



REPORT ORDINARY COUNCIL MEETING 9 FEBRUARY 2023

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

ALSO IN ATTENDANCE:

The Chief Executive Officer, the Director Organisational Performance, the Manage Corporate Governance, the Governance Team Leader, two Governance Officers, the Revenue Accountant Financial Operations, the Director Strategy, Partnerships and Engagement, the Communication Services Team Leader, the Director Development and Environment, the Manager Growth Planning, the Director Infrastructure and the Director Community, Culture and Places.

Councillor M Dickerson assumed the Chair of the meeting.

The proceedings of the meeting commenced at 5.30pm at the Wellington Administration Building, Council Chamber, with a prayer for Divine Guidance to the Council in its deliberations and activities read by Councillor J Gough. The welcome to country was given by Councillor L Burns.

CCL23/1 LEAVE OF ABSENCE (ID23/17)

There were no leave of absence received.

Councillor M Wright via Teams link.

CCL23/2 CONFLICT OF INTEREST (ID23/18)

There were no conflicts declared

CCL23/3 PUBLIC FORUM (ID23/19)

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

- Mr Graham Whitley on behalf of Rosalee Whiteley – regarding Wellington Aquatic Leisure Centre
- Mr Mark Griggs – Australia Day
- Mr Mike Augee – Wellington Caves
- Ms Kevena Unwin – Cameron Park

- Mr Mark Conn - Multiple topics
- Mr Peter Wykes – Road conditions

CCL23/4 CONFIRMATION OF MINUTES (ID23/20)

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 8 December 2022.

Moved by Councillor S Chowdhury and seconded by Councillor J Gough

MOTION

That the minutes of the proceedings of Dubbo Regional Council at the Ordinary Council meeting held on 8 December 2022 comprising pages 6 to 26 of the series be taken as read, confirmed as correct minutes and signed by the Mayor and the Chief Executive Officer.

CARRIED

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

Against: Nil.

INFORMATION ONLY MATTERS:

CCL23/5 EXERCISE OF THE MAYOR'S FUNCTION UNDER S226(D) OF THE LOCAL GOVERNMENT ACT 1993 RELATING TO AIRPORT SECURITY SCREENING (ID23/16)

The Council had before it the report dated 6 January 2023 from the Manager Dubbo Regional Airport regarding Exercise of the Mayor's function under s226(d) of the Local Government Act 1993 relating to Airport Security Screening.

Moved by Councillor V Etheridge and seconded by Councillor L Burns

MOTION

That the report be noted.

CARRIED

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

Against: Nil.

CCL23/6 MAYORAL APPOINTMENTS AND MEETINGS (ID23/104)

The Council had before it the report dated 23 January 2023 from the Chief Executive Officer regarding Mayoral Appointments and Meetings.

Moved by Councillor S Chowdhury and seconded by Councillor R Ivey

MOTION

That the information contained in the report be noted.

CARRIED

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

Against: Nil.

CCL23/7 BUILDING SUMMARY - DECEMBER 2022 AND JANUARY 2023 (ID23/46)

The Council had before it the report dated 31 January 2023 from the Director Development and Environment regarding Building Summary - December 2022 and January 2023.

Moved by Councillor V Etheridge and seconded by Councillor L Burns

MOTION

That the report of the Director Development and Environment, dated 31 January 2023, be noted.

CARRIED

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

Against: Nil.

CCL23/8 INVESTMENT UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - DECEMBER 2022 (ID23/114)

The Council had before it the report dated 1 February 2023 from the Chief Financial Officer regarding Investment Under Section 625 of the Local Government Act - December 2022.

Moved by Councillor V Etheridge and seconded by Councillor P Wells

MOTION

That the information contained within the Investment is under Section 625 of the Local Government Act Report, dated 1 February 2023, be noted.

CARRIED

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

Against: Nil.

CCL23/9 INVESTMENT UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - JANUARY 2023 (ID23/120)

The Council had before it the report dated 1 February 2023 from the Chief Financial Officer regarding Investment Under Section 625 of the Local Government Act - January 2023.

Moved by Councillor P Wells and seconded by Councillor J Black

MOTION

That the information contained within the Investment is under Section 625 of the Local Government Act Report, dated 1 February 2023, be noted.

CARRIED

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

Against: Nil.

MATTERS CONSIDERED BY COMMITTEES:

CCL23/10 REPORT OF THE AQUATICS WORKING PARTY - MEETING 16 JANUARY 2023 (ID23/175)

The Council had before it the report of the Aquatics Working Party meeting held 16 January 2023.

