>
<b>Samuel McGregor</b>	<b>Stores and Depot Coordinator</b>	<b>Dubbo Works Depot</b>
<b>Daniel Peterson</b>	<b>Fleet Maintenance Coordinator</b>	<b>Dubbo Works Depot</b>



## REPORT: Review of Council Community Committees

**DIVISION:** Organisational Performance  
**REPORT DATE:** 13 October 2023  
**TRIM REFERENCE:** ID22/2626

### EXECUTIVE SUMMARY

<b>Purpose</b>	<ul style="list-style-type: none"> <li>Provide review</li> <li>Seek direction or decision</li> </ul>	
<b>Issue</b>	<ul style="list-style-type: none"> <li>In February 2022, Council resolved to create 16 Community Committees.</li> <li>One of the resolutions during implementation of the community committees, specifically request a review of the committees to consider the effectiveness and sustainability (due in October 2023).</li> </ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"> <li>The Governance team engaged the Strategy Partnership and Engagement division to complete a service review to inform and provide insight into these committees and how they are currently functioning.</li> <li>The review has been completed with the aim to ensure effective engagement of the community in the most practical and relevant manner, to enhance engagement and provide meaningful outcomes for the community.</li> <li>The review of these committees provides information to enable the elected body to make an informed decision on the most effective way forward for the community committees given the evolving purpose.</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.
<b>Consultation</b>	Corporate Strategy and Performance function	Service Review

### 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:	4.1.1 Council encourages and facilitates two-way communication with and between stakeholders and the community

**RECOMMENDATION**

- 1. That Council endorse recommendations 1 to 4 of the Service Review Final Report Community Committees.**
- 2. That Council note the development of the new framework consisting of four Engagement Communities being; Community Committee, Advisory Group, Working Group and Community Interest Group.**
- 3. That Council note that the Villages Committee, Wellington Town Committee and Youth Council will be retained as formal Community Committees.**

*Jane Bassingthwaight*  
Director Organisational Performance

*AR*  
Manager Corporate  
Governance



## BACKGROUND

### Previous Resolutions of Council

10 March 2022	In Part
CSC22/10	3. <i>That all committees, working parties, forums and panels outlined in the report be reviewed in 2023 as to their effectiveness and sustainability, with a report provided to Council in October 2023.</i>

The Manager Corporate Governance engaged Council's Corporate Strategy and Performance function to undertake a review of the committees, working parties, forums and panels in line with the above resolution. The review addresses the current delivery of the adopted community committees and whether the committees are delivering valuable outcomes for the community and the best use of time and resources for all of the parties involved. The service review is attached at **Appendix 1**.

The service review concentrated on whether the current structure of community committees are:

- Meeting the engagement goals of the Council and community
- Providing community value relative to resourcing
- Aligned to Council's Engagement Strategy
- Supporting accountability and implementation of the Community Strategic Plan

## REPORT

At the beginning of the current term of Council, Councillors and staff workshopped what type of community committees could be created to provide a public forum for Councillors and Council staff to consult with representatives of the local community on important local issues.

16 committees were created as a result of the workshop and an Expression of Interest process followed. The first committees commenced in July 2022 (and were to run) until October 2023, whereby this service review of the committees was completed, and reported back to council.

An extensive service review was undertaken by the Corporate Strategy and Performance function within Council to ascertain the value and effectiveness of these committees to the community, Councillors and staff alike. It was important to ascertain how effective the committees were, if the current structure was meeting Community and Council expectations, and whether the committees were delivering outcomes for the community as they were intended.

### Consultation

- Stakeholder consultation was undertaken with community members, councillors and directors;

- Some of the concerns and feedback raised in the attached service review includes, (but not limited to):
  - Lack of clear outcomes being achieved from the committees,
  - Meetings not being productive and meaningful,
  - Over commitment of some councillors and staff on several committees,
  - Committees being cancelled with little or no notice,
  - Quorum not being met,
  - No agenda items.
- Stakeholder Surveys found four main key insights:
  - 1. Common confusion or misunderstanding about the aim and purpose,
  - 2. Current structure is misaligned to the (assumed) intent of committees,
  - 3. Willingness to look at new ways of engaging that are fit for purpose,
  - 4. Council's intent to engage is viewed as a positive, but it needs to be meaningful.

### **Resourcing Implications**

- Staffing resources are outlined in the attached service review, this includes:
  - Directors and Managers - need to come up with relevant agenda items and topics for discussion, attendance (usually out of hours), significant time commitments;
  - Councillors - many of whom are on several committees, along with their current councillor duties (and personal/professional roles), it is a significant additional obligation;
  - Governance team - scheduling of meetings, multiple business papers for production, significant time resource for a small team which taking them away from other necessary functions and duties (this translates to significant delays by some months on projects/tasks);
- Future resourcing should be taken into consideration going forward.

### **Options Considered**

- Exploring an alternative model of service delivery, with consideration to:
  - The Engagement Environment -including community attitude and Council Engagement capability;
  - Engagement needs of Council and Community - how current service is or isn't meeting those needs;
  - Internal resources to deliver the service;
  - External resources provided by others - community members volunteering time;
  - Engagement fatigue;
  - Fit for purpose design in line with the desired priority outcome for each area of interest.

### **Preferred Option**

- Development of the new Dubbo Region Engagement Communities framework;
- Allowing a fit for purpose framework to ensure:

- Community Committees that are operating effectively and sustainably and primarily meeting Council and community goals will be retained;
- That the level of influence that either Council or community may be seeking is not restricted by the committee's Terms of Reference;
- Significant Council resources will not be utilised to administer over 100 community committee meetings a year that may not be meeting any stakeholder goals;
- Current and future committee members remain enthusiastic to participate in influencing the decision making for their community;
- Taking this direction will allow greater flexibility on group creation and provide an appropriate governance approach in line with the level of influence.

#### Planned Communications

- If the proposed format is adopted, current community committee members be advised of the change and thanked for their participation to date and encouraged to continue to participate in the renewed approach.

#### Timeframe

Key Date	Explanation
26 October 2023	Council resolve to re-frame the community committees as recommended in the service review.
October 2024	A report monitoring the community committees and statistics be provided in 12 months time (following the election in September 2024).

#### Next Steps

- Advise current committee members of the outcome of this report and resulting changes to the current committees.

#### APPENDICES:

- 1 [↓](#) Service Review Final Report - Community Committees



Dubbo Regional Council  
**Service Review  
Community  
Committees**

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**DUBBO REGIONAL  
COUNCIL**

JULY – SEPTEMBER 2023

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Strategy, Partnerships and Engagement

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# 1. BACKGROUND

Dubbo Regional Council's 2022/2023 Delivery Program and Operational Plan specified the following action.

**Community Strategic Plan**  
Theme: Leadership  
4.1: Council provides transparent, fair and accountable leadership and governance

**Delivery Program**  
4.1.1: Council encourages and facilitates two-way communication with and between stakeholders and the community

**Operational Plan – Action**  
4.1.1.3: Establish community committees and facilitate active community participation and engagement

Council at its meeting held 10 March 2022 resolved the below recommendation.

1. That the draft Terms of Reference, as attached as appendices to this report, be endorsed for the purpose of Public Exhibition.
2. That, following Public Exhibition, a further report be presented to Council for the adoption of the Terms of Reference documents, incorporating any changes.
3. **That all committees, working parties, forums and panels outlined in the report be reviewed in 2023 as to their effectiveness and sustainability, with a report provided to Council in October 2023.**

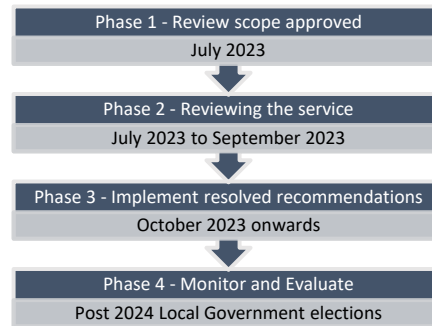
The review will seek to identify if the current approach to community group engagement, including the administration of community committees;

- meets the engagement goals of the Council and community
- is providing community value relative to resourcing
- aligns to Council's Engagement Strategy
- supports accountability and implementation of the Community Strategic Plan, Delivery Program and Operational Plan
- ensures that monitoring and reporting is undertaken with the lens of continuous improvement.

The review will seek to recommend the following for consideration;

- any need to revise how committees are structured and established
- any clarity required for aims, purposes and expectations of community committees
- any need for how group community engagement is administered and resourced
- a future review period to monitor for community value

## 1.1 REVIEW TIMELINE



**1.2 HISTORY OF COMMUNITY COMMITTEES**

March 2022: Committees adopted

Proposed	Adopted
Aquatics Working Party	Aquatics Working Party
Climate Change and Resilience Committee	Climate Change and Resilience Committee
Dubbo Regional Livestock Market Advisory Committee	Dubbo Regional Livestock Market Advisory Committee
Financial Performance Committee	Financial Performance Committee
Multicultural Advisory Committee	Multicultural Advisory Committee
Public Spaces Tree Committee	Public Spaces Tree Committee
Reconciliation Action Plan Working Party	Reconciliation Action Plan Working Party
Renewables Committee	REMOVED
Sister City Committee	Sister City Committee
Social Justice Advisory Committee	Social Justice Advisory Committee
SPARC Committee	SPARC Committee
Visitor Experience Strategy and Performance Committee	Cultural and Tourism Facility Committee
Wellington Town Committee	Wellington Town Committee
Wiradjuri Tourism Project Committee	Wiradjuri Tourism Project Committee
Women in Leadership Forum	Supported for action but a formal committee was not established.
Youth Council	Youth Council
	ADDED – Villages Committee
	ADDED – Disability Access and Inclusion Advisory Committee

The Disability Access and Inclusion Advisory Committee was added in December 2022 with first meeting held 11 July 2023.

