



# AGENDA

## ORDINARY COUNCIL MEETING

### 26 AUGUST 2019

MEMBERSHIP: Councillors J Diffey, V Etheridge, D Grant, D Gumley, A Jones, S Lawrence, G Mohr, K Parker, J Ryan and B Shields.

The meeting is scheduled to commence at 5.30pm.

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#### PRAYER:

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

#### ACKNOWLEDGEMENT OF COUNTRY:

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

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- CCL19/135    REPORT OF THE DUBBO REGIONAL AIRPORTS COMMITTEE - MEETING 13 AUGUST 2019 (ID19/1168)** 41  
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- CCL19/137    MACQUARIE STREET, OUTDOOR DINING POLICY (ID19/314)** 119  
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- CCL19/138 NEW DRAFT SECTION 7.11 CONTRIBUTIONS PLAN FOR SOUTH-EAST STORMWATER DRAINAGE HEADWORKS CONTRIBUTIONS - RESULTS OF PUBLIC EXHIBITION (ID19/1020)** 169  
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- CCL19/142 LEASE OF LAND - AIRPORT HANGAR SITE 16 TO DUBBO AEROCLUB (ID19/1152)** 269  
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- CCL19/143 LEASE OF LAND - AIRPORT HANGAR SITE 17 TO MICK ROBINSON (ID19/1151)** 273  
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| <b>CCL19/150</b> | <b>COMMENTS AND MATTERS OF URGENCY (ID19/1112)</b>  |     |



CCL19/151 COMMITTEE OF THE WHOLE (ID19/1159)



## Confirmation of Minutes

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 22 July 2019.

### RECOMMENDATION

**That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council meeting held on 22 July 2019 comprising pages 7, 8, 9, 10, 11, 12, 13 and 14 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 - 22/07/2019
- 2 [↓](#) Minutes - Committee of the Whole - 22/07/2019



# REPORT

## ORDINARY COUNCIL MEETING

### 22 JULY 2019

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**PRESENT:** Councillors J Diffey, V Etheridge, D Grant, D Gumley, A Jones, S Lawrence, G Mohr, K Parker, J Ryan and B Shields.

**ALSO IN ATTENDANCE:**

The Chief Executive Officer, the Executive Manager Governance and Internal Control, the Manager Governance Operations, the Communications Coordinator, the Community Support Officer, the Director Organisational Performance, the Director Culture and Economy, the Director Infrastructure, the Director Development and Environment and the Director Liveability.

Councillor B Shields assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 5.34pm at the Dubbo Civic Administration Building, Council Chamber, with a prayer for Divine Guidance to the Council in its deliberations and activities. The acknowledgement of country was also read by Councillor S Lawrence.

**CCL19/110 CONFIRMATION OF MINUTES (ID19/957)**

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 24 June 2019.

Moved by Councillor S Lawrence and seconded by Councillor A Jones

**MOTION**

**That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council meeting held on 24 June 2019 comprising pages 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46 and 47 of the series be taken as read, confirmed as correct minutes and signed by the Mayor and the Chief Executive Officer.**

**CARRIED**

**CCL19/112 LEAVE OF ABSENCE (ID19/956)**

There were no applications for leave of absence received.

**CCL19/111 PUBLIC FORUM (ID19/955)**

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

- Mr Colin Middleton regarding item CCL19/118 - Proposed River Street Bridge.
- Ms Karina McLachlain regarding item CCL19/118 – Proposed River Street Bridge.
- Mr Andrew Mills regarding item CCL19/118 – Proposed River Street Bridge.
- Mr Allan Murphy regarding item CCL19/118 – Proposed River Street Bridge.
- Ms Kylie Thiel regarding item CCL19/118 – Proposed River Street Bridge.
- Mr John Fisher regarding item CCL19/118 – Proposed River Street Bridge.

**MAYORAL MINUTES:****CCL19/113 NOMINATION OF MATHEW DICKERSON AS EMERITUS MAYOR (ID19/981)**

The Council had before it the Mayoral Minute regarding Nomination of Mathew Dickerson as Emeritus Mayor.

Moved by Councillor B Shields

**MOTION**

**That Council support the request and nominate Mr Mathew Dickerson to Local Government NSW to be considered for the award of Emeritus Mayor.**

**CARRIED**

As one or more Councillors voted against the motion, in accordance with Clause (b)(iv)(2) of Council's Code of Meeting Practice, the following votes were recorded:

<b>FOR</b>	<b>AGAINST</b>
Councillor Diffey	Councillor Gumley
Councillor Etheridge	Councillor Lawrence
Councillor Grant	Councillor Mohr
Councillor Jones	
Councillor Parker	
Councillor Ryan	
Councillor Shields	
<b>Total (7)</b>	<b>Total (3)</b>

**CCL19/114 SALE OF VACANT COUNCIL LAND IN WELLINGTON (ID19/993)**

The Council had before it the Mayoral Minute regarding Sale of Vacant Council Land in Wellington

Moved by Councillor B Shields

**MOTION**

**That Council offer for public sale Lot 4 DP 711298 that is identified as excess to Council's requirements in Wellington.**

**CARRIED**

**CCL19/115 COUNCILLOR OBSERVER TO THE LOCAL GOVERNMENT NSW ANNUAL CONFERENCE (ID19/1004)**

The Council had before it the Mayoral Minute regarding Councillor Observer to the Local Government NSW Annual Conference

Moved by Councillor B Shields

**MOTION**

**That Councillor Kevin Parker be a Councillor observer to attend the Local Government NSW Conference to be held in Sydney at the William Inglis Hotel, Warwick Farm from Monday 14 to Wednesday 16 October 2019.**

**CARRIED**

**MATTERS CONSIDERED BY COMMITTEES:****CCL19/116 REPORT OF THE INFRASTRUCTURE COMMUNITY AND RECREATION COMMITTEE - MEETING 8 JULY 2019 (ID19/953)**

The Council had before it the report of the Infrastructure, Community and Recreation Committee meeting held 8 July 2019.

Moved by Councillor S Lawrence and seconded by Councillor G Mohr

**MOTION**

**That the report of the Infrastructure, Community and Recreation Committee meeting held on 8 July 2019, be noted.**

**CARRIED**

**CCL19/117 REPORT OF THE ECONOMIC DEVELOPMENT BUSINESS AND CORPORATE COMMITTEE - MEETING 8 JULY 2019 (ID19/958)**

The Council had before it the report of the Economic Development, Business and Corporate Committee meeting held 8 July 2019.

Moved by Councillor G Mohr and seconded by Councillor V Etheridge

**MOTION**

**That the report of the Economic Development, Business and Corporate Committee meeting held on 8 July 2019, be noted.**

**CARRIED**

**CCL19/118 REPORT OF THE STREET TREE ADVISORY COMMITTEE - MEETING 2 JULY 2019 (ID19/948)**

The Council had before it the report of the Street Tree Advisory Committee meeting held 2 July 2019.

Moved by Councillor J Ryan and seconded by Councillor V Etheridge

**MOTION**

**That the report of the Street Tree Advisory Committee meeting held on 2 July 2019, be adopted.**

**CARRIED**

**NOTICES OF MOTION:****CCL19/119 PROPOSED RIVER STREET BRIDGE (ID19/991)**

Council had before it a Notice of Motion dated 15 July 2019 from Councillor J Ryan regarding the Proposed River Street Bridge.

Moved by Councillor J Ryan and seconded by Councillor V Etheridge

**MOTION**

1. That Council notes the widespread community opposition to the proposed construction of the River Street bridge.
2. That Council notes the widespread community view that major highways be diverted around the city of Dubbo in a way that boosts economic activity and ensures the liveability and amenity of Dubbo.
3. That Council formally express its opposition to the proposed construction of the River Street bridge.
4. That the Chief Executive Officer be requested to prepare a report for the August 2019 Ordinary meeting of Council detailing any and all measures within Council's powers to stop the project.

Moved by Councillor G Mohr and seconded by Councillor A Jones

#### AMENDMENT

**That the matter be deferred so that an Extraordinary Council meeting can be held so that Councillors can be fully briefed on this issue.**

**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**

As one or more Councillors voted against the motion, in accordance with Clause (b)(iv)(2) of Council's Code of Meeting Practice, the following votes were recorded:

<b>FOR</b>	<b>AGAINST</b>
Councillor Diffey	Councillor Lawrence
Councillor Etheridge	Councillor Ryan
Councillor Grant	
Councillor Gumley	
Councillor Jones	
Councillor Mohr	
Councillor Parker	
Councillor Shields	
<b>Total (8)</b>	<b>Total (2)</b>

*Councillor J Diffey declared a non-pecuniary, less than significant interest in the matter now before the Council and remained in the room during the Council's consideration of this matter. The reason for such interest is that Councillor J Diffey is employed by NSW Parliament as a Senior Electorate Officer for the Local State Member.*

#### REPORTS FROM STAFF:

##### **CCL19/120 2019 COMMUNITY NEEDS AND SATISFACTION SURVEY RESULTS (ID19/702)**

The Council had before it the report dated 9 July 2019 from the Chief Executive Officer regarding 2019 Community Needs and Satisfaction Survey Results.

Moved by Councillor D Grant and seconded by Councillor V Etheridge

#### MOTION

- 1. That the report from the Chief Executive Officer dated 9 July 2019, be noted.**
- 2. That findings from the Community Needs and Satisfaction Survey Report be shared with the community, through Council's website, Council Column and Mayoral Column.**

**CARRIED**

**CCL19/121 CODE OF MEETING PRACTICE (ID19/960)**

The Council had before it the report dated 3 July 2019 from the Executive Manager Governance and Internal Control regarding Code of Meeting Practice.

Moved by Councillor G Mohr and seconded by Councillor D Gumley

**MOTION**

**That the Code of Meeting Practice as appended to the report of the Executive Manager Governance and Internal Control, dated 3 July 2019 be adopted.**

**CARRIED**

**CCL19/122 AQUATIC LEISURE CENTRE OPEN AND CLOSE DATES AND DAILY OPERATING HOURS (ID19/951)**

The Council had before it the report dated 3 July 2019 from the Recreation Coordinator regarding Aquatic Leisure Centre Open and Close Dates and Daily Operating Hours.

Moved by Councillor G Mohr and seconded by Councillor V Etheridge

**MOTION**

1. **That the Dubbo Aquatic Leisure Centre open 7 September 2019 and close on 29 March 2020. With the option to remain open for extended period no later than 25 April 2020 depending on weather and patronage.**
2. **That the Dubbo Aquatic Leisure Centre 2019/2020 season daily operating hours be:**

<b>September/October</b>	
Mon – Fri	5.30am – 6.30pm
Sat	6.30am – 6.30pm
Sun	10am – 6.30pm
<b>November/December/January/February/March</b>	
Mon – Fri	5.30am – 8.30pm
Sat	6am – 8.30pm
Sun	10am – 8pm
3. **That the Wellington Aquatic Leisure Centre open on 5 October 2019 and close 22 March 2020 however pending construction completion of the redevelopment of the Wellington Aquatic Leisure Centre the opening date may be 12 November 2019.**
4. **That the Wellington Aquatic Leisure Centre 2019/2020 season daily operating hours be:**

<b>October/November/December/ February/March</b>	
Mon – Fri	6am – 6.30pm
Sat	8am – 6.30pm
Sun	10am – 6.30pm
<b>January</b>	
Mon – Fri	6am – 7.30pm
Sat	8am – 7.30pm
Sun	10am – 7.30pm
5. **That the Geurie Aquatic Leisure Centre open on 2 November 2019 and close on 8 March 2020.**



6. That the Geurie Aquatic Leisure Centre 2019/2020 season daily operating hours be:  
 November/December/ February/March  
 Mon/Tues/Thurs/Fri 6am – 7am  
 Mon – Fri 3.30pm – 6.30pm  
 Sat 11.30am – 6.30pm  
 Sun 11.30am – 6.30pm  
 January  
 Mon/Tues/Thurs/Fri 6am – 7pm  
 Mon – Sun 11.30am – 7pm
7. That the Dubbo Aquatic Leisure Centre, Wellington Aquatic Leisure Centre and Geurie Aquatic Leisure Centre close on Good Friday and Christmas Day and open on any other public holiday from 11am – 7pm.
8. That the Chief Executive Officer, or delegated staff member, have the authority to alter community access for special events or the daily operating hours at any Aquatic Leisure Centre based on community demand and ability to achieve minimum staff requirements.
9. That the new point of sales system installed at Dubbo Aquatic Leisure Centre, Wellington Aquatic Leisure Centre and Geurie Aquatic Leisure Centre be used to capture accurate entry and usage data to undertake a review of operating hours at the end of the 2019/2020 season and be used to inform future decisions regarding season dates and daily operating hours.

**CARRIED**

As one or more Councillors voted against the motion, in accordance with Clause (b)(iv)(2) of Council's Code of Meeting Practice, the following votes were recorded:

<b>FOR</b>	<b>AGAINST</b>
Councillor Diffey	Councillor Grant
Councillor Etheridge	
Councillor Gumley	
Councillor Jones	
Councillor Lawrence	
Councillor Mohr	
Councillor Parker	
Councillor Ryan	
Councillor Shields	
<b>Total (9)</b>	<b>Total (1)</b>

**CCL19/123 ROAD CLOSURE & DISPOSAL AGREEMENT, PART GOONOO STREET IN VILLAGE OF WONGARBON (ID19/950)**

The Council had before it the report dated 2 July 2019 from the Property Development Officer regarding Road Closure & Disposal Agreement, Part Goonoo Street in Village of Wongarbron.

Moved by Councillor D Gumley and seconded by Councillor G Mohr

**MOTION**

1. That Council execute the closure of the road (Goonoo Street) between Lot 184 and 186 DP 754321 in the Village of Wongarbron into one (1) lot of approximately 3,223.3m<sup>2</sup>.
2. That upon closure of the subject road, the land be classified operational.
3. That Council dispose of the closed road lot to the adjoining owner of Lot 184 DP 754321 Mr Ben Braithwaite, for a sale price of \$11,500 excluding GST.
4. That the Chief Executive Officer be authorised to complete any documentation under delegated Power of Attorney.

**CARRIED**

**CCL19/124 COMMENTS AND MATTERS OF URGENCY (ID19/954)**

There were no matters recorded under this clause.

At this junction it was moved by Councillor G Mohr and seconded by Councillor D Gumley that the Council resolves into the Committee of the Whole Council, the time being 6.58pm.

The meeting resumed at 7.18pm.

**CCL19/125 COMMITTEE OF THE WHOLE (ID19/1002)**

The Executive Manager Governance and Internal Control read to the meeting of the report of Committee of the Whole held on 22 July 2019.

Moved by Councillor G Mohr and seconded by Councillor J Ryan

**MOTION**

**That the report of the meeting of the Committee of the Whole held on 22 July 2019 be adopted.**

**CARRIED**

The meeting closed at 7.20pm.

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CHAIRMAN



# REPORT

## COMMITTEE OF THE WHOLE COUNCIL

### 22 JULY 2019

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**PRESENT:** Councillors J Diffey, V Etheridge, D Grant, D Gumley, A Jones, S Lawrence, G Mohr, K Parker, J Ryan and B Shields.

**ALSO IN ATTENDANCE:**

The Chief Executive Officer, the Executive Manager Governance and Internal Control, the Manager Governance Operations, the Communications Coordinator, the Community Support Officer, the Director Organisational Performance, the Director Culture and Economy, the Director Infrastructure, the Director Development and Environment and the Director Liveability.

Councillor B Shields assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 7.01pm.

**CW19/17      PROGRESS REPORT ON THE DUBBO INDOOR SPORTS FACILITY (ID19/982)**

The Committee had before it the report dated 11 July 2019 from the Chief Executive Officer regarding Progress Report on the Dubbo Indoor Sports Facility.

Moved by Councillor G Mohr and seconded by Councillor D Gumley

**MOTION**

**The Committee 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 J Ryan and seconded by Councillor D Grant

#### **MOTION**

**The Committee recommends:**

- 1. That the report from the Chief Executive Officer dated 11 July 2019 be noted.**
- 2. That the Chief Executive Officer be authorised to continue negotiations and resolve outstanding land tenure and licencing agreement matters.**
- 3. That Council consider supporting development of the Dubbo Indoor Sports Facility through indirect contributions to a maximum value of \$1,000,000, with Stage 1 limited to a maximum of \$300,000.**
- 4. That any further contributions by Council be proportionate to other funding received, to a maximum indirect project contribution of \$1,000,000.**
- 5. That the documents and considerations in regard to this matter remain confidential to Council.**

**CARRIED**

#### **CW19/18 PROPOSED LAND SWAP ARRANGEMENT (ID19/983)**

The Committee had before it the report dated 11 July 2019 from the Chief Executive Officer regarding Proposed Land Swap Arrangement.

Moved by Councillor G Mohr and seconded by Councillor D Gumley

#### **MOTION**

**The Committee 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 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 G Mohr and seconded by Councillor D Grant

#### **MOTION**

**The Committee recommends:**

- 1. That Council endorse the initial draft land swap arrangement as detailed in the body of this report.**
- 2. That a further report to be considered by Council when all details are finalised.**
- 3. That the documents and considerations in regard to this matter remain confidential to the Council.**

**CARRIED**

**CW19/19 DUBBO CITY REGIONAL AIRPORT - CENTRE OF AEROMEDICAL AND EMERGENCY SERVICES - LARGE AIR TANKER (LAT) BASE PROJECT (ID19/976)**

The Committee had before it the report dated 11 July 2019 from the Director Culture and Economy regarding Dubbo City Regional Airport - Centre of Aeromedical and Emergency Services - Large Air Tanker (LAT) Base Project.

Moved by Councillor G Mohr and seconded by Councillor D Gumley

**MOTION**

**The Committee 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 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 G Mohr and seconded by Councillor D Gumley

**MOTION**

**The Committee recommends:**

- 1. That the Chief Executive Officer be authorised to establish a project partnership agreement and future lease with the Rural Fire Service including a three (3) year interest free advance for \$4,578,332 to be repaid over a three (3) year period by three (3) equal annual payments of \$1,526,110.67 to support proposed capital project at the Dubbo City Regional Airport.**
- 2. That the documents and considerations in regard to this matter remain confidential to Council.**

**CARRIED**

The meeting closed at 7.17pm.

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CHAIRMAN



## MAYORAL MINUTE: Results of Nomination of Mathew Dickerson as Emeritus Mayor

**AUTHOR:** Mayor  
**REPORT DATE:** 6 August 2019  
**TRIM REFERENCE:** ID19/1093

To the Council  
Ladies and Gentlemen

Office of the Mayor  
Civic Administration Building  
Church Street, Dubbo

At the Ordinary Council meeting held 22 July 2019, Council considered a Mayoral Minute recommending that the former Mayor of the former Dubbo City Council, Mathew Dickerson be nominated to Local Government NSW (LGNSW) for the award of Emeritus Mayor. Since the Mayoral Minute was considered, LGNSW has formally reduced the required tenure of a Mayor from 6 years to 5 years to be eligible for the award of Emeritus Mayor.

The Mayoral Minute considered in July noted that Mathew Dickerson served as the Mayor of the former Dubbo City Council for a term of approximately 4 years 8 months from 8 September 2011 to 12 May 2016. Although this term was identified as not meeting the eligibility criteria, Mr Dickerson still requested that Council nominate him for the award.

It is noted that following Council's nomination of Mr Dickerson for the award of Emeritus Mayor, LGNSW have now advised that the nomination has been unsuccessful due to not meeting eligibility requirements (**Appendix 1**).

### RECOMMENDATION

1. That the information in this Mayoral Minute be noted.
2. That Mr Mathew Dickerson be formally advised that Council's nomination of him being awarded the award of Emeritus Mayor by Local Government NSW has been unsuccessful.

*Councillor Ben Shields*  
Mayor

Appendices:

1. Local Government NSW - Outcome of Application - Local Government NSW Service Awards



Our ref. OUT-29363

26 July 2019

Mr Michael Ferguson  
Executive Manager Governance  
and Internal Control  
Dubbo Regional Council  
PO Box 81  
DUBBO NSW 2830

Dear Mr Ferguson:

**Application: Local Government NSW Service Awards**

Thank you for your application on behalf of Dubbo Regional Council nominating Mr Mathew Dickerson for an Eminentus Mayor Service Award.

To receive the award, the applicant must meet the eligibility criteria. The title of Eminentus Mayor can only be conferred on a former Mayor who has served five years as a Mayor.

We note from your application that Mr Dickerson served as Mayor of Dubbo City Council from 8 September 2011 - 12 May 2016, a period of less than five years.

The application does not meet the eligibility criteria and cannot proceed.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kylie Yates'.

Ms Kylie Yates  
Director Advocacy

LOCAL GOVERNMENT NSW  
REGISTRATION NUMBER: 2001  
100 FOWLER STREET STONEYBROOK  
NSW 1570  
LGNSW.ORG.AU | 02 9585 6000 | 1300 65 6277



## MAYORAL MINUTE: Wellington Buy Local Campaign

AUTHOR: Mayor  
REPORT DATE: 21 August 2019  
TRIM REFERENCE: ID19/1182

To the Council  
Ladies and Gentlemen

Office of the Mayor  
Civic Administration Building  
Church Street, Dubbo

I have recently received correspondence from Jessica Gough, Secretary of the Wellington Chamber of Commerce about a buy local campaign. (**Appendix 1**).

The Chamber has requested that Council commence a buy local in Wellington campaign coming into the Christmas period.

I support this initiative as a way to help support the retail sector in the township.

I therefore recommend to Council that the Chief Executive Officer be requested to convene a meeting of the Wellington Chamber of Commerce, relevant staff and Mayor to determine an appropriate Wellington specific buy local campaign.

### RECOMMENDATION

**That the Chief Executive Officer be requested to convene a meeting of the Wellington Chamber of Commerce, relevant staff and Mayor to determine an appropriate Wellington specific buy local campaign.**

*Councillor Ben Shields*  
Mayor

Appendices:

- 1 Wellington Chamber - Keep it Local



8<sup>th</sup> August 2019  
Jessica Gough  
Owner Jespresso  
Secretary for Wellington Business Chamber  
18-20 Lee St  
Wellington NSW 2820



Councillor Ben Shields  
Dubbo Regional Council  
Corner Church & Darling streets,  
Dubbo NSW 2830

Dear Mr Mayor,

I write to you regarding Wellington's retail industry and the need for further promotion of our town. Recent drought and competition from retailers from other towns and cities have challenged the Wellington retail industry. This, along with the ever mounting pressure of e-commerce retailers is causing a huge flow of money to leave Wellington.

Dubbo Regional Council has an opportunity to assist Wellington's retailers to Keep it Local. I would like to urge council to fund and commence a buy local advertising campaign in view to encouraging Wellington residents to buy local as well as showcasing Wellington's unique retailing offerings to a wider regional audience.

This could be done leading into the coming Christmas period by way of a competition and advertising. My proposal is that you establish a task group comprising of council and the Wellington Chamber of Commerce with the aim of designing an appropriate marketing campaign. A small marketing investment for our local retailers would not only have a positive effect on retailers, but would also give Wellington a much needed boost our towns overall confidence. I look forward to your reply.

Yours Sincerely

Jessica Gough



DUBBO REGIONAL  
COUNCIL

## MAYORAL MINUTE: Apex Oval Game Fixtures and Ground Condition

AUTHOR: Mayor  
REPORT DATE: 26 August 2019  
TRIM REFERENCE: ID19/1191

To the Council  
Ladies and Gentlemen

Office of the Mayor  
Civic Administration Building  
Church Street, Dubbo

It has come to Council's attention that the planning for the A-League game to be held at Apex Oval on 21 September 2019 has impacted some of the local sporting clubs. To prepare for the A-League game, use of the playing surface must be minimised to ensure that the surface will be in acceptable condition to host the game.

The Director Liveability has developed a report to address the matter, including a recommendation together with an independent report on the condition of the playing surface (**Appendix 1**). A more detailed report was commissioned by Bruce Macphee, Senior Agronomist, from Australian Golf Course Superintendents' Association Ltd which was received by Council 26 August 2019 and is attached as **Appendix 2**.

This information is provided for your consideration and determination.

### RECOMMENDATION

**That Council determine this matter.**

*Councillor Ben Shields*  
Mayor

Appendices:

- 1 Report from Director Liveability - Apex Oval - Game Fixtures and Ground Condition
- 2 Condition Report from Australian Golf Course Superintendents' Association - Apex Oval - August 2019

ORDINARY COUNCIL MEETING  
26 AUGUST 2019



## REPORT: Apex Oval - Game fixtures and ground condition

AUTHOR: Director Liveability  
REPORT DATE: 23 August 2019  
TRIM REFERENCE: ID19/1189

### EXECUTIVE SUMMARY

Dubbo Regional Council will be hosting an A League match between Sydney Football Club and Newcastle Jets, 21 September 2019. The match is scheduled to be played at Apex Oval. During the lead up to the event, staff have monitored the condition of the Apex Oval ground and continued professional curation methods to ensure the playing surface's premium condition. This has involved altering some game fixtures so that the surface can be suitably rested. Impacted clubs have been offered Victoria Park Oval 1, outer fields at Apex Oval, or Barden Park, as alternative venues.

### FINANCIAL IMPLICATIONS

Financial implications pertain to commissioning an independent ground condition report by Australian Golf Course Superintendents' Association Limited, at a figure of \$2,000.00.

Costs also relate to accommodating clubs to have games at alternative venues inclusive of the following:

	<i>Original arrangement</i>	<i>Revised arrangement</i>
<i>Sport/ Code</i>	<i>Apex Oval</i>	<i>Victoria Park No. 1 Oval</i>
Central West Junior Rugby Union Semi Finals – Saturday 24 August 2019	Line marking \$692.71 Bin Collection \$60	<ul style="list-style-type: none"> <li>• Line marking \$692.71</li> <li>• Bin collection \$60</li> <li>• Portable grandstands approx. \$721</li> <li>• Portable cool room hire \$220</li> </ul>
<b>Total figure</b>	<b>752.71</b>	<b>1,693.71</b>

**ORDINARY COUNCIL MEETING  
26 AUGUST 2019**

<i>Sport/ code</i>	<i>Apex Oval Main Field</i>	<i>Apex Oval Outer Fields</i>
Dubbo and District Junior Rugby League Grand Final – Saturday 14 September 2019	Line marking \$692.71 Bin collection \$90	<ul style="list-style-type: none"> <li>• Line marking \$692.71</li> <li>• Bin collection \$90</li> <li>• Additional clean of the JRL amenities at 11:00am and 2:00pm \$160</li> <li>• Can access change rooms in main grand stand and those in JRL building at no cost</li> <li>• Can access JRL canteen or the main field canteen at no cost</li> <li>• Provision of skip bins for bulk rubbish from canteen \$150</li> <li>• Removal of fence panels between field 1 and field 2 can be arranged to allow better access to change rooms and/or canteen approx. \$160</li> <li>• Pending availability of portable grandstand (from Showground) could provide for spectators approx. \$360 per grandstand</li> <li>• Erection of a spectator fence around field 2 approx. \$200</li> <li>• Access to 200 lux sports lighting \$55</li> </ul>
<b>Total figure</b>	<b>782.71</b>	<b>1867.71</b>

It is proposed that Council absorb \$1,693.71 and \$1,867.71 because of the late season inconvenience that Rugby Union and Rugby League have incurred.

Additionally, the annual fee for the respective clubs is (after a thirty percent subsidy applied by Council):

<i>Sporting Organisation</i>	<i>2019/2020 fees (to be invoiced in May 2020)</i>
Dubbo Junior Rugby Union Club	\$2,858.76
*Dubbo and District Junior Rugby League Association	\$4,841.79

\*Central West Junior Rugby Union Association is the overarching body however Dubbo Junior Rugby League are hosting the semi-finals.

**ORDINARY COUNCIL MEETING  
26 AUGUST 2019**

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It is also proposed that \$715 (equivalent to twenty-five percent of the set figure for the 2019/20 financial year, which hasn't yet been invoiced) is waived, in a goodwill gesture for the Dubbo Junior Rugby Union Club; and that \$1,210 (equivalent to twenty-five percent of the set figure for the 2019/20 financial year, which hasn't yet been invoiced) is waived, in a good will gesture for Dubbo and District Junior Rugby League Association.

Therefore, financial implications total:

<i>Item</i>	<i>Figure</i>
Ground assessment	2,000
Change of ground costs	1693.71
	1867.71
Annual fee discount (equivalent to 25%)	715
	1,210
<b>Total Council costs</b>	<b>7,486.42</b>

**POLICY IMPLICATIONS**

Scheduling games coupled with maintenance and upkeep at Apex Oval is congruent with *Dubbo Regional Council Community Strategic Plan 2040*, Liveability theme, 5.5 "The community has the opportunity to participate in a diverse range of lifestyle, sporting and passive recreational pursuits"; 5.5.4, "Our sporting facilities are recognised as catering for a wide range of local, regional and state sporting events and opportunit[ies]".

**RECOMMENDATION**

1. That the report related to Apex Oval game fixtures and ground condition from the Director Liveability dated 23 August 2019 be noted.
2. That Council do not proceed with the Dubbo and District Junior Rugby League grand final at Apex Oval, 14 September 2019
3. That Council endorse the Dubbo District Junior Rugby League grand final relocation to the Apex Oval outer fields.
4. That Council endorse the financial impost of \$7,486.42 comprising 2019/20 annual fee discount good will gestures for clubs and game day expenses.

*Skye Price*  
Director Liveability

**ORDINARY COUNCIL MEETING  
26 AUGUST 2019**

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**BACKGROUND**

During July 2019 Director Liveability was advised that an A League game would be hosted by Dubbo Regional Council, at Apex Oval, 21 September 2019. Subsequently, the Director requested an Apex Oval ground condition report and advice in regard to fixtures leading up to the 21 September 2019 event. In consultation with the Chief Executive Officer, it was deemed suitable to alter minimum fixtures (three dates, Saturday 24 August, Saturday 7 September and Saturday 14 September) during the weeks immediately preceding the A League event, to ensure recovery and premium condition of the Apex Oval playing surface.

Fixtures at Apex Oval from mid-August until 21 September:

The occasions denoted with an asterisk (\*) have been altered, to ensure the Apex playing surface is rested.

	<b>Football code</b>	<b>Date</b>	<b>Comments</b>
*	Central West Junior Rugby semi-finals	Saturday 24 August	This fixture was relocated from Apex Oval to Victoria Park No. 1 Oval
	National Rugby Competition – Country Eagles V Sydney and the Central West Junior Rugby Finals	Saturday 31 August	This fixture is a national event and is being covered by Foxsport. The Central West Junior Rugby Union Finals are the curtain raiser for the event.
*	Central West Junior Rugby Union Grand Final	Saturday 7 September	This fixture was relocated to Victoria Park No. 1 Oval however Central West Junior Rugby union have decided to move the grand-final to Orange. One reason being because Apex Oval is unavailable but mostly because Dubbo is hosting the major/minor semis and finals already.
	Group XI Grand Final	Sunday 8 September	This fixture was to remain at Apex Oval.
*	Dubbo and District Junior Rugby League Grand Final	Saturday 14 September	This fixture is to be relocated to Apex Oval outer fields. Victoria Park No. 1 Oval is unavailable due to a representative cricket event.



**ORDINARY COUNCIL MEETING  
26 AUGUST 2019**

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There are a number of contributing factors related to the current poor condition of the Apex Oval playing surface. The base surface is a couch grass, over sown with rye grass. It is difficult to ensure grass recovery during winter months because couch is a warm season grass. However, staff have also been covering large section of the oval with heat mats, to lift soil temperatures. Prevailing dry weather conditions are also having an impact on the playing surface.

Subsequently, 31 July 2019, correspondence was sent to Central West Junior Rugby Union, advising that Victoria Park Oval 1 could be utilised Saturday 24 August and Saturday 7 September 2019. Central West Junior Rugby Union have been very amicable and have agreed to relocate impacted games to alternative venues.

Additionally, 31 July 2019, Dubbo and District Junior Rugby League was sent correspondence, advising that Apex Oval outer fields could be utilised Saturday 14 September 2019. Dubbo and District Junior Rugby League have vehemently opposed the advice and any changes.

It was also deemed suitable to seek feedback from an independent third party curation specialist, Mr Bruce Macphee, from Australian Golf Course Superintendents' Association Limited.

Mr Macphee provided written correspondence during mid-August (see Attachment 1), following a desktop analysis of Apex Oval photos sent to him, via e-mail. He advised that:

It is of utmost important when hosting these events that the playing surface is prepared to standard and safety level that is acceptable to the football code being hosted at the venue.

The photographs indicated that several areas of very thin turf coverage and several large bare areas which would be typical of a surface at this late stage in the season. The current condition of the surface would be considered unacceptable for an A League standard match and every effort must be made to regain full turf coverage prior to the match. Whilst there is a program currently in place to bring the surface up to standard, reducing the level of usage is also a key component of allowing the surface to recover in time for the match...

The additional finals scheduled for the venue in the coming weeks will continue to place further pressure on these worn areas, delaying recovery and limiting the potential to gain full turf coverage prior to the match.

Often we only get one shot at hosting such major [A League] events in regional areas; and showing a safe, first class surface can be presented is a big part of future considerations.

**ORDINARY COUNCIL MEETING  
26 AUGUST 2019**

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Following receipt of Mr Macphee's correspondence, it was considered critical to request a personal assessment of the site. As such, he is scheduled to commute from Sydney and assess the site, Friday 23 August 2019.

**REPORT**

Council staff have made every effort to accommodate local games, ensure a quality Apex Oval playing surface and to anticipate the requirements of the ground for the upcoming A League match, 21 September 2019.

Extenuating circumstances pertaining to extreme use as well as dry weather conditions, have significantly impacted the playing surface. Professional recommendations have been to rest the playing surface. Benchmark recommendations before premium/ elite sports events for preparing surfaces relates to at least two weeks rest and preferably four weeks rest.

Staff will also develop a risk management matrix when undertaking ground use planning and game fixture recommendations for the 2020 calendar year. This will provide for local games, as well as special events, in the ground usage booking schedule.

**SUMMARY**

It is critical for the Apex Oval playing surface to be rested, Saturday 14 September 2019, the week immediately preceding A League, 21 September 2019.





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Mr W Giddings  
Sporting Asset Coordinator  
Dubbo Regional Council  
Corner Church & Darling streets  
Dubbo NSW 2830

APEX PARK DUBBO

Dear Wes,

A desktop review of the surface at Apex Park Dubbo was undertaken from photographs supplied of the surface and Near map images, in preparation for the A-league trial game scheduled for the 21<sup>st</sup> of September 2019.

AGCSATech are involved in the assessment of many major Stadiums being the ongoing agronomic consultants for the AFL since 2004. Typically, AGCSATech are involved in many major venue inspections outside of their normal ground safety audits for the AFL to provide advice to stadiums and turf managers in preparation for hosting large events.

Events Such as AFL games in regional locations require significant planning and often can cause disruption to local sporting events hosted at the venue in order to allow adequate time for surface preparation. Despite the disruption these large events can cause, they often bring in significant revenue for the local community and sporting clubs involved in hosting the event.

It is of utmost importance when hosting these events that the playing surface is prepared to a standard and safety level that is acceptable to the football code being hosted at the venue.

The photographs indicated several areas of very thin turf coverage and several large bare areas which would be typical of a surface at this late stage in the season.

The current condition of the surface would be considered unacceptable for an A-league standard match and every effort must be made to regain full turf coverage prior to the match.

Whilst there is a program currently in place to bring the surface up to standard, reducing the level of usage is also a key component of allowing the surface to recover in time for the match. The surface has recently been oversown with perennial rye grass and heat mats are being utilised to encourage rapid seed germination in high traffic areas prone to poor turf coverage.

The additional finals scheduled for the venue in the coming weeks will continue to place further pressure on these worn areas, delaying recovery and limiting the potential to gain full turf coverage prior to the match. Standard practice for venues hosting AFL matches is to allow a minimum of two weeks for the surface to recover in preparation for hosting the game.

The surface has been verti-drained in past weeks to relieve compaction and additional treatments will be undertaken in the coming weeks.

There are several finals of local league and Union scheduled prior to the A-league game as follows.

August 24<sup>th</sup> – 25<sup>th</sup> 4 rugby league games

August 31<sup>st</sup> Sept 1<sup>st</sup> 4 rugby union games

September 8<sup>th</sup> 4 rugby league games.

This would allow two weeks for the surface to recover prior to the A-league game. There is a proposal to host additional Junior League and Union finals on the 7<sup>th</sup> and 14<sup>th</sup> of September. An additional 8 games. Whilst Junior players tend to inflict less damage on the surface, the additional games so close to the Major event will also interfere with any preparation and recovery of the surface. It is recommended to cease use of the venue after the current scheduled games on the 8<sup>th</sup> September with no additional training of use of the surface in order to assist with recovery and allow seed to establish prior to the match.

#### **Turf management issues to be addressed**

The following tasks are recommended to assist in bringing the surface up to standard prior to the match.

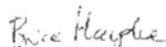
- Additional Verti-draining of the surface to assist in compaction relief and infiltration of irrigation.
- Strong consideration should be given to re-turfing large bare areas with thick cut ready play turf which could be oversown with ryegrass prior to installation to assist in aesthetic presentation.
- Additional oversowing of the entire surface with a suitable perennial rye grass at 250-300 kg per ha to produce a uniform turf coverage.
- Additional oversowing of high traffic and thin areas in the week prior to the last match.
- Additional fertiliser to encourage turf growth. Apply N:P:K, 22:5:8 or similar at a rate of 200 kg per ha and follow up 10 days later with an additional application to encourage strong turf growth.
- Continued use of growth mats to encourage seed germination and seedling growth in areas of thin turf coverage.

#### **CONCLUSION**

The surface at Apex Park will require every opportunity to recover and additional seed to establish so to provide an acceptable turf coverage for the A-League trial match. It is important to present a high-quality surface if further events are to be considered for the venue. Often we only get one shot at hosting such major events in regional areas and showing a safe, first class surface can be presented is a big part of future considerations.

If you have any queries please do not hesitate to contact me.

Yours sincerely



Bruce Macphee  
AGCSATech

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26th August 2019

Mr W Giddings  
Sporting Asset Coordinator  
Dubbo Regional Council  
Corner Church & Darling streets  
Dubbo NSW 2830

Dear Wes,

**INSPECTION OF APEX PARK DUBBO 23<sup>RD</sup> AUGUST 2019.**

Venue	Apex Park, Dubbo		Visit 1	Visit 2	Visit 3
Date			23/8/19		
Turf Coverage					
Surface Levels					
Surface Hardness					
Traction and Stability					
Irrigation			N/A		
Wicket Table			N/A		
Last Event Prior To Match					
	Ideal	Acceptable /Monitor	Needs Attention	Unacceptable /Urgent	

As requested, an inspection of the playing surface at Apex Park, Dubbo was undertaken to assess the surface condition in preparation for local rugby finals and an A-League trial match which has been scheduled for the 21<sup>st</sup> of September 2019. The surface was assessed using the same criteria used for AFL and other major sporting code events which AGCSATech regularly conduct throughout Australia and internationally. The surface was inspected and assessed for turfgrass coverage, levelness of surface, surface hardness, surface traction and stability, and general condition in regards to safety when hosting major events.

AGCSATech are involved in the assessment of many major stadiums, being the ongoing agronomic consultants for the AFL since 2004. Typically, AGCSATech are involved in many major venue inspections outside of their normal ground safety audits for the AFL to provide advice to councils, stadiums and turf managers in preparation for hosting major events.

Events Such as AFL games in regional locations require significant planning and often can cause disruption to local sporting events usually hosted at the venue, in order to allow adequate time for surface preparation. Despite the disruption these large events can cause, they often bring in significant revenue for the local community and sporting clubs involved in hosting the event.

It is of utmost importance when hosting these events that the playing surface is prepared to a standard and safety level that is acceptable to the football code being hosted at the venue.

Based on the time available prior to the event, there is an extensive program required to try to bring the surface up to standard before the match.



**TURFGRASS COVERAGE**

The surface of Apex Park has a very good coverage of couch grass which has been oversown with perennial rye grass throughout much of the surface. The surface is showing signs of wear throughout the high traffic areas through the centre of the field from past football matches, which is to be expected at this late stage in the season.

There is a large bare area on the half way line which has been re-seeded and is showing signs of seed germination however, this section will require urgent turf replacement to ensure a safe surface is provided for all user groups. There are many scuff marks throughout the centre and eastern side of the ground which have created an uneven surface and require additional attention.

The current condition of the surface would not be considered acceptable for an A-league standard match and every effort must be made to regain a smooth surface with a full turf coverage prior to the match.

It is promising to see there has been a program already implemented to bring the surface up to standard.

In the past month the surface has oversown with perennial rye grass and heat mats are being utilised to encourage rapid seed germination in high traffic areas with poor turf coverage, this is assisting in filling in these bare areas and scuff marks however, there is still some way to go to achieve full turf coverage and bring the surface up to A-League standard.

Within preparations for hosting a major event, a reduction in the level of usage is also a key component, this allows time for the surface to recover and also provides opportunity for necessary surface preparation works to be undertaken in time for the match.

The additional finals scheduled for the venue in the coming weeks will continue to place further pressure on the worn areas within the surface, delaying recovery and limiting the potential to gain full turf coverage prior to the A-League trial match.

The proposed level of usage in the coming weeks exceeds what would be considered good practice prior to hosting a major event. Any additional usage would delay the opportunity to undertake urgent works and place the surface at jeopardy of being unacceptable. Standard practice for venues hosting AFL matches is to allow a minimum of two weeks for the surface to recover in preparation for hosting the game. This is usually allowed as part of a preparation program which may be in place for up to six months prior to the event.

The surface needs to be managed to encourage maximum turf growth potential prior to the match. This will include weekly fertilising with NPK fertilisers to promote growth and recovery of the rye grass in the lead up to the match. The surface should be fertilised every Monday or Tuesday for the next month, initially starting at 150 kg per ha for the first week and 100kg per ha for the following weeks ( see further detail in the Turf Management Issues to be Addressed).

**SURFACE LEVELS**

Various codes of football have different requirements in regard to surface qualities, based on the nature of how the game is played. A-League football relies on the provision of a turf surface, allowing for smooth, true ball roll and a surface free of holes, ruts or bumps, as the ball is often in contact with the turf. The surface at Apex park is suitable for Rugby league and Union games, where ball roll on the surface is not relied upon. There are significant works required to bring the surface up to standard for A-League. There area range of works required including additional verti-draining, rolling and topdressing to assist in providing a smooth surface. These tasks will all take time and require the surface to be rested after top dressing to allow the turf to grow through the sand.

The introduction of a cylinder mower for the two weeks prior to the match will also assist greatly in presenting a uniform high quality surface for the event.

**SURFACE HARDNESS**

The surface hardness was tested and within acceptable limits as detailed in the following table;

Performance Indicator	Unacceptably low	Low normal	Preferred range	High normal	Unacceptably high
Surface Hardness (gravities)	<30	31 - 54	55 - 75	76 - 120	>120

*Reference: AFL Grounds, Turf Managers Seminar, August 2014*

The results on this occasion had the field just within the low normal range for the first drop with an average of 53.1. Overall the surface hardness is very consistent with the standard deviation being low at 5.9. Although the surface hardness reading is in the low normal range, the works proposed including an additional verti-drain prior to rolling should see the surface hardness increase to within the preferred range. The hardness for A-League football is slightly above the preferred range for AFL so there would be no issue with increasing the firmness of the surface with rolling.

#### **SURFACE TRACTION AND STABILITY**

The average for surface traction was in the preferred range, as detailed in the following table;

<b>Performance Indicator</b>	<b>Unacceptably low</b>	<b>Low normal</b>	<b>Preferred range</b>	<b>High normal</b>	<b>Unacceptably High</b>
Surface Traction (Nm)	<20	21 - 39	<b>40 - 55</b>	55 - 74	>75

*Reference: Chivers and Aldous (2005)*

The traction was assessed in ten locations throughout the surface with the traction device, returning an average reading within the low normal range at 30.2 Nm. The traction was assessed in areas with good turf coverage and poor coverage, including the half way line which returned results below 10 Nm and is considered unacceptable, requiring attention as soon as practicable in the form of reurfing. Other areas within the surface with thin or poor turf coverage also returned low traction results. This is partly due to the recent verti-draining of the surface. Additional verti-draining, rolling and increased turf growth should see the surface traction increase to acceptable levels. See Table 2 and Figure 2 for results.

#### **IRRIGATION**

The ground is irrigated with an automated irrigation system which appears to provide good uniformity. There appears to be no issues with the irrigation system.

#### **TURF MANAGEMENT ISSUES TO BE ADDRESSED**

##### **Week commencing 26<sup>th</sup> August.**

- The areas of thin turf coverage within the centre should be oversown with rye grass to assist in providing additional turf coverage.
- The entire surface should be fertilised with an N:P:K fertiliser 22:5:8 or 20:0:16 at a rate of 150 Kg per ha and watered in afterwards.
- These processes could be repeated in the second week also to provide successive generations of seed germinating within the profile. The fertiliser rate could be reduced to 100 kg per ha in the second and ongoing weekly applications.
- The section of bare soil on the half way line (See photograph 2) should be replaced with thick cut ready play instant turf, ensuring the turf matches in with surrounding levels to provide a smooth finish with no exposed edges.
- The new turf area should be over seeded with perennial rye grass as soon as possible to allow the new turf to blend in to surrounding turf.

##### **Week commencing 2<sup>nd</sup> of September.**

- The surface should be verti-drained at close spacing with a minimum of 5% kick on the machine to heave the soil.
- The surface should then be rolled with a three tonne roller or similar to assist in smoothing out the small ruts within the surface.
- This may only be required in the high traffic area where the surface is uneven.
- The surface should be over sown and fertilised as above.
- After the televised match the entire surface should be topdressed with sand to assist in providing a smooth surface. The sand should be applied approximately 3-5mm thick and rubbed in over the surface to a smooth finish. When the sand has been rubbed in, no turf should be smothered by sand.



- Consideration should be given to mowing the surface with a cylinder mower for the 14 days prior to the A-League match to provide a high-quality cut.

**Week commencing 9<sup>th</sup> of September.**

- Additional light top dressing may be required in isolated areas after the matches on the previous week end,
- Water and fertiliser should be kept at optimum levels to encourage maximum growth and seed germination.
- The ground should be left to recover and new seed establish, allowing time for any further preparations required for the A-League event.

**CONCLUSION**

The surface at Apex Park is in very good condition however it is showing signs of wear from heavy use this season. It is a credit to the staff's efforts that the surface has been oversown and seed has already germinated in preparation for the upcoming event. Hosting major events such as A-league games, requires adequate time and planning to ensure a successful outcome. Often overlooked and arguably the most important factor is allowing adequate time for the preparation of the sporting surface to a standard which elite sports people are accustomed. This will bring out the best in the players as well as providing an exciting successful event for spectators and the community as a whole.

In the case of Apex Park there are currently risks associated with producing a first-class surface within the limited time frame available.


Additional games in the week before the match would not only inhibit preparations for the event but place at risk hosting of future similar events if the surface is not seen to be up to standard. It is recommended that the last events held at the venue be on the 8<sup>th</sup> of September and alternate venues be sought for any additional games proposed for the venue. This will allow some recovery time for the surface prior to the A-League trial game.

Major sporting events such as AFL or A-League should ideally have a 9 to 12-month planning process to allow adequate planning to accommodate surface preparations including arrangement of alternate venues for local sporting clubs who may be relocated for short periods in the lead up to an event. Typically, there is great benefit not only to the local sporting clubs but also to the wider community as a whole, when hosting these large sporting events in regional locations.

With continued good management and following the preparation program the venue should provide an ideal surface for the A-League trial match on Saturday the 21st of September.

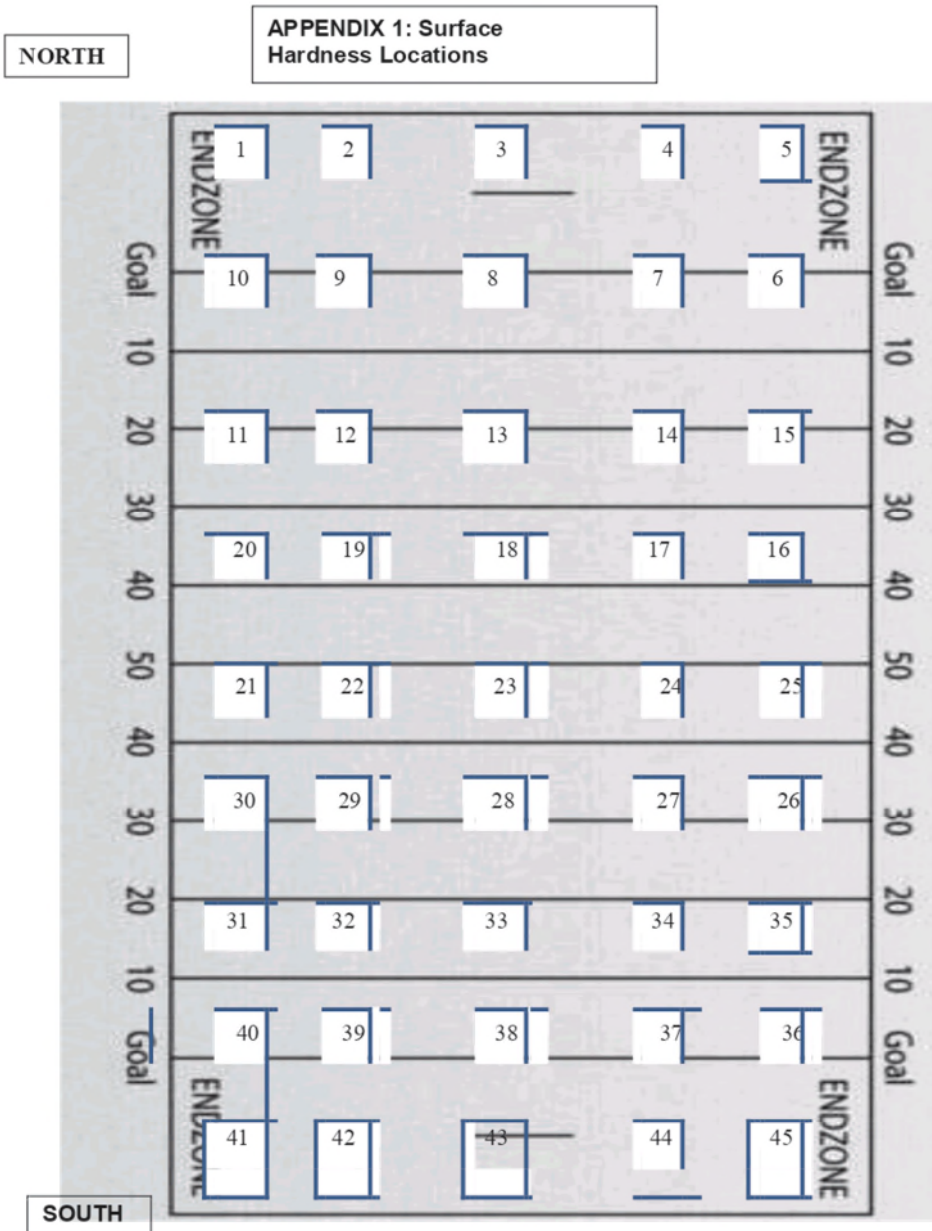
If you have any queries please do not hesitate to contact me.

Yours sincerely

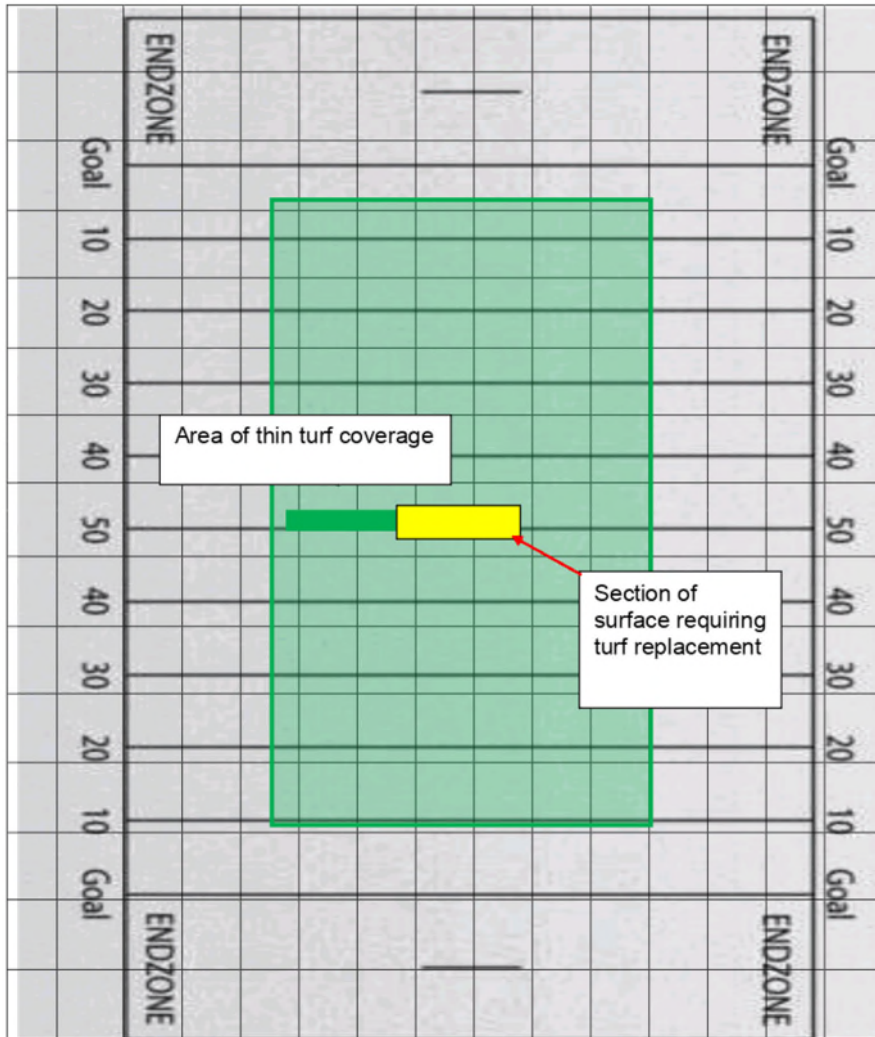


**Bruce Macphee  
AGCSATech**

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APPENDIX 2: SPORTSFIELD AUDIT LOCALITY PLAN



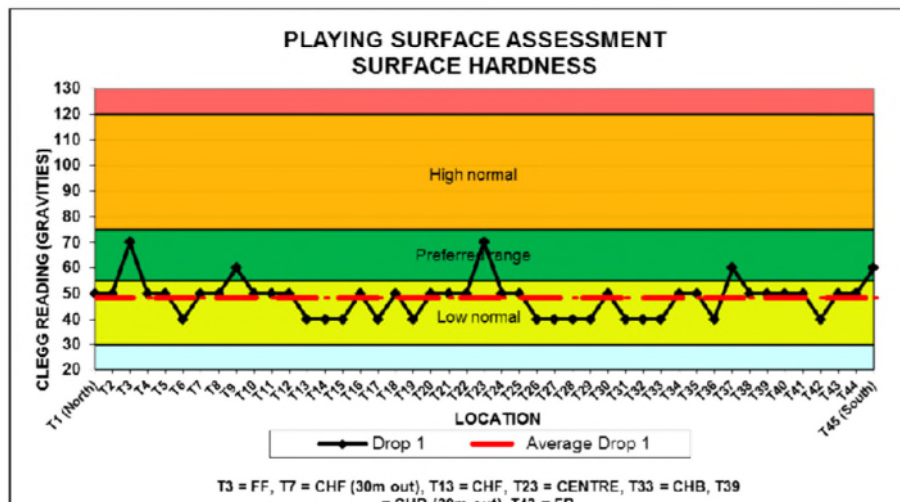
C:\Users\Bruce\Desktop\AFL July 2019\Apex Park Dubbo 23-8-19.doc



Table 1: Surface hardness - Outfield

Location	1 <sup>st</sup> Drop	Location	1 <sup>st</sup> Drop
T1 (North)	50	T26	60
T2	50	T27	60
T3	50	T28	50
T4	60	T29	60
T5	50	T30	60
T6	50	T31	50
T7	60	T32	50
T8	50	T33	50
T9	60	T34	50
T10	60	T35	50
T11	50	T36	60
T12	50	T37	60
T13	50	T38	60
T14	50	T39	60
T15	60	T40	50
T16	50	T41	50
T17	50	T42	60
T18	50	T43	50
T19	50	T44	40
T20	50	T45 (South)	40
T21	50	<b>Average</b>	<b>53.1</b>
T22	60	<b>Minimum</b>	<b>40</b>
T23 (Centre circle)	40	<b>Maximum</b>	<b>60</b>
T24	60	<b>St Deviation</b>	<b>5.9</b>
T25	60	<b>Std. Deviation</b>	<b>7.4</b>

Figure 1: Chart of the surface hardness.

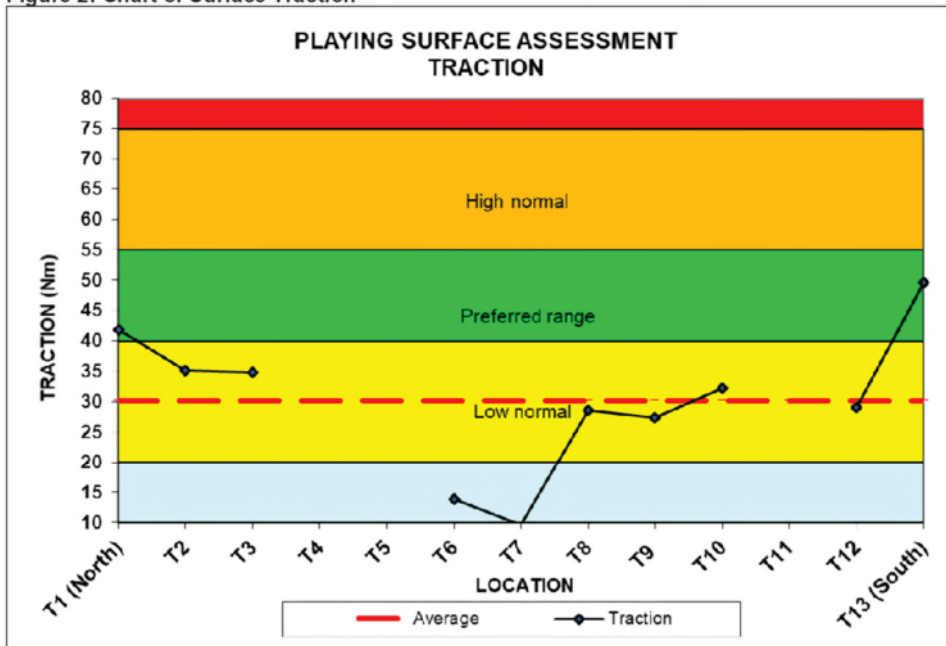


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Table 2: Figures For Traction

	Traction
T1 (North)	41.8
T2	35.2
T3	34.8
T4	
T5	
T6	13.9
T7	9.6
T8	28.6
T9	27.4
T10	32.2
T11	
T12	29
T13 (South)	49.6
Average	30.2
Minimum	9.6
Maximum	49.6
Standard Deviation	11.2

Figure 2: Chart of Surface Traction



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APPENDIX 2: Photographs



Photograph 1: The overall appearance of the surface from the southern goals towards the centre of the ground, showing very good turf coverage.



Photograph 2: Looking south from the northern goal square,

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Photograph 3: Looking at the turf coverage through the centre corridor showing patchy turf coverage and scuffing of the surface,



Photograph 4: Showing new rye grass seedling germinating within scuff marks in the surface. Every effort should be made to promote this growth to establish and fill in prior to the match.

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Photograph 5: Showing section of turf requiring replacement on the half way line.



Photograph 6: Showing thin turf coverage and uneven surface in the northern half of the ground. This area will benefit from additional fertiliser to encourage new rye grass growth, verti-draining, rolling and top dressing.

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**Photograph 7: Showing scuffing and excessive wear which also requires fertilising, rolling, over seeding and top dressing to encourage recovery.**



**Photograph 8: Showing very good turf coverage on the western edge of the pitch which receives less traffic.**

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DUBBO REGIONAL  
COUNCIL

## **Report of the Planning Development and Environment Committee - meeting 12 August 2019**

**AUTHOR: Administration Officer - Governance**  
**REPORT DATE: 12 August 2019**

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The Committee had before it the report of the Planning, Development and Environment Committee meeting held 12 August 2019.

### **RECOMMENDATION**

**That the report of the Planning, Development and Environment Committee meeting held on 12 August 2019, be noted.**



**REPORT  
PLANNING, DEVELOPMENT AND  
ENVIRONMENT COMMITTEE  
12 AUGUST 2019**

**PRESENT:** Councillors V Etheridge, D Grant, D Gumley, A Jones, S Lawrence, G Mohr, K Parker, J Ryan and B Shields.

**ALSO IN ATTENDANCE:**

The Chief Executive Officer, the Executive Manager Governance and Internal Control, the Internal Ombudsman, the Community Support Officer, the Manager Governance Operations, the Communications Coordinator, the Director Organisational Performance, the Director Culture and Economy, the Manager Economic Development and Marketing, the Destination Marketing Officer, the Manager Regional Experiences, the Director Infrastructure, the Manager Water Supply and Sewerage, the Director Development and Environment, the Manager Growth Planning, the Manager Building and Development Services, the Senior Planner and the Director Liveability.

Councillor S Lawrence assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 5.31pm.

**PDEC19/20 REPORT OF THE PLANNING DEVELOPMENT AND ENVIRONMENT COMMITTEE  
- MEETING 11 JUNE 2019 (ID19/882)**

The Committee had before it the report of the Planning, Development and Environment Committee meeting held 11 June 2019.

Moved by Councillor V Etheridge and seconded by Councillor D Gumley

**MOTION**

**That the report of the Planning, Development and Environment Committee meeting held on 11 June 2019, be noted.**

**CARRIED**



**PDEC19/21 BUILDING SUMMARY - JUNE 2019 (ID19/824)**

The Committee had before it the report dated 26 June 2019 from the Director Development and Environment regarding Building Summary - June 2019.

Moved by Councillor K Parker and seconded by Councillor V Etheridge

**MOTION**

**That the report from the Director Development and Environment dated 30 June 2019 be noted.**

**CARRIED**

**PDEC19/22 BUILDING SUMMARY - JULY 2019 (ID19/1015)**

The Committee had before it the report dated 31 July 2019 from the Director Development and Environment regarding Building Summary - July 2019.

Moved by Councillor J Ryan and seconded by Councillor D Gumley

**MOTION**

**That the report from the Director Development and Environment dated 31 July 2019 be noted.**

**CARRIED**

**PDEC19/23 WELLINGTON RENEWABLE ENERGY DEVELOPMENTS - PROPOSED PLANNING POLICY FOR SOLAR ENERGY FARMS (ID19/963)**

The Committee had before it the report dated 30 July 2019 from the Manager Growth Planning regarding Wellington Renewable Energy Developments - Proposed Planning Policy for Solar Energy Farms.

Moved by Councillor A Jones and seconded by Councillor V Etheridge

**MOTION**

1. That the report from the Manager Growth Planning dated 29 July 2019 be noted.
2. That Council adopt the draft Policy as attached as Appendix 1 of this report.
3. That an advertisement be placed in local print media advising of Council's adoption of the Planning Agreement Policy for Solar Energy Farms.
4. That the Planning Agreement Policy for Solar Energy Farms commence operation from the date it is advertised in the local print media.
5. That those who made submissions be acknowledge and advised of Council's determination in this matter.

Moved by Councillor G Mohr and seconded by Councillor B Shields

**AMENDMENT**

1. That the report from the Manager Growth Planning dated 29 July 2019 be noted.
2. That Council adopt the draft Policy as attached as Appendix 1 of this report with the exception of point (f) regarding the establishment of a community consultation group that shall be deferred and considered by Council in October 2019.
3. That an advertisement be placed in local print media advising of Council's adoption of the Planning Agreement Policy for Solar Energy Farms.
4. That the Planning Agreement Policy for Solar Energy Farms commence operation from the date it is advertised in the local print media.
5. That those who made submissions be acknowledge and advised of Council's determination in this matter.

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**

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

<b>FOR</b>	<b>AGAINST</b>
Councillor Etheridge	
Councillor Grant	
Councillor Gumley	
Councillor Jones	
Councillor Lawrence	
Councillor Mohr	
Councillor Parker	
Councillor Ryan	
Councillor Shields	
<b>Total (9)</b>	<b>Total (0)</b>

**PDEC19/24 PLANNING PROPOSAL R17-4 ADDITIONAL PERMITTED USE (MANUFACTURED HOME), WARRIE ROAD, DUBBO - RESULTS OF PUBLIC EXHIBITION  
APPLICANT: PREMISE NSW PTY LTD (FORMERLY GEOLYSE PTY LTD)  
OWNER: A J JOYCE-BRANDON AND R M BRANDON (ID18/1876)**

The Committee had before it the report dated 26 July 2019 from the Senior Growth Planner regarding Planning Proposal R17-4 Additional Permitted Use (Manufactured Home), Warrie Road, Dubbo - Results of Public Exhibition

Applicant: Premise NSW Pty Ltd (formerly Geolyse Pty Ltd)

Owner: A J Joyce-Brandon and R M Brandon.

Moved by Councillor K Parker and seconded by Councillor V Etheridge

**MOTION**

- 1. That the subject Planning Proposal to undertake amendments to the Dubbo Local Environmental Plan 2011, be endorsed in respect of Lots 147 and 148 DP 754331, Warrie Road Dubbo.**
- 2. That Council request the Department of Planning, Industry and Environment to prepare the draft amendment to the Dubbo Local Environmental Plan 2011 and provide Council with an Opinion that the Plan can be made.**
- 3. That Council request Parliamentary Counsel to prepare the draft amendment to the Dubbo Local Environmental Plan 2011 under Section 3.36(1) of the Environmental Planning and Assessment Act, 1979.**
- 4. That the people who made a submission be advised of Council's determination in this matter.**

**CARRIED**

*Councillor J Ryan declared a non-pecuniary, less than significant interest in the matter now before the Committee and remained in the room during the Committee's consideration of this matter. The reason for such interest is that a submission on this item was made by a former running mate of Councillor J Ryan in the last election and that such interest would not impair his decision making on the matter.*

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

<b>FOR</b>	<b>AGAINST</b>
Councillor Etheridge	
Councillor Grant	
Councillor Gumley	
Councillor Jones	
Councillor Lawrence	
Councillor Mohr	
Councillor Parker	
Councillor Ryan	
Councillor Shields	
<b>Total (9)</b>	<b>Total (0)</b>

**PDEC19/25 DEVELOPMENT APPLICATION D2019-71 (2) - CAR WASH (LIGHT INDUSTRY)  
PROPERTY: LOT 4 DP 519008, 94 VICTORIA STREET, DUBBO  
APPLICANT: J & M COOK ENGINEERING SERVICES  
OWNER: COLE FOR CRANES PTY LTD (ID19/1064)**

The Committee had before it the report dated 26 July 2019 from the Senior Planner regarding Development Application D2019-71 (2) - Car Wash (Light Industry). The Committee reports having met with Mr J Cook and Mr D Gleeson regarding this matter.

