



REPORT

ORDINARY COUNCIL MEETING

28 JULY 2022

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

ALSO IN ATTENDANCE:

The Chief Executive Officer, the Director Organisational Performance, the Manager Governance and Internal Control, the Governance Team Leader, the Director Strategy, Partnerships and Engagement, the Manager Corporate Image and Communications, the Director Development and Environment, the Manager Growth Planning, the Sustainability Coordinator, 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 5.30 pm at the Dubbo Civic Administration Building, Council Chamber, with a prayer for Divine Guidance to the Council in its deliberations and activities read by Councillor V Etheridge. A Welcome to Country was done by Councillor L Burns.

CCL22/171 LEAVE OF ABSENCE (ID22/1170)

There were no requests for leave of absence.

Councillor D Mahon attended the meeting via audio-visual link.

CCL22/172 CONFLICTS OF INTEREST (ID22/1172)

The following conflicts of interest were declared:

- Clr J Gough declared a significant, pecuniary interest in item CCL22/190. The reason for such interest is that Councillor J Gough advertises in the Event program.

CCL22/173 PUBLIC FORUM (ID22/1174)

The Council reports having heard from the following persons during Public Forum:

- Barbara Sutherland – Regand Park.
- Peter Duggan – Regand Park surplus land
- Di Clifford – Regand Park

CCL22/174 CONFIRMATION OF MINUTES (ID22/1176)

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held 23 June 2022 and Extraordinary Council meeting held 27 June 2022.

Moved by Councillor S Chowdhury and seconded by Councillor V Etheridge

MOTION

That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council meeting held on 23 June 2022 comprising pages 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22 of the series, and the Extraordinary Council meeting held on 27 June 2022 comprising pages 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40 and 41 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:

CCL22/175 MAYORAL APPOINTMENTS AND MEETINGS (ID22/1296)

The Council had before it the report dated 30 June 2022 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.

MATTERS CONSIDERED BY COMMITTEES:

CCL22/177 REPORT OF THE INFRASTRUCTURE, PLANNING AND ENVIRONMENT COMMITTEE - MEETING 14 JULY 2022 (ID22/1178)

The Council had before it the report of the Infrastructure, Planning and Environment Committee meeting held 14 July 2022.

Moved by Councillor J Black and seconded by Councillor V Etheridge

MOTION

That the report of the Infrastructure, Planning and Environment Committee meeting held on 14 July 2022 be adopted, save and except item IPEC22/31 which will be dealt with separately.

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.

**IPEC22/31 SOCIAL HOUSING DEVELOPMENT SCHEME - DRAFT PLANNING AGREEMENT
(ID22/1294)**

The Council had before it the report dated 30 June 2022 from the Manager Growth Planning regarding Social Housing Development Scheme - Draft Planning Agreement.

Moved by Councillor J Black and seconded by Councillor P Wells

MOTION

1. That Council notes the current status and discussions with the Proponent of the Forest Glen Solar Farm development in respect to a Voluntary Planning Agreement.
2. That a draft Voluntary Planning Agreement be prepared in accordance with the terms identified in this report.
3. If a Voluntary Planning Agreement cannot be successfully negotiated with the Proponent that a further report be provided for the consideration of Council.
4. That the draft Voluntary Planning Agreement be placed on public display in accordance with the provisions of the Environmental Planning and Assessment Act 1979.
5. That following conclusion of the public exhibition period, a further report be prepared for the consideration of Council, including any submissions received.

Councillors DID NOT vote on this item.

At this Juncture it was moved by Councillor R Ivey and seconded by Councillor V Etheridge to move item IPEC22/31 to confidential council to be dealt with separately.

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.

CCL22/178 REPORT OF THE CULTURE AND COMMUNITY COMMITTEE - MEETING 14 JULY 2022 (ID22/1179)

The Council had before it the report of the Culture and Community Committee meeting held 14 July 2022.

Moved by Councillor J Gough and seconded by Councillor S Chowdhury

MOTION

That the report of the Culture and Community Committee meeting held on 14 July 2022 be adopted, save and except item CCC22/32 which will be dealt with separately.

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.

