



REPORT

ORDINARY COUNCIL MEETING

15 AUGUST 2024

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

ALSO IN ATTENDANCE:

The Chief Executive Officer, the Director Organisational Performance, the Manager Corporate Governance, the Governance Team Leader, the Governance Officers, the Manager Building Assets, the Director Strategy, Partnerships and Engagement, the Manager Strategic Partnerships and Investment, the Communications Service Team Leader, the Director Development and Environment, the Manager Growth Planning, the Manager Building and Development Services, the Team Leader Growth Planning Projects, the Statutory Planning Services Team Leader, the Manager Resource Recovery and Efficiency, the Director Infrastructure, the Manager Strategy Water Supply and Sewerage, the Water and Sewer Client Services Coordinator, the Manager Infrastructure Strategy and Design, the Manager Infrastructure Delivery, the Senior Stormwater Engineer, the Director Community, Culture and Places, the Manager Recreation and Open Spaces, the Manager Regional Events, and the Events and Partnerships Co-ordinator

Councillor M Dickerson assumed the Chair of the meeting.

The proceedings of the meeting commenced at 5.30 pm at the Dubbo Civic Administration Building, Council Chamber, with a prayer for Divine Guidance to the Council in its deliberations and activities. The acknowledgement of country was also read by Councillor P Wells.

CCL24/187 LEAVE OF ABSENCE (ID24/1628)

Requests for leave of absence were received from Councillors L Burns and D Mahon who were absent from the meeting due to personal reasons.

Moved by Councillor S Chowdhury and seconded by Councillor V Etheridge

MOTION

That such requests for leave of absence be accepted and Councillors L Burns and D Mahon be granted leave of absence from this meeting.

CARRIED

Councillor M Wright attended via Audio Visual Link.

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

Against: Nil

CCL24/188 CONFLICTS OF INTEREST (ID24/1629)

The following Conflicts of Interest were declared:

- Councillor J Black – CCL24/204 – Pecuniary, Significant
- Councillor S Chowdhury – CCL24/213 - Non Pecuniary, Less than Significant
- Councillor S Chowdhury – CCL24/214 - Non Pecuniary, Less than Significant

CCL24/189 PUBLIC FORUM (ID24/1630)

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

- Brett Anderson - CCL24/203 - Development Application D23-628

CCL24/190 CONFIRMATION OF MINUTES (ID24/1631)

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 25 July 2024.

Moved by Councillor S Chowdhury and seconded by Councillor P Wells

MOTION

That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council meeting held on 25 July 2024 (as attached) be taken as read, confirmed as correct minutes and signed by the Mayor and the Chief Executive Officer.

CARRIED

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

Against: Nil

CCL24/191 FLUORIDE UPDATE PRESENTATION (ID24/1508)

The Council reports having met with the Manager Strategy, Sewerage and Water Supply regarding the Fluoride Update.

CCL24/192 MAYORAL APPOINTMENTS AND MEETINGS (ID24/1505)

The Council had before it the report dated 22 July 2024 from the Chief Executive Officer regarding Mayoral Appointments and Meetings.

Moved by Councillor P Wells and seconded by Councillor S Chowdhury

MOTION

That the information contained within the report be noted.

CARRIED

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

Against: Nil

CCL24/193 2023/2024 DELIVERY PROGRAM AND OPERATIONAL PLAN - FINAL PROGRESS REPORT (ID24/1600)

The Council had before it the report dated 30 July 2024 from the Corporate Strategy Performance Coordinator regarding 2023/2024 Delivery Program and Operational Plan - Final Progress Report.

Moved by Councillor J Black and seconded by Councillor P Wells

MOTION

That the report of the Director Strategy, Partnerships and Engagement, dated 30 July 2024, be noted.

CARRIED

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

Against: Nil

CCL24/194 INVESTMENT UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - JULY 2024 (ID24/1469)

The Council had before it the report dated 5 August 2024 from the Revenue Accountant regarding Investment Under Section 625 of the Local Government Act - July 2024.

Moved by Councillor S Chowdhury and seconded by Councillor V Etheridge

MOTION

That the information contained within the Investment under Section 625 of the Local Government Act Report, dated 5 August 2024, be noted.

CARRIED

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

Against: Nil

**CCL24/195 MONTHLY REPORTING SNAPSHOT FOR COUNCILLORS - JULY 2024
(ID24/1640)**

The Council had before it the report dated 1 August 2024 from the Corporate Strategy Performance Coordinator regarding Monthly Reporting Snapshot for Councillors - July 2024.