Moved by Councillor V Etheridge and seconded by Councillor D Gumley

**MOTION**

1. That Council agree to reduce the combined Water and Sewerage Supply Headworks contribution for D19-71 from \$325,255.85 to \$90,336.60 (based on the adopted 2018/2019 financial year figures).
2. That modified Development Application D19-71 (Part 2) for a car wash (light industry) at Lot 4 DP 519008, 94 Victoria Street, Dubbo be granted approval subject to the conditions of consent provided attached in Appendix 1, noting the amendments to Conditions 38 and 39.

Moved by Councillor B Shields and seconded by Councillor G Mohr

**AMENDMENT**

**That the matter be deferred to the August Ordinary Council meeting.**

**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**

*Councillor J Ryan declared a non-pecuniary, less than significant interest in the matter now before the Committee and remained in the room during the Committee's consideration of this matter. The reason for such interest is that Councillor J Ryan is a friend of the consultant for the applicant and that such interest would not impair his decision making on the matter.*

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

<b>FOR</b>	<b>AGAINST</b>
Councillor Etheridge	
Councillor Grant	
Councillor Gumley	
Councillor Jones	
Councillor Lawrence	
Councillor Mohr	
Councillor Parker	
Councillor Ryan	
Councillor Shields	
<b>Total (9)</b>	<b>Total (0)</b>

**PDEC19/26 LEAVE OF ABSENCE**

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

Moved by Councillor V Etheridge and seconded by Councillor A Jones

**MOTION**

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

**CARRIED**

The meeting closed at 6.01pm.

.....  
CHAIRMAN



**DUBBO REGIONAL  
COUNCIL**

## **Report of the Infrastructure Community and Recreation Committee - meeting 12 August 2019**

**AUTHOR: Administration Officer - Governance**  
**REPORT DATE: 12 August 2019**

---

The Committee had before it the report of the Infrastructure, Community and Recreation Committee meeting held 12 August 2019.

### **RECOMMENDATION**

**That the report of the Infrastructure, Community and Recreation Committee meeting held on 12 August 2019, be noted.**



**REPORT  
INFRASTRUCTURE, COMMUNITY AND  
RECREATION COMMITTEE  
12 AUGUST 2019**

**PRESENT:** Councillors V Etheridge, D Grant, D Gumley, A Jones, S Lawrence, G Mohr, K Parker, J Ryan and B Shields.

**ALSO IN ATTENDANCE:**

The Chief Executive Officer, the Executive Manager Governance and Internal Control, the Internal Ombudsman, the Community Support Officer, the Manager Governance Operations, the Communications Coordinator, the Director Organisational Performance, the Director Culture and Economy, the Manager Economic Development and Marketing, the Destination Marketing Officer, the Manager Regional Experiences, the Director Infrastructure, the Manager Water Supply and Sewerage, the Director Development and Environment, the Manager Growth Planning, the Manager Building and Development Services, the Senior Planner and the Director Liveability.

Councillor S Lawrence assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 6.01pm.

**ICRC19/42 REPORT OF THE INFRASTRUCTURE COMMUNITY AND RECREATION  
COMMITTEE - MEETING 8 JULY 2019 (ID19/1072)**

The Committee had before it the report of the Infrastructure, Community and Recreation Committee meeting held 8 July 2019.

Moved by Councillor K Parker and seconded by Councillor G Mohr

**MOTION**

**That the report of the Infrastructure, Community and Recreation Committee meeting held on 8 July 2019, be noted.**

**CARRIED**

**ICRC19/43 REVIEW OF THE DUBBO REGIONAL COUNCIL SIGNIFICANT TREE REGISTER 2019 (ID19/1017)**

The Committee had before it the report dated 22 July 2019 from the Horticulture and Landcare Asset Coordinator regarding Review of the Dubbo Regional Council Significant Tree Register 2019.

Moved by Councillor V Etheridge and seconded by Councillor J Ryan

**MOTION**

- 1. That the report from the Horticulture and Landcare Coordinator dated 22 July 2019 be noted.**
- 2. That the reviewed Tree Preservation Order and the Significant Tree Register for 2019 dated 23 July 2019 be adopted.**

**CARRIED**

**ICRC19/44 LEAVE OF ABSENCE**

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

Moved by Councillor A Jones and seconded by Councillor V Etheridge

**MOTION**

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

**CARRIED**

The meeting closed at 6.03pm.

.....  
CHAIRMAN





DUBBO REGIONAL  
COUNCIL

## **Report of the Economic Development Business and Corporate Committee - meeting 12 August 2019**

**AUTHOR: Administration Officer - Governance**  
**REPORT DATE: 12 August 2019**

---

The Committee had before it the report of the Economic Development, Business and Corporate Committee meeting held 12 August 2019.

### **RECOMMENDATION**

**That the report of the Economic Development, Business and Corporate Committee meeting held on 12 August 2019, be noted.**



**REPORT  
ECONOMIC DEVELOPMENT, BUSINESS AND  
CORPORATE COMMITTEE  
12 AUGUST 2019**

---

**PRESENT:** Councillors V Etheridge, D Grant, D Gumley, A Jones, S Lawrence, G Mohr, K Parker, J Ryan and B Shields.

**ALSO IN ATTENDANCE:**

The Chief Executive Officer, the Executive Manager Governance and Internal Control, the Internal Ombudsman, the Community Support Officer, the Manager Governance Operations, the Communications Coordinator, the Director Organisational Performance, the Director Culture and Economy, the Manager Economic Development and Marketing, the Destination Marketing Officer, the Manager Regional Experiences, the Director Infrastructure, the Manager Water Supply and Sewerage, the Director Development and Environment, the Manager Growth Planning, the Manager Building and Development Services, the Senior Planner and the Director Liveability.

Councillor G Mohr assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 6.04pm.

**EDBC19/28 REPORT OF THE ECONOMIC DEVELOPMENT BUSINESS AND CORPORATE COMMITTEE - MEETING 8 JULY 2019 (ID19/1073)**

The Committee had before it the report of the Economic Development, Business and Corporate Committee meeting held 8 July 2019.

Moved by Councillor D Gumley and seconded by Councillor K Parker

**MOTION**

**That the report of the Economic Development, Business and Corporate Committee meeting held on 8 July 2019, be noted.**

**CARRIED**

**EDBC19/29 UPDATES TO THE LOCAL GOVERNMENT ACT (ID19/1062)**

The Committee had before it the report dated 25 July 2019 from the Executive Manager Governance and Internal Control regarding Updates to the Local Government Act.

Moved by Councillor V Etheridge and seconded by Councillor A Jones

**MOTION**

1. That Council note that it resolved at its Ordinary meeting held 25 February 2019 that subject to Council's approval of the estimate provided by the State Electoral Commissioner, Dubbo Regional Council ("the Council") resolves that:
  - i. Pursuant to sections 296(2) and (3) of the Local Government Act 1993 (NSW) ("the Act") and subject to confirmation of estimates as provided by the Electoral Commissioner that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.
  - ii. Pursuant to sections 296(2) and (3) of the Act, as applied and modified by section 18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.
  - iii. Pursuant to sections 296(2) and (3) of the Act, as applied and modified by section 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council, if required.
2. That Council note that Dubbo Regional Council, as a Council formed in 2016, will have its rate path freeze extended until 1 July 2021, unless it resolves to apply to the Minister to vary the existing rates path freeze determination and the determination is varied.
3. That Council not apply to the Minister for a variation in the rate path freeze away from 1 July 2021.

**CARRIED**

**EDBC19/30 DRAFT - INTERNAL OMBUDSMAN POLICY (ID19/740)**

The Committee had before it the report dated 1 August 2019 from the Internal Ombudsman regarding Draft - Internal Ombudsman Policy.

Moved by Councillor B Shields and seconded by Councillor K Parker

**MOTION**

**That the draft Internal Ombudsman Policy and Fact Sheet, as attached to the report of the Internal Ombudsman dated 12 June 2019, be adopted.**

**CARRIED**

**EDBC19/31 INVESTMENTS UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - JULY 2019 (ID19/1060)**

The Committee had before it the report dated 1 August 2019 from the Director Organisational Performance regarding Investments Under Section 625 of the Local Government Act - July 2019.

Moved by Councillor A Jones and seconded by Councillor D Grant

**MOTION**

**That the report from the Director Organisational Performance dated 1 August 2019 be noted.**

**CARRIED**

*Councillor K Parker declared a pecuniary, significant interest in the matter now before the Committee and left the room and was out of sight during the Committee's consideration of this matter. The reason for such interest is that Councillor K Parker an employee of the Dubbo Branch of the Bank of Queensland, a bank that Council has funds invested with.*

At this Juncture, the Manager Economic Development and Marketing, the Manager Regional Experience and the Destination Marketing Officer presented the Mayor and Chief Executive Officer with the two Gold Awards from the Regional Tourism Awards.

**EDBC19/32 RECOGNITION OF REGIONAL TOURISM AWARDS TO DUBBO REGIONAL COUNCIL (ID19/1094)**

The Committee had before it the report dated 6 August 2019 from the Director Culture and Economy regarding Recognition of Regional Tourism Awards to Dubbo Regional Council.

Moved by Councillor B Shields and seconded by Councillor J Ryan

**MOTION**

- 1. That the report from the Director Culture and Economy dated 6 August 2019 be noted.**
- 2. That Council Staff be congratulated on the awarding of the two Gold Awards at the Regional Tourism Awards.**

**CARRIED**

**EDBC19/33 DUBBO SHOWGROUND MASTER PLAN (ID19/1075)**

The Committee had before it the report dated 29 July 2019 from the Director Culture and Economy regarding Dubbo Showground Master Plan.

Moved by Councillor B Shields and seconded by Councillor D Grant

**MOTION**

- 1. That the report from the Director Culture and Economy dated 29 July 2019 be noted.**
- 2. That the Dubbo Showground Master Plan be adopted.**
- 3. That stakeholders and community members be thanked for their contribution.**
- 4. That the Master Plan activities be implemented in accordance with budget allocations, grant opportunities and partnerships with community groups.**

**CARRIED**

**EDBC19/34 DUBBO CITY CAR CLUB SURRENDER OF DEVELOPMENT CONSENT FOR DRAG STRIP (ID19/1067)**

The Committee had before it the report dated 26 July 2019 from the Manager Property Assets regarding Dubbo City Car Club surrender of Development Consent for Drag Strip.

Moved by Councillor A Jones and seconded by Councillor V Etheridge

**MOTION**

**That the report from the Manager Property Assets dated 12 August 2019 be noted.**

**CARRIED**

*Councillor J Ryan declared a non-pecuniary, significant interest in the matter now before the Committee and left the room and was out of sight during the Committee's consideration of this matter. The reason for such interest is that Councillor J Ryan campaigned for the dragstrip to move ahead and have been assisting Dubbo City Car Club.*

**EDBC19/35 LEAVE OF ABSENCE**

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

Moved by Councillor V Etheridge and seconded by Councillor A Jones

**MOTION**

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

**CARRIED**

The meeting closed at 6.14pm.

.....  
CHAIRMAN



**DUBBO REGIONAL  
COUNCIL**

## **Report of the Street Tree Advisory Committee - meeting 6 August 2019**

**AUTHOR: Administration Officer - Governance**  
**REPORT DATE: 12 August 2019**

---

The Committee had before it the report of the Street Tree Advisory Committee meeting held 6 August 2019.

### **RECOMMENDATION**

**That the report of the Street Tree Advisory Committee meeting held on 6 August 2019, be adopted.**



## REPORT STREET TREE ADVISORY COMMITTEE 6 AUGUST 2019

**PRESENT:** Councillors V Etheridge, J Ryan, the Director Liveability, the Director Infrastructure, the Director Development and Environment, Mrs B Edmondson (Community Representative), Mr M Gardner (Community Representative) and Mrs N Grant (Community Representative).

**ALSO IN ATTENDANCE:**

The Manager Recreation and Open Space, the Manager Infrastructure Strategy, Manager Building and Development Services and Executive Officer Organisational Performance.

Councillor J Ryan assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 5.31pm.

**STC19/25 TREE REMOVAL - FURNEY STREET, DUBBO (ID19/1078)**

The Committee had before it the report dated 31 July 2019 from the Senior Design Engineer regarding Tree Removal - Furney Street, Dubbo.

**RECOMMENDATION**

1. That the proposed watermain be installed within the northern footpath corridor.
2. That approval be given to remove six existing Box Elder (*Acer negundo*) trees.
3. That following completion of the water main, the existing trees be replaced with eleven *Acer negundo* 'Sensation' trees.
4. That the committee note that as part of the Dubbo Street Tree Planting Master Plan, six existing trees on the southern side of Furney Street will be replaced with eleven *Malus ioensis*.

**STC19/26 BUILDING AND DEVELOPMENT SERVICES - OPERATIONAL ISSUES (ID19/876)**

The Committee had before it the report dated 30 July 2019 from the Manager Building and Development Services regarding Building and Development Services - Operational Issues.

**RECOMMENDATION**

That the Street Tree Advisory Committee note the contents of the Report, endorsing Council's Building and Development Services Branch to continue to operate with the guidance of staff from the Recreation and Open Space Branch, utilising standard conditions, without the need for approvals from the Street Tree Advisory Committee.



**STC19/27 AUSTRALIAN URBAN FORESTRY NETWORK (ID19/1081)**

The Committee will be addressed by the Manager Recreation and Open Space regarding this matter.

**RECOMMENDATION**

**That the presentation by Manager Recreation and Open Space be noted.**

**STC19/28 LEAVE OF ABSENCE**

Requests for leave of absence were received from Councillor B Shields, the Chief Executive Officer and Mark Gardner (Community Representative) who were absent from the meeting for personal reasons. Such leave of absence was accepted by the Committee and the members concerned were granted leave of absence for this meeting.

The meeting closed at 5.52pm.

.....  
CHAIRMAN



**DUBBO REGIONAL  
COUNCIL**

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## **Report of the Dubbo Regional Airports Committee - meeting 13 August 2019**

**AUTHOR: Administration Officer - Governance**  
**REPORT DATE: 20 August 2019**

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The Committee had before it the report of the Dubbo Regional Airports Committee meeting held 13 August 2019.

### **RECOMMENDATION**

**That the report of the Dubbo Regional Airports Committee meeting held on 13 August 2019, be adopted.**

Appendices:

**1** [↓](#) Dubbo Regional Airports Committee - 13/08/2019 - Reports



**REPORT**  
**DUBBO REGIONAL AIRPORTS COMMITTEE**  
**13 AUGUST 2019**

**PRESENT:** Councillors B Shields, S Lawrence, G Mohr and J Ryan, the Chief Executive Officer, the Director Culture and Economy and the Airport Operations Manager.

**ALSO IN ATTENDANCE:**

The Director Liveability (Skye Price), the Manager Growth Planning and the Administration Officer – Culture and Economy.

Councillor G Mohr assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 12 noon.

**DRA19/9 DRAFT REVIEW OF THE DUBBO CITY REGIONAL AIRPORT MASTER PLAN 2019-2040 (ID19/1089)**

The Committee had before it the report dated 6 August 2019 from the Manager Growth Planning regarding Draft Review of the Dubbo City Regional Airport Master Plan 2019-2040.

**RECOMMENDATION**

1. That the report from the Manager Growth Planning dated 6 August 2019 be noted.
2. That the draft Dubbo City Regional Airport Master Plan 2019-2040 (Appendix 1), following amendment of duplication in Draft Masterplan Table 6: Proposed Medium-Term Development (3-10 years), be endorsed by the Dubbo Regional Airports Committee for the purposes of consultation with stakeholders and land owners in the vicinity of the Dubbo City Regional Airport.
3. That the draft Dubbo City Regional Airport Master Plan 2019-2040 be placed on public exhibition for a period of no less than 28 days.
4. That following completion of the public exhibition and stakeholder engagement process, a further report be prepared for the consideration of the Dubbo Regional Airports Committee.

*Councillor J Ryan declared a pecuniary, significant interest in the matter now before the Committee and left the room and was out of sight during the Committee's consideration of this matter. The reason for such interest is that Councillor J Ryan's brother is the owner of a local hotel that may have future interest in developing within identified commercial zones.*

**DRA19/10 RURAL FIRE SERVICES UPDATE (ID19/1068)**

The Committee will be addressed by Council's Director Culture and Economy and Manager Airport Precinct regarding this matter.

**RECOMMENDATION**

**That the update by the Director Culture and Economy and Manager Airport Precinct be noted.**

**DRA19/11 AIRLINE MEETINGS UPDATE (ID19/1069)**

The Committee will be addressed by Council's Chief Executive Officer regarding this matter.

**RECOMMENDATION**

**That the update by the Chief Executive Officer be noted.**

**DRA19/12 PROJECTS UPDATE (ID19/1070)**

The Committee will be addressed by Council's Director Culture and Economy and Manager Airport Precinct regarding this matter.

**RECOMMENDATION**

**That the update by the Director Culture and Economy and Manager Airport Precinct be noted.**

**DRA19/13 LEAVE OF ABSENCE**

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

The meeting closed at 1.56pm.

.....  
CHAIRMAN

DUBBO REGIONAL AIRPORTS COMMITTEE  
13 AUGUST 2019

**DRA19/9**



## REPORT: Draft Review of the Dubbo City Regional Airport Master Plan 2019-2040

**AUTHOR:** Manager Growth Planning  
**REPORT DATE:** 6 August 2019  
**TRIM REFERENCE:** ID19/1089

### EXECUTIVE SUMMARY

A new draft Master Plan for the Dubbo City Regional Airport (Airport) has now been prepared by Rehbein Airport Consulting. A copy of the draft Master Plan is provided here in **Appendix 1**.

Council staff will provide a detailed presentation to the Committee at the meeting.

A master plan is a long term plan for orderly future growth and development prescribing to a pre-determined set of values and aspirations. Dubbo Regional Council has prepared a new Master Plan for the Dubbo City Regional Airport and has the following goals and objectives:

- To continue to operate the Airport to provide a commercial return on investment to the community.
- To provide airport facilities for, and encourage the operation of, economic and viable air services to and from Dubbo.
- To meet the needs of commuters to and from Dubbo within the financial constraints of the user pays system.
- To ensure the operations of the Airport are in accordance with the relevant regulations.
- To constantly review, evaluate and update operational procedures in order to stay relevant and effective.
- To provide for the air users of Dubbo and the wider region, a multi-purpose aerodrome as the basis for their operation;
- To attract development to the Airport that would be of benefit to the City of Dubbo in general; and
- To have planned sufficient area for development to meet the anticipated demand in the next five years.

The Master Plan is currently also being reviewed based on account of the number of other factors as provided below:

- Growth in Regular Public Transport (RPT) services including identification of new and emerging airlines not currently servicing the City or regional NSW;
- Growth in Dubbo as a base for operations of the Royal Flying Doctor Service;
- Further provision of airside activities for the NSW Rural Fire Service;

- Further facilities for general aviation users including designated areas for hangar development; and
- Potential for aircraft maintenance facilities.

This Master Plan has been prepared based on a possible future design aircraft of the Boeing 737-800. This does not necessarily mean that the Airport will have the required level of passengers to facilitate Boeing 737-800 services during the Master Plan period. This aircraft type is used in the Master Plan to ensure all landside and airside infrastructure development decisions do not restrict the ability of the Airport to cater for this aircraft type at some stage into the future.

In addition to the information included in this report and the draft Master Plan, the Committee will also be provided with a detailed presentation of significant changes proposed to the Airport as part of the draft Master Plan.

Following consideration of the draft Master Plan by the Regional Airports Committee, the draft Master Plan and accompanying information will be placed on public display for a period of no less than 28 days. In addition, Staff will also consult with all affected stakeholders and prepare written information for Council's website and social media channels.

Following the cessation of the public exhibition and stakeholder consultation activities, a further report will be provided for the consideration of Council, which includes the results of the exhibition and stakeholder consultation activities.

#### **FINANCIAL IMPLICATIONS**

Issues in relation to future financial implications for the further development and operations of the Dubbo City Regional Airport are further discussed in this report.

#### **POLICY IMPLICATIONS**

This report considers the new draft Dubbo City Regional Airport Master Plan 2019-2040. If adopted by the Working Party, this Master Plan will guide future infrastructure and development decisions for the Airport through to 2040.

DUBBO REGIONAL AIRPORTS COMMITTEE  
13 AUGUST 2019

**DRA19/9**

**RECOMMENDATION**

1. That the report from the Manager Growth Planning dated 6 August 2019 be noted.
2. That the draft Dubbo City Regional Airport Master Plan 2019-2040 (Appendix 1), be endorsed by the Dubbo Regional Airports Committee for the purposes of consultation with stakeholders and land owners in the vicinity of the Dubbo City Regional Airport.
3. That the draft Dubbo City Regional Airport Master Plan 2019-2040 be placed on public exhibition for a period of no less than 28 days.
4. That following completion of the public exhibition and stakeholder engagement process, a further report be prepared for the consideration of the Dubbo Regional Airports Committee.

*Steven Jennings*  
Manager Growth Planning

DUBBO REGIONAL AIRPORTS COMMITTEE  
13 AUGUST 2019

**DRA19/9**

#### BACKGROUND

The first Master Plan for the Airport was prepared by consultants, Airbiz Pty Ltd (Airbiz), in September 1997. The Master Plan provided a coordinated approach to development of the Airport taking into account three (3) stages of development (short, medium and long term). The Master Plan provided an indicative time frame of 2016 for the conclusion of the Plan.

Airbiz also undertook preparation of a Facilities Area Master Plan Review in 2002 as a review of the 1997 Master Plan. The intent of the Review was to ensure future projected passenger growth for the next 20 years was adequately provided for in respect of airport facilities.

In 2008, Airbiz undertook preparation of a further Facilities Area Master Plan Review. The purpose of the Review was to provide a snapshot of airport growth and whether this was keeping track with the development regimes provided in the 2002 Facilities Area Master plan Review. In addition, the purpose of the 2008 Review was to examine further opportunities for commercial development on the Airport lands given the size of the landholding and the layout and design of Airport facilities.

The 2008 Master Plan Review provided a snapshot in time of Airport operations and the general state of regional airline operations. The Review placed a strong emphasis on airlines commencing jet operations within a reasonable time period. However, this has not yet proven to be the case with the Dubbo Regular Public Transport (RPT) airlines and other airlines that currently provide regional services predominately operating Turboprop aircraft.

This report provides the following:

- An explanation of the components included in the master planning process;
- The major components of the Master Plan;
- Future landside development components; and
- Future airside development components.

Following consideration of the report by the Committee, preparatory work will be completed and the draft Master Plan 2019-2040 will be placed on public display and stakeholder consultation will be undertaken.



**REPORT**

**1. Master Plan Preparation Process**

A master plan is a long term planning document that provides for orderly future growth and development prescribing to a pre-determined set of values and aspirations. The process for the preparation of a new Airport Master Plan generally follows the following five (5) steps:

- i. Background analysis;
- ii. Development of a vision for what functions the Airport will ultimately perform in 2036;
- iii. Regime planning based on short, medium and long term timing;
- iv. Master Plan preparation; and
- v. Public exhibition and stakeholder engagement.

In respect of the process of preparing a new Master Plan for the Dubbo City Regional Airport, this process was adapted to ensure compliance with Council's internal and external systems and processes. Diagram one (1) details the major milestones included in the preparation of the new Airport Master Plan.



Diagram 1 – Dubbo Regional Council, Master Planning approach.

The master plan process will continue to build on the commercial aspirations raised in previous Master Plans in respect of aviation and non-aviation activities as provided below. However, it should be noted this Master Plan has been prepared based on a possible future design aircraft of the Boeing 737-800. This does not necessarily mean that the Airport will have the required level of passengers to facilitate Boeing 737-800 services during the Master Plan period. This aircraft type is used in the Master Plan to ensure all landside and airside infrastructure development decisions do not restrict servicing of the Airport by this aircraft type (or similar) in the future.

**2 Aircraft Movements**

**(i) Regular Passenger Transport (RPT)**

Overall, the Airport in 2017 was utilised by 216,489 passengers, who utilised some 7,500 RPT services. On average, this includes 166 flights on a weekly basis. However, the overall number of flights fluctuates during weekends, public holidays and over the Christmas holiday period. The RPT flight schedule is representative of these fluctuations.

The overall passenger numbers since 1985 are shown in diagram two (2):

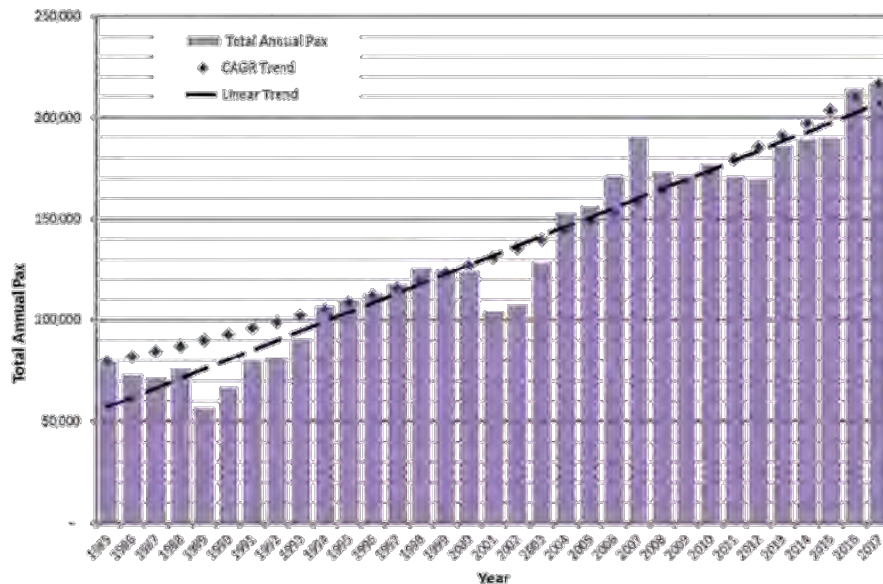


Diagram 2 – Overall passenger numbers, Dubbo City Regional Airport since 1985

Diagram two (2) shows the overall projected RPT passengers at the Dubbo City Regional Airport by 2040. However, in consideration of these numbers, the overall planning and development status of the Airport must be considered as there are no guarantees that the projected passenger numbers could be realised.

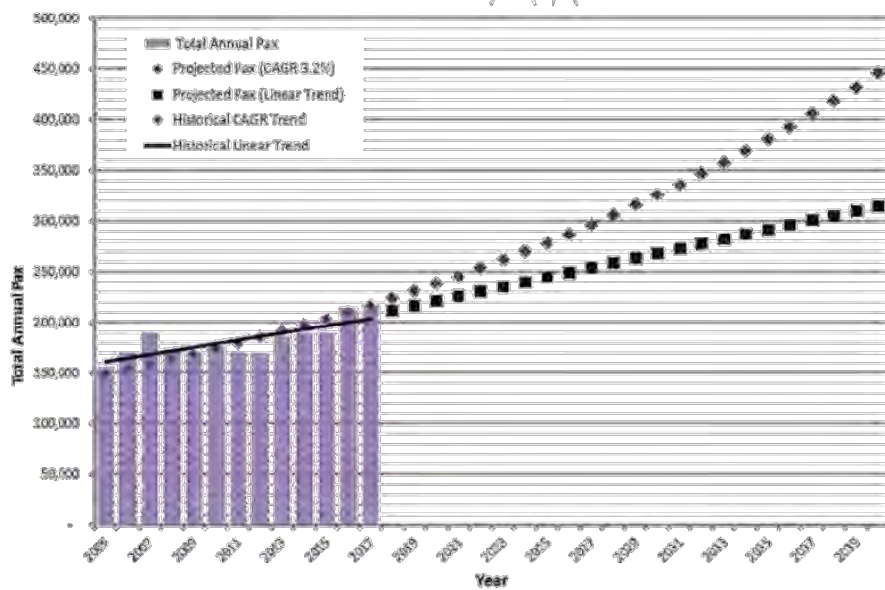


Diagram 3 – RPT Passenger Growth

Diagram three (3) shows two projected passenger scenarios at the Airport in 2040. The first scenario is based on historical growth figures, of 3.2 per cent per annum. Based on a growth rate of 3.2 percent per annum, this could mean around 450,000 passengers by 2040. The second scenario is a linear growth projection based on current airport growth. This scenario could result in around 315,000 patrons by 2036.

(ii) General Aviation (GA)

The Airport is a regionally significant facility that is home to the Royal Flying Doctor Service and a mixed Generation Aviation (GA) community. The current GA movements, including aeromedical, are included in Diagram four (4):

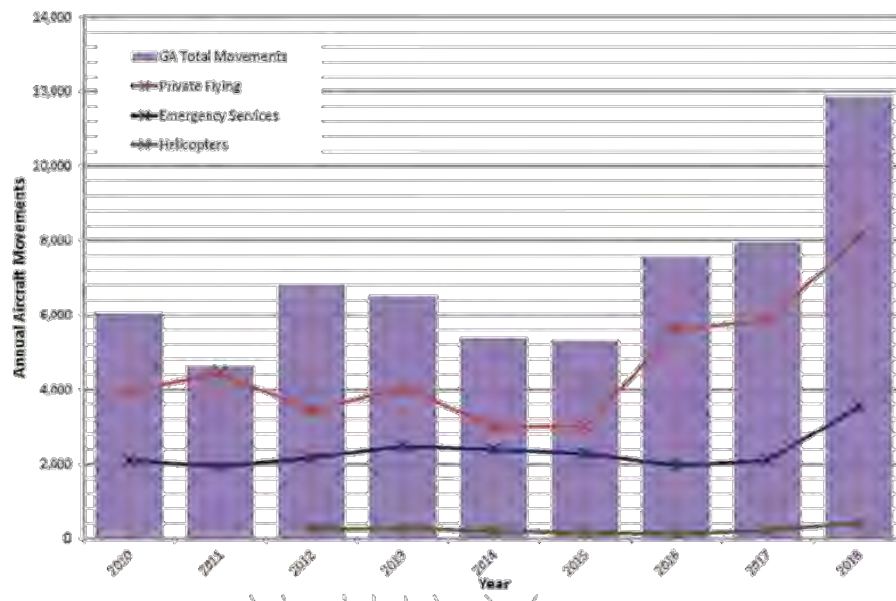


Diagram 4: Forecast General Aviation Movements

The draft Master Plan provided information that the forecast growth in General Aviation movements will reach 15,000 by 2040.

### 3. Landside Development Strategy

#### (a) Terminal Precinct

The Terminal Precinct is proposed to be further developed to include opportunities for commercial development, commercial aviation development and tourism accommodation development opportunities. This will allow the Airport to further capitalise on its strategic position adjacent to the Mitchell Highway and Industrial Candidate Area No. 2 as a key component of the Dubbo Employment Lands Strategy.

#### (b) Landside Development

The landside development area as included in the draft Master Plan will provide considerable opportunities for like activities to be developed within a close proximity to the Mitchell Highway and Airport functions. Such land use activities could include but not be limited to a car wash, service station and accommodation facilities. Accommodation could potentially include demand for airport transits and also, given the proximity to the Mitchell Highway, demand for non-airport related accommodation.

In respect of accommodation, it is considered that a motel-style facility of one or two-storeys is likely to be the most suitable, however the actual accommodation offering will need to be suited to the specific demand to maximise the commercial return to Council. In order to respect the OLS limitations and maximise visibility and accessibility to both Airport and non-Airport customers, locations abutting Arthur Butler Drive and/or the corner with the Mitchell Highway might be most suitable for accommodation and service station facilities.

Additional commercial land for future use has also been identified west of Runway 11. This land abuts Coreena Road and does not have direct airside access. This precinct is suitable for commercial uses that might not necessarily require direct aeronautical facilities but which would complement the either the Emergency Services Precinct development or the proposed General Aviation Precinct.

(c) Old or existing General Aviation Area

The Airport currently has one (1) existing General Aviation area, which has direct access to the RPT Apron and ultimately the south-western side of the Precinct.

The existing GA apron can broadly maintain its current position under the provisions of the draft Plan. However, the Master Plan has recommended that Council undertake a feasibility review of moving all fuel facilities from this area to allow the GA Apron and associated taxiways to be classified as Code B, which would allow a greater range of planes and plane types to enter within the GA apron.

However, as described above, the Master Plan has recommended that the existing fuel location and facilities be reviewed to determine if there is an appropriate business case for re-development of the existing GA area etc.

(d) New General Aviation Area

Further General Aviation facilities and infrastructure continue to be developed at various locations across this Airport.

A dedicated Local Freight Processing and Distribution Area is proposed towards the north-west end of the existing Code B lease lots, just to the south west of the existing RFS apron. This area is for aircraft loading/unloading and transferring freight to vehicles.

(e) Expansion of the General Aviation Precinct

The General Aviation Precinct at the Airport is proposed to be extended at the western end of the Cross Runway 11/29. This expansion is being planned to accommodate an expansion of the General Aviation Precinct to deliver appropriate development opportunities through to at least 2040.

A Large Air Tanker (LAT) Base situated to the north-west of the runway intersection is proposed to accommodate three (3) aircraft parking positions each to accommodate two Code C fire-bombing aircraft and one (1) Coulson C130 (Code D) as well as land side area for supporting equipment. Any retardant left in a LAT prior to landing will be required to be disposed of.

#### **4. Airside Development Strategy**

Runways provide the core functionality of any airport. Therefore, appropriate planning must define future requirements for runways as a central aspect of the airport Master Plan.

##### **(a) Runway 05/23, Main Runway**

Runway 05/23 is planned ultimately as a Code 4E instrument non-precision runway in accordance with CASA MOS Part 139. Preparing for the ultimate development of the Airport and the Main Runway, it was important to ensure that a suitably qualified and experienced team is together for the project.

The runway is anticipated to be up to 2,800 metres long and 45 metres wide with runway shoulders provided at 7.5 metres wide either side. The runway will be contained within a 280 metre wide by 2,920 metre long runway strip, with the central 150m width graded. A Code 4E runway as described above will accommodate a B777F or similar aircraft. In order to accommodate this runway length, additional property will be required beyond the existing airport land boundary. Re-alignment of Bunglegumbie Road would also be required.

Runway 05/23 is also illustrated at 2,200 metres long to accommodate Code D aircraft operations in the LAT base and Code 4C narrow body jet RPT operations. The runway is to be contained within a 280 metre wide by 2,320 metre long runway strip. The Runway is currently 1,708 metres in length will also require strengthening for the proposed aircraft operations. This runway length could be accommodated within the existing airport land boundary. In both runway extension scenarios, the existing runway and other relevant taxiway infrastructure would need to be strengthened to accommodate both an increase in aircraft operations and an increase in operations by heavier aircraft.

##### **(b) Proposed LAT Base**

The NSW Rural Fire Service housed a BAE146 Large Air Tanker at the Airport during the last fire season. The plane was utilised on numerous occasions for aerial fire-fighting activities both within NSW and inter-state.

With the likely scenario that the NSW Rural Fire Service is again wanting to house a Large Air Tanker at the Dubbo Airport during fire season, it was considered appropriate to begin the activities of determining a suitable medium and long term location, in addition to a consideration of infrastructure impacts and requirements. A location for a LAT base has been included in the draft Master Plan. The base has the space to house three Large Air Tankers, in addition to two (2) ancillary aircraft.

In addition, any long term use of the Runway for fire-fighting activities will also require lengthening of the Main Runway and associated strengthening.

(c) Wide-Body Freight Activities

As part of the development of the draft Master Plan, the consultant was requested to undertake planning activities to accommodate wide body freight activities at the Airport at some stage in the future. This included an examination of the overall runway requirements of the Main Runway 05/23 and to propose two (2) separate proposals for an apron area to accommodate wide body jet operations.

**5. Passenger Terminal Building**

The terminal building is planned for expansion to the north of the existing building. Expanding the building on the south end is restricted due to Taxiway Delta clearance requirements. In addition, OLS and taxiway clearance requirements to provide aircraft parking bays up to a Code C B737-800 standard associated with the extension would prohibit these bays being located at the southern end of the RPT apron.

The existing undercover secure car park will need to be relocated to allow for terminal building expansion. This expansion area allows for an additional 600 square metres of terminal space.

Reconfiguration of the internal spaces of the terminal building would be required to accommodate the expansion. This would need to be subject to a further detailed study, however it is anticipated that:

- The existing departures area could expand to the north, with the security screening relocating to the existing check-in area;
- Check-in facilities could be relocated to the existing administration and arrivals areas;
- Arrivals baggage claim area could be expanded to the north along with relocated administration facilities; and
- An airside enclosed or covered walkway could also be incorporated from the existing departures area past the rear of the existing check-in to access the new RPT apron bays and to allow passengers from the southern RPT positions to access the arrivals facilities;

Terminal expansion is likely to be driven by increases in operating RPT aircraft sizes and should be kept under regular review in discussions with airlines.

**6. Future Direction**

In addition to the information included in this report and the draft Master Plan, the Committee will also be provided with a detailed presentation of significant changes proposed to the Airport as part of the draft Master Plan.

DUBBO REGIONAL AIRPORTS COMMITTEE  
13 AUGUST 2019

**DRA19/9**

Following consideration of the draft Master Plan by the Regional Airports Committee, the draft Master Plan and accompanying information will be placed on public display for a period of no less than 28 days. In addition, Staff will also consult with all affected stakeholders and prepare written information for Council's website and social media channels.

Following the cessation of the public exhibition and stakeholder consultation activities, a further report will be provided for the consideration of Council, which includes the results of the exhibition and stakeholder consultation activities.

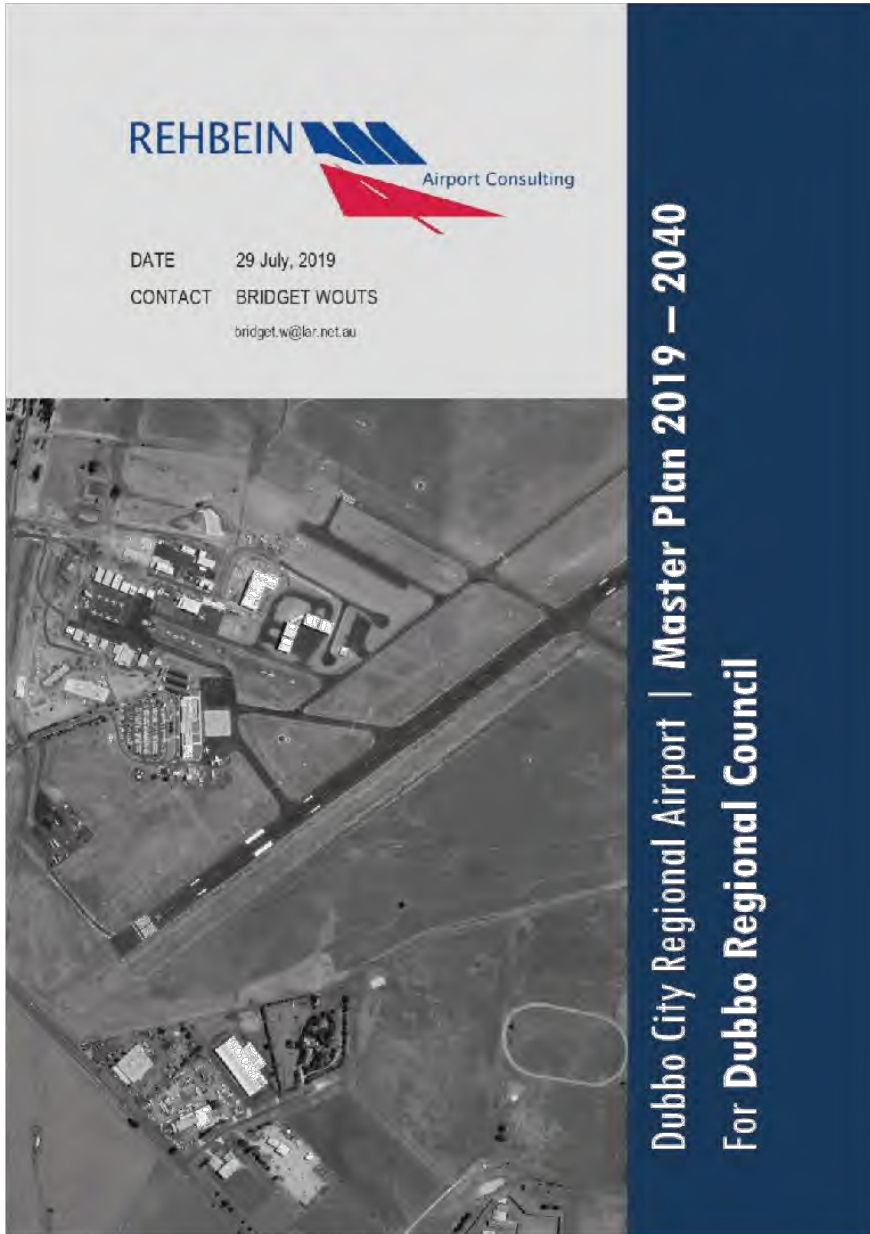
**SUMMARY**

The report is provided for the consideration of the Dubbo Regional Airports Committee.

Appendices:

1. Draft Dubbo Airport Master Plan Review







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**5**  
**APPENDIX A**  
MASTER PLAN FIGURES

Revision	Date	Description	Author	Verifier	Approver
0	May 2019	DRAFT	BMW	BJH	BJH
1	28 June 2019	DRAFT	BMW	BJH	BJH
2	22 July 2019	DRAFT	BMW	BJH	BJH
3	29 July 2019	DRAFT	BMW	BJH	BJH



## 1.0 INTRODUCTION

The Dubbo City Regional Airport is one of the leading regional airports in Australia. The Airport is located five (5) kilometres north-west of the Dubbo Central Business District on the Mitchell Highway, and is situated on an overall land holding of 358 hectares.

The Airport provides a lifeline for Central and Western New South Wales in the provision of access to Sydney, Brisbane, Melbourne and Newcastle by air. The Airport is also home to the Royal Flying Doctor Service, NSW Rural Fire Services Fire Control Centre and Training Academy and a growing General Aviation community. In addition, further development has recently been announced by the NSW State government in the form of a NSW Police Service training facility.

The Airport is operated and maintained by Dubbo Regional Council in conjunction with the Regular Public Transport (RPT) airlines and the Civil Aviation Safety Authority.

The Airport hosts direct return services from Dubbo to Sydney serviced by Qantas Link and Regional Express. Regional Express also provide services to Broken Hill. Fly Corporate provides daily services to Melbourne (Essendon) and Brisbane and Fly Pelican provides services between Dubbo and Newcastle.

The Dubbo City Regional Airport is strategically vital to the region, serving not only Western NSW but a large area of the Central West and north-west of the State. The facility is the largest airport in the Orana and Central West Regions and provides services for a catchment in excess of 200,000 persons.

The Airport in 2017 had a total of 216,489 passengers utilising 7,500 RPT services (inbound and outbound flights<sup>1</sup>).

The Airport also has significant general aviation activity with a total of 7,941 movements<sup>2</sup> during 2017. The general aviation movements comprise all aircraft that may be operating charter, flight training, air freight and other private aviation, emergency services, military and recreational aircraft. The Airport is also used for the purposes of refuelling transiting aircraft.

The considerable land holding and investment particularly by emergency services in the Airport, the continued population and business growth in the Orana and Central West Regions, the growth of mining operations, and the potential for general growth of industry in Dubbo and the Orana Region has resulted in Dubbo Regional Council undertaking this review of the 2015-2036 Master Plan.

<sup>1</sup> Bureau of Infrastructure, Regional Development and Cities April 2018

<sup>2</sup> Audata April 2019



## 2.0 PURPOSE

This Master Plan 2019 – 2040 is a strategic document which will guide future development decisions to achieve the sustainable growth and development of RPT and GA operations and facilities at the Airport and to ensure the Airport can capitalise on any future business and commercial development opportunities as the largest airport in the Central West, Orana and Western NSW.

Dubbo Regional Council, as the owner and operator of the Dubbo City Regional Airport, has pursued a program of planned growth and development over time with the first Master Plan prepared for the facility in 1997. Following completion of the first Master Plan in 1997, consultants, Airplan, undertook preparation of a Facilities Area Master Plan Review in 2002 as a review of the 1997 Master Plan and to ensure future projected passenger growth for the next 20 years was adequately provided for in respect of airport facilities.

Consultants Airbiz, undertook preparation of a further Facilities Area Master Plan Review in 2008. The purpose of this Review was to provide a snapshot of Airport growth and whether this was keeping track with the development regimes provided in the 2002 Facilities Area Master Plan Review. In addition, the purpose of the 2008 Review was to examine further opportunities for commercial development on the Airport lands given the size of the landholding and the design of the Airport facilities.

The 2008 Master Plan Review provided a snapshot in time of Airport operations and the general state of regional airline operations. The Review placed a strong emphasis on airlines commencing jet operations within a reasonable time period. However, this has not yet proved to be the case with the Dubbo RPT airlines and other airlines that currently provide regional services predominately operating turboprop aircraft.

This Master Plan 2019 – 2040 prepared by REHBEIN Airport Consulting on behalf of Council has undertaken a review of landside and airside development and their relationships with each other while taking into account trends and drivers associated with regional airport planning.

This Master Plan provides for the necessary strategic intent and guidance for the Airport to allow regular operations up to and including Code 4D aircraft which could allow for Large Air Tanker used for firefighting by the NSW Rural Fire Service (RFS).

The Master Plan also recognises Council's commitment to enhancing transportation links between key industrial areas and arterial roads – particularly the potential for larger scale freight opportunities. The Master Plan recognises the Boeing 777 (B777) as a possible future aircraft for freight operations and has considered the suitability of key facilities and a possible freight precinct to accommodate B777 operations and similar aircraft in the future.



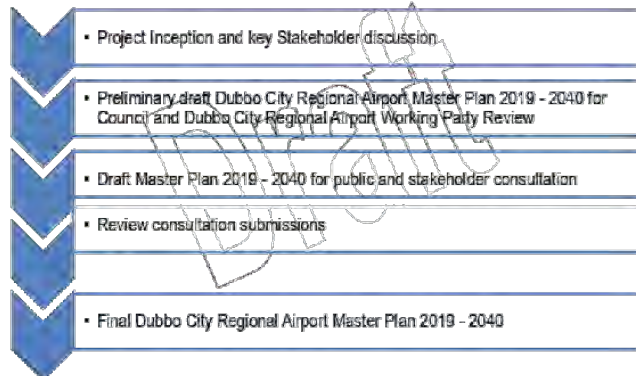
The Master Plan identifies key elements critical to positioning the progression and development of the Airport as a strategic service for the greater Western Region, supporting strategic planning for the facility to ensure Airport development keeps pace with the demands of the community.

**2.1 MASTER PLANNING APPROACH**

The approach adopted in the preparation of this Master Plan has included discussions with key stakeholders of the Airport.

Figure 2 shows the general approach that has been adopted in the review of this Master Plan.

Figure 1: Master Planning Approach



The specific objectives of the Dubbo City Regional Airport Master Plan 2019 – 2040 include the following:

- Undertake rational and strategic development of the Dubbo City Regional Airport which is critical to support the economy of the Central West and Orana Regions of NSW;
- Ensure the strategic significance of the Airport continues to be recognised by all levels of government;
- Ensure a sustainable and long term financial plan is in place to provide adequate funding for the maintenance and expansion of airside and landside infrastructure;
- Ensure that expansion of Airport infrastructure keeps pace with community needs and aviation trends;



- Enhancement of the existing runway and taxiway systems to remove weight limitations that currently exist and which are currently overcome by way of concessions for certain aircraft types.
- Ensure the Passenger Terminal is continually developed to accommodate the expected increase in passenger numbers and RPT movements;
- Recognition and development of commercial opportunities within the terminal precinct inherent and implied by growth projections;
- Increase take-off distance available on the main runway when required within existing airport boundaries to increase the range and payload of departing aircraft;
- To identify issues of energy supply and the influence of availability of energy in the development of the Airport;
- Develop land surplus to the needs of aviation in a manner designed to generate funding to service the massive cost of maintaining the facilities and at the same time relieve the community of that cost in part or in total; and
- Examine any future development opportunities for freight use and activity in conjunction and consultation with key industry types and groups; and
- Ensure the RPT, Apron and associated infrastructure is continually developed in accordance with the future growth characteristics of the Airport.





### 3.0 DUBBO CITY REGIONAL AIRPORT

Dubbo City Regional Airport is situated in the Dubbo Regional Local Government Area and occupies 358 hectares of land designated as SP2 Infrastructure: Air Transport and Emergency Services Facilities. The airport is owned and operated by the Dubbo Regional Council and a brief history of the Airport is provided in Section 3.4.

#### 3.1 LOCATION

Dubbo City Regional Airport is located five (5) kilometres north-west of the Dubbo Central Business District, on the Mitchell Highway. The Airport is accessed directly off Mitchell Highway via Arthur Butler Drive which runs along the western airport boundary. The Airport location is illustrated on Figure A at Appendix A.

The Airport Ring Road and the wider traffic movement system on airport are considered to provide adequate vehicular access to the airport based on the current traffic generation and overall activity.

#### 3.2 EXISTING AIRSIDE FACILITIES

The existing airside facilities are shown on Figure B at Appendix A.

##### 3.2.1 RUNWAYS

Dubbo City Regional Airport has two sealed runways. The main runway is oriented roughly north-east – south-west and is designated Runway 05/23, and the secondary runway is orientated roughly east – west and designated Runway 11/29.

##### Runway 05/23

Runway 05/23 is the main sealed runway at the Airport. Runway 05/23 has an overall length of 1,706 metres and an overall width of 45 metres. The Runway is situated within a designated 150 metre wide runway strip. Runway End Safety Areas must be provided at the end of a runway strip, to protect the aircraft in the event of undershooting or overrunning the runway.

The runway is equipped with low intensity runway lighting and a single-sided Precision Approach Path Indicator (PAPI) system at each end. The runway is classified by the Civil Aviation Safety Authority (CASA) as a Code 3 non-precision instrument runway.

The heaviest RPT aircraft currently using the runway is the Bombardier Q400 operated by Qantas Link which has a maximum take-off weight of 29 tonnes and is classified as a Code C aircraft. The Airport also hosts periodic visits from RAAF aircraft including C130 Hercules and Challenger CL 604 jets.

The length of Runway 05/23 adequately services the current range of aircraft movements.



The Aircraft Classification Number/Pavement Classification Number (ACN/PCN) system of classification of pavement load carrying capacity is a procedure whereby the loading characteristics of an aircraft are compared with the supporting capacity of a pavement.

The pavement of Runway 05/23 is rated in the Airservices Australia publication En-Route Supplement Australia (ERSA) FAC YSDU (23 May 2019) as having an overall Pavement Concession Number of 19 / F / C / 1100 (160 psi) / T. The runway pavement is flexible on a subgrade strength category of low (C). The pavement is suitable for a maximum aircraft tyre pressure of 1,100 kPa (160 psi).

The Aircraft Classification Number of typical RPT aircraft operating into the Airport are provided in Table 3 below.

Table 1: Common RPT Aircraft Classification Number (ACN)

Aircraft	Maximum Take-Off Weight (tonnes)	ACN
Bombardier Dash 8 Q300	19.5	8
Bombardier Dash 8 Q400	18.8	8
Bombardier Dash 8 Q400	25.2	19
SAAB 340B	12.5	7
Embraer 135	20.1	12

**Runway 11/29**

Runway 11/29 (also referred to as the cross runway) is the secondary sealed runway at the Airport. Runway 11/29 has an overall length of 1,067 metres and an overall width of 18 metres. The Runway is situated inside a protected 90 metre wide runway strip. Runway 11/29 is classified as a Code 2B non-precision instrument runway.

The cross runway is predominately utilised for the purposes of General Aviation flight training and is used by the NSW Rural Fire Service during water bombing activities by Air Tractor and other associated aircraft. The overall weight limitation is eight (8) tonnes which limits its use by RPT and other larger aircraft.

**3.2.2 TAXIWAYS**

**Taxiway Alpha**

Taxiway Alpha (A) is a 23 metre wide taxiway that provides access from the RPT apron to Runway 05/23. Taxiway Alpha is suitable for use up to and including Code 3C aircraft. The taxiway also meets the minimum width for Code D aeroplanes, however is not provided with the shoulders which are required for Code D use.

Taxiway Alpha is suitable for night time operations due to the inclusion of taxiway edge lighting.



#### Taxiway Bravo

Taxiway Bravo (B) is a 15 metre wide, spray-sealed taxiway providing access between Runway 05/23 and the RPT apron. Taxiway Bravo is only suitable for use by up to Code 3C turbo-prop aircraft with a wheel base less than 18 metres. Taxiway Bravo also has taxiway edge lighting and is suitable for night time operations.

#### Taxiways Charlie, Delta and Echo

Taxiways Charlie is 10.5 metres wide and mostly suitable for Code B aircraft access. However, Code B access to the GA Apron via Taxiway Charlie is constrained when aircraft are parked in front of the Almed, Airbush and/or Beal Aircraft Maintenance hangars.

Taxiways Delta and Echo are 10.5 metres wide and suitable for use by Code B aircraft with Maximum Take-off Weight (MTOW) up to 8,000 kg.

Taxiway Delta (D) runs parallel to Runway 05/23 from Taxiway Bravo (B) to the Runway 23 threshold.

Taxiway Echo (E) provides Code B access to the GA apron from Taxiway D.

#### Taxiways Hotel, Juliet and Kilo

Taxiways Hotel, Juliet and Kilo are not yet designated in AIP-ERSA, but have recently been constructed.

Taxiway Hotel (H) is 7.5 metres wide and provides access for Code A aircraft to the smaller private lease lots from Taxiway Delta.

Taxiway Juliet (J) is 10.5 metres wide and provides access for Code B aircraft to the commercial lease lots along the southern side of Runway 11/29 from Taxiway Delta.

Taxiway Kilo (K) is 10.5 metres wide and provides access for Code B aircraft to Runway 11/29 from the New GA Area commercial lease lots connecting to Taxiway Juliet.

### 3.2.3 APRONS

#### RPT Apron

The RPT Apron is situated adjacent to the passenger terminal and currently includes three Code C aircraft parking bays for RPT traffic in front of the terminal building. The RPT apron accommodates one Dash8Q400 and two SAAB340B simultaneously.

Two stand-off bays for smaller aircraft are provided at the southern end of the RPT Apron.

#### GA Apron

There is a limited number of tie down points for light aircraft to park on the grass area north-east of the RPT apron. Light aircraft parking is also provided on the western end of the GA apron. Code B access to the fuel bowser and to the Beal Aircraft Maintenance and Airbush hangars is available



via Taxiway E. However, access for Code B aeroplanes in to the GA Area via Taxiway C is restricted due to aircraft parking in front of the Almed, Airbush and Beale hangars.

#### RFDS Apron

The Royal Flying Doctor Service (RFDS) has a dedicated apron within the RFDS lease area situated adjacent to Taxiway Echo. Recently, the RFDS has constructed four (4) aircraft shelters for the purposes of passenger transfer and refuelling (CASA approval pending).

#### 3.2.4 LANDING AND NAVIGATION AIDS

##### VOR/DME

A VHF Omni-Directional Radio Range (VOR) and Distance Measuring Equipment (DME) south-east of the runways have recently been decommissioned by Airservices Australia.

##### NDB

Off airport is a Non-Directional Beacon (NDB) approximately one (1) kilometre west of Runway 05 threshold adjacent to the Mitchell Highway.

##### Visual Aids

A number of visual aids are provided at the Airport as listed below:

- Pilot activated low-intensity lighting on Runway 05/23;
- Precision Approach Path Indicator (PAPI) system on the left-hand side of Runway 05 and Runway 23;
- Two Illuminated Wind Director Indicators (IWDI), one located between Taxiways A and B, the other to the left of Runway 23 threshold;
- One non-illuminated wind indicator located to the left of the Runway 11 threshold;
- Edge lighting on Taxiways Alpha and Bravo;
- Pavement markings on both runways, taxiways and aprons; and
- An Automatic Weather Station (AWS) and Automated Weather Information Service (AWIS).

#### 3.2.5 FUEL SUPPLIERS

Air BP is situated in a dedicated compound adjacent to the RFDS facility. Direct access is available to the airside apron. Landside access is available from Judy Jakins Drive (off Cooreena Road).

Air BP has one above-ground 55,000 litre tank supplying Avtur. There is further land available in this area to facilitate the construction of an additional tank.

VIVA comprises a split operation with the provision of a main storage facility fronting the western end of the GA apron and an additional storage tank and self-serve bowser located in the airside secure area at the eastern end of the GA apron. VIVA also has a dedicated office area off Judy Jakins Drive.



### 3.3 EXISTING LAYOUT AND USERS

Dubbo City Regional Airport consists of a passenger terminal area, general aviation (GA) area, emergency services area and privately leased lots refer Figure C at Appendix A.

Access to the passenger terminal area is via Arthur Butler Drive and the Airport Ring Road. Access to the GA area is via Cooreena Road as illustrated on Figure B at Appendix A.

#### 3.3.1 TERMINAL AREA

The terminal area includes the passenger terminal building, car parking area, undercover security car parking, and a hire car area as illustrated on Figure C at Appendix A.

##### Passenger Terminal

The passenger terminal building incorporates a number of facilities including the following:

- Check-in area providing check-in facilities for Fly Corporate, Qantas Link, Regional Express and Fly Pelican;
- Passenger screening security point;
- Secured airside departure lounge area incorporating a cafe and associated passenger facilities;
- Arrivals hall including one baggage carousel; and
- Car rentals desk area which provides facilities for five (5) car rental companies. Additionally one (1) space is being used by tourism operator Warrior War Birds.

The check-in area and security screening point operate efficiently for the range of services and passengers currently utilising the airport. The check-in area includes six (6) check-in desks, all of which are currently used by the airlines. There is space for the installation of one (1) additional desk.

Expansion of the departure lounge area was undertaken by Council in 2013 in conjunction with the implementation of passenger screening. Passenger screening facilities were introduced at the Airport in March 2013 as a result of Qantas Link commencing operation of the Dash 8 (Q400 series) aircraft. All passengers are screened, whether travelling on Qantas Link Q400 services, other Qantas Link services and/or other airlines.

The existing baggage claim unit is shared by all airlines that currently operate to Dubbo. A single unit is currently adequate for the operational requirements of the airlines and their associated schedules.

##### General Car Parking

The Airport provides a large vehicle parking area to the west of the passenger terminal. This parking area provides approximately 325 vehicle parking spaces. There is no parking charge for this public parking space.



Vehicle access to the parking area is directly available from Arthur Butler Drive via the Airport Ring Road. Pedestrian access to the parking area is a short walk from both the departures and arrivals areas through a pedestrian crossing across Arthur Butler Drive/Airport Ring Road.

#### Secure Vehicle Parking

A secure and undercover vehicle parking area is located to the north of the passenger terminal. This area has traditionally been well patronised and is utilised by both business and leisure travellers. Payment systems are situated in the arrivals area of the passenger terminal and the egress point from the parking area.

Vehicle access to the secure vehicle parking area is directly available from Arthur Butler Drive/Airport Ring Road. Pedestrian access is through a short connection to the arrivals hall area.

The technology associated with the parking payment system has been raised by stakeholders as being temperamental. Council has indicated that it will seek a further review of the current facilities and new technologies for vehicle parking.

#### Hire Cars

The airport has a number of hire car companies currently providing services from the airport. Thrifty, Budget, Avis and Hertz currently lease terminal space in the form of a dedicated desk area in the arrivals area and a set number of vehicle parking spaces.

Council, in June 2019, opened a new hire car parking area to the north-east of the passenger terminal. The parking area can accommodate 118 vehicles. This has resulted in hire cars being removed from the main parking areas, subsequently freeing up public spaces.

#### Airservices Australia

Airservices Australia currently leases an area of land south of the passenger terminal which contains the decommissioned air traffic control tower and an associated compound. Council advises the air traffic control tower is proposed to be removed in the future due to the nature of the uncontrolled airspace around Dubbo and the presence of asbestos in the building. A date for removal of the structure has not yet been confirmed however, it is anticipated that it will be removed beyond 2020. The remaining Airservices building and associated equipment is planned to be decommissioned however, if and when the facility will be removed is unknown.

### 3.3.2 EMERGENCY SERVICES AREA

#### Royal Flying Doctor Service (RFDS)

The Royal Flying Doctor Service (RFDS) operates six (6) Beechcraft Super King Air aircraft as air ambulances from its facility within the GA area. The RFDS infrastructure includes treatment rooms, associated offices, aircraft hangar and engineering facilities suitable for the storage of two (2) King Air KA350 aircraft and an associated visitor centre. The RFDS facility also includes an apron area suitable for the parking of two (2) King Air KA350 aircraft. It is understood that Western Area Health also sublets part of the RFDS facility for Administration offices



The RFDS is expanding and building new infrastructure on site. The additions include the RFDS Visitor Experience Centre which will also attract school visits, tour groups and will be an important Airport asset. This facility allows four aircraft under cover, bays for passenger transfer and fuelling aircraft, administration centre, pilots' rest area, aeromedical nurse and a 'nurse-on-call' facility. Some 40-50 staff members are employed on site. It is also understood that the RFDS is interested in additional land for possible future extension opportunities or for the location of complementary activities.

#### **NSW Rural Fire Service**

The NSW Rural Fire Service (RFS) District Headquarters are located on the north side of the GA area west of the RFDS facility. The facility was constructed in this area in 2008 and currently consists of an office building and associated sheds which are used for the storage of vehicles and other equipment for the servicing of water bombing aircraft.

The facility was constructed in this location due to the synergies that exist between the RFS and the water bombing services provided during fire events across the Central West.

The RFS have recently expanded to include a purpose built training facility adjacent the southwest side of the GA apron. Council in 2017 partnered with the RFS to develop a 'State of the Art' Training Academy at the Airport. The facility has been recently completed and opened by the NSW State Government. The facility will provide facilities for students to stay at the facility to learn and build advanced fire-fighting skills and techniques.

#### **Police Training Facility**

A NSW police training facility is proposed to be located west of the GA Apron and is to be built for up to 40 police officers at a time for training and simulation activities.

#### **SES/VRA Headquarters**

The State Emergency Services (SES) and NSW Volunteer Rescue Association (VRA) facility provide emergency services facilities for the two organisations in the Dubbo region.

### **3.3.3 GENERAL AVIATION AREA**

The General Aviation (GA) area consists of old and new sections.

The old GA area includes a total of 15 hangars utilised for a range of GA activities. This older GA area is now surrounded by landside operations including NSW RFS, SES/VRA, Police training and RFS training facilities, and the operations of the RFDS

#### **Airmed Aeromedical**

Airmed Aeromedical provides patient transport services by air and ground with multiple locations around NSW and their head office based at Bankstown Airport in Sydney. The Dubbo location stations two (2) fixed wing aero-medical aircraft, two (2) patient transport vehicles, two (2) full time pilots, two (2) part-time pilots, a full time senior nurse and three (3) part time nurses for non-urgent





patient transfer between Dubbo and Sydney. The business also employs three (3) administration staff and three (3) maintenance staff.

A Piper Chieftain aircraft is periodically parked the northern end of the GA apron. Loading of the aircraft is typically undertaken at the southern end of the RPT apron, adjacent to the main security gate for ambulance vehicle access. However, it is understood that the company that owns Aimed Aeromedical has recently purchased AirLink and it is unsure as to their final operating activities for the AirLink hangar and Aimed Aeromedical.

**Beal Aircraft Maintenance**

Beal Aircraft Maintenance is an aircraft maintenance organisation servicing remote NSW. Typically, they maintain a wide variety of GA aircraft ranging from light fixed wing to air tractor agricultural spraying/water bombing aircraft with up to 10 aircraft at any one time on airport for servicing. Beal currently employs 10 people, and an additional four to five people from Airlink also use the facility.

Beal Aircraft Maintenance currently occupies three (3) hangars on the south side of the GA apron and is in need of aircraft parking spaces for customers. It is understood that Beal Aircraft maintenance also sublets part of its facilities to Airlink engineers.

**AirLink Pty Ltd**

Airlink Pty Ltd, located next to the secure undercover car park, primarily provide charter services with a fleet, which generally consisted of the following:

- One (1) Beechcraft 1900D Aircraft;
- One (1) x Cessna 310R; and
- Two (2) x Piper PA-31 Piper Navajo Chieftain.

Airlink also has two (2) part-time pilots. Airlink operates in partnership with AirMed which is dedicated to patient transfer.

**Other Activities**

Private operators with aircraft based at the airport total approximately 15 fixed wing aircraft. The Airport is also home to Thomas Aviation who provide flight training and charter services.

In addition to operations based at Dubbo, a number of GA and military operations visit the airport periodically. The airport hosts intermittent visits from Defence aircraft, fire bombing and other aircraft such as the Beechcraft King Air, Pilatus PC9, and Challenger, Fokker 70 and Gulfstream 650 jets.

**New GA Area**

Additional lots have recently been made available to the north and east of the traditional GA area. Four (4) lots for Code A aeroplanes to the east of the RFDS facility are provided. One (1) of these now houses the aero club facilities and it is understood the other three (3) are leased.



Seven (7) lots for Code B aeroplanes are provided north of the RFDS with access to Runway 11/29 via Taxiway Kilo and access to Taxiway Delta via Taxiway Juliet parallel to Runway 01/29. The RFS also has water tanks located at the north-west end of this area.

There is no landside access for the purposes of refuelling aircraft on these private lots. Fuel operators have stated that their trucks do not currently have vehicle registration to drive on public roads.

### 3.3.4 ITINERANT USERS

There are a number of itinerant users including fixed wing aircraft and helicopters. Helicopters include military aircraft as well as air ambulance. Currently itinerant aircraft park in the aircraft tie-down parking area.

### 3.3.5 ITINERANT AIRCRAFT PARKING

A grass tie down area is provided east of the RPP apron and additional central parking is available on the GA apron area. These areas are operating at capacity.

## 3.4 HISTORY OF THE AIRPORT

As early as 1929, Australian Airways visited Dubbo looking to include the town on their schedule. Land suggested for a landing strip was outside the municipality. At this time, aircraft had already been landing in George Smith's dairy paddock.

The first flights into Dubbo were in the early 1930s, that consisted of aviation exhibition flights by people such as Charles Kingsford Smith. At this time, the landing strip was in Wheelers Lane in the vicinity of the now Orana Mall with the take-off north towards Myall Street.

Mr Tom Perry, who had been instrumental in establishing a landing strip at Narromine, purchased land close to the present Dubbo Airport and commenced 'working bees' to clear the land of trees, stumps and rocks. The official opening took place on 29 April 1935 when a Western Air Service Plane (WASP) flew in from Trangie. The ribbon to commemorate the opening was cut by Mrs Duffy, the Lady Mayoress at the time. The plane departed with a full complement of passengers. WASP flew from Nyngan-Narramine-Dubbo to Sydney twice per week.

