



REPORT

ORDINARY COUNCIL MEETING

23 MAY 2024

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 Corporate Governance, the Governance Team Leader, the Governance Officers, the Chief Financial Officer, the IT Infrastructure Specialist, the IT Support Officer, the Property and Land Development Officer, the Director Strategy, Partnerships and Engagement, the Communications Partner, the Director Development and Environment (D Quigley), the Director Infrastructure, the Director Community, Culture and Places, the Manager Regional Events.

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 V Ethridge. The Acknowledgement of Country was read by Councillor L Burns.

CCL24/110 LEAVE OF ABSENCE (ID24/94)

The were no requests for Leave of Absence.

Councillor M Wright attended via Audio-Visual Link

CCL24/111 CONFLICTS OF INTEREST (ID24/95)

The following Conflicts of Interest were declared:

- CCC24/26 – Councillor S Chowdhury – Non-Pecuniary, Less than Significant
- CCC24/28 – Councillor S Chowdhury – Non-Pecuniary, Less than Significant
- CCL24/127 – Councillor S Chowdhury – Non-Pecuniary, Less than Significant

CCL24/112 50 YEARS OF SERVICE PRESENTATION (ID24/923)

A citation acknowledging 50 Years of service for Raymond John Fardell was read and a certificate presentation was given by Councillor Mathew Dickerson.

CCL24/113 PUBLIC FORUM (ID24/97)

- Ms Michelle Tomkins – The Replacement of Scabbing Flat Bridge
- Mr John Kater – Proposed Sale or Lease of the Dubbo Regional Livestock Markets
- Mr Andrew Martel – Proposed Sale or Lease of the Dubbo Regional Livestock Markets
- Mr Peter Carter - Proposed Sale or Lease of the Dubbo Regional Livestock Markets
- Mr Robert Shanks - Proposed Sale or Lease of the Dubbo Regional Livestock Markets
- Mr Martin Simmons - Proposed Sale or Lease of the Dubbo Regional Livestock Markets
- Mr Brian Tink - Proposed Sale or Lease of the Dubbo Regional Livestock Markets
- Mr Greg Kilby - Proposed Sale or Lease of the Dubbo Regional Livestock Markets
- Mr Gary Todd - Proposed Sale or Lease of the Dubbo Regional Livestock Markets
- Mr Frank Hayes - Proposed Sale or Lease of the Dubbo Regional Livestock Markets

At this juncture the meeting adjourned, the time being 6.04pm.
The meeting recommenced at 6.07pm.

CCL24/114 CONFIRMATION OF MINUTES (ID24/96)

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 24 April 2024.

Moved by Councillor S Chowdhury and seconded by Councillor L Burns

MOTION

That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council meeting held on 24 April 2024 (as attached) 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.

MAYORAL MINUTES:

CCL24/115 SUBMISSION OF MOTION TO THE NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT (NGA) - CONSISTENCY IN PLANNING AGREEMENTS FOR RENEWABLE ENERGY PROJECTS (ID24/1052)

The Council had before it the Mayoral Minute regarding Submission of Motion to the National General Assembly of Local Government (NGA) - Consistency in Planning Agreements for Renewable Energy Projects.

Moved by Councillor M Dickerson

MOTION

That Council support and endorse the motion.

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.

CCL24/116 WIRADJURI CULTURAL TOURISM CENTRE - FUNDING OUTCOME GROWING REGIONS PROGRAM ROUND 1 (ID24/1053)

The Council had before it the Mayoral Minute regarding Wiradjuri Cultural Tourism Centre - Funding Outcome Growing Regions Program Round 1.

Moved by Councillor M Dickerson

MOTION

That Council accept the grant offer of \$7,190,505 from Round 1 of the Growing Regions Program for the construction of the Wiradjuri Cultural Tourism Centre in accordance with deed conditions associated with the funding stream.

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.

INFORMATION ONLY MATTERS:

CCL24/117 MAYORAL APPOINTMENTS AND MEETINGS (ID24/916)

The Council had before it the report dated 1 May 2024 from the Chief Executive Officer regarding Mayoral Appointments and Meetings.

Moved by Councillor V Etheridge and seconded by Councillor P Wells

MOTION

That the information contained within 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.

CCL24/118 INVESTMENT UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - APRIL 2024 (ID24/672)

The Council had before it the report dated 7 May 2024 from the Revenue Accountant regarding Investment Under Section 625 of the Local Government Act - April 2024.

