

**REPORT
ORDINARY COUNCIL MEETING
22 JUNE 2016**

PRESENT:

Administrator (Mr Michael Kneipp)

ALSO IN ATTENDANCE:

The Interim General Manager, the Director Wellington Branch, the Executive Assistant - Director Corporate Services, the Director Organisational Services – Dubbo Branch, the Manager Governance and Risk, the Director Corporate Development – Dubbo Branch, the Media and Public Relations Coordinator, the Director Technical Services – Dubbo Branch, the Manager Technical Support, the Manager Civil Infrastructure and Solid Waste, the Director Environmental Services – Dubbo Branch, the Director Community Services – Dubbo Branch and the Director Parks and Landcare Services – Dubbo Branch.

Mr M Kneipp assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 5.34pm with a prayer for Divine Guidance to the Council in its deliberations and activities. The acknowledgement of country was also read by the Administrator, Mr Kneipp.

CCL16/52 APOLOGIES

There were no requests for leave of absence recorded.

CCL16/53 DECLARATION OF INTERESTS

There were no declaration of interests recorded.

CCL16/54 CONFIRMATION OF ORDER OF BUSINESS

Moved by Mr M Kneipp

MOTION

That the confirmation of order of business for the Ordinary Council meeting held 22 June 2016 be adopted.

CARRIED

CCL16/55 CONFIRMATION OF MINUTES (ID16/850)

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 25 May 2016 and the Extraordinary Council meeting held on 8 June 2016.

Moved by Mr M Kneipp

MOTION

That the minutes of the proceedings of the Western Plains Regional Council at the Ordinary Council meeting held on 25 May 2016 comprising pages 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 and 25 and the Extraordinary Council meeting held on 8 June 2016 comprising pages 34 and 35 of the series be taken as read, confirmed as correct minutes and signed by the Administrator and the Interim General Manager.

CARRIED

CCL16/56 PUBLIC ACCESS SESSION

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

- Mrs C Klein regarding CCL16/84 - Application for closure of part of Tarwong Lane, Maryvale.
- Mr B Conn regarding CCL16/84 - Application for Closure of Part of Tarwong Lane, Maryvale.
- Ms B Sutherland regarding CCL16/72 - Development Application for Additions and Alterations to a Child Care Centre at 8 Goode Street, Dubbo.

GENERAL MANAGER'S REPORTS:

CCL16/57 STREET SEALING PROGRAMME - WONGARBON / BROCKLEHURST / EUMUNGERIE AND BALLIMORE (ID16/1095)

The Council had before it the report dated 14 June 2016 from the Interim General Manager regarding Street Sealing Programme - Wongarbone / Brocklehurst / Eumungerie and Ballimore.

Moved by Mr M Kneipp

MOTION

1. That the final draft of the ten (10) year program of street sealing in the villages of Wongarbron / Brocklehurst / Eumungerie / and Ballimore, as identified in the report of the Manger Civil Infrastructure and Solid Waste and as amended having regard to community consultation, be conceptually endorsed for the purpose of the preparation of the newly formed Council's initial Community Strategic Plan effective 1 July 2018.
2. That in the intervening period the street sealing projects for 2016/2017 and 2017/2018 be as per the Managers report as follows:

2016/2017	Brocklehurst	Barbijal Street
	Wongarbron	Railway Street (Berida to Beni)
	Wongarbron	Derribong Street (Gundong to Barbigal)
2017/2018	Wongarbron	Bundemar Street (Gundong to Barbigal)
	Eumungerie	Balladoran Street (Emu to Cobboco)
	Eumungerie	Emu Street (Railway to Balladoran)
3. That those persons who made a submission in respect of this matter be thanked for their input and advised of Council's decision.

CARRIED

ORGANISATIONAL / CORPORATE SERVICES REPORTS:

CCL16/58 INVESTMENTS UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT (ID16/1071)

The Council had before it the report dated 8 June 2016 from the Director Organisational Services regarding Investments Under Section 625 of the Local Government Act.

Moved by Mr M Kneipp

MOTION

That the information contained within the report of the Director Organisational Services dated 8 June 2016 be noted.

CARRIED

CCL16/59 DISCLOSURE OF INTEREST RETURNS (ID16/1117)

The Council had before it the report dated 16 June 2016 from the Manager Governance and Risk Services regarding Disclosure of Interest Returns.

Moved by Mr M Kneipp

MOTION

That the tabling of the Disclosure of Interest Returns as detailed in the report of the Manager Governance and Risk Services dated 16 June 2016 be noted.

