

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

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**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 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.

**CCL16/98 APOLOGIES**

There were no requests for leave of absence recorded.

**CCL16/99 DECLARATION OF INTERESTS**

There were no declaration of interests recorded.

**CCL16/100 CONFIRMATION OF ORDER OF BUSINESS**

Moved by Mr M Kneipp

**MOTION**

**That the confirmation of order of business for the Ordinary Council meeting held 27 July 2016 be adopted.**

**CARRIED**

**CCL16/101 CONFIRMATION OF MINUTES (ID16/1310)**

Confirmation of the minutes of the proceedings of the Western Plains Regional Council Ordinary Council meeting held on 22 June 2016 and the Extraordinary Council Meeting held on 29 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 22 June 2016 comprising pages 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29 and the Extraordinary Council meeting held on 29 June 2016 comprising pages 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46 and 47 of the series be taken as read, confirmed as correct minutes and signed by the Administrator and the Interim General Manager.**

**CARRIED**

**CCL16/102 PUBLIC ACCESS SESSION**

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

- Mr Steve Guy regarding item CCL16/114 Southlakes Development Control Plan 1.

**ORGANISATIONAL / CORPORATE SERVICES REPORTS:**

**CCL16/103 INVESTMENTS UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT (ID16/1311)**

The Council had before it the report dated 11 July 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 11 July 2016 be noted.**

**CARRIED**

**CCL16/104 INVESTMENT POLICY AND STRATEGY REVIEW (ID16/1326)**

The Council had before it the report dated 14 July 2016 from the Manager Financial Accounting Services regarding Investment Policy and Strategy Review.

Moved by Mr M Kneipp

**MOTION**

1. That the draft Investment Policy July 2016 and the draft Investment Strategy July 2016 be adopted.
2. That Council's Investment Policy and Investment Strategy be again reviewed and submitted to Council for determination via Council's Finance and Policy Committee in December 2016.

**CARRIED**

**CCL16/105 PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR THE ADMINISTRATOR (ID16/1214)**

The Council had before it the report dated 13 July 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 for the Payment of Expenses and Provision of Facilities to the Administrator attached to the report of the Manager Governance and Risk Services dated 13 July 2016 as Appendix 1 be adopted.**

**CARRIED**

**CCL16/106 CODE OF MEETING PRACTICE (ID16/1215)**

The Council had before it the report dated 18 July 2016 from the Manager Governance and Risk Services regarding Code of Meeting Practice.

Moved by Mr M Kneipp

**MOTION**

**That the Code of Meeting Practice and Meeting Procedures as appended to the report of the Manager Governance and Risk Services dated 18 July 2016 be adopted, subject to the Code of Meeting Practice commencing in September 2016.**

**CARRIED**

**CCL16/107 ANNUAL RISK MANAGEMENT PROGRAM AND INSURANCE MATTERS  
(ID16/1324)**

The Council had before it the report dated 14 July 2016 from the Manager Governance and Risk Services regarding Annual Risk Management Program and Insurance Matters.

Moved by Mr M Kneipp

**MOTION**

**That the Risk Management Program review and the classes of insurance acquired for 2016/2017 be noted.**

**CARRIED**

**CCL16/108 DRAFT PRIVACY MANAGEMENT PLAN (ID16/1306)**

The Council had before it the report dated 11 July 2016 from the Manager Customer Services regarding Draft Privacy Management Plan.

Moved by Mr M Kneipp

**MOTION**

**That Council adopt the Draft Privacy Management Plan attached to the report of the Manager Customer Services dated 11 July 2016 as Appendix 1.**

**CARRIED**

**TECHNICAL SERVICES REPORTS:**

**CCL16/109 CREATION OF EASEMENT FOR WATER SUPPLY PIPELINE AT EUMUNGERIE  
(ID16/1302)**

The Council had before it the report dated 11 July 2016 from the Director Technical Services regarding Creation of Easement for Water Supply Pipeline at Eumungerie.

Moved by Mr M Kneipp

**MOTION**

- 1. That Council execute the attached Section 88B Instrument to create an easement for water supply over Lot 1 in Deposited Plan 245899.**
- 2. That any necessary documents be executed under the Common Seal of the Council.**

**CARRIED**

**CCL16/110 ADOPTION OF TECHNICAL CONSTRUCTION SCHEDULES (ID16/1304)**

The Council had before it the report dated 11 July 2016 from the Director Technical Services regarding Adoption of Technical Construction Schedules.