With Australia's involvement in World War II came the RAAF Stores Depot. However, the one thing Dubbo did not have was a suitable aerodrome for freight and stores in and out of the Depot. The dirt airstrip was suitable only for small aircraft. The Commonwealth Construction Corps were brought in to build an all-weather Military Airport on land resumed from the Fitzgerald's property 'Elizzard Field'.

The Local Member of the Legislative Council (MLC) of the day appealed to the district farmers to take their tractors, trucks and anything suitable to help speed up completion of the work. Farmers responded, as did local people, who would work all day and then spend time working on the airfield construction. Stone for the foundation of the strip was carted from a property on the south



Burrabadine Road and gravel was carted from a property at Brocklehurst. The work was completed in 1942.

Captain C A Butler of Butler's Air Transport landed on the RAAF strip on a trial trip prior to inaugurating a regular service to Sydney-Dubbo-Bourke-Charleville and other routes. The service commenced in May 1946 following installation of radio equipment from No. 6 RAAF Stores Depot.

In June 1946, the Department of Civil Aviation took over the Dubbo Airport from the Military Services and improved the bitumen runways and ancillary buildings. An air radio station was also installed at this time.

On 1 July 1970, the former Dubbo City Council accepted the transfer of ownership of the Dubbo Airport from the Department of Civil Aviation under the Airport Local Ownership Plan (ALOP). Under this arrangement, Council owned, operated and maintained the aerodrome land as a licensed aerodrome open for public use. A further change was made following the decision of Council in September 1988 to accept the ownership and maintenance of the runway lighting. Whilst Council owns the land, any alteration to the use of the land and buildings without the approval of the Department of Transport at the time was not permitted.

In 1991, the Federal Government advised of its intention to divest itself fully of airport ownership, and on 30 June 1992, a Deed between the Commonwealth and the former Dubbo City Council was enacted, giving full ownership of the Airport to Council. For the City of Dubbo, this meant the following:

- Council to accept full responsibility for the Airport, including full funding responsibility;
- The Commonwealth to stop collecting landing charges and the Council to develop its own overall charging regime to cover operational costs of the aerodrome consistent with the standard of service demanded by the local community;
- The Commonwealth to 'write-off' any past investment in the aerodrome;
- The Government to consider funding works necessary to meet aviation industry needs by providing a once-only non-attributable grant. In this regard, the Government provided a grant of \$200,000 for specified capital works; and
- Responsibilities for all visual aids, which are site-specific, to be transferred to the Council.

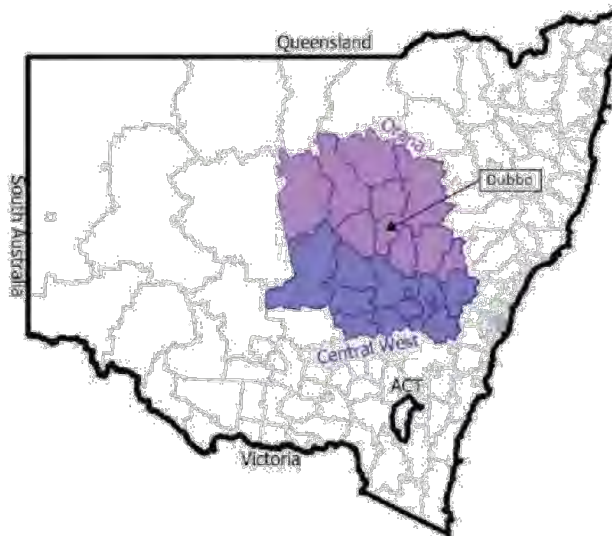


#### 4.0 PLANNING CONTEXT

##### 4.1 REGIONAL CONTEXT

The Dubbo Regional Local Government Area (LGA) is located in the Orana Region of NSW and is the gateway to western NSW. Dubbo is one of NSW's growth centres, a hub with an increasing population as people migrate away from Sydney seeking a tree-change. The City is a provider of health, education, cultural services, business and retail services to surrounding areas.

Figure 2: Local Government Areas within the Central West and Orana Region



Dubbo has developed over time as a major service centre and is situated at the meeting point of the Newell, Mitchell and Golden highways. The City is a five-hour drive from Sydney, four hours from Newcastle and Canberra and a 10-hour drive from both Melbourne and Brisbane, being the mid-way point between the two cities.

Dubbo is also a key hub for multiple transport modes – air carriers operating in excess of 166 flights per week in March 2019 to Brisbane, Sydney Melbourne and Newcastle as well as daily rail connections to Sydney.



Approximately 80% of the Australian population can be reached within a 10-hour transport trip of Dubbo – be it by road, by rail or by air. Dubbo's strategic geographic position within NSW and its regional catchment area (Orana), as well as the wider catchment area of western and north-western NSW.

**4.1.1 POPULATION**

The Dubbo Regional LGA has a population of more than 52,000 people with 77% of those (approximately 42,000 people) living in Dubbo City. The remaining population is located in Wellington (8,000 people) and across its regional villages.

As a regional hub, Dubbo services a broader population of 120,000 people within the Orana region and approximately 200,000 people across Central and Western NSW.

Dubbo's economic prominence is reflected in its ongoing population growth and stable economy. Table 2 below indicates that between 2006 and 2016 Dubbo City experienced an overall population increase of 8.88 per cent compared to 3.34 per cent for the Orana region and 12.45 per cent for NSW. The annual growth rate during this period sees Dubbo City with an average annual rate of 1.78 per cent versus 2.49 per cent for NSW.

Table 2: Comparative Population Statistics for Dubbo City

	Year	Former Dubbo LGA	Dubbo Regional LGA	Orana Region	NSW
Population	2006	37,616	46,807	111,626	3,649,174
	2011	38,808	47,302	115,562	3,917,656
	2016	41,582	50,076	119,590	4,180,230
Pop. Increase	2006 - 2011	963	1,350	1,026	308,482
	2011 - 2016	2,724	2,773	2,938	302,574
	2006 - 2016	3,687	4,108	3,964	611,056
Pop. Increase (%)	2006 - 2011	2.48	2.82	0.89	5.33
	2011 - 2016	6.56	5.54	2.48	7.52
	2006 - 2016	8.88	8.20	3.34	12.45
Annual Growth Rate (%)	2006 - 2011	0.50	0.56	0.18	1.07
	2011 - 2016	1.31	1.11	0.50	1.50
	2006 - 2016	1.70	1.64	0.67	2.49

Source: Dubbo Regional Council

In line with available projections, Dubbo City's annual population growth rate is projected to continue to trend strongly over the coming years as it attracts people from smaller towns within the Orana region (for education and for employment in construction, manufacturing and in health services), but also from Sydney as families move for lifestyle purposes and prosperity based on the strength of the Dubbo economy. Dubbo City's population is expected to exceed 46,000 by 2036 while Dubbo Regional LGA's population is projected to exceed 60,000 people by 2036.



**4.1.2 INDUSTRY**

Dubbo and Orana both have established roles within the regional economy and have clear sectors of propulsion, or engine industries, based on their respective natural and institutional assets.

The Orana region specialises in mining and agriculture – production of raw materials which are transported for manufacturing and processing, either in Dubbo or to markets out of the region.

Dubbo, is a service centre and specialises in construction, manufacturing and services such as the provision of health care and aged care for the Orana region and wider NSW, which accounts for 16.5% of employment in Dubbo – both the largest share of jobs and the greatest contributor in value add to the Dubbo economy.

However Dubbo's construction and manufacturing sectors are strong performers as they have ready access to raw materials, livestock and other agricultural commodities as well as skilled labour from across the Orana region.

Table 3 below illustrates Dubbo is a strong contributor to the Orana Region's economy and both Dubbo and Orana boast low unemployment rates against the NSW state average.

**Table 3: Comparison GPP and Employment/Unemployment Statistics**

	Dubbo Regional LGA	Orana Region	NSW
Gross Regional/State Product	\$3.43 Billion	\$8.08 Billion	\$576.72 Billion
Output	\$8.6 Billion	\$1.8 Billion	\$1.2 Trillion
Total Employment (People/Jobs)	22,857	19,871	1,356,119
Unemployment Rate	3.5%	3.8%	4.7%

Source: REMPLAN - Economic Modelling and Planning System

Total number of jobs in the Dubbo region is approximately 23,000 (2017), with approximately 1,600 of these jobs in the tourism sector. The Dubbo region currently has an unemployment rate of 2.7%, which is almost half that of the NSW unemployment rate of 5.3% (March 2018).

**4.1.3 TOURISM**

Dubbo is home to the Teronga Western Plains Zoo (TWPZ), which attracted 280,000 visitors in 2017-18. Other regional attractions include: the Wellington Caves, a 40-minute trip from Dubbo, which will soon boast a new \$4.2M visitor experience centre; the historic Dundullimal Homestead, believed to be the oldest sophisticated slab house in Australia; the Dubbo Observatory offering both day and night stargazing; the Old Dubbo Gaol; and the Royal Flying Doctor Service visitor centre.



## 4.2 LOCAL CONTEXT

### 4.2.1 DUBBO COMMUNITY STRATEGIC PLAN

The Dubbo Community Strategic Plan (CSP) is the highest level of strategy that will guide and influence the actions and initiatives of Dubbo Regional Council, the community, all tiers of government and community stakeholders through to 2040. The Plan includes five principal themes and a number of strategies and outcomes.

The community, in development of the CSP, expressed a need for the *Dubbo City Regional Airport* as a *freight hub for our region to Asia and beyond* and to ... *continue to provide services to its current destinations* as contained within Theme 2: Infrastructure and Theme 3: Economy respectively. The requirement of the community is contained in Principal Theme 2.4 that *the community and business have convenient air access to a variety of destinations*.

### 4.2.2 DUBBO URBAN AREAS DEVELOPMENT STRATEGY 1996

The *Dubbo Urban Areas Development Strategy* was first adopted by Council in 1996 and is made up of the following strategies:

- Residential Areas Strategy;
- Employment Lands Strategy;
- Recreational Areas Strategy; and
- Future Directions and Structure Plan (Part 1 and 2).

The Strategy forms the basis for the land use zonings and planning controls provided in the Dubbo Local Environmental Plan 2011.

#### **Residential Areas Development Strategy**

At the core of the *Residential Areas Development Strategy* is the significant emphasis of further residential development being undertaken in West Dubbo which will ensure the Dubbo Central Business District is situated at the centre of the Dubbo urban area. The Strategy also provides for further in-fill development to be undertaken in the south-east of the City.

The Strategy was reviewed by Council in 2007 as part of the review of the *Dubbo Urban Areas Development Strategy* with the preparation of the *Dubbo Urban Areas Development Strategy Discussion Paper*. The Strategy was again reviewed in 2009 in the process of preparation of the Dubbo Local Environmental Plan (LEP) 2011.

The airport is located within a reasonable proximity to the north-west Residential Urban Release Area as contained in the Dubbo LEP 2011. This area of the City will form one of the major residential development fronts over the next 30 years. This area of the City is recognised as having the potential to accommodate approximately 2,600 residential allotments or up to 10,000 persons, over time.





#### Employment Lands Strategy

The Employment Lands Strategy is the newest component of the Urban Areas Development Strategy that was adopted by Council in March 2019. The Strategy aims to ensure that the City of Dubbo has an appropriate level of commercial, industrial, institutional and tourist zoned land in the future which is situated in locations that can best meet the long-term requirements of Dubbo and the Region.

The Dubbo City Regional Airport is included in the Hierarchy as a Specialised Activity Centre. The Strategy identifies two Specialised Precincts of which the Airport Precinct is one that provides its own unique benefit to Dubbo and the surrounding region. The Airport is located within Industrial Candidate Area 2 – Airport Precinct which was identified as a long term industrial expansion area given its location and access to the airport and highway. Its identified role is to allow development and industries related to the airport including air freight and transport, road transport as well as compatible light industrial and agricultural services.

#### 4.2.3 DUBBO LOCAL ENVIRONMENTAL PLAN 2011 (LEP)

The Dubbo Local Environmental Plan 2011 (LEP) provides the overall land use zoning regime for the Dubbo Local Government Area, guiding the permissibility of development and specific provisions in relation to heritage conservation and environmental management of lands.

The LEP provides a zoning of SP2 Infrastructure over the airport lands. The SP2 Infrastructure zone provides the following objectives for development:

- To provide for infrastructure and related uses; and
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.

The SP2 zone provides the following in relation to the permissibility of development:

*The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose.*

Any development included in the Master Plan which does not have a clear and identifiable relationship with airport operations may require a rezoning or planning proposal process to be undertaken. This process can be further considered prior to the provision of infrastructure and associated development as included in the Master Plan.

#### 4.2.4 DUBBO DEVELOPMENT CONTROL PLAN 2013

The Dubbo Development Control Plan 2013 (DCP) was prepared by the former Dubbo City Council in 2013 to further assist and explain the requirements of the Dubbo Local Environmental Plan 2011 and to include specific provisions for development proposals. The DCP commenced operation on 6 May 2013.





The DCP Section 3.6 *Dubbo City Regional Airport Controls* includes the airport operations overview, the Obstacle Limitation Surface (OLS) for the airport and the Australian Noise Exposure Forecast (ANEF) mapping. Both the OLS and ANEF requirements were included in the DCP to ensure proponents of development proposals surrounding the Airport were required to take into account the impacts of the airport on any development activities.

#### 4.3 LAND USE

The airport is located approximately five (5) kilometres north-west of the Dubbo Central Business District and is situated on the Mitchell Highway. The general land use activities in the vicinity of the airport are shown in Figure D at Appendix A.

Industrial land use activities predominately adjoin the airport to the south and to the west. This includes light industrial and warehouse activities to the south and transport and logistics activities including warehousing to the west. The airport also immediately adjoins approximately 96 hectares of land zoned IN3 Heavy Industrial under the provisions of the Dubbo Local Environmental Plan to the west. At the present time, these lands have not yet been developed and currently contain single dwelling houses. Council recently purchased two (2) lots at the western end of the Runway 11/28 and assumed within the airport boundary. The land zoned for industrial development south of the airport is contained in the Dubbo Industrial Areas Development Strategy as an Industrial Candidate Area as being suitable for transport, warehousing and associated logistics.

The airport adjoins land zoned RU2 Rural Landscape to the north and north-east. These lands predominately each contain a dwelling house and are utilised for limited rural production purposes. It should be noted that these lands have minimal opportunities for further development of residential housing based on the large minimum allotment size for subdivision and the permissible development types afforded to the land under the provisions of the Dubbo Local Environmental Plan 2011.

Land zoned low density residential development to the east consists of 360 hectares and forms the north-west Residential Urban Release Area.

##### 4.3.1 BIODIVERSITY

The Airport land holding is not known to have any threatened flora or fauna or Endangered Ecological Communities (EEC). However, two areas of remnant vegetation are immediately to the north-east and south-east of the subject site.

The LEP includes biodiversity mapping for the overall Dubbo Local Government Area (LGA). Land with biodiversity values is mapped as either having medium or high biodiversity.

Figure 5 shows the extent of biodiversity mapping in the vicinity of the airport lands. Both vegetation areas have the potential to provide habitat for kangaroos and bird life which can impact airport operations. It is considered that the area of vegetation to the south-east is unlikely to be impacted by current and future operations. However, the area of vegetation to the north-east may



be impacted. Any future development on the airport lands, where native vegetation is proposed to be removed, will require environmental assessment to be undertaken. In addition, further augmentation of Airport facilities may require assessment under the NSW state government Biodiversity Offset Methodology.

Figure 3: Airport Surrounds Biodiversity Mapping



#### 4.3.2 GROUNDWATER

The airport land holding has a relatively high groundwater table when considered in the context of other lands in Dubbo. This high water table has impacted infrastructure works at the airport over time.

The Dubbo LEP 2011 includes groundwater vulnerability mapping for the overall Dubbo LGA. Land is either mapped as having high or medium groundwater vulnerability. The airport land is entirely within the high groundwater vulnerability mapping which means it will require detailed geotechnical assessment and the appropriate design of infrastructure including the construction of aprons, taxiways, extension of (the main) Runway 05/23 and any building works.



4.3.3 STORMWATER

Stormwater drainage for the developed component of the airport lands is carried by an open stormwater drain that traverses the site from south to north as shown below in Figure 4.

Additional development activities proposed in the Master Plan have required stormwater infrastructure works to accommodate the uses. Council at the time of writing adjusted the alignment of the open stormwater channel to the west closer to Cooreena Road and underground connections are provided to accommodate road and development infrastructure.

Council has also purchased neighbouring properties on the western boundary and north of the GA area for the purposes of providing additional stormwater infrastructure. Future infrastructure will need to ensure that any detention or other catchment ponds are only temporary to serve the immediate purpose of managing stormwater flows. Ponds should not hold water long term in order to avoid attracting wildlife hazards as discussed in Section 9.2.3

Figure 4: Open Stormwater Channel



4.4 AVIATION REGULATORY CONTEXT

Consideration of the aviation regulatory context is integral to ensure a safe and secure environment for aviation operation. Dubbo City Regional Airport is a certified aerodrome by the Civil Aviation Safety Authority (CASA).

The *Civil Aviation Safety Regulations Part 139* (CASR Part 139) requires an operator of an aerodrome used for Regular Passenger Transport operations to have an Aerodrome Certificate. Accordingly, Dubbo City Regional Airport became a Certified Aerodrome on 5 April 2006 (Certification number 1-6EDH).



CASR Part 139 empowers the Authority to specify standards and procedures relating to airports used in air transport operations. The standards and procedures are set out in the *CASA Manual of Standards Part 139 – Aerodromes*.

The *Aviation Transport Security Act 2004* was enacted on 10 March 2005 which legislated that all RPT airports, including Dubbo City Regional Airport, be classified as security controlled airports. As a consequence of the introduction of the Qantas Link Bombardier Dash 8 Q400 aircraft, the Dubbo City Regional Airport is now classified as a Category 3 airport, for security purposes, meaning that passenger and baggage screening is in operation.

This legislation requires Council to maintain a Transport Security Program (TSP) which sets out the manner in which Council will protect the Airport from unlawful security intrusions.

Draft



## 5.0 STAKEHOLDER CONSULTATION

The Dubbo City Regional Airport Master Plan 2019 – 2040 has been prepared in consultation with Council and stakeholders. Consultation with stakeholders was held in two separate formats. One on-site session was held at the airport terminal building as well as telephone discussions with individuals.

### 5.1 ON-SITE MEETING

Stakeholders were invited to an early morning session at Dubbo Airport on 21 March 2019 to discuss what worked well at the airport and areas that may need attention. Attendees included Beal Aircraft Maintenance, NTL, VIVA, council staff including the Airport Manager and Aerodrome Reporting Officers.

Throughout the day REHBEIN Airport Consulting met separately with the Director of Economic Development and Business, the Airport Manager, the Director Infrastructure and Operations, Council Engineering staff and the Manager Strategic Planning Services, and the Manager Capital Projects.

REHBEIN Airport Consulting conducted a site inspection and met with the RFDS at their premises.

### 5.2 TELEPHONE DISCUSSIONS

Telephone contact was made to various airlines, car hire companies and general Airport users as provided by Council. All phone calls were made on 15 April 2019. Where phone contact was not provided a brief email advised the stakeholder of the review taking place and welcomed their feedback.

### 5.3 EMERGING THEMES

Generally, comments focussed around the positive growth of the Airport specifically in RPT services and fire activity. The diversity in businesses and growth in emergency services at the Airport is putting pressure on the Airport and its facilities. Stakeholders expressed the importance of evaluating the layout to ensure areas are interconnected and can operate in a safe manner.

The key themes emerging from the consultation are listed below.

#### 5.3.1 THEME 1: TERMINAL AREA

##### RPT Apron

Stakeholders expressed that the RPT apron was often congested particularly when an unserviceable aircraft (which happens occasionally) parks on the apron. When this happens the RPT apron is fully utilised and aircraft need to be moved out during peak periods.



#### Passenger Terminal Building

Extension to the terminal building was raised with stakeholders suggesting it will need to expand. Comment was made on the terminal screening location that it is difficult to access the café and on-airport employees are not using the facility.

Visitor attraction to the airport was considered important and could take the form of a viewing platform, café or museum that provides a general meeting place which does not require visitors to pass through passenger screening. Stakeholders feel such improvements would support and attract business at the airport. Council undertakes a bi-annual survey of customers and continually reviews and considers feedback provided.

#### Car Parking

Car parking was indicated as operating at capacity. Council has reported that the car rental companies have grown by 60 to 70 percent in past year alone.

On site car parking was said to need to double in spaces either by extending laterally or providing multi storey facilities. Interest was expressed for a car wash and possibly a petrol service station to support the car rental services.

#### Aerodrome Reporting Officer (ARO) Base

Stakeholders expressed the need to provide the ARCs a dedicated base for plant, equipment and personnel. Currently the AROs use the existing Airservices building.

#### Taxiway D

The potential need for upgrading the parallel taxiway to Runway 05/23 (Taxiway Delta) to allow Code C aircraft was noted by some operators, and it was identified that extended runway occupancy time (especially when landing on Runway 05, or departing Runway 23) can sometimes cause issues when there is a high amount of circuit traffic. As an interim and more cost-effective solution, for landings on Runway 05, provision of a turning facility to allow 180 degree turns to be executed along the runway would be beneficial to reduce runway occupancy time for larger aircraft.

Taxiway Delta was also raised in discussions as to how the extension would interact with terminal and RPT apron expansion. The current master plan preserves the extension to connect to both ends of Runway 05/23.

### 5.3.2 THEME 2: GENERAL AVIATION AREA

#### General Aviation Apron

Council raised concerns about aircraft parking on the south side of the GA apron and possibly infringing the taxiway clearances. Stakeholders noted a number of competing activities are occurring in the GA area such as local freight, medical transfers, charter operations and refuelling.

It was suggested that the GA area incorporate a dedicated drop/pick up area to prevent unauthorised road vehicle access onto the apron.



Stakeholders commented that the GA apron has experienced drainage issues over the years, and as such, the Apron may experience problems. Council noted that drainage is currently being upgraded along Cooreena Road which is expected to resolve the flooding matters.

#### Grass Tie Down Area

Various stakeholders expressed that the grass tie down area surface is hard and it is difficult to tie down aircraft. Stakeholders also discussed the need for additional hangar space and tie down areas on the GA apron. Observations included the difficulty for itinerant aircraft using the grass area and occupants walking across apron/taxiway.

In addition, run-up bays should be clearly identified and usable for the GA users.

### 5.3.3 THEME 3: GROWTH ACTIVITY

#### Helicopters

Stakeholders are noticing the increased frequency of helicopter traffic at the airport. There is currently no dedicated helicopter landing site or parking stands. Council noted that the Dubbo hospital HLS is currently shut down and as such is contributing to the increased helicopter traffic. Stakeholders stated that at the moment helicopters air-taxi to and park on Bay 5 of the RPT apron when available. The majority of helicopter activity is Toll (Air Ambulance) and military.

#### Large Air Tanker Base

Stakeholders expressed the proposals for a Large Air Tanker (LAT) base and a dedicated precinct to accommodate LAT that frequently visits Dubbo during bushfire season. A design was previously prepared to locate a LAT facility at the western end of the new larger general aviation lots. It was suggested that the location be re-evaluated.

#### Freight Precinct

Stakeholders expressed the possibility of an international freight operation using a B777F or similar. This may work in connection with the Northern Bypass as included in Council's Transport Strategy.

#### Commercial Activity

Stakeholders raised the need to provide a more structured layout for the Commercial Precinct as identified in the current Master Plan 2015-2036; specifically, delineation of airside areas and landside areas. It was suggested that recent inquiries for the Commercial Precinct include additional car hire companies, car wash and accommodation facilities.

Stakeholders also thought it adequate for the Master Plan to begin to consider the allocation of suitable land uses across the precinct.





**6.0 AVIATION ACTIVITY FORECASTS**

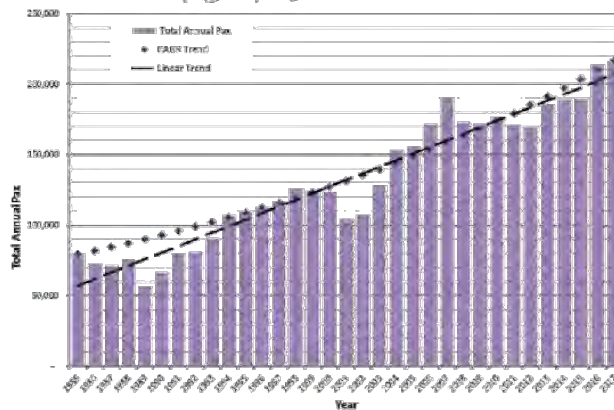
Planning for aviation-related facilities (runways, taxiways aprons and other facilities) for the airport is based on a range of factors, including current aviation activity and forecast aviation traffic growth. Currently, the airport hosts RPT services and a GA contingent which incorporates predominantly emergency services, a number of smaller general aviation businesses and private operators.

**6.1 PASSENGER GROWTH AND PROJECTION**

Dubbo City Regional Airport hosts Qantas Link using the Dash 8 Q200 (36 seats), Q300 (52 seats) and Q400 (72 seats), Regional Express and Fly Corporate using the SAAB340 (36 seats) and Fly Pelican using the BAe Jetstream 32 (19 seats) aircraft types.

In 2017 a total of 216 489 passengers passed through the airport (inbound and outbound)<sup>3</sup>. This is an increase from 1985 where the airport processed a total of 79 308 passengers inbound and outbound. The passenger totals over the period 1985-2017 is represented in Figure 5. The compound annual growth rate for passenger traffic at Dubbo from 1985 to 2017 was 3.2 per cent. For comparison, the Australian total passenger growth rate was approximately 5 per cent for the same time period.

Figure 5: Historical Annual Passenger Growth



<sup>3</sup> BITRE Domestic Totals and Top Routes July 2004 – February 2019





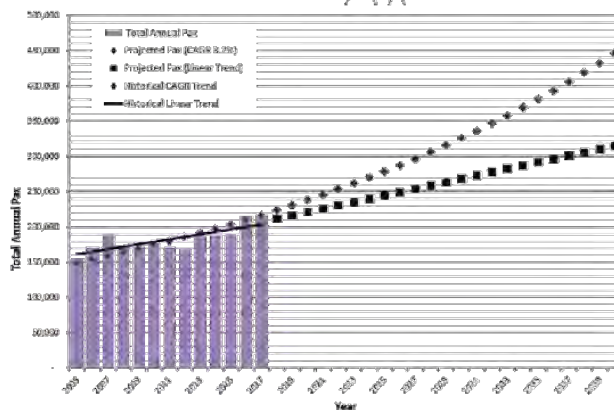
Source: BITRE

There are significant events which may have impacted the RPT passenger growth rates during this time including the pilot strike in 1989-1990, the collapse of Ansett/Hazlett Airflines in 2002 and the Global Financial Crisis in 2013-2015.

Using the historical compound annual growth rate of 3.2 per cent, RPT passenger traffic is projected to reach around 445,000 passengers in 2040.

Extrapolating a linear best fit trend line based on historical data out to 2040, passengers would be estimated at 315,000 as illustrated in Figure 6.

Figure 6: Forecast Passenger Growth Based on Historical Trends



Forecasts for passenger numbers through to 2040 will not necessarily continue to follow historical long-term trends. Total passengers utilising the facility will depend on a range of growth pressures and factors impacting Dubbo, the Orana Region and Central West Region.

**6.2 RPT AIRCRAFT TYPE GROWTH PROJECTION**

In 2018, the airport hosted a total of 5,291 flights which is an average of 102 flights per week. Dubbo has a relatively comprehensive route network, compared with other regional airports. In 2019 Qantas Link and Rex are servicing the Dubbo – Sydney route 48 times per week; Rex services Dubbo – Broken Hill 6 times per week; Fly Corporate services Dubbo – Brisbane 7 times per week and Dubbo – Melbourne (Essendon) 4 times per week; and Fly Pelican services Dubbo – Newcastle 3 times per week.



For infrastructure planning purposes, modelling of expected RPT aircraft movements was undertaken for both passenger growth rate scenarios, to identify timelines for the introduction of larger aircraft types. Modelling was based on passenger movement forecasts and an assumed typical load factor through to 2040. Destinations and the weekly schedule were maintained similar to the current schedules. Load factors were maintained at approximately 67 per cent which is reflective of typical target ranges used by the incumbent airlines and is somewhat higher than the average historical load factor at Dubbo City Regional Airport of around 62 per cent.

Possible future aircraft types were informed by existing available fleet mix for the current operators at relevant seating capacity. Actual aircraft types in the future fleet may differ as new types with similar seat capacity enter the Australian fleet. Although the current and future types are all likely to fall within the same (Code C) aerodrome reference code designation, these new types are likely to be somewhat larger in footprint, and hence RPT apron space demand, than the equivalent types in the current Australian fleet. These types would, physically, fit within the parking and manoeuvring footprint of the B737-800.

Based on the above assumptions, if passenger demand increases at a compound annual growth rate of 3.2% per year on average 100-seat aircraft (such as the Fokker F100/Bombardier CRJ-900/1000) may be expected at Dubbo to accommodate forecasted passenger numbers commencing around 2026. A further up-gauge to 120-seat regional types (such as Boeing 717-200/Airbus A220-100) would be justified by 2032, with Boeing 737 or similar sized aircraft expected from around 2030 onwards.

If passenger demand increases at a lower rate, based on the historical linear trend, it is expected these dates may be around three to four years later, respectively.

Table 4: Aircraft Type Forecast

Aircraft Size	Typical Aircraft	3.2% CAGR	Linear Forecast
100 seats	Fokker F100 / Bombardier CRJ-900 / CRJ-1000	2026	2028
120 seats	Boeing 717-200 / Airbus A220-100	2028	2032
150+ seats	Boeing 737 / Airbus A320-300	2030	2034

The information provided is based on an assessment of the above factors and should be used for strategic planning purposes only. All fleet decisions will be evaluated by the airlines and would be based on the aircraft fleet available at the time. The timing of any up-gauging will be determined by the operators and the level of passenger traffic is only one factor in this decision-making.



### 6.3 GENERAL AVIATION GROWTH AND PROJECTION

General Aviation (GA) is a diverse sector including all flying activity other than commercial transport operations. GA is categorised by BITRE into flying training, mustering, firefighting and emergency services operations, search and rescue, aerial surveying and photography, towing and private flying.

Generally in Australia, GA flying activity increased steadily between 1990 and 2010 but has been decreasing overall since 2010, despite some categories within this sector such as search and rescue which has demonstrated an increased.

Specifically within the private flying sector BITRE statistics show a marked divergence between the aircraft registered with self-administering organisations (i.e. RAAus) and aircraft on the VH-register. Overall private flying hours showed a strong increase between 1990 and 2012 while private hours flown in VH-registered aircraft gradually but consistently fell with a significant decrease in 2014. Flight training by VH-registered aircraft has been falling since 2009. While search and rescue activities vary significantly from year to year, hours flown for these operations have been trending upwards since the early 1990s.

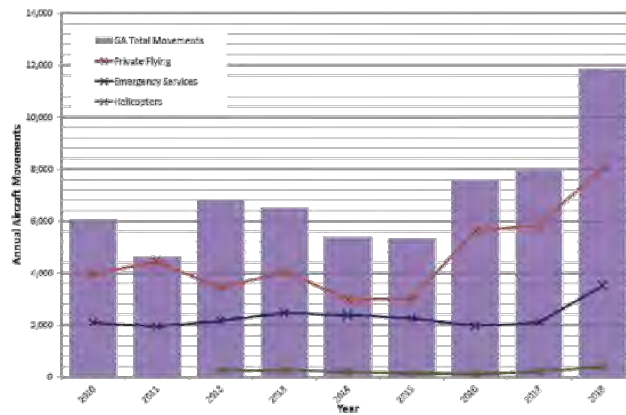
There are two (2) emerging areas of GA growth, self-administering associations and remotely piloted aircraft systems that are having a significant effect on the GA sector in Australia.

Private flying and emergency services (fire and medical) which include helicopters are the main GA activities at Dubbo City Regional Airport. In 2018, GA movements totalled approximately 11,860 of which approximately 67 per cent was private flying, 30 percent emergency services and 3 per cent helicopter activity.



The airport in the past two to three years has seen significant investment from emergency services particularly the RFDS and RFS setting up headquarters and training facilities. The private flying, emergency services and helicopter movements from 2010 to 2018 are illustrated in Figure 7 below.

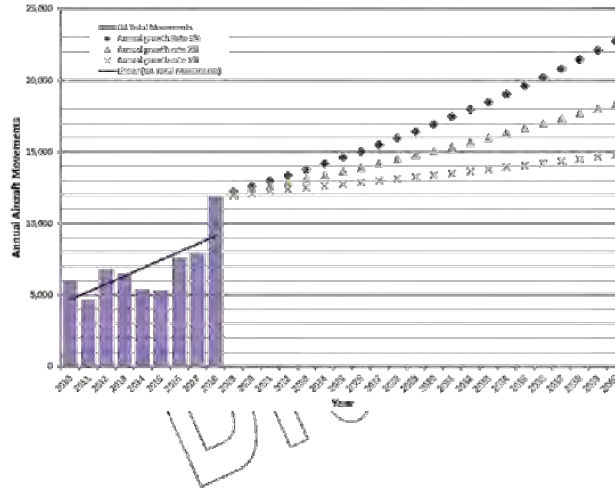
Figure 7: Historical GA Movements



Based on a low growth scenario assuming approximately 1 percent overall, total GA movements would be approximately 15,000 movements by 2040. Based on an annual growth rate of 3 percent total GA movements would be roughly double the 2018 level of activity with around 22,700 in 2040. Growth rates of 1 to 3 percent are typical of growth forecasts for GA within the regional airport sector. The resulting forecast GA movement numbers are also typical of many regional airports. Higher growth may be possible contingent on the amount of development and additional users which Council is able to attract to the airport.



Figure 8: Forecast GA Movements





## 7.0 STRATEGIC DIRECTION

The establishment of a clear strategic direction is fundamental to the subsequent development of appropriate concept layouts for infrastructure and land use. Vision and objectives will guide the strategic direction of Dubbo City Regional Airport and compliment the City's strategic direction providing an understanding of how the airport is likely to change into the future.

The below vision statement was endorsed by Council in the Master Plan 2015 – 2036 and is consistent with key stakeholder feedback provided as a part of this review. The statement, philosophy and goals/objectives are consistent with the *Dubbo Community Plan* and the *Dubbo Urban Areas Development Strategy 1996*.

### 7.1 VISION STATEMENT

To develop an efficient and fully functioning Airport, which significantly contributes to and improves the economic and social base of the Dubbo City area and the wider region.

### 7.2 PHILOSOPHY

Dubbo City Regional Airport is a major gateway to Dubbo and a significant driver of the economy of the City and the Orana Region.

### 7.3 GOALS AND OBJECTIVES

1. To continue to operate the Airport to provide a commercial return on investment to the community;
2. To provide airport facilities for, and encourage the operation of, economic and viable air services to and from Dubbo;
3. To meet the needs of commuters to and from Dubbo within the financial constraint of the 'user pays' system;
4. To ensure that the operations of the Airport are in accordance with the relevant regulations and that perceived emergency needs can be met;
5. To constantly review, evaluate and update operational procedures in order to stay relevant and effective;
6. To provide for the air users of Dubbo and the wider region, a multi-purpose aerodrome as the basis for their operation;
7. To attract development to the Airport that would be of benefit to the City of Dubbo in general; and
8. To have planned sufficient area for development to meet the anticipated demand in the next five years.



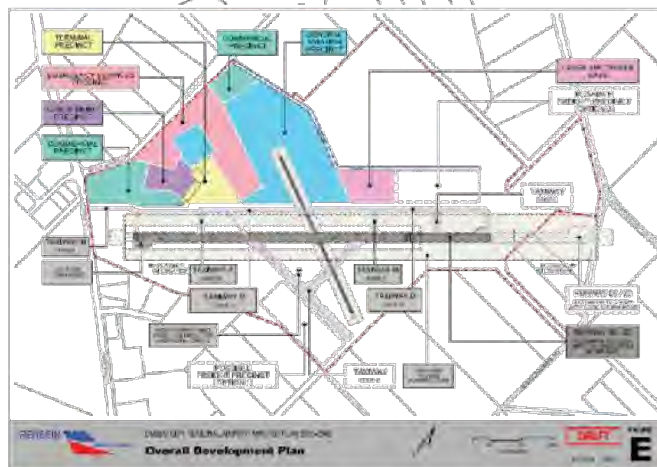
**8.0 DEVELOPMENT CONCEPT**

Based on the stakeholder feedback and discussion with Council, the precinct layout and airport movement area infrastructure (runway system, taxiway network and apron areas) required to meet the identified Dubbo City Regional Airport vision and purpose were established. This is a key step in the preparation of the Master Plan and includes determining the key facilities and infrastructure required to accommodate the aspirations of key stakeholders and Council to continue to support the airport growth and opportunities.

The development concept is described below:

**8.1 OVERALL DEVELOPMENT PLAN**

The Overall Development Plan as illustrated below and in Figure E at Appendix A identifies each of the precincts with their own uses.



Central to the Overall Development Plan are the runways and taxiways necessary for the take-off, landing and ground movement of aircraft to access the relevant precincts.



The Precinct Plan identifies the following precincts which are described in the subsequent sub-sections:

- Terminal Precinct;
- Car Park;
- Commercial Precinct;
- Emergency Services Precinct;
- General Aviation Precinct;
- Large Air Tanker (LAT) Base; and
- Freight Precinct.

#### 8.1.1 TERMINAL PRECINCT

The Terminal Precinct is proposed to be extended to accommodate an expansion of the terminal building at the north end and two (2) additional aircraft parking bays for aircraft up to B737-800 size, as well as reconfiguration of the existing RPT apron area. In addition, an ARO Base is proposed at the south end of the terminal building.

#### 8.1.2 CAR PARK

A dedicated Car Park is proposed which expands the general car parking area and includes the existing hire car facilities and relocates the secure car park.

#### 8.1.3 COMMERCIAL PRECINCT

The Commercial Precinct is proposed to accommodate both airside and landside development.

##### Landside Development

The landside development could include a car wash, service station and accommodation facilities. Accommodation could potentially include demand for airport transits and also, given the proximity to the Mitchell Highway, demand for non-Airport related accommodation. A motel-style facility of one or two-storeys is likely to be the most suitable, however the actual accommodation offering will need to be suited to the specific demand to maximise the commercial return to Council. In order to respect the OLS limitations and maximise visibility and accessibility to both Airport and non-Airport customers, locations abutting Arthur Butler Drive and/or the corner with the Mitchell Highway might be most suitable for accommodation and service station facilities.

Additional commercial land for future use is also identified west of Runway 11. This land abuts Coreena Road and does not have direct airside access. This precinct is suitable for commercial uses that might not necessarily require direct aeronautical facilities but which would complement the either the Emergency Services Precinct development or the proposed General Aviation Precinct and could benefit from access from Coreena Road.





#### Airside Development

The airside development will accommodate Code C aircraft hangars with airside apron parking and could include helicopter parking and/or hangar facilities with access via Taxiway D, emergency services precinct.

The Emergency Services Precinct incorporates all the existing users with additional area to the north adjacent RFS and SES for further expansion.

#### 8.1.4 GENERAL AVIATION PRECINCT

##### Old GA Area

The existing GA apron can remain broadly as it currently is. However, pending possible relocation of the fuel facilities to the western edge of the apron, greater access into the area for Code B aircraft may be possible.

If additional access for Code B in the Old GA Area is not provided, Code B aircraft operations will need to be located in the New GA Area of the proposed General Aviation Precinct.

It is recommended that options for the ongoing use and development in this Old GA Area be subject to further investigation of options, costs and benefits by Council and the development of a business case for the preferred course of action, in the context of the other Master Plan proposals.

##### New GA Area

A dedicated Local Freight Processing and Distribution Area is proposed towards the north-west end of the existing Code B lease lots, just to the south west of the existing RFS apron. This area is for aircraft loading/unloading and transferring freight to vehicles. This area has road access to the south and airside access via Taxiway F. The RFS apron includes parking for Air Tractor aircraft as well as RFS water tanks.

##### GA Precinct Expansion

An expansion of the General Aviation Precinct is proposed at the west end of Runway 11/26. This will incorporate new Code B hangar lease lots north of Runway 11/26 and a new light aircraft tie down areas.

#### 8.1.5 LARGE AIR TANKER (LAT) BASE

A Large Air Tanker (LAT) Base situated to the north-west of the runway intersection is proposed to accommodate three (3) aircraft parking positions each to accommodate two Code C fire-bombing aircraft and one (1) Coulson C-130 (Code D) as well as landside area for supporting equipment.

#### 8.1.6 FREIGHT PRECINCT

Council has identified possible use of large scale freight with aircraft up to a B777F. Two options for precinct locations are illustrated on Figure F. Option 1 is to the south-east of the runways section of the runways intersection. This Option provides for landside connection directly to the a



possible future road which is subject to Council approval. Airside access would be via proposed new taxiways (Code E) to Runway 05/23.

Freight Precinct Option 2 is positioned at the threshold of Runway 23 with access via the parallel Taxiway D (Code E). In both Options aircraft using the Freight Precinct will be required to back track the runway. In addition, the runway will be required to be extended, widened through the provision of shoulders and strengthened.

**8.2 AIRSIDE INFRASTRUCTURE**

Airside infrastructure is comprised of the runway system, taxiway network and apron areas as illustrated on Figure E at Appendix A. All future airside infrastructure is planned in accordance with the CASA Manual of Standards Part 139 - Aerodromes (CASA MOS Part 139) as Version 1.14 January 2017, except with respect to parallel taxiway separation distances from Runway 05/23.

Consideration has also been given to the CASA Notice of Proposed Rule Making NPRM1462AS (in particular Annex C Draft Part 139 Manual of Standards (Aerodromes) Instrument 2017), where this is anticipated to bring about relevant changes to relevant standards, once finalised and effective in 2020.

In all cases, airside infrastructure must be provided in accordance with the aerodrome standards which apply in the future at the time of development.

**8.2.1 RUNWAYS**

Runways provide the core functionality of any airport. Therefore, appropriate planning must define future requirements for runways as a central aspect of the airport Master Plan.

**Runway 05/23**

Runway 05/23 is planned ultimately as a Code 4E instrument non-precision runway in accordance with CASA MOS Part 139. The runway is anticipated to be up to 2,800 metres long and 45 metres wide with runway shoulders provided at 7.5 metres wide either side. The runway will be contained within a 280 metre wide by 2,920 metre long runway strip, with the central 150m width graded. (Note: the minimum strip width requirement is currently 300 metres in accordance with CASA MOS Part 139 v1.14, however is expected to reduce in future to 280 metres, in line with ICAO Annex 14 Volume 1 Aerodromes, 8<sup>th</sup> Edition, July). 2018 A Code 4E runway as described above will accommodate a B777F or similar aircraft. In order to accommodate this runway length, additional property will be required beyond the existing airport land boundary. Re-alignment of Bunglegumble Road would also be required.

Runway 05/23 is also illustrated at 2,200 metres long to accommodate Code D aircraft operations in the LAT base and Code 4C narrow body jet RPT operations. The runway is to be contained within a 280 metre wide by 2,320 metre long runway strip. The existing 1,708 metres in length will



also require strengthening for the proposed aircraft operations. This runway length could be accommodated within the existing airport land boundary.

In both runway extension scenarios, the existing runway and other relevant taxiway infrastructure would need to be strengthened to accommodate the proposed aircraft operations.

**Runway 11/29**

Runway 11/29 is planned to remain as a Code 2B non-precision instrument runway. This runway remains as existing, at an overall length of 1,067 metres and 18 metres wide. The runway is situated inside a graded 90 metre wide runway strip. (Note: the minimum strip width requirement is expected to reduce in future to 80 metres, in line with ICAO Annex 14 Volume I Aerodromes, 8<sup>th</sup> Edition, July).

**Runway Turning Area**

Turning areas will need to be provided for Runway 05/23 in accordance with CASA MOS Part 139 where no entrance or exit taxiway way is provided to the threshold which accommodates the maximum size of aircraft utilising the runway.

**Runway Shoulders**

Runway shoulders are to be provided for the total length of the runway. A width of 7.5 metres either side of the 45 metre wide runway must be constructed for Code 4D and Code 4E runways. The shoulders provide for erosion protection and must be capable of supporting an aircraft, running off the runway, without causing structural damage to the aircraft.

**Runway End Safety Areas (RESA)**

RESAs are to be provided at a minimum of 90 metres long and 90 metres wide (or twice the width of the runway) beyond the end of the runway strip for Runway 05/23 in all cases to protect the aircraft in the event of undershooting or overrunning the runway.

**8.2.2 TAXIWAY NETWORK**

For taxiways and apron configuration refer Figure F at Appendix A.

**Taxiway Alpha**

Taxiway Alpha is planned be upgraded to a Code D taxiway providing accessing between Taxiway D and Runway 05/23, as well as Code C access to RPT Apron in the Terminal Precinct. In order to accommodate jet aircraft, shoulders would need to be provided to a minimum of 3.5 metres either side in accordance with CASA MOS Part 139.

**Taxiway Bravo**

Taxiway Bravo is planned to remain as a Code C taxiway from Runway 05/23 to the RPT Apron and the aircraft stand-off area in the Terminal Precinct. In order to accommodate jet aircraft, shoulders would need to be provided to a minimum of 3.5 metres either side in accordance with CASA MOS Part 139.



**Taxiway Charlie**

Taxiway Charlie will be removed to provide for the extension of the RPT Apron on the north side of the RPT terminal building.

**Taxiway Delta**

Taxiway Delta is a proposed full-length parallel taxiway on the western side of Runway 05/23 and will extend south of the Runway 05 threshold to access the Commercial Precinct. Taxiway Delta is planned in three sections with different capabilities as follows:

- From Taxiway A south to the Runway 05 threshold Taxiway Delta is planned at a minimum of 15 metres wide within a 52 metre wide taxiway strip to provide Code C aeroplane and helicopter taxi access to the Commercial Precinct. This taxiway will need to be separated a minimum of 150 metres from the Runway 05/23 centreline.
- From Taxiway A north to the intersection with Runway 11/29, Taxiway Delta is planned as Code D taxiway with a minimum separation of 186 metres from Runway 05/23. This separation allows for Code 4 non-precision instrument runway operations and Code C taxiway operations in accordance with the current CASA MOS Part 139. Following alignment of CASA MOS Part 139 with the latest ICAO taxiway minimum separation distances and reduction of the runway strip width to 280 metres, this separation will be suitable for Code D taxiway operations. The existing taxiway will need to be realigned to ensure Code D taxiway strip clearances to existing development, and widened to a minimum of 18 metres to accommodate the C130 aircraft. In order to accommodate Code C jet aircraft such as the B737-800, this section would also need to be provided with 3.5m wide shoulders each side. To accommodate larger Code D aeroplanes this taxiway may need to be widened to 23 metres with 7.5 metre wide shoulders.
- From the runway intersection north to the threshold of Runway 23, Taxiway Delta is planned ultimately as a Code E taxiway 23 metres wide with 10.5 metre wide shoulders, accessing the Freight Precinct Option 2 and the Runway 23 threshold. Initially this would be developed to suit Code D aeroplanes only for access to the LAT base. However the taxiway should be constructed with separation from Runway 05/23 suitable for ultimate Code E use. The minimum separation is currently 182.5 metres in accordance with CASA MOS Part 139. However, this is expected to reduce to 172.5 metres following alignment of CASA MOS Part 139 with the latest ICAO taxiway minimum separation distances and reduction of the required runway strip width to 280 metres. (The minimum separation for Code 4 non-precision runway and Code D taxiway operations is currently 176 metres reducing to 186 metres.

Once complete, Taxiway Delta will provide full length Code C aeroplane access parallel to Runway 05/23 as well as Code D access between the Runway 23 threshold and Taxiway A. A short section of backtracking between Taxiway A and the Runway 05 threshold would be required for Code D



aircraft. Council considers that this requirement would not be operationally restrictive, given the respective costs associated with removing existing constraints to achieving Code D clearance in this section.

#### Taxiway Echo

Taxiway Echo is proposed to be upgraded from Code B to Code C between Taxiway Delta to the entrance of the existing GA apron in order to provide access to the proposed Code C parking positions on the expanded RPT Apron.

#### Taxiway Juliet

Taxiway Juliet will remain as a Code B taxiway accessing the larger Code B lots in the New GA Area. Taxiway Juliet will be extended west to provide access to the proposed fuelling point and the local freight processing and distribution area adjacent to the hangar lots as well as light aircraft tie-down area further to the west.

#### Taxiway Lima

A proposed new taxiway (indicatively called Taxiway Lima for the purpose of this Master Plan) is planned to run west from Taxiway Delta on the north side of Runway 11/29 to provide access to the new GA Precinct. A taxiway connection from Taxiway Kilo to the Runway 11 threshold is also proposed.

#### Taxiway Mike

A proposed new taxiway (indicatively called Taxiway Mike for the purpose of this Master Plan) is planned to provide access for Code D aircraft from the LAT base to backtrack on Runway 05/23. This taxiway may be necessary for the early stages of LAT base operation, depending on how quickly Taxiway Delta is upgraded. Taxiway Mike will also provide an intermediate access/egress point for RPT and other aircraft to/from the main runway.

#### Taxiway November

A proposed new taxiway (indicatively called Taxiway November) for the purpose of this Master Plan) is planned provide access for Code C aircraft and helicopters to the airside development in the Commercial Precinct south of the Terminal Precinct. This taxiway will need to be located so as to avoid infringement of the OLS by aircraft using it or by those parked within the Commercial Precinct.

### 8.3 AIRCRAFT PARKING AREAS

#### RPT Apron

The RPT Apron located in the Terminal Precinct is proposed to be extended north and west around the extension to the terminal building as a Code C. The RPT Apron is proposed to be extended to provide two (2) new aircraft parking bays which can each accommodate up to a B737-800 aircraft. The existing Bay 1 will also be re-designed to accommodate a B737-800, and Bay 3 will be upgraded to accommodate Dash 8-Q400 (DH8D) and Fokker F100 aircraft. Existing Bays 4 and 5



will be removed to allow for Taxiway Delta clearance requirements as a Code D taxiway. The expanded and reconfigured RPT apron will be able to accommodate:

- three (3) aircraft up to B737-800 size (this also includes possible future 100-150 seat regional jet types such as the B717-200 and Airbus A220); and
- two (2) 70-100-seat aircraft such as the Q400 / F100

It is expected that this will be sufficient for RPT operations up to 2040. However, overflow parking will also be provided through stand-off positions.

**RPT Stand-Off and Run-Up Bays**

A stand-off area east of the RPT Apron will provide for two (2) SAAB 340B maximum or one (1) executive jet such as a Gulfstream IV, Challenger 600 or Falcon 900. The stand-off area is accessed east via Taxiway Bravo.

Four Code B run-up bays accessed via Taxiway Echo are also planned in this area.

**Existing Old GA Apron**

The existing GA Apron is suitable for the current mix of Code A and Code B uses. Options for increasing the availability of Code B access, including the need and/or benefit for relocation of the existing fuel facilities, should be subject to more detailed feasibility assessment.

**Tie-down Parking Areas**

Reconfiguration of the GA Apron to accommodate Code B operations, and/or the future RPT Apron expansion will absorb the current grass tie-down parking. Replacement tie-down areas are proposed in the GA Precinct Expansion west of the lease lots to the north of the Emergency Services Precinct. Further tie-down area will be incorporated into the future GA Precinct development north of Runway 11/29.

**8.4 PASSENGER TERMINAL BUILDING**

The terminal building is planned for expansion to the north of the existing building. Expanding the building on the south end is restricted due to Taxiway Delta clearance requirements. In addition, OLS and taxiway clearance requirements to provide aircraft parking bays up to a Code C B737-800 standard associated with the extension would prohibit these bays being located at the southern end of the RPT apron. The existing Undercover Secure Car Park will need to be relocated to allow for terminal building expansion. This expansion area allows for an additional 600 square metres of terminal space.

Reconfiguration of the internal spaces of the terminal building would be required to accommodate the expansion. This would need to be subject to a further detailed study, however it is anticipated that:

- The existing departures area could expand to the north, with the security screening relocating to the existing check-in area;



- Check-in facilities could be relocated to the existing administration and arrivals areas;
- Arrivals baggage claim area could be expanded to the north along with relocated administration facilities; and
- An airside enclosed or covered walkway could also be incorporated from the existing departures area past the rear of the existing check-in to access the new RPT apron bays and to allow passengers from the southern RPT positions to access the arrivals facilities;

Terminal expansion is likely to be driven by increases in operating RPT aircraft sizes and should be kept under regular review in discussions with airlines.

#### 8.5 CAR PARKING

Car parking is provided for west of the Terminal Precinct with an additional area of approximately 15,500 square metres. The Undercover Secure Car Park (3,500 square metres) would relocate to this area. An additional section of car parking is provided to the south side of the Airport Ring Road intended for Council use in keeping with the existing circumstances.

#### 8.6 ARO BASE

An area to consolidate the ARO facilities and equipment is allocated at the south end of the Terminal Building across the airside access point. The existing Airservices Building may be able to be converted into the ARO facilities, otherwise it may need to be removed to accommodate them in the same location. This location provides the AROs with immediate access to the airside, visual surveillance of the aircraft movement areas while having direct access to the terminal building.

#### 8.7 HELICOPTER PARKING STANDS

Helicopter parking stands are proposed at the east end of the Commercial Precinct to accommodate up to three (3) Agusta Westland AW139 helicopters. This area is directly opposite the end of Runway 05 and land access via Arthur Butler Drive. Helicopters would utilise the runway network for arrivals and departures and taxi to the allocated stand areas. These facilities would form part of the airside commercial precinct.

#### 8.8 WIND DIRECTION INDICATORS AND GROUND SIGNALS

There are three existing wind direction indicators on the airport and an Automatic Weather Information System (AWIS). A primary wind direction indicator illuminated with a signal circle is currently located on the west side of Runway 05/23 between Taxiway Alpha and Taxiway Bravo. An additional illuminated WDI at the threshold of Runway 23 and one non-illuminated WDI at the threshold of Runway 11. The AWIS equipment is located on the east side of Runway 05/23 south of Runway 11/29.

In accordance with MOS Part 139 Section 8.7.1 the airport must install and maintain at least one indicator at the airport. However, when surface wind information is passed to the pilots of aircraft approaching the runway through an automatic weather observing system the requirement to





provide a wind direction indicator at the threshold of the runway is not applicable as per MOS Part 139 Section 8.7.1.3.

In order to allow for the expansion of Taxiway Delta, the RPT Apron and the General Aviation Precinct the primary WDI and the non-illuminated WDI will need to be removed.

One WDI and Signal Circle is provided for in accordance with MOS Part 139 Aerodromes south-east of the runways intersection so as to be visible from aircraft that are in flight or aircraft that are on the movement area.

#### 8.9 FUEL STATIONS

New fuel facilities are proposed in the New GA Area next to the freight and distribution area, which could accommodate both Code A and Code B aircraft to power in and out.

The existing fuel bowzers on the east end of the existing general aviation apron may be retained, or relocated to the western end of the apron, depending on the future development option chosen in this area (refer Section 8.1.4B.3).

#### 8.10 INDICATIVE DEVELOPMENT STAGING, TRIGGERS AND TIMING

Proposed developments have been grouped into indicative short (1-3 years), medium (3-10 years) and long-term (10+ years) stages. Key developments and triggers are shown in Table 5, Table 6 and Table 7, respectively, below.

A rough order-of-magnitude cost range has also been provided. These cost ranges are based on judgement, rule-of-thumb, experience with similar developments and discussions with Council. No warranty is made as to their accuracy. It should be noted that cost estimates are extremely sensitive to engineering design parameters including, in particular, earthworks and ground conditions, as well as the specific project scope requirements. No investigation or assessment of these items has been undertaken in developing these estimates, nor have the development packages been subject to a formal scope definition, and so the indicative costs should be treated with appropriate caution and are not to be relied upon until engineering design can be further progressed.





Table 5: Proposed Short-Term Development (1-3 Years)

Development package	Indicative Cost	Trigger
Extend Taxiway Juliet	\$0.5 million	Immediate operational requirement
Southern Apron Expansion	\$1 million	Immediate operational requirement
Local Freight Processing and Distribution apron	\$0.5 – 1 million	Immediate operational requirement
Construct LAT Base Stage 1 apron and access road (Utilities extra)	\$0.5 – 0.8 million	Project Partnership Agreement with RFS
Taxiway Ultra extension to Runway 05/23		
Taxiway Delta and Taxiway Echo re-seal	\$300,000	Overall demand and quality of existing infrastructure
Re-development of the Gate area	\$300,000	Commercial demand
Re-seal of the Cross Runway 06/28	\$500,000	Condition and use of the Cross Runway
Undercover Walkway for RPT Passengers	\$700,000	Passenger Demand and inclement weather
Aerodrome Repairing Officers shed and associated facilities	\$300,000	Operational demands

Table 6: Proposed Medium-Term Development (3-10 Years)

Development package	Indicative Cost	Trigger
Construct LAT Base Stage 2 apron and structures	\$7 million	RFS requirement and industry development opportunities
Runway extension to 2,200 m long Code 4D	\$40 million	Code 4C jet or Code 4D runway
Upgrade and extend Taxiway Delta (Stage 1 Taxiway Alpha to Taxiway Lined, Stage 2 Runway 23 threshold) Staged Code C to Code D	\$15 – 20 million	Code 4C jet or Code 4D runway
Reconfigure existing Old GA Apron to full Code D access including relocation of fuel tanks (if required)	\$0.5 – 2 million	Feasibility study and business case
Additional Northern GA Area (including Taxiways J, K and aircraft parking) (Utilities extra)	\$3 – 5 million	Commercial demand
Strengthen Runway 06/28 to Code D/LA1 requirements and extend Runway to 2,200m Code D	\$40 million	RFS or RPT Aircraft requirement
Commercial Precinct (landside – Mitchell Highway)	\$6 – 10 million	Commercial demand
Proposed new Fueling Point	~\$0 million	Commercial demand
RPT Apron Expansion (including stand-off and run-up bays)	\$3 – 10 million	RPT demand
Relocation of Secure Parking	\$2 – 3 million	Expansion of RPT Apron, passenger and service numbers
Passenger Terminal Expansion	\$5 – 10 million	Expansion of RPT Apron, passenger and service numbers
Public Car Park Expansion	\$1 – 2 million	Passenger demand



Development package	Indicative Cost	Trigger
Commercial Precinct (Airside) including access via Taxiway November	\$3 – 5 million	Commercial demand
Warehouse and distribution commercial precinct	\$5 million	Commercial demand

Table 7: Proposed Long-Term Development (10+ Years)

Development package	Indicative Cost	Trigger
Freight Precinct Development		
Runway Extension to 2,900 m long and widening to Code C	\$80 – 60 million	Wide-body freight operators
New Code F taxiways		
(Assumes 2,900m Code 4G runway constructed prior)		

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## 9.0 AIRPORT SAFEGUARDING

### 9.1 THE NEED FOR SAFEGUARDING

Adequate protection of the basic capability to undertake aircraft operations in accordance with accepted safety standards and regulatory requirements, and in an efficient and economic manner, is imperative to the future realisation of aeronautical opportunities at Dubbo City Regional Airport. Operations at Dubbo City Regional Airport will require adequate safeguarding in order to develop the vision and objectives of the Master Plan.

Airport safeguarding includes a number of elements that will be required throughout the planning and development processes. The various safeguarding elements will be triggered by different activities and aircraft operations.

### 9.2 NATIONAL AIRPORTS SAFEGUARDING FRAMEWORK

The National Airports Safeguarding Framework (NASF) is a national land use planning framework that aims to:

- Improve community amenity by minimising aircraft noise-sensitive developments near airports including through the use of additional noise metrics and improved noise-disclosure mechanisms; and
- Improve safety outcomes by ensuring aviation safety requirements are recognised in land use planning decisions through guidelines being adopted by jurisdictions on various safety-related issues.

The NASF was developed by the National Airports Safeguarding Advisory Group (NASAG), comprising of Commonwealth, State and Territory Government planning and transport officials, the Australian Government Department of Defence, the Civil Aviation Safety Authority (CASA), Airservices Australia and the Australian Local Government Association (ALGA).

NASF currently consists of a set of seven principles and nine guidelines. The full NASF principles and guidelines can be found on the Department of Infrastructure and Regional Development's website at: [www.infrastructure.gov.au/aviation/environmental/airport\\_safeguarding/nasf](http://www.infrastructure.gov.au/aviation/environmental/airport_safeguarding/nasf).

The NASF principles are as follows, and each guideline is described in the following subsections.



- **Principle 1:** The safety, efficiency and operational integrity of airports should be protected by all governments, recognising their economic, defence and social significance
- **Principle 2:** Airports, governments and local communities should share responsibility to ensure that airport planning is integrated with local and regional planning
- **Principle 3:** Governments at all levels should align land use planning and building requirements in the vicinity of airports
- **Principle 4:** Land use planning processes should balance and protect both aviation operations and community safety and amenity expectations
- **Principle 5:** Governments will protect operational airspace around airports in the interests of both aviation and community safety
- **Principle 6:** Strategic and statutory planning frameworks should address aircraft noise by applying a comprehensive suite of noise measures
- **Principle 7:** Airports should work with governments to provide comprehensive and understandable information to local communities on their operations ensuring noise impacts and airspace requirements.

9.2.1 GUIDELINE A

**Measures for Managing Impacts of Aircraft Noise**

NASF Guideline A can be used in the assessment of new development applications for noise sensitive uses. While the Australian Noise Exposure Forecast (ANEF) system is recognised by a number of jurisdictions in land use planning decisions, the 20 and 25 ANEF zones do not capture all high noise affected areas around an airport. In addition, Australian Standard AS2021-2015 recognises that the ANEF contours are not necessarily an indicator of the full spread of noise impacts, particularly for residents newly exposed to aircraft noise.

Guideline A is the Government's recognition of the need to consider a complementary suite of noise measures in conjunction with the ANEF system to better inform strategic planning and to provide more comprehensive and understandable information on aircraft noise for communities.

Council should consider, taking into consideration the existing and potential future land uses in the vicinity of the Airport:

- Whether the current ANEF represents an adequate forecast of potential future noise impacts associated with the potential aviation activity foreseen in this Master Plan; and
- Whether there is a need to develop and communicate additional information in addition to the ANEF mapping.



#### 9.2.2 GUIDELINE B

##### Managing the Risk of Building Generated Windshear and Turbulence at airports

The purpose of this guideline is to assist land use planners and airport operators in their planning and development processes to reduce the risk of building generated windshear and turbulence at airports near runways.

Applicability of this Guideline is initially determined by the location of the building within an 'assessment trigger area' around the runway ends, that is:

- 1200 metres or closer perpendicular from the runway centreline (or extended runway centreline);
- 900 metres or closer in front of runway threshold (towards the landside of the airport); and
- 500 metres or closer from the runway threshold along the runway.

The guideline recommends that all developments within the assessment trigger areas which will infringe a 1:35 sloping surface from the runway centreline should be subject to further assessment.

Positioning of all developments on airport will need to be evaluated on a case by case basis. Subject to confirmation through such evaluation that no adverse impact on aircraft operations is predicted, then buildings may be located closer to the runways and within the 1:35 surface.

Council should retain flexibility in the internal layout of proposed development precincts until the positioning of buildings in relation to Guideline B is resolved.

#### 9.2.3 GUIDELINE C

##### Managing the Risk of Wildlife Strikes in the Vicinity of Airports

The purpose of Guideline C is to inform the land use planning decisions and the way in which existing land use is managed in the vicinity of airports with respect to the attraction of wildlife, particularly birds. A table is included in Attachment 1 which indicates wildlife attraction risk and associated actions for developments within buffer zones around airports of 3, 8 and 13 kilometres radius.

Council should consider Guideline C in its planning decisions with respect to land uses and developments within 13 kilometres of the Airport.

#### 9.2.4 GUIDELINE D

##### Managing the Risk to Aviation Safety of Wind Turbine Installations

This guideline provides general information and advice in relation to wind farms and turbines and their hazards to aviation. Proponents of such installations should take account of Guideline D in undertaking assessments of the impacts of the proposals, including on aviation. Council should be aware of the guideline and it may assist Council in evaluating and commenting on any wind farm proposals.



#### 9.2.5 GUIDELINE E

##### Managing the Risk of Distraction to Pilots from Lighting in the Vicinity of Airports

Guideline E provides guidance on the risk of distractions to pilots of aircraft from lighting and light fixtures near airports. The *CASA Manual of Standards part 139 Aerodromes Section 9.21: Lighting in the Vicinity of Aerodromes* sets out the restrictions and provides advice to lighting suppliers on the general requirements, information and correspondence avenues.

Advice for the guidance of designers and installation contractors is provided for situations where lights are to be installed within a 6 kilometre radius of the airport. Lights within this area fall into a category most likely to be subject to the provisions of regulation 94 of CAR 1988.

The primary area is divided into four light control zones, A, B, C and D. These zones reflect the degree of interference ground lights can cause pilots as they approach. Lighting associated with any developments should therefore meet the maximum intensity of light sources measured at 3 degrees above the horizontal associated with each Zone as follows:

- Zone A - 0 cd;
- Zone B - 50 cd;
- Zone C - 150 cd; and
- Zone D - 450 cd.

Council should consider Guideline E in relation to any proposed lighting installations (for example, associated with sports fields, industrial facilities and similar) within 6 kilometres of the Airport.

It should be noted that solar panel installation is a particular consideration in relation to glare/reflectivity affecting aircraft in various stages of flight as well as ATC operations. Should any solar panels be proposed within the vicinity of the Airport a solar glare hazard analysis to satisfy CASA and Council that the safety of aircraft operations will not be affected is recommended.

#### 9.2.6 GUIDELINE F

##### Managing the Risk of Intrusions into the Protected Airspace of Airports

Guideline F is designed to address the issue of intrusions into the operational airspace of airports by tall structures, such as buildings and cranes in the vicinity of airports.

The safety, efficiency and regularity of aircraft operations require airspace to be largely free of obstacles which may make it unsuitable for the conduct of visual and instrument flights.

At Dubbo City Regional Airport the Obstacle Limitation Surfaces (OLS) are currently provided based on an instrument non-precision Code 4 Runway 05/23 at 2,350 m long. To protect for the operations which may be associated with a possible freight precinct, the OLS should be updated to reflect the possible 2,800 metre long Runway 05/23.

The OLS for an airport describe the airspace boundaries for flight in proximity to an airport which should be kept free of obstacles that may endanger aircraft operations in visual operations or



during the visual stages of an instrument flight. The OLS components are defined in the International Civil Aviation Organization (ICAO) Annex 14 and in Chapter 7 of the CASA Manual of Standards (MOS) Part 139. Subject to aeronautical assessment, an obstacle may be permitted to penetrate the OLS without placing restrictions on the allowable operations, but will normally require it to be marked and/or lit to make it conspicuous to pilots. CASA may also impose operational limitations on aerodrome users in the presence of obstacles. To avoid any undesirable limitations on operations, it is recommended to ensure that obstacles are not permitted to penetrate the approach or departure areas.