All committee members were invited to provide input to the service review although the main survey period had closed, the committee was provided the opportunity to participate following their first meeting.

**1.3 DEFINITIONS**

For the purpose of the report, Community Committees (“committees”) is a collective term for Working Party, Working Group, Forums, and Panels as referenced in table 1.2.

The “service” is the management, administration, coordination and participation of key stakeholders and members of the 15\* committees. The review considered the services both in an overall sense and by individual committee.

\*as adopted and amended there are 17 committees, feedback was received on 15 (one was not established and one has no community members)

The review period is from 27 June 2022 to 8 September 2023 (14 months). Noting that the Disability Access and Inclusion Committee did not hold their first meeting until July 2023.

**1.4 OUR APPROACH TO SERVICE REVIEWS**

In reference to Council’s Service Review Framework and the outcome desired from this service review:

“The objective of any service review exploring service delivery models is not centred on necessarily finding an alternative model – the process in fact may prove the current approach is providing the best value for money for our ratepayers. Such an outcome is just a valuable in confirming that we are doing what community needs in an effective way.”

In reflecting on the review inputs and providing recommendations the project approach specifically considered:

- potential rationalisation
- increased efficiency and service performance
- alternative service delivery mechanisms
- minimising corporate risk.

Just as equally the project approach also considered

- improve service delivery
- respond to changing stakeholder priorities and needs
- aligning the service with Council’s vision and engagement goals.

## 2. EXECUTIVE SUMMARY

In March 2022, 15 Community Committees (“committees”) were established by Council with a view of enhancing community engagement in priority areas and increasing community input to Council decision-making. In adopting these committees Council also resolved for the committees to be reviewed as to their sustainability and effectiveness. As part of Council’s Service Review Program a review of the committees (*the ‘service’*) was undertaken by Council’s Corporate Strategy and Performance function. The review included surveys and interviews with internal and external stakeholders, analysis of meeting schedules, governance process and resourcing requirements. The review also examined the alignment of the service with Council’s draft Community Engagement Strategy and suitability in the context of Council’s engagement capability which has developed significantly since March 2022.

The review process highlighted a number of key insights based on stakeholder input including common confusion with committees aim/purpose, general misalignment of Council and member engagement goals and willingness to look at new ways to engage to ensure meaningful engagement. Members are open to Council exploring alternative methods to deliver this service, however, any change would need to further clarify Council’s intent and purpose, and that any engagement activities be undertaken in the context of the level of involvement or influence Council is seeking from community.

With 149 formal Council and community committee meetings held in the review period, resourcing is significant for Council and community, in both administration and actual meeting hours. The investment required for the current service is provided in context of opportunity cost to help Council determine if such resources could be used to more effectively to better support Council’s engagement intent. The cost effectiveness of the service has not been quantified as the service outcomes are not easily identified or comparable with an industry benchmark or with other committees.

In the 14 months to September 2023, 99 Community Committee meetings were scheduled with 18 cancelled and/or did not meet quorum. Analysis of attendance at meetings indicates that many Councillors and some Executive staff are stretched across numerous committees. Over the review period, it is estimated undertaking pre and post meeting administration required staff resources equivalent to 32 working weeks. The current service design has required one Director alone to spend at least 5.2 working weeks on committee administration and meeting attendance.

The review has identified that for the majority of committees the current Terms of Reference restrict effectiveness of the committees. Effectiveness considerations included ability to hold meaningful discussions, ability to openly participate in solution focused discussions and achievement or significant progress towards outcomes. Whilst there are some committees that appear to be more effective than others the review has identified that the current levels of investment required to manage, administer and participate in the high number of committees are not sustainable when considering the overall of effectiveness of meetings. Sustainability considerations included the percentage of meetings held and attendance, reasonable ability for the organisation to absorb service delivery as part of core service function and investment of time in management, administration and participation is described by community and Council as a “valuable use of time”.



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Examination of how other councils are structuring their approach to community interest group consultation indicates that effectiveness or committee success is linked with flexibility in consultation design based on topic, level of participation sought and the specific needs of the community group and the council on the area of interest.

Across 15 diverse committees with over 220 community representatives, it was expected that the review would reflect a diversity of views on the current service and how it was delivering value to community. In exploring an alternative model of service delivery the review has considered the current engagement environment including improvements in Council's engagement capability and capacity, the understood engagement needs of Council and community, organisation and community capacity to meet demands of the current service and the value of a more fit for purpose design in line with Council priorities.

The review recommends the redesign of the current service through the creation of a new "Dubbo Region Engagement Communities" framework. Aligned to the (draft) Community Engagement Strategy, the framework would include four distinct group definitions for group-based consultation activities, these being Community Committee, Advisory Group, Working Group and Community Interest Network.

Based on Council's engagement goals, the proposed approach would provide Council greater flexibility through a fit for purpose service delivery. Increased flexibility in group design, administration and governance would support role clarity, outcome-focused engagement and member participation/expectation management in line with the level of influence. Redesigning the approach and governance structure would also reduce the resources required for community committee administration time (not including actual meeting time) from a comparable 1,188 hours to 144 hours.

It is also recommended that key stakeholders be effectively engaged in any potential change process to firstly sense-check the approach in context of the review findings with clarification on Council's engagement goals regarding each area of interest. Secondly, this engagement will maximise the retention of community members for participation in a redesigned service. There may be some community engagement goals that the proposed framework may not be able to address. Council would need to consider those on a case-by-case basis to see if alignment within the framework is needed or if Council is willing or able to meet such goals.

## 3. CURRENT SERVICE DELIVERY

### 3.1 REVIEW SCOPE

The project reviewed 15 committees, defined as DRC Community Committees (“committees”).

Predominately the committees set quarterly meetings. Three of the committees commenced with monthly meetings. The committees have a minimum of two Councillors representatives (one of which holds the position of Chairperson) a number of committees have three or four Councillor representatives. DRC staff, typically Managers and Director positions, hold membership positions on committees dependent on the primary purpose of the committee, administration staff from the lead division will typically be the minute taker. There are an average of 16 members on each committee, with a minimum of five community representatives.

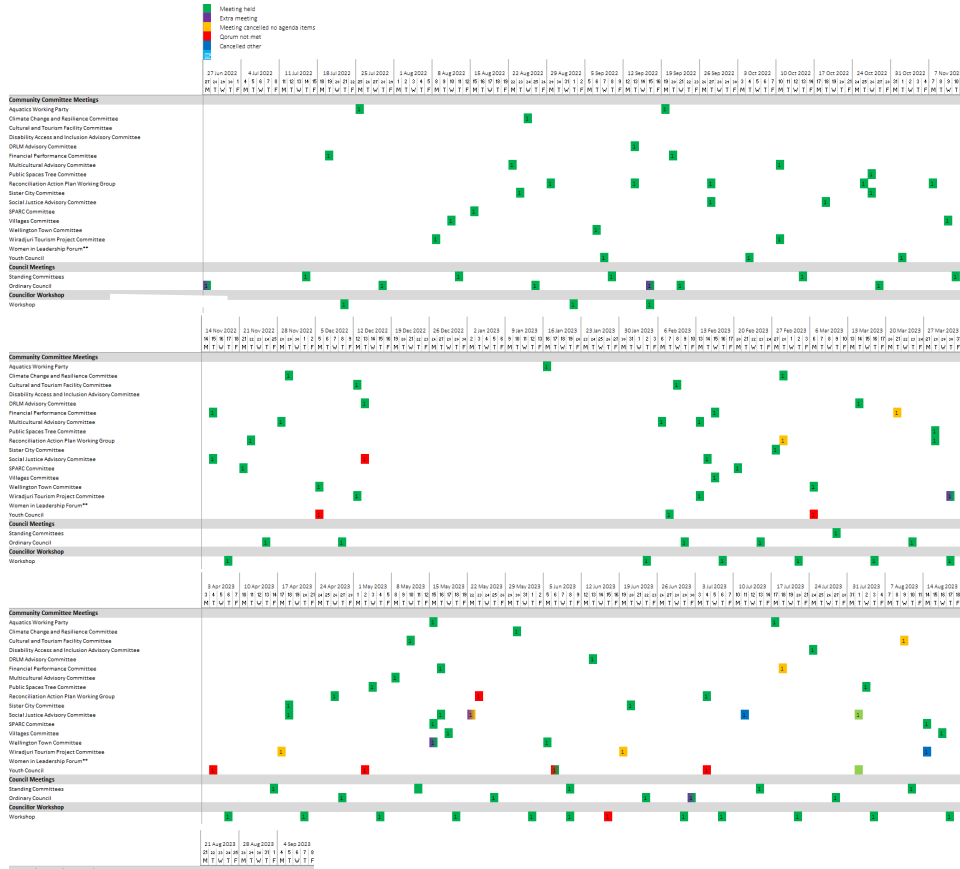
The 15 Community Committees are listed below.

