



# REPORT

## ORDINARY COUNCIL MEETING

### 23 FEBRUARY 2023

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

**ALSO IN ATTENDANCE:**

The Chief Executive Officer, the Acting Director Organisational Performance, the Manager Corporate Governance, the Acting Governance Team Leader, two Governance Officers, the Manager People Culture and Places, the Director Strategy, Partnerships and Engagement, the Communication Services Team Leader, IT Infrastructure Specialist the Director Development and Environment, the Manager Growth Planning, the Director Infrastructure, Manager Infrastructure Strategy and Design, the Manager Greenspace Operations, the Director Community, Culture and Places and the Manager Recreation and Open Space.

Councillor M Dickerson assumed the Chair of the meeting.

The proceedings of the meeting commenced at 5.30pm at the Dubbo Administration Building, Council Chamber, with a prayer for Divine Guidance to the Council in its deliberations and activities read by Councillor V Etheridge. The Welcome to Country was given by Councillor L Burns.

**CCL23/27 LEAVE OF ABSENCE (ID23/57)**

Requests for leave of absence was received from Councillor P Wells and S Chowdhury who was absent from the meeting due to personal reasons.

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

Moved by Councillor J Black and seconded by Councillor J Gough

**MOTION**

**That such requests for Leave of Absence be accepted and Councillors P Wells and S Chowdhury be granted leave of absence from this meeting.**

**CARRIED**

**CCL23/28 Conflict of Interest (ID23/58)**

There were no conflicts of interest declared.

**CCL23/29 PUBLIC FORUM (ID23/59)**

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

- Kate Richardson – Dubbo Rehabilitation Centre location.

**CCL23/30 CONFIRMATION OF MINUTES (ID23/282)**

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 9 February 2023.

Moved by Councillor L Burns and seconded by Councillor J Black

**MOTION**

**That the minutes of the proceedings of Dubbo Regional Council at the Ordinary Council meeting held on 9 February 2023 comprising pages 8, 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, M Dickerson, V Etheridge, J Gough, R Ivey, D Mahon and M Wright.

**Against:** Nil.

**CCL23/31 PRESENTATION OF THE AUSTRALIA DAY YOUNG SPORTSPERSON – JACK DEVESON (ID23/123)**

At this juncture, the Council presented the Australia Day Young Sportsman Award to Jack Deveson.

**CCL23/32 PRESENTATION WESTHAVEN (ID23/248)**

This presentation was postponed and not discussed at the meeting.

**INFORMATION ONLY MATTERS:**

**CCL23/33      MACQUARIE REGIONAL LIBRARY PERFORMANCE REPORT - OCTOBER 2022 TO DECEMBER 2022 (ID23/45)**

The Council had before it the report dated 12 January 2023 from the Manager Macquarie Regional Library regarding Macquarie Regional Library Performance Report - October 2022 to December 2022.

Moved by Councillor J Gough and seconded by Councillor V Etheridge

**MOTION**

**That the Macquarie Regional Library Quarterly Performance Report for October 2022 to December 2022, be noted.**

**CARRIED**

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

**Against:** Nil.

**CCL23/34      MAYORAL APPOINTMENTS AND MEETINGS (ID23/214)**

The Council had before it the report dated 9 February 2023 from the Chief Executive Officer regarding Mayoral Appointments and Meetings.

Moved by Councillor V Etheridge and seconded by Councillor R Ivey

**MOTION**

**That the information contained within the report of the Chief Executive Officer dated 9 February 2023, be noted.**

**CARRIED**

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

**Against:** Nil.

**MATTERS CONSIDERED BY COMMITTEES:**

**CCL23/35 REPORT OF THE AUDIT AND RISK MANAGEMENT COMMITTEE - MEETING 7  
FEBRUARY 2023 (ID23/249)**

The Council had before it the report of the Audit and Risk Management Committee meeting held 7 February 2023.

Moved by Councillor J Black and seconded by Councillor R Ivey

**MOTION**

**That the report of the Audit and Risk Management Committee meeting held on 7 February 2023, be adopted.**

**CARRIED**

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

**Against:** Nil.

**CCL23/36 REPORT OF THE FINANCIAL PERFORMANCE COMMITTEE - MEETING 15  
FEBRUARY 2023 (ID23/250)**

The Council had before it the report of the Financial Performance Committee meeting held 15 February 2023.

