



OUTCOMES OF THE JULY 27 ORDINARY COUNCIL MEETING

Dubbo Regional Council (DRC) met on Thursday 27 July, 2023 at 5.30pm in the new Dubbo Council Chambers for the July Ordinary Council meeting. The following outcomes were made:

MATTERS CONSIDERED BY COMMITTEES:

Report of the Infrastructure, Planning and Environment Committee

Councillors adopted the report of the Infrastructure, Planning and Environment Committee meeting held on 13 July 2023 with the exception of the adopted recommendation regarding Benolong Bridge, Temporary Load Limit.

In regards to Benolong Bridge Councillors noted emergency repair works will be undertaken to the existing Benolong Bridge to allow heavy vehicles access to the bridge, with the works to be completed by mid-September 2023.

They also decided to move \$800,000 of the Local Roads and Community Infrastructure Round 3 funding from Comobella Bridge to Benolong Bridge to meet the project completion deadline for the funding deed. This motion moves the funding, it does not change the scope or

completion of the projects.

Report of the Culture and Community Committee

Councillors adopted the report of the Culture and Community Committee meeting held on 13 July 2023.

Report of the Corporate Services Committee

Councillors adopted the report of the Corporate Services Committee meeting held on 13 July 2023 with the exception of the adopted recommendation regarding the Local Government NSW 2023 Annual Conference.

In regards to the Local Government NSW 2023 Annual Conference, Councillors moved that Clrs J Black, S Chowdhury and V Ethridge be selected, alongside the Mayor, to act as voting delegates and Clrs L Burns, J Gough, R Ivey, D Mahon and M Wright attend the conference as non-voting delegates.

NOTICES OF MOTION:

NOTICE OF MOTION FOR EXISTING AND FUTURE REST AREA FOR FREIGHT TRAFFIC

Clr Chowdhury asked for the CEO to provide a report with an update from Transport for NSW on the status of existing and future rest areas for freight traffic surrounding the Dubbo Local Government Area.

REPORTS FROM STAFF:

MATTERS FOR CONSIDERATION AROUND PROVISION OF LAND TO NSW HEALTH FOR THE PURPOSES OF AN ALCOHOL AND OTHER DRUG REHABILITATION FACILITY

Councillors resolved Council is of the opinion it does not have a suitable site option within its property portfolio for the Alcohol and Other Drug Rehabilitation Facility, based on the constraints defined by the NSW

Minister for Health and the Western NSW Local Health District (WNSWLHD).

Councillors noted information provided to the WNSWLHD on potentially suitable parcels of land were assessed by the health district using criteria that included appropriate zoning; 10-15 minutes travel time from the hospital; appropriate land size suitable to the facility and potential growth; if parcel required subdividing; existing connection to water sewer, power and roads and details of surrounding community.

Other stakeholders such as the Dubbo Aboriginal Lands Council, Crown Lands NSW and Property NSW were introduced to the project team.

It was noted that sites offered for consideration included 93L Railway Lane, Wongarbon (Railway Lane); 20R Bunglegumbie Road, Dubbo (Various lots); Pine Avon Road, Wongarbon (Pine Avon); Green Grove, Dubbo; 6L Furneys Road, Terramungamine; 85 Cobbora Road, Dubbo; Apex Cottage Dubbo (Cemetery Land); Welchman Street, Dubbo (Welchman St); Devil's Hole Reserve, Dubbo; Old Dubbo Road, Dubbo; Police Paddock Dubbo; Angle Park Reserve; Land belonging to CSU site; Zoological Parks Board Land, Obley Road Dubbo; Whylandra Reserve; 31 Westview Road, Dubbo (2 sites); 29 Hawthorn Street, Dubbo and North Burrabadine Road, Dubbo (Local Land Services land).

It was noted the parcels of Council land typically would require subdivision and a North Bunglegumbie site was considered with the WNSWLHD and Council acknowledging the cost of \$1.5M to \$1.7M to provide sewer and water services, both which were outside the project funding remit of the health district.

Councillors resolved the CEO will take further steps to facilitate WNSWLHD and NSW Health in assessing the land in the North Bunglegmbie Road area and at Green Grove for the suitability for the construction of a facility and the WNSWLHD will be requested to provide a public response to the two parcels of land.

Once the assessment is complete, Council will decide as to whether such land is to be provided.

COALITION OF REGIONAL ENERGY MAYORS (COREM)

Council determined it would not accept the invitation to join the Coalition of Regional Energy Mayors (CoREM).