Moved by Mr M Kneipp

**MOTION**

1. That the draft Technical Schedules and Standards of Water Supply and Sewerage Works be adopted for the purpose of Public Exhibition.
2. That the draft Technical Schedules and Standards of Water Supply and Sewerage Works be placed on Public Exhibition for a period of no less than 28 days.
3. That a further report be made to Council for consideration following completion of the Public Exhibition period.

**CARRIED**

**CCL16/111 PROPOSED TRANSFER OF CROWN ROAD KNOWN AS MOUNTAIN CREEK ROAD (ID16/1312)**

The Council had before it the report dated 13 July 2016 from the Manager Civil Infrastructure and Solid Waste regarding Proposed Transfer of Crown Road known as Mountain Creek Road.

Moved by Mr M Kneipp

**MOTION**

That Council make application to the NSW Department of Primary Industries – Lands, for transfer of the Crown public unsealed formed gravel road, known as Mountain Creek Road, with the reserve having a variable width ranging from 36.0 metres to a maximum width of 45.0 metres and having a length of 7.183 kilometres.

**CARRIED**

**ENVIRONMENTAL SERVICES REPORTS:**

**CCL16/112 BUILDING SUMMARY - JUNE 2016 (ID16/1323)**

The Council had before it the report dated 14 July 2016 from the Director Environmental Services regarding Building Summary - June 2016.

Moved by Mr M Kneipp

**MOTION**

That the information contained in the report of the Director Environmental Services dated 14 July 2016 be noted.

**CARRIED**

**CCL16/113 RELEASE OF POSITIVE COVENANTS AND DEDICATION OF ROAD - SOUTHLAKES ESTATE (ID16/1315)**

The Council had before it the report dated 14 July 2016 from the Director Environmental Services regarding Release of Positive Covenants and Dedication of Road - Southlakes Estate.

Moved by Mr M Kneipp

**MOTION**

1. That Council release the two Positive Covenants which burden Lot 1424 DP 1210701.
2. That Council accept the dedication of the approved road as shown in Appendix 2 of the report of the Director Environmental Services dated 14 July 2016.
3. That any necessary documentation be executed under the Common Seal of the Council.

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

**CCL16/114 SOUTHLAKES DEVELOPMENT CONTROL PLAN 1 - RESULTS OF PUBLIC EXHIBITION (ID16/1284)**

The Council had before it the report dated 11 July 2016 from the Manager City Strategy Services regarding Southlakes Development Control Plan 1 - Results of Public Exhibition.

Moved by Mr M Kneipp

**MOTION**

1. That the Southlakes Estate Development Control Plan 1, as provided here in Appendix 2 of the report of the Manager City Strategy dated 11 July 2016, be adopted.
2. That an advertisement be placed in local print media specifying adoption of the Southlakes Estate Development Control Plan 1.
3. That the person who made a submission 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)	
<b>Total (1)</b>	<b>Total (0)</b>

**CCL16/115 MODIFIED DEVELOPMENT APPLICATION D13-496 (2) - INDUSTRIAL BUILDING (2 UNITS) - MODIFICATION OF S94 URBAN ROADS CONTRIBUTIONS - LOT 21 DP 1144575, 7 CAPITAL DRIVE, DUBBO**  
**APPLICANT: MR J DEAN**  
**OWNER: MR J P & MRS M L DEAN**  
**LODGED: 26 APRIL 2016 (ID16/1281)**

The Council had before it the report dated 11 July 2016 from the Senior Planner 2 regarding Modified Development Application D13-496 (2) - Industrial Building (2 Units) - Modification of S94 Urban Roads Contributions - Lot 21 DP 1144575, 7 Capital Drive, Dubbo  
Applicant: Mr J Dean  
Owner: Mr J P & Mrs M L Dean  
Lodged: 26 April 2016.

Moved by Mr M Kneipp

#### MOTION

1. That the report of the Senior Planner 2 dated 11 July 2016 be noted.
2. That at the request of the applicant Mr J Dean, further consideration of the application to modify Development Consent D2013-496 (2) be deferred pending provision, from the applicant, of a detailed traffic analysis prepared by a suitably qualified person.
3. That upon receipt of the detailed traffic analysis a further report be prepared for the consideration of Council.