CARRIED

CCL16/60 DRAFT COUNCIL POLICY - USE OF COUNCIL COMMON SEAL (ID16/1073)

The Council had before it the report dated 8 June 2016 from the Manager Governance and Risk Services regarding Draft Council Policy - Use of Council Common Seal.

Moved by Mr M Kneipp

MOTION

That the draft Council Policy titled "Use of Council Common Seal" be adopted.

CARRIED

CCL16/61 DRAFT COUNCIL POLICY - LOCAL PURCHASING POLICY (ID16/1074)

The Council had before it the report dated 8 June 2016 from the Manager Governance and Risk Services regarding Draft Council Policy - Local Purchasing Policy.

Moved by Mr M Kneipp

MOTION

- 1. That the draft Council Policy titled "Local Purchasing Policy" be placed on public exhibition for a period of 28 days.**
- 2. That a further report be considered by Council addressing any submissions made by the public during the public exhibition period.**

CARRIED

CCL16/62 FORMATION OF OTHER COUNCIL COMMITTEES (ID16/1076)

The Council had before it the report dated 9 June 2016 from the Manager Governance and Risk Services regarding Formation of Other Council Committees.

Moved by Mr M Kneipp

MOTION

- 1. That the report of the Manager Governance and Risk Services be noted.**
- 2. That the following other Committees/Working Parties be formed by Council until the next Local Government election to be held September 2017:**
 - (a) Saleyards Advisory Committee**
 - (b) Geographical Names Ad Hoc Committee**
 - (c) Western Plains Regional Council Code of Conduct Committee**
 - (d) Dubbo Day Awards Committee**
 - (e) Rainbow Cottage Child Care Centre Committee**
 - (f) Sister Cities Advisory Committee**
 - (g) Dubbo Multi Cultural Festival Advisory Committee**
 - (h) Rural Consultative Working Party**
 - (i) Wellington Bicentenary Committee**

3. That the Companion Animals Advisory Committee be formed by Council until the next Local Government election to be held September 2017 with a composition as follows:
Comprising the Administrator, one (1) representative each from RSPCA Branch, RSPCA Foster Carers, a Veterinary Practice from the LGA, District Kennel Club, Department of Education, WIRES, one (1) citizen representative from each of the urban areas of Dubbo and Wellington, the Manager Environmental Control, Ranger Services Supervisor and the Supervisor Dubbo City Animal Shelter.
4. That the Audit and Risk Management Committee be formed by Council until the next Local Government election to be held September 2017 with membership as described in the report of the Manager Governance and Risk Services dated 9 June 2016 to be amended to include a non-voting Community Representative.
4. That the Floodplain Management Committee, Australia Day Working Party and Wellington Caves Advisory Group be formed by Council until the next Local Government election to be held September 2017 with membership as described in the report of the Manager Governance and Risk Services dated 9 June 2016 to be amended to include one (1) Community Representative.
5. That, where applicable, Council call public expressions of interest for members to these other committees/working parties for determination by the Administrator.
6. That the Administrator appoint representatives to represent Council on each of the External Committees as detailed in the body of this report as appropriate.

CARRIED

TECHNICAL SERVICES REPORTS:

CCL16/63 PUBLIC EXHIBITION OF DRAFT ROUTE PLANS OF PROPOSED PIPELINE FROM BURRENDONG DAM TO DUBBO (ID16/962)

The Council had before it the report dated 27 May 2016 from the Director Technical Services regarding Public Exhibition of Draft Route Plans of Proposed Pipeline from Burrendong Dam to Dubbo.

Moved by Mr M Kneipp

MOTION

1. That the attached draft route plans of a proposed future pipeline from Burrendong Dam to the John Gilbert Water Treatment Plant at Dubbo, via the Wellington Water Treatment Plant and Geurie, along the Macquarie River Valley, be adopted for public exhibition purposes.
2. That, following consideration of submissions received during the Public Exhibition period, a further report be prepared for Council.

CARRIED

CCL16/64 PROPOSED BOUNDARY ROAD EXTENSION AND ROUNDABOUTS AT THE INTERSECTIONS OF BOUNDARY ROAD WITH WHEELERS LANE AND ALEXANDRINA AVENUE, DUBBO (ID16/1110)

The Council had before it the report dated 15 June 2016 from the Manager Technical Support regarding Proposed Boundary Road Extension and Roundabouts at the Intersections of Boundary Road with Wheelers Lane and Alexandrina Avenue, Dubbo.

