



REPORT

ORDINARY COUNCIL MEETING

14 DECEMBER 2023

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 (N Comber), the Manager People, Culture and Safety, the Director Organisational Performance, the Manager Corporate Governance, the Governance Team Leader, the Governance Officer, the Manager Property and Land Development, the Director Strategy, Partnerships and Engagement (K Hague), the IT Infrastructure Specialist, the IT Support Officer, the Communications Services Team Leader, the Director Development and Environment (S Jennings), the Manager Building and Development Services, the Director Infrastructure, the Director Community, Culture and Places and the Manager Regional Experiences.

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 J Black The acknowledgement of country was also delivered by Councillor L Burns.

CCL23/325 LEAVE OF ABSENCE (ID23/2816)

There were no requests for leaves of absence.

The Chief Executive Officer (N Comber), the Director Organisational Performance, the Manager Property and Land Development and the Manager Regional Experiences attended via Audio-Visual link.

CCL23/326 CONFLICTS OF INTEREST (ID23/2817)

The following conflicts of interest were declared:

- Clr J Gough – Pecuniary, Significant in CCL23/340
- The Manager People, Culture and Safety – Non-pecuniary, Less than Significant in CCL23/251

CCL23/327 PUBLIC FORUM (ID23/2818)

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

- Mr John Grey (Maas Group) – regarding Draft Bunglegumbie Road Development Control Plan
- Ms Barbara Sutherland – regarding CCL23/336 – Notice of Motion to Alter – CCL23/287 – Tree Preservation Order – Outcome of Community Consultation

CCL23/328 CONFIRMATION OF MINUTES (ID23/2819)

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 23 November 2023.

Moved by Councillor S Chowdhury and seconded by Councillor R Ivey

MOTION

That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council meeting held on 23 November 2023 comprising pages 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22 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:

CCL23/329 MAYORAL APPOINTMENTS AND MEETINGS (ID23/2756)

The Council had before it the report dated 22 November 2023 from the Chief Executive Officer regarding Mayoral Appointments and Meetings.

Moved by Councillor R Ivey and seconded by Councillor P Wells

MOTION

1. **That the information contained in the report be noted.**
2. **That the notation of Councillor R Ivey's attendance at the Dubbo Day awards be corrected as he was not present.**

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.

CCL23/330 BUILDING SUMMARY - NOVEMBER 2023 (ID23/2753)

The Council had before it the report dated 30 November 2023 from the Director Development and Environment regarding Building Summary - November 2023.

Moved by Councillor M Wright and seconded by Councillor L Burns

MOTION

That the report of the Director Development and Environment, dated 30 November 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.

CCL23/331 SERVICE REVIEW PROGRAM - UPDATE (ID23/2865)

The Council had before it the report dated 4 December 2023 from the Chief Executive Officer regarding Service Review Program - Update.

Moved by Councillor M Wright and seconded by Councillor J Black

MOTION

That the report of the Director Strategy, Partnerships and Engagement, dated 4 December 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.

CCL23/332 QUARTERLY REPORT ON COMPLAINT STATISTICS UNDER COUNCIL'S CODE OF CONDUCT (ID23/2464)

The Council had before it the report dated 4 December 2023 from the Manager Corporate Governance regarding Quarterly Report on Complaint Statistics Under Council's Code of Conduct.

Moved by Councillor S Chowdhury and seconded by Councillor J Black

MOTION

That the information contained within the report of the Manager Corporate Governance, dated 4 December 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.

CCL23/333 INVESTMENT UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - NOVEMBER 2023 (ID23/2861)

The Council had before it the report dated 5 December 2023 from the Revenue Accountant regarding Investment Under Section 625 of the Local Government Act - November 2023.

Moved by Councillor M Wright and seconded by Councillor D Mahon

MOTION

That the information contained within the Investment under Section 625 of the Local Government Act Report, dated 5 December 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.

