



# REPORT INFRASTRUCTURE, PLANNING AND ENVIRONMENT COMMITTEE 13 JUNE 2024

---

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

**ALSO IN ATTENDANCE:** The Chief Executive Officer, the Manager Corporate Governance, the Governance Team Leader, the Governance Officers, the Chief Financial Officer, the Manager Property and Land Development, the Director Strategy, Partnerships and Engagement, the Manager Customer Experience and Engagement, the Communications Services Team Leader, the Communications Partner, the Acting Manager Growth Planning, the IT Infrastructure Specialist, the Director Development and Environment, the Director Infrastructure, the Director Community, Culture and Places, the Manager Recreation and Open Space, the Manager Regional Experiences and the Manager Macquarie Regional Library.

Councillor M Wright assumed the chair of the meeting.

The proceedings of the meeting commenced at 5:30 pm.

**IPEC24/33 ACKNOWLEDGEMENT OF COUNTRY (ID24/1141)**

Councillor L Burns delivered the Welcome to Country.

**IPEC24/34 LEAVE OF ABSENCE (ID24/1198)**

There were no requests for leave of absence.

Councillors M Dickerson and R Ivey attended via Audio Visual Link.

**IPEC24/35 CONFLICTS OF INTEREST (ID24/1143)**

The following Conflicts of Interest were declared:

- IPEC24/38 - Councillor J Black – Non Pecuniary, Significant

**IPEC24/36 REPORT OF THE CLIMATE CHANGE AND RESILIENCE COMMITTEE - MEETING  
28 MAY 2024 (ID24/1169)**

The Committee had before it the report of the Climate Change and Resilience Committee meeting held 28 May 2024.

Moved by Councillor M Dickerson and seconded by Councillor P Wells

**MOTION**

**That the report of the Climate Change and Resilience Committee meeting held on 28 May 2024, be adopted.**

**CARRIED**

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

**Against:** Nil

**IPEC24/37 BUILDING SUMMARY - MAY 2024 (ID24/1077)**

The Committee had before it the report dated 30 May 2024 from the Director Development and Environment regarding Building Summary - May 2024.

Moved by Councillor D Mahon and seconded by Councillor S Chowdhury

**MOTION**

**That the report of the Director Development and Environment dated 30 May 2024, be adopted.**

**CARRIED**

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

**Against:** Nil

**IPEC24/38 MODIFIED DEVELOPMENT APPLICATION D22-122 PART 3 - 33 LOT  
SUBDIVISION (TORRENS TITLE) - LOT 8 DP 1063425, 4L CAMP ROAD DUBBO  
APPLICANT: SLR CONSULTING AUSTRALIA PTY LTD  
OWNER: MRS L BENDER (ID24/1087)**

The Committee had before it the report dated 27 May 2024 from the Senior Planner regarding Modified Development Application D22-122 Part 3 - 33 Lot Subdivision (Torrens Title) - Lot 8 DP 1063425, 4L Camp Road Dubbo

Applicant: SLR Consulting Australia Pty Ltd

Owner: Mrs L Bender.

Moved by Councillor S Chowdhury and seconded by Councillor L Burns

**MOTION**

1. That Development Application D2022-122 Part 3 – 33 Lot Subdivision (Torrens Title), Lot 8 DP 1063425 4L Camp Road Dubbo be refused.
2. That Council grant delegation to the Chief Executive Officer to sign the determination (refusal).