- Aquatics Working Party
- Climate Change and Resilience Committee
- Disability Access and Inclusion Committee
- Dubbo Regional Livestock Market Advisory Committee
- Multicultural Advisory Committee
- Public Spaces Tree Committee
- Reconciliation Action Plan Working Party
- Sister City Committee
- Social Justice Advisory Committee
- SPARC Committee
- Villages Committee
- Cultural and Tourism Facility Committee
- Wellington Town Committee
- Wiradjuri Tourism Project Committee
- Youth Council

Responsibilities for the Branch/Division responsible, committee members and the Corporate Governance branch are set out in the Terms of Reference and are common across all Community Committees, the Aquatics Working Party – Terms of Reference is attached at Appendix 1. The Terms of Reference also sets out the delegations and reporting standards.

**3.2 MEETING SCHEDULE**

The chart below has been collated to show the frequency of all Community Committee meetings, in addition to scheduled internal Council workshops and formal Council meetings.



As at the week Tuesday 5 September 2023 there were;

149 Meetings held (including Council, Standing Committees, Councillor Workshops, and Community Committee)

99 were Community Committee meetings

Of the Community Committee meetings	8	Did not meet quorum
	8	Cancelled – no agenda items
	2	Cancelled - other

### 3.3 RESOURCES/COST OF SERVICE

Overall commentary from stakeholders is that there is tremendous investment of time allocated to committees, both for DRC (staff and Councillors) and for the volunteering community representatives.

Stakeholders overwhelmingly viewed engagement as important and the opportunity to consult and meet is highly valued, however many committees are providing limited direct or indirect value. This is reflected in the lack of clear or acknowledged outcomes being achieved, limited examples of decision-making being influenced or enhanced and feedback from stakeholders that overall many meetings are not productive and meaningful. Given this insight, the investment required for the current service is provided to help Council determine if such resources could be used to more effectively support Council's engagement intent.

#### Resources: Councillor Representation

Many Councillors are nominated representatives on numerous Committees. This, combined with already busy work schedules and other Council commitments, likely contributes to a high proportion of apologies (80) by Councillors to various committee meetings. There are examples of some Councillors being unable to make a single meeting for committees they nominated for over the 14 month period. A number of the meetings have not proceeded due to lack of committee members to meet quorum, which impacts effectiveness in addition to volunteer member engagement. Whilst any committee members unavailability may be for genuine reason the presence of Councillors was seen as highly important to both internal and external stakeholders and the absence of Councillor representatives was perceived by some stakeholders as a reflection of their interest or held value of the committee. The committees that experienced regular Councillor representation were overall deemed more productive by members. The services high demand on Councillors time across multiple committees, clarity/agreement on expectations/need of Councillor attendance and Councillors personal capacity to meet that expectation is a resourcing challenge that needs to be considered in the service design.

#### Resources: Committee administration process

The below tables have been provided to quantify staff time spent on meeting administration and member time spent at a typical committee meeting of the Wellington Town Committee. This table does not include travel time for staff and members.

Note: This data is not presented to inform cost effectiveness as the value of the outcomes is not easily quantifiable. There are also significant differences across the committees regarding preparation time and meetings. Staff administering the Wellington Town Committee were highly invested in the committee being meaningful but also highly experienced in meeting administration and facilitating engagement. It should be noted that whilst staff had capacity and capability to effectively facilitate meetings the time for other committee administration may have been more or less due to a number of factors including ease of agenda development and committee member engagement and capability.

Action (pre and post meeting)	RO	Estimated hours	Action (meeting)	RO	Estimated hours
Coordination of Correspondence and QoN	EO*	3	Consider calendar and accept invite	All	0.125
Draft Agenda	EO	0.25	Read agenda and prepare for meeting	Chair + Councillors + Directors	1.5
Coordination of agenda item, content for presentation	EO	3	Read agenda and prepare for meeting	Members	0.25
Director, approval of agenda, reports, presentation etc.	Director	0.5	Prepare room (physical and virtual)	EO	0.5
Run Agenda and distribute	Governance	0.5	Presentations and presentation of standing items	Director, staff	1
Coordinate attendance and apologies	EO/ Governance	1	Pre/post meeting discussions	All	0.75
Draft Minutes	EO	1			
Approval of Minutes	Director/s	0.5			
Run Minutes and Distribute	Governance	2			
Prepare Minutes (report) for Notation at Standing Committees	Governance	0.25			
<b>Estimate in hours</b>		<b>12</b>	<b>Estimate in hours</b>		<b>4.125</b>

\*EO = Executive Officer (or Administration Officer of the Division who administers the meeting)

Over this period it is estimated Council staff hours in undertaking committee pre and post meeting administration for 99 meetings was 1,125 hours/160 days/32 working weeks. These hours reflect the reduction in time for the 18 meetings that were cancelled did not require minutes.

Resources: Executive committee membership

The Director Community Culture and Places has a membership position on 11 of the 15 committees. This position has been required to attend 78% of the Community Committee meetings held. Typically meetings are scheduled for one hour and held quarterly per committee. The minimum time that the Director sits in committee meetings is 1.8 working weeks per annum. In reality meetings often go more than an hour and require general pre and post meeting discussions. Considering this and the time the Director spends on meeting administration (agendas/minutes) time required equates to at least an additional 2.5 hours per meeting. It is therefore estimated that the Director spent at least 5.2 working weeks on and in community committee meetings in the review period.

This example is highlighted in context of resource requirement and opportunity cost. It does not consider the interconnection of a Director participating in these meetings addressing their core accountabilities or if the function of the committee actually helps the Director deliver greater outcomes for community. Overall feedback from executive stakeholders identified that whilst there is value from enhanced engagement practices, there is limited direct value being realised in many of the committees. Executive felt that indirect outcomes such as relationship building and improved information and idea sharing could be, and are, being achieved via other means. Executive felt that a community interest group approach for priority areas with more specific engagement intent would support shared understanding of purpose and be more effective in delivering community value.

Resources: Governance management

The Corporate Governance branch responsibilities are set out in the Terms of Reference and are common across all committees, the Aquatics Working Party – Terms of Reference is attached at Appendix 1 for reference.

As identified in the above Resources/Cost of Service table; the Corporate Governance branch would invest 3.75 hours into each committee meeting.

Over the review period of 14 months, 99 meetings represent 371.25 hours. At 1,515.5hours FTE over the review period, this represents approximately 25% of one team member.

At the time that the committees were endorsed there was no specific allocation of additional resources or reduction in services provided to by the Corporate Governance team, or any other staff across the organisation that committee administration was allocated to. A number of meetings are held outside of the core business/working hours for staff, requiring time in lieu or overtime payments.

The review has examined the opportunity cost - how the resources required to administer the committees such as meeting schedules, frequency and reporting structure - are being redirected from other core services of the Corporate Governance branch would otherwise undertake.

The opportunity cost of the Community Committee administration of the Corporate Governance branch includes;

<b>Matter</b>	<b>Impact</b>
Policy Register projects	currently delayed 10 months +
Policy review's	currently delayed 3 months +
Complaints process and rescinding of 'Internal Ombudsman' position	currently delayed 6 months +
GIPA requests	currently unable to recoup many statutory charges as the requests are being determined outside of the review period

**3.4 COMMUNITY GROUP CONSULTATION AT OTHER COUNCILS**

Research was undertaken into the manner in which other councils administer community groups for the purpose of consultation. A summary of three regional councils is provided below, however councils across Australia are widely varied when providing this service to their communities. It appears the approach is very much 'what has worked or is working for their individual communities' with a carefully considered balance of meeting the needs of the community group and the council. The topical nature of the committees also determines how the committee/group is administered and the level of participation that is sought.

Council 1	<ul style="list-style-type: none"> <li>• Currently have 33 Section 355 Committees. These group operate autonomously to their council, with volunteers organising meetings and taking minutes. The minutes are forwarded to Tamworth Council to ensure they meeting in line with the Section 355 Committee Operational Manual</li> <li>• These committee assist their council with the management of facilities ie halls, reserves</li> <li>• The committee runs its own AGM and elections and must have a strategic plan</li> <li>• Councillors do not sit on these committees</li> <li>• Staff do not generally attend these meetings, only upon request</li> <li>• Any money made is put back into the facility. Financial statements are audited by the council</li> <li>• A service review of these committee will possibly be undertaken soon to ascertain how viable they are along with maintenance of the facility</li> <li>• Some of these committees were from previous councils pre-merger and have been continued.</li> <li>• Hard to maintain the number of volunteers needed to keep each of the committees operating</li> </ul>
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	<ul style="list-style-type: none"> <li>• A possible future change could be to have combined meetings with merged groups (as opposed to their delegated function)</li> </ul>
Council 2	<ul style="list-style-type: none"> <li>• A review of community committees was undertaken in 2022</li> <li>• Most committees were disbanded at that time – was 10 in total at the time of review</li> <li>• Current committees run themselves, can come up with own actions – no decision making power</li> <li>• A list of the community groups are located on the council website</li> </ul>
Council 3	<ul style="list-style-type: none"> <li>• Mixture of committees where councillors are members of some. Others are information based meetings</li> <li>• Terms of Reference are reviewed annually</li> <li>• The committees can provide recommendations</li> <li>• No service review undertaken in at least the last two years</li> </ul>

## 4. STAKEHOLDER FEEDBACK

### 4.1 STAKEHOLDER SURVEYS

Findings from review have been presented in line with four key insights.