CCL23/334 MONTHLY REPORTING SNAPSHOT FOR COUNCILLORS - NOVEMBER 2023 (ID23/2739)

The Council had before it the report dated 1 December 2023 from the Corporate Strategy Performance Coordinator regarding Monthly Reporting Snapshot for Councillors - November 2023.

Moved by Councillor J Black and seconded by Councillor J Gough

MOTION

That the information contained within the report of the Corporate Strategy and Performance Coordinator, dated 1 December 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:

CCL23/335 REPORT OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE - MEETING 12 DECEMBER 2023 (ID23/2873)

The Council had before it the report of the Audit, Risk and Improvement Committee meeting held 12 December 2023.

Moved by Councillor R Ivey and seconded by Councillor S Chowdhury

MOTION

That the report of the Audit, Risk and Improvement Committee meeting held on 12 December 2023, be adopted.

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:

CCL23/336 NOTICE OF MOTION TO ALTER - CCL23/287 - TREE PRESERVATION ORDER - OUTCOME OF COMMUNITY CONSULTATION (ID23/2872)

Council had before it a Notice of Motion dated 5 December 2023 from Councillor J Black, Councillor R Ivey and Councillor J Gough regarding the Notice of Motion to Alter - CCL23/287 - Tree Preservation Order - Outcome of Community Consultation as follows:

That the following report, as resolved on 26 October 2023, being CCL23/287, be altered from:

1. That Council prepare a report to come back to Council outlining a proposed framework for tree management guidelines for trees on private land to an intervention level of 8 metres or higher and also 10 metres or higher (with DBH measurements) threshold, including:
 - Administration design;
 - Compliance; and
 - Resourcing implications.
2. That Council develops an education program highlighting the importance of retaining trees, increasing canopy coverage and the benefits that they provide to our urban communities.
3. That Council undertake a statistically valid survey to understand community attitude towards a Tree Preservation Order and that it be funded from the Tree Management Budget.

To remove Point 3, and now read:

1. That Council prepare a report to come back to Council outlining a proposed framework for tree management guidelines for trees on private land to an intervention level of 8 metres or higher and also 10 metres or higher (with DBH measurements) threshold, including:
 - Administration design;
 - Compliance; and
 - Resourcing implications.
2. That Council develops an education program highlighting the importance of retaining

trees, increasing canopy coverage and the benefits that they provide to our urban communities.

Moved by Councillor J Black and seconded by Councillor J Gough

MOTION

- 1. That Council prepare a report to come back to Council outlining a proposed framework for tree management guidelines for trees on private land to an intervention level of 8 metres or higher and also 10 metres or higher (with DBH measurements) threshold, including:**
 - **Administration design;**
 - **Compliance; and**
 - **Resourcing implications.**
- 2. That Council develops an education program highlighting the importance of retaining trees, increasing canopy coverage and the benefits that they provide to our urban communities.**

CARRIED

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

Against: Councillor M Dickerson.

REPORTS FROM STAFF:

CCL23/337 DUBBO REGIONAL COUNCIL NOMINATION FOR THE WESTERN REGIONAL PLANNING PANEL (ID23/2381)

The Council had before it the report dated 21 November 2023 from the Manager Building and Development Services regarding Dubbo Regional Council Nomination for the Western Regional Planning Panel.

Moved by Councillor D Mahon and seconded by Councillor M Wright

MOTION

That Council confirm Tim Nichols to represent Dubbo Regional Council on the Western Regional Planning Panel, for a period not to exceed three years.

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.

**CCL23/338 DEVELOPMENT APPLICATION D23-498 ROAD CLOSURE
CAMPANIA ROAD ADJACENT TO LOT 1 DP 943178, TERRAMUNGAMINE
APPLICANT: PREMISE NSW - OWNER: DUBBO REGIONAL COUNCIL/MR TJ
AND MRS CM HARVEY (ID23/2780)**

The Council had before it the report dated 28 November 2023 from the Statutory Planning Services Team Leader regarding Development Application D23-498 Road Closure Campania Road adjacent to Lot 1 DP 943178, Terramungamine.

