

# **REPORT ORDINARY COUNCIL MEETING 25 MAY 2016**

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**PRESENT:**

Administrator (Mr Michael Kneipp)

**ALSO IN ATTENDANCE:**

The Interim General Manager, the Director Wellington Branch, the Director Technical Services – Wellington Branch, the Director Corporate Services – Wellington Branch, the Director Organisational Services – Dubbo Branch, the Manager Governance and Risk, the Supervisor Governance, the Administrative Officer Governance, the Manager Information Management Services, the Director Corporate Development – Dubbo Branch, the Corporate Communications Supervisor, the Media and Public Relations Coordinator, the Manager Commercial Facilities, the Director Technical Services – Dubbo Branch, the Manager Technical Support, the Manager Fleet Management Services, the Director Environmental Services – Dubbo Branch, the Director Community Services – Dubbo Branch, the Manager Business Support Community Services, the Manager Western Plains Cultural Centre, the Director Parks and Landcare Services – Dubbo Branch, the Director Macquarie Regional Library.

Mr M Kneipp assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 5.30pm 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.

**CCL16/1      APOLOGIES**

There were no requests for leave of absence recorded.

**CCL16/2      DECLARATION OF INTERESTS**

There were no declaration of interests recorded.

**CCL16/3      CONFIRMATION OF ORDER OF BUSINESS**

Moved by Mr M Kneipp

**MOTION**

**That the confirmation of order of business for the Ordinary Council meeting held 15 May 2016 be adopted.**

**CARRIED**

**CCL16/4 PUBLIC ACCESS SESSION**

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

- Mr Steven Guy, MAAS Group Properties regarding CCL16/15 - South-East Dubbo Residential Urban Release Area - Draft Stage 1 Structure Plan Public Exhibition Results and CCL16/16 - Draft Southlakes Estate Development Control Plan 1.
- Mr Leo Fardell, Fardell Investments Pty Ltd regarding CCL16/14 Modified Development Application D2016-15 - Depot Property: Lot 6 DP 234493, 5L Old Gilgandra Road, Brocklehurst.

**GENERAL MANAGER'S REPORTS:**

**CCL16/5 WESTERN PLAINS REGIONAL COUNCIL 2016/2017 DRAFT OPERATIONAL PLAN AND BUDGET (INCLUDING DRAFT REVENUE POLICY) (ID16/811)**

The Council had before it the report dated 16 May 2016 from the Interim General Manager regarding Western Plains Regional Council 2016/2017 Draft Operational Plan and Budget (Including Draft Revenue Policy).

Moved by Mr M Kneipp

**MOTION**

1. That it be noted that the 2016/2017 draft Operational Plan and Budget (including Revenue Policy and forward budgets for 2017/2018, 2018/2019 and 2019/2020) of the Western Plains Regional Council have been prepared on the basis of a consolidation of the former Dubbo City and Wellington councils' draft Operational Plans and budgets.
2. That the 2016/2017 draft Western Plains Regional Council Operational Plan and Budget (including Revenue Policy and Forward Budgets for 2017/2018, 2018/2019 and 2019/2020) comprising the components marked Dubbo and Wellington be adopted and placed on public exhibition from Thursday 26 May 2016 for the prescribed 28 days.
3. That the 2016/2017 draft Macquarie Regional Library Operational Plan and Budget be adopted and placed on public exhibition for the prescribed 28 days in conjunction with Council's planning documents.
4. That submissions and comments closing at 5.00 pm on Wednesday 22 June 2016 be invited in respect of the 2016/2017 draft Western Plains Regional Council Operational Plan and Budget and the draft Macquarie Regional Library Operational Plan and Budget.
5. That the list of recipients for financial assistance in 2016/2017 under Section 356 of the Local Government Act as detailed in the report of the Director Community Services dated 27 April 2016 be adopted.
6. That it be noted that the amount allocated to discretionary annual donations to the community has been increased from \$20,000 to \$30,000 in the 2016/2017 Operational Plan and Budget and the forward budgets for 2017/2018, 2018/2019 and 2019/2020.

7. That interest charged on overdue rates and charges be at the percentage rate of 8% being the maximum as prescribed by the Minister for Local Government for the 2016/2017 year.

CARRIED

**ORGANISATIONAL / CORPORATE SERVICES REPORTS:**

**CCL16/6 CODE OF MEETING PRACTICE (ID16/817)**

The Council had before it the report dated 17 May 2016 from the Manager Governance and Risk Services regarding Code of Meeting Practice.

Moved by Mr M Kneipp

**MOTION**

That the draft Code of Meeting Practice and Meeting Procedures as appended to the report of the Manager Governance and Risk Services dated 17 May 2016 be placed on public exhibition for 28 days with a further report being presented to Council following the submission period of 42 days.