- Insight 1:** Common confusion or misunderstanding about the aim and purpose  
**Insight 2:** Current structure is misaligned to the (assumed) intent of (some) committees  
**Insight 3:** Willingness to look at new ways of engaging that are fit for purpose  
**Insight 4:** Council’s intent to engage is viewed as a positive, but it needs to be meaningful

**Insight 1:** Common confusion or misunderstanding about the aim and purpose.

There is a significant amount of confusion and misunderstanding regarding the aim and purpose of most of the committees. *“In each meeting we have held of this Committee, the community question the aim and purpose as they don't understand.”* It is not always clear what the role of the community representative is, as individuals acting as a community representative and as a collective. *“Most members do not know what can and cannot be discussed at the meetings.”*

There is a perception with some stakeholders that the committees can be a *“waste of time and community members are helping DRC tick boxes”*. Both staff and community members desire meetings that are productive and positive and that their contributions are being both heard and considered in a respectful manner. There is confusion when topics or matters for discussion are perceived by a party to not be in line with the adopted Terms of Reference (ToR). This feeling of confusion can be increased when the Chairperson is perceived to not ‘run’ the meeting in line with the ToR, or when there is a perception that the committee and or a committee member has a deciding-voice in matters.

*“Committees were created as a reaction to the prior committees that were in place 5+ years ago and as a reaction to the previous Council removing them and the new Council wanted to bring them back. But the committees, although having a positive influence in the past, were a dying product and unnecessary. The decision was not thought out and reactionary.”*

*“With changes in the way people consume and distribute information and data, the need for public committees are gone. Council has invested significant funds and resources setting up a new engagement*

*process, website, staff etc to provide feedback, collect information, gather community thoughts and true 2-way engagement. ...consultation has so many other ways of collecting this information. It is a waste of resources, waste of community time and waste of staff time."*

Insight 2 is a key trigger to the confusion and misunderstanding felt in relation to aim and purpose.

**Insight 2: Current structure is misaligned to the (assumed) intent of the (some) committees.**

Stakeholder feedback and examination of the process suggests that current structure of the meeting and the administration of the committee is misaligned to the (assumed) intent of the committees. Some, not all committees feel like a "talk-fest", where the discussion goes off topic or an information session. No participatory, impact or influence outcomes are recorded or achieved. *"The TOR are confusing and the output and outcomes as well as the reason of committee's existence is confusing."* *"I feel what the council hopes to achieve, by their ToR, and what the communities would like to achieve might be different. A chance for actual open dialogue between the two groups might go a long way so that there was some joint ownership of the ToR."*

Directly from the ToR "Dubbo Regional Council (DRC) committees, working groups and panels are established to provide community and industry feedback to Council on a range of issues in an advisory capacity. Committees, working groups and panels are not decision-making bodies. Community committees allow a public forum for Councillors and Council staff to consult with representatives of the local community on important local issues." Most stakeholders understood committees not being a decision making body, but many frustrations seemed centered on (just) providing feedback to already formed concepts or the standard of what was deemed an important local issue.

Whilst the intent described is advisory and consultative, the somewhat formal and very "Council" feel to the meetings in some cases does not feel consultative or that the community has an open opportunity to provide advice, and in some cases if advice or feedback is provided on a matter there is a lack of knowledge as to how that feedback has been considered or if roles of authority are made aware of the feedback on that particular matters. *"I do not see where it may add any civic value at this stage, as Council appears to have a rubber stamp, one way agenda rather than genuinely consult, engage and respond."*

It was clear that some community members wanted to have more impact by presenting their ideas – not just providing input to what was already underway *"I do not expect us to have everything we submit adopted, but I do expect our items to be considered, and for valid reasons to be given when they are not feasible."* However from other stakeholders *"We need to be mindful that staff don't just walk away with more to do lists from Committee meetings. Whilst staff may be open to hearing new ideas and views on what the committee believe should be done - it's important that community members are encouraged to provide input, or identify solutions or opportunities in context of the priorities the community has already set for Council in the adopted delivery program"*. The source of contention evident in these two quotes should be considered in the operation of the current community committees and/or inform a redesign or use of other engagement channel to support expectation alignment with all stakeholders.

It should be noted that some committees appear to be getting the balance right in enabling genuine community member input and influence, whilst operating within a structure of relevance (adopted operational plan), or timely consultation on a current challenge or opportunity being explored. In addition to having an effective chair and participatory members, to achieve this outcome requires discipline with agenda, but also effort (primarily from staff) to create an engaging agenda. *"Some of these meetings do*

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*not provide true outcomes or progression, just an opportunity to gain another report or update of information from council or connected stakeholder."*

If the intent for the committees is not for community to drive the agenda and Council want to manage the risk of staff workload being increased by committee requests, all agendas needs to include opportunities for community members to have genuine impact through feedback and input. This may often require staff to look across the organisation for relevant matters, not just items within the most likely aligned function. For example, the Wellington Town Committee does not have specific or regular direct operational links to the division of Strategy, Partnerships and Engagement. The division sought agenda items from across the organisation for relevant content. Manager of Recreation and Open Space (from Community, Culture and Places) presented on two occasions on the Wellington Street Tree Master Plan and the associated public exhibition period, the Director Infrastructure became a standing invite to provide updates specially related to Wellington based projects and infrastructure matters and the Chief Financial Officer (from Organisational Performance) presented on the Water and Sewer Harmonisation, which also coincided with a public exhibition period. Topics of interest to the committee or relevant in locality that are not directly Council matters were also covered when staff were able to invite externals to present these matters to the committee, for example Energy Co. presented on the Central West Orana Renewal Energy Zone, and ASML Aero Pty Ltd presented on the Aero Vertii project underway at the Wellington Aerodrome and Recreation Park.

In addition to misalignment with level of influence, there is misalignment of the ToR and practicalities of members seeking input for any level of influence to occur. A simple example of this perceived misalignment is that Section 11 of the ToR states: Confidentiality is to be maintained by all members of the working party, pursuant to guidelines of the Local Government Act. Discussions will be treated as confidential until the minutes are finalised and distributed, or as agreed for release to the media. *"Whilst I understand the ToR to some extent the outcomes expected in it. I am however still confused about the link to informing and engaging the community in an active way. Also about the manner in which ideas can be raised and how items put forward are updated back to the Community."*

The general process to have minutes finalised, is that the minutes from the community committee meeting will be noted by the relevant Standing Committee of Council, the minutes of the Standing Committee of Council are then to be adopted at the Ordinary Meeting of Council, in some cases this could mean 4-6 weeks between a matter discussed at a community committee meeting and the committee members being able to take that matter to the communities that they represent. Furthermore the formal governance processes are stifling the open and active participation that Council appears to have wanted to encourage in establishing committees. The committee design is almost a contradiction to the role community are currently required to play. The highly governed process could actually be contributing to the misconception of level of influence because it is so formalised, so there is a natural link to value and impact.

The challenge of the minute taker and staff producing the minutes is to formally and in line with legislative process for public record documents (business papers and minutes of Council meetings) capture the outcomes of these committees, which by the ToR are not decision making bodies and have no delegated authority from the Council to make decisions building to the Council. *"It is a toothless tiger", "The meetings seem more like a token gesture."*

Whilst the Code of Meeting Practice Community Committees and Working Groups states 4.6 (d\*) details of any outcomes reached during the meeting, noting that these outcomes do not bind the Council to any

action. It raises the question of what is the value in capturing outcomes in such a way that the outcomes that are action based can then be perceived to be adopted by Council.

*"When I joined the committee I thought it was going to be a healthy and robust space in which we could communicate constructively. I also thought that council would have more policies and projects in place or in the works, and that as committee members we'd be providing feedback and guidance on this."*

\*the indented lettering under 4.6 has a typographical error.

**Insight 3: Willingness to look at new ways of engaging that are fit for purpose**

Feedback from stakeholders to the review was overall quite constructive and stakeholders remain positive about the value of community participation. There appears a desire, or at least an openness to explore if there is a better way if value is not being achieved for Community or for Council. There is a small number of stakeholders (Council and community) that appear very aligned to the 'formal' structure of community committees. Whilst the reasoning was not explored in the review feedback from some internal and external stakeholders suggests this could reflect their positive experience with the current committees, the idea of structure and control, alliance to the way things were/or have always been or potentially the perceived status and visibility associated with a 'committee'. Regardless of the ToR a number of stakeholders associate the word 'committee' with decision making. The misalignment between being so structured and governed with no authority or real impact is acting out as contradiction in a number of committees. This presents an opportunity to develop a shared understanding around impact and influence as opposed to decision making, and how that can be achieved without formal governance structures.

Whilst the survey data did identify that 35% of respondents agree that the "frequency and length of the meeting is appropriate, allowing the committee to meet its aims and purpose" the greatest percentage of respondents (35%) were neutral in believing that the Community Committee is meeting its aim and purpose as per its ToR. When considering this data in conjunction with Insight 1 and 2 commentary, the current format in which DRC is receiving advice and consulting on topics/matter via the adopted community committees must be reconsidered if improvement in effectiveness is to be sought. *"Community members are frustrated in their attempts to for this committee to have a meaningful role, and for us to be actively involved in decisions and choices." "It would be better if the community members issues raised are Agenda items and discussed properly rather than just called 'correspondence in' or 'questions and answers' and answered in a few sentences in writing and not even discussed. This is very dismissive."*

Stakeholder research indicates that members were open to Council exploring other avenues or alternative methods to deliver this service. Any change needs to be considered in context of the committee intent. *"Use the committees as a sounding board for major decisions rather than a practice run for publicising your decisions."* Given the diversity of committees and areas of interest, it would seem fitting that perhaps different areas of interest need a different engagement approach. *"Some people just want somewhere online where they can chat or put up a question that is answered." "I think these committees could be less formal as other council meetings, it is helpful when we have interested community members who want to chair however we have a 'rule' that it has to be a councillor must be chair can we ease the restrictions?"* This extended to flexibility of meeting times that are driven by an engagement need rather than pre-determined. *"The Committee possibly could have more frequent meetings in the lead up to exchanges to provide some assistance and input, and then could make it less infrequent in the quiet periods between."*

Regardless of any potential change in engagement method for some, none or all of the existing committees, each committee or engagement approach needs clarity of purpose, and that this is defined context of other committees.