Moved by Councillor J Black and seconded by Councillor V Etheridge

MOTION

1. That the information contained within the report of the Corporate Strategy and Performance Coordinator, dated 1 August 2024, be noted.
2. That monthly data in relation to services and facility performance;
 - a. Continues to be collated.
 - b. Is presented to the new elected body.
3. That the newly elected body determine the categories of data and/or format of reporting for the new Councillor term.

CARRIED

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

Against: Nil

**CCL24/196 REGIONAL EXPRESS UNDER VOLUNTARY ADMINISTRATION: IMPACTS ON
DUBBO REGIONAL AIRPORT (ID24/1641)**

The Council had before it the report dated 2 August 2024 from the Director Organisational Performance regarding Regional Express under Voluntary Administration: Impacts on Dubbo Regional Airport.

Moved by Councillor J Black and seconded by Councillor S Chowdhury

MOTION

That the report from the Director Organisation Performance on the 2 August 2024 be noted.

CARRIED

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

Against: Nil

MATTERS CONSIDERED BY COMMITTEES

**CCL24/197 REPORT OF THE WELLINGTON TOWN COMMITTEE - MEETING 15 JULY 2024
(ID24/1638)**

The Council had before it the report of the Wellington Town Committee meeting held 15 July 2024.

Moved by Councillor R Ivey and seconded by Councillor S Chowdhury

MOTION

That the report of the Wellington Town Committee meeting held on 15 July 2024, be noted.

CARRIED

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

Against: Nil

CCL24/198 REPORT OF THE VILLAGES COMMITTEE - MEETING 17 JULY 2024 (ID24/1639)

The Council had before it the report of the Villages Committee meeting held 17 July 2024.

Moved by Councillor R Ivey and seconded by Councillor S Chowdhury

MOTION

That the report of the Villages Committee meeting held on 17 July 2024, be noted.

CARRIED

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

Against: Nil

CCL24/199 REPORT OF THE YOUTH COUNCIL - MEETING 6 AUGUST 2024 (ID24/1651)

The Council had before it the report of the Youth Council meeting held 6 August 2024.

Moved by Councillor P Wells and seconded by Councillor J Gough

MOTION

That the report of the Youth Council meeting held on 6 August 2024, be noted.

CARRIED

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

Against: Nil

NOTICE OF MOTION

CCL24/200 FOOTPATHS IN DUBBO AND WELLINGTON (ID24/1644)

Council had before it a Notice of Motion dated 5 August 2024 from Councillor S Chowdhury regarding the Footpaths in Dubbo and Wellington.

Moved by Councillor S Chowdhury and seconded by Councillor J Black

MOTION

1. That the CEO provide a report to December 2024 Ordinary Meeting of Council that:
 - a. Details the work being undertaken under the adopted 2024/2025 Operational Plan and Budget regarding understanding the demand for and gaps in the provision of footpaths in Dubbo and Wellington.
 - b. Details what planning instruments Council use to ensure the provision of footpaths in new subdivision developments.

CARRIED

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

Against: Nil

REPORTS FROM STAFF

CCL24/201 REPATRIATION OF AXE GRINDING GROOVE ROCKS IN WIRADJURI PARK (ID24/1085)

The Council had before it the report dated 29 July 2024 from the Director Infrastructure regarding Repatriation of Axe Grinding Groove Rocks in Wiradjuri Park.

Moved by Councillor P Wells and seconded by Councillor V Etheridge

MOTION

1. That it be noted that the axe grinding groove rocks located in Wiradjuri Park are required to remain in place as part of the New Dubbo Bridge and associated works undertaken by Transport for NSW.
2. That Council commence the repatriation process with the consultation and approvals to be undertaken by Council.

CARRIED

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

Against: Nil

CCL24/202 BALLIMORE FLOOD STUDY (ID24/1633)

The Council had before it the report dated 1 August 2024 from the Senior Stormwater Engineer regarding Ballimore Flood Study.

Moved by Councillor S Chowdhury and seconded by Councillor J Black

MOTION

1. That the Ballimore Flood Study (Volume 1) dated 11 July 2024 as attached to the report as Appendix 1 be adopted.
2. That the Ballimore Flood Mapping Compendium (Volume 3) dated 11 July 2024 as attached to the report as Appendix 2 be adopted.
3. That the following interim development controls apply to Ballimore:
 - a. The Defined Flood Event (DFE) shall be the 1% Annual Exceedance Probability (AEP) event.
 - b. A Flood Planning Level (FPL) of the DFE (1% AEP) + 0.5 metres freeboard shall be applied to all new dwellings proposed.
 - c. All new dwellings shall have a suspended floor system (no slab on ground) and be designed such that future house raising is possible.