CCC22/32 IDENTIFICATION OF SURPLUS LAND - RECREATION AND OPEN SPACE (ID22/1302)

The Committee had before it the report dated 1 July 2022 from the Manager Recreation and Open Space regarding Identification of Surplus Land - Recreation and Open Space.

Moved by Councillor J Gough and seconded by Councillor R Ivey

MOTION

- 1. That the disposal of the identified parcels of land be considered by Council**
- 2. That funds generated from the sale of the Council owned parcels be used for the asset renewals.**
- 3. That Council approach the NSW State Government with regards to changing Market Square's dedicated use to something that allows housing.**

CARRIED

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

Against: Councillor J Black.

CCL22/179 REPORT OF THE CORPORATE SERVICES COMMITTEE - MEETING 14 JULY 2022 (ID22/1180)

The Council had before it the report of the Corporate Services Committee meeting held 14 July 2022.

Moved by Councillor D Mahon and seconded by Councillor S Chowdhury

MOTION

That the report of the Corporate Services Committee meeting held on 14 July 2022 be adopted, save and except CSC22/34 which will be dealt with separately.

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.

**CSC22/34 AMENDMENT TO COMMUNITY COMMITTEE TERMS OF REFERENCE
(ID22/1293)**

The Council had before it the report dated 29 June 2022 from the Administration Officer - Governance and Internal Control regarding Amendment to Community Committee Terms of Reference.

Moved by Councillor D Mahon and seconded by Councillor S Chowdhury

MOTION

1. That the Terms of Reference for Community Committees and Working Parties listed below be amended, with the number of community representatives listed under Positions to be determined by the selection panel at the time of assessment:
 - Aquatics Working Party
 - Climate Change and Resilience Committee
 - Cultural and Tourism Facility Committee
 - Multicultural Advisory Committee
 - Public Spaces Tree Committee
 - Social Justice Advisory Committee
 - SPARC Committee
 - Villages Committee
 - Wellington Town Committee.
2. That approved members of certain committees be notified of the outcome of their Expression of Interest prior to the July Ordinary Council meeting to allow for appropriate notification to be given of meetings schedule for early August.
3. That the Code of Meeting Practice for Community Committee and Working Parties, attached at Appendix 1, be endorsed.

Moved by Councillor R Ivey and seconded by Councillor S Chowdhury

AMENDMENT

1. **That the Terms of Reference for Community Committees and Working Parties listed below be amended, with the number of community representatives listed under Positions to be determined by the selection panel at the time of assessment:**
 - **Aquatics Working Party**
 - **Climate Change and Resilience Committee**

- Cultural and Tourism Facility Committee
 - Multicultural Advisory Committee
 - Public Spaces Tree Committee
 - Social Justice Advisory Committee
 - SPARC Committee
 - Villages Committee
 - Wellington Town Committee.
2. That the Sister City Committee membership be extended to include 10 independent community members.
 3. That approved members of certain committees be notified of the outcome of their Expression of Interest prior to the July Ordinary Council meeting to allow for appropriate notification to be given of meetings schedule for early August.
 4. That the Code of Meeting Practice for Community Committee and Working Parties, attached at Appendix 1, be endorsed.

The amendment on being put to the meeting was carried.

CARRIED

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

CARRIED

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

Against: Nil.

NOTICES OF MOTION:

CCL22/180 DISABILITY ACCESS AND INCLUSION ADVISORY COMMITTEE (ID22/1390)

Council had before it a Notice of Motion dated 15 July 2022 from Councillor P Wells and Councillor S Chowdhury regarding the Disability Access and Inclusion Advisory Committee.

Moved by Councillor P Wells and seconded by Councillor S Chowdhury

MOTION

That the Director Community Culture and Places provide to the August 2022 Council meeting a report on the proposed Disability Access and Inclusion Advisory Committee with Councillor representatives, and a draft Terms of Reference to be determined.

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:

CCL22/181 FLUORIDATION OF DUBBO URBAN AREAS' WATER SUPPLY (ID22/1404)

The Council had before it the report dated 18 July 2022 from the Chief Executive Officer regarding Fluoridation of Dubbo Urban Areas' Water Supply.