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

**CCL16/116 MODIFIED DEVELOPMENT APPLICATION D09-453(3) - INDUSTRIAL SHED -  
MODIFICATION OF SECTION 94 URBAN ROADS CONTRIBUTION, LOT 446 DP  
46170, 5 FLETCHER CRESCENT, DUBBO  
APPLICANT: MR L R OSBOURNE  
OWNER: MR L R OSBOURNE AND MRS K M OSBOURNE  
LODGED: 29 JANUARY 2016 (ID16/1303)**

The Council had before it the report dated 11 July 2016 from the Senior Planner 2 regarding Modified Development Application D09-453(3) - Industrial Shed - Modification of Section 94 Urban Roads Contribution, Lot 446 DP 46170, 5 Fletcher Crescent, Dubbo  
Applicant: Mr L R Osbourne  
Owner: Mr L R Osbourne and Mrs K M Osbourne  
Lodged: 29 January 2016.

Moved by Mr M Kneipp

#### **MOTION**

That Development Application D09-453 Part 3 be approved pursuant to Section 96(1A) of the Environmental Planning and Assessment Act, 1979, subject to the inclusion of the following modified Condition 1 and the deletion of Condition 44:

- (1) *The development shall be undertaken in accordance with the Statement of Environmental Effects and stamped approved plans detailed as follows except where modified by any of the following conditions;*

*Plan description : Survey Plan (showing encroachment and cables)  
Drawn by: Langford and Rowe Consulting Surveyors  
Dated: January 2010  
Reference No: A1-09/005E  
Sheet No: 1 of 1*

*Plan description : Site Analysis Plan  
Drawn by: Gavin Dale Design  
Dated: June 2013  
Reference No: A1-13/005  
Sheet No: 1 of 4*

*Plan description : Floor Plans and Elevations  
Drawn by: Gavin Dale Design  
Dated: January 2016  
Reference No: A1-09/005B  
Sheet No: 2 of 8*



**Plan description :** Section a and Section b  
**Drawn by:** Gavin Dale Design  
**Dated:** June 2013  
**Reference No:** A1-13/005C  
**Sheet No:** 3 of 4

**Plan description :** Sediment Control Plan, Turning Path Plan and Section A and Staff Lunch Area  
**Drawn by:** Gavin Dale Design  
**Dated:** June 2013  
**Reference No:** A1-13/005D  
**Sheet No:** 4 of 4  
*(Reason: To ensure development is undertaken in accordance with that assessed)*

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

**CCL16/117 MODIFIED DEVELOPMENT APPLICATION D15-10(2) - FOOD AND DRINK PREMISES (CAFE/BAKERY) - MODIFICATION OF SECTION 94 URBAN ROADS CONTRIBUTION, LOT 1 DP 1134906, 33 BULTJE STREET, DUBBO APPLICANT/OWNER: A & D DYSON PTY LTD LODGED: 7 MARCH 2016 (ID16/1286)**

The Council had before it the report dated 11 July 2016 from the Planner regarding Modified Development Application D15-10(2) - Food and Drink Premises (cafe/bakery) - Modification of Section 94 Urban Roads Contribution, Lot 1 DP 1134906, 33 Bultje Street, Dubbo Applicant/Owner: A & D Dyson Pty Ltd Lodged: 7 March 2016.

Moved by Mr M Kneipp

#### **MOTION**

**That Development Application D15-010 Part 2 be approved pursuant to Section 96(1A) of the Environmental Planning and Assessment Act, 1979, subject to the inclusion of the following modified condition:**

- (49) Prior to the issue of the Occupation Certificate, the contribution by the developer of urban roads headworks contributions for a sum of \$7,041.64 in accordance with Council's adopted Section 94 Contributions Plan - Roads, Traffic Management and Car Parking, Amendment No 1 adopted 25 February 2008.**

*Such contribution rate is adjusted annually in accordance with Section 6.0 of the Section 94 Contributions Plan becoming effective from the 1 July each year and as adopted in Council's Annual Revenue Policy.*

*Note 1: Council's adopted 2014/2015 financial year rate is \$374.96 per commercial trip (including administration fee). The required urban roads headworks contributions are calculated on 71.4 daily trips, with an existing credit of 18.75 daily trips and additional \$12,700.00 monetary reduction (material public benefit).*

*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 Section 94 Contributions Plan - Roads, Traffic Management and Carparking, Amendment No 1 adopted 25 February 2008}*

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

**CCL16/118 POLICY FOR THE DEFERRED PAYMENT OF DEVELOPER CONTRIBUTIONS FOR RESIDENTIAL SUBDIVISION (ID16/1300)**

The Council had before it the report dated 11 July 2016 from the Manager City Strategy Services regarding Policy for the Deferred Payment of Developer Contributions for Residential Subdivision.