The Guideline also addresses activities that could cause air turbulence that could affect the normal flight of aircraft operating in the prescribed airspace and/or emissions of steam, other gas, smoke, dust or other particulate matter that could affect the prescribed airspace in accordance with Visual Flight Rules (VFR).

#### 9.2.7 GUIDELINE G

##### Protecting Aviation Facilities – Communication, Navigation and Surveillance (CNS)

Essendon Airport operates a number of aviation based CNS facilities. Protection surfaces have been established and published for these facilities so as to prevent interference with the performance of the facilities.

#### 9.2.8 GUIDELINE H

##### Protecting Strategically Important Helicopter Landing Sites (HLS)

Guideline H provides guidance on the ongoing operations, protection of flight paths and areas for off-airport HLS. As such it is not applicable to on-airport facilities. However, on-airport helicopter facilities should be planned and designed in accordance with the guidance set out in CAAP 92-2(2) *Guidelines for the establishment of on-shore helicopter landing sites*.

#### 9.2.9 GUIDELINE I

##### Managing the Risk in Public Safety Areas at the Ends of Runways

Guideline I provides guidance on approaches for the application of a Public Safety Area (PSA) planning framework in Australian jurisdictions. The Guideline is intended to ensure there is no increase in risk from new development and to assist land-use planners to better consider public safety when assessing development proposals, rezoning requests and when developing strategic land use plans.

A PSA is a designated area of land at the end of an airport runway within which development may be restricted in order to control the number of people on the ground around runway ends. The size and shape of a PSA typically depend on the statistical chance of an accident occurring at a particular location. The risk is related to the number and type of aircraft movements and the distance from the critical take-off and landing points. PSAs are based on the landing threshold for



each end of the runway and in most cases become narrower with increasing distance before the threshold.

Guideline 1 provides two examples of most relevance to Australia (the UK and Queensland approaches) to developing PSA extents:

- The UK model is the most formalised approach to defining a PSA and has been applied at a number of international and Australian airports; and
- The Queensland model is a modified version of the policy and research conducted in the UK. The Queensland model may be more appropriate at a regional airport such as Dubbo.

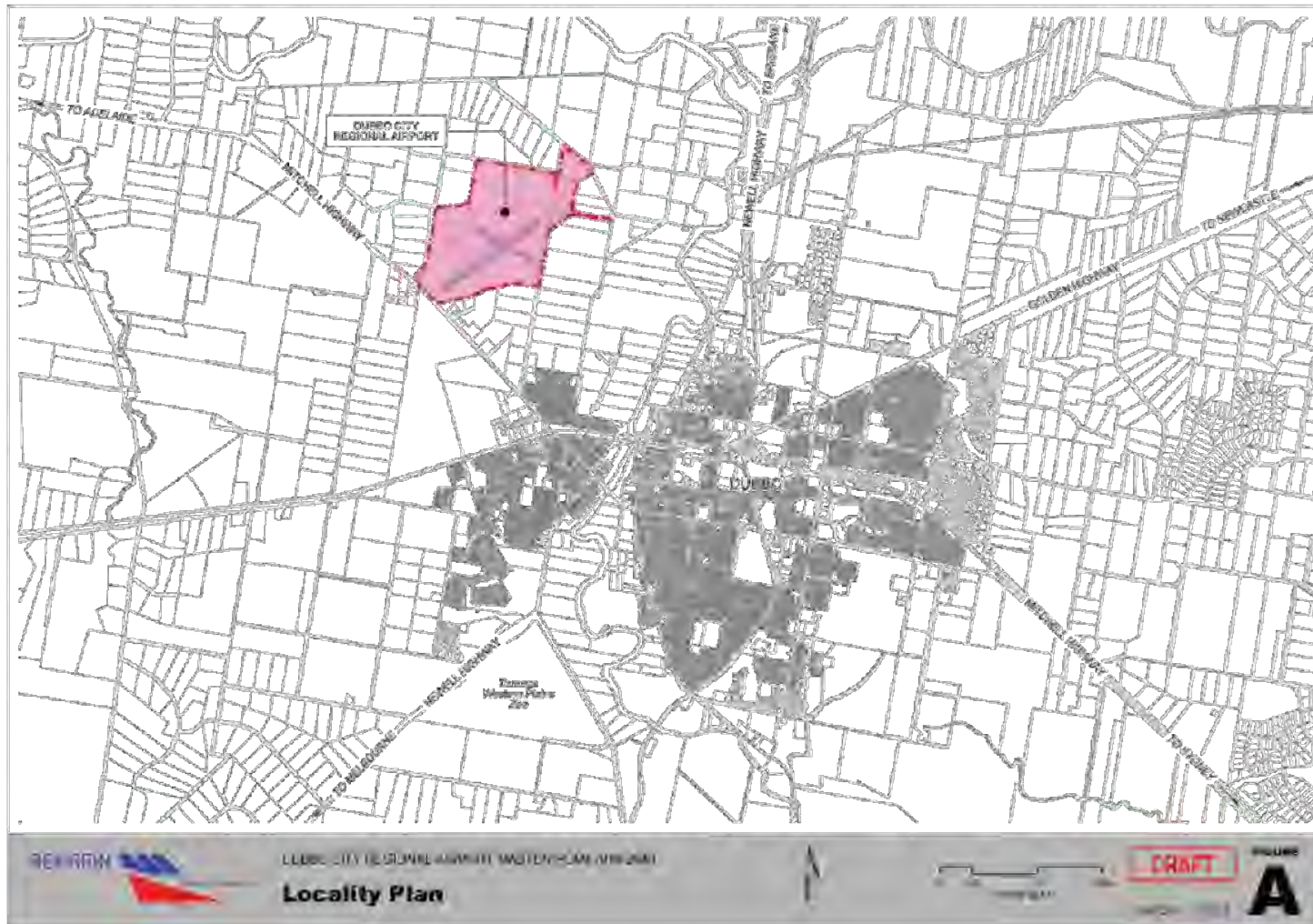
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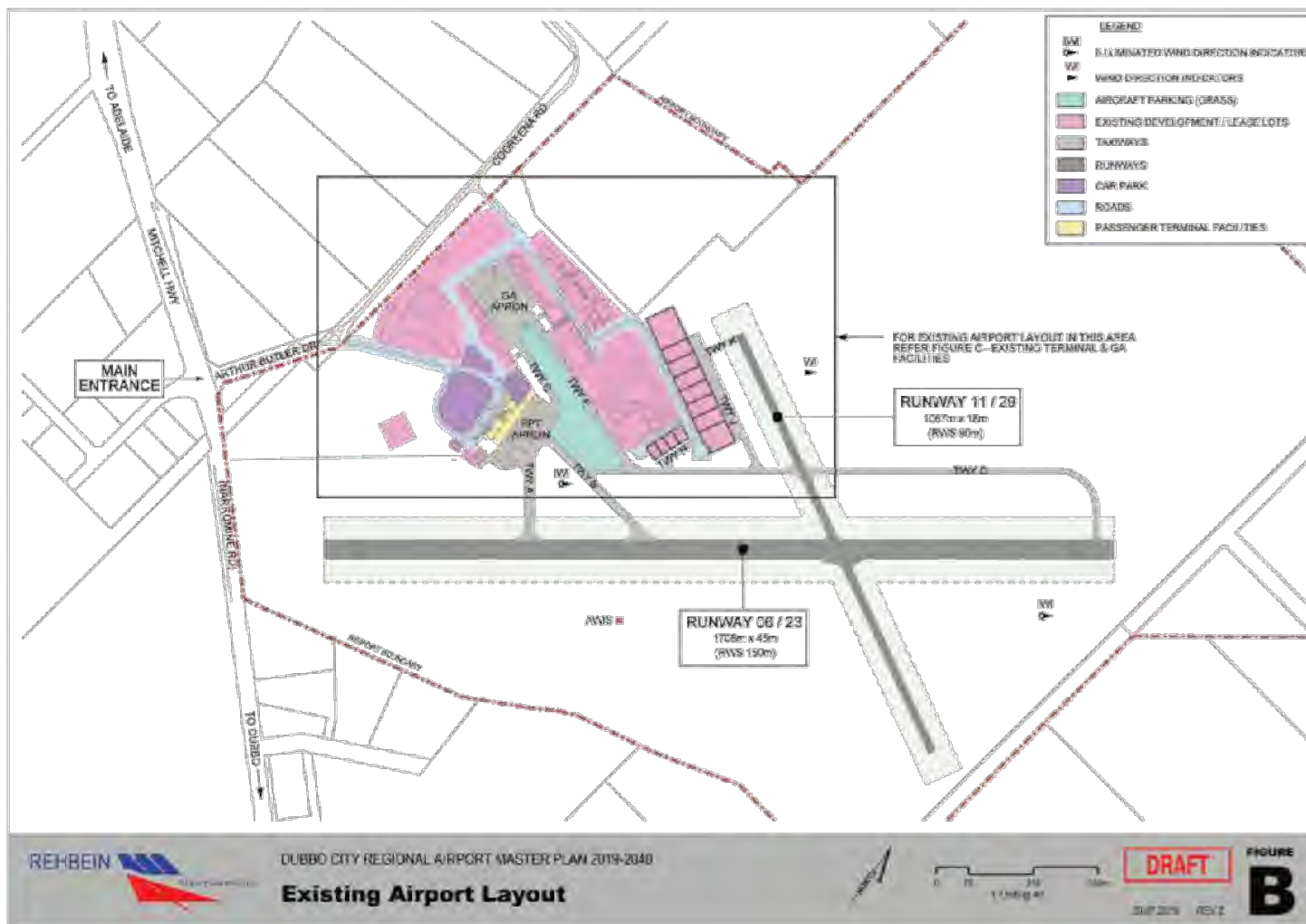




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APPENDIX A  
MASTER PLAN FIGURES

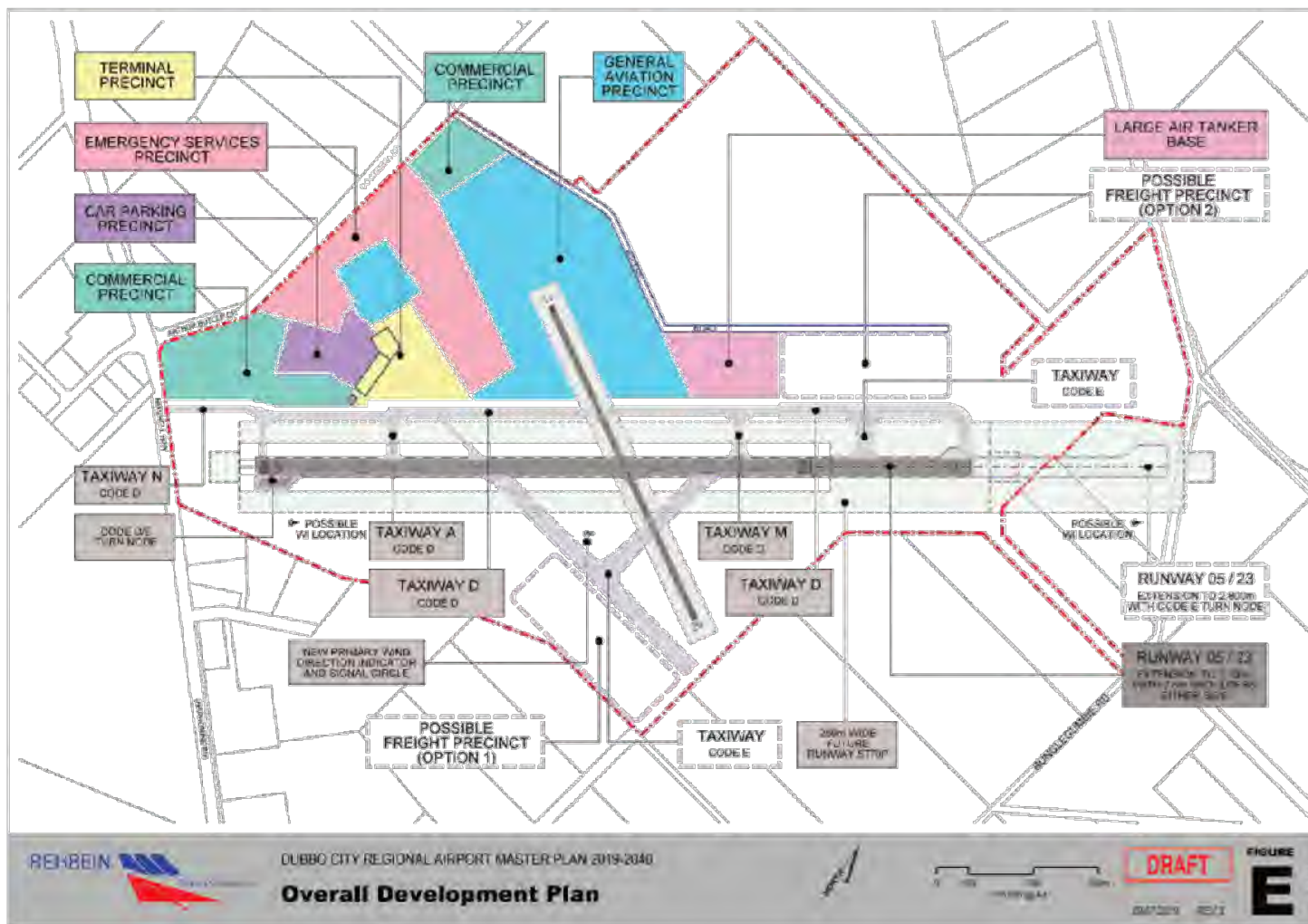


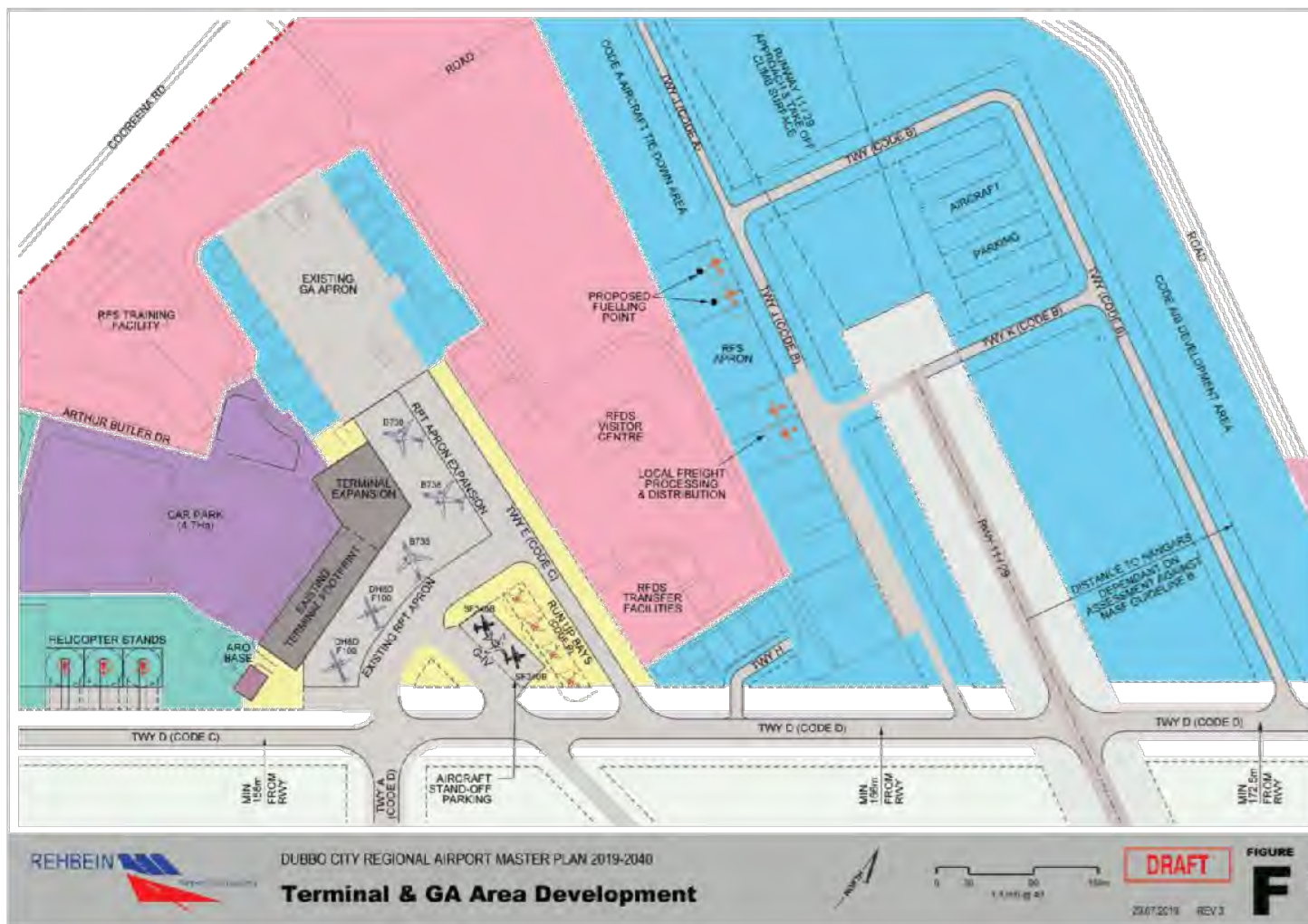
















## REPORT: Councillor Numbers

**AUTHOR:** Chief Executive Officer  
**REPORT DATE:** 6 August 2019  
**TRIM REFERENCE:** ID19/1097

### EXECUTIVE SUMMARY

As Councillors would be aware, the next Local Government elections are scheduled to occur on Saturday 12 September 2020. In preparation for these elections, section 224 of the Local Government Act 1993, requires Council to determine the number of its Councillors for the following term of office. Should Council determine a change in the number of Councillors for the following term, a constitutional referendum must be undertaken accordingly.

It should also be noted that Section 294 of the Local Government Act 1993 also states that should a casual vacancy occur in the office of a Councillor within 18 months before the date of the ordinary election, the Minister may, on the application of Council, order that the vacancy not be filled until the next ordinary election.

### FINANCIAL IMPLICATIONS

The financial implications in regard to this matter relate to councillor fees and other governance costs should Council resolve to change its number of Councillors.

### POLICY IMPLICATIONS

There are no policy implications arising from this report.

### RECOMMENDATION

1. That the report from the Chief Executive Officer dated 6 August 2019 be noted.
2. That Council maintain the status quo in respect of the issue of Councillor numbers, being that Councillor numbers remain at ten (10).

*Michael McMahon*  
Chief Executive Officer



## REPORT

As Councillors would be aware, the next Local Government elections are scheduled to occur on Saturday 12 September 2020. In preparation for these elections, section 224 of the Local Government Act (LGA) 1993, requires Council to determine the number of its Councillors for the following term of office not less than 12 months before the next ordinary election. Section 224(1) of the LGA states that a council must have at least 5 and not more than 15 councillors, one of whom is the Mayor. With regard to the number of Councillors, it is noted that the proclamation forming the then Western Plains Regional Council specified that the Council area would be divided into 5 wards with 10 Councillors being elected, being 2 Councillors per ward. Section 280 (2) of the LGA states that the same number of Councillors is to be elected for each ward. It is further noted that 224A(9) of the LGA specifies that a council for an area that is divided into wards may not make an application under this section for a decrease in the number of councillors that would result in the number of councillors for each ward being fewer than 3. This effectively restricts Council's ability to reduce Councillor numbers while the local government area remains divided by wards.

Should Council determine a desire to change the number of Councillors, a constitutional referendum must be undertaken accordingly (s224(3) LGA). It is noted that the only change to the number of Councillors while the wards exist in the Dubbo Regional Council local government area would be to increase the number of Councillors to 15, being 3 in each ward. Any other change to Councillor numbers would have to be considered with the possibility of abolishing wards. Should the constitutional referendum be held in conjunction with the next ordinary election, the Councillor numbers cannot be changed until the following ordinary elections in 2024 unless a reduction in numbers is determined and a casual vacancy occurs in this period.

In regard to the issue of casual vacancies, it should be noted that Section 294 of the Local Government Act 1993 also provides that should a casual vacancy occur in the office of a Councillor within 18 months leading up to the next ordinary election, the Minister may, on the application of the Council, determine that a by-election to fill the vacancy is not required and the vacancy will be filled during the following ordinary election. Alternatively, the Minister may order the holding on a stated day of a by-election to fill the vacancy.



## REPORT: Macquarie Street, Outdoor Dining Policy

**AUTHOR:** Manager Growth Planning  
**REPORT DATE:** 13 August 2019  
**TRIM REFERENCE:** ID19/314

### EXECUTIVE SUMMARY

Council on 21 December 2018 granted development consent for the use of shop 34 and shop 35, 177-191 Macquarie Street, Dubbo (Dubbo Square Shopping Centre), for the purposes of a Food and Drink Premises (Burger Urge).

The Development Application also included a proposal to utilise approximately 50 square metres of the adjoining street frontage for the purposes of outdoor dining. The Proponent as a component of the Development Application also sought approval from Council to construct a permanent structure on the footpath.

Following consultation with the Proponent, the Development Application was approved without the provision of a permanent on-street structure.

The subject Development Application raised the requirement for Council to develop a policy for permanent on-street dining, including the provision of permanent structures and to consider the future design aesthetics and location of permanent outdoor dining structures on Macquarie Street.

Council at its meeting on 25 February 2019 considered a report in respect of the proposed outdoor dining policy for Macquarie Street Business District. In consideration of the report, Council resolved as follows:

- “1. That the draft Outdoor Dining Policy as attached to the report of the Manager Strategic Planning Services as Appendix 1 be adopted for the purposes of public exhibition.*
- 2. That the draft Outdoor Dining Policy as attached to the report of the Manager Strategic Planning Services as Appendix 1 be placed on public display for a period of 28 days.*
- 3. That Council seek an assessment from a suitably qualified and experienced professional Valuer to provide an appropriate per square metre annual rental rate for Category A permanent outdoor dining locations in the Dubbo Central Business District.*
- 4. Following completion of the public exhibition period that a further report be provided to Council, including the results of public exhibition and a suitable annual rental rate for Category A permanent outdoor dining locations.”*

Given that the CBD has no permanent outdoor dining, it is considered appropriate for the lease fee to be \$0 for the remainder of the 2019/2020 financial year to seek to incentivise on street dining opportunities.

The draft Outdoor Dining Policy was placed on public exhibition from 13 March 2019 until 5 April 2019. A total of four (4) submissions were received in respect of the draft Policy. Issues raised in the submissions are discussed further in the body of the report.

### **FINANCIAL IMPLICATIONS**

This report recommends that in respect of Category A outdoor dining areas that the relevant lease fee to Council be \$0 for the remainder of the 2019/2020 Financial Year. Whilst this fee reduction would ordinarily have budget implications, given this will constitute a new fee and it is unknown as to the take-up rate during the initial period, the exact financial implications is not expected to be significant.

### **POLICY IMPLICATIONS**

It is recommended that the amended Outdoor Dining Policy provided as **Appendix 1** be adopted by Council. If adopted, the Policy will provide guidance to Council staff and developers alike in preparing and assessing future outdoor dining applications along Macquarie Street within the Dubbo CBD.

### **RECOMMENDATION**

- 1. That the draft Macquarie Street Outdoor Dining Policy, attached to the report of the Manager Growth Planning dated 13 August 2019, as Appendix 1, be adopted by Council.**
- 2. That the lease fee for the remainder of the 2019/2020 Financial Year be determined to be \$0 for Category A Areas.**
- 3. That a review of the Policy be undertaken by Council prior to the end of the 2019/2020 Financial Year.**
- 4. That the review of the Policy required to be undertaken in Item 3 also determine an appropriate per square metre rate.**
- 5. That an advertisement be placed in local print media advising of adoption of the Policy.**

*Steven Jennings*  
Manager Growth Planning

## BACKGROUND

Council on 21 December 2018 granted development consent for the use of shop 34 and shop 35, 177-191 Macquarie Street, Dubbo (Dubbo Square Shopping Centre), for the purposes of a Food and Drink Premises (Burger Urge).

The Development Application also included a proposal to utilise approximately 50 square metres of the adjoining street frontage for the purposes of outdoor dining. The Proponent as a component of the Development Application also sought approval from Council to construct a permanent structure on the footpath.

Following consultation with the Proponent, the Development Application was approved without the provision of a permanent on-street structure.

The subject Development Application raised the requirement for Council to develop a policy for permanent on-street dining, including the provision of permanent structures and to consider the future design aesthetics and location of permanent outdoor dining structures on Macquarie Street. To assist in this process, Council engaged consultants, Moir Landscape Architecture, to prepare an Outdoor Dining Policy for the subject area.

Council at its meeting on 25 February 2019 considered a report in respect of an outdoor dining policy for the Dubbo Central Business District. In consideration of the report, Council resolved as follows:

- “1. That the draft Outdoor Dining Policy as attached to the report of the Manager Strategic Planning Services as Appendix 1 be adopted for the purposes of public exhibition.*
- 2. That the draft Outdoor Dining Policy as attached to the report of the Manager Strategic Planning Services as Appendix 1 be placed on public display for a period of 28 days.*
- 3. That Council seek an assessment from a suitably qualified and experienced professional Valuer to provide an appropriate per square metre annual rental rate for Category A permanent outdoor dining locations in the Dubbo Central Business District.*
- 4. Following completion of the public exhibition period that a further report be provided to Council, including the results of public exhibition and a suitable annual rental rate for Category A permanent outdoor dining locations.”*

The draft Outdoor Dining Policy was placed on public exhibition from 13 March 2019 until 5 April 2019. The results of public exhibition are provided further in this report.

REPORT

**1. Category A Permanent Outdoor Dining Annual Rate**

a) Proposed Outdoor Dining Zones

Category A areas will allow for the provision of permanent structures in association with an approved outdoor dining area and Category B areas will allow for the provision of moveable outdoor dining furniture for patrons.

b) Proposed Bond Requirements for Category A Outdoor Dining Locations

For applications that include permanent fixtures or structures, Council will require a bond deposit to be paid to Council. The bond is put in place to ensure any required remediation works to the outdoor dining area are carried out by the approval holder once the use ceases its operation.

Consultants, Moir Landscape Architecture, have provided Council with an estimate for the costs associated with the construction of a permanent pergola structure with an area of approximately 50m<sup>2</sup>. The budget summary has been attached as **Appendix 2**.

The bond will be calculated at a rate of 10 percent of the estimated total cost of works and must be paid upon commencement of the outdoor dining activity. The bond is to be presented to Council in the form of a bank guarantee and will be reviewed in line with CPI increases upon renewal of an outdoor dining application. n

c) Proposed Annual Lease Fees for Category A Outdoor Dining Locations

The Applicant will be required to pay an annual fee to Council for use of the outdoor dining area and will be levied per square metre. It is considered that given that the CBD has no permanent outdoor dining, it is considered appropriate for the lease fee to be \$0 for the remainder of the 2019/2020 financial year to seek to incentivise on street dining opportunities.

This report recommends that a review of the Policy be undertaken at the conclusion of the current Financial Year. This report also recommends that an applicable per square metre rate be determined at the time of review.

**2. Public Exhibition**

The draft Outdoor Dining Policy was placed on public exhibition from 13 March 2019 until 5 April 2019.

The Planning Proposal was displayed at the Dubbo Branch of the Dubbo Regional Council, Dubbo Branch of the Macquarie Regional Library and on Council's website. An advertisement was also placed in local print media on 13 March 2019, 20 March 2019, 27 March 2019 and 3 April 2019.

In addition, business owners within the Dubbo CBD were sent an information flyer in respect of the draft Outdoor Dining Policy.

A total of four (4) submissions were received in respect of the draft policy. The public submissions are provided here in **Appendix 3**. The following information details the issues raised in each submission and a comment has been provided below.

#### Submission 1 – Anonymous

Council received an anonymous submission on 6 March 2019. The issues raised in the submission are as follows:

*“Though this policy is directed at existing business and outdoor dining in the CBD, I believe a significant opportunity is being overlooked with the emergence of pop up restaurants, shared kitchen space and food trucks – both permanent and as part of structured events.*

*This is a significant growth area in other cities and should be considered and supported as part of this and other policies.*

*Huge opportunity for the growth in economic contributions and cultural contributions as well as provides for start-up businesses and multicultural opportunities for smaller businesses that cannot afford the larger costs associated with a full restaurant.*

*This will provide growth in opportunity, product diversity and competition to increase the food culture and quality of the city.”*

#### Comment

The draft Outdoor Dining Policy is aimed at facilitating outdoor dining along Macquarie Street within the Dubbo CBD. The draft Policy will facilitate two different outdoor dining categories along Macquarie Street, highlighting appropriate locations for both temporary and permanent outdoor dining arrangements.

The existing legislative framework in NSW accommodates and provides opportunity for pop up restaurants, shared kitchen spaces, food trucks and other temporary arrangements.

#### Submission 2 – Jessica Gough

Council received a submission on 22 March 2019 from Jessica Gough, owner of Jespresso. The issues raised in the submission are as follows:

*“Is Wellington included in an outdoor dining policy?”*

*I’d like to see more smoke free zones and crack downs on business owners letting smokers linger around front doors. No one should be smoking 400m from the door to any place preparing food.*

*Mobile food vendors should be included in the Policy.”*

Comment

The draft Policy only applies to areas along Macquarie Street within the Dubbo CBD and has been prepared following the granting of a recent Development Consent on 21 December 2018 for the purposes of a Food and Drink Premises (Burger Urge), at shops 34 and 35 Dubbo Square Shopping Centre, 177-191 Macquarie Street, Dubbo.

The Burger Urge development included a proposal to utilise at least 50 square metres of the adjoining street footpath for the purpose of outdoor dining. The Proponent as a component of the Development Application, also sought approval from Council to construct a permanent structure on the footpath. Council has not received any development proposals for permanent outdoor dining structures in the former Wellington LGA to date and does not consider it necessary at this time to prepare a policy for the area.

The draft Policy contains provisions to prevent smoking within and around outdoor dining locations as prescribed by Section 6A of the Smoke-free Environment Act (Act )2000. The Act states that *“a place that is within 4 metres of a pedestrian access point to a building”* is a smoke-free area. Breaches of the Act are to be reported to Council Rangers to enforce.

#### Submission 3 – Ryan Mackintosh

Council received a submission on 3 April 2019 from Ryan Mackintosh, from Old Bank Restaurant. The issues raised in the submission are as follows:

*“We would be interested in adding on street dining out the front of our venue at 232 Macquarie Street.”*

Comment

Council notes the comments made in respect of on-street dining on the footpath adjoining 232 Macquarie Street, Dubbo. Although the site is outside the Category A areas, Council can consider an application for a Category B area.

#### Submission 4 – Errin Williamson

Council received a submission on 4 April 2019 from Errin Williamson, owner of Church Street Café. The issues raised in the submission are as follows:



*“We think this is a great initiative by DRC and we fully support this. We do however, see some issues with how it will be maintained and monitored but will happily work with Council through these.*

*Church Street Café is considering to construct a permanent outdoor dining structure adjoining the café. Concept drawings and relevant images for the proposed future outdoor dining area have been provided with the submission. Elements of the proposed design would include permanent fixing of furniture to the pavement and the construction of a commercial grade permanent structure that considers visual transparency with the public open space area adjacent to the rotunda and potential to include a takeaway window. Provision of additional short-term parking would assist in the pick-up of take away coffee and food.*

*The constraints of the proposal include existing vandalism and antisocial behaviour towards restaurant patrons. Council needs to increase its efforts towards maintaining and cleaning the current surrounding localities that adjoin the existing outdoor dining area to ensure the space is inviting to prospective users. Council should also consider relocating the existing rubbish bin away from the outdoor dining area and provide seating that is consistent with the intent of the outdoor dining policy, in an appropriate location. In addition, Council should facilitate land use synergies between future temporary uses and events held in the rotunda area and adjoining businesses.*

*The annual rental fee structure proposed by the draft Policy should be negotiable and agreed upon by both Council and the proponent. The capital costs associated with constructing a permanent structure would require a permit period longer than 2 years to ensure certainty in fiscal returns. A cost analysis of the proposed structure has been undertaken and concludes that approximately \$1,291,680 in extra revenue would be required to break even over a two year period. This may be an opportunity for Council to facilitate and or provide small business loans or grants to encourage future development in the CBD.*

*A vision for the open space area accompanying the rotunda would include additional undercover seating, utilising commercial grade umbrellas, similar to examples seen on the Gold Coast, QLD. In addition, the proposed future toilet block will need to be sympathetic to the design objectives set out in the draft Policy.”*

#### Comment

Council acknowledges the intention of the business owner of Church Street Café is to construct a permanent outdoor dining structure adjoining the existing restaurant. Costs associated with the construction and maintenance of the enclosed outdoor dining area would remain with the Proponent during the life of the structure.

Relocation of existing Council infrastructure would be at the expense of the Proponent which includes existing seating and rubbish bins. Council notes the design of existing public tables and seating and the need to adopt a design which is consistent with the Policy.

Car parking arrangements are negotiated and levied as part of the Development Application process. Negotiation for short-term on street parking may be addressed as part of a future Development Application. Council notes the issues associated with anti-social behaviour in the vicinity of Church Street Café.

The Church Street Rotunda is owned by the Council for use by the community and is subject to a street trading approval by Council. Each approval is issued a set of conditions, one of which prescribes that a performance must not cause disturbance by nature of noise, the language or equipment used, or the acts performed. It is the responsibility of the individual undertaking the activity within the public space to notify adjoining neighbours.

Council notes that the two (2) year permit period is insufficient to enable adequate fiscal returns over the prescribed timeframe. Council has reviewed and amended the draft Outdoor Dining Policy to allow an approval period of three (3) years with scope for an extension to five (5) years subject to Council permission.

Council acknowledges the vision for the Church Street Rotunda and surrounding area, however, considers that permanent structures should not dominate the open space area surrounding the Church Street Rotunda.

## SUMMARY

Development Consent was granted on 21 December 2018 for the purposes of a Food and Drink Premises (Burger Urge), at shops 34 and 35 Dubbo Square Shopping Centre, 177-191 Macquarie Street, Dubbo. Following consultation with the Proponent, the development application was approved without the provision of a permanent on-street structure.

The subject Development Application highlighted the requirement for Council to develop a policy for permanent on-street dining, including the provision of permanent structures and to consider the future design aesthetics and location of permanent outdoor dining structures on Macquarie Street.

The draft Outdoor Dining Policy was placed on public exhibition from 13 March 2019 until 5 April 2019.

It is recommended that the amended draft Outdoor Dining Policy as attached to report of the Manager Growth Planning as **Appendix 1** be adopted.

### Appendices:

- 1 [Amended Outdoor Dining Policy](#)
- 2 [Pergola Structure Budget Summary](#)
- 3 [Public Submissions](#)



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Document Issue

REV	DATE	COMMENT	PREPARE	APPROVED
01	29.01.2019	Draft Issue for comment	BR	DM
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DUBBO REGIONAL COUNCIL – OUTDOOR DINING

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# Introduction

## Dubbo Regional Council (The Council) Outdoor Dining Policy

The objective of the Outdoor Dining Policy (The Policy) is to encourage and activate public domain areas of Macquarie Street.

Macquarie Street is an established street with good visual quality and heritage features. The Policy aims to allow for the placement of street furniture on footpaths outside cafes and restaurants to support building a dynamic, vibrant and growing city.

~~The objective of the Policy is to improve restaurant and cafe experiences for users, facilitate the provision of permanent on-street dining opportunities and promote the activation and continued economic development of the Dubbo Central Business District.~~

The policy provides guidance for cafes and food premises and assists food premises (Operators) in obtaining approvals for outdoor dining.

It provides details on the application requirements, assessment processes and criteria that must be satisfied before on-street dining can be undertaken.



Dubbo Eat Street

# Policy Statement

## The Outdoor Dining Policy 2019

The purpose of the policy and user guideline is to provide:

- clear management principles to determine the suitability of on-street dining opportunities on Macquarie Street
- define public safety with clear guidance to maintain heritage and appeal of the area
- meet ongoing operational requirements of Council in delivering services to the street
- provide strong decision making criteria for internal decision making
- develop best practice standards for outdoor cafes now and in the foreseeable future

## Key Principles of the user guidelines

The principles contained in this guide provide a set of best practice design requirements and guidelines for establishing and managing outdoor dining areas.

They are also intended to promote awareness and understanding about the key responsibilities and requirements of café owners, managers and designers.

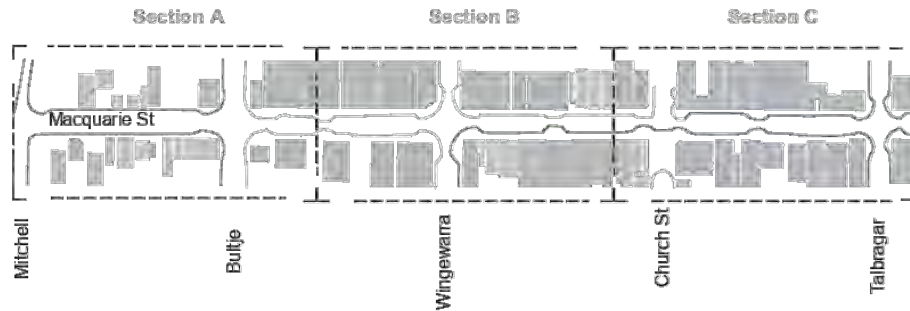


Figure 1: Overview of area to which the policy applies on Macquarie Street



### Who is Eligible to Apply

The policy applies to business use of the footpath for outdoor dining. NSW legislation allows Council to approve the use of the footpath for dining when the request is made by a cafe, restaurant or food premise.

Macquarie Street cafes and food premises are eligible to apply for an approval for outdoor dining, given they satisfy the requirements outlined in this policy.

### Where the Policy Applies

The Policy applies to all footpath areas on Macquarie Street from the Mitchell Highway to Talbragar Street.

Refer to Appendices O, P and Q for the areas considered permissible for the purpose of footpath dining. These should be read together with the user guidelines, which provide information on suitable locations and sizes of outdoor areas.

This Policy introduces Category A and Category B outdoor dining.

Category A outdoor dining allows a permanent structure subject to approval from Council. The type of structure and area for Category A dining is further discussed in the Policy.

Category B outdoor dining allows a café or restaurant owner to have their chairs, tables and associated items on the street, without any permanent structures. Category B is further discussed in this Policy.



*Macquarie Street (source realestateview.com.au)*

## Approvals under NSW Legislation

### NSW Legislation & Approvals

NSW Government legislation sets out that the following approvals are required for outdoor dining by food premises:

- All outdoor dining on the footpath requires an approval under the *Roads Act 1993*.
- Outdoor dining on community land, such as a park or reserve, requires an approval under the *Local Government Act 1993*.
- Outdoor dining that is not exempt development will require a development consent under the *Environmental Planning and Assessment Act 1979*.
- Outdoor dining that is on Crown land requires an approval under the *Crown Lands Act 1989*.
- Construction of a permanent structure that will be used for the purposes of outdoor dining will require a Development Application to be lodged with and approved by Council. In addition, a Construction Certificate will also be required to erect the structure.

### Roads Act 1993

An 'Operator' for the purpose of this Policy is defined as a 'restaurant' under the *Roads Act 1993*. A restaurant is a "premises in which food is regularly supplied on sale to the public for consumption on the premises".

Section 125 of the *Roads Act 1993* clarifies that approval may be granted by the Council for use of footpaths 'restaurants', erection of structures, maintenance and their location. Under the Act, Council is also entitled to nominate associated payments.

### Local Government Act 1993

Section 68 defines activities that require the approval of Council. ~~Footpath dining would require Council approval due to this activity being undertaken on the road reserve.~~ If footpath dining is undertaken on community land, approval under Section 68 of the *Local Government Act 1993* is required.

### Crown Land Management Act 2016

Crown land that is managed by local government (as dedicated or reserved land) allows for Council to also manage in accordance with the *Local Government Act*.

Where footpath dining is requested on land that is owned by the Crown and is managed by Council it follows that footpath dining would require Council approval.

### Environmental Planning and Assessment Act 1979

Footpath or outdoor dining is classified within the State Development State Environmental Planning Policy (Exempt and Complying Codes) 2008, s20A.

Use of footpath dining is classified as exempt development when dining is associated with a food premise and can satisfy that it is:

(a) *not associated with a pub or a small bar, and*

(b) *carried out in accordance with an approval granted under section 125 of the Roads Act 1993, including in accordance with any hours of operation to which the approval is subject, and*

(c) *carried out in accordance with any approval granted under section 68 of the Local Government Act 1993.*

However, this does not include the provision of permanent outdoor structures, which require separate Development Approval from Council.

## Other Supporting Policy

### Small Business Commissioners Interim Outdoor Dining Policy

The Small Business Commissioner has trialed a method to allow cafés, restaurants and food-based businesses to more easily expand their operations on local footpaths. The intention is to encourage more business for local hospitality venues, more local jobs, and a more vibrant setting for local streets, stimulating local economies.

Key to the interim policy is the use of an online assessment and approval system.

### Other Local Government Precedent and Experience

Other council areas have experienced positive impacts of outdoor dining.

The City of Melbourne reports that over 15 years it has:

*... Promoted development of a wide range of street trading as a means of enhancing the vitality of street and visitors precincts.*

During this time the City reports a boom in alfresco dining from less than 50 to over 600 in the 15 year frame.(Source: City of Melbourne website).



*Dining Alfresco in Melbourne*

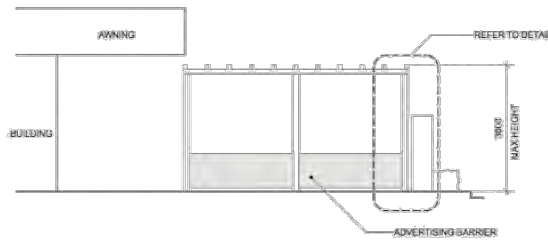
# Outdoor Dining Categories

## Category A

Category A provides for outdoor dining opportunities which are considered appropriate to accommodate permanent structures subject to approval from Council.

An examples of Category A outdoor dining are is provided below.

Note: further details of the structure are contained in Appendix F.



## Category B

Category B provides café or restaurant owners the opportunity to have their chairs, tables and associated items on the street, without any permanent structures and is subject to approval from Council.

Examples of Category B outdoor dining are provided below.





## Approval Process

### Council Application

A proprietor of a café or restaurant is required to apply to Council to undertake outdoor dining

Council assesses all applications and monitors the operation of outdoor dining areas.

A Category A approval is issued for a three (3) year period with opportunity to extend to five (5) years at Council's discretion.

Existing approval holders are required to re-apply every three (3) years or five (5) years depending on the approval period.

A Category B the approval is issued for a two (2) year period. Existing approval holders are required to re-apply every two (2) years.

All outdoor cafe approval holders must comply with all conditions of an approval and the guidelines set out within this policy.

Any proprietor of a café or restaurant seeking to undertake outdoor dining with the provision of a permanent outdoor dining area is required to lodge a development application with Council to both approve the use and the outdoor dining structures.

### General Conditions

When applying be aware that:

- The predominant activity of the outdoor dining area must be for the service of meals for consumption to seated patrons.
- Only one outdoor dining approval may be obtained per operator and is applicable to its respective adjoining café or restaurant premises.
- A copy of all approvals must be retained on the premises at all times. The approval is required to be provided on request to any Authorised Officer of the Council.
- The approval holder must at all times comply with the requirements and obligations described in the Policy.
- It is the responsibility of the approval holder to comply with all laws including local laws and all other legal requirements relevant to the operation of the outdoor cafe and to ensure that employees and agents also comply.
- The approval holder must at its own expense comply with all other legal requirements concerning the outdoor cafe area and all activities upon it, and obtain and keep in force all necessary licences, approvals and authorities which may be required to use the outdoor cafe area for an outdoor cafe.
- The approval holder must not allow the consumption of liquor within the outdoor cafe area unless the approval holder holds a valid liquor license issued by Liquor & Gaming NSW. The license issued by Liquor and Gaming NSW will need to be extended to include the footpath.
- The approval holder may only conduct the outdoor cafe within the hours specified on the approval. Outside of those hours, no unfixed outdoor cafe furniture including but not limited to chairs, tables, umbrellas, canvas screens and gas heaters may remain in the public place nor be fixed without the prior written consent of the Council.
- The approval holder is at all times responsible for the good order, conduct and behaviour of patrons using the outdoor cafe area.

- The approval holder must ensure the outdoor café area is smoke free as per The Smoke-free Environment Act 2000.
- The approval holder must ensure that the outdoor café area and surrounding pathway and locality is kept free from rubbish and waste and is disposed of in accordance with waste management standards.
- Outdoor freestanding gas heaters must be maintained in a proper state of repair and damage free.
- ~~No chairs are permitted to be placed with their backs facing the road.~~
- To prevent damage to footpaths, all chair and table legs must have flat surfaces with a minimum bearing area of no less than 700 mm<sup>2</sup> (e.g. 30 mm pad). All approved canvas screens placed within the outdoor café area must be suitably weighted
- The approval holder must not offer to sell goods, solicit, try to attract trade or business, tout or spruik on public space adjacent to or within the outdoor café area other than the selling of goods in accordance with the permitted use.
- The approval holder occupies and uses the outdoor café area at the approval holder's own risk.
- The approval holder indemnifies and releases the Council from all liability arising from the use or occupation of the outdoor café area or the conduct of the approval holder's business by the approval holder or any of the approval holder's agents, including:
  - any claim made by any person for injury, loss or damage arising in any manner
  - any loss or damage to any property belonging to the approval holder or other persons located in the vicinity of the outdoor café area caused by the approval holder or the approval holder's agents
  - any loss, damage, injury or illness sustained or incurred by the approval holder or any of the approval holder's agents.
- The approval holder must maintain a comprehensive public risk insurance policy for a minimum of twenty million dollars (\$20,000,000) cover, with an insurer approved by the Australian Prudential Regulation Authority ("APRA") ([www.apra.gov.au](http://www.apra.gov.au)) and as approved by the Council

### Outdoor Dining Fees

Fees will apply as part of the approval application and approval process.

The relevant fee structures are as follows;

#### 1. Category A

- On-street dining application fee
- Annual lease fee
- Bond deposit
- Development Application Application fee
- Construction Certificate fee
- Section 138 Application fee

*\*Additional fees applicable to permanent structures.\**

*\*Additional fees and charges may apply and are subject to the individual application.*

#### 2. Category B

- On-street dining application fee
- Annual lease fee

Appendix A also includes a table including the relevant fee structures.

### Approval Holder Bond

For applications that include permanent fixtures such as pergolas enclosures, Council will require a bond to be paid.

The full repair of the public place/footpath is the responsibility of the approval holder. The approval holder is the person to whom the approval is granted and therefore responsible for the outdoor cafe.

The Bond is calculated by Council as a one off payment to be made at 10% of the overall value of the works to be undertaken in accordance with the standard work schedule.

The Bond amount will increase with the consumer price index (CPI).

This can be in the form of an unconditional bank guarantee.

Within fourteen (14) days or such further period as agreed in writing by the Council of the expiry, termination or cancellation of the approval, the approval holder must remove all relevant furniture and reinstate the public place to its pre/development condition. Should the approval holder fail to reinstate the public place to the satisfaction of the Council, the Council may carry out the necessary works and the approval holder's bond will not be released.

Reinstatement of public place includes the removal of furniture and any fittings in the pavement.



## User Guidelines for Operators

### Footpath Access

A well-managed footpath promotes both equitable access and supports local businesses by creating places and streets that are amenable and attractive to all visitors.

Council must manage the footpath and other public spaces to provide safe and equal access for all people around the City. This includes pedestrians with a pram or mobility aid, or who are blind, have low vision or use a wheel chair and require a clear path of travel to be maintained at all times.

Stakeholders who are blind or have low vision prefer that the location for the clear path of travel is along the building side of the footpath to allow for best-practice in safe and dignified wayfinding.

This policy reinforces the requirement that a clear path of travel be maintained at all times, while also allowing opportunities for beneficial uses on the public footpath.

Appendix B and C illustrates the organisation of the pedestrian movement zone at the footpath.

To be eligible for outdoor dining the area:

- is directly related to operation of an existing food business.
- has minimum public space allowances including clear pedestrian zone of 2.5m.
- is located on level ground so that unreasonable hazard to pedestrians are avoided.

### Location

Users guidance on location of the dining zone is to give consideration to neighbours as well as amenity. Appendix B and C illustrate consideration of the dining zone where other public uses occur.

The user application should illustrate that consideration has been given to the existing streetscape, pedestrian circulation and traffic in locations where there may be:

- driveways
- bus and taxi stops
- existing trees
- other street furniture
- pram ramps
- access to intersections or crossings
- heritage interpretive elements.

Outdoor dining is most appropriate in areas with a width of at least 4.5m, in order to allow for minimum pedestrian access.

Appendix G and H illustrate equitable use of the footpath and indicates space to enable access to the street.

Furniture and associated structures need allowance for the convenience of all users, including cyclists to access the road and footpath.

It is possible to have an outdoor dining area larger than the frontage of the premise. This application is at the discretion of the Council. Council may consider extension of dining activities to operate outside of an adjoining owners business if they provide consent.

### Line of Sight

The line of sight at intersection is important for all users and ensures clear visibility for turning vehicles.

Applications for outdoor dining must be set back 45° angle from the corner of buildings. This may be further offset by kerb extensions, planting and safe access to crossing.

The outdoor dining area may be reduced or removed completely due to these considerations. Appendix I and J show this configuration along Macquarie Street.

### Clearance

Dining Zone areas are a minimum of 0.5m from the edge of a kerb in a parallel parking area.

### Kerb side seating

It is the preference of Council to offer dining on the kerb side in locations that have enough width of footpath available.



*Intersection of Church Street & Macquarie Street*

## Furniture guidelines

Outdoor dining furniture should be sensitive towards the existing character and cultural significance of Macquarie St. Cafe furniture is to consist of temporary fixtures and permanent structures are not permitted.

All furniture selected must not impede on pedestrian access, compromise visual amenity and must consist of suitable materials and finishes.

### Barriers

Barriers which fully enclose the outdoor dining area, or which separate it from the pedestrian footpath, are not permitted.

Barriers are permitted where there is a license to serve alcohol in the outdoor seating area and it is in a designated Alcohol Free Zone.

Barriers used to show clear demarcation between adjoining outdoor dining areas are permitted.

Max. 900mm high café barriers may be used.

Barriers which enclose the outdoor dining area on three (3) sides are permissible if they are:

- The barrier/walls are transparent
- The barrier/walls can be raised or removed at any time
- Must be open/raised when outdoor dining area is not in use.

Refer to appendix K and L for required breaks in outdoor dining zones.

### Outdoor Heaters

Outdoor heaters will only be approved where the safety of people and property is not compromised.

Outdoor heaters should turn off automatically if overturned to prevent injury to patrons and damage to property

Outdoor heaters should generally not be permanently fixed. Fixed outdoor heaters

may be considered in the situation that heating is strip heating and hung from the roof structure.

### Lighting

Council may consider the installation of private lighting for outdoor seating areas that are approved to operate outside daylight hours, provided:

- the safety and amenity of patrons, the general public and road users is maintained
- it does not reduce the amenity or safety of other uses in the area
- it is to be located wholly within the outdoor seating area
- electrical cabling is discreet and does not create trip hazards.

### Shade

Shade structures in the form of umbrellas, sails or freestanding awnings should be used only where existing building awnings, verandahs or trees are not present.

Shade furniture is not permitted where canopies exist at typical ground floor height (2800-3800mm from the ground) and cover most of the footpath to 1000mm setback behind the kerbline.

Shade structures must be properly secured and should be set back appropriately from existing furniture, trees and buildings.

**Signage, Branding and Advertising**

Signage on umbrellas and barriers must relate to the business and may include the business name, an associated logo or product.

Signage and branding must not detract from the character of the street or create visual clutter. Advertising may be displayed on every alternative panel of café screens and umbrellas. The size of the café name, logo or commercial advertising should cover no more than 33 per cent of the panel surface.

Council will consider quality of furniture and suitability as part of an application.

In selecting furniture the following is relevant:

- Is the furniture durable and able to be cleaned?
- Can the furniture cope with seasonal changes?
- Will there be advertising on umbrellas and barriers. How will they be fixed to ensure safety?

Examples of suitable furniture materiality selections include timber and steel. Plastic frames are not suitable.



*Outdoor Dining Furniture*

## ***Consistency with the Existing Streetscape***

### **Heritage Considerations**

Macquarie Street has many heritage elements to the streetscape. It is essential that the proposal for outdoor dining is consistent and sensitive to the existing urban character.

Outdoor cafés should complement and enhance the streetscape and other significant street elements such as trees, public art and city decorations. These, and elements such as heritage pavements, should not be removed, relocated or modified as a result of an outdoor café installation and operation.

Outdoor cafés should be unobtrusive in style, appearance, materials, finishes and colours. Suitable styles and colours must not detract from the integrity and character of significant buildings, landscape features and structures in the street.

Furniture such as umbrellas and screens should not obstruct views of main areas of street activity and significant sight lines to important landmarks such as the Old Dubbo Gaol.

Design of café furniture is to be of a high standard in appearance and style, made of quality materials, with finishes that are attractive and durable.

In all circumstances, furniture must be approved by Council before use.

### **Preferred Materials and Colours**

Outdoor cafés proposed along Macquarie Street and adjoining heritage buildings should have high quality furniture with more traditional materials and simple colours such as black, grey or metallic paint and with natural finishes such as stone and wrought iron metal.



## Responsibilities of the Operator

### Maintenance

Dubbo encourages a well-managed outdoor dining experience for local and tourism purposes.

It is the responsibility of the Operator to ensure that outdoor dining areas are maintained to a high standard of cleanliness.

Maintaining a clear and safe area includes a clear pedestrian access.

Use of public space, including the footpath, brings responsibilities for the operator.

### Conditions of the Footpath Approval Will Include Protection of Council Property.

- Protection of Council-owned property
 

An Operator will be required to lodge a bond with the Council, to pay for any necessary repairs resulting from damage to the footpath caused by the operation of an outdoor seating area. The bond will be equal to 10 percent of the value of the Category A permanent outdoor structure.
- Public liability insurance
 

An operator will be required to obtain and maintain a public liability insurance policy with an insurer acceptable to the Council, to cover any legal liability of property damage and personal injury to the public.
- Display of approval
 

A copy of the approval and plan is to be kept on premises, displayed in a prominent position and be produced on request to authorised Council officers.

### Management requirements

An outdoor seating area is to operate in accordance with the conditions of the approval.

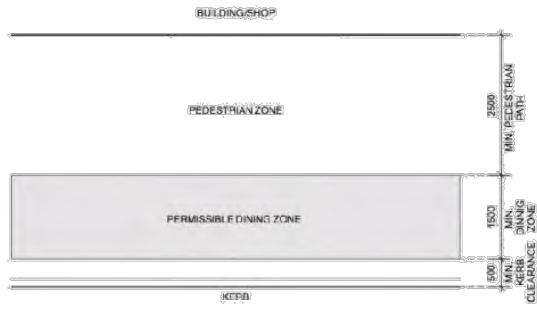
- Outdoor seating areas can only be used by seated patrons consuming food or drink. Patrons are not permitted to eat or drink or whilst standing in the approved outdoor seating area.
- For Category A permanent outdoor structures, the Proponent is responsible for lodging with and seeking from Council a Development Application and Construction Certificate. Council is not responsible for any costs incurred by the Proponent or the results of the Development Approvals Process.
- For Category A permanent outdoor structures located within the road reserve, the Proponent is responsible for seeking approval under Section 138 of the Roads Act 1993.
- The Proponent is responsible for attaining any required approvals in order to legally undertake the proposed development activity.

## Appendices

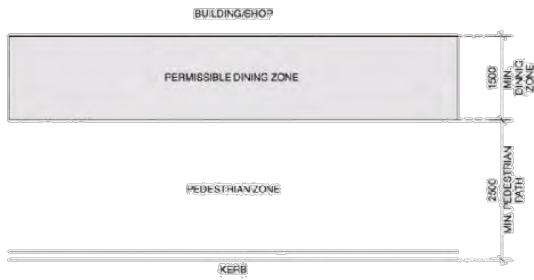
### Appendix A: Obligations Schedule

Item	Description	Unit	Year 19/20 Fee (incl GST)
<b>Category A Outdoor Dining</b>			
Application fee	<del>On-site dining fee</del> Assessment of footpath dining	\$	<del>\$120.00</del> \$130.00
Section 138 Application fee	Assessment of erection of structures in road reserve	\$	\$110.00 (compulsory application fee); and \$120.00 (working in the road reserve)
Annual rent	Rent of external dining space	\$ per m <sup>2</sup>	TBA
Bond deposit	Removal of structures	%	10% of <del>construction cost of works</del> (increases with CPI)
Insurance	Public liability	\$	\$20 million
Development Application fee	Assessment of Development Application	\$	Based on cost of works
Construction Certificate Application fee	Assessment of Construction Certificate Application	\$	Based on cost of works
<i>* Additional fees and charges may apply and are subject to the individual application.</i>			
<b>Category B Outdoor Dining</b>			
Application fee	Assessment of footpath dining	\$	<del>\$120.00</del> \$130.00
Insurance	Public liability	\$	\$20 million

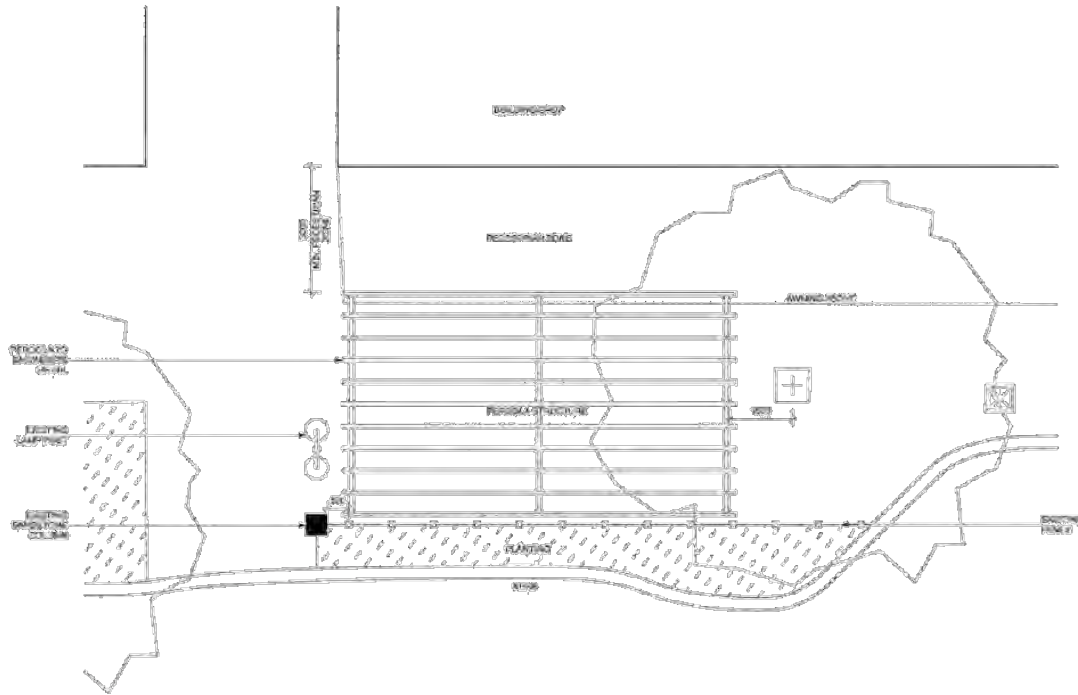




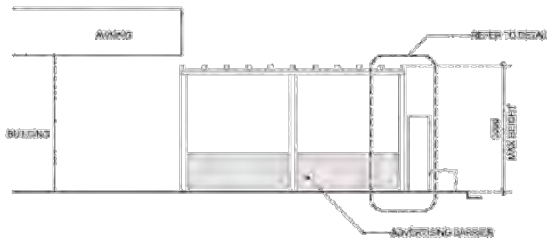
Appendix B: Category B Outdoor Dining Zones Minimum (Kerbside)



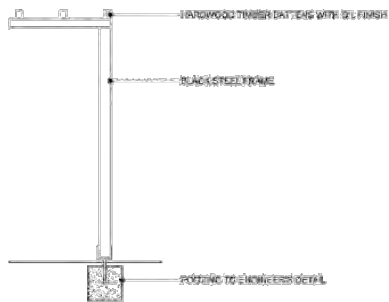
Appendix C: Category A Outdoor Dining Zones Minimum (Adjoining Buildings)



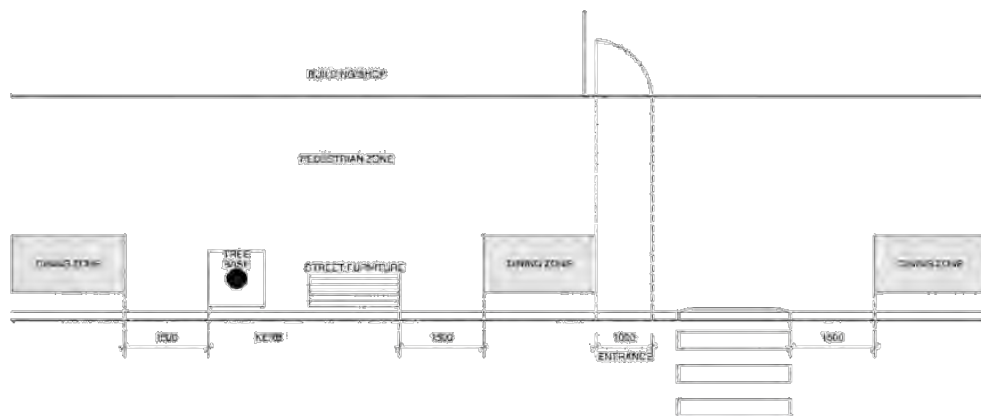
Appendix D: Example of Category A Permanent Pergola Structure



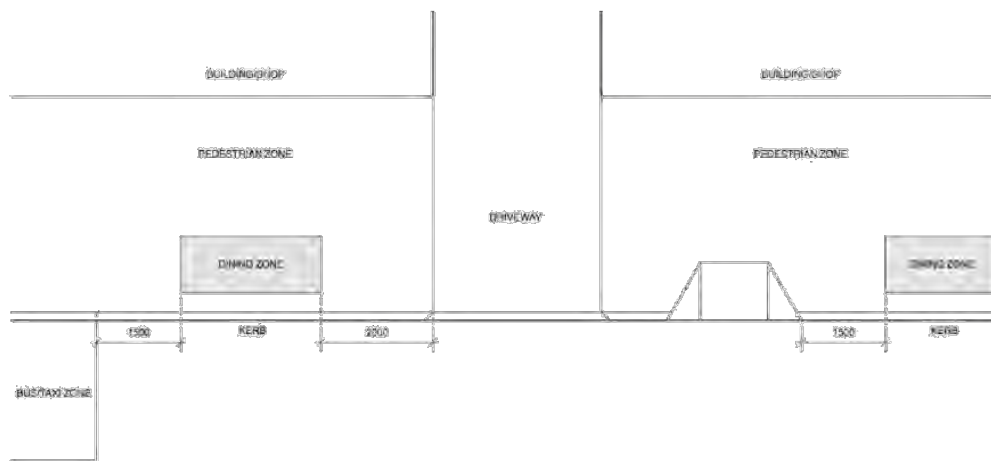
Appendix E: Example of Permanent Pergola Structure Section



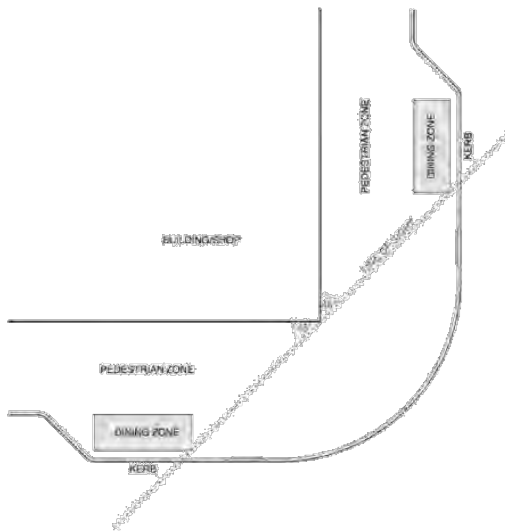
Appendix F: Example of Permanent Pergola Structure Detail Section



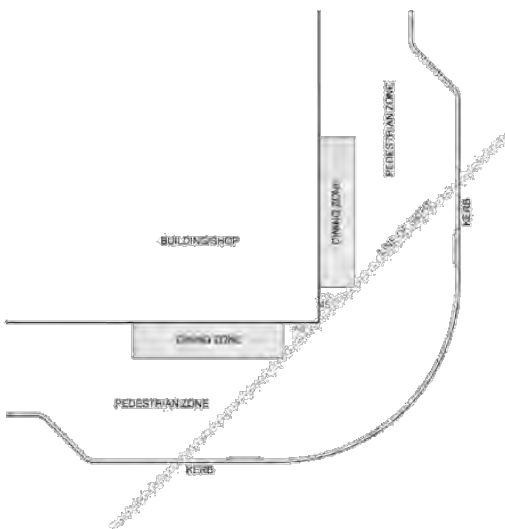
Appendix G: Outdoor Dining Zones Minimum Clearances



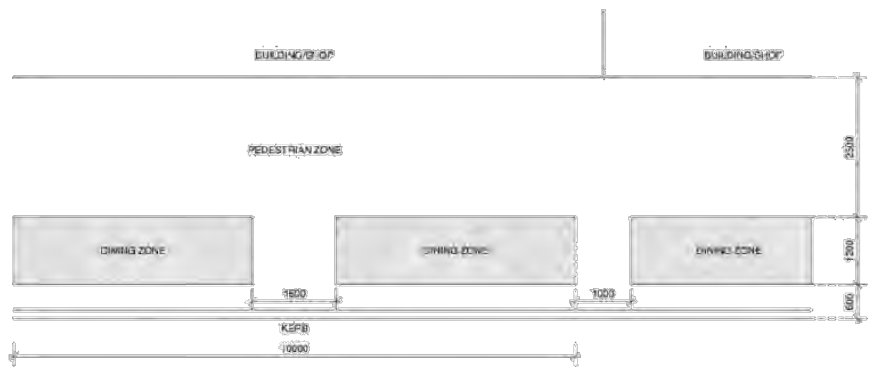
Appendix H: Outdoor Dining Zones Minimum Clearances