That these interim development controls shall apply until the Ballimore Flood Risk Management Study and Plan is adopted by Council, at which point the resulting control measures adopted shall supersede those discussed above.

CARRIED

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

Against: Nil

**CCL24/203 DEVELOPMENT APPLICATION D23-628, RESIDENTIAL SUBDIVISION (145 DEVELOPMENT LOTS AND 23 RESIDUE LOTS) LOT 51 DP 1282381, LOT 15 DP 1285243, LOT 7 DP 250606, LOT 64 DP 261382, 6R BUNGLEGUMBIE ROAD, 9R BUNGLEGUMBIE ROAD AND 33 CHIFLEY DRIVE, DUBBO
APPLICANT: NORTH WEST PRECINCT COMMUNITY PTY LTD
OWNER: BUNGLEGUMBIE PARTNERS PTY LTD AND MR COLIN MIDDLETON (ID24/1625)**

The Council had before it the report dated 5 August 2024 from the Senior Planner regarding Development Application D23-628, Residential Subdivision (145 development lots and 23 residue lots) Lot 51 DP 1282381, Lot 15 DP 1285243, Lot 7 DP 250606, Lot 64 DP 261382, 6R Bunglegumbie Road, 9R Bunglegumbie Road and 33 Chifley Drive, Dubbo

Applicant: North West Precinct Community Pty Ltd

Owner: Bunglegumbie Partners Pty Ltd and Mr Colin Middleton.

Moved by Councillor V Etheridge and seconded by Councillor J Black

MOTION

1. That Development Application D23-628 for a residential subdivision (145 development lots and 23 residue lots) at Lot 51 DP 1282381, Lot 15 DP 1285243, Lot 7 DP 250606, Lot 64 DP 261382, 6R Bunglegumbie Road, 9R Bunglegumbie Road and 33 Chifley Drive Dubbo be approved subject to conditions (Appendix 1).
2. That Council grant delegation to the Chief Executive Officer to sign the determination (approval).

CARRIED

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

Against: Nil

CCL24/204 PLANNING PROPOSAL R23-007 - 20L ROCKY ROAD, DUBBO - RESULTS OF PUBLIC EXHIBITION (ID24/1189)

The Council had before it the report dated 25 July 2024 from the Growth Planner regarding Planning Proposal R23-007 - 20L Rocky Road, Dubbo - Results of Public Exhibition.

Moved by Councillor S Chowdhury and seconded by Councillor J Gough

MOTION

1. That Council adopt the Planning Proposal (attached in Appendix 1) to amend the Dubbo Regional Local Environmental Plan 2022 by changing the minimum lot size area for part of 20L Rocky Road, Dubbo from 20ha to 8ha.
2. That Council note the submissions received during the public exhibition period (attached in Appendix 2).
3. That Council prepare drafting instructions and liaise with the NSW Government Department of Planning, Housing and Infrastructure to arrange finalisation of the proposed amendment to the Dubbo Regional Local Environmental Plan 2022 and request gazettal of the Plan.
4. That the Chief Executive Officer (or delegate) be authorised to execute any required documentation to finalise the amendment to the Dubbo Regional Local Environmental Plan 2022.

CARRIED

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

Against: Nil

Councillor J Black declared a pecuniary, significant interest in CCL24/204 before the Council and left the room during the Council's consideration of this matter. The reason for such interest is that Councillor J Black owns a farming block on the corner of Warrie Road and Old Dubbo Road which is close to the subject block.

CCL24/205 PLANNING PROPOSAL R24-002 - ZONING AND MINIMUM LOT SIZE AREA AMENDMENTS TO PART OF KESWICK ESTATE (ID24/1375)

The Council had before it the report dated 1 August 2024 from the Senior Growth Planner regarding Planning Proposal R24-002 - Zoning and Minimum Lot Size Area Amendments to part of Keswick Estate.