Moved by Mr M Kneipp

MOTION

That approval be granted for the implementation of two, new four way, multi lane roundabouts at the intersection of Boundary Road with Wheelers Lane and Alexandrina Avenue and the extension of Boundary Road as detailed on Council's Plan RC 6924 and RCD 6966 attached as Appendix 1 to the report of the Manager Technical Support dated 15 June 2016.

CARRIED

CCL16/65 PROPOSED MEDIAN SEPARATION ISLAND - INTERSECTION BOUNDARY ROAD AND MACQUARIE STREET DUBBO (ID16/1111)

The Council had before it the report dated 15 June 2016 from the Manager Technical Support regarding Proposed Median Separation Island - Intersection Boundary Road and Macquarie Street Dubbo.

Moved by Mr M Kneipp

MOTION

That a median separation island with associated pedestrian gap and access ramps be installed in Boundary Road at the intersection with Macquarie Street in accordance with Council's Plan TM 7019.

CARRIED

CCL16/66 PROPOSED GIVE WAY REGULATION - INTERSECTION OF BEDFORD AVENUE WITH MOUNTBATTEN DRIVE AND JENMARK ROAD, DUBBO (ID16/1112)

The Council had before it the report dated 15 June 2016 from the Manager Technical Support regarding Proposed Give Way Regulation - Intersection of Bedford Avenue with Mountbatten Drive and Jenmark Road, Dubbo.

Moved by Mr M Kneipp

MOTION

That a Give Way regulation be implemented in Bedford Avenue at the intersection with Mountbatten Drive and Jenmark Road and associated line marking in accordance with Council's Plan TM 7027 and that Council correspond with all the businesses in the locality advising of the proposed Traffic and Parking Management, and of the need to comply with the parallel parking regulation in the head of the Jenmark Road cul-de-sac.

CARRIED

ENVIRONMENTAL SERVICES REPORTS:

CCL16/67 BUILDING SUMMARY - MAY 2016 (ID16/1118)

The Council had before it the report dated 16 June 2016 from the Director Environmental Services regarding Building Summary - May 2016.

Moved by Mr M Kneipp

MOTION

That the information contained in the report of the Director Environmental Services dated 16 June 2016 be noted.

CARRIED

**CCL16/68 DEVELOPMENT APPLICATION D14-043 FOR EARTHWORKS, HORSE STABLES AND ONSITE ACCOMMODATION
PROPERTY: LOT 8 SECTION 76 DP 759073, 1A WARNE STREET, WELLINGTON
OWNER/APPLICANT: MR A VAN TONDER (ID16/1096)**

The Council had before it the report dated 15 June 2016 from the Director Environmental Services regarding Development Application D14-043 for Earthworks, Horse Stables and Onsite Accommodation.

Moved by Mr M Kneipp

MOTION

1. That based on the additional information and plans provided by the applicant, Council reaffirm the refusal by the former Wellington Council of Development Application D14-043 for earthworks, horse stables and onsite accommodation at Lot 8 Section 76 DP 759073, 1A Warne Street, Wellington for the following reasons:
 - (a) The information provided is insufficient to enable detailed assessment of the impacts of the development, particularly in respect of (but not limited to) the following:
 - Flood risk and flood management;
 - Whether consent has been obtained from the NSW Department of Primary Industries – Lands for the lodgement of the subject development application for works proposed to be undertaken on Crown Land;
 - Whether a Flood Control Approval is required and/or obtained under Section 90 and 91 of the Water Management Act, 2000 from the Department of Primary Industries – Office of Water for proposed works to be undertaken within the floodway of the Bell River;
 - Whether consent has been or is required to be obtained from NSW Fisheries pursuant to the Fisheries Management Act, 1994;
 - Potential contamination of the site and any required remediation pursuant to State Environmental Planning Policy 55 based on the presence of unauthorised fill onsite;
 - Stormwater management;
 - The likely risk of pollution entering the river via run-off from the site;
 - Compliance with the NSW Department of Primary Industries; and Guidelines for the Minimum Standards for Keeping Horses in Urban Areas; and
 - Impacts on groundwater and riparian land and watercourse.
 - (b) The proposed accommodation area is sited within high risk flood liable land and approximately two metres below the 1% AEP. The risk to life and property of allowing such use is unacceptable.
 - (c) Based on the information provided by the applicant, the stabling component of the proposed use requires onsite management and given that any form of residential accommodation on the subject land would be unacceptable, onsite management would not be achievable.
 - (d) The proximity of the stable building to residences and the proposed continuous hours of operation are likely to generate unavoidable and unacceptable noise impacts on neighbours.
 - (e) The additional burden on emergency services and potential risks and of approving an avoidable additional flood risk development is unacceptable.
 - (f) The likely adverse impacts of the use of the site on adjoining residents and the very high levels of ongoing maintenance that would be required to ensure odour, visual pollution and run-off did not become unacceptable and the likely ongoing monitoring and compliance issues.