Moved by Councillor J Black and seconded by Councillor V Etheridge

MOTION

1. That it be noted that existing infrastructure for fluoridation at the John Gilbert Water Treatment Plant in Dubbo has been independently assessed in June 2019 as non-compliant with the Australian Standard for the storage and handling of corrosive substances (AS3780) and the NSW Code of Practice for Fluoridation of Public Water Supplies.
2. That it be noted that Council has not been fluoridating drinking water in Dubbo since January 2019.
3. That it be noted that as of April 2022 Public Works Advisory has been engaged to scope the body of work required to build infrastructure that meets Council's legislative and regulatory obligations.
4. That it be noted that the Mayor and Chief Executive Officer first met with regulatory agencies including Western Local Health District, Health NSW – Water Unit and the Department of Planning and Environment – Water Group on 11 July 2022 regarding concerns about the performance of Council as a water utility.
5. That the Chief Executive Officer complete asset renewals of its fluoridation capability in 2022/2023.
6. That the Chief Executive Officer provide an update report on the progress of the fluoridation asset renewals at its Ordinary meeting scheduled for 22 September 2022.
7. That it be noted that this matter concerning fluoridation infrastructure is not related to, nor did it contribute to, the issuing of a Boil Water Alert for Dubbo and surrounds in July 2022.

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.

CCL22/182 UPDATE ON DUBBO NON-POTABLE PIPELINE PROJECT (ID22/1423)

The Council had before it the report dated 22 July 2022 from the Chief Executive Officer regarding Update on Dubbo Non-Potable Pipeline Project.

Moved by Councillor J Black and seconded by Councillor P Wells

MOTION

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

2. That a future report be provided by the Infrastructure Division that details the project scope and associated business case for alternative utilisation of the treated effluent pipeline infrastructure that still addresses issues of water security and efficiency.

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.

CCL22/183 QUARTERLY REPORT ON CODE OF CONDUCT COMPLAINT STATISTICS FOR APRIL TO JUNE 2022 AND FINANCIAL YEAR SUMMARY (ID22/1393)

The Council had before it the report dated 15 July 2022 from the Manager Governance and Internal Control regarding Quarterly Report on Code of Conduct Complaint Statistics for April to June 2022 and Financial Year Summary.

Moved by Councillor M Wright and seconded by Councillor S Chowdhury

MOTION

That the information contained in the report of the Manager Governance and Internal Control, dated 15 July 2022, 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.

CCL22/184 SPECIAL TEMPORARY DELEGATION FOR THE CHIEF EXECUTIVE OFFICER (ID22/1388)

The Council had before it the report dated 14 July 2022 from the Governance Team Leader regarding Special Temporary Delegation for the Chief Executive Officer.

Moved by Councillor J Black and seconded by Councillor V Etheridge

MOTION

1. That the Chief Executive Officer be given special delegation to execute any necessary documentation in relation to the sale of land at Keswick Estate stage 5 release 2 on the provision that the reserve price is met or exceeded by the successful buyer.
2. That the Director Organisational Performance be given special delegation to execute any necessary documentation in relation to the sale of land at Keswick Estate stage 5 release 2 as a risk mitigation measure to cover for any unexpected absence or isolation of the CEO.

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

CCL22/185 DRAFT COUNCIL POLICY - PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR THE MAYOR AND COUNCILLORS (ID22/1383)

The Council had before it the report dated 13 July 2022 from the Governance Team Leader regarding Draft Council Policy - Payment of Expenses and Provision of Facilities for the Mayor and Councillors.

Moved by Councillor J Black and seconded by Councillor S Chowdhury

MOTION

- 1. That the draft Council Policy, Payment of Expenses and Provision of Facilities for the Mayor and Councillors, as attached at Appendix 1, be adopted for the purpose of public exhibition.**
- 2. That a further report be submitted to Council detailing results of public exhibition, for adoption of the final policy.**

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

CCL22/186 ACCEPTANCE OF EASEMENT AT 2A RAWSON STREET, DUBBO AS PART OF DEVELOPMENT BY NSW LAND AND HOUSING CORPORATION (ID22/984)

The Council had before it the report dated 15 June 2022 from the Manager Property and Land Development regarding Acceptance of Easement at 2A Rawson Street, Dubbo as Part of Development by NSW Land and Housing Corporation.