Moved by Councillor P Wells and seconded by Councillor D Mahon

MOTION

That the information contained within the Investment under Section 625 of the Local Government Act Report, dated 7 May 2024, 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:

CCL24/119 REPORT OF THE INFRASTRUCTURE, PLANNING AND ENVIRONMENT COMMITTEE - MEETING 9 MAY 2024 (ID24/917)

The Council had before it the report of the Infrastructure, Planning and Environment Committee meeting held 9 May 2024.

Moved by Councillor M Wright and seconded by Councillor V Etheridge

MOTION

That the report of the Infrastructure, Planning and Environment Committee meeting held on 9 May 2024, save and except IPEC24/29, 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.

**IPEC24/29 DRAFT PLANNING AGREEMENT - DUBBO FIRING POWER STATION
(ID24/509)**

The Council had before it the report dated 1 May 2024 from the Manager Growth Planning regarding Draft Planning Agreement - Dubbo Firing Power Station.

Moved by Councillor M Wright and seconded by Councillor J Black

MOTION

1. That a draft Planning Agreement be prepared in accordance with the terms identified in this report.
2. That a further report be presented to Council for consideration if a Planning Agreement cannot be successfully negotiated.
3. That a draft Planning Agreement prepared in accordance with the terms identified in this report be placed on public exhibition in accordance with the provisions of the Environmental Planning and Assessment Act 1979.
4. That following the conclusion of the public exhibition period, a further report be presented to Council for consideration, including any submissions received.
5. That any monetary contribution from the planning agreement be spent within a 15km radius of the project.

Moved by Councillor J Black and seconded by Councillor S Chowdhury

AMENDMENT

1. That a draft Planning Agreement be prepared in accordance with the terms identified in this report.
2. That a further report be presented to Council for consideration if a Planning Agreement cannot be successfully negotiated.
3. That a draft Planning Agreement prepared in accordance with the terms identified in this report be placed on public exhibition in accordance with the provisions of the Environmental Planning and Assessment Act 1979.
4. That following the conclusion of the public exhibition period, a further report be presented to Council for consideration, including any submissions received.
5. That future planning agreements do not have a geographical restriction on the use of the funds.

The amendment on being put to the meeting was lost.

LOST

For: Councillors J Black, S Chowdhury, and P Wells

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

The original motion on being put to the meeting was lost.

LOST

For: Nil

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

Moved by Councillor R Ivey and seconded by Councillor L Burns

FORESHADOWED MOTION

1. That a draft Planning Agreement be prepared in accordance with the terms identified in this report.
2. That a further report be presented to Council for consideration if a Planning Agreement cannot be successfully negotiated.
3. That a draft Planning Agreement prepared in accordance with the terms identified in this report be placed on public exhibition in accordance with the provisions of the Environmental Planning and Assessment Act 1979.
4. That following the conclusion of the public exhibition period, a further report be presented to Council for consideration, including any submissions received.

CARRIED

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

Against: Nil.

Councillor L Burns was absent from this vote.

Moved by Councillor J Black and seconded by Councillor S Chowdhury

AMENDMENT

1. That a draft Planning Agreement be prepared in accordance with the terms identified in this report.
2. That a further report be presented to Council for consideration if a Planning Agreement cannot be successfully negotiated.
3. That a draft Planning Agreement prepared in accordance with the terms identified in this report be placed on public exhibition in accordance with the provisions of the Environmental Planning and Assessment Act 1979.
4. That following the conclusion of the public exhibition period, a further report be presented to Council for consideration, including any submissions received.
5. That any monetary contribution from the planning agreement be spent within a 35km radius of the project.

The amendment on being put to the meeting was lost.

LOST

For: Councillors J Black, S Chowdhury, and V Etheridge.

Against: Councillors R Ivey, M Dickerson, M Wright, L Burns, J Gough and D Mahon.

Councillor L Burns left the meeting, the time being 07:14 pm.

CCL24/120 REPORT OF THE CULTURE AND COMMUNITY COMMITTEE - MEETING 9 MAY 2024 (ID24/918)

The Council had before it the report of the Culture and Community Committee meeting held 9 May 2024.

Moved by Councillor J Gough and seconded by Councillor V Etheridge

MOTION

That the report of the Culture and Community Committee meeting held on 9 May 2024, save and except CCC24/25, be adopted.

CARRIED

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

Against: Nil.

Councillor L Burns was absent from this vote.