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- (g) Given the number of objections received in respect of the subject application, the development is considered not to be in the public's interest.
- (h) The application fails to provide adequate information to enable a complete assessment of the development application in accordance with Section 79C of the Environmental Planning and Assessment Act, 1979.
2. That the people who made submissions in respect of this matter be advised accordingly of Council's decision.

CARRIED

In accordance with s375A(2) of the Local Government Act 1993, a division was duly called, the following votes on the motion were recorded:

FOR	AGAINST
Mr M Kneipp (Administrator)	
Total (1)	Total (0)

CCL16/69 CONTAMINATED LAND POLICY (ID16/1089)

The Council had before it the report dated 10 June 2016 from the Manager Environmental Control regarding Contaminated Land Policy.

Moved by Mr M Kneipp

MOTION

1. That the draft Contaminated Land Policy (Appendix 1 of the report of the Manager Environmental Control dated 10 June 2016) be adopted for the purpose of public consultation.
2. That the draft Contaminated Land Policy be placed on public exhibition for a period of not less than 28 days.

CARRIED

CCL16/70 DUBBO CBD PRECINCTS PLAN - STATUS REPORT (ID16/1055)

The Council had before it the report dated 10 June 2016 from the Manager City Strategy Services regarding Dubbo CBD Precincts Plan - Status Report.

Moved by Mr M Kneipp

MOTION

1. That the first progress report on the 50 Bright Ideas included in the CBD Precincts Plan be noted.
2. That future progress reports in respect of the Fast Track Approvals Program, the CBD Infrastructure Improvements Program and the Development Incentivisation Program be provided to Council for consideration in April and October annually.

CARRIED

CCL16/71 NEW DRAFT SECTION 94 CONTRIBUTIONS PLAN FOR DUBBO OPEN SPACE

AND RECREATION FACILITIES - PUBLIC EXHIBITION RESULTS (ID16/1053)

The Council had before it the report dated 7 June 2016 from the Manager City Strategy Services regarding New Draft Section 94 Contributions Plan for Dubbo Open Space and Recreation Facilities - Public Exhibition Results.

Moved by Mr M Kneipp

MOTION

1. That the new draft Section 94 Developer Contributions Plan for Dubbo Open Space and Recreation Facilities as provided here in Appendix 1 of the report of the Manager City Strategy Services dated 7 June 2016 be adopted.
2. That the current Section 94 Developer Contributions Plan for Open Space and Recreation Facilities cease operation on 30 June 2016.
3. That the new draft Section 94 Developer Contributions Plan for Dubbo Open Space and Recreation Facilities commence operation on 1 July 2016.
4. That the person who made a submission be thanked for their submission and advised of Council's determination in this matter.

CARRIED

In accordance with s375A(2) of the Local Government Act 1993, a division was duly called, the following votes on the motion were recorded:

FOR	AGAINST
Mr M Kneipp (Administrator)	
Total (1)	Total (0)

**CCL16/72 DEVELOPMENT APPLICATION D16-17 - CHILD CARE CENTRE (ADDITIONS AND ALTERATIONS) - LOT 5 DP 15672, 8 GOODE STREET, DUBBO
APPLICANT: OXANDA CAPITAL MANAGEMENT
OWNER: OXANDA MANAGEMENT DANKE PTY LTD
LODGED: 18 JANUARY 2016 (ID16/1062)**

The Council had before it the Administrator Minute dated 21 June 2016 regarding Development Application D16-17 - Child Care Centre (Additions and Alterations) - Lot 5 DP 15672, 8 Goode Street, Dubbo.