*“A lot of the Committees are quite similar and there is sometimes confusion between which Committee a particular issue should be raised at. If it is decided to continue with these, I suggest to reduce the number of meetings that don't seem effective or frequently have little agenda items, that they be combined”*

*“If Committees are to continue going forward, I believe the two should be consolidated to create more purposeful and fulfilling meetings with multiple discussion and feedback items.”*

*“In theory, if there were updates to provide or consultation agreed, a meeting every second month would be adequate timing due to this being a project that we can hopefully proceed with shortly and there are a lot of aspects to consider and get consultation on.”*

**Insight 4: Council’s intent to engage is viewed as a positive, but it needs to be meaningful**

Whilst it was identified that the current process or the structure of some committees may not be perfect, overall Councillors, staff and community stakeholders believe it is positive in intent and they value the opportunity to engage. The review sought to understand from the members what parts of the current format that they believe are working well. *“On a positive note we feel that this committee provides a forum where the different ‘silos’ within the bureaucracy can meet hear each other’s problems and points of view.”*

The general feeling is that the opportunity to meet with the other party (share, discuss, be informed by) is positive. *“The fact we can meet and discuss plans, issues, and concerns in a respectful manner, and bring Councillors, community, and staff from different ‘silos’ of the bureaucracy together.”*

*“I enjoy the staff reports which are well-presented, informative and well-prepared. It broadens my understanding of DRC projects, goals and aims without political bias, and allows me to get to know staff members.”*

*“I think it is important for community to have a voice and feel that they do have a voice, so I believe if run more effectively these Committees could provide that. For this to be achieved, there has to be greater clarity on what the outcomes are to be achieved from this particular Committee.”*

*“I think the cultural groups and community members who are represented on this Committee appreciate the opportunity to feel their voice is being heard in some capacity. Unfortunately, often this can be misaligned with the purpose of the Committee.”*

The premise on which the parties ‘meet’ is valued, however the perception is that the current way that the opportunity is being provided is not advantageous to the intent.

**4.2 COUNCILLOR WORKSHOP**

In addition to the rating activity (included in 5.Service Effectiveness and Sustainability) summary of the discussions held at the workshop is included below under the headings of three questions that were asked.

**What general or specific outcomes have the committees you are on achieved?**

- Wellington and Villages Committees; generally people feel more engaged, evolved past glorified CRM platform, committee driven draft budget workshop and CBD audit action, regular progress update on relevant/priority operational plan actions .
- Villages Committee; has grown in numbers after increased awareness, progressed and clarified open space maintenance program and approach.


- Reconciliation Action Plan Working Group; naming of the meeting rooms and chamber
- Youth Council; the event of Youth Week
- Disability Access and Inclusion Advisory Committee; the intention to review the action plan
- Dubbo Regional Livestock Markets Advisory Committee; positive input, deal with issues as they come up
- General outcomes include people feeling heard, awareness of council activities, action plan, specifically input to Councils decision-making, such as recent naming of the rooms.

**What general or specific input would you like to see considered as part of this review on the Committees?**

- Climate Change and Resilience Committee; the ToR does not reflect what the committee needs/expectations are, there is a disconnect in understanding staff intention was to consult on what we (DRC) are doing vs the committee wanting to know what DRC is doing for community.
- Aquatic Working Party; disconnected, the committee wanted a lot of input, therefore there was a great deal of frustration with not achieving any outcomes. The ToR requires review.
- Workload; the Corporate Governance team expressed the significant workload required to manage and administer the Community Committees for the Corporate Governance team. The perception is that the workload is reflective of the number of committees and not reflective of “meaningful” meetings.
- Commentary throughout the review period has expressed that meeting for meeting-sake (which is often viewed as a box ticking exercise by community) is the not beneficial and is a waste of resources and community member time (time which is predominantly volunteered).
- A common theme is that there is a lack of understanding from community about;
  - Level of resources available
  - What jurisdiction or level of control/influence that Council can have in some matters
  - What matters are prioritised over others, and how that decision was made.
- Wellington Town Committee was identified as a community that must be retained.

**What ideas do you have to achieve the community engagement outcomes that were sought through the committees?**

- Platforms for community members to “chat with”, be heard in a less formal setting, but still able to receive a meaningful response.
- Meetings should be held when necessary
- Meetings could be more workshop style in the early stages; likely that engagement levels would increase if members were able to contribute and participate in the design and development of matters.
- For matters that are issue focused; distribution of a message would be better (i.e. updates/ regular progress information.
- A number of other Council renumerate their Youth Council.
- Consider does Council need to manage/administer the committee, or could it be a meeting that is facilitated by Council.
- Some committees would benefit from clearer parameters.
- Opportunity to bring Youth Council members (Youth lens) into different committee meetings.
- Combining the Social Justice Committee with the Youth Committee.
- References to the Operational Plan can provide structure to meetings.
- An example of positive engagement is the Wellington Town Committee asking for a specific budget session to ensure an informed submission.
- Members need to understand where and how they can add value and can make relevant contributions.

- 
- Issues raised; Subcommittees trying to direct work to staff which is not in line with the adopted strategic direction or within the available resources.
  - Difficult for some committees to have momentum without having key guiding documents (i.e. RAP and Operational Plan)
  - If time is right, committees, called inform, agreed, action plans, but importantly, play a role in monitoring, the implementation of said action plans and having pre-engagement and input to specific actions
  - Management of value and passionate people about particular matters, vested interest and unable to see challenges or other points of interest.
  - Management of expectations.
  - Meeting on an as needs basis.
  - General outcomes include people feeling heard awareness of council activities used week development and review of community safety. Action plan, specifically input to councils decision-making, such as recent naming of the rooms.

## 5. SERVICE EFFECTIVENESS AND SUSTAINABILITY

It was important for the review to consider effectiveness and sustainability hand-in-hand; the concept of a committee being sustainable rests on the recognised success of the committee, in essence its effectiveness to achieve the intended objectives and learned outcomes.

As outlined in this review report stakeholders bring their own individual lens to the effectiveness of the committees in accordance with what they understand or want the intent, purpose or outcome of community committees to be. This varies between stakeholder groups (councillors, Council staff and community committees members – and within such groups.

To best ensure objectivity the review accessed effectiveness and sustainability of the service in identified terms which was informed by the understood intent of Council in establishing these community committees.

### Effectiveness

- The review has identified that the current Terms of Reference for the Community Committees restrict 'effectiveness' of the committees.
- Effectiveness has been defined as;
  - Ability to hold meaningful discussions regarding topics and matters that are of importance to community.
  - Ability to openly participate in solution focused discussions and resolve issues collaboratively and with a community focus.
  - Achievement or significant progress towards outcomes or objectives set by the Committee, or defined as part (purpose and aim) of the Terms of Reference.
- When considering the Committees most frequently ranked with strongly agree statements, the Villages Committee and the Multicultural Advisory Committee would be considered the most 'effective'.
- Although the SPARC Committee also frequently ranked with strongly agree statements, the SPARC Committee also ranked as strongly disagree across all questions. Due to this irregularity in the rating, it has not been considered as an example 'effective'.
- Overall through survey and open feedback Councillors believed the committees were more effective in comparison to community members and Council staff and Executive.

### Sustainability

- The review has identified that the current levels of investment required to manage, administer and participate in the Community Committees is not sustainable when considering the level of effectiveness of the meetings.
- Sustainability has been defined as;
  - Greater than 90% meetings held (i.e. no quorum meetings have not been included)
  - Reasonable ability to absorb increased services within the key service function or at a minimal cost.

- Resources/cost of service of member time, staff management and administration time is described as a “valuable use of time”.

The below table represents rankings by community members and staff involved in committee administration. Strongly Agree (SA) and Agree (A) have been group together as well as Disagree (D) and Strongly Disagree (SD) either side of Neutral (N). The table demonstrates the wide range of responses within each committee and more broadly the whole service.

Committee Name	I understand aim and purpose			Meeting aim and purpose			Connected		
	SA-A	N	D-SD	SA-A	N	D-SD	SA-A	N	D-SD
Aquatics Working Party	•					•	•		
Climate Change and Resilience Committee	••		•	•	•	•		••	•
Cultural and Tourism Facility Committee	••	•	•	•	•	••	•	••	•
Disability Access and Inclusion Committee	•••			•	••		••	•	
Dubbo Regional Livestock Market Advisory Committee		•			•		•		
Multicultural Advisory Committee	••	•		•	••		•	••	
Public Spaces Tree Committee	•••••			•	•	•••		••	••
Reconciliation Action Plan Working Party	••••	•		••		•••	•••	•	•
Sister City Committee	••		•	•		•	•	•	•
Social Justice Advisory Committee	••	•		•	••		•	••	
SPARC Committee	••	••••	••	•	•••	••••	•	••••	•
Villages Committee	••••			•	•••		••	••	
Wellington Town Committee	•••••••	•		••••••	•	•	•••••	•	••
Wiradjuri Tourism Project Committee		•	•			••		•	•
Youth Council	••			•••			••		

As an indicator of ‘effectiveness’ Councilors and Directors who held membership positions were asked to rate if the meetings they have attended felt ‘productive’. The green “Survey” points represents community representatives and staff.