Moved by Councillor S Chowdhury and seconded by Councillor J Black

MOTION

1. **That Development Application D23-498 be approved, subject to the recommended conditions (attached in Appendix 2).**
2. **That Council seek concurrence from the Secretary of the Department of Planning and Environment.**
3. **That Council grant the Chief Executive Officer delegation to issue development consent upon receipt of the Secretary of the Department of Planning and Environment's concurrence.**
4. **That any documents relating to the Subdivision Certificate which cannot be executed by the Chief Executive Officer or his delegate, are 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.

**CCL23/339 PLANNING PROPOSAL R23-005 - ADMINISTRATIVE AMENDMENTS TO THE
DUBBO REGIONAL LOCAL ENVIRONMENTAL PLAN 2022 - RESULTS OF THE
PUBLIC EXHIBITION (ID23/2769)**

The Council had before it the report dated 23 November 2023 from the Graduate Growth Planner regarding Planning Proposal R23-005 - Administrative Amendments to the Dubbo Regional Local Environmental Plan 2022 - Results of the Public Exhibition.

Moved by Councillor J Black and seconded by Councillor P Wells

MOTION

1. **That Council adopt the Planning Proposal to amend the Dubbo Regional Local Environmental Plan 2022 as attached as Appendix 1.**
2. **That Council note the submissions received during the public exhibition period as attached as Appendix 2.**
3. **That Council prepare drafting instructions and liaise with the NSW Government Department of Planning and Environment to arrange finalisation of the proposed amendment to the Dubbo Regional Local Environmental Plan 2022 and request**

gazettal of the Plan.

4. That the Chief Executive Officer (or delegate) be authorised to execute any required documentation to finalise the amendment to the Dubbo Regional Local Environmental Plan 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.

CCL23/340 2024 NSW TOUCH FOOTBALL JUNIOR STATE CUP DUBBO (ID23/2804)

The Council had before it the report dated 29 November 2023 from the Senior Traffic Engineer regarding 2024 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 to facilitate the 2024 NSW Touch Football Junior State Cup to be held along the Macquarie River Sporting Precinct from 7.00 pm Thursday, 22 February to 7.00 pm Sunday, 25 February 2024, in accordance with Council's Traffic Guidance Scheme TM 7545 as attached as Appendix 1 to the report:

- a) Bligh Street from Bultje Street to Macquarie Street;
- b) South Street from Bligh Street to Tamworth Street;
- c) Tamworth Street from Macquarie Street west to its conclusion;
- d) Tamworth Street between Macquarie Street and Brisbane Street; and
- e) Sandy Beach Road and Ian Drake Drive (authorised access only).

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, significant interest in the matter now before the Council and left the room during the Council's consideration of this matter. The reason for such interest is that Councillor J Gough's business will be trading at the event.

CCL23/341 DUBBO COLLEGE SOUTH CAMPUS - PROPOSED 'NO STOPPING ZONE' FITZROY STREET DUBBO (ID23/2805)

The Council had before it the report dated 29 November 2023 from the Senior Traffic Engineer regarding Dubbo College South Campus - Proposed 'No Stopping Zone' Fitzroy Street Dubbo.

Moved by Councillor S Chowdhury and seconded by Councillor M Wright

MOTION

It is recommended that 'No Stopping' zones time restricted from 8.30 am to 9.00 am and 3.00 pm to 3.30 pm on school days be implemented on both sides of Fitzroy Street, encompassing the Dubbo College South Campus access and extending north and south of the access as detailed on Council's Plan No TM 7602 as attached as Appendix 1 to the report.

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.