Moved by Councillor M Wright and seconded by Councillor V Etheridge

**MOTION**

**That the report of the Financial Performance Committee meeting held on 15 February 2023, be adopted.**

**CARRIED**

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

**Against:** Nil.

**CCL23/37      REPORT OF THE CULTURAL AND TOURISM FACILITY COMMITTEE - MEETING 8  
FEBRUARY 2023 (ID23/270)**

The Council had before it the report of the Cultural and Tourism Facility Committee meeting held 8 February 2023.

Moved by Councillor D Mahon and seconded by Councillor V Etheridge

**MOTION**

**That the report of the Cultural and Tourism Facility Committee meeting held on 8 February 2023, be adopted.**

**CARRIED**

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

**Against:** Nil.

**CCL23/38      REPORT OF THE FLOODPLAIN MANAGEMENT COMMITTEE - MEETING 8  
FEBRUARY 2023 (ID23/271)**

The Council had before it the report of the Floodplain Management Committee meeting held 8 February 2023.

Moved by Councillor M Wright and seconded by Councillor L Burns

**MOTION**

**That the report of the Floodplain Management Committee meeting held on 8 February 2023, be adopted.**

**CARRIED**

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

**Against:** Nil.

**CCL23/39      REPORT OF THE MULTICULTURAL ADVISORY COMMITTEE - MEETING 6  
FEBRUARY 2023 (ID23/272)**

The Council had before it the report of the Multicultural Advisory Committee meeting held 6 February 2023.

Moved by Councillor M Wright and seconded by Councillor R Ivey

**MOTION**

**That the report of the Multicultural Advisory Committee (Liaison Officer) meeting held on 6 February 2023, be adopted.**

**CARRIED**

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

**Against:** Nil.

**CCL23/40      REPORT OF THE WIRADJURI TOURISM PROJECT COMMITTEE - MEETING 13  
FEBRUARY 2023 (ID23/274)**

The Council had before it the report of the Wiradjuri Tourism Project Committee meeting held 13 February 2023.

Moved by Councillor L Burns and seconded by Councillor V Etheridge

**MOTION**

**That the report of the Wiradjuri Tourism Project Committee meeting held on 13 February 2023, be adopted.**

**CARRIED**

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

**Against:** Nil.

**CCL23/41      REPORT OF THE MULTICULTURAL ADVISORY COMMITTEE - MEETING 13  
FEBRUARY 2023 (ID23/275)**

The Council had before it the report of the Multicultural Advisory Committee meeting held 13 February 2023.

Moved by Councillor M Wright and seconded by Councillor J Gough

**MOTION**

**That the report of the Multicultural Advisory Committee meeting held on 13 February 2023, be adopted.**

**CARRIED**

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

**Against:** Nil.

**REPORTS FROM STAFF:**

**CCL23/42 2022/2023 DELIVERY PROGRAM AND OPERATIONAL PLAN – PROGRESS REPORT – JULY TO DECEMBER 2022 (ID22/2660)**

The Council had before it the report dated 14 February 2023 from the Director Strategy, Partnerships and Engagement regarding 2022/2023 Delivery Program and Operational Plan – Progress Report – July to December 2022.

Moved by Councillor J Black and seconded by Councillor V Etheridge

**MOTION**

1. That the 2022/2023 Delivery Program and Operational Plan – Progress Report – July to December 2022 (attached as Appendix 1 to the report of the Director Strategy, Partnerships and Engagement dated 14 February 2023), be noted.
2. That the actions that are listed as cancelled/deferred for reasons outlined in the report of the Director Strategy, Partnerships and Engagement dated 14 February 2023, be noted.

**CARRIED**

**CCL23/43 ACQUISITION OF CROWN LAND FOR PUBLIC ROAD, UPGRADE OF GOOLMA ROAD AND TWELVE MILE ROAD INTERSECTION (ID22/2490)**

The Council had before it the report dated 28 November 2022 from the Property Development Officer regarding Acquisition of Crown Land for Public Road, Upgrade of Goolma Road and Twelve Mile Road Intersection.