Councillor S Chowdhury declared a non-pecuniary, less than significant interest in CCC24/26 before the Council and remained in the room during the Council's consideration of this matter. The reason for such interest is that Councillor S Chowdhury was a previous member of the Oriscon Committee.

Councillor S Chowdhury declared a non-pecuniary, less than significant interest in CCC24/28 before the Council and remained in the room during the Council's consideration of this matter. The reason for such interest is that Councillor S Chowdhury was a previous member of the Oriscon Committee.

Councillor L Burns returned to the meeting, the time being 07:16 pm.

CCC24/25 CONCEPT DUBBO INDOOR AQUATIC CENTRE (ID24/807)

The Council had before it the report dated 24 April 2024 from the Manager Recreation and Open Spaces regarding Concept Dubbo Indoor Aquatic Centre.

Moved by Councillor S Chowdhury and seconded by Councillor J Black

ALTERNATIVE MOTION

- 1. That as part of the draft budget process, an amount of \$30,000 be allocated to fund the review of the 2017 indoor aquatic centre concept, referred to as 'figure 1' in the CCC24/25 report.**
- 2. That the Chief Executive Officer investigate options to reduce the construction cost of the 'figure 1' concept and report back with estimated annual operating costs.**
- 3. That the Chief Executive Officer also investigate the costs associated with enclosing the existing 50m pool.**

CARRIED

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

Against: Councillors J Gough, R Ivey and D Mahon.

**CCL24/121 REPORT OF THE CORPORATE SERVICES COMMITTEE - MEETING 9 MAY 2024
(ID24/919)**

The Council had before it the report of the Corporate Services Committee meeting held 9 May 2024.

Moved by Councillor S Chowdhury and seconded by Councillor V Etheridge

MOTION

That the report of the Corporate Services Committee meeting held on 9 May 2024, 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.

**CCL24/122 REPORT OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE - MEETING 6
MAY 2024 (ID24/975)**

The Council had before it the report of the Audit, Risk and Improvement Committee meeting held 6 May 2024.

Moved by Councillor S Chowdhury and seconded by Councillor P Wells

MOTION

That the report of the Audit, Risk and Improvement Committee meeting held on 6 May 2024, 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.

CCL24/123 REPORT OF THE FINANCIAL PERFORMANCE COMMITTEE - MEETING 14 MAY 2024 (ID24/1019)

The Council had before it the report of the Financial Performance Committee meeting held 14 May 2024.

Moved by Councillor M Wright and seconded by Councillor S Chowdhury

MOTION

That the report of the Financial Performance Committee meeting held on 14 May 2024, 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.

CCL24/124 REPORT OF THE FLOODPLAIN MANAGEMENT COMMITTEE - MEETING 16 MAY 2024 (ID24/1057)

The Council had before it the report of the Floodplain Management Committee meeting held 16 May 2024.

Moved by Councillor M Wright and seconded by Councillor L Burns

MOTION

That the report of the Floodplain Management Committee meeting held on 16 May 2024, 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:

CCL24/125 LETTERS TO OWNERS WELLINGTON BASED SOLAR FARMS (ID24/998)

Council had before it a Notice of Motion dated 13 May 2024 from Councillor R Ivey regarding the Letters to Owners Wellington Based Solar Farms.

Moved by Councillor R Ivey and seconded by Councillor J Gough

MOTION

- 1. That the Chief Executive Officer write to the owners of the Suntop Solar Farm (Cal Energy Pty Ltd) and Wellington Solar Farm and Wellington North Solar Farm (Lightsource BP and the new owners Beijing Energy International Australia) in respect**

of the following:

- a. To explain Council's Policy Position in respect of community benefits from renewable energy projects, including Council's adopted Renewable Energy Benefit Framework.
 - b. To note that the Proponents of the Suntop Solar Farm and the Wellington Solar Farms were not previously required to provide community benefits in accordance with Council's currently adopted Renewable Energy Benefits Framework through a Voluntary Planning Agreement with Council.
 - c. That Council therefore requests each Proponent to enter into a Voluntary Planning Agreement with Council in accordance with the requirements of Council's adopted Renewable Energy Benefits Framework.
2. That Council believes the proposed Voluntary Planning Agreements negotiated in accordance with Council's Framework would be seen by the community as an act of goodwill by the project owners and thereby increase the acceptance of the shift to renewable energy in our Region.
 3. That any draft Voluntary Planning Agreement be provided to Council for consideration in accordance with the provisions of the Environmental Planning and Assessment Act, 1979, including detailed consultation with community.