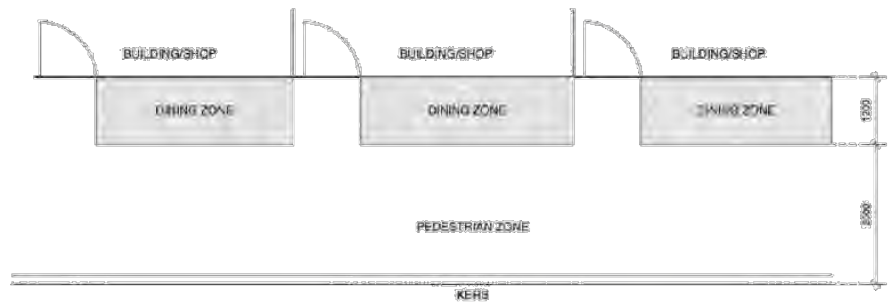
Appendix I: Corner Sight Lines



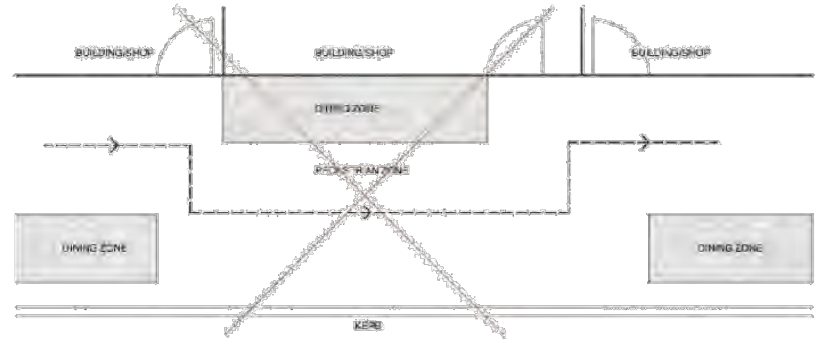
Appendix J: Corner Sight Lines



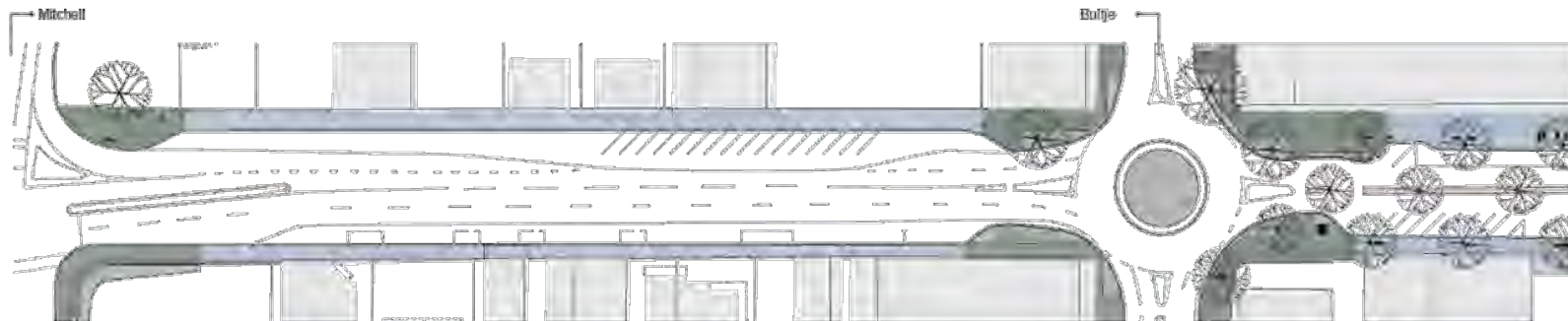
Appendix K: Outdoor Dining Zones Offset From Kerbside



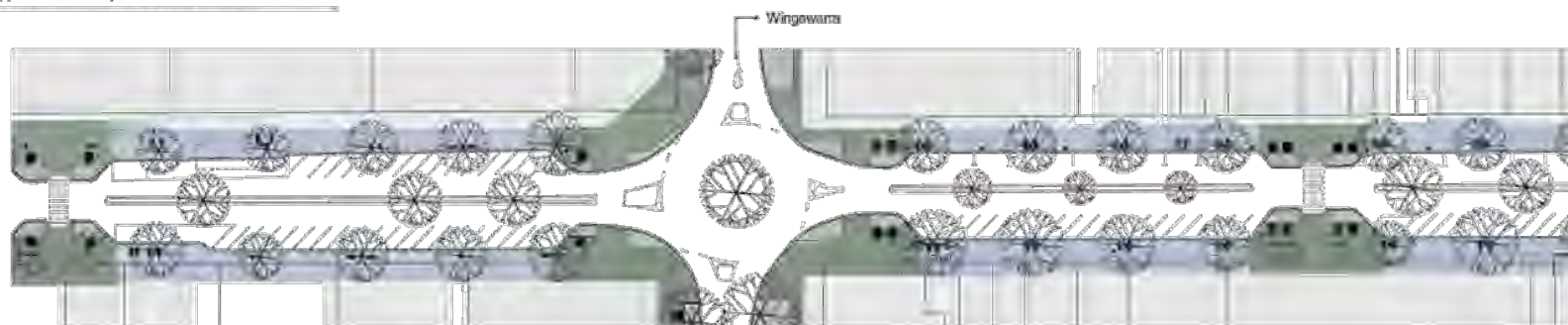
Appendix L: Outdoor Dining Zones Adjacent Buildings



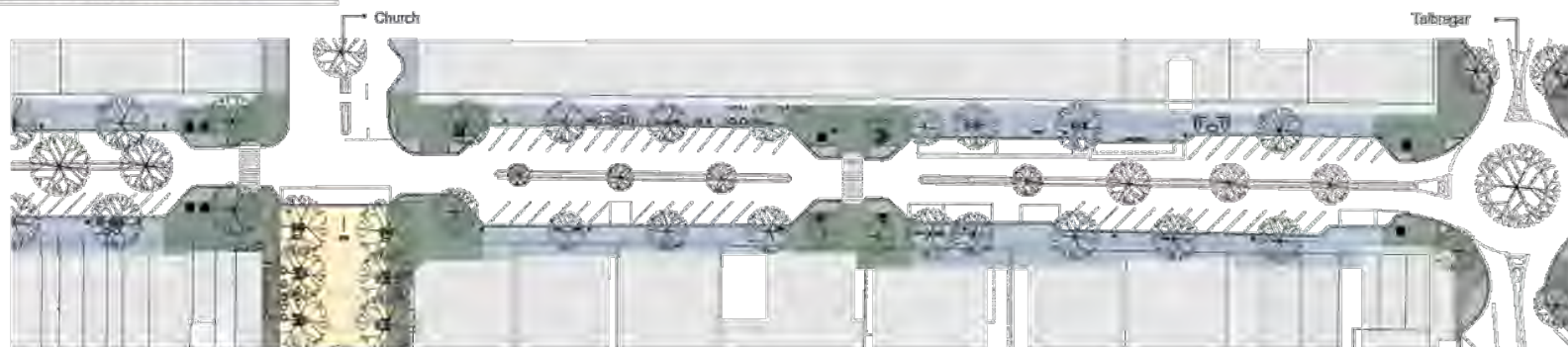
Appendix M: Unclear Path and Inconsistency Along Street



Appendix W: Macquarie Street Section A



Appendix O: Macquarie Street Section B



Appendix P: Macquarie Street Section C





# Preliminary Budget Estimate

1/4/2019      2019.025 Preliminary Budget Estimate 01.04.2019  
for Moir Landscape Architecture

*Preliminary Budget Estimate  
Dubbo Outdoor Dining Pergola*

Description	Quantity	Unit	Rate	Markup	Total
<b>DIRECT COSTS</b>					<b>\$54,884.49</b>
<b>PRELIMINARIES</b>					<b>\$4,157.92</b>
Allowance for Preliminaries (10%)	1	Item	\$4,157.92		\$4,157.92
<b>DEMOLITION</b>					<b>\$1,608.55</b>
Sawcut existing pavement not exceeding 100 thick	36	m	\$12.00		\$432.00
Allowance to demolish existing pavement for new footings	9	m2	\$130.73		\$1,176.55
Allowance to protect & retain existing fence - INCL	1	Item			INCL
<b>FOOTINGS</b>					<b>\$4,068.73</b>
Allowance to excavate for footings including disposal of spoil off site (9No.)	2	m3	\$820.00		\$1,639.59
Form, reinforce & pour concrete pad footings (9No.)	2	m3	\$1,214.88		\$2,429.14
<b>STRUCTURAL STEEL</b>					<b>\$3,167.38</b>
<b>Columns:</b>					<b>\$3,167.38</b>
100 x 100 x 4 SHS column including black powdercoat finish (9No.)	0.303	t	\$10,461.70		\$3,167.38
<b>ROOFING &amp; ROOF PLUMBING</b>					<b>\$20,684.49</b>
140 x 45 Hardwood timber roof header including fixings & oiled finish	16	m	\$112.88		\$1,806.12
140 x 45 Hardwood timber roof frame including fixings & oiled finish	91	m	\$112.88		\$10,272.32
10mm Makrolon twin wall polycarbonate roof sheeting complete including battens	49	m2	\$164.41		\$8,056.05
Colorbond quad gutter	6	m	\$55.00		\$330.00
Colorbond downpipe (1No.)	4	m	\$55.00		\$220.00
Gutter guard - EXCL.	1	Item			EXCL



Description	Quantity	Unit	Rate	Markup	Total
<b>STORMWATER</b>					<b>\$900.00</b>
Allowance to connect downpipe into existing stormwater system	1	Item	\$900.00		\$900.00
<b>SERVICES &amp; UTILITIES</b>					<b>\$3,995.00</b>
Allowance for connection to existing on site power	1	Item	\$1,200.00		\$1,200.00
Allowance for lighting to pergola including light fittings (based on GFA)	43	m2	\$65.00		\$2,795.00
Allowance for WiFi/Communications - EXCL.	1	Item			EXCL
<b>SIGNAGE &amp; BARRIERS</b>					<b>\$4,140.00</b>
Allowance for 2800 wide x 900 high signage/barricade	2	No.	\$1,820.00		\$3,640.00
Allowance for Statutory Signage	1	Item	\$500.00		\$500.00
<b>LANDSCAPING/REMIEDIATION</b>					<b>\$3,015.00</b>
Allowance to make good affected pavement areas	9	m2	\$335.00		\$3,015.00
<b>CONTRACTORS CORPORATE OVERHEADS &amp; MARGIN</b>					<b>\$9,147.41</b>
Allowance for Contractors Corporate Overheads & Margin (20%)	1	Item	\$9,147.41		\$9,147.41
<b>INDIRECT COSTS</b>					<b>\$8,232.67</b>
<b>CONTINGENCY</b>					<b>\$8,232.67</b>
Allowance for Design Development Contingency (5%)	1	Item	\$2,744.22		\$2,744.22
Allowance for Construction Contingency (10%)	1	Item	\$5,488.45		\$5,488.45
<b>DESIGN FEES</b>					
Allowance for Design Fees- EXCL.	1	Item			EXCL
<b>AUTHORITIES FEES &amp; CHARGES</b>					
Allowance for Authorities Fees & Charges - EXCL.	1	Item			EXCL
<b>ESCALATION</b>					
Allowance for Escalation beyond March 2019 - EXCL.	1	Item			EXCL
<b>SCHEDULE OF INFORMATION</b>					
Concept Drawing by Moir Landscape Architecture, numbered 1720 - Outdoor Dining - Pergola received 01.04.2019				NOTE	
<b>SCHEDULE OF EXCLUSIONS</b>					
Tendering Costs - EXCL.				NOTE	
Unknown Stakeholder Requirements - EXCL.				NOTE	

Description	Quantity	Unit	Rate	Markup	Total
Adjustments to existing utilities/services - EXCL.		NOTE			
Testing, treatment & management of contaminated material/buired rubbish on site - EXCL.		NOTE			
Unknown ground conditions and engineers design - EXCL.		NOTE			
Cost escalation beyond March 2019 - EXCL.		NOTE			
				<b>Subtotal</b>	<b>\$63,117.16</b>
				Adjustment	\$0.00
				Post adjustment	\$63,117.16
				G.S.T [10%]	\$6,311.72
				<b>Total</b>	<b>\$69,428.88</b>

**Nicholas Allatt**

---

**From:** comms@dubbo.nsw.gov.au  
**Sent:** Wednesday, 6 March 2019 4:16 PM  
**To:** Steven Jennings; Nicholas Allatt  
**Subject:** Outdoor Dining Policy Feedback submitted

The following information has been submitted from the Dubbo Regional Council:

**Name :** Private

**Business Name :** N/A

**Email Address :** Private@gmail.com

**Comments/Feedback :** Though this policy is directed at existing business and outdoor dining in the CDB, I believe a significant opportunity is being overlooked with the emergence of pop up restaurants, shared kitchen space and food trucks - both permanent and as part of structure events.

This is a significant growth area in other cities and should be considered and supported as part of this and other policies.

huge opportunity for the growth in economic contribution and cultural contribution as well as giving start up business (and multicultural opportunities) for smaller businesses that cannot afford the larger costs associated with a full restaurant.

this will provide growth in opportunity, product diversity and competition to increase the food culture and quality of the city.

**Nicholas Allatt**

---

**From:** comms@dubbo.nsw.gov.au  
**Sent:** Friday, 22 March 2019 11:48 AM  
**To:** Steven Jennings; Nicholas Allatt  
**Subject:** Outdoor Dining Policy Feedback submitted

The following information has been submitted from the Dubbo Regional Council:

**Name :** Jessica Gough

**Business Name :** Jespresso

**Email Address :** jessica@jespresso.com.au

**Comments/Feedback** Is Wellington included in an outdoor dining policy?

Id like to see more smoke free zones and crack downs on business owners letting smokers linger around front doors. No one should be smoking 400m from the door to any place preparing food.

including mobile food vendors.

**Nicholas Allatt**

**From:** comms@dubbo.nsw.gov.au  
**Sent:** Wednesday, 3 April 2019 8:36 PM  
**To:** Steven Jennings; Nicholas Allatt  
**Subject:** Outdoor Dining Policy Feedback submitted

The following information has been submitted from the Dubbo Regional Council:

<b>Name:</b>	Ryan Mackintosh
<b>Business Name:</b>	Old Bank Restaurant
<b>Email Address:</b>	ryan@mackintosh.mobi
<b>Comments/Feedback:</b>	We would be interested in adding on street dining out the front of our venue at 232 Macquarie street.  Regards Ryan Mackintosh

Church Street Café - Outdoor Restaurant Policy Submission

We think this is a great initiative by DRC and we fully support this. We do see some issues with how it will be maintained and monitored but will happily work with council through these.

We have also included some examples of ideas and plans that we might use I will include screen shots and links and we have included photos of examples of things we like.

We have also done a cost analysis of this project based on one of the examples and the extra revenue needed to break even over 2 Years is \$1,291,680. Council would need to take this into consideration, at this stage we are unsure if we could even afford to go down this route.

We feel that this would be a great opportunity for council to give grants or provide low interest loans to small businesses who are interested in improving and growing their businesses but the capital investment is too much to handle.

Our ideas and issues are noted below

- CSC would like to have our walk way be considered as the path next to the rotunda
- Permanent tables outside
- Shade structures
- Removal of light structures which are impeding on the build of possible shade structures
- Moving rubbish bin for food area - health issues, smell and cleaning
- council chairs relocated and are regularly being damaged and current security is insufficient – Council slow repair and replace
- better maintenance of trees
- consideration from council to install nicer more aesthetic permanent seating – not bright colours or dark green
- outdoor furniture to be permanently attached to the pavers
- Security Camera to protect investment and stop access to roof or awning
- Signage for cameras
- Birds and health issues, smell and cleaning – must be cleaned daily before café opens at 6.30am about 90% of the time this is being achieved
- Trees and leaf matter in Autumn
- Leaves creating unsafe surface and customers slipping over
- Sun and heat in summer for all aspects of the site and wind, cold and rain protection particularly in Winter
- WHS for staff on moving chairs inside nightly permanent or contained would be great
- No safe area currently to leave furniture outside unless we can enclose the area outside the awning and potential new structures
- Café ambience is lost if there is a public walk way through the outdoor eating area – problem already exists with kids taking food and implements off the tables
- Pot plants in common area are not being maintained

- CSC doesn't want to block access or visual access to the rotunda for community events and therefore clear blinds would be preferable to us but we are unsure as to how we could then enclose the area securely
- Community events that complient the eating /café experience and not events that drive the customers away particularly on weekends when staff rates are at penalty loading eg religious event last week blasted 2 performances with speakers and religious ideology
- Improve communication about events in the Rotunda required with council and appropriate mutual benefit of the tenants for the area
- Peramnat affix tables and chairs are likely to be grafitied disfigured, scratched with inappropriate words or being deface with bodily fluids and vomit
- Concerns about fire damage or cutting to umbrellas or plastic blinds as occurs at the skate park and other parks
- Security cameras and possible patrols of a night
- Vermin control for the drainage system to the river
- Uneven paving surface allows water to pool including after cleaning of bird droppings from the out door furniture and paving and after rainfall events makes this area unsafe to walk on
- Protection of customers is essentail for the expansion of the outdoor experience to work
- Biggest competitor is the malls food courts dragging the customer out of the CBD and away from retail Shop fronts.
- Mutual benefit relationship required with council to decide rent costs etc
- Garbage pickup area may be affect by the new toilet block being installed.
- What will new toilet block look like and where is it going? Will it impeded on possible extensions
- Lease period too short for capital investment
- Due to the cost small business cant afford the capital invest and therefore put up substandard umbrellas and poor quality furniture non commercial quality eg outside kebab shop, cross coffee house, vietnamese therefore detracts from the experience we are trying to create ambience (plastic picninc chairs)
- Gold coast for example council supports small business by installing commercial umbrellas like the ones we are proposing and large shaded cloth areas for businesses in the promenade – rotunda would benefit from this °
- Possible communal areas of council provided futniture for rotunda businesses to use when busy (overflow of cutomers)
- Would like Mobile café, bar. Coffee machine bar or takeaway window area
- 5 – 10 min parking bay in loading zones or coach parking to encourage people to ring in takeaways etc for convenience of customers – loading zone is currently only used by cafés receiving their deliveries












<https://bossshade.com.au/cantilever-umbrella-commercial-tension-membrane-umbrellas-and-structures/>

**BOSS SHADE** HOME OUTDOOR UMBRELLAS AWNINGS SPECIALS INSTALL

## Umbrellas and Structures



**PRICED FROM \$5799**

Designed to provide maximum protection. These are the ultimate in the commercial style **market umbrella**. The octagonal or square 4.0 & 5.0 meter umbrellas in our range are 100% water proof Ferrari Canvas 8025 Preconstraint technology (best for Australian conditions) and comes with an ISO W41( 200Km/h) wind-rated certificate with a 15-year warranty. Screen printing to represent your business is available.

### Product Features

- ✓ Colours Available: Ferrari Red, White, Sand, Grey
- ✓ Versatile with a stylish appearance
- ✓ Manufactured with the highest quality materials
- ✓ 4m octagonal has wind rating up to 200 km/h
- ✓ 5m octagonal has wind rating up to 165 km/h
- ✓ 99% UV block
- ✓ 100% waterproof ferrari canvas
- ✓ Canopy can be closed in case of cyclone warning



**channel**

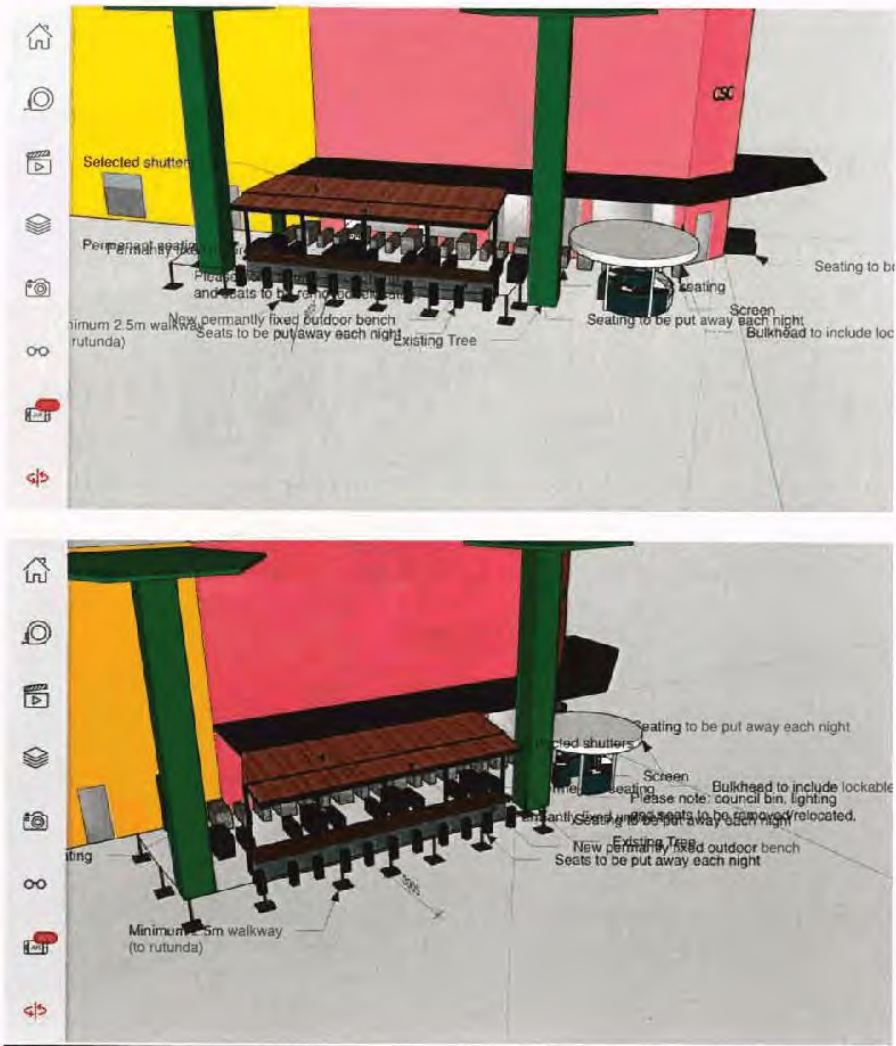
- ❑ *Unique side channel system Australian designed*
- ❑ *Enhance and protect your outdoor living all year round*
- ❑ *Environmentally friendly*
- ❑ *No unsightly ropes or straps*
- ❑ *Easy to operate - Manual or Motorised with remote control*
- ❑ *Ideal for mesh or PVC fabrics*

FAA    VERTSHADE    eZIP    CHANNEL

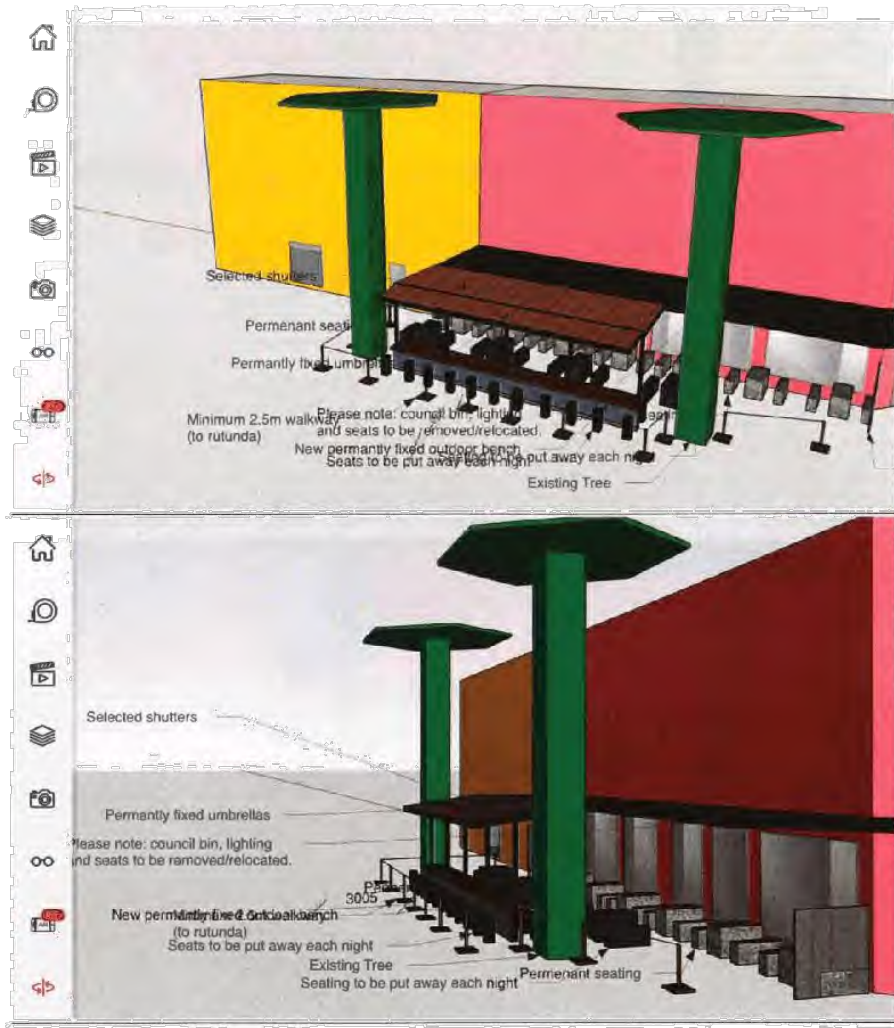
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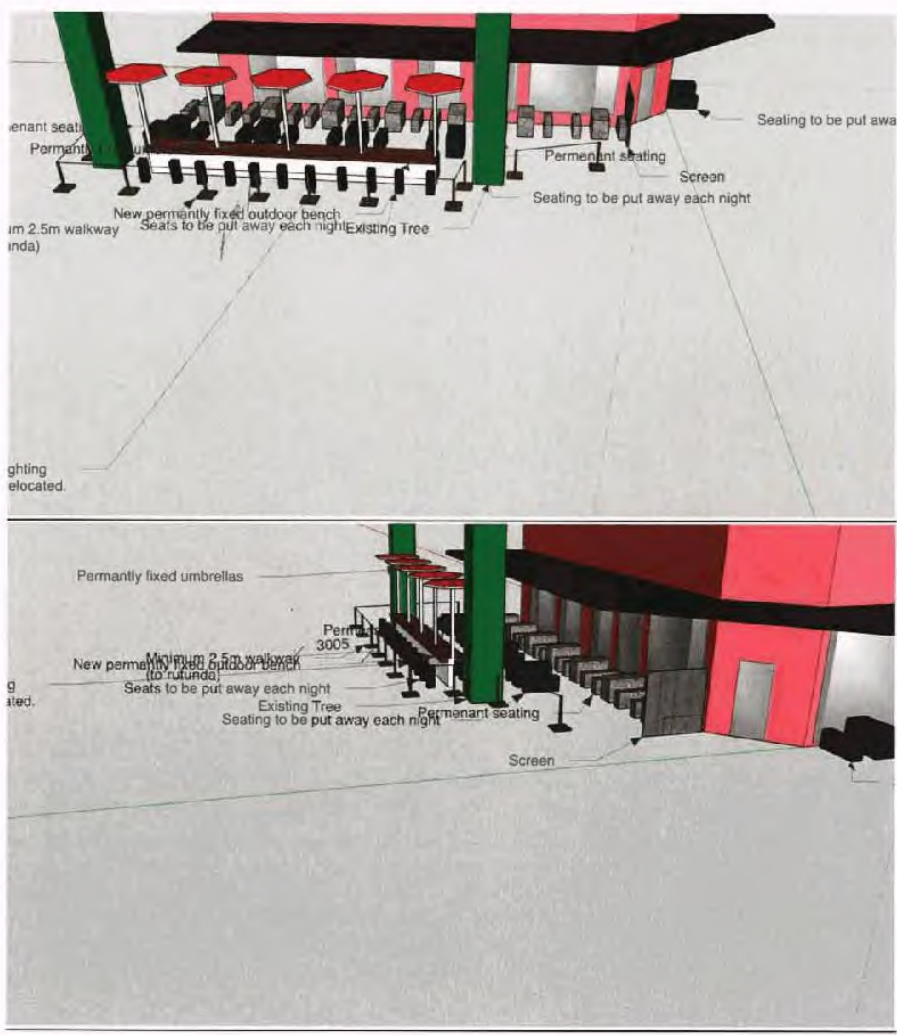














## **REPORT: New draft Section 7.11 Contributions Plan for South-East Stormwater Drainage Headworks Contributions - Results of Public Exhibition**

**AUTHOR:** Manager Growth Planning  
**REPORT DATE:** 12 August 2019  
**TRIM REFERENCE:** ID19/1020

### **EXECUTIVE SUMMARY**

The Planning, Development and Environment Committee at its meeting on 11 June 2019 considered a report in respect of the new draft Developer Contributions Plan – South-East Stormwater Drainage Headworks Contributions. In consideration of the report, the committee resolved as follows:

- “1. That the new draft Developer Contributions Plan – South-East Stormwater Drainage Headworks Contributions (Appendix 2) be adopted for the purpose of public exhibition for a period of no less than 28 days, in accordance with the provisions of the Environmental Planning and Assessment Regulation, 2000.*
- 2. That the draft amended Stormwater Contributions Plan (noting the proposed removal of Catchment 3.1 Keswick Catchment) also be placed on public display.*
- 3. That following completion of the public exhibition period, a further report be provided to Council for consideration including any submissions received.”*

The draft Plan was placed on public exhibition from Wednesday 26 June 2019 to Friday 2 August 2019. No submissions were received during the exhibition period.

The draft Plan provides a varied contributions structure, which is based on a per square metre rate for the creation of an allotment. The proposed contributions structure is based on the new Cardno Stormwater Drainage Review which was considered by Council at its meeting on Monday, 25 March 2019 and resolved as follows:

- “1. That the report from the Manager Strategic Planning Services dated 8 March 2019 be noted.*
- 2. That based on the results of the review prepared by Cardno Pty Ltd, that a new South-East Precinct Developer Contributions Plan be prepared.*
- 3. That a report including the new draft Developer Contributions Plan specified in recommendation two (2) and a stakeholder consultation program be provided to Council for consideration in May 2019.”*

Based on the results of the review, the draft Plan will result in a notable decrease in the level of contributions levied across this area. The current Section 94 (now Section 7.11) Contributions Plan – Urban Stormwater Contributions Headworks Contributions 1995, levies development within the Keswick Catchment basin at a rate of \$4,259.80 per lot (2019/2020 Financial Year). The draft Plan provides a varied contributions structure, which is based on a per square metre rate for the creation of an allotment. The table below shows the contributions frameworks applicable in the catchment:

	Per Square Metre Rate
<b>Keswick</b>	\$ 5.88
<b>Southlakes</b>	\$ 2.15
<b>Hennessey Shopping</b>	\$ 2.15
<b>Magnolia</b>	\$ 2.28
<b>Schools East</b>	\$ 0.69
<b>Blueridge</b>	\$ 0.61
<b>Schools West</b>	\$ 0.61
<b>Starjest</b>	\$ 1.23

The Cardno Keswick Stormwater Drainage Review lists an overall value of \$8.9 million for stormwater infrastructure to service development in the catchment. The original Section 94 (now Section 7.11) Contributions Plan for Urban Stormwater Drainage Headworks (1992) listed an overall value of works in the catchment of \$10.85 million. Based on indexation, the Cardno Stormwater Drainage Review presents a significant reduction in the cost of infrastructure for the catchment.

It should be noted that the contributions proposed to be levied in the draft plan present a reduction in the contributions levied under the provisions of the current Section 94 (now Section 7.11) Contributions Plan – Stormwater Drainage Headworks, 1995. This is due to an updated cost estimate of infrastructure items being developed for the Keswick catchment.

This report provides the results of the public exhibition period and recommends that Council adopt the draft Section 7.11 Developer Contributions Plan for Dubbo South-East Stormwater Drainage Headworks Contributions as provided here in **Appendix 1**. Furthermore, it is recommended that the Draft Plan commence operation following advertisement in local print media.

#### **FINANCIAL IMPLICATIONS**

If Council resolves to support the recommendation to adopt the draft Plan, contributions for stormwater drainage headwork in the Keswick catchment can be levied in accordance with the provisions of the draft Plan. The draft Plan will facilitate a reduced contribution rate for the Keswick Catchment.

If Council resolves to not support the recommendation to adopt the draft plan, contributions will continue to be levied under the current Plan until such a time as an overall Plan is prepared by Council.

### **POLICY IMPLICATIONS**

Once adopted, the draft Developer Contributions Plan – South-East Stormwater Drainage Headworks Contributions would become Council Policy and therefore would supersede part of the current Section 94 (now Section 7.11) Contributions Plan.

This issue is discussed further in the report.

### **RECOMMENDATION**

- 1. That the new amended draft Section 7.11 Developer Contributions Plan - South-East Stormwater Drainage Headworks Contributions as provided here in Appendix 1 be adopted.**
- 2. That the amended draft Section 94 Contributions Plan – Urban Stormwater Drainage Headworks Contributions as provided here in Appendix 2 be adopted.**
- 3. That an advertisement be placed in the local print media advising of Council’s adoption and commencement of:**
  - (a) New Section 7.11 Developer Contributions Plan – South-East Stormwater Drainage Headworks Contributions.**
  - (b) Amended Section 94 Contributions Plan – Urban Stormwater Drainage Headworks Contributions.**
- 4. That the Section 7.11 Developer Contributions Plan - South-East Stormwater Drainage Headworks Contributions and amended Section 94 Contributions Plan – Urban Stormwater Drainage Headworks Contributions commence operation from the date it is advertised in the local print media.**

*Steven Jennings*  
Manager Growth Planning

## BACKGROUND

The Planning, Development and Environment Committee at its meeting on 11 June 2019 considered a report in respect of the draft Developer Contributions Plan – South-East Stormwater Drainage Headworks Contributions. In consideration of the report, the committee resolved as follows:

- “1. That the new draft Developer Contributions Plan – South-East Stormwater Drainage Headworks Contributions (Appendix 2) be adopted for the purpose of public exhibition for a period of no less than 28 days, in accordance with the provisions of the Environmental Planning and Assessment Regulation, 2000.*
- 2. That the draft amended Stormwater Contributions Plan (noting the proposed removal of Catchment 3.1 Keswick Catchment) also be placed on public display.*
- 3. That following completion of the public exhibition period, a further report be provided to Council for consideration including any submissions received.”*

The purpose of this report is to provide the results of the public exhibition period for the draft Plan.

## REPORT

### 1. Public Exhibition

The draft Plan was placed on public exhibition from Wednesday 26 June 2019 to Friday 2 August 2019. An advertisement was placed in the Daily Liberal and the draft Plan was made publicly available at the Dubbo Branch of the Macquarie Regional Library and on Council’s website. In addition, Council provided separate correspondence to all landowners of vacant land within the land to which the plan will apply.

Council did not receive any submissions during the exhibition period.

### 2. Changes as a result of public exhibition

No submissions were received from the public during the exhibition period.

Following conclusion of the public exhibition period, staff have undertaken an operational review of the plan. This operational review includes correcting grammar or numbering sequencing, strengthening legal sentences or re-arranging tables contained in the plan. Council considers all changes made to be of a minor nature, which do not require re-notification of the draft Plan. All changes undertaken by Council are shown in red text.

### 3. Future Direction

If Council resolves to adopt the draft Plan, upon commencement of the draft Plan component of the current Section 94 (now Section 7.11) Contributions Plan – Urban Stormwater Contributions Headworks Contributions 1995 will be repealed.

In accordance with the requirements of the Environmental Planning and Assessment Act, 1979 and the Environmental Planning and Assessment Regulation, 2000, the draft Plan and the amended current Section 94 (now Section 7.11) Contributions Plan – Urban Stormwater Contributions Headworks Contributions 1995 will each commence operation following advertisement in local print media of Council’s adoption.

#### **SUMMARY**

The draft Developer Contributions Plan – South-East Stormwater Drainage Headworks Contributions was placed on public exhibition from Wednesday 26 June 2019 to Friday 2 August 2019. No submission were received during the exhibition period. This report recommends that the draft Plan be adopted to commence following advertisement in local print media.

#### Appendices:

- 1 [↓](#) Draft Section 7.11 Development Contributions Plan - Dubbo South-East Stormwater Headworks Contribution
- 2 [↓](#) Amended draft Section 94 Contributions Plan - Urban Stormwater



# Section 7.11 Development Contributions Plan – Dubbo South-East Stormwater Drainage Headworks Contributions



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## 1 INTRODUCTION AND EXECUTIVE SUMMARY

### 1.1 Purpose of the Plan

The Dubbo stormwater drainage network enables stormwater to be conveyed and disposed of in an effective manner which will not adversely effect existing developments or the environment whilst allowing for the anticipated growth and development of Dubbo.

In 2016, the Estimated Resident Population (ERP) of the former Dubbo City Local Government Area (LGA) was 43,231. Council's 2019 population projections for the former Dubbo City LGA in 2040 is expected to be 53,741 people, overall growth, of 10,510 people over 24 years.

This Plan is for the South-East Stormwater Drainage Catchment (Keswick Catchment). The Keswick South-East stormwater catchment has seen a significant level of growth and development over the years and this is expected to continue, with further residential development planned in the area.

The cost of the infrastructure required to manage additional stormwater presents a burden on existing ratepayers. In accordance with statutory requirements, Dubbo Regional Council intend to levy appropriate contributions from developers in the subject area for the provision of stormwater infrastructure.

This Plan has been prepared in accordance with the provisions of Section 7.13 of the Environmental Planning and Assessment Act, 1979 (the Act) and Part 4 of the Environmental Planning and Assessment Regulation, 2000 (the Regulation).

In January 2018, the Environmental Planning and Assessment Act 1979 (the Act) was reviewed, resulting in the change of numerous section numbers within. As a result, Section 94 Development Contributions Plans were re-numbered in the Act to Section 7.11 Development Contribution Plans. This Plan utilises the new numbering system of the Environmental Planning and Assessment Act, 1979.

### 1.2 Part Repeal of Section 94 Contributions Plan – Urban Stormwater Drainage Headworks Contributions Plan

Council engaged the services of industry consultants Cardno Pty Ltd to undertake a report of the following:

- Details of trunk stormwater infrastructure delivered in the catchment;
- Infrastructure left to be delivered and the costs of delivering the infrastructure (as at today's prices); and
- To consider whether amendment to the previous Section 94 Contributions Plan for stormwater was required.

Council received this review which concluded that due to the unique history of the catchment and its previous developments a review of the Section 94 Contributions Plan for Stormwater could provide for a fairer Plan for the Keswick Catchment 3.1.

### 1.3 Scale of future development

This Plan provides funding for stormwater infrastructure within the South-East Stormwater Drainage Catchment. The Plan allows for the intended future development of land within the locality.

#### 1.4 Timescales identified in the Plan

This Plan will commence operation from X MONTH YEAR with the intention to implement a new plan ten (10) years after commencement of this Plan.

The plan contains overall expenditure on the following:

- Drafting of Section 7.11 Contributions Plan and Ongoing Plan Administration \$200,000; and
- Total Infrastructure Works \$8,900,000.

It is acknowledged that during the life of this Plan the total contribution may not be able to be levied due to the demand for development to be undertaken within the identified South-East Stormwater Drainage Catchment.

All contributions collected from this Plan will be utilised by Council to deliver the projects in the works summary included in Appendix 1 of this Plan.

The Plan is intended to be reviewed by Council every two (2) years to ensure that the infrastructure items identified within the Plan are delivered within a reasonable timeline consistent with the development levels within the South-East Stormwater Drainage Catchment.

If at the end of year ten (10) of this Plan, works have not been undertaken, consideration will be given to Council to rolling these works into the next iteration of the Plan.

#### 1.5 Administration Levy

The preparation and ongoing administration of the Contributions Plan requires the provision of additional Council resources to ensure the Plan achieves its intended purpose. The administration levy will be calculated by Council as a single levy and will include drafting of the plan and ongoing plan administration.

To ensure the administration cost associated with preparation of this Plan and ongoing administration of this Plan do not impact the viability of development in Dubbo, the actual administration levy included in this plan will be a flat rate across the subject land. This ensures that all contributions levied for administration regardless of land location will be equitable.

Locality	Per Square Metre
Keswick	\$ 0.09
Southlakes	\$ 0.09
Hennessey Shopping	\$ 0.09
Magnolia	\$ 0.09
Schools East	\$ 0.09
Blueridge	\$ 0.09
Schools West	\$ 0.09
Starjest	\$ 0.09

Table 1: Plan Administration Levy per square metre

## 1.6 Structure of contributions

Stormwater Infrastructure Contributions under the provision of this plan are based on the analysis and findings of the Cardno Report 'Cost Estimation: Review of Keswick Estate Trunk Drainage Scheme'. The contributions proposed to be levied in the Plan consist of two main components:

**Component A:** Administration and drafting of the Plan; and

**Component B:** South-East Drainage Contribution per square metre.

**Component A** consists of the drafting of the plan fee and the ongoing plan administration fees. These fees are proposed to cover part of Council's cost for the preparation of the plan, associated studies and the ongoing cost of implementing this Plan. The fees structure of these fees are seen in Table 2 Plan Administration Levy per square metre.

	Lots	Total Value	Per Square Metre
<b>Keswick</b>	1300	\$ 68,157.08	\$ 0.09
<b>Southlakes</b>	2080	\$ 109,531.33	\$ 0.09
<b>Southlakes Shopping Centre</b>	1	\$ 52.66	\$ 0.09
<b>Magnolia</b>	112	\$ 5,997.84	\$ 0.09
<b>Schools East</b>	1	\$ 52.66	\$ 0.09
<b>Blueridge</b>	252	\$ 13,270.14	\$ 0.09
<b>Schools West</b>	1	\$ 52.66	\$ 0.09
<b>Starjest</b>	51	\$ 2,685.62	\$ 0.09
<b>TOTAL</b>	3798	\$ 200,000.00	

Table 2: Plan administration levy per square metre

**Component B** includes the provision of the infrastructure items required to be funded by this plan and identified in Table 3 below. Based on the Report by Cardno 'Cost Estimation: Review of Keswick Estate Trunk Drainage Scheme', the provision of these items will complete the stormwater drainage infrastructure requirements for the South-East Stormwater Drainage Catchment.

Item	Estimated Cost of Construction
<b>Channels</b>	\$2,300,000
<b>Basin 1</b>	\$450,000
<b>Basin 2</b>	\$1,500,000
<b>Parkway</b>	\$1,300,000
<b>Hennessy</b>	\$2,600,000
<b>Boundary</b>	\$400,000
<b>Sheraton Corner</b>	\$50,000
<b>Sheraton Offset</b>	\$300,000
<b>Total</b>	\$8,900,000

Table 3: Itemised Estimated Cost of Construction of Infrastructure

A contribution for any development undertaken within the South-East Stormwater Drainage Catchment as contained in this plan will be the sum of the following:



**Total Contribution = Plan Administration Levy + South-East Stormwater Contribution (per m<sup>2</sup>)**

The South-East Stormwater Contributions will be calculated as **eight** separate areas each incurring its own contribution rate related specifically to the actual infrastructure items utilised. This is known as the apportionment rate which acknowledges that due to the natural topography of the land each separate area will utilise different infrastructure items and will create different amounts of additional stormwater discharge.

**Locality Apportionment Rate per lot = Estate Lot Yield / Value of works**

The South-East Stormwater Contribution formula utilised the Locality Apportionment Rate per lot figure to distribute the rate into per square metre.

**South-East Stormwater Contribution (per m<sup>2</sup>) = Locality Apportionment Rate per lot X Average lot size**

The formula utilises two key elements, as follows:

- The apportionment rate for each locality
- The average lot size for each locality

## 1.7 Summary of Infrastructure Items

The infrastructure items to be provided as a result of this plan are the following:

- Channels;
- Basin 1;
- Basin 2;
- Parkway;
- Hennessy;
- Boundary;
- Sheraton Corner; and
- Sheraton Offset.

These items are identified and costed within the Cardno Report '*Cost Estimation: Review of Keswick Estate Trunk Drainage Scheme*' and reiterated within this Plan.



**1.8 Summary of contribution rates**

The table provided below provide a summary of the per lot and per square metres apportionment rates for each area within the Plan.

	<b>Lots</b>	<b>Value of Works</b>	<b>Per Lot</b>	<b>Per square Metre</b>
<b>Keswick</b>	1300	\$ 5,351,267.00	\$ 4,116.36	\$ 5.88
<b>Southlakes</b>	2080	\$ 2,680,163.00	\$ 1,288.54	\$ 2.15
<b>Southlakes Shopping Centre</b>	1	\$ 42,355.00	\$ 42,355.00	\$ 2.15
<b>Magnolia</b>	112	\$ 76,692.00	\$ 684.75	\$ 2.28
<b>Schools East</b>	1	\$ 2,764.00	\$ 2,764.00	\$ 0.69
<b>Blueridge</b>	252	\$ 619,024.00	\$ 2,456.44	\$ 0.61
<b>Schools West</b>	1	\$ 2,456.00	\$ 2,456.00	\$ 0.61
<b>Starjest</b>	51	\$ 125,279.00	\$ 2,456.45	\$ 1.23
<b>TOTAL</b>	3798	\$ 8,900,000.00		

Table 4: Summary of Contribution Rates

For development undertaken outside of the South-East Stormwater Drainage Catchment as identified within this plan and specifically within Figure 1, the current Section 94 Contributions Plan – Urban Stormwater Drainage Headworks Contribution will remain in effect.

DRAFT

## 2. ADMINISTRATION AND PLAN OPERATIONS

### 2.1 Name of the Plan

This Plan will be known as the Section 7.11 Contributions Plan for Dubbo South-East Stormwater Drainage Headworks 2019 (the Plan).

### 2.2 Land to which Plan applies

The Plan applies only to the land identified in Figure 1 which also comprises the undeveloped portion of the South-East Stormwater Drainage Catchment and associated lands.

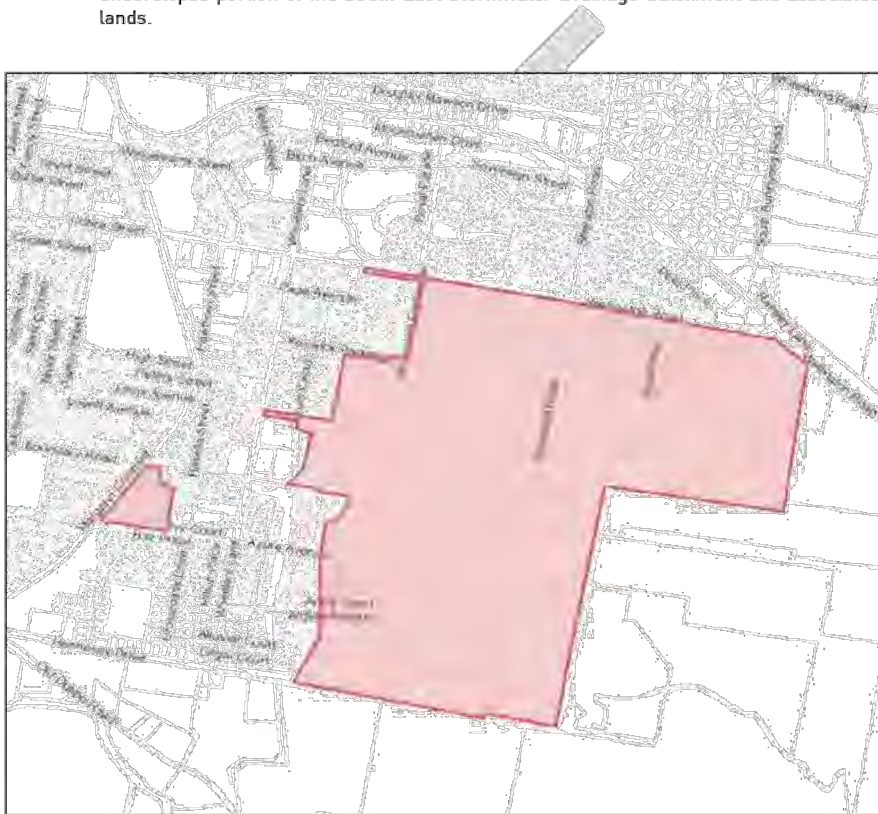


Figure 1: South-East Stormwater Drainage Catchment

### 2.3 Structure of the Plan

The Plan is structured in three (3) Parts as provided below:

**Part 1** – Provides an introduction into the purpose of the Plan and summary of the Section 7.11 contribution plan for Dubbo South-East Stormwater Drainage Headworks 2019;

**Part 2** – The objectives of the Plan and includes the administrative and operational functions/consideration of the plan; and

**Part 3** – Explains the stormwater contributions calculations, outlines the forecast future development, the basis for increased demand for infrastructure items, the nexus and apportionment consideration of the Plan.

### 2.4 What is the objectives of this Development Contributions Plan

The objectives of this Development Contributions Plan is to:

- (a) Provide the legal mechanism and framework for Dubbo Regional Council to seek contributions from developers for the provision of Stormwater Drainage Infrastructure in the South-East Stormwater Drainage Catchment as identified within Figure 1;
- (b) Ensure appropriate stormwater infrastructure is provided, as determined by this Plan, to meet the additional stormwater discharge generated by new development;
- (c) Ensure the existing community is not burdened by the cost of provision of new infrastructure as a result of future development;
- (d) Provide an administrative framework under which specific community infrastructure strategies may be implemented and coordinated;
- (e) Provide a comprehensive strategy for the assessment, collection, expenditure accounting and review of development contributions on an equitable basis; and
- (f) Ensure Council is publicly and financially accountable in its assessment and administration of the Plan.

### 2.5 Commencement of the Plan

This Development Contribution Plan has been prepared pursuant to the provisions of the Section 7.11 of the Environmental Planning and Assessment Act, 1979 and Part 4 of the Environmental Planning and Assessment Regulation, 2000 and takes effect from the date on which public notice was published, in accordance with Clause 31 (4) of the Regulation.

The Plan commences on XX MONTH YEAR.

### 2.6 Operation period of the Plan

This Plan is intended to operate from 2019-2029 (ten (10) years). If at the end of the ten (10) year period the next iteration of the Plan has not been adopted, this plan will continue operation. During this period, the Plan will be monitored and regularly updated or amended to meet variation in growth projections and development priorities biennially.

### 2.7 Relationship with other Land Use plans, reports and policies

This Plan has been prepared in accordance with the requirements of the Environmental Planning and Assessment Act, 1979 and the Environmental Planning and Assessment Regulation, 2000.

This Plan repeals Part of the Section 94 Contributions Plan Urban Stormwater Drainage Headworks Contribution 1995. This Plan relates specifically to all Land identified within Figure 1 of this Plan.

The Plan should also be read in conjunction with the Dubbo Local Environmental Plan 2011 and the Dubbo Development Control Plan 2012.

## 2.8 Development to which this Plan applies

This Plan applies to the following development types undertaken on land to which this plan applies:

- Any development undertaken on Land identified within Figure 1, which will contribute to the collective demand for stormwater drainage infrastructure.

## 2.9 Development Exempt from the Plan

The types of development exempt from the application of this plan include:

- Undertaking development of a dwelling house on an existing allotment of land jointly rated for water and sewer;
- A change of use not including the creation of additional lots or hardstand area;
- Development classified as being Exempt Development in the state Environmental Planning Policy, The Dubbo Local Environmental Plan 2011 or any other Exempt development as determined by the Minister;
- Rural or farming enterprises, not resulting in an increase in demand for Stormwater Drainage Infrastructure; and
- Development within the catchment on land for which contributions under a former Section 94 Contributions Plan - Urban Stormwater Drainage Headworks Plan have been levied and paid contributions in full.

## 2.10 Payment of Contributions

Contributions levied by this Plan are required to be due and payable in any one (1) of these situations as provided below:

- (a) Where a development consent has been issued and an occupation certificate or subdivision certificate is required, prior to the issue of any occupation certificate or subdivision certificate, whichever occurs first.
- (b) Where a development consent has been issued and an occupation certificate is not required, prior to the commencement of the development.
- (c) Where a development consent has been issued for a subdivision and a subdivision certificate is required, prior to release of the subdivision certificate.
- (d) Where a complying development certificate has been issued, prior to issue of the occupation certificate.

## 2.11 Methods of Payment

In accordance with the provisions of the Act, Council have an obligation to levy contributions. This obligation requires Council to ensure that one or more of the following methods will be undertaken by the developer (payee):

- Payment of a monetary contribution;
- The dedication of land; or
- Provision of a material public benefit.

The method of payment for a contribution will be specified as a condition of development consent, although Council may consider any of the abovementioned alternative method of payment at its sole discretion and in accordance with the provisions of this Plan.

## 2.12 Construction Certificates and the obligation of accredited certifiers

In accordance with Section 7.18 of the Environmental Planning and Assessment Act, 1979 and Clause 146 of the Environmental Planning and Assessment Regulation, 2000, a certifying authority must not issue a construction certificate for building work or subdivision work under a development consent unless it has verified that each condition requiring the payment of monetary contributions has been satisfied.

In particular, the certifier must ensure that the applicant provides a receipt(s) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the Council in accordance with Clause 142(2) of the regulation. Failure to follow this procedure may render such a certificate invalid.

The only exceptions to this requirement are where works in kind, material public benefit, dedication of land or deferred payment arrangement has been agreed to by the Council or where the proponent has entered into a planning agreement with Council. In such cases, Council will issue a letter confirming that an alternative payment arrangement has been agreed with the applicant.

## 2.13 Complying development and the obligation of accredited certifiers

In accordance with Section 7.21 of the Environmental Planning and Assessment Act, this Plan requires that, in relation to an application made to an accredited certifier for a complying development certificate:

- The accredited certifier must, if a complying development certificate is issued, impose a condition requiring a development contribution, if such a contribution is authorised by this Plan,
- The amount of the monetary contribution that the accredited certifier must so impose by way of condition is the amount determined in accordance with this clause, and
- The terms of the condition must be in accordance with this clause.

The terms of the condition as an accredited certifier shall include on a Complying Development Certificate is as follows:

*"Contribution required to be paid to Dubbo Regional Council.*

*The developer must make a monetary contribution to Dubbo Regional Council for the amount of \$[insert amount] for the purposes of the Section 7.11 Contributions Plan South-East Stormwater Drainage Headworks 2019.*

*The monetary contribution shall be paid to Council prior to occupation of the development.*

*The relevant contribution shall be indexed in accordance with the indexation requirements included in the Section 7.11 Contributions Plan. Alternatively you can contract Dubbo Regional Council to seek the correct contribution amount required to be paid."*



## 2.14 Material public benefit and works-in-kind

Council may accept an offer by a developer to provide 'in-kind' contribution (i.e. the developer complete part or all of the works identified in the Plan) or provision of another material public benefit (other than the dedication of land) in lieu of the developer satisfying its obligations under this Plan for the payment of a monetary contribution.

Council is under no obligation to accept works-in-kind or Material Public Benefit (MPB) offers. Under no circumstances will Council consider any proposal from a developer for an 'in-kind' contribution for any works or other items that are not included in the work summary included in Appendix 1 of this Plan.

Council in consideration of any offer, will assess the benefits to the Council, the Dubbo community and give due consideration to relevant matters including the following:

- (a) The extent to which the works/MPB satisfies the purpose for which the contribution was sought;
- (b) The works-in-kind being facilities which are already included in the Plan;
- (c) The extent to which the MPB satisfies a community need or may reduce the demand for levied items;
- (d) The impending need to construct the works for which the contributions are to be offset;
- (e) The provision of the works/MPB will not prejudice the timing, the manner or the orderly provision of public facilities included in the works program or the financial integrity of Council's Plan;
- (f) An assessment of the shortfall or credit monetary contributions as a result of the proposal;
- (g) The availability of supplementary funding to make up the shortfall in contributions;
- (h) Location and other factors that may affect usability;
- (i) Impact of recurrent operational and maintenance costs; and
- (j) The provision of the works/MPB must not result in piecemeal delivery of infrastructure or likely to result in the need to reconstruct the works due to future nearby development (i.e. normally the works will need to relate to a sub-catchment or a defined precinct).

In accepting material public benefits other than a 'works-in-kind', Council must be:

- Satisfied that the offer provides a substantial benefit to the community not envisaged by the Plan; and
- The benefit warrants Council accepting responsibility in fulfilling the intent of the Plan notwithstanding a reduction in expected cash contributions.

A 'work-in-kind' relates to the undertaking of a specific or equivalent work specified in the Plan, and is therefore more capable, in comparison to other material public benefits, to meet the above criteria. However, Council may not accept a material off-set to the cash contribution to be paid for a facility, where the offset is worth more than the cash contribution otherwise payable.

If the cost of a 'work-in-kind' exceeds the cash payment required by a development consent under the facility category that relates to the 'work-in-kind', council may consider the following:

- Provision of the work at the applicant's expense with Council recouping contributions from future development and reimbursing the applicant for costs exceeding the applicant's share, up to the total estimated cost in the Plan; or

- Granting a credit to the applicant on the basis of the equivalent number of persons, beds or workers that the applicant may rely upon to offset contributions otherwise payable under this Plan for other development within the Contributions Catchment.

## 2.15 Deferred payments

Council may accept the deferment of the payment of a contribution for an applicable development, subject to the following conditions:-

- a) Lodgement of an unconditional bank guarantee to cover the amount of the contributions;
- b) All money due as part of a deferred contribution is paid to Council within 12 months of the uplift of a subdivision certificate;
- c) Council will only accept one (1) bank guarantee, all outstanding contributions under bank guarantee must be paid to Council before the guarantee will be released.

The decision to accept a deferred payment through bank guarantee requires approval from the relevant Director and the Chief Executive Officer prior to uplifting of the relevant subdivision certificate and all legal expenses including Council's expenses are to be covered by the developer.

Alternatively, Council can consider permitting the deferred payment of contributions in accordance with the Council Policy for the Deferred Payment of Developer Contributions for Residential Subdivision

## 2.16 Planning Agreements

Requests for Planning Agreements will be assessed according to Council's Planning Agreement Policy as is enforce at the time an application is made. At the time of adoption of this Plan, the enforce policy was that adopted by Council at its meeting on 24 September 2018 and titled Planning Agreement Policy 2018.

The Environmental Planning and Assessment Act, 1979 allows for the negotiation of voluntary planning agreements between Council's, developers, and/or other Planning authorities for the provision of public purposes.

Public purposes are defined in the Environmental Planning and Assessment Act, 1979 as (without limitation):

- (a) the provision of (or the recoupment of the cost of providing) public amenities or public services,
- (b) the provision of (or the recoupment of the cost of providing) affordable housing,
- (c) the provision of (or the recoupment of the cost of providing) transport or other infrastructure relating to land,
- (d) the funding of recurrent expenditure relating to the provision of public amenities or public services, affordable housing or transport or other infrastructure,
- (e) the monitoring of the planning impacts of development,
- (f) the conservation or enhancement of the natural environment.

Council may seek to negotiate planning agreements with relevant parties in relation to major development. Such agreements may address the substitution of, or be in addition to, the Section 7.11 Contributions required under this Plan.

Any draft Planning Agreement shall be subject to any provisions of any Ministerial Directions made under the Environmental Planning and Assessment Act, 1979 or Environmental Planning and Assessment Regulation relating to Planning Agreements.



## 2.17 Indexation

During the life of this plan, contributions will be indexed for the effects of inflation. Clause 251 of the Environmental Planning and Assessment Regulation 2000 requires indexation to occur in accordance with the Consumer Price Index (All Groups Index) for Sydney.

Indexation will occur at 1 July each year and is based on the annual % change for the 12 months to March of that year. Where a negative annual % change in this index occurs, contributions shall be indexed at 0%.

## 2.18 Review of the Plan

It is intended to monitor the Plan on a regular basis as it contains forecasts of future development including likely future populations and the likely demands and cost of providing community infrastructure for the growing population.

The estimated cost of works for infrastructure items contained within work summaries (Appendix 1) may also need review over time if the indexation of costs do not adequately reflect actual costs at the time.

A review of the Plan may be triggered by any of the following items or otherwise:

- Significant rises in construction or land acquisition costs beyond that covered by the referenced CPI rate,
- Where a material public benefit (MPB) is accepted in lieu of a financial contribution; and
- If in the opinion of Council, the underlying demographic, housing occupancy and development timing assumption underpinning the plan change significantly.

Notwithstanding the above, Council intends to undertake a review of the Plan every three (3) years.

## 2.19 Pooling of contributions

This Plan expressly authorises monetary contributions paid for different purposes to be pooled and applied (progressively or otherwise) for those purposes.

## 2.20 Accounting standards and contributions register

Separate accounting records are maintained for all development contributions made to Council in accordance with the regulation.

Council is also required to publish details of development contributions accounts annually and this is undertaken as part of Council's quarterly and annual financial reporting cycle.

## 2.21 Treatment of funds received prior to the commencement of this Plan

Funds levied and received under the previous plan prior to XX MONTH YEAR (commencement Date of this Plan) will be used to finalise the works program within the previous plan Section 94 Contributions Plan.

Following the commencement of this Plan, funds levied and received under this plan will be used towards to delivery of works contained within the works summary (Appendix 1) of this plan.

## 2.22 Calculation of Contributions

The Stormwater Drainage Infrastructure items contained in this Plan are based on the Cardno report '*Cost Estimation: Review of Keswick Estate Trunk Drainage Scheme*', which was noted by Council at meeting Date 25 March 2019.

The contributions are calculated with two major components:

**Component A:** Administration and Drafting of the Plan; and

**Component B:** South-East Drainage Contribution per square metre.

Each Locality within the subject area incurs its own South-East Drainage Contribution Rate as a result of the apportionment rates which relate to the physical topography of the subject area and the areas which will utilise the infrastructure.

### 2.22.1 CALCULATION OF PLAN ADMINISTRATION LEVY

The Plan Administration Levy consists of two components being the Plan drafting and ongoing administration of the Plan. The levy is calculated at a total (\$200,000) which will cover councils costs. This amount is divided into each area according to their potential lot yield at a rate of \$52.66 per lot. The total value for each area to pay is then divided by the 600 to allow the figure into a per square meter rate. This provides one (1) rate for all land within the locality. 600 meters squared is considered an appropriate and fair rate for all land throughout the locality.

### 2.22.2 CALCULATION OF SOUTH-EAST STORMWATER CONTRIBUTION

In order to calculate the south-east stormwater contribution rate at a per square metre rate there is essential information required to input into the formulas, including:

- The work summary,
- The locality area, and
- The value of works for each square metre based on the apportionment rate

Each item within the work program has an associated estimated cost. The cost estimation was based on the following assumptions:

- *all cut materials stays on site.*
- *A combined site establishment cost has been estimated for basins which are close together (e.g. Basin 1 and Basin 2)*
- *No planting, topsoiling, grassing, nor road restoration has been allowed for in the costing.*
- *The estimate for Hennessy Basin includes cost for the bioretention area."*

The work summary items and associated cost have been calculated against each area depending on the apportional rate of use for the infrastructure items.

For Example the natural topography of the site falls away to the south-west with Keswick generally being the highest locality in the area. As such, Keswick has a higher apportional rate as they use infrastructure thought out the full catchment area where as Southlakes have a direct relationship with the natural catchment drainage point to the south-west and have a lower apportional rate.

The apportioned rates for each item has been calculated and unless a reason arises which substantiates a review of these rates will be used throughout this Plan. The rates and calculation are contained within Appendix 2 in Rates and Calculation Sheet.

**Locality Apportionment Rate = Estate Lot Yield / Value of works**

The locality apportionment rate is calculated by dividing the lot yield of the area by the value of works required in that area. This gives the per lot locality apportionment rate.

**South-East Stormwater Contribution (per m<sup>2</sup>) = Locality Apportionment rate per Lot X Average lot size**

The locality apportionment rate previously calculated is multiplied by the average lot size for the area. The average lot sizes can be seen below.

<b>Estate</b>	<b>Average Lot Size</b>
<b>Keswick</b>	700m <sup>2</sup>
<b>Southlakes</b>	600m <sup>2</sup>
<b>Southlakes Shopping Centre</b>	19700m <sup>2</sup>
<b>Magnolia</b>	300 m <sup>2</sup>
<b>Schools East</b>	4000 m <sup>2</sup>
<b>Blueridge</b>	4000 m <sup>2</sup>
<b>Schools West</b>	4000 m <sup>2</sup>
<b>Starjest</b>	2000m <sup>2</sup>

The formula utilised two key elements, as follows:

- The apportionment rate for each locality
- The average lot size for each locality

**Total Contribution = Plan Administration Levy + South-East Stormwater Contribution (per m<sup>2</sup>)**

The Plan Administration Levy (Plan Drafting and Ongoing Administration) are added to the South-East Stormwater Contribution Rate per square metre. This gives the final value of the contribution to be levied from the developer on a per square metres rate.

### 3 CONTRIBUTION STRATEGY

#### 3.4 Demographic Trends

##### 3.4.1 POPULATION STATISTICS

The City of Dubbo is located approximately 400 kilometres west of Sydney and has a population of 41,532 person (ABS Census, 2016). Dubbo has been experiencing steady population growth over the last decade. The population grew 9% over a 12 year period. It is expected that this population growth will continue to steadily increase.

The City of Dubbo like other growing Australian cities has a significant residential growth area being the South-East Residential growth area. This plan encompasses this growth area. In 2016 the South-East residential growth area had a population of 1,524 persons (ABS Census, 2016). The subject area relates to the destination zone of ABS known as Dubbo South (DZ111 010001) which encompasses the south-east stormwater drainage catchment.

##### 3.4.2 POPULATION TRENDS FOR THE SOUTH-EAST RESIDENTIAL GROWTH AREA

###### Population Forecast

Dubbo Regional Council utilises population projection data from REMPLAN providers. The forecast was created using a 'bottom-up' approach with local inputs considered.

The subject area is expected to steadily grow by an additional 4.1% to 5.5% each year until 2040 where it is expected the population of the area will be 9,035.

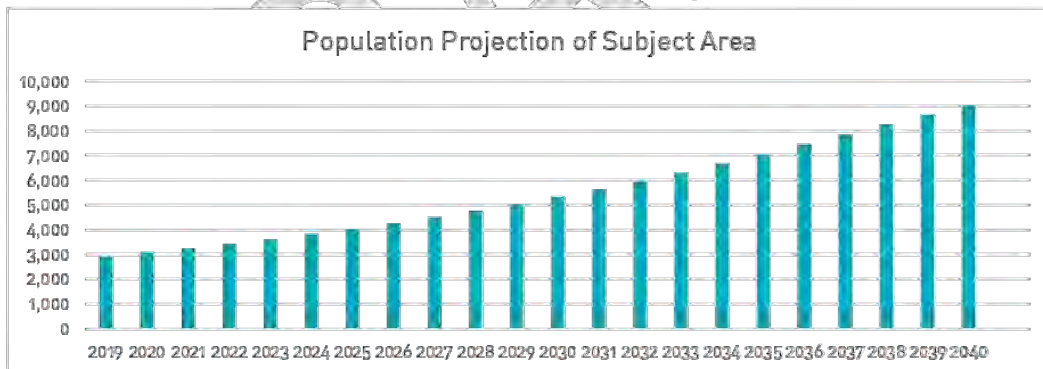


Figure 2: Population Projection Subject Area (Source: REMPLAN, 2019)

###### Age Composition

The age composition of the subject area is combined with 26.18% of the population under 15 years, 56.23% of the population is working age and 17.54% of the population is retiree age. The population pyramid shows the bulges which align to the under 15 years of age and the working age groups.