Moved by Councillor R Ivey and seconded by Councillor J Gough

**MOTION**

1. That Council approve the compulsory acquisition of the whole of Lot 2 on DP1141897, and 2,703m<sup>2</sup> of Lot 1 on DP1141897, and upon acquisition, classify the land as operational land.
2. That Council register an acquisition plan in accordance with the details outlined in the body of this report, against Lot 1 on DP1141897 and Lot 2 on DP1141897.
3. That Council agrees to enter into an agreement with Squadron Energy Pty Ltd for the maintenance of part of the acquisition areas described in no. 1 (above) for the life of the Uungula Wind Farm, and to register such agreement against the relevant title/s upon acquisition.
4. That a further report be submitted to Council when all pre-acquisition procedures for the acquisition areas described in no. 1 (above) have been undertaken.
5. That it be noted that Squadron Energy Pty Ltd shall cover all Council's costs in the matter.

**CARRIED**

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

**Against:** Nil.

**CCL23/44 RESULTS OF PUBLIC EXHIBITION - PLANNING PROPOSAL R22-004 - 13L NARROMINE ROAD, DUBBO (ID23/102)**

The Council had before it the report dated 7 February 2023 from the Growth Planner regarding Results of Public Exhibition - Planning Proposal R22-004 - 13L Narromine Road, Dubbo.

Moved by Councillor J Gough and seconded by Councillor M Wright

**MOTION**

1. That Council adopt the Planning Proposal to amend the Dubbo Local Environmental Plan 2022 by realigning the zoning and minimum lot size boundaries at 13L Narromine Road, Dubbo (attached in Appendix 1).
2. 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.
3. That the Chief Executive Officer be authorised to execute any required documentation to finalise the amendment to the Dubbo Local Environmental Plan 2022.

**CARRIED**

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

**Against:** Nil.



**CCL23/45 REGIONAL AND LOCAL ROADS REPAIR PROGRAM (RLRRP) (ID23/110)**

The Council had before it the report dated 9 February 2023 from the Manager Infrastructure Delivery regarding Regional and Local Roads Repair Program (RLRRP).

Moved by Councillor R Ivey and seconded by Councillor J Gough

**MOTION**

1. The report of the Manager Infrastructure Delivery, dated 23 February 2023, be noted.
2. Expenditure to date of \$209,421, in accordance with conditions of the Funding Deed, be noted.
3. That the Regional and Local Roads Repair Program funding be allocated to:

Road Name	Treatment	Estimate
Benolong Road	Various Heavy Patching	\$1,200,000
Burrendong Way	Various Heavy Patching	\$1,000,000
Collie Road	Various Heavy Patching	\$ 31,000
Dripstone Road	Various Heavy Patching	\$ 350,000
Obley Road	Various Heavy Patching	\$ 205,000
Mogriguy Road	Various Heavy Patching	\$ 47,000
Renshaw-McGirr Way	Various Heavy Patching	\$ 720,000
Saxa Road	Various Heavy Patching	\$1,311,849
<b>Total</b>		<b>\$4,864,849</b>

4. Council continue to pursue other funding streams to supplement Council's income for the purposes of repairing the road network.

**CARRIED**

Moved by Councillor J Black and seconded by Councillor V Etheridge

**AMENDMENT**

1. The report of the Manager Infrastructure Delivery, dated 23 February 2023, be noted.
2. Expenditure to date of \$209,421, in accordance with conditions of the Funding Deed, be noted.
3. That the Regional and Local Roads Repair Program funding be allocated to:

Road Name	Treatment	Estimate
Benolong Road	Various Heavy Patching	\$1,200,000
Burrendong Way	Various Heavy Patching	\$1,000,000
Collie Road	Various Heavy Patching	\$ 31,000
Dripstone Road	Various Heavy Patching	\$ 350,000
Obley Road	Various Heavy Patching	\$ 205,000
Mogriguy Road	Various Heavy Patching	\$ 47,000
Renshaw-McGirr Way	Various Heavy Patching	\$ 720,000
Saxa Road	Various Heavy Patching	\$1,286,849
Boundary Road	Various Heavy Patching	\$25,000
<b>Total</b>		<b>\$4,864,849</b>

4. Council continue to pursue other funding streams to supplement Council's income for the purposes of repairing the road network.