**KEY SURVEY QUESTIONS**

I feel that the meetings I have attended are productive.

● Survey ● Councillor ● Director

COMMITTEE	STRONGLY AGREE, AGREE	NEUTRAL	DISAGREE, STRONGLY DISAGREE
AQUATICS WORKING PARTY		••••	
CLIMATE CHANGE AND RESILIENCE COMMITTEE		•••	••
CULTURAL AND TOURISM FACILITY COMMITTEE			••••
DISABILITY ACCESS AND INCLUSION ADVISORY COMMITTEE	••	••••	
DUBBO REGIONAL LIVESTOCK MARKETS ADVISORY COMMITTEE	•		•
MULTICULTURAL ADVISORY COMMITTEE	••	••	
PUBLIC SPACES TREE COMMITTEE	•••••	••••	•••
RECONCILIATION ACTION PLAN WORKING GROUP		••	••
SISTER CITY COMMITTEE	••	••	•
SOCIAL JUSTICE ADVISORY COMMITTEE	••	•••	•
SPARC COMMITTEE	•	••••	•••••
VILLAGES COMMITTEE	••••	••	•
WELLINGTON TOWN COMMITTEE	•••••••	•••	
WIRADJURI TOURISM PROJECT COMMITTEE			••
YOUTH COUNCIL	••		••

Note:

- The Public Spaces Tree Committee held a meeting on 2 August 2023, commentary on this meeting was that it was a very positive and productive meeting. This was not common commentary to previous meetings.
- The Disability Access and Inclusion Advisory Committee only held its first meeting on 24 July 2023.

In designing service review recommendations, the assertion has been made based on the above data, open response feedback through the survey and individual interviews with committee representatives, that without clear consensus that the current format of the community committees is 'working' an alternative model of service delivery should be explored.

In exploring an alternative model of service delivery the review has considered;

- The 'engagement environment (including community attitude and DRC Engagement capability)
- Engagement needs of Council and Community (and how current service is or isn't meeting those needs)
- Internal resources to deliver the service
- External resources provided by others (community members volunteering time)
- Engagement fatigue
- Fit for purpose design in line with the desired priority outcome for each area of interest.



## 6. DELIVERING COMMUNITY ENGAGEMENT OUTCOMES

When the Community Committees were established in 2022 the newly appointed Council resolved to reform or newly establish a large number of committees to “allow a public forum for Councillors and Council staff to consult with representatives of the local community on important local issues.” “These committees will provide an avenue for consultation between staff and Councillors regarding important community issues”. In addition to providing avenues for community input this response was underpinned by Council’s desire to rebuild trust and reestablish relationships with community they believed had suffered in previous years.

In developing recommendations for the future structure of the community committees it is valuable to understand the significant change in DRC engagement capabilities in the 18-month period since the committees were initially established as a desired way to improve Council/Community engagement. In doing so, fit for purpose consultation can be developed in context of the broader engagement environment including culture, policy, capabilities and capacity.

In 2022 Council Executive also recognised the organisation was some way from best practice in regards to community engagement and participation. This was reflected in a lack of identified commitment and focus, capability and capacity.

### 6.1 DRC ENGAGEMENT CAPABILITIES MARCH 2022

- there was no centrally led specialised engagement service
- related activities were undertaken by Communications staff which inherently resulted in such activities largely being one direction promotion or information
- The Council policy position on engagement resided within the Community Engagement and Communication Policy that was developed in April 2017 and had not been reviewed.
- DRC did not have a Community Engagement Strategy (an IP&R requirement) so therefore had no identified and agreed standards or approach
- DRC’s corporate website and social channels were utilised to share information and notify of activities and only provided base level engagement through standard contact forms and social media comments/responses. more open forum or discussion type level engagement that is common of effective community engagement.

### 6.2 DRC ENGAGEMENT CAPABILITIES SEPTEMBER 2023

- investment in a specialised Engagement and Customer Insights function to support the organisation in undertaking best practice approach to community engagement activities
- drafted Community Engagement Strategy to identify, guide and measure engagement activities in line with best practice, community expectations and relevant legislation.
- Clear and transparent approach on engagement method application and how these methods are determined according to the level of community participation that is being sought.

- Comprehensive online Your Say platform that facilitates meaningful and accessible engagement. Facilitates a wide variety of engagement tools enabling community to provide input and feedback. The platform supports the creation of community interest group databases to support targeted issue base consultation.

## 7. A FIT FOR PURPOSE CONSULTATION APPROACH

The draft Community Engagement Strategy identifies topical or specialised committees, working parties, project control groups and advisory groups as key internal stakeholder groups. It also identifies that in person engagement activities allow an opportunity for discussion, enabling stakeholders to not only have their say, but also listening to others to understand their point of view.

Following the public exhibition period and adoption of the draft Community Engagement Strategy the intent is to apply the strategy holistically to all engagement activities of DRC. Service Review recommendations have been developed in alignment with the draft strategy and identify a fit for purpose consultation approach.

When the review findings are considered in conjunction with the high-level principles of public participation as outlined in the Draft Community Engagement Strategy, the intent to provide a service that **“allows a public forum for Councillors and Council staff to consult with representatives of the local community on important local issues”** can be achieved, and is likely many of the engagement outcomes that are sought from the current community committees would be more effectively achieved if provided in an alternative way or by another method of engagement.

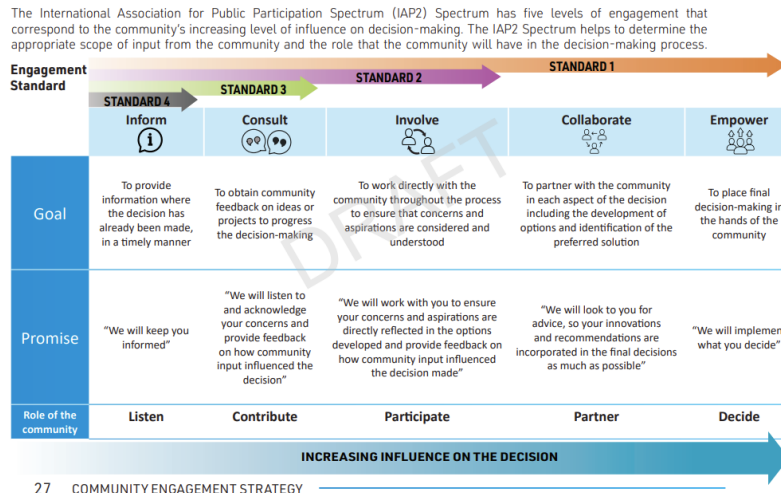
In context of the engagement spectrum, there are five defined levels of influence that community committees could influence decision making. In this vein, feedback from a high number of community representatives indicates that members have an expectation that their level of influence through the committee is at the higher side of the scale – Involve, Collaborate and Empower. In reality, in line with the ToR and the related meeting practices and process, committees are primarily operating in line with the inform and consult participation standard.

Across 15 diverse community committees, with 236 members it is to be expected that there would diverse views on what level of consultation could be applied, or should be set as a standard for any particular committee or in fact any particular item to such a committee.

To address this challenge it is proposed that a decision tree process **for each current community committee** be undertaken:

- Define the primary engagement goal (define the primary engagement purpose?) Council want to achieve in that areas of interest i.e. what level of influence will community participation achieve – is it the same level across all items they would potentially consider
- Consider the primary engagement goal (purpose) Community have indicated they want to achieve in that area of interest i.e. is it the same level across all items they would potentially consider

- Consider the suitability/flexibility of a Community Committee (with current governance structure/ToR-) to meet any or both of the above goals (purpose)
- Consider the suitability of another engagement method to meet any or both of the above goals



27 COMMUNITY ENGAGEMENT STRATEGY

Ultimately priority should be given to the engagement standard that best meets Council's goal, however it is important to consider in context the Community influence and the potential need to mitigate risk of community disengagement. It also enables Council to consider any difference in goals as an opportunity to reshape an existing committee structure to a more flexible method the engagement to support primary goals of both Council and Community.

A fit for purpose consultation approach (framework) will best ensure:

- Community Committees that are operating effectively and sustainably and primarily meeting Council and community goals (purpose) can be retained;
- that the level of influence that either Council or Community may be seeking is not restricted by the committee's ToR
- significant Council resources are not being utilised to administer over 100 community committee meetings a year that may not be meeting any stakeholders goals (expectations); and
- Current and future committee members remain enthusiastic to participate in influencing the decision making for their community.

## 8. RECOMMENDATIONS

1. That DRC establish a framework to facilitate the redesign of the current Community Committee services, "Dubbo Region Engagement Communities".

The proposed framework would align to the (adopted) Community Engagement Strategy and set out a standard process and practice for if/when a 'community group' is established. The framework would include four group definitions with each identifying alignment with the engagement spectrum. The approach would enable greater flexibility on group creation and provide an appropriate governance approach in line with the level of influence. Groupings should not be confused with level of importance or value, rather considered through a fit for purpose lens based on Council's engagement goals, in context of community engagement goals.