DRAFT BINDARI ESTATE DEVELOPMENT CONTROL PLAN - RESULTS OF PUBLIC EXHIBITION

Council adopted the draft Bindari Estate Development Control Plan (DCP) and noted the submissions received. The plan will come into effect on 31 July 2023 and following this any future development applications on the land will need to take the plan into consideration. A DCP is a locally adopted plan that guides developers, landowners, Council and the community on how land can be developed and change over time.

DRAFT NET ZERO FRAMEWORK FOR COUNCIL OPERATIONS

Council adopted the Draft Net Zero Framework for Council Operations for the purpose of public exhibition. The draft document will be placed on public exhibition for 28 days and following the completion a report will be brought back to Council.

The purpose of the document is to provide Council with an overarching blueprint for reducing greenhouse gas emissions to net zero for operations by 2050.

DRAFT JOIRA ROAD PLANNING AGREEMENT - RESULTS OF PUBLIC EXHIBITION

Councillors resolved to enter into a planning agreement with the trustees of the Roman Catholic Church for the Diocese of Bathurst. As part of the agreement the trustees will dedicate 1,196m² of land along Minore Road to Council for the purpose of road widening.

PLANNING PROPOSAL R23-005 - ADMINISTRATIVE AMENDMENTS TO THE DUBBO REGIONAL LOCAL ENVIRONMENTAL PLAN 2022

Councillors noted the process and key steps for amending the Dubbo Regional Local Environmental Plan 2022 and endorsed the planning proposal. The planning proposal will be submitted to the NSW Department of Planning and Environment for a Gateway Determination and the CEO is authorised as the Local Plan Making Authority. Subject to the Gateway Determination the planning proposal will support a minimum 28 days public exhibition and a further report be presented to Council for consideration following the exhibition.

AMENDMENTS TO THE KINTYRE HEIGHTS ESTATE DEVELOPMENT CONTROL PLAN - RESULTS OF PUBLIC EXHIBITION

Council adopted the amended Kintyre Heights Estate Development Control Plan which will come into effect on 31 July 2023.

DUBBO REGIONAL COUNCIL REPRESENTATION TO THE TARONGA CONSERVATION SOCIETY AUSTRALIA BOARD

Councillors nominated the Mayor, Deputy Mayor, Standing Committee Chairpersons and the staff that hold the positions of CEO and Director Strategy, Partnerships and Engagement, be submitted to the NSW Minister for Environment to be considered for the selection to fill the allocated board position of Taronga Conservation Society Australia Board.

Council's current representative to the Board ends on 26 September 2023 and as such Council must make a determination as to two or more nominations to be put forward for consideration. Board appointments are staggered and based on a three-year term subject to approval by the Minister and Cabinet.

DRAFT CODE OF CONDUCT POLICY AND PROCEDURES FOR THE ADMINISTRATION OF THE CODE OF CONDUCT

Councillors adopted the draft Code of Conduct Policy and the Procedures for the Administration of the Code of Conduct Policy. Council's Policy and Procedures are based on the Model Code provided

by the Office of Local Government. The Office has not provided updates to the Model Code or Model Procedures and this review has been conducted for internal administration reasons, being that Council uses a two year review cycle for its policies.

DRAFT COUNCIL POLICY - CODE OF MEETING PRACTICE

Councillors adopted the Council Policy, Code of Meeting Practice for the purpose public exhibition.

Under the Draft Code of Meeting Practice if the CEO considers a notice of motion submitted by a councillor for consideration has legal, strategic, financial or policy implications which should be taken into consideration at the meeting then they may prepare a report in relation to the notice of motion for inclusion with the business papers.

All notice of motions for the expenditure of funds on works and services other than those already provided for in the adopted operational plan must identify the source of the funding for the expenditure that is the subject of the motion. If the notice of motion doesn't identify a funding source the CEO must either prepare a report on the availability of funds for implementing the motion to the same meeting or inform the councillors when they receive the business papers that the matter is to be deferred pending the preparation of a report.

A Councillor may give notice of any business they wish to be considered by the Council by way of a Notice of Motion. To be included on the agenda of the meeting, the Notice of Motion must be in writing and must be submitted eight business days before the meeting is to be held. The minutes of the Committee of the Council must be confirmed at the next Ordinary Council meeting.