Moved by Councillor J Black and seconded by Councillor S Chowdhury

MOTION

That the report of the Aquatics Working Party meeting held on 16 January 2023, be noted.

CARRIED

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

Against: Nil.

NOTICES OF MOTION:

CCL23/11 DONATIONS OF PARK BENCHES (ID23/51)

Council had before it a Notice of Motion dated 13 January 2023 from Councillor J Gough regarding the Donations of Park Benches.

Moved by Councillor J Gough and seconded by Councillor L Burns

MOTION

1. That the CEO provide a report to Council investigating the development of a Council Policy that provides the public the opportunity to plant trees, donate park benches and other approved structures or furniture, and have them dedicated to family or members of our community who have made a significant contribution.
2. That an assessment criteria for the donation to be made of seat, structure, furniture or planting of a tree be established and approved to ensure that the values and standards of our community are upheld.
3. That the associated costs in the purchase, installation and ultimate replacement of the memorial are not borne by Dubbo Regional Council.
4. That identifies that the cost in maintaining and/or replacement of the plaque remains with the family or group establishing the memorial.

CARRIED

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

Against: Nil.

CCL23/12 MOTION FOR NATIONAL LOCAL GOVERNMENT CONFERENCE (ID23/52)

Council had before it a Notice of Motion dated 13 January 2023 from Councillor S Chowdhury regarding the Motion for National Local Government Conference.

Moved by Councillor S Chowdhury and seconded by Councillor J Gough

MOTION

1. That the CEO submit the following motion to the Local Government Association for inclusion on the agenda for the National General Assembly for 2023.

“That the Federal Government undertake a scope analysis on how to actively support Regional Councils in the settlement of skilled and non-skilled migrants in the regional areas and let the councils advocate regional migration issues with the authorities”.

CARRIED

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

Against: Nil.

REPORTS FROM STAFF:

CCL23/13 AMENDMENTS TO THE DUBBO DEVELOPMENT CONTROL PLAN 2013 AND WELLINGTON DEVELOPMENT CONTROL PLAN 2013 - PROVISIONS FOR OUTBUILDINGS, SHEDS AND GARAGES (ID23/50)

The Council had before it the report dated 25 January 2023 from the Team Leader Growth Planning Projects regarding Amendments to the Dubbo Development Control Plan 2013 and Wellington Development Control Plan 2013 - Provisions for Outbuildings, Sheds and Garages.

Moved by Councillor R Ivey and seconded by Councillor V Etheridge

MOTION

- 1. That the draft amendment to the Dubbo Development Control Plan 2013 (attached in Appendix 1) and draft amendment to the Wellington Development Control Plan 2013 (attached in Appendix 2) be adopted for the purposes of public exhibition.**
- 2. That the draft amendments be placed on public exhibition for a period of not less than 28 days in accordance with the requirements of the Environmental Planning and Assessment Act 1979.**
- 3. That following completion of the public exhibition period, a further report be presented to Council for consideration, including the results of public exhibition.**

CARRIED

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

Against: Nil.

CCL23/14 DRAFT COUNCIL RELATED DEVELOPMENT APPLICATION CONFLICT OF INTEREST POLICY (ID23/3)

The Council had before it the report dated 25 January 2023 from the Manager Building and Development Services regarding Draft Council Related Development Application Conflict of Interest Policy.

Moved by Councillor P Wells and seconded by Councillor J Black

MOTION

- 1. That the draft Council-Related Development Application Conflict of Interest Policy (attached in Appendix 2) be noted and placed on public exhibition for a period of 28 days.**
- 2. That following the completion of public exhibition period, a further report be presented to Council for consideration, including the results of public exhibition.**

CARRIED

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

Against: Nil.

CCL23/15 PLANNING PROPOSAL R22-005 - 13L NARROMINE ROAD, DUBBO - PROPOSED AMENDMENTS TO LAND USE ZONE AND MINIMUM LOT SIZE (ID22/2258)

The Council had before it the report dated 23 January 2023 from the Growth Planner regarding Planning Proposal R22-005 - 13L Narromine Road, Dubbo - Proposed Amendments to Land Use Zone and Minimum Lot Size.