Moved by Councillor J Gough and seconded by Councillor M Wright

MOTION

- 1. That Council accept the easement for sewage, and the positive covenant, created over Lot 1, Sec 44 on DP 758361.**
- 2. That all necessary documents be executed 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.

CCL22/187 SMART REGION STRATEGY AND SMART COUNCIL STRATEGY (ID22/642)

The Council had before it the report dated 1 July 2022 from the Team Leader Growth Planning Projects regarding Smart Region Strategy and Smart Council Strategy.

Moved by Councillor P Wells and seconded by Councillor S Chowdhury

MOTION

- 1. That the draft Smart Region Strategy (attached in Appendix 1) and draft Smart Council Strategy (attached in Appendix 2) be adopted by Council for the purposes of public exhibition.**
- 2. That the draft Smart Region Strategy and draft Smart Council Strategy be placed on public exhibition for a period of not less than 28 days.**
- 3. That following completion of public exhibition, a further report be presented to Council for consideration, including the results of the public exhibition.**

CARRIED

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

Against: Nil.

CCL22/188 NAMING OF A PRIVATE THOROUGHFARE ASSOCIATED WITH DEVELOPMENT APPLICATION FOR 37 MULTI-DWELLING HOUSING ON LOT 3516 IN DP1265884, 45 ARGYLE AVENUE DUBBO (ID22/1381)

The Council had before it the report dated 13 July 2022 from the LIS and E-Services Coordinator regarding Naming of a Private Thoroughfare Associated with Development Application for 37 Multi-Dwelling Housing on Lot 3516 in DP1265884, 45 Argyle Avenue Dubbo.

Moved by Councillor M Wright and seconded by Councillor J Black

MOTION

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

CARRIED

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.

CCL22/189 DRAFT SOCIAL MEDIA POLICY (ID22/1384)

The Council had before it the report dated 13 July 2022 from the Manager Corporate Image and Communication regarding Draft Social Media Policy.

Moved by Councillor J Gough and seconded by Councillor P Wells

MOTION

1. That the Draft Social Media Policy, as attached at Appendix 1 of the report, be placed on Public Exhibition for a period of 28 days, inviting the public to make submissions.
2. That on completion of the Public Exhibition period a further report be provided to Council.

CARRIED

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

Against: Nil.

CCL22/190 2022/2023 EVENT PARTNERSHIP PROGRAM - FEES AND CHARGES (ID22/1360)

The Council had before it the report dated 11 July 2022 from the Events and Partnerships Team Leader regarding 2022/2023 Event Partnership Program - Fees and Charges.

Moved by Councillor J Black and seconded by Councillor M Wright

MOTION

That the annual cost (including GST) for organisations to collaborate in the Event Partnership Program targeting events via destination marketing activities be as follows:

- Listing \$100
- Level 3 \$300
- Level 2 \$600
- Level 1 \$1,100
- Premium \$1,650

CARRIED

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

Against: Nil.

Councillor J Gough declared a pecuniary interest in the matter now before the Council and left the room and was out of sight during the Council's consideration of this matter. The reason for such interest is that Councillor J Gough advertises in the Events Program.

CCL22/191 COMMENTS AND MATTERS OF URGENCY (ID22/1181)

There were no matters recorded under this clause.

CONFIDENTIAL COUNCIL

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:

- IPEC22/31 – Social Housing Development Scheme – Draft Planning Agreement
Section 10A(2)(d)(i) – information that would, if disclosed, prejudice the commercial position of the person who supplied it.
- CCL22/192 – Contract for Electricity – Small Sites
Section 10A(2)(d)(i) – information that would, if disclosed, prejudice the commercial position of the person who supplied it.
- CCL22/193 – Lease of Land – Airport Hangar Site 20 to Airlink
Section 10A(2)(c) – information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.
- CCL22/194 – Lease to the Crown as Part of Dubbo Airport Precinct for a Regional Police Training Facility
Section 10A(2)(c) – information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business .
- CCL22/195 – Tender for Supply and Installation of Landscaping – Keswick Estate Stage 5 Release 1
Section 10A(2)(c) – information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business .
- CCL22/196 – Exploring Options for the NSW Destination Charging Grant
Section 10A(2)(c) – information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business .
- CCL22/197 – Tender for the Design and Construction of Benolong Road Bridge
Section 10A(2)(c) – information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business .