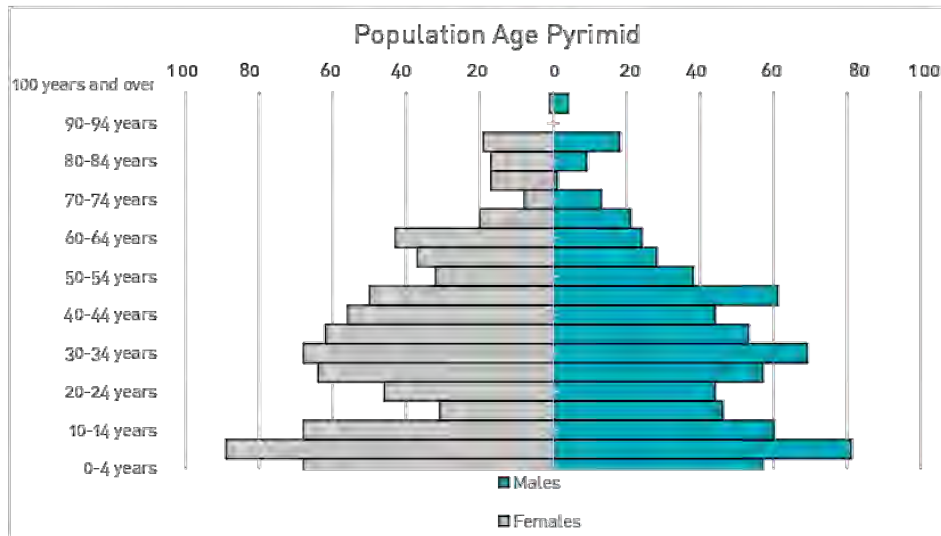


Figure 3: Age Population Pyramid (Source: REMPLAN, 2019)

Family composition and income

The current family composition consists of 59% of families are a couple with children with 33% of families being couples without children. The family composition relates directly to the housing needs within the area. The mean household income for the area is \$91,000-\$103,000 per year. This directly relates to the ability of the family to afford housing.

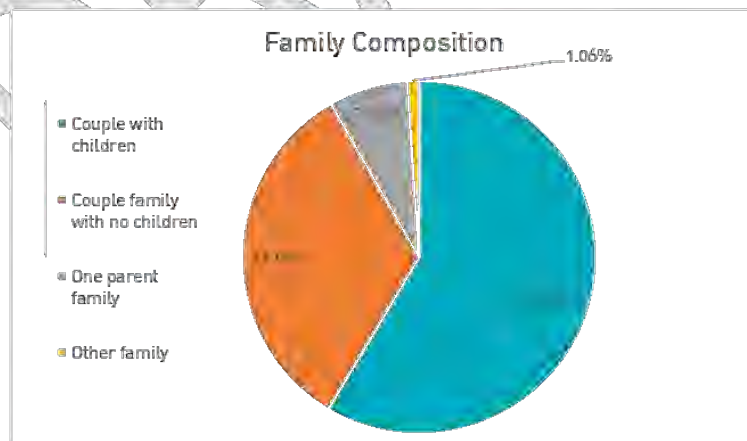


Figure 4: Family Composition (source: REMPLAN, 2019)

Dwelling Type

There are 498 dwellings located in the subject area, with 96% of the dwellings being single detached housing. 71% of the dwellings in the area have 4 bedrooms, the current average household size in the area is 3.06 persons per dwelling (REMPAN, 2019).

Anticipated Development

There are seven (7) main development localities within the subject area: Keswick, Southlakes, Southlakes Shopping Centre, Magnolia, Schools East, Blueridge, Schools West and Starjest.

A review of recent Development Proposals, Planning Proposals and ongoing collaboration with each developers has identified the anticipated potential lot development for the area.

Table 1 : Anticipated Development

<b>Area</b>	<b>Potential Lots</b>	<b>Depicted by</b>
Southlakes	2080	Light Purple
Southlakes Shopping Centre	1	Dark Purple
Keswick	1300	Blue
Magnolia	112	Red
Schools East	1	Yellow
Blueridge	252	Orange
Schools West	1	Purple
Starjest	51	Green
<b>Total</b>	<b>3798</b>	



The map provided below shows the general location of each of these development areas.

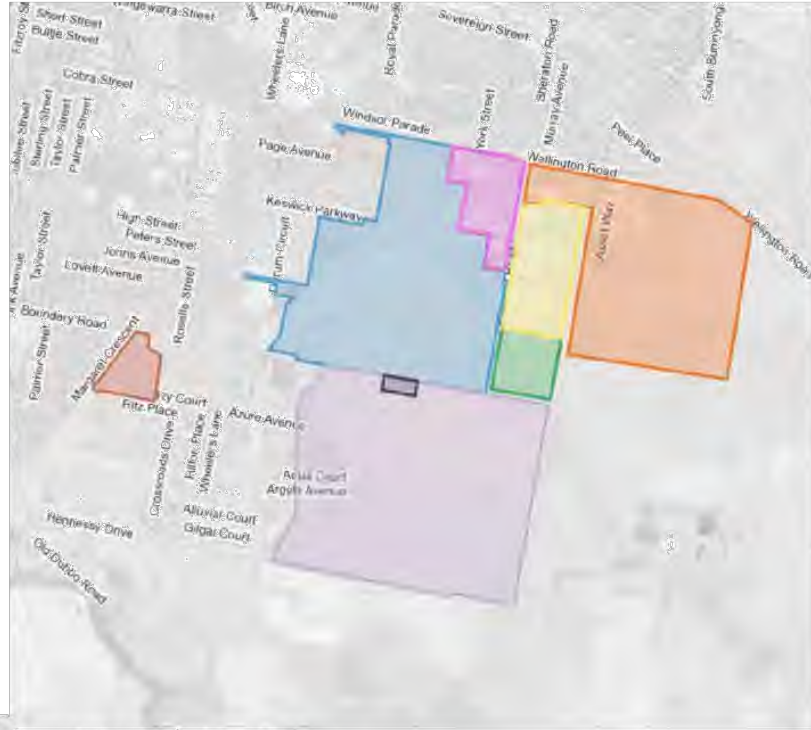


Figure 5: Development Locality Areas

**Business**

Within the Dubbo South Area there are 307 goods and services tax registered businesses. There are 80 Construction businesses in the area, 44 Health Care and Social Assistance businesses and 32 Rental, Hiring and Real Estate Services. The businesses contained within the area reflect the current development type nature of the area. There is a Local Expenditure of \$6,367.11 million within this area.

**Undeveloped Commercial Land**

There is a significant portion of land within this area zoned B5 Bulky Goods and B7 Business Development of approximately 91 hectares. As this land is developed for commercial purposes it is expected that the businesses and local expenditure in the area will significant increase.



### 3.5 What is the relationship between expected demand and the delivery of infrastructure?

#### 3.5.1 WHAT IS NEXUS

Nexus is the relationship between the expected types of development in the area and the need/demand for additional stormwater drainage infrastructure in the catchment.

In accordance with the requirements of Clause 27 (1) (c) of the Environmental Planning and Assessment, Regulation, 2000, nexus is a core component in a Section 7.11 Developer Contributions Plan. Nexus consists of three (3) central components including causal nexus (cause), Spatial nexus (location), and temporal nexus (time). Compliance with the requirements of each component is provided below.

#### 3.5.2 CAUSAL NEXUS

It is expected that the catchment area will be subject to future development growth which in turn is considered to create additional runoff and areas resulting in excess stormwater run-off. To capture and disperse of increased stormwater run-off as a result of developments, infrastructure items need to be built to complete the drainage infrastructure for the catchment.

Establishment of the need for the additional infrastructure is derived from the Cardno report 'Cost Estimation: Review of Keswick Estate Trunk Drainage Scheme' 2018. The report has been previously considered by Council.

To facilitate development of the infrastructure at the updated costings, a Works Summary is included in the report as Appendix 1. These costings are based on each item to be developed under this plan.

#### 3.5.3 SPATIAL NEXUS

Based on the 'Cost Estimation: Review of Keswick Estate Trunk Drainage Scheme', this Plan adopts an overall contribution regime based on the following:

- Planning Administration Levy
- South-East Stormwater Contribution Levy

Both components have been broken down into 7 localities, with each locality utilising its own proportion of the infrastructure. This ensures that each locality is funding items relevant to that area. The localities include and can be seen in Figure 5:

- Keswick – indicated by Blue
- Southlakes – indicated by Light Purple
- Southlakes Shopping Centre – indicated by Dark Purple
- Magnolia – indicated by Red
- Schools East – indicated by Yellow
- Blueridge – indicated by Orange
- Schools West – indicated by Pink
- Starjest – indicated by Green

Figure 5 shows that there are seven identified localities within the catchment that require infrastructure items to complete their stormwater drainage networks. The rate of each locality is further identified within 3.2.5 Apportionment of this Plan.

#### 3.5.4 TEMPORAL NEXUS

The nature of developments both, residential and commercial development, is volatile and can fluctuate in profitability for the developer due to numerous factors. As a result, the

timing of this Plan requires flexibility in the consideration of infrastructure item priorities and the timing of their delivery.

The cost estimates included in the 'Cost Estimation: Review of Keswick Estate Trunk Drainage Scheme' are proposed to be reviewed annually to be updated by the Financial Years Consumer Index Prices. A total review of the actual costing of goods contained in this schedule is proposed to occur if the need arises or concerns are raised by Council, community or developers.

This Plan allows Council to pool funds to ensure items identified in the Plan can be delivered in a timely manner and in locations where development pressures require the infrastructure more significantly than the other.

### 3.5.5 APPORTIONMENT

Apportionment is a tool used to arrive at the correct nexus to ensure that the monetary charge under this Plan reflects the cost of the identified infrastructure items within this Plan.

This Plan adopts an apportionment based on localities within the catchment. This means that each locality will incur its own apportionment percentage of relevant infrastructure items, based on actual use of such items. This apportionment percentage of each item is then calculated into a per-square metre rate for levy. It is important to note that under the provisions of the Plan equitable apportionment has been applied in the Plan.

This Plan includes the spending of \$8,900,000 on the total of infrastructure items identified.

**APPENDIX 1 Works Summary (Cost Estimate Schedules)**

<b>Item</b>	<b>Estimated Cost of Construction</b>
<b>Channels</b>	\$2,300,000
<b>Basin 1</b>	\$450,000
<b>Basin 2</b>	\$1,500,000
<b>Parkway</b>	\$1,300,000
<b>Hennessy</b>	\$2,600,000
<b>Boundary</b>	\$400,000
<b>Sheraton Corner</b>	\$50,000
<b>Sheraton Offset</b>	\$300,000
<b>Total</b>	\$8,900,000

A detailed works summary for each item exists within Appendix 3 *Cost Estimation: Review of Keswick Estate Trunk Drainage Scheme*

**APPENDIX 2 Rates and Calculations Sheets**

Item	Estimated Cost	Keswick		Magnolia		Schools East		Blueridge		Schools West		Starjast		Southlakes		Southlakes Shopping Centre	
		%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$
Basin 1	\$ 450,000.00	100%	\$ 450,000														
Basin 2	\$ 1,500,000.00	100%	\$ 1,500,000														
Parkway	\$ 1,300,000.00	100%	\$ 1,300,000														
Boundary	\$ 400,000.00	99.92%	\$ 399,693			0.08%	\$ 307.66										
Sheraton Corner	\$ 50,000.00					0.33%	\$163.99	83%	\$41,311	0.33%	\$163.93	17%	\$8,360.66				
Sheraton Offset	\$ 300,000.00					0.33%	\$983.61	83%	\$247,869	0.33%	\$983.61	17%	\$50,143.93				
Channels	\$ 2,300,000.00	35%	\$ 811,398			0.00%	\$ 624.15	7%	\$157,380	0.00%	\$ 624.15	1%	\$31,831.75	56%	\$1,278,039	1.56%	\$20,197.03
Hennessy	\$ 2,600,000.00	34%	\$ 890,176	3%	\$76,692	0.03%	\$ 684.75	7%	\$170,007	0.00%	\$ 84.75	1%	\$34,922.31	53%	\$1,402,124	1.56%	\$21,57.97
<b>TOTAL</b>	<b>\$ 8,900,000.00</b>		<b>\$ 5,351,267</b>		<b>\$ 76,692</b>		<b>\$ 2,793.90</b>		<b>\$ 677,024</b>		<b>\$ 2,456.64</b>		<b>\$ 125,278.65</b>		<b>\$ 2,690,153.41</b>		<b>\$ 42,355.01</b>

Apportionment Rates Calculation Sheet

	Lots	Total Value	per lot	Catchment Lot size	Per Square Metre
<b>Keswick</b>	1300	\$ 68,457.08	\$ 52.66	600	\$ 0.09
<b>Southlakes</b>	2080	\$ 109,531.33	\$ 52.66	600	\$ 0.09
<b>Southlakes Shopping Centre</b>	1	\$ 52.66	\$ 52.66	600	\$ 0.09
<b>Magnolia</b>	112	\$ 5,897.84	\$ 52.66	600	\$ 0.09
<b>Schools East</b>	1	\$ 52.66	\$ 52.66	600	\$ 0.09
<b>Blueridge</b>	252	\$ 13,270.14	\$ 52.66	600	\$ 0.09
<b>Schools West</b>	1	\$ 52.66	\$ 52.66	600	\$ 0.09
<b>Starjest</b>	51	\$ 2,685.62	\$ 52.66	600	\$ 0.09

Administration Rates and Calculations Sheet

	Lots	Value of Works	Per Lot	Locality Lot Average	Per square metre
<b>Keswick</b>	1300	\$ 5,351,267	\$4,116	700	\$5.88
<b>Southlakes</b>	2080	\$2,680,163	\$1,289	600	\$2.15
<b>Southlakes Shopping Centre</b>	1	\$42,355	\$42,355	19700	\$2.15
<b>Magnolia</b>	112	\$76,692	\$685	300	\$2.28
<b>Schools East</b>	1	\$2,764	\$2,764	4000	\$0.69
<b>Blueridge</b>	252	\$619,024	\$2,456	4000	\$0.61
<b>Schools West</b>	1	\$2,456	\$2,456	4000	\$0.61
<b>Starjest</b>	51	\$125,279	\$2,456	2000	\$1.23

South-East Stormwater Contribution (per m<sup>2</sup>) Rates Calculation Sheet

APPENDIX 3 'Cost Estimation: Review of Keswick Estate Trunk Drainage Scheme'

DRAFT



**DRAFT**  
**SECTION 94**  
**CONTRIBUTIONS**  
**PLAN -**  
**URBAN**  
**STORMWATER**  
**DRAINAGE**  
**HEADWORKS**  
**CONTRIBUTIONS**

Amended: **Month 2019**  
**Catchment 3.1 Keswick Basin proposed to be removed from the Plan**



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**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

**SECTION 94 CONTRIBUTIONS PLAN  
URBAN STORMWATER DRAINAGE**

**1.0. Introduction**

Section 94 of the Environmental Planning and Assessment Act 1979 (EPAA) permits a Council to require developers to pay monetary contributions (and/or land free of costs to Council) in order to help fund an increased demand for public works and facilities generated by the carrying out of their development.

Section 94(2A) of the EPAA permits a Council to require developers to pay monetary contributions towards existing works and facilities where it is considered that their development will benefit from those works and facilities.

This Plan contains the methodology by which Dubbo City Council (DCC) has established the cost of disposing of urban stormwater drainage within the City as a basis for determining contributions by developers to fulfil their obligations under Section 94 of the EPAA.

**1.1. Aims, objectives etc**

The principal aim of this Plan is to develop a strategy which ensures that stormwater drainage discharge is conveyed and disposed of in an effective manner which will not adversely affect existing developments or the environment whilst allowing for the anticipated growth and development within the City to continue in an orderly manner.

**1.2. Citation**

This Plan may be cited as 'Section 94 Contributions Plan – Urban Stormwater Drainage Headworks Contributions'.

**1.3. Commencement**

This Plan shall come into force on 7 November 1995 in accordance with clause 30(4) of the EPAA Regulation 1994 and pursuant to a resolution of the Council passed at its meeting of 23 October 1995.

**1.4. Amendments**

The Plan has been amended on 17 October, 1994 to incorporate a review of drainage headworks costs concurrent with the financial year. (Pursuant to a resolution of Council passed at its meeting on 27 June 1994 (Clause 94/53 of the Works and Services Committee Meeting of 2 June 1994).

This Plan has been further amended on 7 November 1995 to incorporate the amended 'Keswick' drainage scheme. (Pursuant to a resolution of Council passed at its meeting of 23 October 1995 (Clause 95-99 of the Works and Services Committee Meeting of 17 October 1995).

### 1.5. Land to which this Plan applies

This Plan shall apply to all land with the City of Dubbo which discharges into the urban stormwater drainage system as identified in this Plan and the attached appendices 1 to 8.

### 1.6. Relationship of this Plan to other Council documents

In the event of an inconsistency between this Plan and any other document or Council policy, made before the date on which this Plan comes into force, this Plan shall prevail to the extent of the inconsistency.

This Plan has been prepared making use of numerous Council documents, files, records, plans and reports. Some of this documentation includes:

- Council's Register of Completed Contracts;
- Keswick Stormwater Drainage Study prepared for Council by Willing and Partners Pty Ltd – January, 1982;
- Keswick Drainage Scheme (Council No D 1446) prepared by Willing and Partners Pty Ltd Drawing Nos 4579/300-336, dated 1986-1988;
- North Dubbo Drainage Scheme (Council No D 1445) prepared by Willing and Partners Pty Ltd Drawing Nos 4567/200-221, dated August, 1986;
- Troy Creek Drainage Scheme (Council No D 1444) prepared by Willing and Partners Pty Ltd Drawing Nos 4567/100-135, dated August, 1986; and
- Keswick Truck Drainage Feasibility Study prepared by Willing and Partners Pty Ltd, dated May, 1995.

## 2.0 Definitions

### Commercial Development

For the purposes of this Plan means the subdivision of land zoned 3 Business under the Dubbo Local Environmental Plan (LEP) 1991 – Urban Lands or the permissible establishment and use of any office, shop or other commercial premises on any land regardless of zoning.

### Development

Has the meaning ascribed to it in Section 4(1) of the EPAA.

### Headworks

Are those existing major trunk drainage facilities and planned augmentation works used to collect and convey urban stormwater drainage from the developed urban areas of Dubbo to various discharge water courses in the area. For the purpose of this Plan these drainage facilities can include:

- The cost of preparing major trunk drainage studies;
- Acquisition of land for drainage purposes;
- Construction of drainage facilities, pipelines, culverts and the like; and
- Formation of detention and retention basins plus all ancillary works.

It is generally accepted that internal drainage in subdivisions and other developments is normally acknowledged as forming part of the works associated with the development and thus do not form part of the headwork's infrastructure.

**Industrial Development**

For the purpose of this Plan means the subdivision of land zoned 4 Industrial under the Dubbo LEP – Urban Lands or the establishment and use of any permissible factory, storage units or yards, or any other industrial use on any land regardless of zoning.

**Other Development**

For the purpose of this Plan means any subdivision or development not defined elsewhere in this Plan.

**Plan**

Means this Section 94 Contribution Plan – Urban Stormwater Drainage Headworks Contributions.

**Residential Development**

For the purpose of this Plan means the subdivision or development of land zoned:

- 2 Residential;
- 1(d) Rural Investigation; and
- 1(c2) Rural Residential

and includes any development for the purpose of a residential nature but does not include motels, boarding houses, caravan parks, tourist facilities or of like nature.

**Site Area**

In relation to the subdivision of land, means the entire 'en-globo' area of land being subdivided. That is to say the entire area of land being subdivided including:

- All land being used for roadways, public reserves, walkways and the like; or
- In relation to a development application for mixed density residential development, commercial development, industrial development or other development, means the area of land to which the development application for consent to carry out the development relates, excluding there from any part of the land used for road reserve, public reserve or walkways.

**Subdivision**

For the purpose of this Plan means subdivision of land creating a new allotment. Also includes a boundary adjustment or road closure which creates a previously unavailable development opportunity on the land.

**3.0 An Overview of Dubbo's Urban Stormwater Drainage System**

Unlike some urban utility services stormwater drainage is largely constrained by the natural topography of Dubbo. Numerous individual drainage systems convey storm flows from the Dubbo urban area to various discharge water courses in the area. For the purpose of this Plan this report classifies groups of individual catchments or drainage schemes into larger drainage divisions depending on the particular discharge water course involved. These drainage divisions are shown on attached Appendix 1 and are described as follows:

- (a) Macquarie River East Bank;
- (b) Macquarie River West Bank;
- (c) Keswick, draining to Eulomogo Creek;
- (d) Troy Creek;
- (e) Troy Junction, draining to both the Macquarie and Talbragar Rivers;
- (f) South West Dubbo, draining to Golf Links Creek; and
- (g) Airport West, draining to Sandy Creek.

Within these seven drainage divisions lie 55 individual catchments or drainage schemes containing over 97 kilometres of piped reticulation. The oldest schemes located in Central Dubbo date back to 1873. These drain to the Macquarie River. Troy Creek was first utilised for discharge of stormwater from about 1915 when some of the streets in North Dubbo were initially formed. The Myall Street drain was the first underground stormwater drain to discharge to Troy Creek in 1929. Construction of piped drainage discharging to the Macquarie River did not commence in West Dubbo until the 1950s with piped outfalls in existence at Victoria Street and Baird Street by 1960.

Urban drainage discharges to the Golf Links Creek commenced in 1965 with the Leavers Street Housing Commission subdivision. This was followed by outfalls from Delroy Gardens in the period 1966 to 1973, Churchill Gardens in 1983 and more recently Grangewood subdivision in 1991. Utilisation of Eulomogo Creek in the Keswick area did not commence until 1978 with the development of subdivisions at the northern end of the Keswick catchment. Development in north east Dubbo draining to Troy Creek commenced in 1972. The first major outfall to Troy Creek was the Housing Commission (Apollo) outfall constructed in 1973 and several others have been constructed since then upstream from Cobbora Road.

Not all 55 catchments within the City are suitable for the collection by Council of Section 94 contributions. In some catchments infrastructure is too old for costing records to have survived. In some catchments no further augmentation is envisaged in the foreseeable future. In some catchments development is foreseeable but not imminent. In some peripheral catchments future development is unlikely.

Following detailed scrutiny by Council's Technical Services Division, it is considered that 35 of the City's catchments are candidates for a Section 94 contribution assessment. These various schemes drain an area totalling approximately 21km<sup>2</sup> excluding the major rural catchments east of Dubbo of the Troy and Eulomogo Creeks.

The following tables identify the individual catchments or drainage schemes within each drainage division plus identify whether or not a Section 94 contribution is applicable:

**Table 1: Macquarie River – East Bank**

No	Drainage Division	Discharge Water Course	Individual Catchments or Drainage Schemes	Length of Reticulation		S94 Applicable Y/N	
				Metres	Ha		
1	Macquarie River – East Bank	Macquarie River	1.1	East Dubbo Drainage (Erskine St Outfall)	408.37	22,470	Y
			1.2	Railway Drain	57.37	3,450	N
			1.3	Talbragar St Drain	7.87	600	N
			1.4	Church St Drain	15.38	1,320	Y
			1.5	Wingewarra St Drain	199.57	6,000	Y
			1.6	Bultje St Drain	31.82	2,600	Y
			1.7	Cobra St Drain	90.34	4,340	Y
			1.8	Tamworth St Outfall	117.29	4,860	Y
			1.9	Diane St Outfall	34.44	880	Y
			1.10	Filtration Plant Outfall	5.14	510	N
			1.11	Huckel St River Flats	420	30	N
			1.12	Margaret Crs Outfall	77.52	3,960	Y
			1.13	Miriam/Holmwood Future Scheme	109.17	-	N
<b>Division Sub-Totals</b>				<b>1,158.47</b>	<b>51,030</b>	<b>9 – Yes 4 – No</b>	

**Table 2: Macquarie River – West Bank**

No	Drainage Division	Discharge Water Course	Individual Catchments or Drainage Schemes	Length of Reticulation		S94 Applicable Y/N	
				Metres	Ha		
2	Macquarie River – West Bank	Macquarie River	2.1	Sir Roden Cutler Park	6.19	217	N
			2.2	East St Area	5.77	-	N
			2.3	Baird St Drain	8.10	300	N
			2.4	Victoria St Drain	12.46	760	Y
			2.5	Alfred St Drain	7.91	17	Y
			2.6	Caravan Park Drainage	6.90	50	N
			2.7	West Dubbo Main Drain	315.57	12,840	Y
			2.8	Spears Drive	64.15	3,360	Y
			2.9	Wiradjuri Park/ Sewerage Works Rural Catchment	234.77	-	N
			2.10	Airport – East Drain	777.39	-	N
			2.11	Airport – North Drain	930.93	-	N
<b>Division Sub-Totals</b>				<b>2,370.14</b>	<b>17,744</b>	<b>4 – Yes 7 – No</b>	

**Table 3: Keswick (Proposed to be deleted from the Plan)**

No	Drainage Division	Discharge Water Course	Individual Catchments or Drainage Schemes	Length of Reticulation		S94 Applicable Y/N	
				Metres	Ha		
3	Keswick	Eulomogo Creek	3.1	Keswick Trunk Drainage Feasibility Study	754.79	6,250	Y

**Table 4: Troy Creek**

No	Drainage Division	Discharge Water Course	Individual Catchments or Drainage Schemes		Length of Reticulation		S94 Applicable Y/N
					Metres	Ha	
4	Troy Creek	Troy Creek	4.1	Troy Creek Trunk Drainage Scheme	4,500	865	Y
			4.2	Myall Street Drain	141.17	1,860	N
			4.3	North Dubbo Drainage Scheme	85.50	570	Y
			4.4	Samuels Estate Drainage	92.61	-	4.4
			4.5	Moffat Estate Drainage	72.37	-	Y
			4.6	Purvis Lane Drainage Scheme	155.41	-	Y
			4.7	Yarrandale Future Scheme	3223.39	-	Y
			4.8	Merrilea Lane Drainage	60.62	-	Y
			4.9	Housing Commission (Apollo) Outfall Racecourse	81.17	4,000	Y
			4.10	Drainage Scheme	70.42	1,760	Y
			4.11	Ballimore Park Drainage Scheme	53.08	1,030	Y
			4.12	Boogadah West Drainage Scheme	15.38	30	Y
			4.13	St Georges Terrace Drainage Scheme	12.62	1,520	Y
			4.14	Pine Knoll Drainage	18.37	580	Y
			4.15	Stage 9 Outfall	61.73	5,280	Y
			4.16	Sheraton Meadows Trunk Drainage	183.34	465	Y
			4.17	Kentucky Court Outfall	80.76	470	Y
			4.18	Boogadah East Drainage Scheme	251.97	-	Y
			4.19	Pontil Outfall	8.24	-	Y
<b>Division Sub-Totals (Excluding the catchment area of 4.1 beyond the extent of the Urban LEP)</b>					<b>1,908.67</b>	<b>18,430</b>	<b>18 – Yes 1 – No</b>

**Table 5: Troy Junction**

No	Drainage Division	Discharge Water Course	Individual Catchments or Drainage Schemes		Length of Reticulation		S94 Applicable Y/N
					Metres	Ha	
5	Troy Junction	Macquarie River & Talbragar River	5.1	Saleyards Drainage System	13.69	360	N
			5.2	Boothenba Road	340.44	-	N
			<b>DIVISION SUB-TOTALS</b>				



**Table 6: South West Dubbo**

No	Drainage Division	Discharge Water Course	Individual Catchments or Drainage Schemes		Length of Reticulation		S94 Applicable Y/N
					Metres	Ha	
6	South West Dubbo	Golf Links Creek	6.1	Leavers Street Outfall	11.30	600	Y
			6.2	East Delroy Outfall	13.27	480	Y
			6.3	West Delroy Outfall	9.37	450	Y
			6.4	Churchill Gardens Scheme	9.06	520	N
			6.5	Country Club Trunk Drainage Scheme	73.23	163	N
			6.6	Grangewood Drainage Scheme	102.44	1.110	N
			6.7	Swanson/Foley Future Scheme	62.09	-	N
			6.8	West Joira Future Scheme	319.92	-	N
			<b>DIVISION SUB-TOTALS</b>				

**Table 7: Airport West**

No	Drainage Division	Discharge Water Course	Individual Catchments or Drainage Schemes		Length of Reticulation		S94 Applicable Y/N
					Metres	Ha	
7	Airport West	Sandy Creek Tributary	7.1	Airport West	359.82	-	N

#### 4.0 Catchment Area Headworks Contribution Assessments

As addressed in Section 3.0 of this Plan Dubbo's urban stormwater drainage system has been divided into seven (7) drainage divisions, which in turn have been subdivided into 55 individual catchment (or drainage scheme) areas. Of these 55 catchment areas, 35 have been assessed as being candidates for a section 94 contribution. Details of these 35 catchment areas, including current (1995) value of constructed drainage works plus estimated cost(s) for future augmentation works are identified in the following section 4.1 to 4.21 inclusive.

A contribution amount has been calculated for each catchment area being expressed in dollar value per hectare of site area or as in catchments 3.1 and 4.10 dollar value per allotment.

The current value of constructed drainage works shown in sections 4.1 to 4.21 have been calculated using past expenditures by Council dating back to 1960 having been updated into current (1995) dollar values. All Council expenditures prior to 1960 have been ignored for the purpose of calculating contributions for this Plan. Past expenditures have been obtained from various sources (ie Council's register of completed contracts, order forms, files and records).

To update these past expenditures by Council into current (1995) dollar values, previous expenditures on stormwater drainage construction works have been increased by Index Numbers supplied by the Australian Bureau of Statistics. The Index Numbers used for the purpose of this Plan are similar in nature to the Consumer Price Index Numbers available from the ABS, however, relate to "Public

Enterprises State and Local – Water Supply and Sewerage” – refer to attached Appendices No 9 and 10 for a list of the Index Numbers used.

Advice received from the ABS indicates that these Index Numbers are most appropriate to use for stormwater drainage construction as an analysis for the composition and weights used in deriving the Water Supply and Sewerage Deflator take into account such items as – average weekly wages and salaries (construction industry), ready-mixed concrete, concrete pipes, diesel auto distillate, plant hire, construction and earthmoving equipment and the like.

Referring to attached Appendices No 9 and 10, movements in indexes from one period to another can be expressed either as changes in index points or as percentage changes. The following example illustrates the method of calculating index point changes and percentage changes between any two periods.

	<u>Index Number</u>
March quarter 1992	1471 (equals current dollar value for the purpose of this Plan)
June quarter 1981	725 (example of past expenditure date)
Change in index points	746
Percentage change =	$\frac{746}{725} \times 100 = 102.9\%$

An example using the above information in the application of this Plan is shown below:

In April 1981 Council spent \$29,430 on its contribution to stormwater pipes, outfall and pits from the Macquarie River to Bunglegumbie Road, West Dubbo.

THUS \$29,430 (April 1981) x inflation increase (as above percentage change)  
 = \$29,430 x 102.9% increase  
 = \$59,712.46 (1992 value of constructed drainage works in catchment 2.8 Spears Drive Outfall – see section 4.13 of this Plan)

Other catchment areas within the City have up to 20 different construction costs, (contracts, Council orders etc) mostly in different years making up the current value of constructed drainage works. For the sake of brevity of this document each contract/works have not been listed separately under the catchment area, however, all previous construction costs have been indexed as detailed above separately with Council holding all these calculations in a supporting documentation file and if required, such figures can be produced to prospective developers.

**4.1 Catchment 1.1 - East Dubbo Drainage (Erskine Street Outfall)**

1992 value of constructed drainage works	\$3,186,658.56
Cost of lands acquired for drainage purposes	<u>\$62,639.00</u>
TOTAL	\$3,249,297.56

No major augmentation of the East Dubbo drainage (Erskine Street outfall) is proposed at this time.

Catchment Area = 408.37 hectares

1992 Calculated Headworks Cost	= \$3,249,297.56
	408.37 ha
	= \$7,956.75/ha
1995 Calculated Headworks Cost	= \$8,144.23/ha

Note: Dubbo City Council as a developer within catchment 1.1 has contributed its full cost towards the existing drainage scheme within this catchment area thus all Council land to the east of Wheelers Lane is exempt from any further stormwater drainage headworks contributions within this catchment area.

**4.2 Catchment 1.3 - Talbragar Street Drain**

Drainage construction costings for this catchment are not readily available. The last major works were constructed during 1967 and prior to that date back to 1917. However, future augmentation works for this catchment are likely, in conjunction with the reconstruction/redevelopment of Macquarie Street between Talbragar and Church Streets and also in Talbragar Street itself, and have been estimated to cost \$70,000 in 1992 dollar values.

Future augmentation works	\$70,000.00
Catchment Area = 7.87 hectares	
1992 Calculated Headworks Cost	= \$70,000.00
	7.87 ha
	= \$8,894.54/ha
1995 Calculated Headworks Cost	= \$9,104.11/ha

**4.3 Catchment 1.4 - Church Street Drain**

Future augmentation works are needed in this catchment in association with likely redevelopments particularly in the Church Street block between Macquarie and Brisbane Streets. Augmentation works have been estimated to cost \$60,000 in 1992 dollar values.

1992 value of constructed drainage works	\$40,225.76
Estimated cost of future augmentation works	<u>\$60,000.00</u>
TOTAL	\$100,255.76

Catchment Area = 15.38 hectares

1992 Calculated Headworks Cost = \$100,225.76  
15.38 ha  
= \$6,516.63/ha  
1995 Calculated Headworks Cost = \$6,670.17/ha

**4.4 Catchment 1.5 - Wingewarra Street Drain**

1992 value of constructed drainage works \$110,456.03

No major augmentation of the Wingewarra Street drainage system is proposed at this time.

Catchment Area = 199.57 hectares

1992 Calculated Headworks Cost = \$110,456.03  
199.57 ha  
= \$553.57/ha  
1995 Calculated Headworks Cost = \$546.03/ha

**4.5 Catchment 1.6 - Bultje Street Drain**

1992 value of constructed drainage works \$528,591.27

No major augmentation of the Bultje Street drainage system is proposed at this time.

Catchment Area = 31.82 hectares

1992 Calculated Headworks Cost = \$528,591.27  
31.82 ha  
= \$16,611.92/ha  
1995 Calculated Headworks Cost = \$17,003.34/ha

**4.6 Catchment 1.7 - Cobra Street Drain**

Major augmentation works are proposed for the Cobra Street drainage system. During the later part of 1992 construction of a river outfall plus some 83 metres of pipeline were constructed replacing part of the existing open channel from Macquarie Street to the river. To complete the conversion of this open channel to a piped system, further works estimated at \$175,000 (in 1992 dollar values) will be required.

1992 value of constructed drainage works \$204,729.27  
Estimated costs for future augmentation works \$175,000.00  
TOTAL \$379,729.27

Catchment Area = 90.34 hectares

1992 Calculated Headworks Cost = \$279,729.27  
90.34 ha  
= \$4,203.33/ha  
1995 Calculated Headworks Cost = \$4,302.37/ha

**4.7 Catchment 1.8 - Tamworth Street Outfall**

1992 value of constructed drainage works = \$1,330,638.95  
117.29 ha  
= \$11,344.86/ha  
Calculated Headworks Cost = \$11,612.17/ha

**4.8 Catchment 1.9 - Diane Street Outfall**

1992 value of constructed drainage works \$353,016.12

No major augmentation of the Diane Street drainage system is proposed at this time.

Catchment Area = 34.44 hectares

1992 Calculated Headworks Cost = \$353,016.12  
34.44 ha  
= \$10,250.17/ha  
1995 Calculated Headworks Cost = \$10,491.70/ha

**4.9 Catchment 1.12 - Margaret Crescent Outfall**

1992 value of constructed drainage work = \$641,528.44  
77.52 ha  
= \$8,275.65/ha  
1995 Calculated Headworks Cost = \$8,470.64/ha

**4.10 Catchment 2.4 - Victoria Street Drain**

Future augmentation is proposed in this catchment in the form of a pipe from the northern end of Shire Avenue to the river outfall. This 80 metre extension is estimated to cost \$7,000 in 1992 dollar values.

1992 value of constructed drainage works \$91,602.10  
Estimated cost for future augmentation works \$7,000.00  
TOTAL \$98,602.10

Catchment Area = 12.46 hectares

1992 Calculated Headworks Cost = \$98,602.10  
12.46 ha  
= \$7,913.47/ha  
1995 Calculated Headworks Cost = \$8,099.95/ha



Catchment Area is 64.15 hectares, however only 36.25 hectares of the catchment area have been assessed by Council as being developable under the provisions of the 1991 Urban Lands Local Environmental Plan.

1992 Calculated Headworks Cost	= \$59,712.46
	36.25 ha
	= \$1,647.24/ha
1995 Calculated Headworks Cost	= \$1,686.05/ha

Note: The Housing Commission of New South Wales contribution in 1981 their full cost towards the existing drainage scheme within this catchment thus Site 7129, Stage 2 is exempt from any further stormwater drainage headworks contributions.

#### 4.14 Catchment 3.1 - Keswick Trunk Drainage Scheme (Proposed to be deleted)

Major construction works have been planned and adopted covering this area of south Dubbo staged to proceed in line with development of the area. Further, the proposed work incorporates the requirements of the Environment Protection Authority for stormwater management, integrating best management practices and total catchment management. Full details can be found in the "Keswick Trunk Drainage Feasibility Study" prepared by Willing and Partners Pty Ltd in May 1995.

1992 value of constructed drainage works	\$718,780.00
Cost of lands already acquired for drainage purposes	\$296,000.00
Survey, investigation and design fees already outlaid by Council	\$279,424.00
Estimated cost for future drainage works	<u>\$9,511,220.00</u>
TOTAL	\$10,805,424.00

Estimated residential allotments in catchment area = 4,800 lots

1995 Calculated Headworks Cost	= \$10,805,424.00
	4,800 lots
	= \$2,251.13/residential lot

#### 4.15 Catchment 4.1 - Troy Creek Trunk Drainage Scheme

Troy Creek forms a major stormwater disposal corridor for the City of Dubbo. In 1985/1986 Council commissioned consulting engineers Willing and Partners Pty Ltd to design a formalised drainage scheme for the Troy Creek waterway which will eventually consist of a small diameter trickle pipe beneath a broad grassy channel profile. Construction of this project will be staged to proceed in line with development of the area's drainage into Troy Creek. Full details of works proposed can be found on Willing and Partners Pty Ltd Drawing Nos 4567/100 to 135, dated August 1986.

Survey, investigation and design fees already outlaid by Council	\$53,748.00
Estimated cost for future drainage works	<u>\$5,739,470.00</u>
TOTAL	\$5,793,218.00

Total area of catchment's drainage into the Troy Creek Drainage Scheme = 1,200 hectares



1992 Calculated Headworks Cost	= \$5,793,218.00
	1,200 ha
	= \$4,827.68/ha
1995 Calculated Headworks Cost	= \$4,941.43/ha

A majority of the catchment area's drainage into Troy Creek will only contribute towards this main drainage scheme (ie at a rate of \$4,914.43/ha) as internal drainage works either have been/or will be required to be carried out by developers at their own expense as part of the works associated with their developments.

The catchment areas required to contribute to the Troy Creek Drainage Scheme include:

- 4.4 Samuels Estate drainage;
- 4.5 Moffat Estate drainage;
- 4.6 Purvis Lane drainage scheme;
- 4.7 "Yarrandale" future scheme;
- 4.8 Merrilea Lane drainage;
- 4.11 Ballimore Park drainage scheme;
- 4.12 Boogadah West drainage scheme;
- 4.13 St Georges Terrace drainage;
- 4.14 Pine Knoll drainage;
- 4.15 Stage 9 Outfall;
- 4.16 Sheraton Meadows trunk drainage;
- 4.17 Kentucky Court outfall;
- 4.18 Boogadah East drainage scheme, and
- 4.19 Pontil outfall.

Exceptions to the above, for catchments 4.3, 4.9 and 4.10 are itemised below:

**4.16 Catchment 4.3 – North Dubbo Drainage Scheme**

Major construction works have been planned and adopted for this catchment area. Some drainage works have already taken place. Full details on works proposed for this catchment can be found on Willing and Partners Pty Ltd - Drawing Nos 4567/200 to 221, dated August 1986.

1992 value of constructed drainage works	\$262,862.79
Survey, investigation and design fees already outlaid by Council	\$27,604.25
Estimated cost for future drainage works	<u>\$1,003,067.22</u>
TOTAL	<u>\$1,293,534.26</u>

Catchment Area = 85.5 hectares

1992 Calculated Headworks Cost	= \$1,293,534.26
	85.5 ha
	= \$15,129.06/ha
1995 Calculated Headworks Cost	= \$15,485.53/ha

**4.17 Catchment 4.9 – Housing Commission (Apollo) Outfall**

1992 value of constructed drainage work \$292,435.71

Catchment Area is 81.17 hectares, however only 42 hectares of the catchment area have been assessed by Council as being developable as the remainder comprises the Dubbo racecourse with stormwater runoff assessed as having no increased effect downstream.

1992 Calculated Headworks Cost	= \$292,435.71
	42 ha
	= \$6,962.76/ha
1995 Calculated Headworks Cost	= \$7,126.80/ha
PLUS contribution to catchment 4.1 as detailed above (future augmentation works of Troy Creek)	= \$4,941.43/ha
TOTAL	= \$12,068.26/ha

Note: The Housing Commission of New South Wales contributed in 1973 their full cost towards the existing scheme within this catchment thus Site 3877 is exempt from any further stormwater drainage headworks contributions.

**4.18 Catchment 4.10 – Racecourse Drainage Scheme**

Stormwater augmentation works are planned for this catchment area with pipework extending from the Racecourse Dam to Cobbórah Road.

Estimated 1992 cost for future augmentation works \$199,230.00

Estimated residential allotments in catchment area = 468 lots

1992 Calculated Headworks Cost	= \$199,230.00
	468 lots
	= \$425.70/lot
1995 Calculated Headworks Cost	= \$435.73/lot
PLUS contribution to catchment 4.1 as detailed above (future augmentation works of Troy Creek)	= \$4,941.43

\$435.73/residential lot PLUS \$4,941.43/ha

**4.19 Catchment 6.1 – Leavers Street Outfall**

Future stormwater augmentation works have been estimated for this catchment area to be \$25,000.00 in 1992 dollar values.

Estimated 1992 cost for future augmentation work \$25,000.00

Catchment Area = 11.30 hectares

1992 Calculated Headworks Cost	= \$25,000.00
	11.30 ha
	= \$2,212.39/ha
1995 Calculated Headworks Cost	= \$2,264.51/ha

**4.20 Catchment 6.2 – East Delroy Outfall**

Future stormwater augmentation works have been estimated for this catchment area to be \$25,000.00 in 1992 dollar values.

Estimated 1992 cost for future augmentation works \$25,000.00

Catchment Area = 13.27 hectares

1992 Calculated Headworks Cost	= \$25,000.00
	13.27 ha
	= \$1,883.95/ha
1995 Calculated Headworks Cost	= \$1,928.34

**4.21 Catchment 6.3 – West Delroy Outfall**

Future stormwater augmentation works have been estimated for this catchment area to be \$20,000.00 in 1992 dollar values.

Estimated 1992 cost for future augmentation works \$20,000.00

1992 Calculated Headworks Cost	= \$20,000.00
	9.37 ha
	= \$2,134.47/ha
1995 Calculated Headworks Cost	= \$2,184.76/ha

**5.0 Summary of Stormwater Drainage Headworks Contributions**

A summary of the stormwater drainage headworks contributions cost(s) as calculated in sections 4.1 to 4.21 of this Plan are as follows:

<u>Macquarie River East Bank Drainage Division</u>		<u>Amount</u>
1.1 East Dubbo Drainage (Erskine Street Outfall)		\$8,144.23/ha
	Note: All land east of Wheelers Lane has no further contribution to Catchment 1.1)	
1.2 Railway Drain		N/A
1.3 Talbragar Street Drain		\$9,104.17/ha
1.4 Church Street Drain		\$6,670.17/ha
1.5 Wingewarra Street Drain		\$546.03/ha
1.6 Bultje Street Drain		\$17,003.34/ha
1.7 Cobra Street Drain		\$4,302.37/ha
1.8 Tamworth Street Drain		\$11,612.17/ha
1.9 Diane Street Outfall		\$10,491.70/ha
1.10 Filtration Plan Outfall		N/A
1.11 Huckel Street River Flats		N/A
1.12 Margaret Crescent Outfall		\$8,470.64/ha
1.13 Miriam/Holmwood Future Scheme		N/A

<u>Macquarie River West Bank Drainage Division</u>		<u>Amount</u>
2.1	Sir Roden Cutler Park	N/A
2.2	East Street Area	N/A
2.3	Baird Street Drain	N/A
2.4	Victoria Street Drain	\$8,099.95/ha
2.5	Alfred Street Drain	\$2,588.02/ha
2.6	Caravan Park Drain	N/A
2.7	West Dubbo Main Drain	\$5,542.44/ha
	Note: That contribution for remaining lands covered by the separate deed of agreement between Council and Hughes Development Pty Ltd is \$76.00 per residential allotment.	
2.8	Spears Drive Outfall	\$1,686.05/ha
	Note: That Housing Commission Site 7129 Stage 2 has no further contribution to Catchment 2.8)	
2.9	Wiradjuri Park/Sewerage Works Rural Catchment	N/A
2.10	Airport East Drainage	N/A
2.11	Airport North Drainage	N/A
 <u>Keswick Drainage Division</u>		 <u>Amount</u>
3.1	<b>Keswick Trunk Drainage Scheme</b>	<b>\$2,251.13/lot</b>
 <u>Troy Creek Drainage Division</u>		 <u>Amount</u>
4.1	Troy Creek Trunk Drainage Scheme	\$4,941.43/ha
4.2	Myall Street Drain	N/A
4.3	North Dubbo Drainage Scheme	\$15,485.43/ha
4.4	Samuels Estate Drainage Scheme	\$4,941.43/ha
4.6	Purvis Lane Drainage Scheme	\$4,941.43/ha
4.7	"Yarrandale" Future Scheme	\$4,941.43/ha
4.8	Merrilea Lane Drainage	\$4,941.43/ha
4.9	Housing Commission (Apollo Outfall)	\$12,068.25/ha
	Note: Housing Commission Site 3877 has no further contribution to Catchment 4.9)	
4.10	Racecourse Drainage Scheme	\$4,941.43/ha
4.11	Ballimore Park Drainage Scheme	\$4,941.43/ha
4.12	Boogadah West Drainage Scheme	\$4,941.43/ha
4.13	St Georges Terrace Drainage Scheme	\$4,941.43/ha
4.14	Pine Knoll Drainage	\$4,941.43/ha
4.15	Stage 9 Outfall	\$4,941.43/ha
4.16	Sheraton Meadows Trunk Drainage	\$4,941.43/ha
4.17	Kentucky Court Outfall	\$4,941.43/ha
4.18	Boogadah East Drainage Scheme	\$4,941.43/ha
4.19	Pontil Outfall	\$4,941.43/ha
 <u>Troy Junction Drainage Division</u>		 <u>Amount</u>
5.1	Saleyards Drainage System	N/A
5.2	Boothenba Road	N/A
 <u>South West Dubbo Drainage Division</u>		 <u>Amount</u>
6.1	Leavers Street Outfall	\$2,264.51/ha
6.2	East Delroy Outfall	\$1,928.34/ha
6.3	West Delroy Outfall	\$2,184.75/ha
6.4	Churchill Gardens Scheme	N/A
6.5	Country Club Trunk Drainage Scheme	N/A
6.6	"Grangewood" Drainage Scheme	N/A
6.7	Swanson/Foley Future Scheme	N/A
6.8	West Joira Future Scheme	N/A

Airport West Drainage Division  
7.1 Airport West Drainage

Amount  
N/A

**6.0 Application and Payment**

Stormwater Drainage Headworks contributions will take place at the following times:

- (a) The subdivision of land for residential, commercial, industrial or other purpose – headworks payments will be required prior to the release of the Subdivision Linen Plan except as provided in subclause 6(b) below.
- (b) Deferment of Payment – Council may agree to a deferment in the payment of stormwater drainage headworks contributions for the subdivision of land subject to the following conditions:
  - (i) Lodgement by the developer of an unconditional bank guarantee to cover the amounts of such stormwater drainage headworks contribution.
  - (ii) All monies due for such stormwater drainage headworks contributions will be deducted by Council from the unconditional bank guarantee as each allotment is sold, subject to all monies due being deducted by Council twelve (12) months after the uplifting of the Subdivision Linen Plan; and
  - (iii) This deferment of payment will only apply to subdivision releases of three blocks or more.
- (c) For construction of developments not covered by (a) or (b) above – calculation for payment of moneys owing will form part of the development consent conditions and payment will be required at lodgement of appropriate construction certificate application. (Note: If part payment per lot has already been paid at subdivision stage the appropriate credits will be calculated).

**7.0 Review of Contributions**

The stormwater drainage headworks costs detailed in this Plan have been calculated using the March 1992 ABS Index Numbers (Water Supply and Sewerage) – Refer to Section 4.0 of the Plan.

From 1 July 1995 and in subsequent years the headworks cost will be adjusted annually based on the ABS Index Numbers (Water Supply and Sewerage) for the December quarter of the previous year.

The newly calculated headworks costs will then be considered by Council at its estimates session as the basis for determination of a contribution amount to be applicable for the following year.

*Certified in accordance with the Environmental Planning and Assessment Act 1979 and Regulations 1994.*

DAILY RECEIPT SUMMARY  
11/07/2003 To 11/07/2003

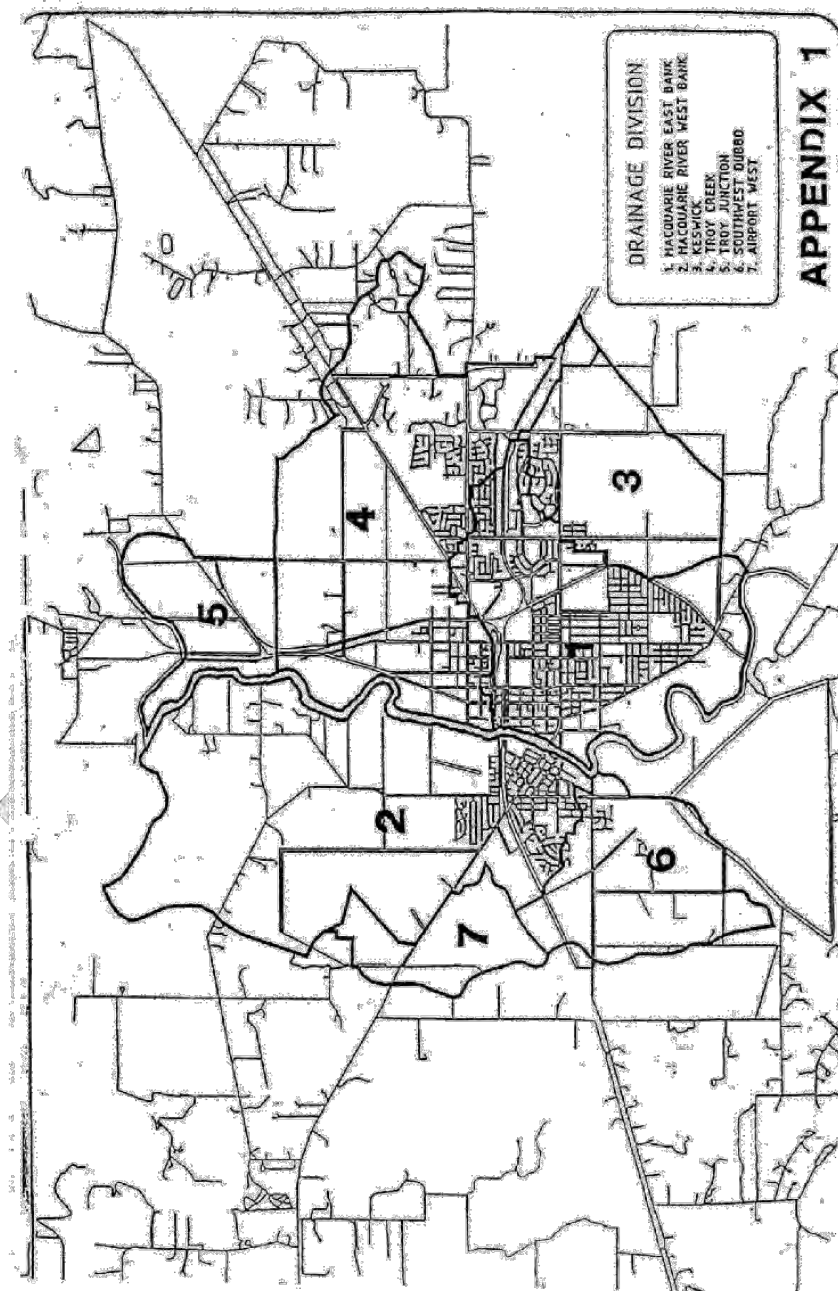
Dubbo City Council  
14/07/2003 12:16:22

Account	Description	Amount
AR	Accounts Receivable	
1	General User Charges & Fees	
2	Waste Management	
3	Saleyards	
11	General Revenue - Other	
19	Macquarie Regional Library Other Revenue	
	Module Total:	-\$37405.75
DO	Application & Registers	
0	9907 Receipt	
	Module Total:	-\$23227.50
GL	General Ledger Fund	
1	General Fund	
2	Water Fund	
	Module Total:	-\$45.88
RT	Rates	
1	General Rate	
2	Residential Urban	
3	Residential Ordinary	
4	Residential Brookiehurst	
6	Residential Wongarbor	
7	Residential Cabermore	
9	Business Ordinary	
11	Residential Firgrove	
2	Water Availability 20MM	
3	Water Availability 15MM	
4	Water Availability 10MM	
10	Sewerage Rate	
16	Domestic Waste Charge	
	Module Total:	-\$4026.80
	Module Total:	-\$6320.65
	Module Total:	-\$533.00
	Module Total:	-\$262.19
	Module Total:	-\$117.74
	Module Total:	-\$110.00
	Module Total:	-\$480.00
	Module Total:	-\$80.00
	Module Total:	-\$1015.10
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	Module Total:	-\$1369.83
	Module Total:	-\$543.17

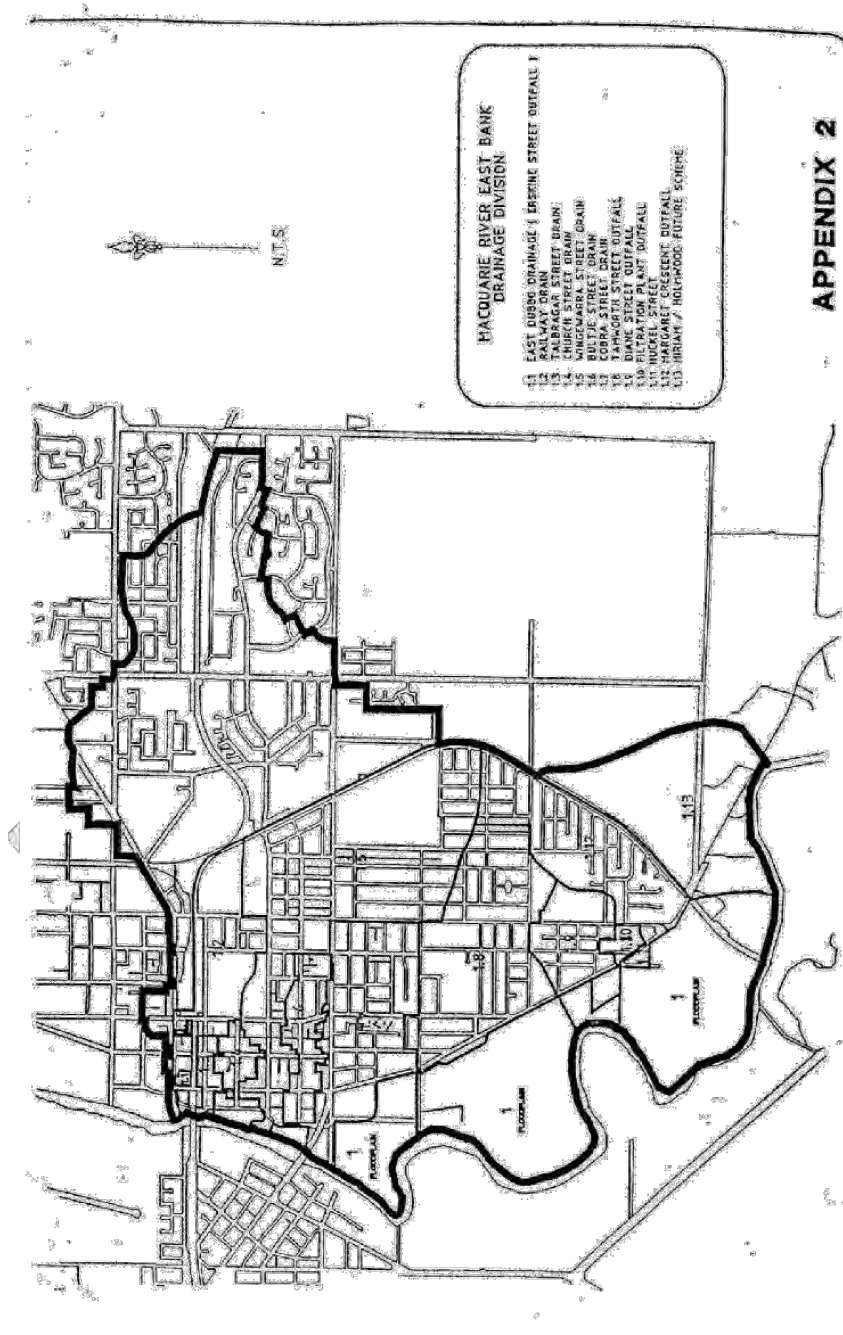
Dubbo City Council r_re007 14/07/2003 12:16:22		DAILY RECEIPT SUMMARY 11/07/2003 To 11/07/2003		Report Date: 14/07/2003	Page: 1
18	Waste Management Charge - Commercial				
1	Waste Management Charge - Commercial				
1710	Payment Received	RCPT	-\$18.60		
19	Drainage Service Charge				
1	Drainage Service Charge				
1710	Payment Received	RCPT	-\$283.31		
20	Sewerage Apportionment				
1	Sewerage Apportionment				
1710	Payment Received	RCPT	-\$146.93		
21	Water consumption charge				
1	Water Consumption Charge				
1710	Payment Received	RCPT	-\$3036.81		
77	Balances brought forward				
1	Interest Brought forward				
1710	Payment Received	RCPT	-\$50.00		
99	Legal Costs				
38	Legal Costs				
1710	Payment Received	RCPT	-\$5.57		
			Module Total:	-\$14394.90	
			Report Total:	-\$95134.35	



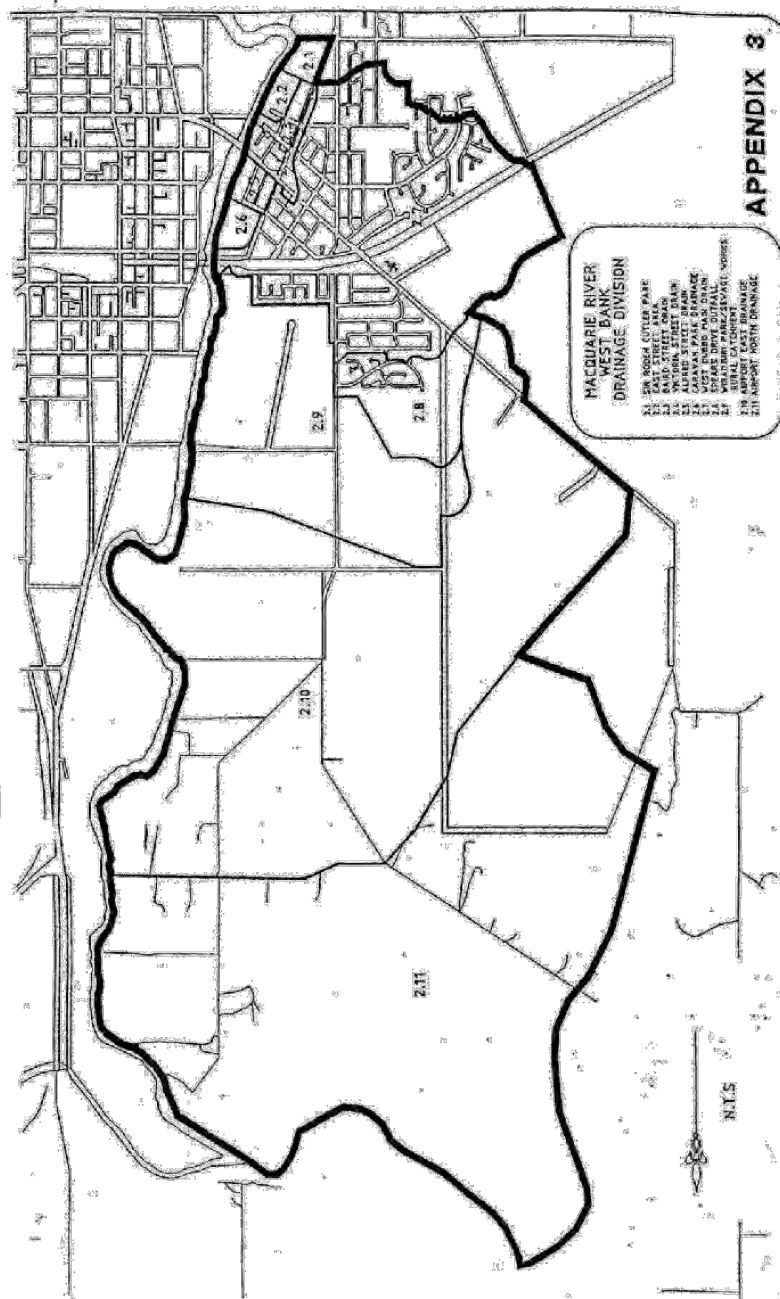
**APPENDIX 1 – Plan of Drainage Divisions**



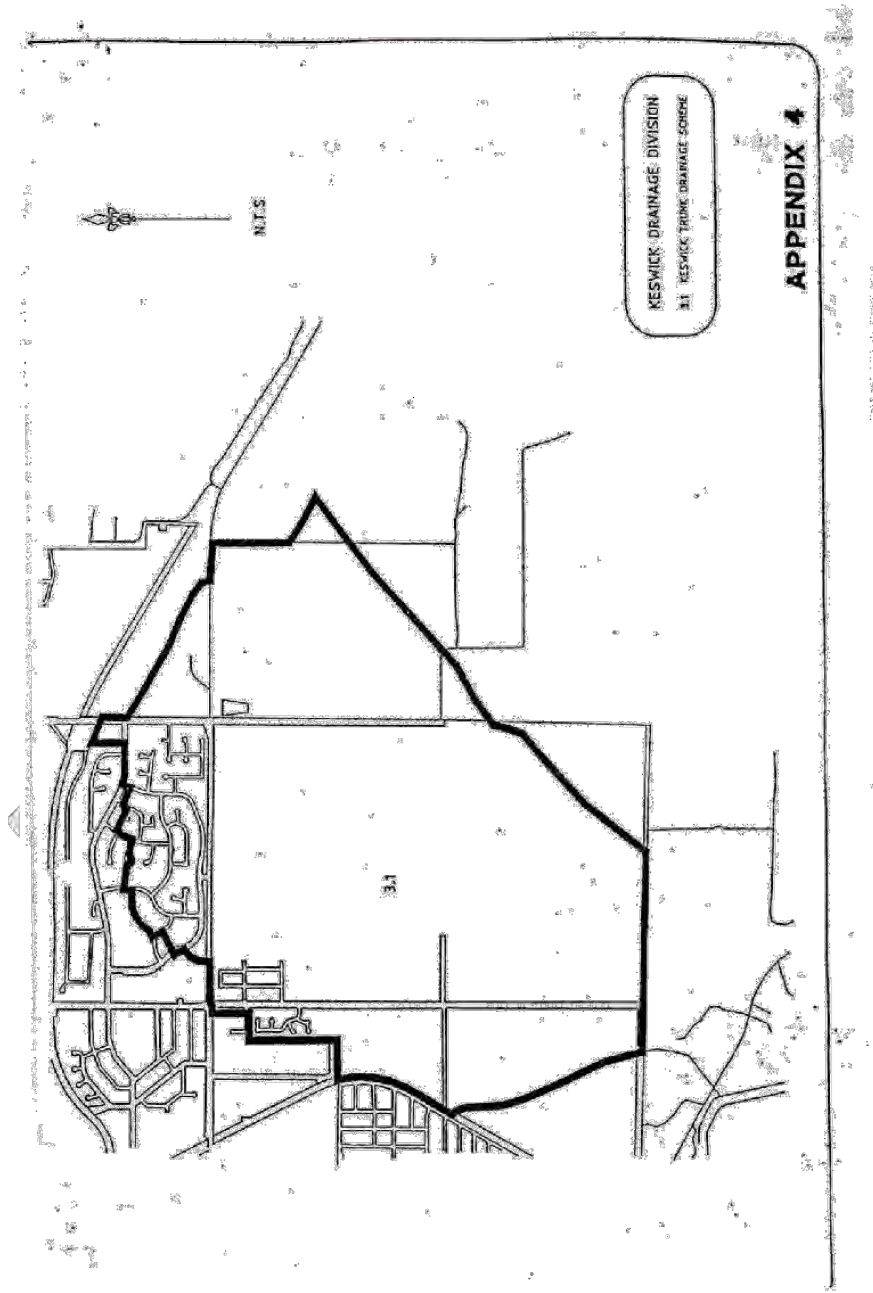
Appendix 2 – Plan of Macquarie River East Bank Drainage Division