Moved by Councillor R Ivey and seconded by Councillor J Black

MOTION

1. That Council note the process and key steps for amending the Dubbo Regional Local Environmental Plan 2022 (attached in Appendix 1).
2. That Council endorse the planning proposal (attached in Appendix 2) to amend the Dubbo Regional Local Environmental Plan 2022 by rezoning and changing the minimum lot size area at part of 13L Narromine Road, Dubbo (Lot 22 DP1038924 and Lot 7 DP223428).
3. That Council submit the planning proposal to the NSW Department of Planning and Environment for a Gateway Determination.
4. That Council request the Chief Executive Officer (or delegate) be authorised as the Local Plan Making Authority under Section 3.36 of the Environmental Planning and Assessment Act 1979.
5. That Council support a minimum 28 days public exhibition period for the planning proposal, subject to the conditions of a Gateway Determination.
6. That following the completion of the public exhibition period, a further report be presented to Council for consideration, including the results of public exhibition.

CARRIED

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

Against: Nil.

CCL23/16 2023 NSW TOUCH FOOTBALL JUNIOR STATE CUP DUBBO (ID22/2575)

The Council had before it the report dated 5 December 2022 from the Senior Traffic Engineer regarding 2023 NSW Touch Football Junior State Cup Dubbo.

Moved by Councillor P Wells and seconded by Councillor M Wright

MOTION

That Council approval be granted for the implementation of the following temporary road closures between 5 am to 7 pm to facilitate the 2023 NSW Touch Football Junior State Cup to be held along the Macquarie River Sporting Precinct from 24 to 26 February 2023, in

accordance with Council's Traffic Guidance Scheme TM 7545 (Appendix 1):

1. Bligh Street from Bultje Street to Macquarie Street
2. South Street from Bligh Street to Tamworth Street
3. Tamworth Street from Macquarie Street west to its conclusion
4. Tamworth Street between Macquarie Street and Brisbane Street
5. Reakes Avenue from Macquarie Street to Brisbane Street
6. Sandy Beach Road and Ian Drake Drive (authorised access only).

CARRIED

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

Against: Nil.

CCL23/17 2023 WELLINGTON VINTAGE FAIR STREET PARADE (ID22/2577)

The Council had before it the report dated 5 December 2022 from the Senior Traffic Engineer regarding 2023 Wellington Vintage Fair Street Parade.

Moved by Councillor R Ivey and seconded by Councillor J Gough

MOTION

That Council approval be granted to the Rotary Club of Wellington Vintage Fair Committee to undertake the 2023 Wellington Vintage Fair Street Parade on Saturday 4 March 2023, and implement temporary road closures of the Mitchell Highway between Maughan and Lee streets from 10.00 am to approximately 11.00 am and Percy Street between Maxwell and Maughan streets from 9.00 am to 11.30 am on Saturday, 4 March 2023, subject to Transport for NSW (TfNSW) approval and conditions of Dubbo Regional Council and NSW Police as considered necessary:

- a. The Parade will be marshalled on the western side of Percy Street between Maxwell and Maughan streets at 9.00 am. The Parade will commence at 10.00 am and enter Nanima Crescent, then north through the Wellington CBD adjacent to Cameron Park, to the Warne Street roundabout and return to Percy Street. The event is to be undertaken under Police escort, in accordance with the requirements of NSW Police and approval documentation forwarded to Council for notation. Event set-up time to commence at 9.00 am with pack-down finish time at 11.30 am.
- b. The submission of a Traffic Management Plan and Traffic Control Plan to Council and NSW Police Service prior to the event date. All traffic control measures contained in the Plan are to be in accordance with the Australian Standard (AS 1742.3:2019) and TfNSW's 'Guide to Traffic Control at Worksites and approved by an accredited person. Council Traffic Control Plan TM 7241 is to be implemented for the event.
- c. The organiser is to provide Council's relevant appointed officer with a copy of the Public Liability Insurance Policy for the amount of at least \$20 million. Such policy is to note that Council, TfNSW and the NSW Police are indemnified against any possible action as a result of the Parade.

The implementation of the traffic management and traffic control is to be

- undertaken by an accredited traffic control company with personnel required to have current TfNSW certification.
- d. The applicant is responsible for all traffic control required for the event in accordance with the approved Traffic Control Plan.
 - e. The applicant is to provide Council with a formal letter of acceptance of the conditions prior to final approval.
 - f. The traffic control company is to ensure that the roadway is clear of any residue that might be deposited by participants along the Parade route.
 - g. The traffic control company is to gain approval from TfNSW for the closure and detour of the Mitchell Highway and a Road Occupancy Licence with evidence provided to Council of such conditions as warranted.
 - h. All costs associated with implementing the event are to be met by the event organiser.