5. That Boundary Road, near Crown Street be funded from the Local Roads Repair Program with funding in the amount of \$25,000.00 to be taken from the proposed Saxa Road allocation

For: Councillors J Black, L Burns, V Etheridge, and M Wright.

Against: Councillors D Mahon, R Ivey, J Gough and M Dickerson

As there were an equal amount of votes for and against, the Mayor, Councillor M Dickerson, used his casting vote to vote against the amendment.

The amendment on being put to the meeting was lost.

LOST

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

**Against:** Nil.

**CCL23/46      BIOSECURITY - WEED MANAGEMENT (ID23/178)**

The Council had before it the report dated 3 February 2023 from the Manager Operations regarding Biosecurity - Weed Management.

Moved by Councillor J Black and seconded by Councillor J Gough

**MOTION**

**That the information contained within the report of the Manager Operations dated 3 February 2023, noted.**

**CARRIED**

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

**Against:** Nil.

**CCL23/47      DRAFT DEVELOPMENT CONTROL PLAN - MIRIAM HILL - 2R OLD DUBBO ROAD, DUBBO (ID23/186)**

The Council had before it the report dated 10 February 2023 from the Team Leader Growth Planning Projects regarding Draft Development Control Plan - Miriam Hill - 2R Old Dubbo Road, Dubbo.

Moved by Councillor J Gough and seconded by Councillor J Black

**MOTION**

1. That the draft Miriam Hill Development Control Plan (attached as Appendix 1 to the report of the Team Leader Growth Planning Projects dated 10 February 2023), be adopted for the purpose of public exhibition.
2. That the draft Miriam Hill Development Control Plan 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, M Dickerson, V Etheridge, J Gough, R Ivey, D Mahon and M Wright.

**Against:** Nil.

**CCL23/48      DRAFT DEVELOPMENT CONTROL PLAN - SOUTHLAKES ESTATE (ID23/55)**

The Council had before it the report dated 9 February 2023 from the Team Leader Growth Planning Projects regarding Draft Development Control Plan - Southlakes Estate.

Moved by Councillor V Etheridge and seconded by Councillor M Wright

**MOTION**

1. That the draft Southlakes Estate Development Control Plan (attached as Appendix 1 of the report of the Team Leader Growth Planning Projects dated 9 February 2023) be adopted for the purpose of public exhibition only.
2. That the draft Southlakes Estate Development Control Plan 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, M Dickerson, V Etheridge, J Gough, R Ivey, D Mahon and M Wright.

**Against:** Nil.

**CCL23/49 BALLIMORE FLOOD STUDY FOR PUBLIC EXHIBITION (ID23/219)**

The Council had before it the report dated 9 February 2023 from the Manager Infrastructure Strategy and Design regarding Ballimore Flood Study for Public Exhibition.

Moved by Councillor M Wright and seconded by Councillor L Burns

**MOTION**

**That the Ballimore Flood Study be placed on public exhibition for 28 days in March/April 2023.**

**CARRIED**

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

**Against:** Nil.

**CCL23/50 EROSION REPORT UPDATE FOR THE BELL RIVER - DUKE OF WELLINGTON BRIDGE AND PIONEER PARK (ID23/235)**

The Council had before it the report dated 13 February 2023 from the Manager Recreation and Open Space regarding Erosion report update for the Bell River - Duke of Wellington Bridge and Pioneer Park.

Moved by Councillor J Black and seconded by Councillor R Ivey

**MOTION**

- 1. That at the location within Pioneer Park identified as site 2 (Spillway) in the body of the report, be prioritised for rectification works based on the extent of damage and associated risk.**
- 2. That at the location within Pioneer Park identified as site 1 (Bank Stabilisation) in the body of the report have rectification works undertaken with any remaining funds after the completion of rectifications works on site 2 (Spillway).**
- 3. That it be noted that works shall be commencing for the design and construction of an eastern entry and exit roadway in Pioneer Park with further works on the internal road and pathway to follow.**
- 4. That detailed analysis of options 2 and 4 for the Duke of Wellington Bridge as identified in the report be undertaken including:**
  - A structural assessment of the bridge**
  - A “do nothing” option as the base case scenario.**
- 5. That the Chief Executive Officer provide a subsequent report to Council that provides the business cases for each option and recommended action.**

**CARRIED**

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

**Against:** Nil.

**CCL23/51      DECEMBER 2022 QUARTERLY BUDGET REVIEW STATEMENT (ID23/238)**

The Council had before it the report dated 15 February 2023 from the Chief Executive Officer regarding December 2022 Quarterly Budget Review Statement.