Moved by Mr M Kneipp

MOTION

1. That the report of the Senior Planner 2 dated 10 June 2016 be noted.
2. That the additional information as provided by the applicant's consultant dated 17 June 2016 does not satisfy the reasons for refusal as recommended by the Senior Planner in his report dated 10 June 2016.
3. That Development Application D2016-17 for the proposed alterations and additions to an existing child care centre at Lot 5 DP 15672, 8 Goode Street, Dubbo be refused for the following reasons:
 - a. The likely traffic and parking issues associated with the proposed development is not consistent with point 4 of the objectives of the R1 General Residential zone being "to ensure development is consistent with the character of the immediate locality" (S79C(1)(a)(i) Environmental Planning and Assessment Act 1979).
 - b. The proposed development has insufficient off-street car parking and does not comply with the minimum parking requirements in accordance with the Dubbo Development Control Plan 2013 (S79C(1)(a)(iii) Environmental Planning and Assessment Act 1979);
 - c. The front façade (southern elevation) is not consistent with that of the established residential area being a commercial design (S79C(1)(b) and S79C(1)(a)(iii) Environmental Planning and Assessment Act 1979).
 - d. The site is not suitable for the proposed development (over-development of the site) as the off-street car park is unable to contain a sufficient number of onsite car spaces (S79C(1)(c) Environmental Planning and Assessment Act 1979) to service the development.
 - e. The proposed development is considered not to be in the public's interest given the traffic and parking issues will be detrimental to adjoining property owners in the vicinity as well as occupants, staff and children accessing the centre (S79C(1)(e) Environmental Planning and Assessment Act 1979 from increased traffic and onsite parking).
 - f. Insufficient landscaping has been provided to the front boundary to provide an appropriate visual buffer from the street to the commercial premises (S79C(1)(a)(i) Environmental Planning and Assessment Act 1979).
 - g. Five (5) submissions were received objecting to the proposed development citing traffic, parking concerns and non-compliance with the DCP (S79C(1)(d) Environmental Planning and Assessment Act 1979).
4. That people who made submissions be advised of Council's decision in this matter.

CARRIED

In accordance with s375A(2) of the Local Government Act 1993, a division was duly called, the following votes on the motion were recorded:

FOR	AGAINST
Mr M Kneipp (Administrator)	
Total (1)	Total (0)

CCL16/73 DEVELOPMENT APPLICATION D16-146: HEALTH CONSULTING ROOM - LOT 831 DP 1065207, 33 CYPRESS POINT DRIVE, DUBBO
APPLICANT: MR C DE BEER
OWNER: MRS L THORNTON
LODGED: 5 APRIL 2016 (ID16/1065)

The Council had before it the report dated 10 June 2016 from the Planner regarding Development Application D16-146: Health Consulting Room - Lot 831 DP 1065207, 33 Cypress Point Drive, Dubbo.

Moved by Mr M Kneipp

MOTION

1. That Development Application D16-146 for additions to a dwelling for the purpose of a Health Consulting Room at Lot 831 DP 1065207, 33 Cypress Point Drive, Dubbo be approved subject to the conditions and notations as included in Appendix 1 of the report of the Planner dated 22 June 2016.
2. That Council not accede to the request to waive developer contributions associated with the subject development as the development is specifically defined in the Dubbo LEP 2011 as a 'Health Consulting Room' for which a development consent is required and for which no exemptions exist under the relevant developer contributions plan.
3. That persons who made submissions be advised of Council's determination in this matter.

CARRIED

In accordance with s375A(2) of the Local Government Act 1993, a division was duly called, the following votes on the motion were recorded:

FOR	AGAINST
Mr M Kneipp (Administrator)	
Total (1)	Total (0)

CCL16/74 PROPOSED ROAD NAMING - 54 GRANGEWOOD DRIVE, DUBBO - DEVELOPMENT APPLICATION D14-395 (ID16/848)

The Council had before it the report dated 9 June 2016 from the Land Information Services Supervisor regarding Proposed Road Naming - 54 Grangewood Drive, Dubbo - Development Application D14-395.

Moved by Mr M Kneipp

MOTION

1. That the proposed road names be approved for the 84 lot residential subdivision of Lot 100 in DP814787 at 54 Grangewood Drive, Dubbo (as shown in Appendix 1 of the report of the Land Information Services Supervisor dated 9 June 2016) as per the developers' request:
 - a) Boyd Avenue;
 - b) Nolan Esplanade;
 - c) Drysdale Close; and
 - d) Preston Court.
2. That the cost of the provision and installation of road name signs be met by the developer.
3. That the developer be advised accordingly.

CARRIED

CCL16/75 PROPOSED ROAD NAMING - 559 WHEELERS LANE, DUBBO - DEVELOPMENT APPLICATION D15-541 (ID16/851)

The Council had before it the report dated 9 June 2016 from the Land Information Services Supervisor regarding Proposed Road Naming - 559 Wheelers Lane, Dubbo - Development Application D15-541.