CARRIED

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

Against: Nil.

CCL23/18 WATER AND SEWER FEE HARMONISATION (ID23/26)

The Council had before it the report dated 9 January 2023 from the Chief Financial Officer regarding Water and Sewer Fee Harmonisation. The Council reports that they received a presentation on this item.

Moved by Councillor J Black and seconded by Councillor S Chowdhury

Adjournment at 6.17pm to 6.26pm due to weather and storm activity and technical difficulties during a black out.

MOTION

1. That Council endorse the single tiered water tariff approach for a harmonised water and sewerage fee structure for the purposes of public engagement.
2. That Council note the inform style engagement activities proposed in the body of the report to inform the community rationale behind the preferred pricing regime.
3. That Council note a collaborative style engagement process will take place during the Public Exhibition period of Council's Draft Budget which will include that includes details of fees and charges for water and sewer.

CARRIED

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

Against: Nil.

CCL23/19 LOCAL GOVERNMENT ELECTIONS 2024 TO BE RUN BY NSW ELECTORAL COMMISSION (ID22/2504)

The Council had before it the report dated 30 November 2022 from the Manager Corporate Governance regarding Local Government Elections 2024 to be run by NSW Electoral Commission.

Moved by Councillor J Gough and seconded by Councillor S Chowdhury

MOTION

1. 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.
2. 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.
3. 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.

CARRIED

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

Against: Nil.

CCL23/20 PROPOSED ROAD CLOSURES - ROAD CORRIDORS ADJACENT TO DUBBO REGIONAL AIRPORT (ID22/2622)

The Council had before it the report dated 13 December 2022 from the Manager Commercial Strategy regarding Proposed Road Closures - Road Corridors Adjacent to Dubbo Regional Airport.

Moved by Councillor V Etheridge and seconded by Councillor P Wells

MOTION

1. That Council consent to the closure of the road corridors adjacent to the Dubbo Regional Airport.
2. That Council undertake the Roads Act Council Road Closure Process: Closing of Council Public Roads by Councils, Part 4 Division 3 of Roads Act 1993.
3. That Council provide appropriate easements for all essential Energy overhead and underground assets.
4. That Council classifies the lot as operational land pursuant to s31 of the local Government Act 1993 (NSW).
5. That all documentation in relation to this matter be signed under the Common Seal of

Council.

CARRIED

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

Against: Nil.

CCL23/21 LOCAL GOVERNMENT DISASTER RECOVERY GRANT (ID23/80)

The Council had before it the report dated 18 January 2023 from the Emergency and Risk Management Officer regarding Local Government Disaster Recovery Grant.

Moved by Councillor J Black and seconded by Councillor D Mahon

MOTION

That the report of the Local Government Recovery Grant, date 18 January 2023, be noted.

CARRIED

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

Against: Nil.

CCL23/22 QUESTIONS ON NOTICE - COUNCILLOR SHIBLI CHOWDHURY (ID23/115)

The Council had before it the report dated 27 January 2023 from the Councillor regarding Questions on Notice - Councillor Shibli Chowdhury.

CCL23/23 COMMENTS AND MATTERS OF URGENCY (ID23/21)

There were no matters recorded under this clause.

CONFIDENTIAL ITEMS

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

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

- CCL23/24 – Corporate Partnership Program – Event Attraction – Expressions of Interest
Section 10A(2)(d)(ii) – commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council
- CCL23/25 – Financial Contribution Towards Electrical Infrastructure Upgrades at the Property Previously known as Dubbo City Holiday Park
Section 10A(2)(d)(ii) – commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council
- CCL23/26 – Tender for Purchase Power Agreement – Large Electricity Sites
Section 10A(2)(d)(ii) – commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council

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

At this junction it was moved by Councillor Chowdury and seconded by Councillor Wells that the Council resolves into Closed Session, the time being 7.03 pm.

The Open Session resumed at 8.05pm.

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

CCL23/24 CORPORATE PARTNERSHIP PROGRAM - EVENT ATTRACTION - EXPRESSIONS OF INTEREST (ID22/2625)

The Council had before it the report dated 16 December 2022 from the Events and Partnerships Team Leader regarding Corporate Partnership Program - Event Attraction - Expressions of Interest.