CCL23/342 DUBBO PUBLIC SCHOOL - PROPOSED RELOCATION OF TIME RESTRICTED 'NO PARKING' ZONE DARLING STREET DUBBO (ID23/2806)

The Council had before it the report dated 29 November 2023 from the Senior Traffic Engineer regarding Dubbo Public School - Proposed Relocation of Time Restricted 'No Parking' Zone Darling Street Dubbo.

Moved by Councillor P Wells and seconded by Councillor M Wright

MOTION

That the existing time restricted school 'No Parking' zone in Darling Street adjacent to the Dubbo Public School be relocated north of the school access gate into the existing '2 Hour Parking' zone and that a '2 Hour Parking' zone be reinstated to the vacated school 'No Parking' zone location as detailed in Council's Plan TM 7604 as attached as Appendix 1 to the report.

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.

CCL23/343 PUBLIC ART STRATEGY ADOPTION (ID23/2531)

The Council had before it the report dated 23 October 2023 from the Cultural Development Coordinator regarding Public Art Strategy Adoption.

Moved by Councillor M Wright and seconded by Councillor J Black

MOTION

- 1. That the Dubbo Regional Council Public Art Strategy be adopted.**
- 2. That Council consider future funding for key projects in forward budget development processes.**

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.

CCL23/344 DUBBO REGIONAL SPORTS COUNCIL - PLAYING FIELD IMPROVEMENT FUND (ID23/2749)

The Council had before it the report dated 17 November 2023 from the Recreation Coordinator regarding Dubbo Regional Sports Council - Playing Field Improvement Fund.

Moved by Councillor J Gough and seconded by Councillor S Chowdhury

MOTION

That each applicant be advised of the outcome of their application in accordance with the Financial Assistance 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.

CCL23/345 FUNDING STRATEGY FOR GRANT APPLICATION FOR THE WIRADJURI TOURISM CENTRE (ID23/2801)

The Council had before it the report dated 28 November 2023 from the Director Organisational Performance regarding Funding Strategy for Grant Application for the Wiradjuri Tourism Centre.

Moved by Councillor P Wells and seconded by Councillor S Chowdhury

MOTION

That if the application for the Wiradjuri Tourism Centre to the Growing Regions Program is successful, Council's contribution of \$2.2M be funded by an internal loan.

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.

CCL23/346 REVIEW OF COUNCILS COMPLAINTS POLICY DOCUMENTS (ID23/2728)

The Council had before it the report dated 15 November 2023 from the Manager Corporate Governance regarding Review of Councils Complaints Policy Documents.

Moved by Councillor D Mahon and seconded by Councillor J Gough

MOTION

1. That the updated Complaints Management Policy be adopted.
2. That the Internal Ombudsman Policy and the Unreasonable Complainant Conduct Policy be replaced with the updated Complaints Management 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.

CCL23/347 LOCAL GOVERNMENT REMUNERATION TRIBUNAL 2024 ANNUAL REVIEW (ID23/2864)

The Council had before it the report dated 4 December 2023 from the Manager Corporate Governance regarding Local Government Remuneration Tribunal 2024 Annual Review.

Moved by Councillor M Wright and seconded by Councillor P Wells

MOTION

That the draft submission to the Local Government Remuneration Tribunal for its review of the 2024 annual determination, as included in this report, be endorsed and submitted by the Mayor on behalf 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.

CCL23/348 2024 CHIEF EXECUTIVE OFFICER PERFORMANCE TARGETS (ID23/2863)

The Council had before it the report dated 4 December 2023 from the Manager People Culture and Safety regarding 2024 Chief Executive Officer Performance Targets.

Moved by Councillor S Chowdhury and seconded by Councillor M Wright

MOTION

That the Mayor be authorised to execute the Chief Executive Officer's Performance Agreement.

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.

QUESTIONS ON NOTICE:

CCL23/349 QUESTIONS ON NOTICE - COUNCILLOR JOSH BLACK (ID23/2867)

The Council had before it the report dated 4 December 2023 from the Councillor regarding Questions on Notice - Councillor Josh Black.