Moved by Councillor J Gough and seconded by Councillor V Etheridge

**MOTION**

1. That the Quarterly Budget Review Statements as at 31 December 2022, as attached to the report of the Chief Executive Officer dated 15 February 2022, be adopted and such sums voted for such purpose.
2. The reallocation of the Local Roads and Community Infrastructure Program Phase 3 funding as detailed in the report for nominated projects be adopted.
3. That the Statement of the Responsible Accounting Officer that Council is in a satisfactory financial position having regard to the changes herewith to the original budget, be noted.

**CARRIED**

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

**Against:** Nil.

**CCL23/52      RELINQUISH CROWN TRUST MANAGEMENT OF BROCKLEHURST RESERVE (R97318) - WAMBIANNA STREET (ID23/242)**

The Council had before it the report dated 14 February 2023 from the Manager Recreation and Open Space regarding Relinquish Crown Trust Management of Brocklehurst Reserve (R97318) - Wambianna Street.

Moved by Councillor J Black and seconded by Councillor M Wright

**MOTION**

1. That the information contained within the report of the Manager Recreation and Open Space dated 14 February 2023, be noted.
2. That trusteeship of Reserve 97318, being the old school ground at Brocklehurst located on Wambianna Street be relinquished.
3. That the Brocklehurst community be informed that Council is relinquishing management of R97318 back to Crown Lands.

**CARRIED**

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

**Against:** Nil.

**CCL23/53 COMMENTS AND MATTERS OF URGENCY (ID23/60)**

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:

- *CCL23/54 - Construction Of Henty Road As Part Of Land-Swap Agreement With Dubbo Rsl Memorial Club Ltd*  
(Section 10A(2)(c)) - information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposed to conduct) business.
- *CCL23/55 Land Acquisition - Benolong Bridge Replacement Project*  
(Section 10A(2)(c)) - information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposed to conduct) business.
- *CCL23/56 People Culture And Safety Metrics - Quarterly Report*  
(Section 10A(2)(a)) - is closed to the public for the following reason: personnel matters concerning particular individuals (other than Councillors)
- *CCL23/57 Delegated Authority For The Award Of The Tender For New Fluoride Dosing System At John Gilbert Water Treatment Plant*  
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
- *CCL23/58 Tender For Purchase Power Agreement - Large Electricity Sites*  
(Section 10A(2)(a)) - is closed to the public for the following reason: personnel matters concerning particular individuals (other than Councillors)

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

At this junction it was moved by Councillor M Wright and seconded by Councillor L Burns that the Council resolves into Closed Session, the time being 7.02pm.

The Open Session resumed at 7.53pm.

The Manager Corporate Governance read out the following resolutions made in the closed session of Council.

**CCL23/54 CONSTRUCTION OF HENTY ROAD AS PART OF LAND-SWAP AGREEMENT WITH DUBBO RSL MEMORIAL CLUB LTD (ID22/2624)**

The Council had before it the report dated 15 December 2022 from the Manager Property and Land Development regarding Construction of Henty Road as part of land-swap agreement with Dubbo RSL Memorial Club Ltd.

Moved by Councillor M Wright and seconded by Councillor L Burns

**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 J Black and seconded by Councillor J Gough

**MOTION**

1. That Council note the construction of a four-lane road from the roundabout at the intersection of Boundary Road and Stream Avenue, along the entire eastern frontage of the proposed lot the subject of the land-swap deed dated 15 September 2020 between Council and Dubbo RSL Memorial Club Ltd.
2. That all documentation in relation to this matter remain confidential to Council.
3. That any documents arising from this report are signed under the common seal of Council.