CARRIED

**CCL16/7 COMPOSITION OF COMMITTEES AND MEETING TIMES/DATES (ID16/813)**

The Council had before it the report dated 16 May 2016 from the Manager Governance and Risk Services regarding Composition of Committees and Meeting Times/Dates.

Moved by Mr M Kneipp

**MOTION**

1. That Council create the following Committees with the membership as listed:
  - a. Planning and Development Committee comprising the Administrator
  - b. Works and Services Committee comprising the Administrator
  - c. Finance and Policy Committee comprising of the Administrator
  - d. Local Traffic Committee comprising Council's Administrator (Chairman) plus one (1) representative from each of the Roads and Maritime Service, the NSW Police Traffic Branch and the State Member for Dubbo or his nominee.
2. That meetings of Council's Committees as above, be held at the Dubbo Branch Chambers.
3. That the Ordinary meeting of Council be held at 5.30pm on the following dates:

Wednesday 22 June 2016 (Wellington)	<i>(Due to Code of Meeting Practice on</i>
Wednesday 27 July 2016 (Wellington)	<i>public exhibition)</i>
Monday 22 August 2016 (Dubbo)	<i>(Following adoption of Code of</i>
Monday 26 September 2016 (Wellington)	<i>Meeting</i>
Monday 24 October 2016 (Dubbo)	<i>Practice)</i>
Monday 28 November 2016 (Wellington)	

Monday 19 December 2016 (Dubbo) (Due to Christmas)

*No meeting in January 2017*

Monday 27 February 2017 (Wellington)

Monday 27 March 2017 (Dubbo)

Monday 24 April 2017 (Wellington)

Monday 22 May 2017 (Dubbo)

Monday 26 June 2017 (Wellington)

Monday 24 July 2017 (Dubbo)

Monday 28 August 2017 (Wellington)

*No meeting in September 2017 due to Local Government Elections*

4. That the dates and times of meetings of regular committees be as follows:
  - a. Planning and Development Committee on the Monday preceding the day of the Ordinary Council meeting at 5.30pm, as required;
  - b. Works and Services Committee on the Monday preceding the day of the Ordinary Council meeting commencing immediately following the completion of the Planning and Development Committee noting that if there is no requirement to conduct a Planning and Development Committee it will be scheduled for 5.30pm on that day;
  - c. Finance and Policy Committee on the Monday preceding the day of the Ordinary Council meeting immediately following the completion of the Works and Services Committee;
  - d. Dubbo Local Traffic Committee on the second Friday commencing at 10.00am preceding the meeting of the Works and Services Committee.
5. That a further report be presented to the June 2016 Ordinary meeting of Council regarding the creation of the balance of Council committees, working parties and representation to external organisations.

**CARRIED**

**CCL16/8 ADOPTION OF COMMON SEAL OF COUNCIL (ID16/819)**

The Council had before it the report dated 18 May 2016 from the Manager Governance and Risk Services regarding Adoption of Common Seal of Council.

Moved by Mr M Kneipp

**MOTION**

**That the design of the Common Seal of the Council as illustrated in the body of the report of the Manager Governance and Risk Services dated 18 May 2016 be adopted, noting that the Australian Business Number shall be included once it has been provided to Council.**

**CARRIED**

**CCL16/9 DELEGATION OF AUTHORITY TO THE GENERAL MANAGER (ID16/825)**

The Council had before it the report dated 19 May 2016 from the Manager Governance and Risk Services regarding Delegation of Authority to the General Manager.

Moved by Mr M Kneipp

**MOTION**

**That the Delegation of Authority to the General Manager as contained in the document attached to the report of the Manger Governance and Risk Services dated 19 May 2016 as Appendix 1 be adopted subject to Delegation No 42 being amended to read, "To determine the opening and closing dates of each swimming season of the Council operated public pools at Dubbo, Geurie and Wellington following consultation with swimming clubs and respective pool management."**

**CARRIED**

**CCL16/10 AUDITING SERVICES FOR WESTERN PLAINS REGIONAL COUNCIL (ID16/812)**

The Council had before it the report dated 16 May 2016 from the Manager Governance and Risk Services regarding Auditing Services for Western Plains Regional Council.