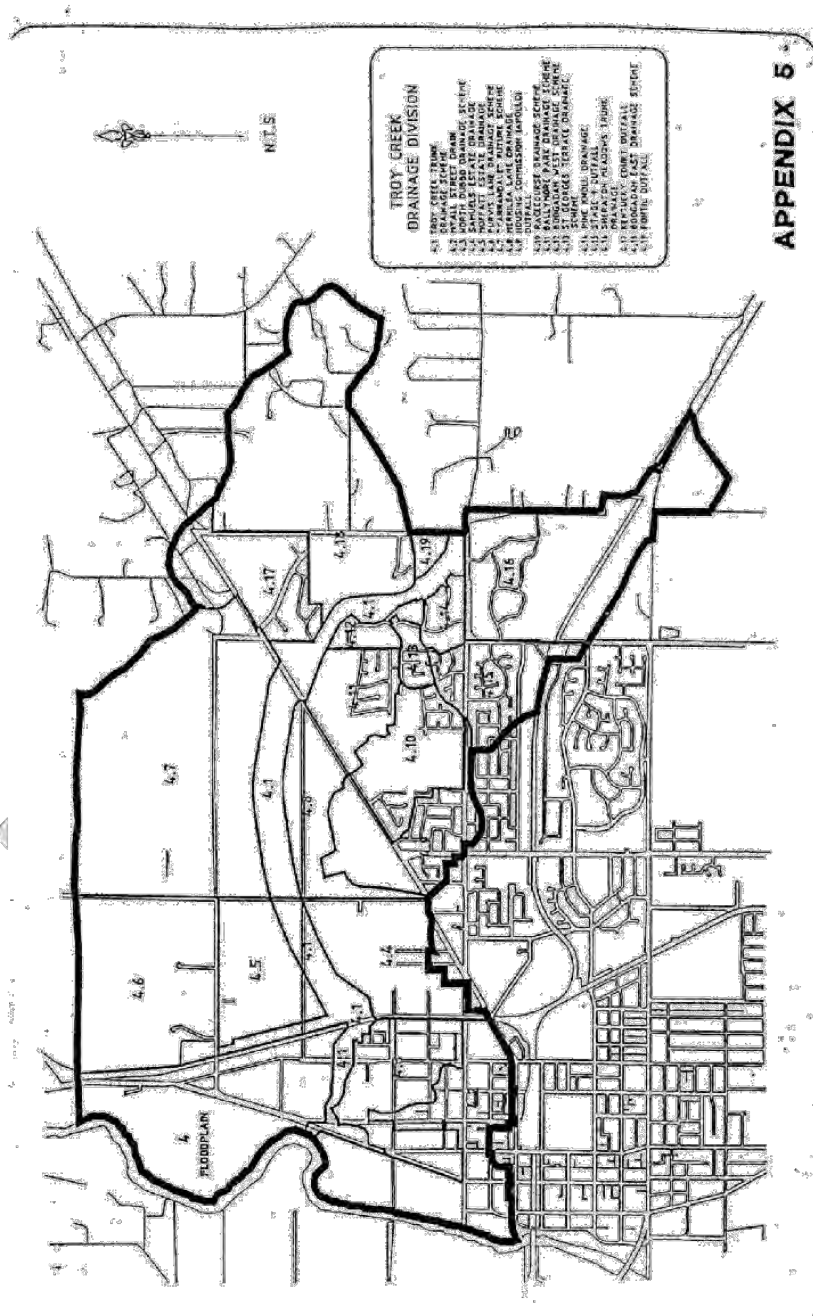
Appendix 3 – Plan of Macquarie River West Bank Drainage Division



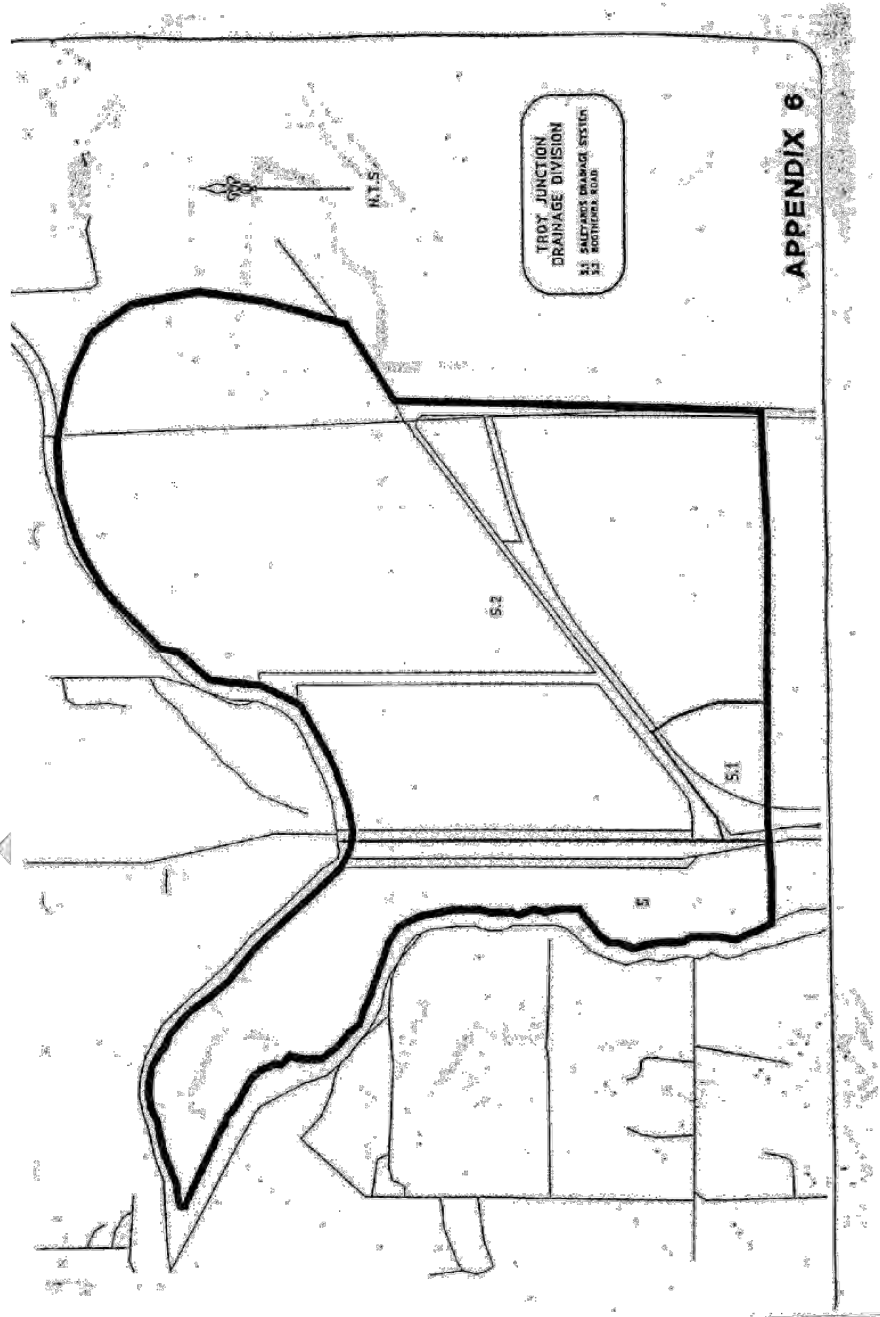
**Appendix 4 – Plan of Keswick Drainage Division**



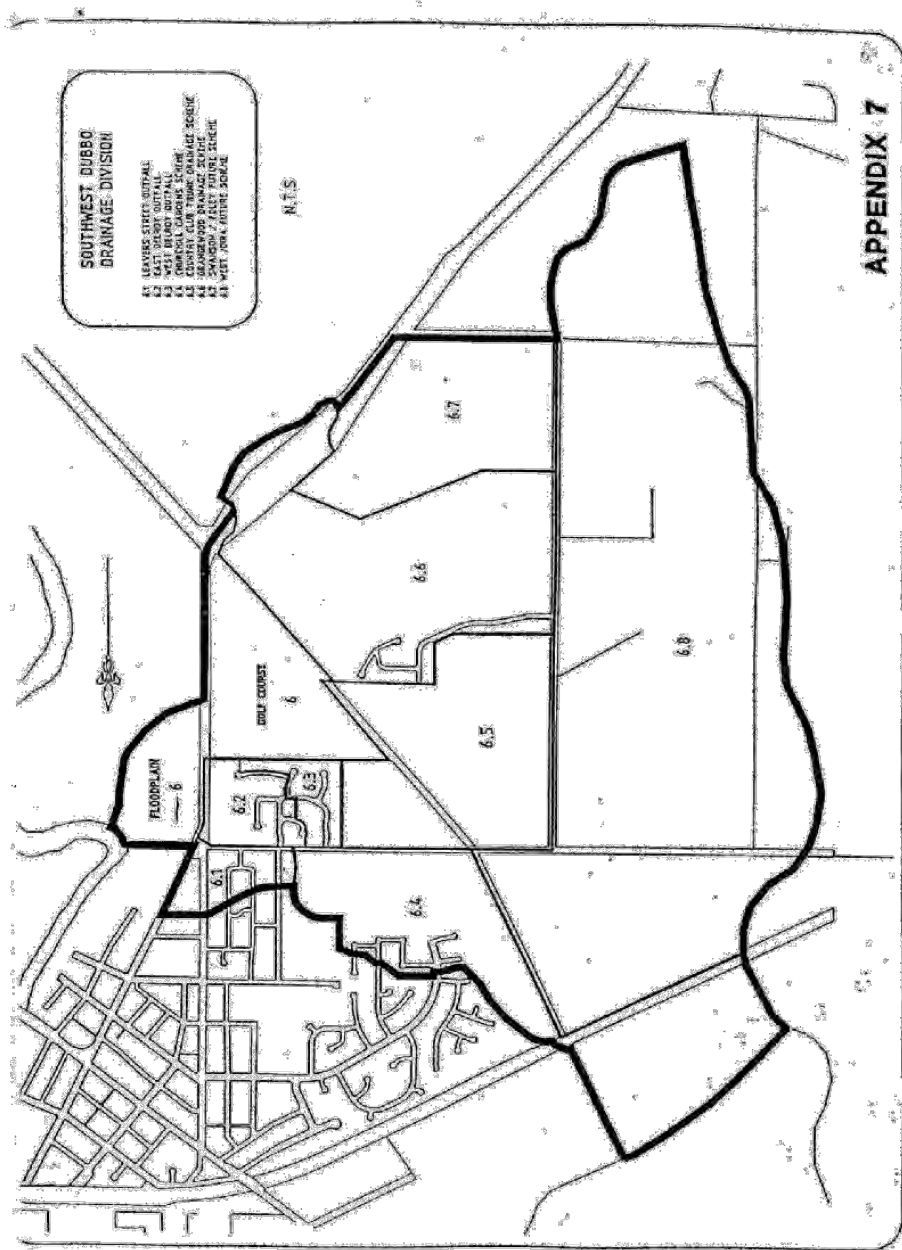
Appendix 5 – Plan of Troy Creek Drainage Division



**Appendix 6 – Plan of Troy Junction Drainage Division**

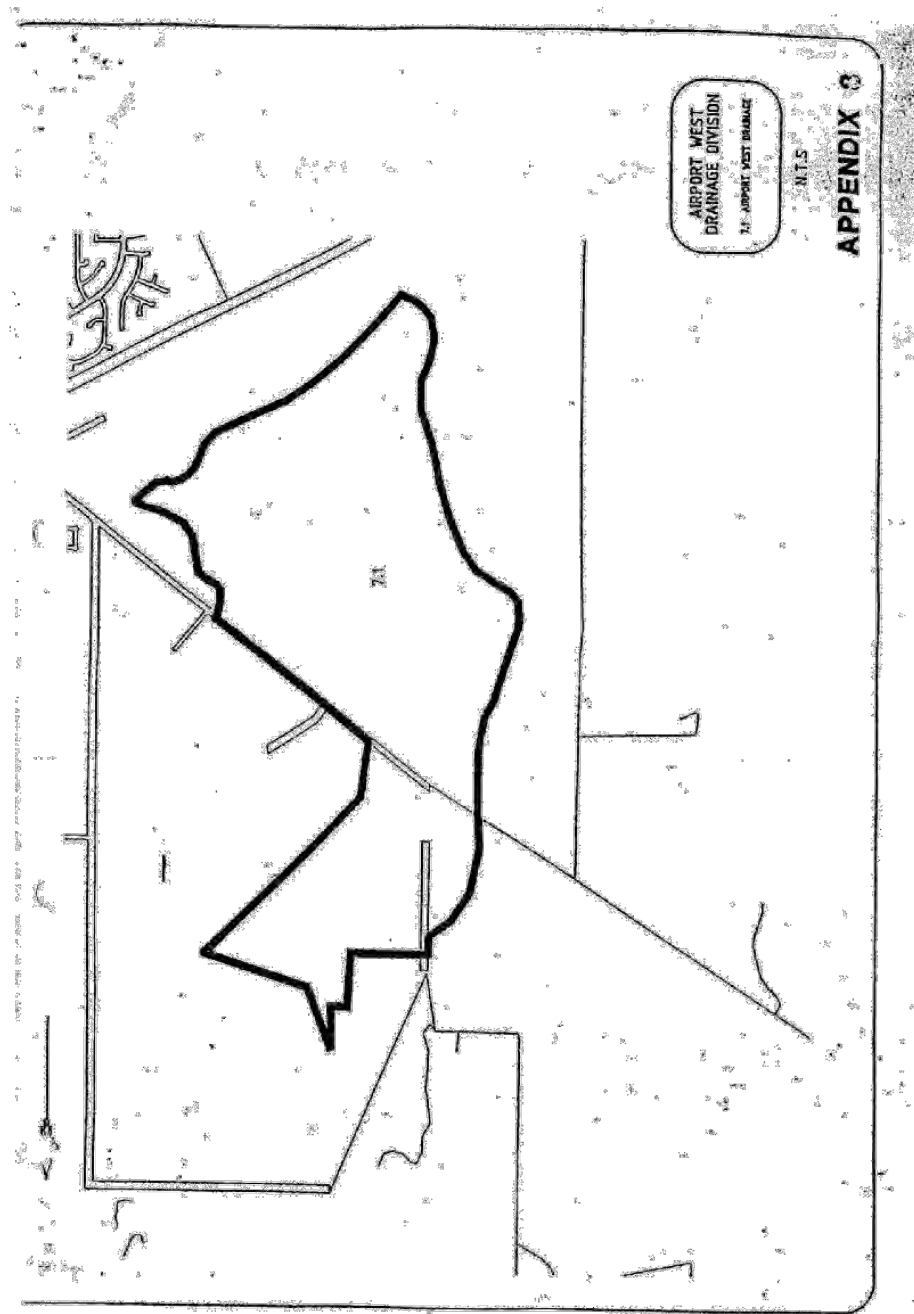


Appendix 7 – Plan of South West Dubbo Drainage Division





**Appendix 8 – Plan of Airport West Drainage Division**



**Appendix 9 – Australian Bureau of Statistics – Index Numbers Water Supply and Sewerage – Former**

**SERIES IS – N4QQ.UI85PESL\_WDDU  
NATIONAL ACCOUNTS  
PUBLIC GROSS FIXED CAPITAL EXPENDITURE  
PUBLIC ENTERPRISES STATE AND LOCAL WATER SUPPLY AND SEWERAGE AT  
AVERAGE 1984/85 PRICES**

**UNIT = INDEX, MAGNITUDE = UNITS, STORAGE MONTH = MAR**

	MARCH	JUNE	SEPTEMBER	DECEMBER
1969			183	187
1970	191	192	196	200
1971	211	212	216	221
1972	223	227	232	236
1973	203	251	260	266
1974	271	310	330	353
1975	369	388	401	413
1976	431	449	460	468
1977	480	496	507	516
1978	526	532	539	546
1979	562	576	597	607
1980	363	651	674	683
1981	703	725	749	772
1982	805	836	875	889
1983	903	914	919	939
1984	949	970	982	989
1985	998	1030	1050	1071
1986	1096	1104	1130	1149
1987	1166	1188	1199	1216
1988	1244	1261	1271	1300
1989	1318	1346	1361	1385
1990	1403	1425	1447	1466
1991	1460	1458	1464	1472
1992	1471			

**Appendix 10 – Australian Bureau of Statistics – Index Numbers Water Supply and Sewerage – Former**

**SERIES IS – WSS UI90PESL\_WDDU**

**NATIONAL ACCOUNTS**

**PUBLIC GROSS FIXED CAPITAL EXPENDITURE**

**PUBLIC ENTERPRISES STATE AND LOCAL WATER SUPPLY AND SEWERAGE AT AVERAGE 1989/90 PRICES**

**UNIT = INDEX, MAGNITUDE = UNITS, STORAGE MONTH – MAR**

	MARCH	JUNE	SEPTEMBER	DECEMBER
1984			72.2	72.5
1985	73.1	75.1	76.3	77.7
1986	79.5	79.8	81.5	82.7
1987	83.7	85.5	86.0	87.4
1988	89.2	90.5	91.3	93.4
1989	94.6	96.6	97.5	99.4
1990	100.8	102.4	104.0	105.5
1991	105.1	105.0	105.6	106.1
1992	106.1	106.1	106.6	106.8
1993	106.8	106.7	107.0	107.0
1994	107.4	108.0	108.5	108.6

DRAFT



**REPORT: Development Application  
D2019-71 (2) - Car Wash (Light Industry)  
Property: Lot 4 DP 519008, 94 Victoria  
Street, Dubbo  
Applicant: J & M Cook Engineering  
Services  
Owner: Cole for Cranes Pty Ltd**

**AUTHOR:** Statutory Planning Services Team  
Leader  
**REPORT DATE:** 19 August 2019  
**TRIM REFERENCE:** ID19/1158

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**EXECUTIVE SUMMARY**

A Section 4.55(1A) modified Development Application for Development Consent D2019-71 (2) was lodged with Council on 30 May 2019, seeking a reduction to the value of the Section 64 Water Headworks Contribution imposed in Condition 38 of the development consent, and the Section 64 Sewer Headworks Contribution imposed in Condition 39 of the development consent.

In accordance with the adopted Section 64 Plan – Water and Sewerage Contribution Policy (November 2002), Council can consider a request for a review of the contribution in accordance with the Plan, as follows:

***“3.5.1 Development not Categorised by PWD Guidelines***

*Council recognises that these PWD documents were not prepared for this purpose and cannot practically be applied to all development applications. Some developments will not ‘fit’ a category in the Guidelines. Additionally, data required to assess the demands/loadings will not always be available at the time of application, such as the expected annual water consumption.*

*For this reason Council accepts that a small proportion of applications will be assessed on individual merit. Council will determine a demand/loading for the development using the best available data.*

*Alternative sources to assist the determination include:*

- *Plumbing fixtures code; and*
- *Listings of water consumptions of typical developments prepared by other water authorities.”*

*If a developer disagrees with the assessment the onus would be on the developer to demonstrate that there is an improved assessment."*

Noting Council's Contributions Policy does not accurately quantitate waste consumption and sewer discharge for this type of development, Council's original assessment and consent was based on the Water Directorate 2017 which identifies appropriate Equivalent (ET) rates for a car wash.

Following discussions with Council, the applicant has requested (via this application) that water and sewer contributions be reconsidered on the basis of actual usage rates for a similar development being the Crystal Kleen Carwash at 1 Douglas Mawson Road, Dubbo. While Council does not concur with the methodology used by the Applicant, the contributions were ultimately recalculated on the basis of the peak day demand of local consumption rates, based on the actual usage statistics supplied for the comparative car wash.

Upon review it is recommended that Conditions 38 and 39, be modified thereby reducing the combined water and sewer contributions from \$325,255.85 to \$90,336.60 (2018/2019 financial year figures). Given the significant variation to the contributions, and the methodology used being outside the scope of the Policy, the Application is provided to Council for determination.

#### **FINANCIAL IMPLICATIONS**

There are no financial implications arising from this report, as it has been accepted that the development does not generate an impact beyond the modified contribution imposed.

#### **POLICY IMPLICATIONS**

There are no policy implications arising from this report.

#### **RECOMMENDATION**

- 1. That Council agree to reduce the combined Water and Sewerage Supply Headworks contribution for D19-71 from \$325,255.85 to \$90,336.60 (based on the adopted 2018/2019 financial year figures).**
- 2. That modified Development Application D19-71 (Part 2) for a car wash (light industry) at Lot 4 DP 519008, 94 Victoria Street, Dubbo be granted approval subject to the conditions of consent provided attached in Appendix 1, noting the amendments to Conditions 38 and 39.**

*Shaun Reynolds*  
Senior Planner

BACKGROUND

Development Consent was granted on 21 May 2019 for a car wash (light industry) and associated infrastructure. Specifically the approved development comprises:

- One (1) automatic drive-thru wash bay;
- Three (3) self-serve wash bays;
- Four (4) vacuum bays;
- Two (2) off-street parking spaces;
- Plant room and small office area;
- Disabled sanitary facilities;
- Provision for two (2) new driveway crossovers off Victoria Street (each single direction driveways);
- Business identification signage on the car wash fascia; and
- Landscaping throughout.

The Application identified that the car wash will operate 24 hours, seven (7) days per week. A copy of the approved site plan is provided below in **Figure 1**.



Figure 1: Approved site plan D19-071 Part 1

The development consent imposed a condition in relation to the imposition of Water Supply Headworks contributions to the value of \$124,571.74 (21.8ET). Likewise, the consent also imposed a condition in relation to the imposition of Sewerage Supply Headworks contributions of \$200,684.11 (35.12ET). Please note these figures are 2018/2019 financial year rates, reflecting the financial year that the Part 1 consent was approved under.

## REPORT

### 1. APPLICATION DETAILS

Owner: Cole for Cranes Pty Ltd  
Applicant: J & M Cook Engineering Services (on behalf of Messrs Tim Beatty and David Gleeson)

A modified Development Application pursuant to Section 4.55(1A) of the Environmental Planning and Assessment Act, 1979 was lodged with Council on 30 May 2019. The application seeks approval to modify Condition 38 by way of varying the required Section 64 Water Supply Headworks contributions. Condition 38 reads as follows:

*“Prior to the issue of the Occupation Certificate, the payment of **\$124,571.74** (21.8ET) for Water Supply headworks contributions, pursuant to Section 64 of the Local Government Act, 1993, Division 5 of Part 2 of Chapter 6 of the Water Management Act, 2000 and in accordance with Council’s adopted Combined Water Supply and Sewerage Contributions Policy dated November 2002.*

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

*Note 1: Council’s adopted 2018/2019 financial year rate is \$5,714.30 per ET.*

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

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

The application also seeks approval to modify Condition 39 by way of varying the required Section 64 Sewerage Supply Headworks contributions. Condition 39 reads as follows:

*“Prior to the issue of the Occupation Certificate, the payment of **\$200,684.11** (35.12ET) for Sewerage Services headworks contributions, pursuant to Section 64 of the Local Government Act, 1993, Division 5 of Part 2 of Chapter 6 of the Water Management Act, 2000 and in accordance with Council’s adopted Combined Water Supply and Sewerage Contributions Policy dated November 2002.*

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



*Note 1: Council's adopted 2018/2019 financial year rate is \$5,714.24 per ET lot.*

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

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

During the Part 1 consent it was determined the development would impact upon Council's infrastructure in regards to water and sewerage services. Consequently, conditions were imposed for a monetary contribution for Water and Sewerage Supply headworks contributions (conditions 38 and 39) in accordance with Council's Section 64 Contributions Plan. While the Applicant acknowledges the development should incur contributions, it has been requested the value of imposed contributions be reconsidered. The Application and methodology provided by the Applicant is provided attached as **Appendices 2 and 3**.

The Applicant has supplied water usage figures of a car wash in Dubbo that is operated by the Applicant as a means of demonstrating a lower contribution should be applied. Such matters will be considered in further detail within this report.

No physical or operational aspect of the development is proposed to be amended.

A detailed assessment of the modification proposed will be undertaken within this report.

## **2. LEGISLATIVE REQUIREMENTS – S4.55(1A)**

Section 4.55(1A) of the EP&A Act 1979 pertains to modifications to a consented to Development Application involving minimal environmental impact. It states:

*"A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:*

- (a) it is satisfied that the proposed modification is of minimal environmental impact, and*
- (b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and*
- (c) it has notified the application in accordance with:
  - (i) the regulations, if the regulations so require, or*
  - (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and**
- (d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

- (3) *In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 4.15(1) as are of relevance to the development the subject of the application."*

It is considered that the proposed modification will result in negligible environmental impacts and is substantially the same development as the consent which was originally granted.

Given the modification pertains to an administrative component only (being the imposition of developer contributions), and does not pertain to any built or operational aspects of the development proposal, neighbouring landowners were not notified of this Application. It should be noted during the Part 1 assessment Council notified neighbouring property owners of the proposed development with no submissions received.

The information detailed below provides an assessment of these areas of the development, which will require assessment with Section 4.15 of the EP&A Act 1979, as is relevant.

Those areas of the development not discussed below are not considered relevant to the proposed modification.

### **3. LEGISLATIVE REQUIREMENTS S4.15(1)(a)**

#### **Environmental Planning Instruments S4.15(1)(a)(i)**

##### **State Environmental Planning Policies**

The Part 1 Application was assessed against the following SEPP's

- SEPP 55 – Remediation of Land;
- SEPP (Infrastructure) 2007; and
- SEPP 64 – Advertising and Signage.

It is considered there is no component of the modification which contradicts the assessment undertaken against any of the above SEPPs during the Part 1 assessment.

##### **Dubbo Local Environmental Plan 2011**

The land is zoned IN2 Light Industrial pursuant to the Dubbo Local Environmental Plan 2011. A car wash (light industry) is permissible in the IN2 zone. The land use is not proposed to be amended as a consequence of this modification.

Other clauses considered during the Part 1 Assessment were:

- Clause 5.14 – Siding Spring Observatory;
- Clause 7.5 – Groundwater Vulnerability; and
- Clause 7.7 – Airspace Operations.

It is considered there is no component of the modification which contradicts the assessment undertaken against any of the above clauses during the Part 1 assessment.

**Proposed Instruments S4.15(1)(a)(ii)**

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

**Development Control Plan S4.15(1)(a)(iii)**

**Dubbo Development Control Plan 2013**

The Part 1 Application was assessed against the following Chapters of the DCP.

- Section 2.3.3 – Industrial Development and Subdivision – Development Controls;
- Chapter 3.1 – Access and Mobility; and
- Chapter 3.5 – Parking.

Given the modification pertains to developer contributions only, and no physical aspect of the development proposal is proposed to be amended, it is considered there is no component of the modification which contradicts the assessment undertaken against any of the above during the Part 1 assessment.

**4. LIKELY IMPACTS OF THE DEVELOPMENT S4.15(1)(b)**

It is considered the modifications proposed will not cause an adverse impact to the natural or built environment. Likewise, the modifications will not generate any adverse social or economic impacts to the locality.

**5. SUITABILITY OF THE SITE S4.15(1)(c)**

It is considered that the modifications will not present any additional impacts to that assessed during the Part 1 assessment.

**6. SUBMISSIONS S4.15(1)(d)**

Given the modification pertains to an administrative component only (being the imposition of developer contributions), and does not pertain to any built or operational aspects of the development proposal, neighbouring landowners were not notified of this Application.

**7. PUBLIC INTEREST S4.15(1)(e)**

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

**8. LOCAL GOVERNMENT ACT 1993, SECTION 64 DEVELOPER CONTRIBUTIONS**

The modification pertains to the conditions 38 and 39 which concern respectively the imposition of water and sewerage contributions.

Council's Water and Sewerage Contribution Policy (November 2002) does not accurately reflect water and sewerage usage for commercial car washes. In lieu of this Council consulted the Water Directorate 2017 noting Council's contributions plan states "*Council will determine a demand/loading for the development using the best available data*". The Directorate identifies Equivalent Tenement (ET) rates for this type of development on a per bay/lane basis. For water this is 5.70 ETs per bay/lane and for sewer this is 9.03 ETs per bay/lane. The proposed development provides for four (4) bay/lanes, being one (1) automatic bay and three (3) manual bays.

The Applicant also operates the Crystal Kleen Car Wash at 1 Douglas Mawson Road. This facility comprises eight (8) car wash bays, being two (2) automatic bays and six (6) manual bays. The Applicant has provided water usage bills for that development to demonstrate water usage and therefore requests this be applied at a pro-rata rate for this development, noting the proposed development is exactly half this size (three (3) manual bays and one (1) automatic bay). Council has also undertaken its own research in terms of water usage for the Douglas Mawson Road property and applied methodology around this as detailed further below.

Both the Applicant and Council acknowledge the Douglas Mawson Road carwash utilises an average of 10,892KL per year. It is however not appropriate to simply halve this volume and apply an appropriate rate. Dubbo's average water usage and sewer discharge must be considered.

Council has referred to water usage as calculated in the draft Integrated Water Cycle Management Plan (IWCM). The IWCM is a 30-year strategy, which amongst many things, ensures that any necessary capital works projects are appropriately sized.

Water Headworks Contributions

As stated in Council's draft IWCM, Dubbo's average water consumption is 392KL per ET per annum. The IWCM also identifies that peak day demand is 3.55 times greater than the average day. Council's Water and Sewer Contribution Policy utilises Peak Day Demand when calculating ETs, as water infrastructure is designed to cope with the highest demand.

The peak day demand (PDD) is therefore:

$$(392 \text{ kL per annum}/365 \text{ days}) \times 3.55 = 3.81\text{KL}/\text{day}/\text{ET}$$

Water consumption for the existing car wash is:

$$10,892\text{KL}/365 \text{ days} = 29.84\text{KL}/\text{day}$$

Apportioning this to the proposed development, noting it has half the number of wash bays as the existing development, would therefore be 14.92KL/day. The calculated ET's for the proposed car wash is therefore:

$$14.92\text{KL/day} / 3.81\text{KL/day} = 3.916 \text{ ETs}$$

It is standard practice that any necessary credits for the site based on the sites previous use are taken into account. In this instance a credit of 1ET is provided. Therefore the net ET for water contributions is deemed to be 2.916 ETs.

Under Councils 2018/2019 Revenue Policy the rate per ET is \$5,714.30. The contribution is therefore:

Contribution:     \$ rate x ET  
                      \$5,714.30 x 2.916  
                      \$16,662.90

It is therefore recommended Condition 38 be amended to read as follows:

*Prior to the issue of the Occupation Certificate, the payment of **\$16,662.90** (2.916 ETs) for Water Supply headworks contributions, pursuant to Section 64 of the Local Government Act, 1993, Division 5 of Part 2 of Chapter 6 of the Water Management Act, 2000 and in accordance with Council's adopted Combined Water Supply and Sewerage Contributions Policy dated November 2002.*

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

*Note 1: Council's adopted 2018/2019 financial year rate is \$5,714.30 per ET.*

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

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

#### Sewer Headworks Contributions

As stated in Council's Integrated Water Cycle Management Plan (IWCM), Dubbo's average sewer loading 235.2KL per ET per annum. Unlike water, sewerage is calculated on average usage rather than peak day demand.

The Water Directorate identifies car washes as having a standard sewer discharge factor of 95% (discharge factor is the proportion of water consumption that is discharged to the sewer system). However in this instance, a discharge factor of 60% will be used, in line with the discharge factor for the existing facility at Douglas Mawson Road.

The ET sewer loading is therefore:

Usage = 5,446KL/year (being 50% of the water usage of the existing car wash)

Usage = 5,446KL/year x 0.6  
= 3,267.6KL/year

It should be noted that while the discharge factor is 60% (i.e. 60% of the water used is ultimately discharged to sewer), the water usage is multiplied by 60% rather than divided by this number to reflect the higher costs of constructing and maintaining sewerage infrastructure. This methodology is standard practice utilised within Council's Contribution Policy and within the Water Directorate.

ET sewer loading therefore = 3,267.6 KL/year / 235.2 KL/ET/year  
= 13.893 ETs

It is standard practice that any necessary credits for the site based on the sites previous use are taken into account. In this instance a credit of 1ET is provided. Therefore the net ET for water contributions is deemed to be 12.893 ETs.

Under Councils 2018/2019 Revenue Policy the rate per ET is \$5,714.24. The contribution is therefore:

Contribution: \$ rate x ET  
\$5,714.24 x 12.893  
\$73,673.70

It is therefore recommended Condition 39 be amended to read as follows:

*Prior to the issue of the Occupation Certificate, the payment of **\$73,673.70** (12.893 ETs) for Sewerage Services headworks contributions, pursuant to Section 64 of the Local Government Act, 1993, Division 5 of Part 2 of Chapter 6 of the Water Management Act, 2000 and in accordance with Council's adopted Combined Water Supply and Sewerage Contributions Policy dated November 2002.*

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

*Note 1: Council's adopted 2018/2019 financial year rate is \$5,714.24 per ET lot.*

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

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

## 9. INTERNAL REFERRALS

### *Engineering Assessment*

Council's Water Supply and Sewerage Branch provided the calculations and methodology used as the basis for this report.

### SUMMARY

The Applicant is seeking development consent to modify an approved Development Application for a car wash (light industry) at Lot 4 DP 519008, 94 Victoria Street, Dubbo.

The proposal seeks to reduce the water and sewerage supply headworks contributions that have been levied against this development under Conditions 38 and 39 pursuant to Council's Section 64 Contributions Plan – Water and Sewerage Contribution Policy.

The physical appearance of the development is not being altered, nor the operational aspects of the development or use of the land. Therefore it is considered the modified development is not likely to have any negative impact upon the environment or upon the amenity of the locality.

The modified Development Application is consistent with the objectives of the applicable Environmental Planning Instruments, Development Control Plan and Council Policies.

The applicant has provided documentation that the proposed use of the site will have a reduced water consumption and sewer discharge to that initially assessed. While the methodology applied by the Applicant to reduce contributions is not concurred with, this Application has enabled Council to reconsider the levied contributions based on the actual usage statistics supplied for the comparative car wash.

Therefore, it is recommended that the subject modified Development Application (D19-71 Part 2) for a car wash (light industry) at Lot 4 DP 519008, 94 Victoria Street, pursuant to Section 4.55(1A) of the Environmental Planning and Assessment Act, 1979, be approved subject to the conditions of consent as set out in **Appendix 1** attached to this report.

#### Appendices:

- 1 [↓](#) Conditions and Notations
- 2 [↓](#) Request for Modification to Conditions
- 3 [↓](#) Modification Information



CONDITIONS

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

Drawing Title: Proposed Site Layout (amended in red)  
 Sheet Number: 7  
 Dated: April 2019  
 Revision: 0

Drawing Title: Proposed Carwash Sections  
 Sheet Number: 04  
 Dated: 09/02/19  
 Revision: 0

Drawing Title: Proposed Vacuum Sections  
 Sheet Number: 05  
 Dated: 09/02/19  
 Revision: 0

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

- (2) The development shall comply with the General Terms of Approval issued by Roads and Maritime Services in their correspondence dated 28 March 2019 (copy attached).  
 {Reason: To ensure compliance with RMS requirements for works within a classified road}
- (3) This approval includes a trial for a period of twelve (12) months for the hours of operation being 24 hours per day seven (7) days per week.

At the cessation of the twelve (12) months trial period, the hours of operation are to be as follows:

Monday to Friday	6:00 am to 10:00 pm
Saturdays, Sundays and Public Holidays:	8:00 am to 10:00 pm

In the event that the operator wishes to seek consent for permanent 24 hour trading hours or a further trial period, a Section 4.55(1A) Application can be lodged accompanied by supporting documentation and operational considerations, which can then be considered by Council within the 12 month period.

{Reason: To ensure that there are no detrimental impacts as a result of the approved use}

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

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

{Reason: Council requirement to reduce the likelihood of noise nuisance}

- (5) Noise from the development ( $L_{Aeq}$ ) shall not exceed the background ( $L_{A90}$ ) by more than 5dB(A) at any time including any allowance for impulsiveness and tonal characteristics when measured at the most affected residence.  
{Reason: Council requirement to prevent the generation of a noise nuisance}
- (6) An Erosion and Sedimentation Control Plan is required to be submitted to and approved by Council. This approved Plan shall be implemented onsite prior to any site disturbance works being commenced and shall remain, in a maintained condition, until all site works are completed.  
{Reason: Implementation of Council policy to reduce sediment pollution}
- (7) Waste construction materials including soil arising from the development must be disposed of at an appropriately licensed waste facility.  
{Reason: To ensure environmentally safe disposal}
- (8) All buildings, driveways, hard stand areas and parking areas shall be drained to Council's satisfaction, noting that proposed development will be required to discharge to the existing table drain in Victoria Street and stormwater discharge from the site must be limited to predevelopment flows for all events up to the 100 year ARI including followings:
- As this lot has been previously developed, it may be assumed that the predevelopment impervious area was 40%, this area may now be treated as pervious or 0% impervious for these calculations;
  - Detention will be required to limit discharge flows to predevelopment flows. It must be shown how these discharge flows are limited and if this cannot be shown then all discharge flows are to be limited to 110 litres/second/hectare;
  - The percentage of rainwater tank detention volume that can be counted on as onsite detention is 65% when airspace in the tank is 50%;
  - Water quality must be addressed including gross pollutants, oils and suspended solids; and
  - Maintenance management plan required to ensure stormwater quality and quantity systems remain effective.

In this respect the Developer must have approved by Council, prior to the issue of the Construction Certificate, full and detailed hydraulic design calculations and drawings of the proposed development's stormwater drainage system.

All works are to be undertaken in accordance with Council's adopted AUS-SPEC #1 Development Specification Series - Design and Construction.

{Reason: To achieve a satisfactory standard of stormwater disposal from the proposed development}

- (9) All vehicles must enter and exit the subject land and proposed development in a forward direction. No reversing of vehicles onto the public roadway system will be permitted.  
{Reason: To provide safety for the travelling public utilising the public roadways}

- (10) All loading and unloading of goods related to the development proposal shall be carried out within the confines of the allotment's boundary. Under no circumstances will the loading or unloading of goods on the public roadway system be permitted.  
{Reason: Requirement of Council so as not to create adverse traffic conditions}
- (11) No vehicles larger than a service vehicle 8.8 metres in length, (utilising the Austroads design templates), are permitted to access the subject land and development proposal.  
{Reason: The internal manoeuvrability and access to the subject land and proposed development will only facilitate service vehicles 8.8 metres in length or vehicles of lesser dimensions at this location}
- (12) The conveyance of effluent from the proposed development to Council's sewer constitutes a trade waste discharge therefore a Trade Waste Application must be completed. The completed application, along with the appropriate application fee, all required details covering drainage, discharge and capacity, pre-treatment devices and installation must be submitted to Council's Water Supply and Sewerage Client Services Coordinator and approved by Council prior to issuing the building's Construction Certificate. No effluent will be permitted to be discharged to Council's sewer until the required Trade Waste Approval has been obtained and all required pre-treatment devices have been installed and passed by Council.  
{Reason: Statutory requirement of the Local Government (General) Regulation, 2005}
- (13) Should the existing town water supply service connection(s) not be suitably located and/or of a suitable size to accommodate the proposed development, then a separate application is required to be made to Council, with the appropriate fee(s) being paid, for the provision of a suitably sized metered water service to the development site.
- Note: As Council is the local water supply authority, separate metered connections will be required in respect to the provision of a suitably size domestic water meter and separate fire service meter to the development site.  
{Reason: Council policy in respect of commercial developments}
- (14) The drainage and plumbing installation shall comply with the provisions of the Local Government (General) Regulation, 2005 and the requirements of Council as the delegated plumbing regulatory authority.  
{Reason: Statutory and Council requirement}
- (15) The sanitary, water plumbing and drainage associated with the proposed building requires the issue of a separate approval from Council prior to being installed. In this regard a Drainage and Plumbing Approval Application form is available from Council and must be completed by the licensed plumbing and drainage contractor and returned to Council with the appropriate fee. Drainage or plumbing works must not be commenced until Council has issued a permit authorising such works.  
{Reason: Statutory requirement of Local Government Act, 1993}
- (16) All sanitary plumbing, drainage and water plumbing work shall be carried out by a licensed plumber and drainer.  
{Reason: Statutory requirement of Section 634 of the Local Government Act, 1993}

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

{Reason: Statutory and sewerage authority requirement}

- (18) Hot water delivered to the outlet of the disabled hand-basin fixture shall not exceed a temperature of 45<sup>o</sup> C.

Note: Thermostatic mixing valve(s) are required to be installed to achieve the maximum temperature setting of 45<sup>o</sup> C.

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

- (19) The buildings shall not be occupied or used until the Principal Certifying Authority (PCA) has first issued an Occupation Certificate.

{Reason: Statutory requirement to ensure the building is fit for occupation}

- (20) A site rubbish container shall be provided on the site for the period of the construction works prior to commencement of any such work.

{Reason: Council requirement to prevent pollution of the environment by wind-blown litter}

- (21) All building work must be carried out in accordance with the provisions of the Building Code of Australia.

{Reason: Prescribed statutory condition under the Environmental Planning and Assessment Act}

- (22) The person having the benefit of this development consent, if not carrying out the work as an owner-builder, must, unless that person is the principal contractor, ensure that the principal contractor has been notified of the critical stage inspections and any other inspections that are specified by the appointed Principal Certifying Authority (PCA) to be carried out.

Note: The 'principal contractor' is the person responsible for the overall coordination and control of the carrying out of the building work.

{Reason: Statutory requirement imposed by the EP&A Act, 1979}

- (23) Prior to works commencing, the applicant shall ensure that a sign is erected on the work site in a prominent position at the front of the property showing:

- (a) The name, address and telephone number of the Principal Certifying Authority (PCA) for the work;
- (b) The name of the principal contractor for the building work and a telephone number on which that person may be contacted outside of working hours; and
- (c) That unauthorised entry to the work site is prohibited.

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

Note: In respect of (a) above, where Council is engaged as the Certifying Authority and appointed PCA, the applicant can either prepare their own sign or alternatively affix onsite the sticker that will be enclosed with the Council issued Construction Certificate. A larger sign in lieu of utilising the sticker is available upon request from Council's Civic Administration Building.

{Reason: Statutory condition imposed by clause 98A of the EP&A Regulation, 2000}

- (24) The following applicable works shall be inspected and passed by an officer of Council, irrespective of any other inspection works undertaken by an accredited certifier, prior to them being covered. In this regard, at least 24 hours notice shall be given to Council for the inspection of such works. When requesting an inspection, please telephone Council's Planning and Environment Division on 6801 4612 and quote Council's reference number **D2019-71**.

Advanced notification for an inspection can be made by emailing [enviroadmin@dubbo.nsw.gov.au](mailto:enviroadmin@dubbo.nsw.gov.au) or by telephoning Council's Planning and Environment Division on 6801 4612.

- Internal and external sanitary plumbing and drainage under hydraulic test;
- Water plumbing under hydraulic test;
- Final inspection of the installed sanitary and water plumbing fixtures upon the building's completion prior to its occupation or use.

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

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

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

- (26) The full width of Council's footpath shall be kept free of all refuse, building material and unnecessary traffic and disturbance. Any unauthorised material found upon Council's footpath may be impounded or removed without notice.

{Reason: Council requirement as the relevant road authority}

- (27) All excavations associated with the erection of the buildings and installation of associated services must be properly guarded and protected to prevent them from being dangerous to life or property. Excavations undertaken across or in a public place must be kept adequately guarded and/or enclosed and lit between sunset and sunrise, if left open or otherwise in a condition likely to be hazardous to persons in the public place.

{Reason: Council requirement for protection of public}

- (28) A hoarding, barricade or fence shall be erected between the construction site and any adjoining public place and/or around any road opening or obstruction if pedestrian or vehicular traffic is likely to be endangered, obstructed or inconvenienced by the proposed works.

The work is to be kept lit during the time between sunset and sunrise if the work may be a source of danger to persons using the adjoining public place.

{Reason: Council requirement for the protection of the public}

- (29) If Council is engaged to act as the Principal Certifying Authority (PCA), the applicant shall ensure that the responsible builder and/or applicable contractors submit to Council documentary evidence identifying and confirming that their respective work was undertaken in conformity with the relevant Section J provisions of the BCA, as approved under the Construction Certificate. Such documentation must be provided prior to issue of the building's Occupation Certificate.

{Reason: To satisfy Council as the PCA that the applicable work has been undertaken in conformity with the BCA}

- (30) The buildings shall be erected wholly within the boundaries of the allotment.

{Reason: Council requirement to prevent encroachments}

- (31) Prior to the issue of the Occupation Certificate, entry and exit points to and from the proposed development and off-street car parking shall be delineated and sign-posted to at least the standard outlined in Chapter 3.5 of the Dubbo Development Control Plan 2013.

In this regard, as per the approved development plans, the north-western driveway shall be 'entry only', and the south-eastern driveway shall be 'exit only'.

{Reason: Implementation of Dubbo DCP 2013}

- (32) Entry and exit to/from the proposed development shall be left turn only. In this regard, appropriate 'left turn only' signage shall be erected at the egress driveway.

Further, as shown on approved plans, both the entry and exit driveways shall include provision of a concrete island to reinforce the left turn only movements. Such works shall be designed to ensure traffic flow on Victoria Street is not compromised, vehicles can still safely access adjoining Lot 3 DP 519008, and be designed to accommodate the largest vehicle which will access the site (8.8 metre service vehicle).

Final design plans including vehicle swept paths shall be submitted to Roads and Maritime Services for approval prior to works commencing.

{Reason: To ensure safe access/egress to/from the subject development which does not compromise the safety of road users}

- (33) All hard stand areas, driveways, car parking and loading areas shall be fully paved in accordance with Chapter 3.5 Parking (3.5.7 – Construction Requirements) of the Dubbo Development Control Plan 2013 of a standard suitable to withstand the proposed traffic loadings. The proposed surface design details are to be submitted in conjunction with the application for the Construction Certificate and approved prior to any work commencing.

{Reason: Implementation of Dubbo DCP 2013}

- (34) The approved business identification signage (refer Sheet 04 dated 09/02/19 – Revision 0) shall be maintained in good and substantial repair.

The signage shall not flash, be animated, be excessively luminous or glow.

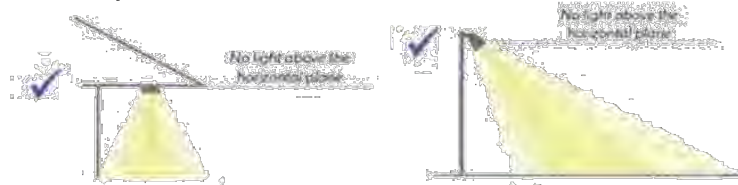
{Reason: Council requirement to maintain structural adequacy and visual amenity, and to prevent distraction of passing motorists}

- (35) The proposed landscaping shown on the approved development plan shall be established and maintained to at least the standard specified on the approved development plans. Such landscaping shall be established prior to the issue of the Occupation Certificate.  
{Reason: To maintain the aesthetic quality of the development}

- (36) A separate application for any additional onsite advertising/signage not approved with this development consent shall be submitted to Council if such signage does not comply with Part 2, Division 2 of State Environmental Planning Policy (Exempt and Complying Development Codes), 2008.

{Reason: To ensure onsite advertising/signage is appropriate for the site and the locality}

- (37) All external light fittings must be installed to ensure light does not spill above the horizontal plane.



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

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

{Reason: To limit light pollution to neighbouring property and for the preservation of the 'Dark Skies' region surrounding the Siding Spring Observatory}

**CONDITION (38) AMENDED WITH CONSENT D2019-71 PART 2 TO READ AS FOLLOWS:**

- (38) Prior to the issue of the Occupation Certificate, the payment of **\$16,662.90** (2.916 ETs) for Water Supply headworks contributions, pursuant to Section 64 of the Local Government Act, 1993, Division 5 of Part 2 of Chapter 6 of the Water Management Act, 2000 and in accordance with Council's adopted Combined Water Supply and Sewerage Contributions Policy dated November 2002.

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

Note 1: Council's adopted 2018/2019 financial year rate is \$5,714.30 per ET.

Note 2: As the above contribution rate is reviewed annually the 'current contribution rate' is to be confirmed prior to payment.



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

**CONDITION (39) AMENDED WITH CONSENT D2019-71 PART 2 TO READ AS FOLLOWS:**

- (39) Prior to the issue of the Occupation Certificate, the payment of **\$73,673.70** (12.893 ETs) for Sewerage Services headworks contributions, pursuant to Section 64 of the Local Government Act, 1993, Division 5 of Part 2 of Chapter 6 of the Water Management Act, 2000 and in accordance with Council's adopted Combined Water Supply and Sewerage Contributions Policy dated November 2002.

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

Note 1: Council's adopted 2018/2019 financial year rate is \$5,714.24 per ET lot.

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

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

- (40) Prior to the issue of the Construction Certificate, full details showing the construction of the proposed car wash shall be submitted to and approved by Council. Such details shall include the construction and sealing of the perimeter bunding and the management and treatment of wastewater from drainage pits, including details of the silt settling tank and above ground separator.

{Reason: Council requirement to require compliance with the POEO Act}

**NOTES**

- (1) A separate application is required to be submitted to either Council or an Accredited Certifier to obtain a Construction Certificate to permit the erection of the proposed buildings and associated works.
- (2) A list of fire safety measures must be submitted with the Construction Certificate application pursuant to clause 139 of the Environmental Planning and Assessment Regulation, 2000. The Regulation prescribes that the information to be submitted must include:
- A list of any existing fire safety measures provided in relation to the land or any existing building on the land; and
  - A list of the proposed fire safety measures to be provided in relation to the land and any building on the land as a consequence of the building work.

- (3) On completion of the erection of the subject buildings, the owner of the buildings is required to submit to the Principal Certifying Authority (PCA) a Fire Safety Certificate(s) with respect to each essential fire safety measure installed in association with the building - as listed on the Fire Safety Schedule attached to the Construction Certificate. Such certificate(s) must be submitted to the PCA prior to occupation or use of the subject building.

Copies of the subject Fire Safety Certificate(s) must also be forwarded by the owner to Council (if not the appointed PCA) and the Commissioner of Fire and Rescue NSW and displayed within the subject building in a prominent position.

- (4) If Council is engaged to act as the Certifying Authority for the Construction Certificate application the following shall be included with such application:

- (a) All relevant stormwater design and disposal details;
- (b) Details demonstrating compliance with D1.10 of the BCA;
- (c) Specifications detailing the proposed building's compliance with the relevant provisions of Section J *Energy Efficiency* of the BCA;
- (d) Type and location of required portable fire extinguishers;
- (e) Specifications demonstrating the car wash building's floor, wall and ceiling lining materials conform with C1.10 of the BCA with respect to their fire hazard properties;
- (f) Details indicating the slip-resistance classification of any proposed ramps pursuant to D2.13 and D2.14 of the BCA;
- (g) Details of the method of ventilation to be provided to the plant room/office area;
- (h) Specification for the plant room/office building's exit door hardware (ie door handle and latch);
- (i) Indicate on the site plan the measurement between the proposed vacuum bay building to the allotment boundary;
- (j) Plans indicating the provision of a disabled carparking space or alternatively provide justification for an exemption under clause D3.4 of the BCA and Access Code;
- (k) Plans indicating compliance with AS 1428.1-2009 as adopted by the BCA with respect to the design of the proposed disabled sanitary compartment. Submitted plans should detail the specific set-out dimensions of all proposed fixtures, not only for the benefit of the Certifying Authority, but also the subsequent installation tradesmen. Attention should also be given to the following aspects under the BCA and AS 1428.1-2009, and be appropriately detailed in any submitted plans/specifications:-
  - Doors having a clear unobstructed width of at least 850 mm (clause 13.2, AS 1428.1). Note: designers should take particular care with respect to the nominal door width that is specified, as council has observed some 920 mm doors fail to achieve compliance;
  - Door controls (clause 13.5, AS 1428.1);
  - Solid opaque 75 mm wide contrast line across all fully glazed doors and side panels (clause 6.6, AS 1428.1);
  - Luminance contrast at doorways (clause 13.1, AS 1428.1);

- Luminance contrast to vision strips on glazed doors and side panels (clause 6.6, AS 1428.1);
  - Luminance contrast to toilet seats (clause 15.2.3, AS 1428.1);
  - Floor and ground surfaces having tolerances as specified under section 7, AS 1428.1;
  - Carpets having maximum pile height/thickness under BCA clause D3.3(g) and (h);
  - Tactile ground surface indicators (TGSIs) under BCA clause 3.8 and provided with a luminance contrast as specified under clause 2.2 of AS/NZS 1428.4.1;
  - Signage as specified under section 8 AS 1428.1 and BCA clause D3.6;
  - Braille and tactile exit signage to any doors provided with emergency exit luminaries under clause E4.5, as specified pursuant to clause D3.6(a) of the BCA;
  - Electrical switches (clause 14.2, AS 1428.1); and
- (l) A drawing of the required disabled car parking space and shared area should be clearly detailed to indicate the design criteria specified under AS/NZS 2890.6:2009. In particular, it should be noted that the outline of both the car space and shared area (and any walkway within the shared area) must be delineated by yellow non-raised pavement markings having unbroken lines 80 to 100 mm wide. Further the shared area (excluding any walkway within) must be marked with diagonal (45 ± 10 degrees) stripes 150 to 200 mm wide with spaces 200 mm to 300 mm between the stripes;
- (m) All structural details including specifications and design drawings and statement(s)/certificate(s) by the design engineer stipulating the Australian Standards that the design complies with, including its design wind load parameters and resistance to earthquake loads;
- (n) Submission of a list of all required and proposed essential fire safety measures applicable to the building;

- (5) The sanitary, water plumbing and stormwater drainage associated with the proposed building work requires the issue of a separate approval from Council prior to being installed. In this regard a Drainage and Plumbing Approval Application form is available from Council, and must be completed by the licensed plumbing and drainage contractor and returned to Council with the appropriate fee. Drainage or plumbing works must not be commenced until Council has issued a permit authorising such works.

This approval does not negate the statutory requirement for the plumbing and drainage licensee to provide to Council as the delegated Plumbing Regulator, the Notice of Work (NoW), Certificate of Compliance (CoC) and Sewerage Service Diagram (SSD) as prescribed under the Plumbing and Drainage Act 2011, for the proposed sanitary drainage/plumbing and domestic water plumbing works. It should be noted that the NoW does not include plumbing work associated with fire services and work of stormwater.

- (6) As the sewer connection serving the proposed allotment is relatively shallow, the builder is advised to engage a plumber and drainer prior to the building works commencing to ensure the following:

- (a) The sanitary fixtures provided in the building(s) can adequately gravitate to Council's sewer and comply with the Council's sewer main invert clearances (ie 1000mm between the invert of the sewer main and the top of the overflow relief gully);
- (b) A minimum cover of 300 mm is maintained to drainage lines in non-trafficable areas;
- (c) The top of the overflow relief gully is a minimum 75 mm above the finished surrounding ground level and minimum 150 mm below the finished floor level of the building; and
- (d) A minimum grade of 1:60 is achieved to all drainage lines.

Note: Should compliance with any of the above requirements not be achieved, Council must be notified immediately so that alternate methods of effluent system design and disposal can be discussed.

- (7) Prior to any construction works commencing on the proposed vacuum bay building, the applicant is advised to engage the services of a registered surveyor to ensure the vacuum bay building will be constructed wholly within the property.
- (8) The Council Section 7.11/64 Contribution Plans referred to in the conditions of this consent may be viewed without charge at Council's Civic Administration Building, Church Street, Dubbo between the hours of 9 am and 5 pm, Monday to Friday. Copies are also available from [www.dubbo.nsw.gov.au](http://www.dubbo.nsw.gov.au)
- (9) The development shall be carried out in accordance with Essential Energy's correspondence dated 14 March 2019 (copy attached).

**The Director**  
Environmental Services Division  
Dubbo Regional Council  
PO Box 81  
**DUBBO NSW 2830**

Your Ref:- D2019-71 Part 1  
Parcel 6235  
SPR:JF

**J. & M. COOK**  
**ENGINEERING SERVICES**

- STRUCTURAL AND CIVIL ENGINEERING
- DRAWING OFFICE

SUITE 1, FIRST FLOOR FINANCE HOUSE  
20 TALBRAGAR STREET, DUBBO  
ALL CORRESPONDENCE TO PO BOX 500 DUBBO 2830  
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**J. & M. COOK ENGINEERING PTY LTD**  
A.B.N: 19 138 071 646 A.C.N: 138 071 646

EMAIL: cookeng@hwy.com.au

**ATTENTION: MR SHAUN REYNOLDS**

**Re:- Development Approval D2019-71  
for Proposed Car Wash (light Industry)  
at Lot 4, D.P. 519008  
94 Victoria Street, Dubbo  
Clients:- Tim Beatty & David Gleeson**

Dear Shaun,

Further to the Development Approval received by my Clients, we wish to object to the Headworks Charges levied by Council in relation to Water Supply and Sewage Headworks Charges. They are Condition No (38) of the Approval being for 21.8 ET's for Water Supply Headworks for a sum of \$124,571.74 and Condition No (39) of the Approval being for Sewage Services Headworks for 35.12 ET's for a sum of \$200,684.11.

It is understood that Council has based their figures on a publication prepared by the Water Directorate being 'Section 64 Determinations of Equivalent Tenements Guidelines' dated April, 2017. In Table 2: Standard ET Figures –

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Development Approval D2019-71  
for Proposed Car Wash (light Industry)  
at Lot 4, D.P. 519008  
94 Victoria Street, Dubbo  
Client:- Tim Beatty & David Gleeson

Commercial User Categories on page 18 of that publication, it lists Car Washes as having 5.70 ET's for Water Supply and 9.03 ET's for Sewage for each and every Bay of the Car Wash Facility.

It should be clear to even the simplest of persons that it is not possible for there to be more ET output to the sewer from a development than what the ET input is from the water supply to that development. The figures arrived at by the Water Directorate are simply incorrect, erroneous and unjustifiable.

I would urge Council to cease using them because if Council continues to base their Headworks Contributions demands on these erroneous figures then there will be a challenge to every Development Application determined by Council.

One of the Applicants, Mr David Gleeson currently owns and operates the Crystal Kleen Car Wash located on the corner of Wheelers Lane and Douglas Mawson Road, Dubbo. He has established and operated that facility since its opening many years ago.

He has been receiving and paying water & sewer rates for that period of time. A summary of the water usage as rated for the following periods is as follows:-

Period	Water Meter Usage	Assessment Number	Valuation Number
06/12/2016 to 07/03/2017	2690 KI	1036749	1226564
07/03/2017 to 07/06/2017	2580 KI	1036749	1226564
07/06/2017 to 06/09/2017	2848 KI	1036749	1226564
06/09/2017 to 05/12/2017	2774 KI	1036749	1226564

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Total rated meter usage            10,892 KI  
for 12 month period to 12/2017

05/12/2017 to 06/03/2018	2263 KI	1036749	1226564
06/03/2018 to 06/06/2018	3102 KI	1036749	1226564
06/06/2018 to 06/09/2018	2414 KI	1036749	1226564
06/09/2018 to 10/12/2018	2577 KI	1036749	1226564

Total rated meter usage for  
12 month period to 10/12/2018    10,356 KI

A copy of most of those rates notices is attached.

The Crystal Kleen Car Wash has a total of 8 x Car Wash Bays, with 6 x manual and 2 x Automatic Bays. The proposed Victoria Street car wash is for four bays with 3 x manual bays and 1 x automatic bay. Its size is therefore one half of the existing Crystal Kleen Car Wash Facility.

Dubbo Regional Council have determined that an Equivalent Tenement has an defined usage of 5,000 litres per Et per day. The annual ET defined usage is therefore 5,000 litres x 365 days or 1.825 megalitres per annum per ET.

Using the higher of those figures established at the Crystal Kleen Car Wash of 10.892 Megalitres per annum for 8 x bays, then the ET water usage for each bay is  $10.892/1.825/8 = 0.74$  ET's per bay as opposed to the 5.70 ET's per bay as established by the Water Directorate publication. This is an established figure resulting from actual meter readings taken by Council Water Meter Reading staff.

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The Crystal Kleen Car Wash also has a Coffee Shop which is also metered through that same meter system as reflected above. There is no roof storm water collection system at Wheelers Lane to further assist the water supply.

If those actual usage figures established at the Crystal Kleen Car Wash (Council figures) are related to the proposed Victoria Street Car Wash, then the Headworks Charges for Water Supply at the proposed Victoria Street Car Wash should be as follows:-

4 (bays) x 0.74 ET's x \$5,714.30 = **\$16,914.32 total** as opposed to the figure of **\$124,571.74** as determined by Council in Condition No (38) as a result of Council's adoption of the Water Directorate publication figures.

In relation to sewer ET's, clearly in relation to the Crystal Kleen Car Wash, the figures adopted by Council are charged at a rate of 60% of the water usage. This is not disputed and is considered to be a fair and reasonable adopted practice by Council.

When this is applied to the proposed Victoria Street Car Wash, then the figures should be as follows:-

4 (bays) x 0.74 ET's x 0.6 (sewer reduction rate) x \$5,714.30 = **\$10,148.59 total** as opposed to the figure of **\$200,684.11** as determined by Council in Condition No (39) as a result of Council's adoption of the Water Directorate publication figures.

It should be noted in the case of the proposed Victoria Street Car Wash that there is no Coffee Shop proposed and the water supply is augmented by roof storm water harvesting.

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Development Approval D2019-71  
for Proposed Car Wash (light Industry)  
at Lot 4, D.P. 519008  
94 Victoria Street, Dubbo  
Client:- Tim Beatty & David Gleeson

A summary is as follows:-

Council's Determination	Amount demanded
Item No (38) Water Supply Headworks Charges	\$124,571.74
Item No (39) Sewage Headworks Charges	\$200,684.11
<b>TOTAL AMOUNT ASSESSED</b>	<b>\$325,255.85</b>

Our Determination (based on actual figures as Determined from Council Meter Readings)	Amount recommended
Item No (38) Water Supply Headworks Charges	\$ 16,914.32
Item No (39) Sewage Headworks Charges	\$ 10,148.59
<b>TOTAL AMOUNT TO BE PAID</b>	<b>\$ 27,062.91</b>

Reluctantly, our Clients have been required to lodge a Section 96 Application to vary the Headworks Charges in line with an amount that should have been adopted in the first instance. Please find a cheque for the sum of \$645.00

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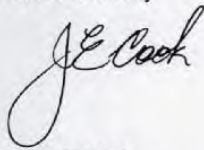
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Development Approval D2019-71  
for Proposed Car Wash (light Industry)  
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94 Victoria Street, Dubbo  
Client:- Tim Beatty & David Gleeson

attached with this application, for which an application may be made in the future for a refund on the basis outlined above.

I trust that the above clearly outlines our position in the matters. Should you have any questions in regard to any of the above, please do not hesitate to contact our office for clarification.

Yours faithfully



**J. E. COOK**  
B. Sc. (Eng)  
M. I. E. (Aust)  
C. P. (Eng)

Thursday, May 30, 2019

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# Skidrow Pty Ltd

David Gleeson & Tim Beatty.  
DA Approval 2019-71.2

Shaun Reynolds  
Dubbo Regional Council  
Corner of Church & Darling St.  
Dubbo NSW, 2830

Monday July 22, 2019

Att: Ben Shields & Shaun Reynolds

Dear Ben & Shaun,

After our meeting on Monday, I have had time to digest all the info given at that meeting. As you will recall, we asked you about our contributions etc. you explained that you had double checked your figures and assured that council was correct. I wasn't sure what to make of that considering Geolise / John Cook figures were different. I now realise your figures are correct, and to arrive at your estimation the only thing for you to work off was the Water Directorate 2017. I would like to question the Water Directorate figures, not Council's. (Eg. Water directorate figures are based on water usage.)

$5.70 \text{ ETS per bay} = 5.70 \times \text{ET} \times \text{BAYS} = 5.7 \times 5000 \times 4 = 114,000$

1. Using water directorate figures: 1 bay at the or any car wash would use  $5.7 \times 5000$  litres = 28,500 litres. That equates to say for example the existing car wash at Dubbo with 8 bays using  $28,500 \times 8 = 228,000$ . That equates to a yearly usage of 83,220,000 litres = 83.22 megalitres.

2. Using rate notices for the last 2 years, and including both car washes in Dubbo, annual usage of water equates to approx. 16,000,000 litres over 1 year for both car washes. With 8 + 5 bays = 13 ; 16,000,000 divided by 13 bays divided by 365 days = 3,372 litres per bay ; (NOT 28,5000) as quoted by directorate.

3. 8 bay car wash also has a coffee shop and 2500 meters of landscaping included in these rate figures. Note: It only has a 1x25mm main.

To reassess the figures.

Say 3372 litres less approx 20% outside water usage as stated in previous paragraph = 2,697 litres per bay.

Using figures that are factual, working out contributions would be  $2697 \times 4 \text{ bays} = \$10,788$  water usage.

Sewage Discharge equates to 60% of supply (as per Council rates)  $2697 \times 60\% \times 4 = \$6,472$

Total Water & Sewage = \$17,260.80

---

Points to consider as well:

- The new machinery will have equipment guarantees  
To use 30% less water (have a letter to verify this from the manufacturer)
- Water harvest & retention tanks to be implemented in new sites
- As brought up in our meeting, Recycling is to be considered. Looking at it at the moment there is some new technology that is showing good possibilities. As I mentioned in the meeting with Council, old recycling does not work good enough and is uneconomical. This needs Government funding, which we are looking into.
- The biggest and busiest car wash in Australia is at Port Melbourne in Victoria, which uses approximately 15 megalitres a year.
- The directorate calculations have not been used in any car wash in NSW that the Car Wash Association knows of. Also not too many car washes have been built in recent years. The last one was in Bathurst in 2010.
- Council states that they don't have defined use in their S 64 plan and have adopted the Water Directorate as the best possible data available. We would like to dispute that. The data we have used is based on facts and Council records.
- Last car wash built in Dubbo, the contributions were approximately \$20,000 based on the average use of the other 2 car washes in town. The Car Wash Council Of Australia has also told us that the average contributions for a car wash is \$20,000.
- Council will not have to consider any more D.A's for car wash. If this can be rescued it would leave Dubbo with 6 x washes and not a lot of land with D.A approval etc.

Sincerely,

David Gleeson & Tim Beatty.

---

2



## REPORT: Naming an unnamed public road 'Euston Lane'

**AUTHOR:** LIS and E-Services Coordinator  
**REPORT DATE:** 8 August 2019  
**TRIM REFERENCE:** ID19/1095

### EXECUTIVE SUMMARY

Dubbo Regional Council received a request to formally name a public road which was created in deposited plan DP 246880.

The unnamed road provides access to three (3) properties in this deposited plan, which are currently addressed and numbered as a Narromine Road address. As there is no direct access from Narromine Road, only from the unnamed road, this addressing issue could potentially cause confusion for emergency services attempting to locate these properties in a timely manner. Giving this unnamed road a formal name along with suitable numbering should alleviate confusion for emergency services and other providers locating these properties.

The name Euston was chosen because these properties are currently on the Euston Water Scheme and was once part of the property 'Euston' prior to subdivision.

### FINANCIAL IMPLICATIONS

The cost of the provision of the blade sign and installation would be met by Dubbo Regional Council.

### POLICY IMPLICATIONS

The proposed road name has been considered in accordance with Council's Policy 'Naming of Thoroughfares and Other Geographical Features within the City of Dubbo' and the Geographical Names Board 'NSW Addressing Policy'.

