



REPORT COMMITTEE OF THE WHOLE COUNCIL 27 SEPTEMBER 2021

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

ALSO IN ATTENDANCE:

The Chief Executive Officer, the Executive Manager Governance and Internal Control, the Governance Team Leader, the Administration Officer Governance, the Communications Partner, the Director Organisational Performance, the Manager Property and Land Development, the Director Culture and Economy, the Director Infrastructure, the Director Development and Environment and the Director Liveability.

Councillor S Lawrence assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 7.12 pm.

CW21/17 TNSW LEASE AND ACQUISITION OF COUNCIL OWNED AND CONTROLLED LAND FOR RIVER STREET BRIDGE PROJECT (ID21/1612)

The Committee had before it the report dated 14 September 2021 from the Manager Property and Land Development regarding TNSW Lease and Acquisition of Council Owned and Controlled Land for River Street Bridge Project.

Moved by Councillor J Ryan and seconded by Councillor K Parker

MOTION

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

CARRIED

Moved by Councillor K Parker and seconded by Councillor J Ryan

MOTION

- 1. That the report of the Manager Property and Land Development, dated 14 September, be noted.**

2. That Council agree to TNSW's acquisition of the following Council-owned properties:
 - a. the whole of Lot 100 on DP261729;
 - b. part of Lot 1 on DP250606;
 - c. part of Lot 2 on DP250606;
 - d. part of Lot 2 on DP1114367;
 - e. part of Lot 4 on DP1114367; and
 - f. part of Lot 1 on DP1039425,on the basis that compensation, calculated in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*, will be paid by TNSW for such acquisitions.
3. That Council agree to TNSW's acquisition of Council-controlled Lot 2 on DP1039425, on the basis that compensation, calculated in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*, will be paid by TNSW for such acquisition.
4. That Council agree to lease to TNSW:
 - a. part of Lot 2 on DP958250; and
 - b. part of Lot 2 on DP250606,on the basis that TNSW will pay fair rent for the leased areas.
5. That the Chief Executive Officer be authorised to negotiate and finalise all matters relating to this report, including:
 - a. the area/s to be acquired by TNSW;
 - b. the area/s to be leased by TNSW; and
 - c. the amount of compensation and rent to be paid to Council.
6. That all documentation in relation to this matter be executed by the Chief Executive Officer under Power of Attorney.
7. That the considerations in relation to this matter remain confidential to Council.

CARRIED

Councillor J Diffey declared a non-pecuniary, but 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 Diffey is employed by NSW parliament as a senior electorate officer for the State Member Dugald Saunders.

CW21/18 COST RECOVERY AGREEMENT - MOFFATT ESTATE STAGE 3 (ID21/1593)

The Committee had before it the report dated 13 September 2021 from the Property Development Officer regarding Cost Recovery Agreement - Moffatt Estate Stage 3.

Moved by Councillor J Ryan and seconded by Councillor K Parker

MOTION

That members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned the personal hardship of any resident or ratepayer (Section 10A(2)(b)).

CARRIED

Moved by Councillor A Jones and seconded by Councillor K Parker

MOTION

1. That the information contained in the report by the Property Development Officer, dated 13 September 2021, be noted.
2. That the cost recovery agreement outlined in this report be adopted.
3. That the Chief Executive Officer be delegated authority to finalise the cost recovery agreement.
4. That all documents in relation to this matter be executed under Power of Attorney.
5. That the information and considerations in regard to this matter remain confidential to the Council.

CARRIED

CW21/19 DUBBO PUBLIC LIBRARY DRAFT COMMUNITY NEEDS ASSESSMENT AND FEASIBILITY STUDY (ID21/1591)

The Committee had before it the report dated 13 September 2021 from the Manager Macquarie Regional Library regarding Dubbo Public Library Draft Community Needs Assessment and Feasibility Study.

Moved by Councillor J Ryan and seconded by Councillor K Parker

MOTION

That members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned information that would, if disclosed, 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 K Parker and seconded by Councillor A Jones

MOTION

1. That a community and stakeholder engagement program related to Dubbo Public Library locality and planning be rolled out during February 2022.
2. That a final report related to Dubbo Public Library research and consultation be tabled at the April 2022 Ordinary Council meeting.

CARRIED

The meeting closed at 7.15 pm.

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CHAIRMAN