Moved by Councillor M Wright and seconded by Councillor L Burns

**AMENDMENT**

1. **That Council does not proceed with a temporary road, and undertakes the construction of a four-lane road as detailed in the report, from the roundabout at the intersection of Boundary Road and Stream Avenue, along the entire eastern frontage of the proposed lot the subject of the land-swap deed dated 15 September 2020 between Council and Dubbo RSL Memorial Club Ltd.**
2. **That works for the construction of the road are not commenced until the land swap is confirmed.**
3. **That all documentation in relation to this matter remain confidential to Council.**
4. **That any documents arising from this report are signed under the common seal of 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, M Dickerson, V Etheridge, J Gough, R Ivey, D Mahon and M Wright.

**Against:** Nil.

**CCL23/55 LAND ACQUISITION - BENOLONG BRIDGE REPLACEMENT PROJECT (ID23/205)**

The Council had before it the report dated 6 February 2023 from the Operations Engineer (West) regarding Land Acquisition - Benolong Bridge Replacement Project.

Moved by Councillor M Wright and seconded by Councillor L Burns

**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 R Ivey and seconded by Councillor J Black

**MOTION**

- 1. That Council acquire part of Lot 139 on DP753257 and Lot 30 on DP 753220 as described in the body of this report and, upon acquisition, dedicate such land as public road reserve in accordance with the *Roads Act 1993*.**
- 2. That Council licence that part of Benolong Road, as described in the body of this report, to the owner of Lot 27 and Lot 63 DP 753220:**
- 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.**

**CARRIED**

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

**Against:** Nil.



**CCL23/56 PEOPLE CULTURE AND SAFETY METRICS - QUARTERLY REPORT (ID23/244)**

The Council had before it the report dated 14 February 2023 from the Manager People Culture and Safety regarding People Culture and Safety Metrics - Quarterly Report.

Moved by Councillor M Wright and seconded by Councillor L Burns

**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 personnel matters concerning particular individuals (other than Councillors) (Section 10A(2)(a)).**

**CARRIED**

Moved by Councillor V Etheridge and seconded by Councillor J Gough

**MOTION**

- 1. That the information contained in the People Culture and Safety metrics report be noted.**
- 2. That all documentation in relation to this matter remain confidential to Council.**
- 3. That these reports be provided to Council on a quarterly basis.**

**CARRIED**

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

**Against:** Nil.

**CCL23/57 DELEGATED AUTHORITY FOR THE AWARD OF THE TENDER FOR NEW FLUORIDE DOSING SYSTEM AT JOHN GILBERT WATER TREATMENT PLANT (ID23/240)**

The Council had before it the report dated 13 February 2023 from the Manager Water Supply and Sewerage regarding Delegated Authority for the award of the Tender for New Fluoride Dosing System at John Gilbert Water Treatment Plant.

Moved by Councillor M Wright and seconded by Councillor L Burns

**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 J Black and seconded by Councillor L Burns

**MOTION**

- 1. That Council delegate the Chief Executive Officer authority to award the tender up to**

the value defined in the report for the fluoride dosing system at the John Gilbert Water Treatment Plant.

2. That all documentation in relation to this matter remain confidential to Council.
3. That all documentation in relation to this matter be signed under the Common Seal of Council.

LOST

**For:** Councillors L Burns, V Etheridge, and M Wright.

**Against:** Councillors J Black, M Dickerson, J Gough, R Ivey and D Mahon

**CCL23/58 TENDER FOR PURCHASE POWER AGREEMENT - LARGE ELECTRICITY SITES (ID23/276)**

The Council had before it the report dated 17 February 2023 from the Manager Procurement regarding Tender for Purchase Power Agreement - Large Electricity Sites.

Moved by Councillor M Wright and seconded by Councillor L Burns

**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 R Ivey and seconded by Councillor M Wright

**MOTION**

1. That Council accept the tender from Iberdrola Australia Energy Markets Pty Ltd and enter into a contract for a period of 7.5 years.
2. That council determine that selection of scenario 3 in table 5 be the preferred approach to Large Generation Certificates (LGCs) based on the best financial outcome for Council as well as meeting Council's 50% of electricity from renewable energy requirement by 2025 increasing this to 100% by 2030.
3. That any necessary documents be signed under the Council seal.
4. That the content of this report and associated documents remain confidential to Council.

**CARRIED**

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

**Against:** Councillor M Dickerson, L Burns

The meeting closed at 7.57pm.

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CHAIRPERSON