Moved by Mr M Kneipp

**MOTION**

- 1. That the draft amended Policy for the Deferred Payment of Developer Contributions for Residential Subdivision in Dubbo, included here in Appendix 1 of the report of the Manager City Strategy Services dated 11 July 2016, be adopted for the purpose of public exhibition.**
- 2. That the draft amended Policy for the Deferred Payment of Developer Contributions for Residential Subdivision in Dubbo be placed on public exhibition for a period of 28 days.**
- 3. That an operational review of the Wellington Section 94A Development Contributions Plan 2012 and the Wellington Development Servicing Plan 2006 be included in the City Strategy 2016/2017 Work Program.**

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

**CCL16/119 ASBESTOS POLICY REVIEW (ID16/1316)**

The Council had before it the report dated 14 July 2016 from the Manager Environmental Control regarding Asbestos Policy Review.

Moved by Mr M Kneipp

**MOTION**

1. That the revised Asbestos Policy (Appendix 1) of the report of the Manager Environmental Control dated 14 July 2016 be adopted and placed on public exhibition for a period of not less than 28 days.
2. That a further report be considered by Council addressing any submissions made by the public during the public exhibition period.
3. That an audit of the former Wellington Council asbestos management documents and processes be undertaken prior to July 2017.

**CARRIED**

**CORPORATE DEVELOPMENT REPORTS:**

**CCL16/120 QUARTERLY ECONOMIC DEVELOPMENT ACTION PLAN REPORT (ID16/1327)**

The Council had before it the report dated 14 July 2016 from the Director Corporate Development regarding Quarterly Economic Development Action Plan Report.

Moved by Mr M Kneipp

**MOTION**

That the information contained within the report of the Director Corporate Development dated 14 July 2016 be noted.

**CARRIED**

**CCL16/121 PURCHASE BY COUNCIL OF LOT 8 SECTION 76 DP 759073, 1A WARNE STREET WELLINGTON (ID16/1314)**

The Council had before it the report dated 12 July 2016 from the Manager Commercial Facilities regarding Purchase by Council of Lot 8 Section 76 DP 759073, 1A Warne Street Wellington.

Moved by Mr M Kneipp

**MOTION**

1. That Council purchase Lot 8 Section 76 DP 759073, 1A Warne Street Wellington, for \$7,500 plus GST (where GST is applicable).
2. That the sale be subject to vacant possession and the vendor is to remove all waste and other items presently stored on the property prior to settlement.
3. That upon acquisition by Council, the land be classified as 'operational' in accordance with the Local Government Act 1993.
4. That any necessary documents be executed under the Common Seal of the Council.

**CARRIED**

**CCL16/122 LEASE OF LAND BY ROYAL FLYING DOCTOR SERVICE FOR MULTI-PURPOSE AEROMEDICAL, AVIATION AND TOURISM FACILITY (ID16/1292)**

The Council had before it the report dated 6 July 2016 from the Airport Operations Manager regarding Lease of Land by Royal Flying Doctor Service for Multi-purpose Aeromedical, Aviation and Tourism Facility.

Moved by Mr M Kneipp

**MOTION**

1. That Council enter into a lease for 20 years starting at the commencement of construction.
2. That the lease fee commence at \$55,100 ex GST in the first year, which includes the current Lot 13 DP 1191075 having an area of 6,772 m<sup>2</sup>, as well as stage 1 of the RFDS extension having an approximate area of 7,000 m<sup>2</sup>, calculated at \$4 ex GST per square metre where CPI Index is to be applied annually to the lease fee.
3. That the subdivision (boundary adjustment) of Lot 13 DP 1191075 be carried out by Council to be reimbursed by Royal Flying Doctor Service.
4. That the Royal Flying Doctor Service provide evidence of Public Liability Insurance Cover of \$20,000,000.
5. That any necessary documents be executed under the Common Seal of the Council.