Moved by Mr M Kneipp

**MOTION**

- 1. That the Luka Group be confirmed as the Auditor to conduct audits of the former Dubbo City Council and Wellington Council for the period 1 July 2015 to 12 May 2016.**
- 2. That the Luka Group be confirmed as the Auditor to conduct audits of the Western Plains Regional Council for the period 13 May 2016 to 30 June 2017.**
- 3. That the General Manager be authorised to negotiate audit fees with the Luka Group for these services.**
- 4. That the necessary documentation be executed under the Common Seal of Council.**

**CARRIED**

**CCL16/11 PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR THE ADMINISTRATOR (ID16/826)**

The Council had before it the report dated 19 May 2016 from the Manager Governance and Risk Services regarding Payment of Expenses and Provision of Facilities for the Administrator.

Moved by Mr M Kneipp

**MOTION**

**That the policy "Payment of Expenses and Provision of Facilities for the Administrator" as appended to the report of the Manager Governance and Risk Services dated 19 May 2016, be placed on Public Exhibition for a period of twenty eight (28) days inviting the public to make submissions.**

**CARRIED**

**CCL16/12 INVESTMENTS UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT  
(ID16/787)**

The Council had before it the report dated 16 May 2016 from the Director Organisational Services – Dubbo Branch 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 – Dubbo Branch dated 16 May 2016 be noted.**

**CARRIED**

**STRATEGIC, PLANNING AND ENVIRONMENTAL SERVICES REPORTS:**

**CCL16/13 MODIFIED DEVELOPMENT APPLICATION (D15-310) FOR CHILD CARE CENTRE  
PROPERTY: LOT 12 DP 1190170, 16-18 SPEARS DRIVE, DUBBO  
APPLICANT: GOWRIE NSW  
OWNER: GOWRIE NSW (ID16/580)**

The Council had before it the report dated 16 May 2016 from the Senior Planner 1 regarding Modified Development Application (D15-310) for Child Care Centre.

Moved by Mr M Kneipp

**MOTION**

- 1. That condition 55 of development consent D15-310 be amended to read as follows:  
*“Prior to the issue of the Occupation Certificate, the contribution by the developer of \$15,089.25 (2.75ET) for Water Supply Headworks contributions, calculated on a per ET basis pursuant to Section 64 of the Local Government Act, 1993, Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000, and in accordance with Council’s adopted Combined Water Supply and Sewerage Contributions Policy dated November 2002.***

***Such contribution rate per ET is adjusted annually in accordance with Section 3 of the Combined Water Supply and Sewerage Contributions Policy becoming effective from 1 July each year and as adopted in Council’s Revenue Policy.***

***Note 1: Council’s adopted 2015/2016 rate is \$5,487.00 per ET. An appropriate credit was applied to the contribution calculation.***

***Note 2: As the above contribution rate is reviewed annually, the ‘current contribution rate’ is to be confirmed prior to payment.***

***{Reason: Implementation of Council’s adopted Combined Water Supply and Sewerage Contributions Policy, November 2002, operating from 1 January 2003}***

2. That the request to delete condition 57 of Development Consent D2015-310 to waive Section 94 Urban Roads contributions not be acceded to as the justification provided is not consistent with the Section 94 Plan – Roads, Traffic Management and Car Parking.

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	
<b>Total (1)</b>	<b>Total (0)</b>

**CCL16/14 MODIFIED DEVELOPMENT APPLICATION D2016-15 - DEPOT  
PROPERTY: LOT 6 DP 234493, 5L OLD GILGANDRA ROAD, BROCKLEHURST  
APPLICANT: FARDELL INVESTMENTS PTY LTD  
OWNER: FARDELL INVESTMENTS PTY LTD (ID16/753)**

The Council had before it the report dated 16 May 2016 from the Senior Planner 1 regarding Modified Development Application D2016-15 – Depot.

Moved by Mr M Kneipp

#### MOTION

1. That Modified Development Application D2016-15 Part 2 for a depot at Lot 6 DP 234493, 5L Old Gilgandra Road, Brocklehurst, be modified by way of deleting condition 4 and modifying condition 25 as per the conditions of consent attached as Appendix 1 of the report of the Senior Planner 1 dated 16 May 2016.
2. That those people who made submissions in respect of this Modified Development Application be advised of the outcome of the 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	
<b>Total (1)</b>	<b>Total (0)</b>

**CCL16/15 SOUTH-EAST DUBBO RESIDENTIAL URBAN RELEASE AREA - DRAFT STAGE 1  
STRUCTURE PLAN PUBLIC EXHIBITION RESULTS (ID16/134)**

The Council had before it the report dated 17 May 2016 from the Manager City Strategy Services regarding South-East Dubbo Residential Urban Release Area - Draft Stage 1 Structure Plan Public Exhibition Results.