Group name:	COMMUNITY COMMITTEE
Definition, role and intent	<ul style="list-style-type: none"> <li>• A formally established community committee where membership is predetermined. Positions are obtained via an EOI/criteria process. The committee is established in line with the Mayoral term (usually 2 years) and meets quarterly with additional meetings called as required.</li> <li>• The committee's role is to be a voice for the community sector/s to which they represent. Committee members are active participants and act as a conduit for information between the committee and the community.</li> <li>• The intent of the committee is to facilitate community insight to views, concerns, risks and priorities of the community sector/s they represent in a formal capacity.</li> </ul>
Level of influence	Inform, Consult, Involve, Collaborate <b><i>"We want you to be an active conduit to a broader community interest group"</i></b>
Governance	Similar to the current meeting structure administered by the Corporate Governance branch, however any ToR would be reviewed to support members being effective conduits and identifying priority matters for agenda consideration. Documented minutes will be provided to Council and reported back to the committee in a formal manner. Proposed group lead: Nominated Director Proposed group admin: EO or Admin Officer of nominated Director
Example	Wellington Town Committee (example reflects actual committee action) <ul style="list-style-type: none"> <li>• Representatives from Energy Co. and AMSL Aero made presentations to the committee, the committee was able to ask questions on behalf of community and provided with slide packs which could be shared with others in the community.</li> <li>• Committee called a 'special' meeting to discuss in more detail the draft budget and operational plan. Staff were made available to respond to questions to build members awareness of changes/impacts. Members were enthused to share those understandings with the wider community, encouraging them to make an informed submission. Outcomes included a well formed request for CBD review that was in alignment of Council's existing strategic priorities and in context of achievable resourcing.</li> <li>• Committee identified priority actions from the adopted operational plan for specific progress updates (for example policing or key projects)</li> </ul>
In practice	Community Committee members would be provided with 'packs' of information in addition to formal minutes and presentations that would support the community representatives to disseminate information and/or proactively engage with the broader community with the intent to bring back to the committee community feedback and sentiment. Members would contribute to development of agendas.

	Agenda items would range from information provision and updates, through to as required collaboration on a priority matter of Council. Any collaboration is likely centered on solution design or approach to a challenge/opportunity specifically relevant to the community sector/s. Community Committee members would be publicly recognised as relevant on Council’s website and in Council reports.
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Group name:	ADVISORY GROUP
<b>Definition, role and intent</b>	<ul style="list-style-type: none"> <li>• A formally established advisory group, that regularly provides well informed advice on matters relating to a particular subject area that the members are a matter expert or identified community leader on. Positions are obtained via an EOI/criteria process. The group is established in line with the Mayoral term (usually 2 years) and meets as required based on significant of risk/opportunity and need for subject expertise to inform strategic decision making.</li> <li>• The role of an Advisory Group would typically be to provide guidance, counsel and recommendations on matters that are strategic in nature, policy driven or have significant stakeholder impact. An advisory group may be engaged to provide direction on an operational matter that is of particular significance or of a confidential nature.</li> <li>• The intent of the Advisory Group is to provide subject expertise and experience to support informed Council decision making through a partnership approach.</li> </ul>
<b>Level of influence</b>	Inform, Consult, Involve, Collaborate <b><i>“We want your insight and experience to inform our decision making”</i></b>
<b>Governance</b>	An established Advisory Group would have a private project page on Council’s Your Say platform. The group would have a fit for purpose charter based on a provided template in regards to meetings, confidentiality, expectations and influence. Members would not hold any liability to advice provided to Council. Members would be encouraged to engage with each other as well as with Council. The site would provide the documented notes/minutes from meetings held and would be accessible to the Advisory Group only. Documented minutes and detailed notes from meetings would be created using a provided template. Member engagement on the site would be moderated under the standard Your Say platform house rules and guidelines. Group lead: Nominated Manager or Director of relevant area Group admin: EO or Admin Officer of relevant area
<b>Example</b>	Dubbo Regional Livestock Markets Advisory Group <ul style="list-style-type: none"> <li>• Members provide advice on how to effectively introduce the operation of service transit service and provide input to project risks.</li> <li>• Members provide advice regarding fees and charges and prioritisation of capital projects with context of industry environment and evidenced best practice.</li> <li>• Members are asked to collaborate on designing an industry education program in regards to animal welfare management and stakeholder expectations.</li> </ul>
<b>In practice</b>	Advisory Group members would be given minimum two weeks’ notice of a meeting (outside emergency or crisis). Agenda would include high level briefing on the subject matter to be discussed with clear direction on the advice/input being sought from the advisory meeting. The group Lead would be required to appropriately reflect advice from the Advisory Group in context of any relevant internal or Council reports. Advisory Group members would be publicly recognised as relevant on Council website and in Council reports.

Group name:	WORKING GROUP
<b>Definition, role and intent</b>	<ul style="list-style-type: none"> <li>A defined or targeted group membership established to achieve a specific goal, task or project in a specific area of interest. Membership is determined by the Group lead in consultation with the CEO. For a project of high community interest, value or risk membership may be determined by Council. Potential participants are identified by registered interest through Council's Your Say platform, through relevant industry/organisation nomination or direct approach from Council. Tenure of the group is determined by the goal, task or project.</li> <li>The role of the members is to actively participate in the design, revitalisation and/or development of a specific project, service, strategy, program or policy in an identified area of interest for a specific period of time.</li> <li>The intent of the Working Group is to utilise community capability, creativity and insight help ensure community/interest area centered design and delivery.</li> </ul>
<b>Level of influence</b>	Consult, Involve, Collaborate <i>"We want to develop something specific in partnership with you"</i>
<b>Governance</b>	<p>The Working Group would have a private project page on Council's Your Say platform. The group would have a fit for purpose charter based on a provided template in regards to meetings, confidentiality, expectations and influence. Depending on the outcomes sought meetings may be more in the style of a project control group meeting with a focus on actions (for completion) or may be highly interactive seeking participation. Group project pages would contain relevant information/notes/minutes from meetings held and would be fully accessible to the Working Group. Whilst there may be examples where the Group charter identified that the group will be empowered to make a decision in regards to endorsing a resulting outcome, the realisation of that decision will still need to be undertaken in accordance with any requirements of the Local Government Act, Council process or delegations of Council officers and/or Council.</p> <p>Group lead: Manager or Director of relevant area Group admin: EO or Admin Officer of relevant area</p>
<b>Example</b>	<p>Wiradjuri Tourism Centre Working Party</p> <ul style="list-style-type: none"> <li>The Working Party provided cultural and community insight and requirements to inform design project scope which was partnered with technical and financial insight from expert Council staff.</li> <li>The Working Party received a presentation from tendering architects for design. The Working Party was empowered to make a decision on the preferred consultant to ensure an outcome of community centered design and delivery. The community led process was undertaken in alignment with technical assessment in line with Council procurement requirements.</li> </ul>
<b>In practice</b>	<p>The Council or CEO can determine the need to establish a community based Working Party in accordance with agreed definition, role and intent. In seeking membership community would be advised of the purpose, time required and specific outcomes the working group is looking to achieve. Establishment of a Working Group would likely occur in very early stages of an endorsed project engagement program. Working Party members would be publicly recognised as relevant on Your Say project pages, at events, in media releases and Council reports.</p>

Group name:	COMMUNITY INTEREST NETWORK
<b>Definition, role and intent:</b>	<ul style="list-style-type: none"> <li>An informal, network (through a targeted or registered database) who are regularly kept informed on Council activity being undertaken in areas of interest and consulted on specific matters within that area of interest.</li> <li>The role of the Network is to support a higher level of information sharing with invested community members and enable active participation in engagement activities or facilitated sessions. Engagement activities would occur on an as needs basis and be centered on providing constructive and informed input, ideas, and feedback on a “matter.”</li> <li>The intent is to establish a range of Networks that could be utilised to support targeted engagement that would support effective and efficient participation and provide flexibility for community members to participate on specific matters within their areas of registered interest including:               <ul style="list-style-type: none"> <li>Environment Sustainability</li> <li>Arts and Culture</li> <li>Business and Visitor Economy</li> <li>Community Wellbeing and Safety</li> <li>Transport</li> </ul> </li> </ul> <p>Network members could also utilise the Your Say platform to engage with each other on ideas or concerns.</p>
<b>Level of influence</b>	<p>Inform and Consult</p> <p><i>“We want your feedback on something we’ve developed or propose to develop”</i></p>
<b>Admin/Governance</b>	<p>An agreed Community Interest Network would have an open project page on Council’s Your Say platform. Documented outcomes from Community Interest Network sessions would be made public through the relevant project page and would be a required inclusion for related Council reports requiring a Council decision.</p> <p>Member engagement on the site would be moderated under the standard Your Say platform house rules and guidelines.</p> <p>Group lead: Project Manager or relevant Council Officer</p> <p>Group admin: Engagement and Customer Insights Partner.</p>
<b>Example</b>	<p>Social Justice</p> <ul style="list-style-type: none"> <li>The Manager Community Services is required to undertake a review of the Social Change Policy. The Manager works with the Engagement and Customer Insights Partner to identify potential the Community Interest Networks to support the review. The Partner reaches out to members who have registered interest in the Community Wellbeing and Safety Network to invite them to join an online or face to face session to review the policy and provide feedback for improvement. Participants are kept informed when the draft policy is on public exhibition/ being presented to Council/adopted by Council.</li> </ul>
<b>In practice</b>	<p>The value of engaging with a Network on a “matter” is the decision of the relevant Council officer. The potential value to members of the network being asked to participate in a session is determined by a member of the Engagement and Customer Insights team. This is to ensure there is value in the process for all stakeholders and that any particular Network is not over consulted during any period.</p> <p>Any community member registered with Your Say could register an interest in any listed networks. Community members would receive information via brief emails on Council projects being undertaken in their areas of interest. As required by Council network members would be invited to participate via online or face to face sessions on a specific topic/matter/interest (dependent on time and scale a Working Group may be formed from sections of a Community Interest Network). This engagement activity may be part of a formal public exhibition or engagement program or may be utilised at project concept or issue/opportunity identification stage.</p>