Moved by Mr M Kneipp

MOTION

1. That the proposed road names 'Violet Circuit' and 'Ivy Court' be approved for the 76 lot residential subdivision of Lot 10 in DP 1185855 at 559 Wheelers Lane, Dubbo (Appendix 1 of the report of the Land Information Services Supervisor dated 9 June 2016) as per the developer's request.
2. That the cost of provision and installation of the street name signs be met by the developer.
3. That the developer be advised accordingly.

CARRIED

**CCL16/76 PROPOSED ROAD NAMING OF NEW ROAD CREATED IN LOT 573 DP 615396
SPEARS DRIVE, DUBBO - DEVELOPMENT APPLICATION D13-409 (ID16/961)**

The Council had before it the report dated 9 June 2016 from the Land Information Services Supervisor regarding Proposed Road Naming of New Road Created in Lot 573 DP 615396 Spears Drive, Dubbo - Development Application D13-409.

Moved by Mr M Kneipp

MOTION

1. That the newly constructed road on Lot 573 DP 615396, Spears Drive, Dubbo be named Yarra Place, Dubbo.
2. That the cost of the provision and installation of the road name sign be met by the developer.
3. That the developer be advised accordingly.

CARRIED

PARKS AND LANDCARE SERVICES REPORTS:

**CCL16/77 PARKS AND LEISURE AUSTRALIA (NSW/ACT) PUBLIC OPEN SPACE
DEVELOPMENT 2016 WINNER - DRIFTWELLS PARK (ID16/1064)**

The Council had before it the report dated 6 June 2016 from the Manager Horticulture Services regarding Parks and Leisure Australia (NSW/ACT) Public Open Space Development 2016 Winner - Driftwells Park.

Moved by Mr M Kneipp

MOTION

That the information contained within the report of the Manager Horticulture Services dated 6 June 2016 be noted.

CARRIED

**CCL16/78 FALCONRY TRIAL FOR STARLING MANAGEMENT IN MACQUARIE STREET,
DUBBO (ID16/1077)**

The Council had before it the report dated 9 June 2016 from the Manager Landcare Services regarding Falconry Trial for Starling Management in Macquarie Street, Dubbo.

Moved by Mr M Kneipp

MOTION

1. That falconry be extended for an additional two year period.
2. That the duration of each annual falconry visit be extended, and lethal falconry be attempted to allow for greater impact on the resident starling populations.
3. That Local Land Services be consulted in relation to controlling Indian Myna incursions across Western Plains Regional Council area where applicable.
4. That Council investigate the use of a bird control drone to supplement live falconry control activities.

CARRIED

COMMUNITY SERVICES REPORTS:

CCL16/79 MACQUARIE REGIONAL LIBRARY AGREEMENT (ID16/1041)

The Council had before it the report dated 2 June 2016 from the Director Community Services regarding Macquarie Regional Library Agreement.

Moved by Mr M Kneipp

MOTION

1. That the proposed amendments to the Macquarie Regional Library Agreement as detailed in the body of the report of the Director Community Services be approved by Council.
2. That formal consent be sought from Narromine and Warrambungle Shire Councils to the amended Macquarie Regional Library Agreement.

CARRIED

CCL16/80 QUARTERLY REVIEW OF THE 2015/2016 DUBBO SOCIAL PLAN (ID16/832)

The Council had before it the report dated 23 May 2016 from the Manager Social Services regarding Quarterly Review of the 2015/2016 Dubbo Social Plan.

Moved by Mr M Kneipp

MOTION

That the information contained in the report of the Manager Social Services dated 23 May 2016 be noted.

CARRIED

CCL16/81 SIX MONTHLY REVIEW OF THE DUBBO AGEING STRATEGY (ID16/833)

The Council had before it the report dated 23 May 2016 from the Manager Social Services regarding Six monthly Review of the Dubbo Ageing Strategy.

Moved by Mr M Kneipp

MOTION

That the information contained in the report of the Manager Social Services dated 23 May 2016 be noted.

CARRIED

CORPORATE DEVELOPMENT REPORTS:

CCL16/82 DEVELOPMENT OF A NEW ECONOMIC DEVELOPMENT STRATEGY AND ACTION PLAN (ID16/1080)

The Council had before it the report dated 10 June 2016 from the Director Corporate Development regarding Development of a new Economic Development Strategy and Action Plan.