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

At this juncture it was moved by Councillor P Wells and seconded by Councillor V Etheridge that the Council resolves into Closed Session, the time being 6.55 pm.

At this juncture it was moved by Councillor M Wright and seconded by Councillor J Black that the meeting be adjourned for a period of five minutes, the time being 6.56 pm.

Meeting resumed at 7.00 pm.

The Open Session resumed at 7.34 pm.

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

**IPEC22/31 SOCIAL HOUSING DEVELOPMENT SCHEME - DRAFT PLANNING AGREEMENT
(ID22/1294)**

The Council had before it the report dated 30 June 2022 from the Manager Growth Planning regarding Social Housing Development Scheme - Draft Planning Agreement.

Moved by Councillor P Wells and seconded by Councillor V Etheridge

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, prejudice the commercial position of the person who supplied it (Section 10A(2)(d)(i)).

CARRIED

Moved by Councillor J Black and seconded by Councillor V Etheridge

MOTION

- 1. That Council notes the current status and discussions with the Proponent of the Forest Glen Solar Farm development in respect to a Voluntary Planning Agreement.**
- 2. That a draft Voluntary Planning Agreement be prepared in accordance with the terms identified in this report.**
- 3. If a Voluntary Planning Agreement cannot be successfully negotiated with the Proponent that a further report be provided for the consideration of Council.**
- 4. That the draft Voluntary Planning Agreement be placed on public display in accordance with the provisions of the Environmental Planning and Assessment Act 1979.**
- 5. That following conclusion of the public exhibition period, a further report be prepared for the consideration of Council, including any submissions received.**

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.

CCL22/192 CONTRACT FOR ELECTRICITY - SMALL SITES (ID22/1304)

The Council had before it the report dated 4 July 2022 from the Manager Procurement regarding Contract for Electricity - Small Sites.

Moved by Councillor P Wells and seconded by Councillor V Etheridge

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, prejudice the commercial position of the person who supplied it (Section 10A(2)(d)(i)).

CARRIED

Moved by Councillor J Black and seconded by Councillor S Chowdhury

MOTION

1. That the "Retail Electricity Supply Agreement - Small Sites" be awarded to "Shell Energy Retail Pty Ltd " in accordance with Local Government Act 1993 Section 55 (3) for the amount of \$ 810,500 (Inc. GST) (indicative cost linked to usage).
2. That 100% Green Power option be included in the contract.
3. That all documentation in relation to this matter remain confidential to Council.
4. 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.

CCL22/193 LEASE OF LAND - AIRPORT HANGAR SITE 20 TO AIRLINK (ID22/1168)

The Council had before it the report dated 15 June 2022 from the Manager Dubbo Regional Airport regarding Lease of Land - Airport Hangar Site 20 to Airlink.

Moved by Councillor P Wells and seconded by Councillor V Etheridge

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 J Gough and seconded by Councillor R Ivey

MOTION

1. That Council approve the lease of Hangar Site 20, Dubbo Regional Airport to Airlink

Pty Ltd.

2. That all legal fees associated with the preparation of the lease be borne by the lessee.
3. That all associated documentation be executed under the Common Seal of Council.
4. That all documentation in relation to this matter remain confidential to Council.

CARRIED

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

Against: Nil.

CCL22/194 LEASE TO THE CROWN AS PART OF DUBBO AIRPORT PRECINCT FOR A REGIONAL POLICE TRAINING FACILITY (ID22/1391)

The Council had before it the report dated 14 July 2022 from the Manager Property and Land Development regarding Lease to the Crown as Part of Dubbo Airport Precinct for a Regional Police Training Facility.