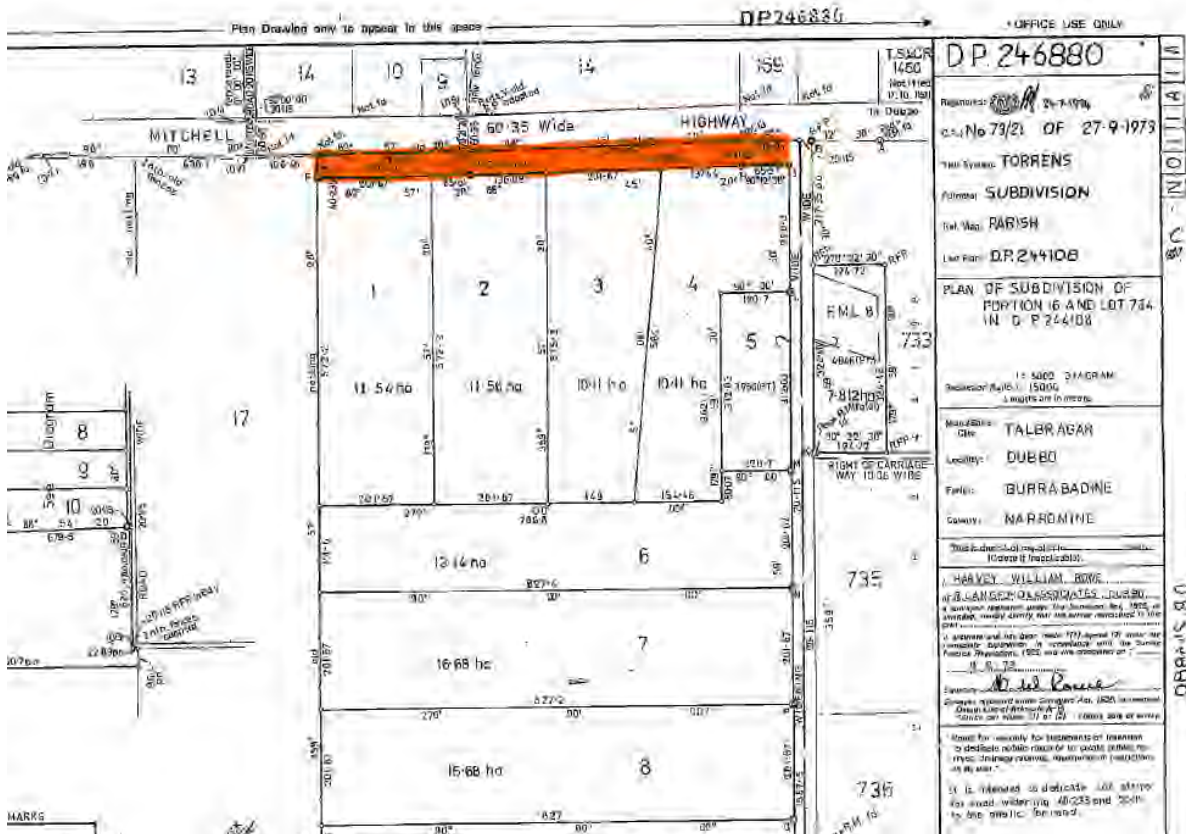
### RECOMMENDATION

1. That the unnamed public road created in DP 246880 be formally named Euston Lane, Dubbo and sign posted accordingly.
2. That the approved name be advertised and government authorities notified in accordance with Section 162 of the Roads Act 1993 and the Roads Regulation 2008.
3. That the affected owners be notified in writing of Council's decision in this matter.

*Kim Edwards*  
LIS and E-Services Coordinator

BACKGROUND

Dubbo Regional Council received a request from Mr and Mrs Peek to formally name a public road which was created in deposited plan DP 246880 'Euston Lane'.



The figure above highlights the public road in question which was created in DP 246880.

The suggested name, Euston, was chosen because the properties are currently on the Euston Water Scheme and was once part of the property 'Euston' prior to subdivision.

The unnamed road provides access to three properties in this deposited plan, which are currently addressed and numbered as a Narromine Road address. As there is no direct access from Narromine Road only from the unnamed road, this addressing issue could potentially cause confusion for emergency services attempting to locate these properties in a timely manner. Giving this unnamed road a formal name along with suitable numbering should alleviate confusion for emergency services and other providers locating these properties.

The below figure is an aerial map showing the unnamed dirt road in question.





## CONSULTATION

Council notified the three affected property owners seeking their opinion as to whether they support the naming of the unnamed road and concur with the proposed name 'Euston Lane' or wish to offer an alternative name. Also it was pointed out that if the unnamed road was named, their addresses will change and they would be required to notify agencies of their new address.

There is a fourth property which is located on the corner of Burrabadine Road and the unnamed road, but the current owners have their access and use a Burrabadine Road address and are not affected by the unnamed road, however, a letter was sent to inform them of the proposed naming.

Council received two responses agreeing to name the unnamed road 'Euston Lane' from Mr WJ and Mrs MM Peek (79L Narromine Road) and Mr RO Thompson (78L Narromine Road). There was no response from Mr RJ and Mrs VJ Mather (80L Narromine Road).

## RECOMMENDATION

Due to receiving responses from the majority of affected landowners agreeing to have this unnamed road named, it is recommended that Council proceed with formally naming this unnamed road and renumber the affected properties accordingly. This should alleviate confusion for emergency services attempting to locate these properties in a timely manner.

Council to formally advise the affected property owners of the new address for their properties.



## **REPORT: Renaming Cobbora Road in the former Wellington LGA**

**AUTHOR:** LIS and E-Services Coordinator  
**REPORT DATE:** 8 August 2019  
**TRIM REFERENCE:** ID19/1096

### **EXECUTIVE SUMMARY**

Dubbo Regional Council received a letter from Warrumbungle Shire Council requesting that Cobbora Road in the former Wellington Shire be renamed. The request is based on avoidance of the possibility for confusion to emergency services stemming from the fact that Cobbora Road also travels through Cobbora Village in Warrumbungle Shire. On this basis, Warrumbungle Shire Council has requested that Dubbo Regional Council give consideration to changing the road name in our LGA (Local Government Area).

Following two (2) notification periods and consultation with the NSW Geographical Names Board, the majority of responses were in favour of Saxa Road, it is recommended that Cobbora Road in the former Wellington Shire be renamed Saxa Road.

### **FINANCIAL IMPLICATIONS**

The cost of the provision of the blade sign and installation would be met by Dubbo Regional Council.

### **POLICY IMPLICATIONS**

The proposed road name has been considered in accordance with Council's Policy 'Naming of Thoroughfares and Other Geographical Features within the City of Dubbo' and the Geographical Names Board 'NSW Addressing Policy'.

### **RECOMMENDATION**

- 1. That Cobbora Road in the former Wellington Shire LGA, be renamed Saxa Road.**
- 2. That the approved name be advertised and government authorities notified in accordance with Section 162 of the Roads Act 1993 and the Roads Regulation 2008.**
- 3. That residents be informed of the new road name once gazetted.**
- 4. That Warrumbungle Shire Council be notified of the outcome.**

*Kim Edwards*  
LIS and E-Services Coordinator

## BACKGROUND

Dubbo Regional Council received a letter from Warrumbungle Shire Council requesting that Cobbora Road in the former Wellington Shire be renamed. The request is based on avoidance of the possibility for confusion to emergency services stemming from the fact that Cobbora Road also travels through Cobbora Village in Warrumbungle Shire. On this basis, the Warrumbungle Shire Council has requested that Dubbo Regional Council give consideration to changing the road name in our LGA (Local Government Area).

The figure below is the location of both Cobbora Roads in question and their distance from each other.



## CONSULTATION

Council wrote to the 48 property owners whose properties are adjacent to Cobbora Road, seeking their opinion as to whether Council should change the road name and, if they were in favour, what name would they suggest. A questionnaire and prepaid envelope was attached.

A total of 26 responses were received with 22 in favour of the name change and four against. As the majority of responses were in favour, Council will now move forward with the processing of renaming Cobbora Road in our LGA.

A number of suggestions were received and following consultation with the NSW Geographical Names Board the suggestions below are deemed not suitable for the proposed road name.

- Dunedoo Road, Comobella Road, Mitchells Creek Road and Gollan Road would be objected to due to duplication.
- Courts Road would also be objected to, as road types (such as Court) shall not be used in the formation of a road name.

Suggestions put forward and acceptable by the NSW Geographical Names Board are:

- Saxa Bridge Road;
- Saxa Road; and
- Woorimbomi Road

Council once more consulted with the 48 property owners seeking their input on the proposed new road name and attached a questionnaire and a prepaid envelope listing the above three suitable options to choose from.

A total of 32 responses were received with six selecting Saxa Bridge Road, 23 selected Saxa Road, one selected Woorimbomi Road. There were two who suggested alternative names than what was listed on the second questionnaire, these names were not considered as one was a duplicated name and as the majority of responses have been received it is considered not worth while going out to property owners again with another newly suggested name.

#### **RECOMMENDATION**

Based on the outcome of the majority of responses, it is recommended that Cobbora Road in the former Wellington Shire, be renamed Saxa Road and property owners along with Warrumbungle Shire Council be notified.



## REPORT: Lease of Land - Airport Hangar Site 16 to Dubbo Aeroclub

**AUTHOR:** Manager Airport Precinct  
**REPORT DATE:** 18 August 2019  
**TRIM REFERENCE:** ID19/1152

### EXECUTIVE SUMMARY

Following the completion of the General Aviation Expansion area of Dubbo City Regional Airport an addition eleven sites have become available for lease. As a result potential investors have requested a long term tenure on the land be offered so that they are able to achieve security and banking approvals commensurate with their investment.

The Dubbo Aeroclub were dislodged as part of the recent Airport Development, and property Services negotiated the relocation and associated works to enable the club to continue operation.

It is proposed that Dubbo Aeroclub be offered four consecutive 5 year leases for Hangar Site 16, 8 Howe Place, Dubbo, NSW 2830, to commence from 1 July 2019 for a fee of \$6 per square meter having an estimated area of 759.6 m<sup>2</sup>. It is proposed 2.5 % is to be applied annually to the lease fee.

### FINANCIAL IMPLICATIONS

The annual lease income will be allocated to the Airport Fund.

### POLICY IMPLICATIONS

There are no policy implications arising from this report.

**RECOMMENDATION**

- 1. That Council enter into 4 consecutive 5 year leases for Hangar Site 16 at Dubbo City Regional Airport commencing on 1 July 2019 with Dubbo Aeroclub, with the second, third and fourth lease commencing upon the expiry of the previous lease, until its expiry on 30 June 2039, with all four (4) leases signed at the commencement of the first lease.**
- 2. That all documentation in relation to this matter be executed under Power of Attorney.**
- 3. That the legal fees associated with the preparation of the lease be borne by the lessee.**

*Jacki Parish*  
Manager Airport Precinct

## BACKGROUND

Dubbo City Regional Airport General Aviation (GA) Hangars sites had been fully leased and future investment in GA Expansion was restricted due to the fact that the airport did not have any developed sites with the appropriate services available for future investment.

Successful grant funding through the National Stronger Regions Round 3 has allowed for a total infrastructure investment of \$8.11 million to expand the Dubbo City Regional Airport General Aviation, Expansion and Aeromedical Facility. Part of this expansion involved the release of eleven (11) new Hangar sites for development, refer to the Airport Development Plan attached as **Appendix 1**.

## REPORT

Construction of the GA component of the project commenced in early 2018 and practical completion was achieved in March 2019. This project included the construction of an additional, and extension of the existing, public access road, two cul-de-sacs, taxiways, bulk earthworks, lot filling, provision of utilities, and other associated infrastructure works. Utilities include stormwater infrastructure, water mains, sections of gravity sewer, and a pressure sewer system. On completion this site provides an additional ten (10) new hangars lots available for lease to private and business customers.

The eleventh (11th) hangar site was allocated to the Dubbo Aeroclub as part of the relocation and re-instatement negotiations. The Dubbo Aeroclub were dislodged as part of the recent Airport Development involving the RFS Training Academy and proposed Police Training Facility. Council's Property Services and Building Infrastructure Leadership Team (BILT) negotiated the relocation and associated works to enable the club to continue operation.

Dubbo Aeroclub have requested a long term tenure on the land, to ensure longevity and provide security for club members. This quest for security in location is consistent with future potential hangar investors.

All lots have undergone site surveys and subdivision (boundary Adjustment) of Lot 152 DP 1235260 is underway. An assessment and analysis of the hangar sites has been completed by property services division within Council and this assessment has resulted in the agreed rate of \$4 per square meter for larger lots and \$6 per square meter for the smaller lots. This rate is consistent with other hangar sites within Regional Australia.

It is proposed that Dubbo Aeroclub be offered 4 consecutive 5 year leases, commencing 1 July 2019 for Hangar Site 16, 8 Howe Place, Dubbo, NSW 2830 for a fee of \$6 per square meter having an estimated area of 759.6m<sup>2</sup>. It is proposed 2.5 % is to be applied annually to the lease fee.

Appendices:

[1](#) Airport Development Plan







## **REPORT: Lease of Land - Airport Hangar Site 17 to Mick Robinson**

**AUTHOR:** Manager Airport Precinct  
**REPORT DATE:** 18 August 2019  
**TRIM REFERENCE:** ID19/1151

### **EXECUTIVE SUMMARY**

Following the completion of the General Aviation Expansion area of Dubbo City Regional Airport an addition eleven sites have become available for lease. As a result potential investors have requested a long term tenure on the land be offered so that they are able to achieve security and banking approvals commensurate with their investment.

It is proposed that Mr Mick Robinson be offered four consecutive 5 year leases for Hangar Site 17, 6 Howe Place, Dubbo, NSW 2830 to commence in September 2019 for a lease fee of \$6 per square metre having an estimated area of 765m<sup>2</sup>, plus an annual contribution of \$1,300 to apron construction. It is proposed 2.5 % is to be applied annually to the lease fee.

### **FINANCIAL IMPLICATIONS**

The annual lease income will be allocated to the Airport Fund.

### **POLICY IMPLICATIONS**

There are no policy implications arising from this report.

### **RECOMMENDATION**

- 1. That Council enter into 4 consecutive 5 year leases for Hangar Site 17 at Dubbo City Regional Airport commencing in September 2019 with Mr Mick Robinson until its expiry on 31 August 2039, with the second, third and fourth lease commencing upon the expiry of the previous lease, with all four (4) leases signed at the commencement of the first lease.**
- 2. That all documentation in relation to this matter be executed under Power of Attorney.**
- 3. That the legal fees associated with the preparation of the lease be borne by the lessee.**

*Jacki Parish*  
Manager Airport Precinct

## BACKGROUND

Dubbo City Regional Airport General Aviation (GA) Hangars sites had been fully leased and future investment in GA Expansion was restricted due to the fact that the airport did not have any developed sites with the appropriate services available for future investment.

Successful grant funding through the National Stronger Regions Round 3 has allowed for a total infrastructure investment of \$8.11 million to expand the Dubbo City Regional Airport General Aviation, Expansion and Aeromedical Facility. Part of this expansion involved the release of eleven (11) new Hangar sites for development, refer to the Airport Development Plan attached as **Appendix 1**.

## REPORT

Construction of the GA component of the project commenced in early 2018 and practical completion was achieved in March 2019. The project included the construction of an additional, and extension of the existing, public access road, two cul-de-sacs, taxiways, bulk earthworks, lot filling, provision of utilities, and other associated infrastructure works. Utilities included stormwater infrastructure, water mains, sections of gravity sewer, and a pressure sewer system. On completion this site provides an additional ten (10) new hangars lots available for lease to private and business customers. The eleventh (11th) hangar site was allocated to the Dubbo Aeroclub as part of the relocation negotiations to make way for the multiple expansion projects that were being undertaken simultaneously within the airport GA Precinct. Council staff have been consulting with various interested stakeholders in the allocation of Hangar site leases. The enquiries have been managed and offered to investors on a first in first served basis.

In addition to this, airport management required the new leasee's to construct a sealed apron with specific engineering specifications associated with the Code A aircraft. It was deemed appropriate, more cost effective and quality controlled for Council to construct and build the aprons at the same time the adjacent taxiway was under construction. The cost of apron construction per hangar site is proposed to be recovered over the period of the lease.

As a result potential investors have requested a long term tenure on the land, which is consistent with their investment. All lots have undergone site surveys and subdivision (boundary Adjustment) of Lot 152 DP 1235260 is underway. An assessment and analysis of the hangar sites has been completed by property services division within Council and this assessment has resulted in the agreed rate of \$4 per square meter for larger lots and \$6 per square meter for the smaller lots. This rate is consistent with other hangar sites within Regional Australia.

It is proposed that Mr Mick Robinson be offered 4 consecutive 5 year leases, commencing in September 2019 for Hangar Site 17, 6 Howe Place, Dubbo, NSW 2830 for a fee of \$6 per square meter having an estimated area of 765m<sup>2</sup> plus an annual contribution of \$1,300 to apron construction. It is proposed 2.5 % is to be applied annually to the lease fee.

Appendices:

1 [↓](#) Airport Development Plan







## **REPORT: Lease of Land - Airport Hangar Site 18 to Rowan Molnar**

**AUTHOR:** Manager Airport Precinct  
**REPORT DATE:** 18 August 2019  
**TRIM REFERENCE:** ID19/1149

### **EXECUTIVE SUMMARY**

Following the completion of the General Aviation Expansion area of Dubbo City Regional Airport an addition eleven sites have become available for lease. As a result potential investors have requested a long term tenure on the land be offered so that they are able to achieve security and banking approvals commensurate with their investment.

It is proposed that Mr Rowan Molnar be offered four consecutive 5 year leases for Hangar Site 18, 4 Howe Place, Dubbo, NSW, 2830 to commence 2 September 2019 for a lease fee of \$6 per square meter having an estimated area of 850 m<sup>2</sup>, plus an annual contribution of \$1,300 to apron construction. It is proposed 2.5 % is to be applied annually to the lease fee.

### **FINANCIAL IMPLICATIONS**

The annual lease income will be allocated to the Airport Fund.

### **POLICY IMPLICATIONS**

There are no policy implications arising from this report.

### **RECOMMENDATION**

- 1. That Council enter into 4 consecutive 5 year leases for Hangar Site 18 at Dubbo City Regional Airport commencing in September 2019 with Mr Rowan Molnar until its expiry on 31 August 2039, with the second, third and fourth lease commencing upon the expiry of the previous lease, with all four (4) leases signed at the commencement of the first lease.**
- 2. That all documentation in relation to this matter be executed under Power of Attorney.**
- 3. That the legal fees associated with the preparation of the lease be borne by the lessee.**

*Jacki Parish*  
Manager Airport Precinct

## BACKGROUND

Dubbo City Regional Airport General Aviation (GA) Hangars sites had been fully leased and future investment in GA Expansion was restricted due to the fact that the airport did not have any developed sites with the appropriate services available for future investment.

Successful grant funding through the National Stronger Regions Round 3 has allowed for a total infrastructure investment of \$8.11 million to expand the Dubbo City Regional Airport General Aviation, Expansion and Aeromedical Facility. Part of this expansion involved the release of eleven (11) new Hangar sites for development, refer to the Airport Development Plan attached as **Appendix 1**.

## REPORT

Construction of the GA component of the project commenced in early 2018 and practical completion was achieved in March 2019. The project included the construction of an additional, and extension of the existing, public access road, two cul-de-sacs, taxiways, bulk earthworks, lot filling, provision of utilities, and other associated infrastructure works. Utilities included stormwater infrastructure, water mains, sections of gravity sewer, and a pressure sewer system. On completion this site provides an additional ten (10) new hangars lots available for lease to private and business customers. The eleventh (11th) hangar site was allocated to the Dubbo Aeroclub as part of the relocation negotiations to make way for the multiple expansion projects that were being undertaken simultaneously within the airport GA Precinct. Council staff have been consulting with various interested stakeholders in the allocation of Hangar site leases. The enquiries have been managed and offered to investors on a first in first served basis.

In addition to this, airport management required the new leasee's to construct a sealed apron with specific engineering specifications associated with the Code A aircraft. It was deemed appropriate, more cost effective and quality controlled for Council to construct and build the aprons at the same time the adjacent taxiway was under construction. The cost of apron construction per hangar site is proposed to be recovered over the period of the lease.

As a result potential investors have requested a long term tenure on the land, which is consistent with their investment. All lots have undergone site surveys and subdivision (boundary Adjustment) of Lot 152 DP 1235260 is underway. An assessment and analysis of the hangar sites has been completed by property services division within Council and this assessment has resulted in the agreed rate of \$4 per square meter for larger lots and \$6 per square meter for the smaller lots. This rate is consistent with other hangar sites within Regional Australia.

It is proposed that Mr Rowan Molnar be offered 4 consecutive 5 year leases, commencing in September 2019 for Hangar Site 18, 4 Howe Place, Dubbo, NSW ,2830 for a fee of \$6 per square meter having an area of estimated 850m<sup>2</sup> plus an annual contribution of \$1,300 to apron construction. It is proposed 2.5 % is to be applied annually to the lease fee.



Appendices:

1  Airport Development Plan





## **REPORT: Lease of Land - Airport Hangar Site 19 to David Treacey**

**AUTHOR:** Manager Airport Precinct  
**REPORT DATE:** 18 August 2019  
**TRIM REFERENCE:** ID19/1150

### **EXECUTIVE SUMMARY**

Following the completion of the General Aviation Expansion area of Dubbo City Regional Airport an addition eleven sites have become available for lease. As a result potential investors have requested a long term tenure on the land be offered so that they are able to achieve security and banking approvals commensurate with their investment.

It is proposed that Dr David Treacey be offered four consecutive 5 year leases for Hangar Site 19, 2 Howe Place, Dubbo, NSW 2830 to commence from 2 September 2019 for a lease fee of \$6 per square meter having an estimated area of 850 m<sup>2</sup>, plus an annual contribution of \$1,300 to apron construction. It is proposed 2.5 % is to be applied annually to the lease fee.

### **FINANCIAL IMPLICATIONS**

The annual lease income will be allocated to the Airport Fund.

### **POLICY IMPLICATIONS**

There are no policy implications arising from this report.

### **RECOMMENDATION**

- 1. That Council enter into 4 consecutive 5 year leases for Hangar Site 19 at Dubbo City Regional Airport commencing on 2 September 2019 with Dr David Treacey until its expiry on 31 August 2039, with the second, third and fourth lease commencing upon the expiry of the previous lease, with all four (4) leases signed at the commencement of the first lease.**
- 2. That all documentation in relation to this matter be executed under Power of Attorney.**
- 3. That the legal fees associated with the preparation of the lease be borne by the lessee.**

*Jacki Parish*  
Manager Airport Precinct

## BACKGROUND

Dubbo City Regional Airport General Aviation (GA) Hangars sites had been fully leased and future investment in GA Expansion was restricted due to the fact that the airport did not have any developed sites with the appropriate services available for future investment.

Successful grant funding through the National Stronger Regions Round 3 has allowed for a total infrastructure investment of \$8.11 million to expand the Dubbo City Regional Airport General Aviation, Expansion and Aeromedical Facility. Part of this expansion involved the release of eleven (11) new Hangar sites for development, refer to the Airport Development Plan attached as **Appendix 1**.

## REPORT

Construction of the GA component of the project commenced in early 2018 and practical completion was achieved in March 2019. The project included the construction of an additional, and extension of the existing, public access road, two cul-de-sacs, taxiways, bulk earthworks, lot filling, provision of utilities, and other associated infrastructure works. Utilities included stormwater infrastructure, water mains, sections of gravity sewer, and a pressure sewer system. On completion this site provides an additional ten (10) new hangars lots available for lease to private and business customers. The eleventh (11th) hangar site was allocated to the Dubbo Aeroclub as part of the relocation negotiations to make way for the multiple expansion projects that were being undertaken simultaneously within the airport GA Precinct. Council staff have been consulting with various interested stakeholders in the allocation of Hangar site leases. The enquiries have been managed and offered to investors on a first in first served basis.

In addition to this, airport management required the new leasee's to construct a sealed apron with specific engineering specifications associated with the Code A aircraft. It was deemed appropriate, more cost effective and quality controlled for Council to construct and build the aprons at the same time the adjacent taxiway was under construction. The cost of apron construction per hangar site is proposed to be recovered over the period of the lease.

As a result potential investors have requested a long term tenure on the land, which is consistent with their investment. All lots have undergone site surveys and subdivision (boundary Adjustment) of Lot 152 DP 1235260 is underway. An assessment and analysis of the hangar sites has been completed by property services division within Council and this assessment has resulted in the agreed rate of \$4 per square meter for larger lots and \$6 per square meter for the smaller lots. This rate is consistent with other hangar sites within Regional Australia.

It is proposed that Dr David Treacey be offered 4 consecutive 5 year leases, commencing 2 September 2019 for Hangar Site 19, 2 Howe Place, Dubbo, NSW 2830 for a fee of \$6 per square meter having an estimated area of 850 m<sup>2</sup> plus an annual contribution of \$1,300 to apron construction. It is proposed 2.5 % is to be applied annually to the lease fee.

Appendices:

1 [↓](#) Airport Development Plan







## **REPORT: Acquisition of existing road at 145R Coolbaggie Forest Road, Eumungerie**

**AUTHOR:** Manager Property Assets  
**REPORT DATE:** 7 August 2019  
**TRIM REFERENCE:** ID19/1100

### **EXECUTIVE SUMMARY**

At the rural property 145R Coolbaggie Forest Road, the road dissects the property on a curved alignment rather than following the assigned Crown Road corridor. The road has been constructed on this alignment for in excess of 50 years though the land in which the road is situated is still privately owned.

The acquisition by Council of this road alignment will result in this section of Coolbaggie Forest Road being dedicated as public road and no longer be part of the privately owned rural property.

### **FINANCIAL IMPLICATIONS**

Costs associated with the acquisition of this road are to be funded from the Rural Roads Function.

### **POLICY IMPLICATIONS**

There are no policy implications arising from this report.

### **RECOMMENDATION**

- 1. That Council acquire that portion of Lot 36 DP 752579 in which Coolbaggie Forest Road is situated, for \$3,200 exc. GST.**
- 2. That Council reimburse the landowner's legal fees up to the value of \$2,000 (inc. GST) in relation to such acquisition by Council.**
- 3. That Council be responsible for all surveying and plan registration costs in relation to the road corridor acquisition.**
- 4. That the road corridor be dedicated as Public Road at the time of plans registration with NSW Land Registry Services.**
- 5. That all documentation in relation to this matter be executed under Power of Attorney.**

*Simon Tratt*  
Manager Property Assets



## BACKGROUND

In March 2019 Council planning staff met with the owner of the rural land at 145R Coolbaggie Forest Road to confirm that the alignment of the actual road was located on his private farmland.

An independent valuation was prepared for Council which valued that road corridor at \$3,200 exc. GST.

## REPORT

Council has engaged a local surveying firm to prepare a plan of survey that details the alignment of the 465 lineal metres of road, including any additional road verges that would be required to achieve the correct road radius if that section of Coolbaggie Forest Road was ever upgraded in the future.

The land owner has agreed to sell the road corridor at the price arrived at in the valuation report. Council staff have also agreed to reimburse the land owner up to \$2,000 inc. GST for legal fees he will incur in relation to this road acquisition. The agreement with the land owner is subject to a Council resolution.

The plan of survey is included as **Appendix 1**.



**Image 1.** Section of Coolbaggie Forest Road corridor to be acquired highlighted in blue

**SUMMARY**

The acquisition of this section of privately owned land will correct a longstanding anomaly and will result in the subject corridor being dedicated as public road.

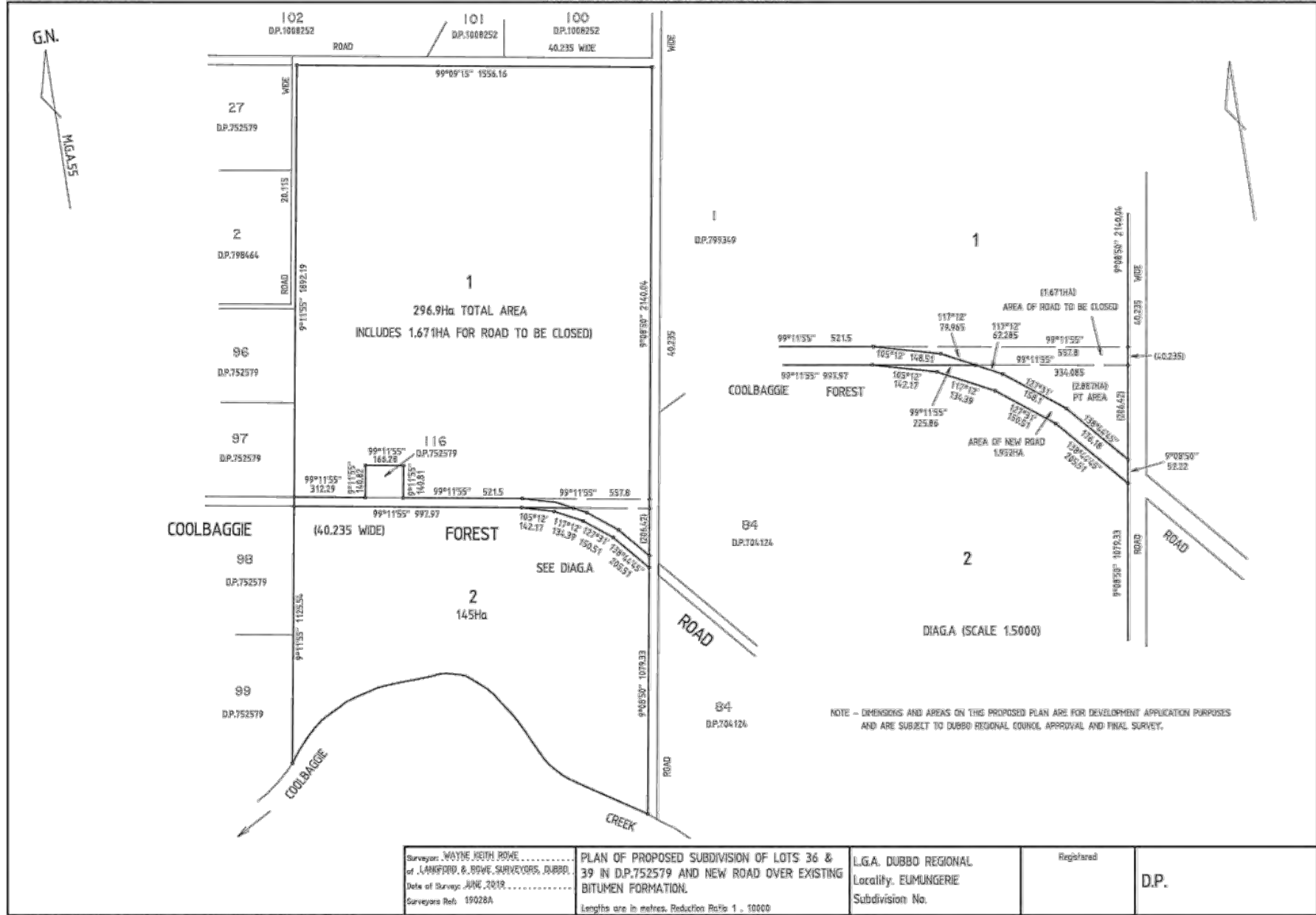
Appendices:

[1↓](#) Road acquisition - 145R Coolbaggie Forest Road - Plan of Survey

PLAN FORM 2 (APPROVED FORM 3)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

SHEET 1 OF 1 SHEETS



Surveyors: WAYNE KEITH ROWE of LANFORD & ROWE SURVEYORS, DUBBO. Date of Survey: JUNE, 2018 Surveyors Ref: 15028A	PLAN OF PROPOSED SUBDIVISION OF LOTS 36 & 39 IN D.P. 752579 AND NEW ROAD OVER EXISTING BITUMEN FORMATION. Lengths are in metres. Reduction Ratio 1 : 10000	L.G.A. DUBBO REGIONAL Locality: EUMUNGIERIE Subdivision No.	Registered	D.P.
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## REPORT: Sunnyside Road Opening - Locality of Jones Creek

**AUTHOR:** Property Development Officer  
**REPORT DATE:** 12 August 2019  
**TRIM REFERENCE:** ID19/1115

### EXECUTIVE SUMMARY

In 2012 Council entered into a 'Change of Vesting' agreement with NSW Department of Primary Industries – Crown Lands, and Geoffrey and Margaret Chad, the owners of an agricultural property in the Parish of Erskine, approximately 22.3 kilometres north east of Dubbo.

The agreement was made for Council to open a road reserve over Sunnyside Road (previously known as Findlays Road) over Chads land (Lot 21 DP 588497), and for Crown Lands to close and 'vest' two unformed crown road reserves into Council's ownership for Council's further disposal to the Chads as compensation for opening of the Sunnyside road reserve.

The agreement remains in Council's interest to pursue. Opening the Sunnyside road reserve will be of benefit to Council because it will provide Council with secure tenure for the road, and enable it to more confidently administer its maintenance and reconstruction responsibilities. It is also in Council's interests because it will enable Council to assist in the rationalisation of crown roads in the area and assist a local agricultural family to improve their property.

To this end it is recommended that Council resolve to support the execution of the "change of vesting" agreement, the opening of the road reserve for Sunnyside Road over Lot 21 DP 588497, and the payment of costs required to execute the matter.

### FINANCIAL IMPLICATIONS

The 'change of vesting' agreement will require Council to pay for the preparation and registration of necessary survey plans, and for a Deed of Agreement to be drafted. In this regard the costs that Council would incur would be in the order of \$8,000.00 plus GST.

Crown Lands and the Chads would be responsible for their own legal costs in relation to the matter.

### POLICY IMPLICATIONS

There are no policy implications arising from this report.

**RECOMMENDATION**

- 1. That Council execute the 'change of vesting' agreement outlined in Department of Primary Industries letter dated 1 November 2012.**
- 2. That Council open a public road reserve for Sunnyside Road (formerly Findlays Road) over Lot 21 DP 588497 as required by the agreement.**
- 3. That Council dispose of future closed roads 1e and 1f to Mr Geoffrey and Margaret Chad or their successors, being the owners of Lot 21 DP 588497, following their vesting to Council by the crown.**
- 4. That Council dispose of future closed roads 1e and 1f to Mr Geoffrey and Margaret Chad or their successors, for a 'Nil' sale price as compensation for Council opening the public road reserve for Sunnyside Road over Lot 21 DP 588497.**
- 5. That each party be responsible for their own legal expenses.**
- 6. That all documentation in relation to the matter be executed under Power of Attorney.**

*Alex Noad*  
Property Development Officer

## BACKGROUND

In 2012 Council entered into a 'Change of Vesting' agreement with NSW Department of Primary Industries – Catchments and Lands (Crown Lands), and Geoffrey and Margaret Chad, the owners of "Tara" an agricultural property in the Parish of Erskine, approximately 22.3 kilometres north east of Dubbo.

The agreement was made for Council to open a road reserve over Sunnyside Road (previously known as Findlays Road) which it maintains over Chads land (Lot 21 DP 588497), and for Crown Lands to close and 'vest' two unformed crown road reserves into Councils ownership for Council's further disposal to the Chads as compensation for their land lost in the opening of the Sunnyside road reserve.

The 'Change of Vesting' agreement is outlined in the Crown Lands Letter to Council dated 1 November 2012 and associated Diagram A, included as **Appendix 1** to this report.

## REPORT

To date the vesting agreement remains outstanding because Council has not opened the road Sunnyside Road reserve.

Opening the road reserve has now become critical because Crown Lands need to close off the project which has been active for seven years, and because the Chads now need to complete their farm succession plan. The closure of the two crown roads (1e and 1f), their vesting to Council by the crown, and Council's future disposal of the closed roads to the Chads is essential for their farm succession plan to be finalised.

Notwithstanding that the agreement is somewhat complex, the agreement and the opening of the Sunnyside road reserve is beneficial from Council's perspective because it will ensure that Council secures legal tenure over a road that it currently maintains over private land. In securing tenure, Council will be able to more confidently administer its responsibilities for the roads maintenance and its reconstruction in the future if needed, knowing that it is contained within a delineated public road reserve.

Council staff have now responded to Crown Lands and the Chads to confirm that it remains in Council's interest to pursue the vesting agreement. To this end a resolution of Council is necessary for staff to proceed further. *Local Government Act 1993 Clause 377 General Power of the Council to Delegate*, states that a Council may not delegate '(h) the...purchase, sale, exchange... of any land.' Executing the agreement will effectively result in land being exchanged and acquired between Council, Crown Lands, and the Chads.

To this end Council will need to absorb costs for the preparation and registration of the necessary survey plans for the road opening, and for a Deed of Agreement to be drafted. In this regard the costs that Council would incur would be in the order of \$8,000.00 plus GST. Both the Crown and the Chads would be responsible for their own legal costs in relation to the matter.



**SUMMARY**

In 2012 Council entered into a road closure and opening agreement with Department of Primary Industries – Crown Lands and Geoffrey and Margaret Chad that remains outstanding. The agreement requires Council to open a road reserve over Chads Lot 21 DP 588497 for Sunnyside Road; and thereafter, for the crown to close and vest two crown roads to Council, for Council to dispose of them to the Chads as compensation for the road opening.

Ultimately, opening the Sunnyside road reserve will be of benefit to Council because it will provide Council with secure tenure for the road, and enable it to more confidently administer its maintenance and reconstruction responsibilities. It is also in Council’s interests because it will enable Council to assist in the rationalisation of crown roads in the area and assist a local agricultural family in the management of their property.

To this end it is recommended that Council resolve to support the opening of the road reserve for Sunnyside Road over Lot 21 DP 588497, the execution of the “change of vesting” agreement, and the payment of costs required to execute the matter.



**Figure 1:** Location of Subject Site - Lot 21 DP 588497 containing Sunnyside Road – north east of Dubbo





Figure 2: Constructed alignment of Sunnyside Road within Lot 21 DP 588497 owned by G and M Chad. Relevant boundaries of Lot 21 outlined in green.

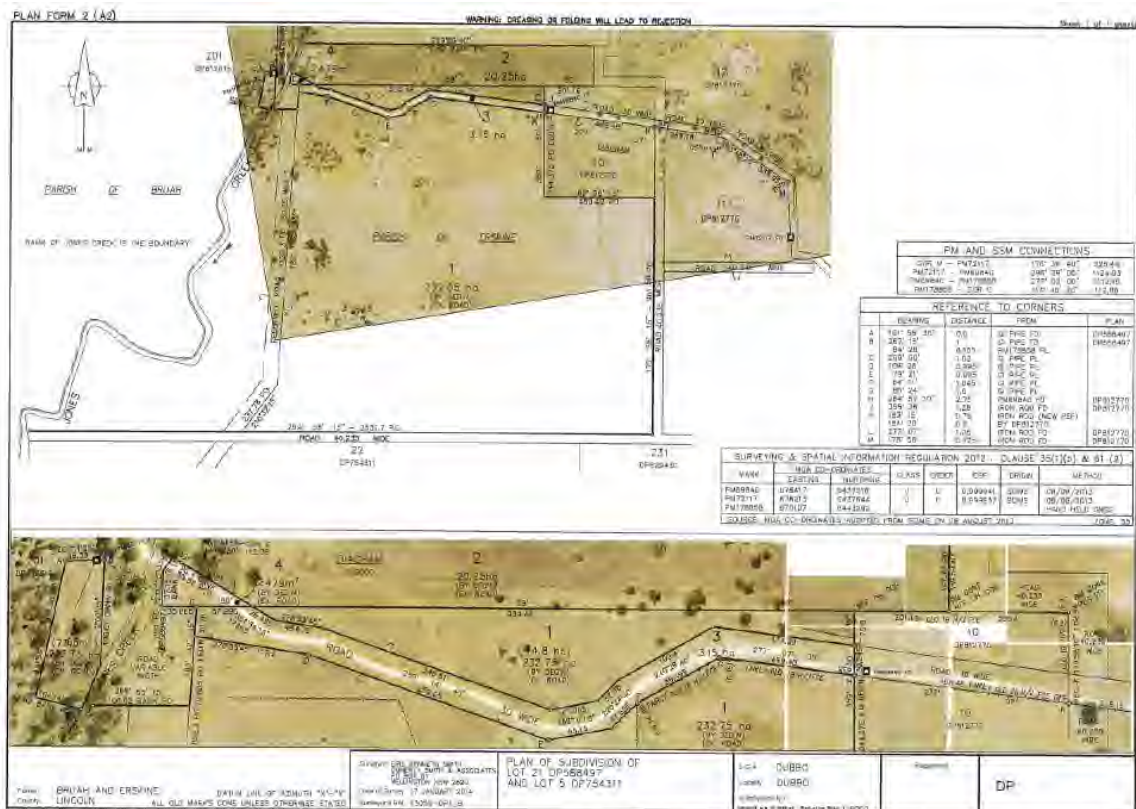


Figure 3: Plan of Subdivision for Sunnyside Road Opening – Lot 3 to be dedicated to the public (Council) as road.

Appendices:

1 [↓](#) “Change of Vesting” Agreement – Crown lands Letter 1 November 2012



Department of  
Primary Industries  
Catchments & Lands

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[www.lands.nsw.gov.au](http://www.lands.nsw.gov.au)

The General Manager  
Dubbo City Council  
PO Box 81  
DUBBO NSW 2830

Attention: Steve Clayton

1<sup>st</sup> November 2012

Dear Sir/Madam

**Re: 'Change of Vesting' to benefit Dubbo City Council required for part of the proposed Road Closing Application W399523, Parish of Erskine, County of Lincoln, near Jones Creek**

Approval has been given by the Department for the 'Change of Vesting' to allow the formalising of the section of road, see highlighted GREEN on Diagram "A", which is maintained by Council, which links to a Council road, (being the continuation of Findlay's Road).

This subject road is a 'Track-in-use', used by landholders to the south-east of Jones Creek Road.

The Department will consent to the closure of the roads highlighted on Diagram "A" subject to the following:-

Dubbo City Council will be required to Survey the road shown green on Diagram "A".

1. Crown road shown LIGHT BLUE and noted 1e & 1f (area calculated 4.3559 ha, which is approximately the same area as the road shown GREEN, being approx. 3.8407 ha subject to Survey, see Appendix "A"), vest in Dubbo City Council as operational land upon closure, so that it may be given in compensation for the land acquired from Lot 21 DP 588497 for Public Road.
2. Remaining Crown roads shown RED and noted 1a, 1b, 1c & 1d within Application W399523, see Appendix "A", be offered for purchase to GJ, MA & CJ Chad.
3. Other Crown roads within this Application, see road coloured DARK BLUE and noted 2, be offered to the Title holder of Lot 231 DP829430 for purchase.

☒ Points 2 & 3 are subject to Dubbo City Council formalising the section of road shown GREEN on Diagram "A", by a Road Opening process.

- Evidence of Registered Road Opening over this subject road will be required to be provided to the Department before this case can proceed.

If I can be of further assistance, please do not hesitate to contact me.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Virginia Birks".

Virginia Birks  
Property Management Officer (Roads)  
Catchment and Lands, Dubbo







## **REPORT: Road Closure of Part Fitzroy Street adjacent to Council's Lot 10 DP 258615 and Land Disposal Agreement - 1 Johnson Street, North Dubbo**

**AUTHOR:** Property Development Officer  
**REPORT DATE:** 12 August 2019  
**TRIM REFERENCE:** ID19/1119

### **EXECUTIVE SUMMARY**

At the Ordinary Council meeting of 26 February 2018 Council resolved:

*“That Council pursue the closure of two (2) portions of road adjoining 1 and 2 Johnson Street in North Dubbo; and, the disposal of the closed road lots to the owners of these adjoining properties in conjunction with respective portions of Council’s Lot 10 DP 258615 once it was prepared (subdivided) for sale.”*

Consistent with the adopted recommendations, Council staff have now undertaken the road closure notification processes required with no objections being received from the public or from Crown Lands. In addition Council staff have procured independent property valuations as required, and made a disposal agreement with Mr Temesvary for his purchase of the lands adjoining his land 1 Johnson Street (Lot 13 DP 816293).

Mr Temesvary has agreed to purchase the lands adjoining 1 Johnson Street for \$130,000 excluding GST, with a 5% deposit, subject to Council undertaking all necessary planning, surveying and legal processes and costs to consolidate the lands with his as Council requires. Mr Temesvary will be responsible for his own legal and financial costs in the matter.

It is now recommended that the closure of the subject roads and the subdivision of Lot 10 DP 258615 be executed, and that the disposal agreement made with Mr Temesvary be approved.

### **FINANCIAL IMPLICATIONS**

Execution of the road closure and land disposal agreement with Mr Temesvary will result in Council receiving a net economic benefit of approximately \$110,000. The disposal of the lands as agreed will raise \$130,000 excluding GST, but will cost an estimated \$20,000 for Council to complete. Mr Temesvary will be responsible for his own legal and financial costs in the matter.

**POLICY IMPLICATIONS**

There are no policy implications arising from this report.

**RECOMMENDATION**

1. That Council execute the closure of the two (2) portions of road fronting Fitzroy Street, adjoining 1 and 2 Johnson Street, North Dubbo, into two (2) lots, and to classify them as operational land upon closure.
2. That Council execute the subdivision of Lot 10 DP 258615 into two (2) lots, and to classify them as operational land upon creation.
3. That Council dispose of the northern closed road lot and the northern lot created from Lot 10 DP 258615 to Mr J Temesvary, the owner of lot 13 DP 816293, for a sale price of \$130,000 plus GST as outlined in this report.
4. That each party be responsible for their own legal expenses.
5. That all documentation in relation to the matter be executed under Power of Attorney.

*Alex Noad*

Property Development Officer

## BACKGROUND

At the Ordinary Council meeting of 26 February 2018 Council resolved:

- “1. That Council consent to an application being made to the Department of Industry – Crown Lands to close the subject area of public road in Fitzroy Street to the east of LOT 10 in DP 258615, for the purpose of disposal to adjacent land owners (S and P Maroulis) and J and D Temesvary, respectively.
2. That Council prepare for sale LOT 10 in DP 258615 to the adjoining owners of LOT 8 DP 258615 and LOT 13 DP 816293 in conjunction with the closure and disposal of the redundant Fitzroy Street Road Reserve.
3. That the price of the land to be disposed of be subject to an independent valuation of all parcels being prepared and include full recovery from the purchasers of development approval and other costs to be incurred by Council in presenting the land for sale.
4. That any necessary documents be executed under the Common Seal of the Council.”

## REPORT

Council staff have now ‘applied’ to Department of Industry – Crown Lands through necessary road closure notification processes under the Roads Act 1993, procured an independent valuations, and come to a road closure and land disposal agreement with Mr Jeff Temesvary for his purchase of the subject land which adjoins his property 1 Johnson Street. (Lot 13 DP 816293).

Pursuant to the *Roads Act 1993 Part 4 Division 3 Closure of Council Public Roads by Councils*, Council is no longer required to apply directly to crown lands to close a road. Rather, Council is to undertake a road closure notification process which includes advertising in the local paper, notifying adjoining owners, notifying public authorities including Crown lands, and seeking their comments within a period of 28 days. The proposed road closure map is shown in **Figure 1** below.

The road closure was advertised in the Daily Liberal on 21 November 2018, and notified to adjoining owners and public authorities for the required period from the same date. No objections were received from the public or from any public authority including crown lands in response to this process being undertaken. In addition, no objection was received from crown lands in relation to the roads vesting in Council upon closure.

Accordingly Council may now execute the closure of the subject road portions, the subdivision of Council’s Lot 10 DP 258615 in two lots as also required, and pursue their disposal to the respective adjoining owners. In this regard an area of approximately 2457.15m<sup>2</sup> would be disposed of to Mr Temesvary subject to consolidation with his property 1 Johnson Street (Lot 13 DP 816293); and, an area of approximately 1482.84m<sup>2</sup> would be disposed of to Mr Maroulis subject to consolidation with his property 2 Johnson Street (Lot 8 DP 258615).



For the purposes of coming to appropriate disposal (sale) agreements, two independent property valuations were procured from Aspect Property dated 18 April 2019. These valuations identified a range for negotiation between \$45-90m<sup>2</sup> on the basis that one purchaser had paid high prices for similar industrial land in the area adjoining their properties in 2016, but as independent industrial lots they would have sub optimal sizes and locations which would only be appealing to speculative buyers at low prices.

Consistent with the property valuations one (1) disposal agreement has now been made with Mr Temesvary. The agreement with Mr Temesvary is that he will purchase the lands adjoining his Lot 13 DP 816293 for \$130,000 ex GST (being \$52.88m<sup>2</sup>), with a reduced 5% deposit of \$6,500.00 plus GST. In doing so Council will be responsible for undertaking all necessary planning, surveying, and legal processes and costs necessary to deliver the lands and consolidate them with his Lot 13 DP 816293 as Council requires. Mr Temesvary will be responsible for all his own legal and financial (mortgage adjustment) costs in relation to the matter. The Land subject to agreement with Mr J Temesvary is shown in **Figure 2** below.

It is considered that this disposal agreement represents good value for Council because it is equivalent to the \$55m<sup>2</sup> which Council receives for premium land in its own Moffatt Industrial Estate, and because it will enable Council to rationalise surplus land for a net economic benefit to Council. In this regard it is expected that Council's costs to deliver and consolidate the lands will be in the order of \$20,000, providing a return of \$110,000 to Council.

To date a disposal agreement with Mr Maroulis has not been reached and negotiations with him are ongoing. A separate report will be made to Council for approval when negotiations with him are concluded. There should be minimal additional costs for Council to deliver the remaining lands to Mr Maroulis if an additional disposal agreement can be reached with him.

#### **SUMMARY**

Mr Temesvary has agreed to purchase the lands adjoining his for \$130,000 excluding GST, with a 5% deposit, subject to Council undertaking all necessary planning, surveying and legal processes and costs necessary to consolidate the lands with his as Council requires. Mr Temesvary will be responsible for his own legal and financial costs in the matter.

It is recommended that the closure of the subject roads and the subdivision of Council's Lot 10 DP 258615 is now be executed, and that the disposal agreement made with Mr Temesvary for the purchase and consolidation of the subject lands be approved.



Figure 1: Proposed Road Closure map notified to adjoining owners and public authorities.



Figure 2: Land subject to agreement with Mr J Temesvary: 1 Johnson Street (Lot 13 DP816293) shown in Red; Part Lot 10 DP 258615 shown in Yellow; and, Part Fitzroy Street road reserve to be closed shown in Blue. All three (3) portions are to be consolidated into one (1) lot in Mr Temesvary's ownership.



## **REPORT: Proposed Closure of Road, Sale of Land and Part Extinguishment of Easement for Drainage of Sewage, King Street Montefiores, Wellington**

**AUTHOR:** Property Development Officer  
**REPORT DATE:** 13 August 2019  
**TRIM REFERENCE:** ID19/1121

### **EXECUTIVE SUMMARY**

In 2017, Mr Hamish Creswell, the owner of 9 King Street (Lot 5 DP 1121945), Montefiores, approached Council to purchase 11 King Street (Lot 6 DP 1121945), a triangle lot owned by Council, and the adjoining unformed road head of King Street.

To date Council has resolved to support the proposal pursuant to two (2) reports and recommendations, being EDBC18/25 approved at ordinary Council Meeting of 23 April 2018, and CCL18/260 approved at Ordinary Council meeting of 10 December 2018.

Consistent with the resolutions, Council staff have now dedicated King Street as a Council 'public road', and notified the proposed road head closure to adjoining neighbours and public authorities as required under the Roads Act 1993.

No objection were received from public authorities. Two objections were received from the public relating to future traffic congestion in Montefiores, and the impact of the proposed closure on the adjoining lot to the east, owned by Mr John Gersbach and Deborah Gillmer, being 17 Queen Street (Lot 27 DP4019).

In response to the first, this report notes that King Street has been progressively closed as Montefiores has been developed and that it is now obstructed by Creswell's 9 King Street. It no longer provides an effective road connection to the north. A future connection between Melaleuca Drive and Queen Street will be suitable to accommodate future residential traffic in the area.

In response to the second, Council Staff, the Creswell's, and John Gersbach and Deborah Gillmer held a meeting on site on 17 July 2019 to find a mutually acceptable solution. At the meeting Council staff proposed an alternative diagonal boundary which reduced the frontage of the Creswell's future consolidated lot to 20 metres; provided the objectors with wider and more direct vehicle access to King Street; and enhanced the amenity for a future dwelling on the objectors 17 Queen Street. The alternative boundary was acceptable to all parties and satisfied the objectors concerns.

In addition to the above, the Creswell's have requested that the part of a redundant sewer easement which traverses the eastern boundary of their Lot 5 be extinguished. This would enable them to make more effective use of their future consolidated lot. The extinguishment of the sewer easement is supported.

Having undertaken the above actions, the closure of the road head in accordance with the alternative boundary, and the extinguishment of the redundant easement over the Creswell's 9 King Street, is now recommended to Council for approval.

#### **FINANCIAL IMPLICATIONS**

The closure of the King Street road head as per the alternative boundary and the removal of sewer easement over Creswell's Lot 5 will require additional surveying and plan registration processes to be undertaken. The costs for such surveying services will be in the order of \$4000 plus GST. These costs will be recouped in the final sale of the subject lands to the Creswell's for \$36,000 including GST as previously resolved.

#### **POLICY IMPLICATIONS**

There are no policy implications arising from this report.

#### **RECOMMENDATION**

- 1. That Council execute the closure of the King Street road head, in accordance with the alternative diagonal boundary agreed with objectors and detailed within this report.**
- 2. That Council dedicate land to the public as road in accordance with the alternative diagonal boundary agreed with the objectors and detailed within this report.**
- 3. That Council extinguish part 'easement for drainage of sewage 3 wide (s)' shown in Deposited Plan 1121945, which traverses the eastern boundary of Lot 5 DP 1121945.**
- 4. That each party be responsible for their own legal expenses.**
- 5. That all documentation in relation to this matter be executed under Power of Attorney.**

*Alex Noad*  
Property Development Officer

## BACKGROUND

In 2017, Mr Hamish Creswell, the owner of 9 King Street (Lot 5 DP 1121945), Montefiores, approached Council to purchase 11 King Street (Lot 6 DP 1121945), a triangle lot owned by Council, and the adjoining unformed road head of King Street.

To date Council has resolved to support the proposal pursuant to two (2) reports and recommendations as follows:

The Economic Development and Business Committee at its meeting on 23 April 2018 considered a report in respect of the Proposed Closure of Unformed Road and sale of Land in Montefiores (EDBC18/25). In consideration of the report the committee resolved as follows:

- “1. That Council consent to an application being lodged for the closure of the unformed King Street road head, Montefiores Estate.
2. That it be noted that pursuant to Section 38(2) of the Roads Act, the land will vest in Council upon closure and classified as operational land.
3. That upon closure, the land and adjoining Lot 6 DP 1121945, be sold to the adjacent landowner, and be consolidated with his Lot 5 DP 1121945 to create one (1) lot.
4. That the subject land be sold at a price of \$36,000 inc. GST with this price including recovery of costs incurred by Council in the road closure, consolidation, and disposal of the land.
5. That any necessary documents in relation to this matter be executed under the Chief Executive Officer.”

Council at its meeting held 10 December 2018 considered a report in respect of the Dedication as Public Road – King Street Montefiores, Wellington (CCL18/260). In consideration of the report Council resolved as follows:

- “1. That pursuant to the Roads Act 1993, Clause 16, Council resolve to dedicate the subject area of land, being the north south alignment of King Street Montefiore’s, as ‘public road’.
2. That all documentation in relation to this matter be executed under Power of Attorney.”

The dedication of the north south alignment of King Street from a ‘private road’ to a ‘public road’ was a necessary step to facilitate the ultimate intention to close the road head which is now being actioned.

## REPORT

Consistent with the above resolutions and recommendations, Council staff have now registered Deposited Plan 1252106 and dedicated King Street as a Council Public Road, and undertaken the road closure notification processes required under the Roads Act 1993.

The Roads Act 1993 no longer requires a direct application to be made to the Department of Industry – Crown lands to close a road. Instead Council is to undertake the notification processes specified under Part 4 Division 3 Closure of Council Public Roads by Councils. The process requires Council to advertise the proposal in the local paper, and to notify it to adjoining owners and public authorities including crown lands for a period of 28 days.

The proposed road closure was advertised in the Daily liberal on the 5 June 2019, and notified to owners of adjoining land and the public authorities from the same date for the required submission period. Two (2) objections were received in response to the proposed closure, one from an anonymous member of the neighbourhood, and another from the adjoining owners to the east of 13-17 Queen Street, Mr John Gersbach and Ms Deborah Gillmer.

No objections to the closure were received from the public authorities including Crown Lands. In addition Crown Lands confirmed that they raised no objection to the road vesting in Council upon closure. Accordingly, Council may now execute the closure of the road subject to the public objections being suitably addressed and a Council resolution being made to proceed.

The two public objections are summarised and address in comments below as follows:

Objection 1: Anonymous:

- *The road head needs to be extended north to connect with the future extensions of Melaleuca Drive and Queen Street to prevent traffic congestion when the vacant land to the north is fully developed.*

Comment:

- Historically King Street did extend directly north between Montefiores Street and the Mitchell Highway. However it has been progressively closed by public authorities and developers as Montefiore's has developed. It is now obstructed by Mr Creswells Lot 5 DP 1121945 and does not provide an efficient connection point for future roads to the north. Any such extension would have to 'dog-leg' to Queen Street.
- Melaluca Drive and Queen Street both have road reserve widths of 20m. The extension and through connection of these road reserves will enable construction of an 8m wide sealed carriageway, the same as King Street and surrounding constructed roads. Such road extensions would suitably accommodate future residential traffic from the area.

Objection 2: Mr John Gersbach and Deborah Gillmer, owners of 13-17 Queen Street:

- *The closure as proposed would create a diagonal boundary directly in front of Deb and Johns adjoining property 17 Queen Street (Lot 27 DP 4019).*
- *The diagonal boundary would detrimentally effect vehicle access to this property (Lot 27). It would significantly limit the road frontage enjoyed by the property and make it a 'battle-axe' handle lot.*

- *The diagonal boundary would detrimentally effect the visual amenity of this property by facilitating a colorbond boundary fence and development (dwelling/shed) in front of a future dwelling (on Lot 27).*
- *A Colorbond fence on such a boundary and developments behind would obstruct views to King Street and Mt Arthur.*
- *Deb and John had previously paid the developer (Nolan) of the subdivision ~\$60,000 to complete the construction of King Street (sealing, kerb and gutter) on their side of the road.*

Comment:

- An on-site mediation meeting was held on Friday 19 July 2019 between Council Staff, Hamish and Mallory Creswell (proponents), and John Gersbach and Deborah Gillmer (objectors) to find a mutually agreeable solution.
- An alternative diagonal boundary was proposed by Council staff which reduced the size of the proposed road closure and provided an additional dedication of land to Council as public road.
- The alternative boundary would reduce the street frontage of the Creswells future consolidated lot to 20 metres, but ensure they would still have a large lot for the construction of a family dwelling and residential shed as they intend.
- The alternative boundary and road dedication would also ensure that the objectors would have much wider and more direct vehicle access to King Street and enhanced visual amenity for a future dwelling on their lot 27. A future dwelling would not be unreasonably obstructed by the construction of a colour bond boundary fence to the building line of the Creswell's future dwelling on the opposite side.
- Ultimately it was agreed that the alternative diagonal boundary would be an acceptable compromise for all parties; that it would reasonably satisfy the objectors concerns, and that Council could proceed to execute the alternative road closure plan.

In addition to the above, the Creswell's have requested that part of the 'Easement to drain sewage 3 wide (S)' shown on DP 1121945 which traverses the eastern boundary of their Lot 5 be extinguished by Council. This would enable them to make more effective use of their future consolidated lot to construct their family dwelling and position a residential shed at the back of the property where it would be most appropriately located.

The extinguishment of the sewer easement is supported. The subject part of the easement does not contain infrastructure services and was included in Deposited Plan 1121945 in anticipation of King Street road head being closed and created as its own residential lot in Council's ownership. The above resolutions of Council to close the road head and dispose of it with Council's adjoining Lot 6 DP 1121945 to the Creswell's for inclusion into the future consolidated lot which is a better urban development outcome, now mean that the part sewer easement is redundant and may be extinguished.



It is noted that under DP 1121945, Wellington Council is the only body benefited by the easement. As such Dubbo Regional Council has the power to release, vary, modify, or extinguish the easement as required. Only part of the easement is proposed to be extinguished to ensure that the adjoining property to the east 19 Queen Street retains access to the sewer easement for the future.

**SUMMARY**

Having regard to the above recommendations, responses and actions by Council Staff, it is now recommended that Council resolve to execute the closure of the King Street road head as per the alternative diagonal boundary agreed between all parties, and resolve to extinguish the redundant sewer easement which traverses the eastern boundary of the Creswell's Lot 5 DP 1121945.



**Figure 1:** Montefiores locality showing Creswell's 9 King Street (Lot 5 DP 1121945)

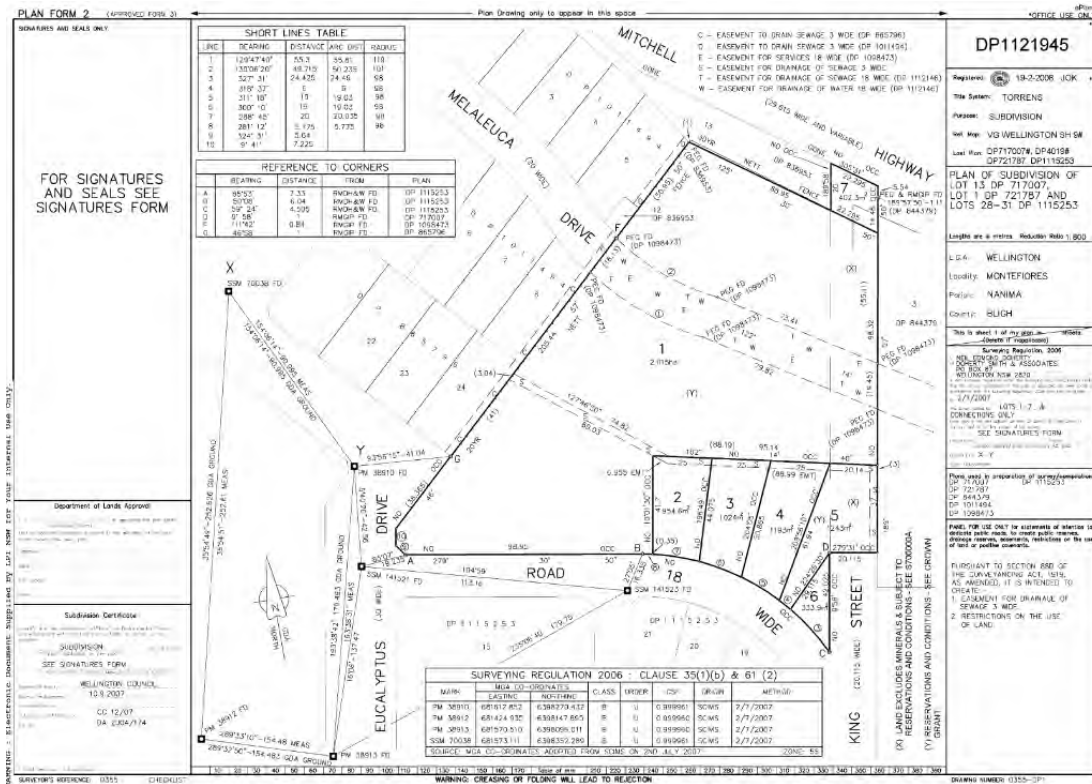


Figure 2: Deposited Plan 1121945 showing Creswell's Lot 5, Council's triangle Lot 6, and King Street Road Head proposed to be closed.

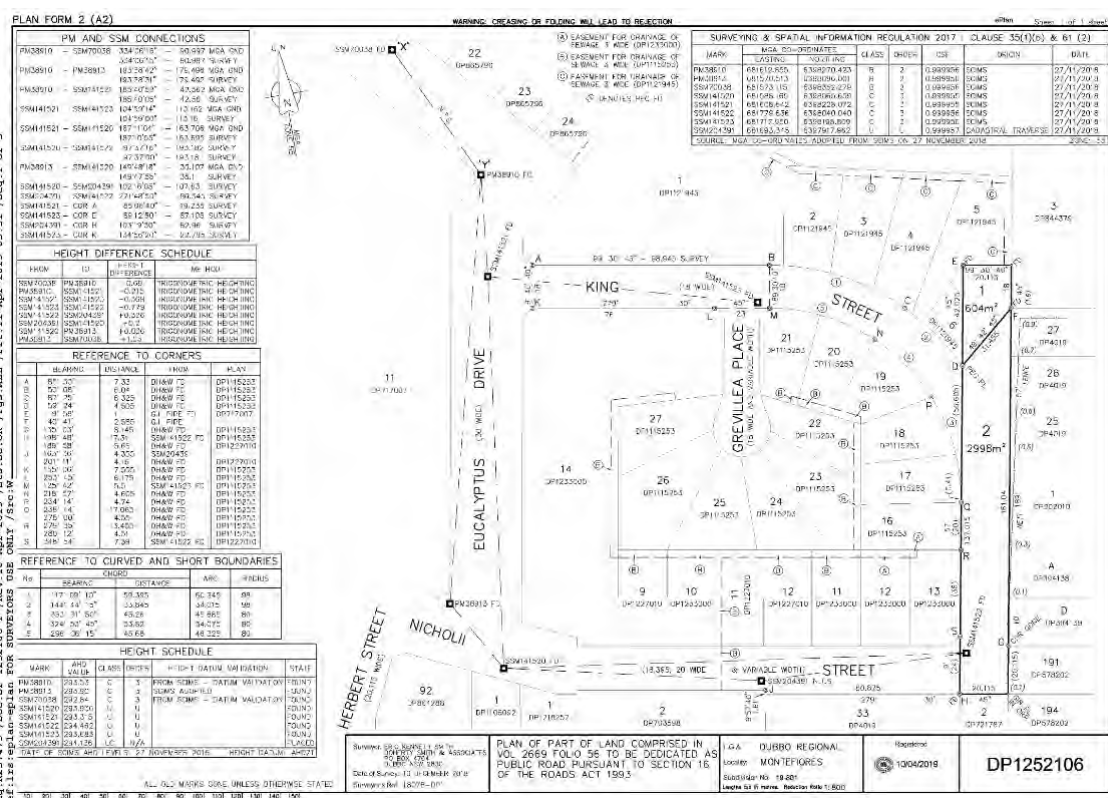


Figure 3: Deposited Plan 1252106 recently registered to open King Street as a 'Public Road' pursuant to CCL18/260.





**Figure 4:** Proposed Road Closure Map as notified to adjoining owners and public authorities from 5 June 2019 showing originally proposed closure of road head (Lot 1 DP 1252106).



**Figure 5:** Consolidated lot resolved to be created for Creswell’s pursuant to EDBC18/25, incorporating whole Council’s triangle Lot 6 DP1121945, and originally proposed closure of road head.





**Figure 6:** Reduced consolidated lot now proposed to be created for Creswell's (shown in Orange) incorporating alternative diagonal boundary as agreed at on site mediation meeting with John Gersbach and Deborah Gillmer (objectors) on 19 July 2019. Gersbach and Gilmer's 17 Queen Street, lot 27 DP 4019, shown in Yellow).



**Figure 7:** Proposed part sewer easement extinguishment and additional road dedication (Part sewer easement to be retained shown in Orange; Part sewer easement to be extinguished shown in Red; Additional land to be dedicated as public road shown in Blue).