Moved by Mr M Kneipp

**MOTION**

1. That the draft Stage 1 Structure Plan for the South-East Dubbo Residential Urban Release Area as provided in Appendix 1 of the report of the Manager City Strategy Services dated 17 May 2016, be adopted by Council.
2. That the people who provided submissions, included in Appendix 2 and Appendix 3 of the report of the Manager City Strategy Services dated 17 May 2016, be advised of the outcome of Council's considerations and thanked for their submission.

**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:

<b>FOR</b>	<b>AGAINST</b>
Mr M Kneipp	
<b>Total (1)</b>	<b>Total (0)</b>

**CCL16/16 DRAFT SOUTHLAKES ESTATE DEVELOPMENT CONTROL PLAN 1 (ID16/294)**

The Council had before it the report dated 17 May 2016 from the Manager City Strategy Services regarding Draft Southlakes Estate Development Control Plan 1.

Moved by Mr M Kneipp

**MOTION**

1. That the draft Southlakes Estate Development Control Plan 1 as provided here in Appendix 1 of the Manager City Strategy Services dated 17 May 2016 be adopted for the purposes of public exhibition.
2. That the draft Southlakes Estate Development Control Plan 1 be placed on public exhibition for a period of no less than 28 days in accordance with Clause 18 of the Environmental Planning and Assessment Regulation, 2000.
3. That a further report be presented to Council for consideration following completion of the public exhibition period.

**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:

<b>FOR</b>	<b>AGAINST</b>
Mr M Kneipp	
<b>Total (1)</b>	<b>Total (0)</b>

**CCL16/17 PLANNING PROPOSAL (R15-1) - ADDITIONAL PERMITTED USE (HOTEL OR MOTEL ACCOMMODATION) - PUBLIC EXHIBITION RESULTS  
PROPERTY: 20L CHAPMANS ROAD DUBBO  
APPLICANT: GEOLYSE PTY LTD  
OWNER: STANAWAY PTY LTD (ID16/353)**

The Council had before it the report dated 17 May 2016 from the Manager City Strategy Services regarding Planning Proposal (R15-1) - Additional Permitted Use (Hotel or Motel Accommodation) - Public Exhibition Results.

Moved by Mr M Kneipp

**MOTION**

1. That the Planning Proposal to amend the Dubbo Local Environmental Plan 2011 to include 'hotel or motel accommodation' as an additional permitted use of Lot 3 DP 554158, 20L Chapmans Road, Dubbo only, be endorsed.
2. That Council request Parliamentary Counsel to prepare the draft amendment to the Dubbo Local Environmental Plan 2011 under Section 59(1) of the Environmental Planning and Assessment Act, 1979.
3. That the people who made a submission be thanked 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:

<b>FOR</b>	<b>AGAINST</b>
Mr M Kneipp	
<b>Total (1)</b>	<b>Total (0)</b>

**CCL16/18 PLANNING PROPOSAL (R15-2) - SECONDARY DWELLING PROVISIONS - PROPOSED AMENDMENT TO CLAUSE 5.4(9)(B) OF THE DUBBO LOCAL ENVIRONMENTAL PLAN 2011 - RESULTS OF PUBLIC EXHIBITION (ID16/356)**

The Council had before it the report dated 17 May 2016 from the Manager City Strategy Services regarding Planning Proposal (R15-2) - Secondary Dwelling Provisions - Proposed Amendment to Clause 5.4(9)(b) of the Dubbo Local Environmental Plan 2011 - Results of Public Exhibition.

Moved by Mr M Kneipp

**MOTION**

1. That the Planning Proposal to amend Clause 5.4(9)(b) of the Dubbo Local Environmental Plan 2011 to increase the maximum floor area of a secondary dwelling from 40% of the total floor area of the principal dwelling to 65% of the total floor area of the principal dwelling, be adopted.
2. That Council request the Department of Planning and Environment to prepare the draft amendment to the Dubbo Local Environmental Plan 2011 and provide Council with an Opinion that the Plan be made.
3. That the people who made a submission be thanked 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:

<b>FOR</b>	<b>AGAINST</b>
Mr M Kneipp	
<b>Total (1)</b>	<b>Total (0)</b>

**CCL16/19 DUBBO BUILDING SUMMARY - APRIL 2016 (ID16/777)**

The Council had before it the report dated 17 May 2016 from the Director Environmental Services – Dubbo Branch regarding Dubbo Building Summary - April 2016.

Moved by Mr M Kneipp

**MOTION**

**That the information contained in the report of the Director Environmental Services – Dubbo Branch dated 17 May 2016 be noted.**

**CARRIED**

**CCL16/20 NOMINATIONS FOR THE WESTERN JOINT REGIONAL PLANNING PANEL (JRPP) (ID16/820)**

The Council had before it the report dated 18 May 2016 from the Director Environmental Services – Dubbo Branch regarding Nominations for the Western Joint Regional Planning Panel (JRPP).