**CARRIED**

**CCL16/123 REVIEW AND STREAMLINING OF COUNCIL'S FINANCIAL AND IN-KIND FUNDING ASSISTANCE PROGRAM (ID16/1329)**

The Council had before it the report dated 15 July 2016 from the City Promotions and Events Supervisor regarding Review and streamlining of Council's Financial and In-kind Funding Assistance Program.

Moved by Mr M Kneipp

**MOTION**

1. That a Major Events Sponsor Program be established and appropriate funding allocated.
2. That the channels of assistance of the former Dubbo and Wellington councils be consolidated.
3. That the attached draft Financial and In-kind Funding Assistance Policy to the report of the City Promotions and Events Supervisor dated 15 July 2016 be adopted.

**CARRIED**

**ADMINISTRATOR MINUTES:**

**CCL16/124 ADMINISTRATOR APPOINTMENTS (ID16/1135)**

The Council had before it the report dated 18 July 2016 from the Administrator regarding Administrator Appointments.

Moved by Mr M Kneipp

**MOTION**

**The information contained in the Administrator Minute dated 18 July 2016 be noted.**

**CARRIED**

**CCL16/125 PROPOSED ORGANICS PROCESSING PLANT AND FOOD AND GARDEN ORGANICS COLLECTION SERVICE (ID16/1340)**

The Council had before it the report dated 20 July 2016 from the Administrator regarding Proposed Organics Processing Plant and Food and Garden Organics Collection Service.

Moved by Mr M Kneipp

**MOTION**

1. That the report of the Manager Civil Infrastructure and Solid Waste dated 4 July 2016 – “Food and Garden Organics Collection Service Trial Results” be noted.
2. That Council proceed to complete the preparation of documentation for, and call tenders for the construction and operation of the proposed Dubbo Regional Organics Processing Plant; and joint tendering for the provision of a regional food and garden organics kerbside collection service for the local government areas of Narromine Shire Council and Mid-Western Regional Council; and for the mixed waste collection in that part of the Western Plains Regional Council area to be provided with a three (3) bin collection service.
3. That the tender pricing options include servicing of Wellington and Geurie townships for the provision of fortnightly kerbside recycling and weekly Food and Garden Organics collection.
4. That the tender pricing options include servicing of Stuart Town and Mumbil townships for the provision of fortnightly kerbside recycling.
5. That the adoption of the Domestic Waste Management Charge in 2017/2018 reflect the expanded levels of service of the three bin proposal and incorporate a pensioner rebate to those entitled to receive such rebate for the waste service charge, to be determined at the time of drafting the 2017/2018 Revenue Policy.
6. That it be noted that the current Project Development Plan as amended, provides for a commencement date of the Food and Garden Organics collection service on 1 March 2018.
7. That a new augmented Solid Waste Management Strategy be developed for the Western Plains Regional Council local government area with specific attention given to the future incorporation of all urban settlements and rural localities into the Strategy with a progressive implementation of the kerbside collection of mixed waste, recyclables and food and garden organics where feasible, and including appropriate engagement with the relevant Wellington communities affected.

**CARRIED**

**CCL16/126 QUESTIONS WITHOUT NOTICE**

The Administrator requested information on the progress of the merger tasks. The Acting Interim General Manager (D Dwyer) provided a verbal report on the matter which included the following items:

- Stronger Community Grants Program.
- Draft Integrated Staff Structure.
- Development of new policies for the whole Western Plains Regional Council.
- New Code of Meeting Practice.
- Appointment of External Auditor.
- Consolidated plant hire tender for the new Council.
- Planning and building services now provided by Dubbo branch to Wellington branch.
- Nominations currently being called for representation to committees.
- Tender accepted for microwave data link between Dubbo and Wellington branches.
- Consolidated insurance policies for the new Council.
- Developed combined Economic Development Action Plan.
- Appointed CAMMS Group consulting to develop transition plan.

**CONFIDENTIAL MATTERS:**

At this juncture the meeting adjourned, the time being 6.35pm.

The meeting recommenced at 6.43pm.

**CCL16/132 REPORT AND ADOPTION OF CONFIDENTIAL COMMITTEE**

The Director Organisational Services – Dubbo Branch read to the meeting the Report of Closed Council held on 27 July 2016.

Moved by Mr M Kneipp

**MOTION**

**That the report of the meeting of Closed Council held on 27 July 2016 be adopted.**

**CARRIED**

The meeting closed at 6.50pm.

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CHAIRMAN

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

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**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 m<sup>2</sup>, 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