Moved by Councillor V Etheridge and seconded by Councillor P Wells

MOTION

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

Moved by Councillor M Wright and seconded by Councillor V Etheridge

MOTION

1. That Council determine Option A and accept sponsorship from McDonalds to assist in the attraction of major events and the subsequent economic, social and cultural outcomes.
2. That the Chief Executive Officer be authorised to execute the agreement with McDonalds based on the Partnership Packages aligned with Apex Oval, East Dubbo Sporting Complex and Riverside Sporting Precinct.
3. That Council advise the proponent of the expression of interest in the Apex Oval Partnership Package that they were unsuccessful.
4. That the documents and considerations in regard to this matter remain confidential to Council.

The motion upon being put to the meeting was lost.

LOST

For: Councillors, S Chowdhury, V Etheridge, R Ivey, D Mahon, and M Wright.

Against: Councillors J Black, P Wells L Burns, J Gough, M Dickerson, Mayor casting vote.

During the debate for the original motion, a further motion was foreshadowed.

Moved by Councillor D Mahon and seconded by Councillor V Etheridge

MOTION

1. That the Council proceed with Option C as outlined in the report.
2. That the Council advise all parties involved in the Expression of Interest in the Apex Oval Sporting Complex and Riverside Sporting Precinct.
3. That the documents and consideration in regard to this matter remain confidential to the council.

The foreshadowed motion on being put to the meeting became the motion.

CARRIED

The motion on being put to the meeting was carried.

CARRIED

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

Against: Councillors S Chowdhury and M Wright.

CCL23/25 FINANCIAL CONTRIBUTION TOWARDS ELECTRICAL INFRASTRUCTURE UPGRADES AT THE PROPERTY PREVIOUSLY KNOWN AS DUBBO CITY HOLIDAY PARK (ID22/2385)

The Council had before it the report dated 15 November 2022 from the Manager Property and Land Development regarding Financial contribution towards electrical infrastructure upgrades at the property previously known as Dubbo City Holiday Park.

Moved by Councillor V Etheridge and seconded by Councillor P Wells

MOTION

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

CARRIED

Moved by Councillor V Etheridge and seconded by Councillor P Wells

MOTION

1. That Council agrees to provide a financial contribution:
 - (a) for an amount detailed in this report; and
 - (b) towards electrical infrastructure upgrades as outlined in this report, relating to Lot 2 on DP1208699, by reducing the rent payable under the lease for Lot 2 on DP1208699 as described in this report.
2. That all documentation in relation to this matter remain confidential to Council.
3. That all necessary documentation relating to this matter be executed under the Common Seal of Council.

Moved by Councillor M Wright and seconded by Councillor S Chowdhury

AMENDMENT

1. That Council agrees to provide a financial contribution:
 - a. for an amount detailed in this report; and
 - b. towards electrical infrastructure upgrades as outlined in this report, relating to Lot 2 on DP1208699, by reducing the rent payable under the lease for Lot 2 on DP1208699 as described in this report.
2. That Council engage a consultant to undertake an independent assessment of the pricing for this project ; with consultant fees capped at \$5,000.
3. That all documentation in relation to this matter remain confidential to Council.
4. That all necessary documentation relating to this matter be executed under the Common Seal of Council.

The amendment on being put to the meeting became the motion.

CARRIED

The motion on being put to the meeting was carried.

CARRIED

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

Against: Nil.

At this juncture Councillor L Burns left the meeting time being 7.58pm
Councillor L Burns returned to the meeting time being 8.03pm.

CCL23/26 TENDER FOR PURCHASE POWER AGREEMENT – LARGE ELECTRICITY SITES

The Council had before it the report dated 15 November 2022 from the Manager Procurement regarding Tender for Purchase Power Agreement – Large Electricity Sites.

Moved by Councillor V Etheridge and seconded by Councillor P Wells

MOTION

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

CARRIED

Moved by Councillor P Wells and seconded by Councillor J Black

MOTION

- 1. That Council rejects all tenders, on the basis that council can achieve a more beneficial outcome via negotiation and advise all parties.**
- 2. That the Chief Executive Officer arrange a further, more detailed workshop with councillors and the consultant**
- 3. That CEO be authorised to negotiate with tenderers and market participants**
- 4. That this item be brought back to council for final resolution**
- 5. That the content of this report and associated documents remain confidential to the Council.**

CARRIED

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

Against: Nil.

The meeting closed at 8.10pm.

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CHAIRPERSON