Moved by Mr M Kneipp

**MOTION**

**That Council's two nominations to represent Council on the NSW Western Joint Regional Planning Panel during its period of Administration ending September 2017 be Mr Lindsay Dunstan and Mr Lindsay Mathieson.**

**CARRIED**

**PARKS AND LANDCARE SERVICES REPORTS:**

**CCL16/21 LICENCE AGREEMENT FOR THE DUBBO RUGBY CLUBHOUSE (ID16/788)**

The Council had before it the report dated 16 May 2016 from the Manager Sporting Facilities regarding Licence Agreement for the Dubbo Rugby Clubhouse.

Moved by Mr M Kneipp

**MOTION**

- 1. That Council enter into a licence agreement with the Dubbo Rugby Union Club for the use of the Dubbo Rugby Union Clubhouse at Victoria Park No. 1.**
- 2. That the licence agreement be for a period of five (5) years with an option to extend the licence by further five (5) years.**
- 3. That any necessary documentation be executed under the Common Seal of the Council.**

**CARRIED**

**CCL16/22 LICENCE AGREEMENT FOR THE NITA MCGRATH NETBALL CLUBHOUSE  
(ID16/789)**

The Council had before it the report dated 17 May 2016 from the Manager Sporting Facilities regarding Licence Agreement for the Nita McGrath Netball Clubhouse.

Moved by Mr M Kneipp

**MOTION**

1. That Council enter into a licence agreement with the Dubbo Netball Association Club for the use of the Nita McGrath Clubhouse at Nita McGrath Netball Courts.
2. That the licence agreement be for a period of five (5) years with an option to extend the licence by further five (5) years.
3. That any necessary documentation be executed under the Common Seal of the Council.

**CARRIED**

**COMMUNITY SERVICES REPORTS:**

**CCL16/23 STATUE OF CIVIL RIGHTS PIONEER BILL FERGUSON (ID16/776)**

The Council had before it the report dated 16 May 2016 from the Director Community Services – Dubbo Branch regarding Statue of Civil Rights Pioneer Bill Ferguson .

Moved by Mr M Kneipp

**MOTION**

1. That Council concur with the proposal to locate a statue of Mr Bill Ferguson at the Church Street Rotunda Precinct.
2. That the Administrator and Interim General Manager be authorised to approve the actual location of the statue in the precinct and other necessary matters as relating to Council in respect of this project.

**CARRIED**

**CORPORATE DEVELOPMENT REPORTS:**

**CCL16/24 RECLASSIFICATION OF LOT 27 DP 837818 SILKWOOD CLOSE (ID16/573)**

The Council had before it the report dated 16 May 2016 from the Manager Commercial Facilities regarding Reclassification of Lot 27 DP 837818 Silkwood Close.

Moved by Mr M Kneipp

**MOTION**

1. That Council commence the land reclassification in respect of changing the classification of Lot 27 DP 837818, Silkwood Close, Dubbo from Community Land to Operational Land under the Local Government Act, 1993.
2. That the proposed reclassification be pursued on the basis that the subject land is considered unsuitable as public open space due to its location, limited access arrangements and the provision of stormwater infrastructure.
3. That Council place the proposed land reclassification on public exhibition for a period of no less than 28 days and undertake consultation with adjoining and adjacent property owners.
4. That following completion of the public exhibition period, Council hold a Public Hearing in accordance with Section 29 of the Local Government Act, 1993.
5. That a subsequent report be presented to Council following conclusion of the public exhibition period and the Public Hearing process.

**CARRIED**

**CCL16/25 LICENCE AGREEMENT FOR WEATHER SATELLITE DISHES - DUBBO CITY REGIONAL AIRPORT (ID16/648)**

The Council had before it the report dated 16 May 2016 from the Airport Operations Manager regarding Licence Agreement for Weather Satellite Dishes - Dubbo City Regional Airport.

Moved by Mr M Kneipp

**MOTION**

1. That Council enter into a licence agreement with Meteologix Australia Pty Ltd for a period of 3 years, with an option to renew for a further 3 years upon expiry of the first term of the licence.
2. That the fee being \$1,000 plus GST per annum, due upon the approval of the development application, plus an increase annually on the anniversary of the licence based on Consumer Price Index (Sydney All Groups).
3. That the Licensee be responsible for up to \$1,500 to cover Council's legal fees in preparing and entering into such agreement.
4. That the Licensee is responsible for all outgoings (electricity and internet fees) as well as all site establishment costs.
5. That any necessary documents be executed under the Common Seal of the Council.