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:

CCL24/126 MARCH 2024 QUARTERLY BUDGET REVIEW STATEMENT (ID24/970)

The Council had before it the report dated 9 May 2024 from the Chief Financial Officer regarding March 2024 Quarterly Budget Review Statement.

Moved by Councillor M Wright and seconded by Councillor V Etheridge

MOTION

1. That the Quarterly Budget Review Statements as at 31 March 2024, as attached to the report of the Director Organisational Performance dated 9 May 2024, be adopted and such sums voted for such purpose.
2. 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, S Chowdhury, M Dickerson, V Etheridge, J Gough, R Ivey, D Mahon, P Wells and M Wright.

Against: Nil.

CCL24/127 NAMING OF A PRIVATE THOROUGHFARE ASSOCIATED WITH DEVELOPMENT APPLICATION FOR MULTI-DWELLING HOUSING (22 UNITS) AND COMMUNITY TITLE SUBDIVISION ON LOT 3358 DP1265889, 33 WATERWAY CRESCENT DUBBO (ID24/991)

The Council had before it the report dated 10 May 2024 from the LIS and E-Services Coordinator regarding Naming of a Private Thoroughfare Associated with Development Application for Multi-Dwelling Housing (22 units) and Community Title Subdivision on Lot 3358 DP1265889, 33 Waterway Crescent Dubbo.

Moved by Councillor P Wells and seconded by Councillor V Etheridge

MOTION

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

CARRIED

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

Against: Councillor V Etheridge.

As Councillor V Etheridge did not vote on this matter, as per Clause 11.4 of Council's Code of Meeting Practice, this will be recorded as voting against the motion.

Councillor S Chowdhury 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 Councillor S Chowdhury lives in Waterway Crescent, Dubbo. However, this motion is only naming the road with no financial gain.

CCL24/128 DELEGATION OF AUTHORITY UPDATE - INFRASTRUCTURE PLANNING AND ENVIRONMENT COMMITTEE (ID24/993)

The Council had before it the report dated 13 May 2024 from the Manager Corporate Governance regarding Delegation of Authority Update - Infrastructure Planning and Environment Committee.

Moved by Councillor D Mahon and seconded by Councillor J Black

MOTION

- 1. That Council grant delegation to the Infrastructure Planning and Environment committee to determine all Development Applications.**

2. That it be noted that delegating authority to determine Development Applications to the Infrastructure Planning and Environment committee will enable decisions to be made every two weeks by the elected body.

LOST

For: Councillors J Black, L Burns, V Etheridge, J Gough and D Mahon.

Against: Councillors S Chowdhury, M Dickerson, R Ivey, M Wright and P Wells.

As there were an equal amount of votes for and against, the Mayor, Councillor M Dickerson, used his casting vote to vote against the motion, as per Clause 11.2 of Council's Code of Meeting Practice.

CCL24/129 COUNCILLOR AND MAYORAL FEES - 2024/2025 (ID24/999)

The Council had before it the report dated 14 May 2024 from the Manager Corporate Governance regarding Councillor and Mayoral Fees - 2024/2025.

Moved by Councillor S Chowdhury and seconded by Councillor M Wright

MOTION

1. That pursuant to the provisions of Section 248(2) of the Local Government Act 1993, the annual fee payable to Councillors for the financial year commencing 1 July 2024 be set at \$27,050.
2. That pursuant to the provisions of Section 249(3) of the Local Government Act 1993, the annual additional fee payable to the Mayor for the financial year commencing 1 July 2024 be set at \$66,800.

CARRIED

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

Against: Councillors J Black, S Chowdhury and J Gough.

CCL24/130 EXECUTION OF THE SECTION 88B INSTRUMENT TO IMPLEMENT THE RELEASE OF A REDUNDANT 'EASEMENT FOR WATER SUPPLY" (ID24/965)

The Council had before it the report dated 8 May 2024 from the Property and Land Officer regarding Execution of the Section 88B instrument to implement the release of a redundant 'Easement for Water Supply".

Moved by Councillor S Chowdhury and seconded by Councillor M Wright

MOTION

That Council executes documents under the common seal of Council to release the Easement for Water Supply 4 wide (DP 814788) from Lot 2400 in DP 1279437 under Section 88B of the Conveyancing Act 1919, being the redundant easement outlined in this 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.