	<p>A summary of input gained from a Network session is posted back to the open project page and participants are advised on how their input will be considered or has informed a response to the matter. A summary of insights received from any network sessions would be included any relevant internal or Council reports. Community to community conversations would be enabled on the interest group page, would be publicly viewable and monitored in accordance with standard Your Say platform house rules and guidelines. Council staff would not respond to or resolve matters raised in such conversations but rather the platforms purpose would service to connect like-minded community members and potentially facilitate constructive representation to Council through appropriate channels on a priority matter. For example; submission to a public exhibition item, input to Community Strategic Plan, lodging a CRM or formal correspondence to Council.</p>
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The proposed framework does not specify Councillor participation, however in context of the proposed governance approach for each grouping Council could consider having two nominated representatives to each Community Committee (three) and Advisory Group (four) and Working groups as required. This would potentially require all Councillors to be on one committee/group, and four Councillors to be on two committees/groups. Currently a number of Councillors are nominated on five or six community committees.

The finalised framework would detail the minimum requirements and expectation of each community groups and group leads would be provided templates to ensure minimum requirements of group administration are met. The details contained within the framework would inform a basic charter for any created group without unnecessary governance administration.

- 2. That if the development of the new 'Dubbo Region Engagement Communities' framework is resolved by Council, Council consider redesigning the current 17 Community Committees through a fit for purpose process.**

The following proposals are based on the existing committees, insight gained from this service review and interpretation of Council's (understood) engagement goal for each area of interest. These proposals should be considered pending consultation with determined 'group' lead (DRC staff member), Manager Customer Experience and Engagement, and Manager Corporate Governance.

Current Community Committee	Proposed
Aquatics Working Party	<b>Working Group</b> Managed by Belgravia (as identified in contract)
Climate Change and Resilience Committee	<b>Community Interest Network</b> Included with "Environmental Sustainability"
Disability Access and Inclusion Committee	<b>Advisory Group</b>
Dubbo Regional Livestock Market Advisory Committee	<b>Advisory Group</b>
Financial Performance Committee	Moved to be a sub-committee of Council
Multicultural Advisory Committee	<b>Advisory Group</b>
Public Spaces Tree Committee	<b>Community Interest Network</b> Included within Environmental Sustainability
Reconciliation Action Plan Working Party	<b>Advisory Group</b> Established to provide advice on the implementation and monitoring of the RAP



Sister City Committee	<b>Working Group</b>
Social Justice Advisory Committee	<b>Community Interest Network</b> Included within Community Wellbeing and Safety
SPARC Committee	<b>Community Interest Network</b> Included within Community Arts and Culture
Villages Committee	<b>Community Committee</b>
Cultural and Tourism Facility Committee	<b>Community Interest Network</b> Included within Community Arts and Culture and Business and Visitor Economy
Wellington Town Committee	<b>Community Committee</b>
Wiradjuri Tourism Project Committee	<b>Working Group</b> Established for project construction when funding strategy is achieved. Approach to be reviewed in future for ongoing community governance of service delivery.
Women in Leadership Forum	Not treated as a 'Committee' as not currently established, intent to connect into already established networks
Youth Council	<b>Community Committee</b> Increased structure in seeking participation through schools and youth focused services. Facilitated interaction as relevant with other committees, working groups and community interest network sessions.

Redesigning the approach and governance structure of the current service as proposed would reduce the resources required for community committee administration (not including creation or actual meeting time) from a comparable 1,188 hours to 144 hours. This is based on the proposed four committees and four advisory groups meeting four times a year. Whilst facilitating Working Group meetings or targeted sessions with Network members will require some administration this workload would be undertaken by a wider variety of staff and would be undertaken in accordance with their existing accountabilities to deliver projects or community outcomes (engagement work they would be expected to undertake regardless). The approach also significantly reduces administration demands on limited governance staff and senior executive staff enabling this time to be appropriately redirected to other accountabilities.

**3. That if a new framework is adopted that clear pre and post measures be undertaken with members and stakeholders to review performance.**

That 'group' members and community (participants of engagement activities) be surveyed at the beginning and end of the identified term (initially 12-month term).

That an end of term report, including performance measures be presented to the newly elected Council (2024) no later than their second meeting for consideration. The survey should seek to identify if the implemented recommendations have resulted in improvements in DRC community consultation activities. The report would be presented to assist the Council in determining any future approach to engaging with community groups for the purpose of consultation.

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4. **That if a process of change is undertaken members of the current community committees be thanked for participation in a committee, informed of the outcomes of this review and encouraged to remain engaged.**

Members who are part of the current Community Committees approach should be thanked for their participation. All members, regardless if they participated in the review should be provided with a summary of review outcomes. Community Committee members impacted by any resulting change of this review should be encouraged to participate in the renewed approach.



## ***Aquatics Working Party***

### **Terms of Reference**

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#### **1. Values and Expectations**

Dubbo Regional Council (DRC) committees, working groups and panels are established to provide community and industry feedback to Council on a range of issues in an advisory capacity. Committees, working groups and panels are not decision making bodies.

DRC is committed to our values: Progressive, Sustainable, One Team, and Integrity. All DRC working party members are expected to act in accordance with our values and to work constructively together. These behaviours are expected of all committee members:

- Members will conduct themselves with respect to Council and each other
- Members will act as a two way conduit of information between Council, and the community/organisation they have been nominated to represent
- Members will confine their contributions to statement of facts
- Members will not insult or make personal reflection or impute improper motives to each other
- Members will not say or do anything that is inconsistent with maintaining order at meetings or is likely to bring the working party into contempt
- Members will allow other members to put their views without interruption

#### **2. Aim**

The aim of the Aquatics Working Party is to assist Council decision making in relation to aquatic leisure development projects.

#### **3. Purpose**

Provide advice on Aquatic Leisure Centre Developments



#### 4. Membership

Members will serve on the Working Party for the duration of the Mayoral Term. Should a member be absent from three consecutive meetings of the Working Party (without formal apology or leave granted by the Working Party), that person will cease to be a member. Any position made vacant under these terms will not be filled until the next round of expressions of interest, in conjunction with the Mayoral Term.

Community representation will be determined by way of open nomination, with successful applicants being decided by a selection panel made up of the Councillor representative/s, the Chief Executive Officer and/or relevant Director, and a relevant staff member.

#### 5. Positions

Membership will comprise of:

- Two Councillors
- Relevant Director
- Manager Aquatic Leisure Centres
- Up to five community representatives.

The Chair will be the Councillor representative.

The minute taker will be an Administration Officer of the relevant Directorate.

#### 6. Support and Administration

Council's Governance and Internal Control (GIC) branch will be responsible for the following arrangements:

- Sending meeting invitations
- Booking meeting rooms
- Preparing agendas
- Distributing agendas
- Preparing dummy minutes
- Finalising and distributing minutes





Council's Aquatic Leisure Centres branch will be responsible for the following:

- Confirming meeting dates with GIC
- Confirming agenda items and preparing reports
- Taking minutes using the dummy minutes proforma created by GIC, and returning to GIC within three business days of the meeting
- All matters to do with nomination, selection and replacement of working party members

Working Party members will be responsible for the following:

- Responding to meeting invites; providing an apology in advance where necessary
- Reading agendas and accompanying reports ahead of any meeting
- Attending and contributing to meetings

## 7. Delegations and Reporting

The Working Party will have no delegated authority from the Council to make decisions binding the Council.

Outcomes of the working party will inform reports, with recommendations, as required, to the Council under the Manager Aquatic Leisure Centres or relevant Director. Reports may include:

- Meeting minutes – to be submitted for notation to the Culture and Community Committee
- Specialist reports as requested by the Council

## 8. Meetings

Meetings will occur quarterly or as required for consideration of matters brought by the CEO.

## 9. Outcomes

The quorum is half plus one.

In the event that the group is unable to come to a cohesive understanding on any matter or discussion item, a vote will be taken and will be noted in the minutes.





## 10. Order of Business

The order of business for each Working Party meeting will be:

1. Apologies
2. Conflicts of Interest
3. Confirmation of Minutes/Report of the Working party
4. Reports from Staff
5. Other items as required

## 11. Confidentiality and Communication

Confidentiality is to be maintained by all members of the working party, pursuant to guidelines of the Local Government Act. Discussions will be treated as confidential until the minutes are finalised and distributed, or as agreed for release to the media.

The identity, including personal information (such as contact details) of working party members is not to be shared without the express permission of the member in question.

Prior to any public and/or media comment (including social media) on matters addressed by the working party, members will consult with the relevant Director.

Working party members will not speak publicly on behalf of the working party without the express direction of the relevant Director.

## 12. Code of Conduct

Elected officials (Councillors) must abide by the Code of Conduct which can be found on [Council's website](#). Representatives of Council administered committees, working groups and advisory panels must also abide by Council's Code of Conduct.