Moved by Councillor J Black and seconded by Councillor P Wells

MOTION

1. That Council endorse the Planning Proposal (attached as Appendix 1) to amend the Dubbo Regional Local Environmental Plan 2022 at part of Keswick Estate (Lot 101 DP1280301) by changing the zoning from R2 Low Density Residential to R1 General Residential and removing the existing Minimum Lot Size Area provisions for approximately 10 hectares of the land.
2. That Council note the Strategic and Site-Specific Assessment (attached in Appendix 2).
3. That Council submit the Planning Proposal to the NSW Department of Planning, Housing and Infrastructure for a Gateway Determination, and request it include a condition that a Stormwater Strategy be prepared prior to undertaking public and State Agency consultation.
4. That Council request the Department of Planning, Housing and Infrastructure to be the Local Plan Making Authority under Section 3.36 of the Environmental Planning and Assessment Act 1979 as the Planning Proposal is related to Council-owned land.
5. That Council support a minimum 20 working days public exhibition period for the Planning Proposal, subject to the conditions of a Gateway Determination.
6. 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, S Chowdhury, M Dickerson, V Etheridge, J Gough, R Ivey, P Wells and M Wright.

Against: Nil

CCL24/206 PLANNING PROPOSALS R22-005 AND R22-006 - 13L NARROMINE ROAD DUBBO - RESULTS OF PUBLIC EXHIBITION (ID24/1245)

The Council had before it the report dated 24 July 2024 from the Manager Growth Planning regarding Planning Proposals R22-005 and R22-006 - 13L Narromine Road Dubbo - Results of Public Exhibition.

Moved by Councillor R Ivey and seconded by Councillor S Chowdhury

MOTION

1. That Council not proceed with Planning Proposal R22-005 (attached in Appendix 1) and Planning Proposal R22-006 (attached in Appendix 2) to amend the Dubbo Regional Local Environmental Plan 2022 for 13L Narromine Road, Dubbo due to the unresolved Transport for NSW objection.
2. That Council note submissions received during the public exhibition period (attached in Appendices 3, 4 and 5).
3. That Council prepare a city-wide strategic transportation model and an infrastructure contributions plan to address the requirements of the Transport for NSW objection.

4. That following preparation of a city-wide strategic transportation model and an infrastructure contributions plan, Council resubmit the Planning Proposals to the NSW Department of Planning, Housing and Infrastructure and undertake additional consultation with Transport for NSW.
5. That following consultation with the NSW Department of Planning, Housing and Infrastructure, and Transport for NSW, a further report be presented to Council, including the results of consultation.

CARRIED

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

Against: Nil

CCL24/207 FEDERAL GOVERNMENT HOUSING SUPPORT PROGRAM - STREAM 1 (ID24/1509)

The Council had before it the report dated 23 July 2024 from the Manager Growth Planning regarding Federal Government Housing Support Program - Stream 1.

Moved by Councillor J Black and seconded by Councillor P Wells

MOTION

That the information contained within the report of the Manager Growth Planning dated 23 July 2024, be noted.

CARRIED

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

Against: Nil

CCL24/208 DRAFT 2024-2034 WASTE STRATEGY (ID24/1637)

The Council had before it the report dated 1 August 2024 from the Manager Resource Recovery and Efficiency regarding Draft 2024-2034 Waste Strategy.

Moved by Councillor R Ivey and seconded by Councillor J Gough

MOTION

1. That Council adopt the draft 2024-2034 Waste Strategy for the purpose of public exhibition.
2. That the draft 2024-2034 Waste Strategy be placed on public exhibition for a period of not less than 28 days.
3. That following completion of public exhibition and community consultation, a further report be provided to Council for consideration, including the results of the public exhibition and community consultation.

CARRIED

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

Against: Nil

CCL24/209 ADOPTION OF 2024/2026 WATER SUPPLY AND SEWERAGE CUSTOMER SERVICE PLAN (ID24/1154)

The Council had before it the report dated 29 July 2024 from the Water and Sewer Client Services Coordinator regarding Adoption of 2024/2026 Water Supply and Sewerage Customer Service Plan.

Moved by Councillor P Wells and seconded by Councillor S Chowdhury

MOTION

That the 2024/2026 Water Supply and Sewerage Service Plan attached to this report (Appendix 1) be adopted.

CARRIED

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

CCL24/210 RENAMING OF THE LEGACY SHARED PATHWAY - LOCATED ON LOT 7023 DP1020031 (ID24/1475)

The Council had before it the report dated 1 August 2024 from the LIS and E-Services Coordinator regarding Renaming of the Legacy Shared Pathway - Located on Lot 7023 DP1020031.