CCL24/131 2024 COMMUNITY INSIGHTS SURVEY RESULTS (ID24/992)

The Council had before it the report dated 13 May 2024 from the Manager Customer Experience and Engagement regarding 2024 Community Insights Survey Results.

Moved by Councillor V Etheridge and seconded by Councillor L Burns

MOTION

1. That statistically valid 2024 Community Insights phone survey report be noted.
2. That findings from the statistically valid 2024 Community Insights phone survey and the online opt-in 2024 Community Input Survey be presented to the June Corporate Service Committee meeting.
3. That a Community Insights 'check-in' survey be undertaken in March 2025.

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.

CCL24/132 QUESTION ON NOTICE - MEETING WITH STEVEN ROSEWELL - 7 JUNE 2022 (ID24/1041)

The Council had before it the report dated 16 May 2024 from the Councillor regarding Question on Notice - Meeting with Steven Rosewell - 7 June 2022.

Moved by Councillor J Black and seconded by Councillor V Etheridge

MOTION

That the information contained within 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.

CCL24/133 QUESTION ON NOTICE - REQUEST FOR LEGAL COSTS (ID24/1042)

The Council had before it the report dated 16 May 2024 from the Councillor regarding Question on Notice - Request for Legal Costs.

Moved by Councillor J Black and seconded by Councillor V Etheridge

MOTION

That the information contained within the report be noted.

CARRIED

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

Against: Councillor J Gough.

CCL24/134 COMMENTS AND MATTERS OF URGENCY (ID24/920)

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:

- *CCL24/135 – 154 Talbragar Street, dubbo – Expression of Interest* - 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)).
- *CCL24/136 – Proposed Agreement to Lease Council-Owned Land* - 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)).

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

At this juncture it was moved by Councillor L Burns and seconded by Councillor J Gough that the Council resolves into closed session, the time being 8:17 pm.

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.

At this juncture it was moved by Councillor D Mahon and seconded by Councillor P Wells that the Council resolves back into open session, the time being 8:36 pm.

The open session resumed at 8:36 pm.

The Resolutions of the Closed session of Council were displayed on the screen on recommencement of live stream.

CCL24/135 154 TALBRAGAR STREET, DUBBO - EXPRESSION OF INTEREST (ID24/667)

The Council had before it the report dated 10 April 2024 from the Property and Land Officer regarding 154 Talbragar Street, Dubbo - Expression of interest.

Moved by Councillor L Burns and seconded by Councillor J Gough

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 L Burns

MOTION

1. That Council decline all the Expression of Interest Submissions.
2. That Council to advise all Expression of Interest applicants that their submissions have been declined and to thank them for their submission.
3. That it be noted, in accordance with Section 55 of the Local Government Act, that Council Staff continue to negotiate with interested parties based on market value.
4. That Strategic Planning for the site be undertaken to meet the needs of community and council.
5. That all documentation in relation to this matter remain confidential to Council.

LOST

For: Councillors M Dickerson and R Ivey.

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

Moved by Councillor J Black and seconded by Councillor S Chowdhury

FORESHADOWED MOTION

1. **That Council decline all Expression of Interest submissions.**
2. **That Council to advise all Expression of Interest applicants that their submissions have been declined and to thank them for their submission.**
3. **That Strategic Planning for the site be undertaken to meet the needs of community and 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.

CCL24/136 PROPOSED AGREEMENT TO LEASE COUNCIL-OWNED OPERATIONAL LAND (ID24/1000)

The Council had before it the report dated 14 May 2024 from the Property and Land Development Officer regarding Proposed Agreement to Lease Council-Owned Operational Land.

Moved by Councillor L Burns and seconded by Councillor J Gough

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 V Etheridge and seconded by Councillor M Wright

MOTION

1. **That Council agree to enter into an agreement to lease 10 Ha of land at the Keswick Estate to Squadron Energy or an associated entity on the key terms as included in the report and the Heads of Agreement document as included in Appendix 1.**
2. **That Council delegate to the Chief Executive Officer the power to negotiate an agreement to lease land in accordance with the Heads of Agreement document provided in Appendix 1 and the information included in this report.**
3. **That all information in relation to this matter is kept confidential to Council.**
4. **That any documents requiring execution by Council relating to this report be executed under the Common Seal of Council.**
5. **That it should be noted that Squadron Energy or an associated entity will be required to provide infrastructure on the land, including water, sewer, stormwater and electricity infrastructure in accordance with the requirements of Council to service any development undertaken on the land.**

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 8:37 pm.

.....
CHAIRPERSON