Moved by Councillor J Black and seconded by Councillor S Chowdhury

MOTION

That the information provided 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.

END SECTION:

CCL23/350 COMMENTS AND MATTERS OF URGENCY (ID23/2918)

There were no matters recorded under this clause.

CONFIDENTIAL

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:

- *CCL23/351 – Value to Negotiate with the Dubbo RSL for the Old Dubbo Bowling Club* (Section 10A(2)(d)(ii)) - information that would, if disclosed, confer a commercial advantage on a competitor of the Council.
- *CCL23/352 – Dubbo Regional Livestock Markets - Sheep and Goat Electronic Identification Implementation Program* (Section 10A(2)(d)(i)) - information that would, if disclosed, prejudice the commercial position of the person who supplied it.
- *CCL23/353 – Update to Proposed Sale of, and Creation of Easement Over, Lot 131 on DP1277458* (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.
- *CCL23/354 – Draft Planning Agreement - Forest Glen Solar Farm* (Section 10A(2)(d)(i)) - information that would, if disclosed, prejudice the commercial position of the person who supplied it.

- *CCL23/355 – Annual Performance Review of the Chief Executive Officer (Section 10A(2)(a)) - information that would, if disclosed, reveal personnel matters concerning particular individuals (other than Councillors).*

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

At this juncture it was moved by Councillor S Chowdhury and seconded by Councillor P Wells that the Council resolves into closed session, the time being 7:06 pm.

The open session resumed at 8.15 pm.

The Mayor read out the following resolutions made in the closed session in Council.

CONFIDENTIAL REPORTS:

CCL23/351 VALUE TO NEGOTIATE WITH THE DUBBO RSL FOR THE OLD DUBBO BOWLING CLUB (ID23/2677)

The Council had before it the report dated 8 November 2023 from the Director Organisational Performance regarding Value to Negotiate with the Dubbo RSL for the Old Dubbo Bowling Club.

Moved by Councillor S Chowdhury 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)).

CARRIED

Moved by Councillor J Black and seconded by Councillor V Etheridge

RECOMMENDATION

1. That Council submits an Expression of Interest for 74 Wingewarra Street Dubbo for the value as recommended in this report.
2. That a report be provided to Council following the outcome of the Expression of Interest for 74 Wingewarra Street Dubbo.
3. That all documentation in relation to this matter remain confidential to Council.

Moved by Councillor J Black and seconded by Councillor D Mahon

AMENDMENT

1. **That Council submits an Expression of Interest for 74 Wingewarra Street Dubbo for**

the value as recommended in the Preston Rowe Valuation report, 'The Greens' 74 Wingewarra Street Dubbo, report as received today.

2. That a report be provided to Council following the outcome of the Expression of Interest for 74 Wingewarra Street Dubbo.
3. That all documentation in relation to this matter remain confidential to Council.

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, V Etheridge, J Gough, R Ivey, D Mahon and M Wright.

Against: Councillors M Dickerson and P Wells.

Moved by Councillor R Ivey and seconded by Councillor J Black

FORESHADOWED AMENDMENT

4. That Council invite the RSL to resume negotiations with DRC regarding the RSL purchase of land at Keswick Estate that was the subject of the previous land swap offer.

For: Councillors J Black, V Etheridge, J Gough, R Ivey and M Wright.

Against: Councillors L Burns, S Chowdhury, M Dickerson, D Mahon and P Wells.

LOST

The Manager People, Culture and Safety 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 the Manager People, Culture and Safety serves on the board of the Macquarie Conservatorium, however, has no decision making or influence in the matter and is not present at meetings at which leasing matters with Council are discussed.