Moved by Councillor M Wright and seconded by Councillor R Ivey

MOTION

- 1. That the Legacy Shared Pathway be named Tracker Riley.**
- 2. That the existing formed and maintained private road be named Tracker Riley Promenade.**
- 3. That the proposed road name be notified on Council's website and Government Authorities in accordance with Section 162 of the Roads Act 1993 and Section 7 of the Roads Regulation 2018.**
- 4. That those who made a submission be advised of Council's determination on this matter.**
- 5. That the approved name be gazetted.**

CARRIED

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

Against: Nil

CCL24/211 VICTORIA PARK AMENITIES - RESULTS OF PUBLIC EXHIBITION (ID24/1537)

The Council had before it the report dated 25 July 2024 from the Manager Recreation and Open Spaces regarding Victoria Park Amenities - Results of Public Exhibition.

Moved by Councillor R Ivey and seconded by Councillor S Chowdhury

MOTION

That this item be deferred to the Ordinary Council Meeting on 24 October 2024 to allow for additional information to be prepared.

CARRIED

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

Against: Nil

CCL24/212 TREE PRESERVATION ORDER - PROPOSED FRAMEWORK FOR TREE PRESERVATION ORDER AND RESOURCING IMPACTS (ID24/1487)

The Council had before it the report dated 16 July 2024 from the Manager Recreation and Open Spaces regarding Tree Preservation Order - Proposed Framework for Tree Preservation Order and Resourcing Impacts.

Moved by Councillor R Ivey and seconded by Councillor J Gough

MOTION

That further consideration of a Tree Preservation Order be undertaken by the incoming Council post the September 2024 Election.

CARRIED

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

Against: Nil

CCL24/213 2024/2025 EVENT ASSISTANCE PROGRAM - UPDATED (ID24/1649)

The Council had before it the report dated 7 August 2024 from the Manager Regional Events regarding 2024/2025 Event Assistance Program - updated.

Moved by Councillor J Gough and seconded by Councillor P Wells

MOTION

1. That Council endorse the recommendation from the assessment panel for the Community Events Fund as follows:
 - a. Teej Festival
(Dubbo Nepalese Community Australia (Inc) \$ 800

b.	Under Western Skies (Songwriters and Original Musicians Association Dubbo Inc)	\$3,000
c.	Dubbo Multicultural Event (Central West Muslims Association Inc)	\$2,000
d.	Geurie Lions Christmas Carols (Lions Club of Geurie Inc)	\$ 100
e.	Carols by Candlelight (Rotary Club of Dubbo West Inc)	\$ 600
f.	Holi Festival of Colours (Orana Residents of Indian Sub Continental Heritage)	\$1,500
g.	Man from Ironbark Festival (Stuart Town Advancement Association Inc)	\$2,000

2. That Council endorse the recommendation from the assessment panel for the Destination Events Fund as follows:

a.	Wellington Boot (Wellington Race Club)	\$5,000
b.	Stock Route Music Festival (Lazy River Estate)	\$5,000
c.	Dubbo Eisteddfod (Dubbo Eisteddfod Inc)	\$5,000
d.	Dubbo Winter Whiskey Festival (RJTP Pty Ltd)	\$3,000
e.	Cross Cultural Carnival (Orana Residents of Indian Sub-Continental Heritage Inc)	\$2,000
f.	Dubbo MotorFest (Dubbo Motorcyclists and Drivers Club Inc)	\$5,000

3. That each applicant be advised of the outcome of their application in accordance with the Financial Assistance Policy.

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

Against: Nil

Moved by Councillor R Ivey and seconded by Councillor P Wells

MOTION

1. That Council endorse the recommendation from the assessment panel for the Community Events Fund as follows:

a.	Teej Festival (Dubbo Nepalese Community Australia (Inc))	\$ 800
b.	Under Western Skies (Songwriters and Original Musicians Association Dubbo Inc)	\$3,000
c.	Dubbo Multicultural Event (Central West Muslims Association Inc)	\$2,000
d.	Geurie Lions Christmas Carols (Lions Club of Geurie Inc)	\$ 100
e.	Carols by Candlelight (Rotary Club of Dubbo West Inc)	\$ 600

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|----|--|---------|
| f. | Holi Festival of Colours
(Orana Residents of Indian Sub Continental Heritage) | \$1,500 |
| g. | Man from Ironbark Festival
(Stuart Town Advancement Association Inc) | \$2,000 |
| h. | Orana K9 Training Club
(Orana K9 Training Club Dog Obedience Trials) | \$ 500 |
2. That Council endorse the recommendation from the assessment panel for the Destination Events Fund as follows:
- | | | |
|----|---|---------|
| a. | Wellington Boot (Wellington Race Club) | \$5,000 |
| b. | Stock Route Music Festival (Lazy River Estate) | \$5,000 |
| c. | Dubbo Eisteddfod (Dubbo Eisteddfod Inc) | \$5,000 |
| d. | Dubbo Winter Whiskey Festival (RJTP Pty Ltd) | \$3,000 |
| e. | Cross Cultural Carnival
(Orana Residents of Indian Sub-Continental Heritage Inc) | \$2,000 |
| f. | Dubbo MotorFest (Dubbo Motorcyclists and Drivers Club Inc) | \$5,000 |
3. That each applicant be advised of the outcome of their application in accordance with the Financial Assistance Policy.