Moved by Councillor P Wells and seconded by Councillor V Etheridge

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 R Ivey and seconded by Councillor P Wells

RECOMMENDATION

1. That Council approve the Crown Lease (in right of the State of NSW represented by the NSW Police Force) over Lot 2 on DP1267927, provided that the lease:
 - a. discloses PFAS being found within Lot 2 on DP1267927;
 - b. states that Council will not remediate any PFAS within Lot 2 on DP1267927;
 - c. allows Council (and its consultants and contractors) entry into the Lot 2 on DP1267927 for further PFAS testing (if necessary), subject to reasonable notice being provided; and
 - d. contains substantially the same terms as outlined in Appendix 1 of this report.
2. That any necessary documents be executed under the Common Seal of the Council.
3. That the documents and considerations in regard to this matter remain confidential to Council.

CARRIED

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

Against: Nil.

**CCL22/195 TENDER FOR SUPPLY AND INSTALLATION OF LANDSCAPING - KESWICK
ESTATE STAGE 5 RELEASE 1 (ID22/1386)**

The Council had before it the report dated 13 July 2022 from the Property Development Officer regarding Tender for Supply and Installation of Landscaping - Keswick Estate Stage 5 Release 1.

Moved by Councillor P Wells and seconded by Councillor V Etheridge

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 J Black and seconded by P Wells

RECOMMENDATION

- 1. That the tender for the supply and installation of landscaping for Keswick Stage 5 Release 1 be awarded to Mark Wright Premier Landscapes in accordance with s55 of the *Local Government Act 1993* for the amount of \$476,393.00 (including GST).**
- 2. That Council delegate the Chief Executive Officer to approve the extension options for this tender if required.**
- 3. That Council delegate the Chief Executive Officer to approve variations to a contract relating to the tender subject to budget limitations.**
- 4. That all documentation in relation to this matter remain confidential to Council.**
- 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.

**CCL22/196 EXPLORING OPTIONS FOR THE NSW DESTINATION CHARGING GRANT
(ID22/1295)**

The Council had before it the report dated 15 July 2022 from the Organisational Sustainability Coordinator regarding Exploring Options for the NSW Destination Charging Grant.

Moved by Councillor P Wells and seconded by Councillor V Etheridge

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 R Ivey and seconded by Councillor J Gough

RECOMMENDATION

1. That Council selects a preferred site/s and nominates to apply to the first round of the NSW Government's Drive electric NSW EV Destination Charging Grant by September 2022.
2. Noting that financial contributions required by Council have not been budgeted for, that funds be identified in the September 2022 quarterly review to be allocated to the project.

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.

CCL22/196A EXPLORING OPTIONS FOR THE NSW DESTINATION CHARGING GRANT (ID22/1295)

Moved by Councillor P Wells and seconded by Councillor V Etheridge

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 R Ivey and seconded by Councillor M Wright

MOTION

That the priority order for preferred sites be:

- a. Wellington Library
- b. Wellington Caves
- c. Whylandra Street Council Carpark
- d. Elizabeth Park Dubbo
- e. Dubbo Visitor Information Centre
- f. Wellington Visitor Information Centre.

CARRIED

**CCL22/197 TENDER FOR THE DESIGN AND CONSTRUCTION OF BENOLONG ROAD BRIDGE
(ID22/1361)**

The Council had before it the report dated 12 July 2022 from the Operations Engineer (West) regarding Tender for the Design and Construction of Benolong Road Bridge.

Moved by Councillor P Wells and seconded by Councillor V Etheridge

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 S Chowdhury and Councillor J Gough

RECOMMENDATION

1. That the contract for the Design and Construction of the Benolong Road Bridge be awarded to Murray Constructions Pty Ltd, in accordance with Clause 178 (3) of the Local Government (General) Regulation 2021 for the amount of \$2,179,417.90 (Including GST).
2. That Council delegate the Chief Executive Officer to approve the extension options for this contract if required.
3. That Council delegate the Chief Executive Officer to approve contract variations for this contract subject to budget limitations.
4. That all documentation in relation to this matter remain confidential to Council.
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.

The meeting closed at 7.41 pm.

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CHAIRPERSON