**CARRIED**

**CCL16/26 APPROVAL FOR ROYAL FLYING DOCTOR SERVICE TO LEASE LAND FOR CONSTRUCTION OF FACILITIES AT DUBBO CITY REGIONAL AIRPORT (ID16/759)**

The Council had before it the report dated 16 May 2016 from the Airport Operations Manager regarding Approval for Royal Flying Doctor Service to Lease Land for Construction of Facilities at Dubbo City Regional Airport.

Moved by Mr M Kneipp

**MOTION**

1. That Council agree in principal to the area of land to be allocated to these projects.
2. That Council make provision to subdivide this parcel of land for future long term lease purposes to the Royal Flying Doctor Service.
3. That the Royal Flying Doctor Service be responsible for fees associated with the cost of subdivision, including lodgement, Council's legal fees and survey costs.
4. That Council undertake a valuation of land for the new lot by registered valuer.
5. That a further report be prepared once a lease is ready to be prepared between Council and the Royal Flying Doctor Service.

**CARRIED**

**TECHNICAL SERVICES REPORTS:**

**CCL16/27 KEEPING IT CLEAN WASTE INITIATIVE - NANIMA VILLAGE (ID16/821)**

The Council had before it the report dated 18 May 2016 from the Interim General Manager regarding Keeping it Clean Waste Initiative - Nanima Village.

Moved by Mr M Kneipp

**MOTION**

**That Council provide in-kind and financial support to the Keeping it Clean Initiative as follows:**

1. Use of equipment and work crews provided on a fee-for-service cost-neutral basis.
2. Access to landfill and a fee waiver for removed waste.
3. Advice and support through Council's Technical Services staff, Wellington Branch.

**CARRIED**

**ADMINISTRATOR MINUTES:**

**CCL16/28 INTERIM ORGANISATIONAL STRUCTURE**

The Council had before it the Administrator Minute regarding Interim Organisational Structure.

Moved by Mr M Kneipp

**MOTION**

**That the interim structure to senior staff level as attached as Appendix 1 to this Administrator Minute be adopted.**

**CARRIED**

**CCL16/29 LOCAL REPRESENTATION COMMITTEE**

The Council had before it the Administrator Minute regarding Local Representation Committee.

Moved by Mr M Kneipp

**MOTION**

1. **That a Local Representation Committee be formed comprising:**
  - **Graham Cross (former Councillor of Wellington Council)**
  - **David Grant (former Councillor of Wellington Council)**
  - **Anne Jones (former Councillor of Wellington Council)**
  - **Kevin Parker (former Councillor of Dubbo City Council)**
  - **Ben Shields (former Councillor of Dubbo City Council)**
  - **Pip Smith (former Councillor of Wellington Council)**
  - **Rod Towney (former Councillor of Dubbo City Council)**
  - **John Walkom (former Councillor of Dubbo City Council)**
2. **That the "Model Terms of Reference for Local Representation Committees" as attached to the Administrator's Minute be adopted as the Terms of Reference for the Western Plains Regional Council Local Representation Committee.**

**CARRIED**

**CCL16/29(a) EXTRAORDINARY MEETING OF COUNCIL 29 JUNE 2016**

The Council had before it the Administrator Minute regarding Extraordinary Meeting of Council 29 June 2016.

Moved by Mr M Kneipp

**MOTION**

**That an Extraordinary meeting of Council be conducted at 12 noon on Wednesday 29 June 2016 at the Western Plains Regional Council, Wellington Branch, for the purpose of considering and adopting the 2016/2017 Operational Plan and Budget.**

**CARRIED**

**CCL16/30 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 6.44pm.

**CCL16/41 REPORT AND ADOPTION OF CONFIDENTIAL COUNCIL**

The Director Organisational Services – Dubbo Branch read to the meeting the Report of Closed Council held on 25 May 2016.

Moved by Mr M Kneipp

**MOTION**

**That the report of the meeting of Closed Council held on 25 May 2016 be adopted.**

**CARRIED**

The meeting closed at 6.52pm.

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CHAIRMAN

**REPORT  
CONFIDENTIAL ORDINARY COUNCIL  
MEETING  
25 MAY 2016**

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**PRESENT:**

Administrator (Mr Michael Kneipp)

**ALSO IN ATTENDANCE:**

The Interim General Manager, the Director Wellington Branch, the Director Technical Services – Wellington Branch, the Director Corporate Services – Wellington Branch, the Director Organisational Services – Dubbo Branch, the Manager Governance and Risk, the Supervisor Governance, the Administrative Officer Governance, the Manager Information Management Services, the Director Corporate Development – Dubbo Branch, the Corporate Communications Supervisor, the Media and Public Relations Coordinator, the Manager Commercial Facilities, the Director Technical Services – Dubbo Branch, the Manager Technical Support, the Manager Fleet Management Services, the Director Environmental Services – Dubbo Branch, the Director Community Services – Dubbo Branch, the Manager Business Support Community Services, the Manager Western Plains Cultural Centre, the Director Parks and Landcare Services – Dubbo Branch, the Director Macquarie Regional Library.