Moved by Mr M Kneipp

MOTION

- 1. That the Western Plains Regional Council Economic Development Strategy be developed with the community and stakeholders in alignment with the new Community Strategic Plan.**
- 2. That a draft Economic Development Strategy be submitted to Council at the same time it considers the draft Community Strategic Plan.**
- 3. That a 'bridging' Western Plains Regional Council Economic Development Action Plan be developed for an initial 12 month period, based on the 10 step framework of former Dubbo City Council Economic Development Strategy and Action Plan.**
- 4. That a Western Plains Regional Council Economic Development Action Plan be provided to the September 2016 meeting.**
- 5. That delivery of economic development activities, and economic related outcomes from across the Organisation be reported on a quarterly basis to Executive Staff Committee and Council through the Economic Development Action Plan.**

CARRIED

CCL16/83 IGNITE PROGRAM STRATEGY DOCUMENT (ID16/1079)

The Council had before it the report dated 10 June 2016 from the Ignite Program Co-Ordinator regarding Ignite Program Strategy Document.

Moved by Mr M Kneipp

MOTION

1. That the information contained within the report of the Ignite Program Co-Ordinator dated 10 June 2016 be noted.
2. That the activities contained in the Ignite Program for 2016 – 2018 be endorsed with the result to date being noted.
3. That future reports on implementation progress be provided through Economic Development Action Plan.

CARRIED

WELLINGTON BRANCH REPORTS:

CCL16/84 APPLICATION FOR CLOSURE OF PART OF TARWONG LANE, MARYVALE (ID16/1087)

The Council had before it the report dated 10 June 2016 from the Director Wellington Branch regarding Application for closure of part of Tarwong Lane, Maryvale.

Moved by Mr M Kneipp

MOTION

That Council not support a request for the closure of part of Tarwong Lane.

CARRIED

ADMINISTRATOR MINUTES:

CCL16/85 ADMINISTRATORS APPOINTMENTS (ID16/1109)

The Council had before it the Administrator Minute dated 15 June 2016 regarding Administrators Appointments.

Moved by Mr M Kneipp

MOTION

The information contained in the Administrator Minute be noted.

CARRIED

CCL16/86 QUESTIONS WITHOUT NOTICE

There were no matters recorded under this clause.

CONFIDENTIAL MATTERS:

At this juncture the meeting adjourned, the time being 6.34pm.

The meeting recommenced at 6.37pm.

CCL16/89 REPORT AND ADOPTION OF CONFIDENTIAL COMMITTEE

The Director Organisational Services – Dubbo Branch read to the meeting the Report of Closed Council held on 22 June 2016.

Moved by Mr M Kneipp

MOTION

That the report of the meeting of Closed Council held on 22 June 2016 be adopted.

CARRIED

The meeting closed at 6.41pm.

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CHAIRMAN

**REPORT
CONFIDENTIAL ORDINARY COUNCIL
MEETING
27 JULY 2016**

PRESENT:

Mr M Kneipp (Administrator).

ALSO IN ATTENDANCE:

The Interim General Manager (D Dwyer), the Director Organisational Services, the Manager Governance and Risk, the Director Corporate Development (N Comber), the City Promotions and Events Supervisor, the Corporate Communications Supervisor, the Director Technical Services, the Manager Technical Support, the Manager Civil Infrastructure and Solid Waste, the Director Environmental Services, the Manager Building and Development Services, the Manager City Strategy Services, the Director Parks and Landcare Services, the Director Wellington Branch, the Executive Assistant – Director Corporate Services and the Transition Project Leader.

Mr M Kneipp assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 6.35pm.

CCL16/127 ELECTRICITY CONTRACT FOR MASS MARKET SITES (ID16/1320)

The Council had before it the report dated 13 July 2016 from the Director Organisational Services regarding Electricity Contract for Mass Market Sites.

Moved by Mr M Kneipp

MOTION

The Committee recommends that members of the press and public be excluded from the meeting during consideration of this item, the reason being that information that would, if disclosed, prejudice the commercial position of the person who supplied it (Section 10A(2)(d)(i)).

CARRIED

Moved by Mr M Kneipp

MOTION

The Committee recommends:

1. That public tenders not be invited for the supply of electricity for Council's mass market sites in accordance with Section 55 (3)(i) of the Local Government Act, 1993, as it is considered that a satisfactory result would not be achieved by Council due to the extenuating circumstances that are created as a result of short term price fluctuations resulting in tenderers not being able to be relied on to provide tenders which are fixed for a sufficient period of time to enable the normal tendering process to be completed by Council.
2. That the Interim General Manager be authorised to accept on behalf of Council a three (3) year contract commencing 1 January 2017 for the supply of electricity to Council's mass market sites, as offered by Origin Energy and as detailed in the report of Energy and Management Services dated 10 June 2016.
3. That the report of Energy and Management Services dated 10 June 2016 in regard to the renegotiation of Council's mass market electricity sites be noted.
4. That any necessary documents be executed under the Common Seal of the Council.
5. That the documents and considerations in regard to this matter remain confidential to the Council.