The amendment on being put to the meeting was carried.

CARRIED

The amendment then became the motion and on being put to the meeting was carried.

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

Against: Nil

Councillor S Chowdhury declared a non pecuniary, less than significant interest in CCL24/213 before the Council and remained in the room during the Council's consideration of this matter. The reason for such interest is that Councillor S Chowdhury knows a couple of community based groups but is not involved with any committee, except ORISCON.

CCL24/214 COMMUNITY SERVICES FUND 2024/2025 ROUND 1 (ID24/1320)

The Council had before it the report dated 28 June 2024 from the Manager Community Services regarding Community Services Fund 2024/2025 Round 1.

Moved by Councillor P Wells and seconded by Councillor S Chowdhury

MOTION

1. That Council allocate \$81,894.60 to the community-based organisations in accordance with Section 356 of The Local Government Act 1993 and notification to be sent to each recommended applicant:
- | | | |
|---|----------------------------|-------------|
| • | Dubbo Show Society Inc | \$42,790.00 |
| • | Dubbo Melanoma March Group | \$5,000.00 |

- Western Region Academy of Sport \$3,523.00
 - Orana Education & Training Co-Operative \$6,000.00
 - ORISCON Inc \$2,500.00
 - Wiradjuri Wellington Aboriginal Town Common \$2,081.60
 - U3A Dubbo Chapter Inc \$5,000.00
 - Dubbo and District Can Assist \$15,000.00
2. That the surplus funds remaining from the 2024/2025 Round 1 be rolled over to 2024/2025 Round 2 of the Community Services Fund.

CARRIED

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

Against: Nil

Councillor S Chowdhury declared a non pecuniary, less than significant interest in CCL24/214 before the Council and remained in the room during the Council's consideration of this matter. The reason for such interest is that Councillor S Chowdhury was part of ORISCON but is no longer.

CCL24/215 2025/2026 DESTINATION PARTNERSHIP PROGRAM FEES AND CHARGES (ID24/1535)

The Council had before it the report dated 25 July 2024 from the Manager Strategic Partnership and Investment regarding 2025/2026 Destination Partnership Program Fees and Charges.

Moved by Councillor V Etheridge and seconded by Councillor P Wells

MOTION

1. That Council adopt the charges for the 2025/2026 Destination Partnership Program as outlined in this report.
2. That the existing Visitor Information Centre Partnership Program be absorbed into the Destination Partnership Program.

CARRIED

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

Against: Nil

CCL24/216 CENTRAL-WEST ORANA RENEWABLE ENERGY ZONE - COMMUNITY AND EMPLOYMENT BENEFIT PROGRAM (ID24/1510)

The Council had before it the report dated 23 July 2024 from the Manager Strategic Partnership and Investment regarding Central-West Orana Renewable Energy Zone - Community and Employment Benefit Program.

Moved by Councillor R Ivey and seconded by Councillor S Chowdhury

MOTION

1. That the Chief Executive Officer submit an application for the Central-West Orana Renewable Energy Zone (CWO REZ) Community and Employment Benefit Program (Legacy Infrastructure Fund)
2. That the priority project is the Renewable Energy Awareness and Career Training Centre subject to a positive commercial feasibility study.

CARRIED

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

Against: Councillor J Black.

CCL24/217 EXTRAORDINARY MEETING OF COUNCIL 5 SEPTEMBER 2024 - DRAFT FINANCIAL STATEMENTS (ID24/1513)

The Council had before it the report dated 23 July 2024 from the Director Organisational Performance regarding Extraordinary Meeting of Council 5 September 2024 - Draft Financial Statements.

Moved by Councillor V Etheridge and seconded by Councillor S Chowdhury

MOTION

That an Extraordinary Council meeting be held on Thursday 5 September 2024 at 12.00pm for the purposes of adopting the draft financial statements to be referred to the NSW Audit Office, and consideration of Development Applications that are consistent with the caretaker provisions.