Mr M Kneipp assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 6.35pm.

**CCL16/31 TENDERS FOR THE DOCUMENTATION AND CONSTRUCTION OF FENCES, RAMPS AND COMPRESSED AIR FOR THE DRAFT AREA, STACK PENS AND SALE PENS AT THE DUBBO REGIONAL LIVESTOCK MARKETS (ID16/785)**

The Council had before it the report dated 16 May 2016 from the Director Corporate Development – Dubbo Branch regarding Tenders for the documentation and construction of fences, ramps and compressed air for the draft area, stack pens and sale pens at the Dubbo Regional Livestock Markets.

Moved by Mr M Kneipp

**MOTION**

**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**

1. That in accordance with Clause 178 (1)(b) of the Local Government (General) Regulation 2005, Council decline to accept any tenders received for the Documentation and Construction of Fences, Ramps and Compressed Air for the Draft Area, Stack Pens and Sale Pens at the Dubbo Regional Livestock Markets as the tenders received both exceed the funds allocated in the project budget for these components.
2. That in accordance with Clause 178 (3)(e), Council enter into negotiations with the lowest tender being Proway Livestock Equipment.
3. That Council not invite fresh tenders for the Documentation and Construction of Fences, Ramps and Compressed Air for the Draft Area, Stack Pens and Sale Pens at the Dubbo Regional Livestock Markets as a fresh tender process is unlikely to provide a better result for Council.
4. That following negotiations with the Proway Livestock Equipment a further report be presented to Council for consideration.
5. That any necessary documentation be executed under the Common Seal of the Council.
6. That the documents and considerations in regard to this matter remain confidential to Council.

**CARRIED**

**CCL16/32 COUNCIL ACQUISITION OF LOT 1 DP 322844 AND LOT 8 DP 10459  
TAMWORTH STREET - LAND ADJOINING REGAND PARK PUBLIC OPEN  
SPACE (ID16/797)**

The Council had before it the report dated 16 May 2016 from the Manager Commercial Facilities regarding Council acquisition of Lot 1 DP 322844 and Lot 8 DP 10459 Tamworth Street - land adjoining Regand Park Public Open Space.

Moved by Mr M Kneipp

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

**CARRIED**

Moved by Mr M Kneipp

**MOTION**

1. That Council acquire Lot 1 DP 322844 and Lot 8 DP 10459 Tamworth Street, for \$220,000 exc. GST with the sale price including the existing 280 m<sup>2</sup> farm shed and bore licence pertaining to the site.
2. That the land be classified as 'operational' in accordance with the Local Government Act 1993, upon acquisition by Council.
3. That all relevant documentation in relation to this matter be executed under the Common Seal of the Council.
4. That the documents and considerations in respect of this matter remain confidential to the Council.

**CARRIED**

**CCL16/33 AIRPORT ADVERTISING DUBBO CITY REGIONAL AIRPORT**

The Council had before it the report dated 16 May 2016 from the Airport Operations Manager regarding Airport Advertising Dubbo City Regional Airport.

Moved by Mr M Kneipp

**MOTION**

**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, 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 Mr M Kneipp

**MOTION**

1. That the information contained within the report of the Airport Operations Manager dated 16 May 2016 be noted.
2. That when the Interspace Advertising Concession expires it not be renewed.
3. That on expiry of the Interspace Concession, option two (2) as detailed within this report be implemented.
4. That the documents and considerations in regard to this matter remain confidential to Council.

**CARRIED**

**CCL16/34 MAJOR SEWER RELINING (ID16/773)**

The Council had before it the report dated 16 May 2016 from the Director Technical Services – Dubbo Branch regarding Major Sewer Relining.

Moved by Mr M Kneipp

**MOTION**

**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**

- 1. That Council accept the offer of Insituform Pacific Pty Ltd to prepare and reline the site of the January 2016 collapse and the remainder of the sewer at the quoted amount of \$123,368.99 (GST exc) as a variation to the existing Contract 13/72.**
- 2. That Council delegate to the Interim General Manager authority to approve additional variations up to \$20,000 for associated works not covered by the Insituform Pacific Pty Ltd quotation.**
- 3. That Council accept the offer of NSW Public Works to supervise this work for the quoted amount of \$11,340 (GST ex).**
- 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 Council.**

**CARRIED**

**CCL16/35 ACCEPTANCE OF TENDER FOR CONSTRUCTION OF ELECTRICAL SWITCHBOARD AT JOHN GILBERT WATER TREATMENT PLANT (ID16/341)**

The Council had before it the report dated 16 May 2016 from the Director Technical Services – Dubbo Branch regarding Acceptance of Tender for Construction of Electrical Switchboard at John Gilbert Water Treatment Plant.