CCL23/352 DUBBO REGIONAL LIVESTOCK MARKETS - SHEEP AND GOAT ELECTRONIC IDENTIFICATION IMPLEMENTATION PROGRAM (ID23/2770)

The Council had before it the report dated 24 November 2023 from the Manager Commercial Strategy regarding Dubbo Regional Livestock Markets - Sheep and Goat Electronic Identification Implementation Program.

Moved by Councillor S Chowdhury 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, prejudice the commercial position of the person who supplied it (Section 10A(2)(d)(i)).

CARRIED

Moved by Councillor V Etheridge and seconded by Councillor J Black

MOTION

1. That the approval of grant funding from the NSW Department of Primary Industries & the Rural Assistance Authority of \$525,000.00 be noted.
2. That Outcross Agri-Services be awarded a contract for \$794,670.48 (excluding GST) to execute the works program encompassing the installation of Sheep & Goat eID infrastructure as part of the mandatory implementation of the Sheep & Goat eID tracking program.
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.

CCL23/353 UPDATE TO PROPOSED SALE OF, AND CREATION OF EASEMENT OVER, LOT 131 ON DP1277458 (ID23/2862)

The Council had before it the report dated 1 December 2023 from the Manager Property and Land Development regarding Update to Proposed Sale of, and Creation of Easement Over, Lot 131 on DP1277458.

Moved by Councillor S Chowdhury 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 J Black and seconded by Councillor M Wright

MOTION

1. That Council rescind Council Resolution CCL23/300.
2. That Council agree to the sale of Lot 131 on DP1277458 to the parties, and on the terms, as detailed in this report.
3. That Council delegate to the Chief Executive Officer the power to negotiate, finalise and execute any documents relating to:
 - (a) an agreement for the sale of Lot 131 on DP1277458, including any contractual documentation, provided that the terms of the contract are in accordance with Council's resolution to this report;
 - (b) any easement over Lot 131 on DP1277458; and
 - (c) any NSW Land Registry Service documentation relating to resolution no. 2(a) and 2(b).

4. That any documents which may not be executed by the Chief Executive Officer under delegation be executed under the Common Seal of Council.
5. 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.

CCL23/354 DRAFT PLANNING AGREEMENT - FOREST GLEN SOLAR FARM (ID23/2721)

The Council had before it the report dated 29 November 2023 from the Development Contributions Planner regarding Draft Planning Agreement - Forest Glen Solar Farm.

Moved by Councillor S Chowdhury 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, prejudice the commercial position of the person who supplied it (Section 10A(2)(d)(i)).

CARRIED

Moved by Councillor S Chowdhury and seconded by Councillor V Etheridge

MOTION

1. That a draft Voluntary Planning Agreement be prepared in accordance with the terms identified in this report.
2. If a Voluntary Planning Agreement cannot be successfully negotiated with the Proponent that a further report be provided for the consideration of Council.
3. That the draft Voluntary Planning Agreement be placed on public display in accordance with the provisions of the Environmental Planning and Assessment Act 1979.
4. That following conclusion of the public exhibition period, a further report be prepared for the consideration of Council, including any submissions received.
5. 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, D Mahon, P Wells and M Wright.

Against: Councillor R Ivey.

CCL23/355 ANNUAL PERFORMANCE REVIEW OF THE CHIEF EXECUTIVE OFFICER (ID23/2754)

The Council had before it the report dated 20 November 2023 from the Manager People Culture and Safety regarding Annual Performance Review of the Chief Executive Officer.

Moved by Councillor S Chowdhury 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 personnel matters concerning particular individuals (other than Councillors) (Section 10A(2)(a)).

CARRIED

Moved by Councillor R Ivey and seconded by Councillor M Wright

MOTION

1. That it be noted that the CEO consistently exceeded expectations and demonstrated above satisfactory performance throughout the review period, surpassing set targets and driving impressive results. In addition, Council (the elected body) recognise the professional, caring and effective inputs the CEO has made to the operation of our Council.
2. 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.

The meeting closed at 8.18 pm.

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CHAIRPERSON