CARRIED

**CCL16/128 ACCEPTANCE OF VARIATION TO EXTEND INTEGRATED WATER CYCLE
MANAGEMENT TO ALL OF WESTERN PLAINS REGIONAL COUNCIL (ID16/1113)**

The Council had before it the report dated 17 June 2016 from the Director Technical Services regarding Acceptance of Variation to Extend Integrated Water Cycle Management to all of Western Plains Regional Council.

Moved by Mr M Kneipp

MOTION

The Committee recommends that members of the press and public be excluded from the meeting during consideration of this item, the reason being that 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 Mr M Kneipp

MOTION

The Committee recommends:

- 1. That Council accept the Variation offer in the amount of \$73,925 (GST ex), of NSW Public Works to extend their engagement to produce a Western Plains Regional Council Integrated Water Cycle Management (IWCM) strategy, noting the total engagement will now be \$153,871 (GST ex).**
- 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

**CCL16/129 TENDER FOR THE DOCUMENTATION AND CONSTRUCTION OF THE
WEIGHBRIDGE AT THE DUBBO REGIONAL LIVESTOCK MARKETS (ID16/1293)**

The Council had before it the report dated 6 July 2016 from the Director Corporate Development regarding Tender for the Documentation and Construction of the Weighbridge at the Dubbo Regional Livestock Markets.

Moved by Mr M Kneipp

MOTION

The Committee recommends that members of the press and public be excluded from the meeting during consideration of this item, the reason being that information that would, if disclosed, prejudice the commercial position of the person who supplied it (Section 10A(2)(d)(i)).

CARRIED

Moved by Mr M Kneipp

MOTION

The Committee recommends:

- 1. That the quotation from Warbah Pty Ltd in the amount of \$109,085 ex GST to undertake the construction of the weighbridge at the Dubbo Regional Livestock Markets be accepted.**
- 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

CCL16/130 DOCUMENTATION AND CONSTRUCTION OF ELECTRICAL WORK FOR THE SALE PENS, DRAFT AREA AND STACK PENS AT THE DUBBO REGIONAL LIVESTOCK MARKETS (ID16/1294)

The Council had before it the report dated 6 July 2016 from the Director Corporate Development regarding Documentation and Construction of Electrical work for the Sale Pens, Draft Area and Stack Pens at the Dubbo Regional Livestock Markets.

Moved by Mr M Kneipp

MOTION

The Committee recommends that members of the press and public be excluded from the meeting during consideration of this item, the reason being that information that would, if disclosed, prejudice the commercial position of the person who supplied it (Section 10A(2)(d)(i)).

CARRIED

Moved by Mr M Kneipp

MOTION

The Committee recommends:

- 1. That the tender from Laser Electrical be accepted in the amount of \$180,090 ex GST to undertake the documentation and construction of electrical work for the sale pens, draft area and stack pens at the Dubbo Regional Livestock Markets.**
- 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

CCL16/131 SALE OF LOT 29 DP 1131385 MCGUINN CRESCENT, MOFFATT ESTATE (ID16/1322)

The Council had before it the report dated 13 July 2016 from the Manager Commercial Facilities regarding Sale of Lot 29 DP 1131385 McGuinn Crescent, Moffatt Estate.

Moved by Mr M Kneipp

MOTION

The Committee recommends that members of the press and public be excluded from the meeting during consideration of this item, the reason being that information that would, if disclosed, prejudice the commercial position of the person who supplied it (Section 10A(2)(d)(i)).

CARRIED

Moved by Mr M Kneipp

MOTION

The Committee recommends:

1. That Council sell Lot 29 DP 1131385 McGuinn Crescent, having an area of 4,000 m², to Dubbo Traffic Control for \$188,000 exc. GST.
2. That the terms of sale include vendor finance by Council for an interest free period of three years in the form of a first mortgage over Lot 29.
3. That all necessary documentation relating to the matter be executed under the common seal of the Council.
4. That the documents and considerations in regard to this matter remain confidential to Council.

CARRIED

The meeting closed at 6.43pm.

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CHAIRMAN