Moved by Mr M Kneipp

**MOTION**

**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**

1. That the tender of Large Industries Pty Ltd trading as JLE Electrical (JLE) in the amount of \$359,040 (GST ex) for construction of an electrical switchboard at the John Gilbert Water Treatment Plant 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**

**CCL16/36 SHORTLISTING OF SCADA SERVICE PROVIDERS**

The Council had before it the report dated 16 May 2016 from the Director Technical Services – Dubbo Branch regarding Shortlisting of SCADA Service Providers.

Moved by Mr M Kneipp

**MOTION**

**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**

1. That Council invite the following organisations to quote on SCADA work for Council on a panel basis:
  - Schneider Electric
  - Hunter H2O
  - Safe Group
  - Applied Controls
  - Alliance Automation
  - 360 Engineering
2. That Council make the shortlist available to member council's of the Lower Macquarie Water Utilities Alliance, should they wish to approach a shortlisted contractor for their own projects.
3. That any necessary documents 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**

**CCL16/37 TENDER FOR THE SUPPLY AND HIRE FOR LIGHT VEHICLES, PLANT AND EQUIPMENT FOR 2016/2017 (ID16/643)**

The Council had before it the report dated 16 May 2016 from the Manager Fleet Management Services regarding Tender for The Supply and Hire for Light Vehicles, Plant and Equipment for 2016/2017.

Moved by Mr M Kneipp

**MOTION**

**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**

- 1. That the report of the Manager Fleet Management dated 16 May 2016 be noted.**
- 2. That in accordance with Clause 178(1)(b) of the Local Government (General) Regulation 2005, Council decline to accept any of the tenders received for the Tender for the Supply and Hire For Light Vehicles, Plant and Equipment for 2016/2017.**
- 3. That in accordance with Clause 178(3)(b), Council invite fresh tenders for the Tender for the Supply and Hire For Light Vehicles, Plant and Equipment based on the details of the former Dubbo City and Wellington council's for the period ending 31 December 2017.**
- 4. That Council notify all tenderers of its decision to reject all tenders.**
- 5. That the documents and considerations in regard to this matter remain confidential to Council.**

**CARRIED**

**CCL16/38 STREET LIGHTING AT THE MITCHELL HIGHWAY CAPSTAN DRIVE ROUNDABOUT (ID16/800)**

The Council had before it the report dated 16 May 2016 from the Manager Works Services regarding Street Lighting at the Mitchell Highway Capstan Drive Roundabout.

Moved by Mr M Kneipp

**MOTION**

**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**

1. That the Lump Sum Tender submitted by JLE Electrical Pty Ltd for \$329,465 (excluding GST) be accepted by Council.
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**

**CCL16/39 KESWICK STAGE 4 RELEASE 3 SUBDIVISION CONSTRUCTION (ID16/796)**

The Council had before it the report dated 18 May 2016 from the Manager Works Services regarding Keswick Stage 4 Release 3 Subdivision Construction.

Moved by Mr M Kneipp

**MOTION**

**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**

1. That the tender of MAAS Civil Pty Ltd in the amount of \$1,481,595 (GST ex) be accepted.
2. That in entering into a contract for this project, such contract be on the basis that MAAS Civil Pty Ltd and MAAS Group Holdings Pty Ltd have agreed to be jointly and severally liable to the Principal for the performance of the obligations of the contractor, under the contract and that Council engage them jointly as the contractor.
3. That any necessary documents be executed under the Common Seal of the Council.
4. That the documents and considerations in regard to this matter confidential to Council.

**CARRIED**

**CCL16/40      MANAGEMENT AND OPERATION OF AGRICULTURAL ACTIVITIES INCLUDING  
EFFLUENT IRRIGATION SCHEMES (ID16/802)**

The Council had before it the report dated 19 May 2016 from the Director Technical Services – Dubbo Branch regarding Management and Operation of Agricultural Activities including Effluent Irrigation Schemes.

Moved by Mr M Kneipp

**MOTION**

**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**

- 1. That Council accept the revised tender from GHD for the Management of Council's agricultural lands, including sewage effluent irrigation areas, in the amount of \$1,267,140 (GST excl).**
- 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**

The meeting closed at 6.42pm.

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CHAIRMAN