**CARRIED**

**For:** Councillors L Burns, V Etheridge, J Gough, R Ivey, P Wells and M Wright.

**Against:** Councillors M Dickerson, S Chowdhury and D Mahon.

*Councillor J Black declared a pecuniary, significant interest in the matter now before the Council. The reason for such interest is that Councillor J Black lives on Camp Road, just up from the subject site. So to remove any perception of an undeclared pecuniary conflict of interest affecting his vote, Councillor J Black left the meeting while this matter is considered.*

**IPEC24/39 DEVELOPMENT APPLICATION D24-150 - ROAD CLOSURE CAMPANIA ROAD ADJACENT TO LOT 1 DP 943178, TERRAMUNGAMINE APPLICANT: MR T. J. HARVEY OWNER: DUBBO REGIONAL COUNCIL/MR T. J AND MRS C. M HARVEY (ID24/1121)**

The Committee had before it the report dated 29 May 2024 from the Statutory Planning Services Team Leader regarding Development Application D24-150 - Road Closure Campania Road adjacent to Lot 1 DP 943178, Terramungamine

Applicant: Mr T. J. Harvey

Owner: Dubbo Regional Council/Mr T. J and Mrs C. M Harvey.

Moved by Councillor L Burns and seconded by Councillor V Etheridge

**MOTION**

1. That the report associated with Development Application D24-150 be noted and be recommended to the June 2024 Ordinary meeting of Council for approval, subject to the recommended conditions (attached in Appendix 2).
2. That any documents relating to the Subdivision Certificate which cannot be executed by the Chief Executive Officer or his delegate, are executed under the Common Seal of Council.

**CARRIED**

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

**Against:** Nil

**IPEC24/40 PLANNING PROPOSAL R24-003 - COUNCIL-OWNED ROAD CLOSURE AS EXEMPT DEVELOPMENT (ID24/1004)**

The Committee had before it the report dated 17 May 2024 from the Manager Growth Planning regarding Planning Proposal R24-003 - Council-Owned Road Closure as Exempt Development.

Moved by Councillor D Mahon and seconded by Councillor L Burns

**MOTION**

1. That Council endorse the Planning Proposal (attached in Appendix 1) to amend the Dubbo Regional Local Environmental Plan 2022 and make the subdivision of a Council-owned road for the purposes of road closure under the Roads Act 1993, Part 4, Division 3, as exempt development.
2. That Council submit the Planning Proposal to the NSW Department of Planning, Housing and Infrastructure for a Gateway Determination.
3. That Council request the Chief Executive Officer (or delegate) be authorised as the Local Plan Making Authority under Section 3.36 of the Environmental Planning and Assessment Act 1979.
4. That Council support a minimum 10 business days public exhibition period for the Planning Proposal, subject to the conditions of a Gateway Determination.
5. That following the completion of the public exhibition period, a further report be presented to Council for consideration, including the results of public exhibition.

**CARRIED**

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

**Against:** Nil

**CONFIDENTIAL**

Moved by Councillor V Etheridge and seconded by Councillor P Wells

**MOTION**

**That confidential item IPEC24/41 be deferred to the conclusion of the Corporate Services Committee.**

**CARRIED**

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

**Against:** Nil

The closed session was held from 6:59pm to 7:32pm during the Corporate Services Committee meeting, where item IPEC24/41 was considered. During the open session at 7:33pm, the following resolutions were displayed on screen:

**IPEC24/41 DRAFT PLANNING AGREEMENT - BURRENDONG WIND FARM (ID24/1055)**

The Committee had before it the report dated 20 May 2024 from the Manager Growth Planning regarding Draft Planning Agreement - Burrendong Wind Farm.

Moved by Councillor J Gough and seconded by Councillor M Wright

**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)).**

Moved by Councillor M Wright and seconded by Councillor D Mahon

**RECOMMENDATION**

- 1. That Council note the current status and discussions with the developer of the Burrendong Wind Farm in relation to a Planning Agreement.**
- 2. That a draft Planning Agreement be prepared in accordance with the terms identified in this report.**
- 3. That a further report be presented to Council for consideration, including the terms of the draft Planning Agreement and allocation of funding.**
- 4. That all documentation in relation to this matter remain confidential to Council.**

**CARRIED**

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

**Against:** Nil

*Councillor R Ivey as absent from this vote.*

The meeting closed at 6:01pm.

.....  
CHAIRPERSON