ROAD CLOSURE AND DISPOSAL AGREEMENT - CLASSIFICATION AS OPERATIONAL LAND - CAMPANIA ROAD, RAWSONVILLE

Council executed the closure of part of Campania Road, Rawsonville, of 6.8 hectares in the unregistered deposited plan, with the land sold under

the Common Seal of Council.

Upon closure of the road the land will be classified as operational land under the Local Government Act 1993.

EXECUTION OF PLAN OF SUBDIVISION - KESWICK ESTATE STAGE 5 RELEASE 2

Councillors resolved to execute the plan of subdivision of Lot 1012 under the Common Seal of Council.

TREE PRESERVATION ORDER - INTRODUCTION OF STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021

Councillors resolved to undertake community consultation for urban tree management regulation on private and public property including urban tree height and size options to which the regulations would apply and administration fee structures, including a no fee option.

A report will be provided to the October 2023 meeting to provide details on the outcome of the community consultation; options for what a potential Tree Preservation Order structure could look like; impact on resource allocation within Council and financial adjustments required for the current budget.

COMMUNITY SERVICES FUNDING 2023/2024 - COMMUNITY BENEFIT FUNDING IN ACCORDANCE WITH SECTION 356 LOCAL GOVERNMENT ACT 1993

To enable access to the budgeted funds by community groups as soon as possible Council resolved to create one funding pool under the Community Service Fund, noting it allows for not-for-profit community based organisations to apply.

Council will maintain a maximum of two rounds per financial year noting the administration and governance required for grant programs that distribute public monies to external organisations.

DESTINATION DUBBO FUNDING

Council will make a formal submission to Infrastructure NSW for all remaining funds to be allocated to the complete the Macquarie River Events Precinct and the Heritage Plaza projects.

Council will also prepare an Expression of Interest application for the Growing Regions Program to fund up to 50 per cent of the Wiradjuri Tourism Centre, utilising the Create NSW funds as part of Council's match funding contribution. It was noted the EOI requires Council to contribute \$2.2M, which will be resourced via an internal loan with a detailed funding strategy to be developed.

The funding strategy will see all three Destination Dubbo projects being completed.

If the EOI is unsuccessful an alternate funding strategy for the completion of the Wiradjuri Tourism Centre will be brought to Councillors for further consideration.

GROWING REGIONS PROGRAM ROUND 1 - EXPRESSIONS OF INTEREST

Councillors resolved the CEO will submit the Wiradjuri Tourism Centre; The Animal Shelter Rebuild; Macquarie River Sandy Beach Erosion Control Works; Shared Pathway in Wellington as Expressions of Interest to the Growing Regions Program.

DRAFT 2023-2027 COMMUNITY ENGAGEMENT STRATEGY (INCLUDING COMMUNITY PARTICIPATION PLAN)

Councillors adopted the Draft 2023 – 2027 Community Engagement Strategy (including Participation Plan) for the purpose of public exhibition, with the draft plan to be placed on public exhibition for 28 days.

Following completion of public exhibition and community consultation a further report will be presented to Council for consideration, including the results of the public exhibition and community consultation.

If adopted the plan will replace the Community Participation Plan 2019 and the Community Engagement and Communication Policy 2017.

QUESTIONS ON NOTICE - COUNCILLOR RICHARD IVEY

Clr Ivey asked about the road maintenance and improvement Council received from the proponent of the Bodangora Windfarm and what work Council had undertaken in respect of affected roads since the inception of the windfarm.

The report outlined the contributions Council had received as part of the planning agreement between Wellington Council and In'gen which was executed on 12 March 2013.

The funds have been placed into the restricted asset so it can only be used for the purposes in the planning agreement. To date works have not been funded from the restricted asset. Given the low value of funding received, Council has been accumulating funds until there is enough to undertake sufficient works. It is intended once there are sufficient funds, the works outlined in the agreement will be included in the program of works for the financial year.

QUESTIONS ON NOTICE - COUNCILLOR SHIBLI CHOWDHURY

Clr Chowdhury asked about Council's plans to cater for increasing demand for car parking in the CBD in light of developments such as the NSW Government Workplace Hub and private high rise developments.

The response highlighted the number of parking spaces that will be provided by the three developments as part of their Development Applications and the vehicle parking requirements for residential and serviced apartments in the CBD as well as retail and office space.

The response also highlighted the related actions found within the 2023/2024 Delivery Program and Operational Plan that look at the strategic planning for vehicle parking in both the Dubbo Central Business District and the Wellington Town Centre.

Last Edited: 31 Jul 2023