CARRIED

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

Against: Nil

CCL24/218 QUESTIONS ON NOTICE - 3D PRINTED TOILET BLOCK SIGNAGE (ID24/1646)

The Council had before it the report dated 6 August 2024 from the Councillor regarding Questions on Notice - 3D Printed Toilet Block Signage.

Moved by Councillor J Black and seconded by Councillor J Gough

MOTION

That the information contained within the report be noted.

CARRIED

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

Against: Nil

CCL24/219 QUESTIONS ON NOTICE - COST OF RENAMING DUBBO MACQUARIE RIVER SHARED PATHWAY (ID24/1647)

The Council had before it the report dated 6 August 2024 from the Councillor regarding Questions on Notice - Cost of Renaming Dubbo Macquarie River Shared Pathway.

Moved by Councillor J Black and seconded by Councillor V Etheridge

MOTION

That the information contained within the report be noted.

CARRIED

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

Against: Nil

CCL24/220 COMMENTS AND MATTERS OF URGENCY (ID24/1632)

There were no matters recorded under this clause.

CONFIDENTIAL

In accordance with Section 9(2A) Local Government Act 1993, in the opinion of the Chief Executive Officer, the following business is of a kind as referred to in Section 10A(2) of the Act, and should be dealt with in a Confidential Session of the Council meeting closed to the press and public.

The items listed come within the following provisions of the Act:

- *CCL24/221 – Draft Planning Agreement – Sandy Creek Windfarm* - information that would, if disclosed, prejudice the commercial position of the person who supplied it (Section 10A(2)(d)(i)).
- *CCL24/222 – Quotation for the Supply and Delivery of two 6x4 Road Maintenance Trucks* - information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c)).
- *CCL24/223 – Saxa Road/Comobella Crossing Replacement Project – Land Acquisition* - information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c)).
- *CCL24/224 – Construction of New River Street West Collector Road Stage 1* – Tender recommendation - 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)).
- *CCL24/225 – Dubbo Regional Airport Security Screening Tender* - 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)).
- *CCL24/226 - Belgravia Leisure Contract For The Management Of Dubbo's Aquatic Leisure Centres* (Section 10A(2)(c)) - information that would, if disclosed, prejudice the commercial position of the person who supplied it (Section 10A(2)(d)(i)).

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

At this juncture it was moved by Councillor S Chowdhury and seconded by Councillor P Wells that the Council resolves into closed session, the time being 7:24 pm.

The open session resumed at 7:34 pm.

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

CCL24/221 DRAFT PLANNING AGREEMENT - SANDY CREEK SOLAR FARM (ID24/1614)

The Council had before it the report dated 31 July 2024 from the Manager Growth Planning regarding Draft Planning Agreement - Sandy Creek Solar Farm.

Moved by Councillor S Chowdhury and seconded by Councillor P Wells

MOTION

The Council recommends 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 R Ivey and seconded by Councillor J Black

MOTION

1. That Council negotiate a Voluntary Planning Agreement with Lightsource BP at 1.5% of the Capital Investment Value of the final Sandy Creek Solar Farm project.
2. That the Voluntary Planning Agreement to be negotiated in item 1 is for the overall project, with Dubbo Regional Council to receive funds based on pro rata of the project undertaken in the Dubbo Regional Local Government Area.
3. That a further report be presented to Council for consideration including the proposed terms of the draft Voluntary Planning Agreement and associated operating model.
4. That all documentation in relation to this matter remain confidential to Council.

CARRIED

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

Against: Nil

CCL24/222 QUOTATION FOR THE SUPPLY AND DELIVERY OF TWO 6X4 ROAD MAINTENANCE TRUCKS (ID24/1601)

The Council had before it the report dated 31 July 2024 from the Manager Fleet and Depot Services regarding Quotation for the Supply and Delivery of Two 6x4 Road Maintenance Trucks.

Moved by Councillor S Chowdhury and seconded by Councillor P Wells

MOTION

The Council recommends that members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c)).

Moved by Councillor S Chowdhury and seconded by Councillor J Gough

MOTION

1. That the quotation from Ausroad Manufacturing to supply two Isuzu FXY240-350 trucks fitted with Jetmaster patching bodies for the purchase price of \$1,346,035 (excludes GST) be approved.
2. That plant number 159 and 2153 be valued for trade-in prices and auction estimates on handover of the replacement trucks.
3. That all documentation in relation to this matter remain confidential to Council.
4. That all documentation in relation to this matter be signed under the Common Seal of Council.

CARRIED

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

Against: Nil

CCL24/223 SAXA ROAD/COMOBELLA CROSSING REPLACEMENT PROJECT - LAND ACQUISITION (ID24/1294)

The Council had before it the report dated 25 July 2024 from the Senior Project Engineer regarding Saxa Road/Comobella Crossing Replacement Project - Land Acquisition.

Moved by Councillor S Chowdhury and seconded by Councillor P Wells

MOTION

The Council recommends that members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c)).

Moved by Councillor R Ivey and seconded by Councillor J Black

MOTION

1. That Council approve the compulsory acquisition of the whole of Lot 9 DP754327 pursuant to s177 and s178 of the Roads Act 1993 (NSW) as described in the body of this report and, upon acquisition, classify the land as operational, and dedicate such land as public road reserve.
2. That Council delegate to the Chief Executive Officer the power to negotiate actual and reasonable costs subject to budget limitations.
3. That Council delegate to the Chief Executive Officer the power to negotiate, finalise, and execute any applications, notices, documents and compensation claims required to be executed as part of the process for Council to compulsorily acquire the whole of Lot 9 DP754327.

4. That all documentation in relation to this matter remain confidential to Council.
5. That all necessary documentation relating to this matter be executed under the Common Seal of Council.

CARRIED

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

Against: Nil

CCL24/224 CONSTRUCTION OF NEW RIVER STREET WEST COLLECTOR ROAD STAGE 1 - TENDER RECOMMENDATION (ID24/1336)

The Council had before it the report dated 2 July 2024 from the Senior Project Engineer regarding Construction of New River Street West Collector Road Stage 1 - Tender Recommendation.

Moved by Councillor S Chowdhury and seconded by Councillor P Wells

MOTION

The Council recommends that members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c)).

Moved by Councillor J Black and seconded by Councillor S Chowdhury

MOTION

1. That the contract for the construction of the new River Street West Collector Road Stage 1 be awarded to Maas Civil Pty Ltd, in accordance with Clause 178 (3) of the Local Government (General) Regulation 2021 for the amount of \$8,472,291.90 (incl GST).
2. That Council delegate the Chief Executive Officer to approve the extension options for this contract if required.
3. That Council delegate the Chief Executive Officer to approve contract variations for this contract subject to budget limitations.
4. That all documentation in relation to this matter remain confidential to Council.
5. That all documentation in relation to this matter be signed under the Common Seal of Council.

CARRIED

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

Against: Nil

CCL24/225 DUBBO REGIONAL AIRPORT SECURITY SCREENING TENDER (ID24/1556)

The Council had before it the report dated 26 July 2024 from the Manager Airport Strategy and Operations regarding Dubbo Regional Airport Security Screening Tender.

Moved by Councillor S Chowdhury and seconded by Councillor P Wells

MOTION

The Council recommends that members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned 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)).

Moved by Councillor S Chowdhury and seconded by Councillor V Etheridge

MOTION

- 1. That a contract for the Supply of Passenger Baggage and Cargo Screening Services for Dubbo Regional Airport be awarded to Trident Services Australia, in accordance with Clause 178 (1) of the Local Government (General) Regulation 2021 for the price of \$1,697,754 ex GST.**
- 2. That all documentation in relation to this matter remain confidential to Council.**
- 3. That all documentation in relation to this matter be signed under the Common Seal of Council.**

CARRIED

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

Against: Nil

CCL24/226 MACQUARIE RIVER EVENT PRECINCT CONSTRUCTION TENDER (ID24/1648)

The Council had before it the report dated 6 August 2024 from the Manager Building Assets regarding Macquarie River Event Precinct Construction Tender.

Moved by Councillor S Chowdhury and seconded by Councillor P Wells

MOTION

The Council recommends 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 S Chowdhury and seconded by Councillor J Gough

MOTION

1. That, in accordance with Clause 178 (1)(b) of the Local Government (General) Regulation 2021, Council decline to accept any tenders received for the "Construction of the Macquarie River Event Precinct" due to the need to ensure the most cost-effective and high-quality solution for the community, and the fact that the current tenders do not fully meet the project requirements and budget constraints.
2. That, in accordance with Clause 178 (3)(e) of the Local Government (General) Regulation 2021, Council enter into negotiations with the preferred tenderer, Stanaway t/as David Payne Constructions, with a view to entering into a contract in relation to the subject matter of the tender.
3. That all documentation in relation to this matter remain confidential to Council.
4. That all documentation in relation to this matter be signed under the Common Seal of Council.

CARRIED

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

Against: Nil

The meeting closed at 7:35pm.

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CHAIRPERSON