REPORT
ORDINARY COUNCIL MEETING
28 SEPTEMBER 2023

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 Director Organisational Performance, the Manager Corporate Governance, the Governance Team Leader, the Governance Officers Governance, the Manager Property and Land Development, the Director Strategy, Partnerships and Engagement, the Communications Services Team Leader, the IT Infrastructure Specialist, the Director Development and Environment, the Manager Growth Planning, the Director Infrastructure, the Manager Infrastructure Delivery, and the Director Community, Culture and Places.

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 read by Councillor M Wright. The acknowledgement of country was read by Councillor L Burns, who also gave a Welcome to Country.

In accordance with Schedule 7 Section 1 of the Local Government (General) Regulation 2021, the Chief Executive Officer acted as the returning officer to conduct this election.

CCL23/237 ELECTION OF MAYOR AND DEPUTY MAYOR FOR THE REMAINDER OF THE COUNCIL TERM (ID23/2270)

The Council had before it the report dated 12 September 2023 from the Chief Executive Officer regarding Election of Mayor and Deputy Mayor for the Remainder of the Council Term.

CCL23/238 METHOD OF VOTING (ID23/2348)

The Council had before it the report dated 22 September 2023 from the Chief Executive Officer regarding Election of Mayor, Deputy Mayor and Formation of Standing and Other Committees, Panels, Working Parties and Other Groups.

Moved by Councillor D Mahon and seconded by Councillor S Chowdhury

MOTION
That the method of voting for the election of Mayor and Deputy Mayor be by Open Voting (show of hands).

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.

CCL23/239 ELECTION OF MAYOR FOR THE MAYORAL TERM (ID23/2322)

At this stage, the Chief Executive Officer as Returning Officer invited nominations for the election of the office of Mayor for the Mayoral term with the following written nominations received:

- Councillor J Black, nominated by Councillor V Etheridge and Councillor J Black.
- Councillor M Dickerson, nominated by Councillor V Etheridge and Councillor J Gough.

Councillors M Dickerson and J Black formally accepted their nominations.

In accordance with Clause 12 of Schedule 7 of the *Local Government (General) Regulation 2005*, each candidate's name was written on a slip of paper which was placed in a sealed canister and deposited into a barrel to determine the order of voting. The first name drawn out of the barrel, being Councillor J Black, was written first on the tally sheet, and the second name drawn out of the barrel, being Councillor M Dickerson, was written second on the tally sheet.

A vote, by way of show of hands, was taken, with the candidate with the greatest number of votes declared as Mayor.

The following votes were recorded:

FOR COUNCILLOR J BLACK	**FOR COUNCILLOR M DICKERSON**
Councillor J Black	
	Councillor L Burns
	Councillor S Chowdhury
	Councillor M Dickerson
Councillor V Etheridge	
	Councillor J Gough
	Councillor R Ivey
	Councillor D Mahon
Councillor P Wells	
	Councillor M Wright
Total: 3	**Total: 7**

As a result of the show of hands,

Councillor J Black had 3 votes, and Councillor M Dickerson had 7 votes.

The Chief Executive Officer as Returning Officer declared that as a higher number of votes were received for Councillor M Dickerson, he is duly elected to the office of Mayor of Dubbo Regional Council for the duration of the Mayoral term.

Councillor M Dickerson assumed the Chair of the meeting, the time being 5.38 pm.

CCL23/240 CREATION OF OFFICE OF DEPUTY MAYOR (ID23/2323)

The Council gave consideration to determining whether it would create the office of Deputy Mayor.

Moved by Councillor M Wright and seconded by Councillor S Chowdhury

MOTION

That the Office of Deputy Mayor be created and operate for the duration of the Mayoral Term.

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.

In accordance with Schedule 7 Section 1 of the Local Government (General) Regulation 2021, the Chief Executive Officer acted as the returning officer to conduct this election.

CCL23/241 ELECTION OF DEPUTY MAYOR FOR THE MAYORAL TERM (ID23/2324)

At this stage, the Chief Executive Officer as Returning Officer invited nominations for the election of the office of Deputy Mayor for the Mayoral term with the following written nominations received:

- Councillor R Ivey, nominated by Councillor V Etheridge and Councillor J Black.
- Councillor P Wells, nominated by Councillor J Gough and Councillor S Chowdhury.

Councillors R Ivey and P Wells formally accepted their nominations.

In accordance with Clause 12 of Schedule 7 of the *Local Government (General) Regulation 2005*, each candidate's name was written on a slip of paper which was placed in a sealed canister and deposited into a barrel to determine the order of voting. The first name drawn out of the barrel, being Councillor P Wells, was written first on the tally sheet, and the second name drawn out of the barrel, being Councillor R Ivey, was written second on the tally sheet.

A vote, by way of show of hands, was taken, with the candidate with the greatest number of votes declared as Deputy Mayor.

The following votes were recorded:

FOR **COUNCILLOR P WELLS**	**FOR** **COUNCILLOR R IVEY**
Councillor J Black	
	Councillor L Burns
	Councillor S Chowdhury
	Councillor M Dickerson
Councillor V Etheridge	
	Councillor J Gough
	Councillor R Ivey
	Councillor D Mahon
Councillor P Wells	
	Councillor M Wright
Total: 3	**Total: 7**

As a result of the show of hands,

Councillor P Wells had 3 votes and Councillor R Ivey had 7 votes.

The Chief Executive Officer as Returning Officer declared that as more votes were received for Councillor R Ivey, he is duly elected to the office of Deputy Mayor of Dubbo Regional Council for the duration of the Mayoral term.

Councillor M Dickerson assumed the Chair of the meeting, the time being 5.48 pm.

CCL23/242 LEAVE OF ABSENCE (ID23/1098)
There were no requests for leaves of absence.

Councillor R Ivey attended via audio-visual link.

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.

CCL23/243 CONFLICTS OF INTEREST (ID23/1093)
The following conflicts of interest were declared:

- Clr D Mahon – Non Pecuniary Less than Significant in Item CCL23/257
- Director Organisational Performance – Non Pecuniary Significant in Item CCL23/268
- Clr V Etheridge – Non Pecuniary Significant in Item CCL23/256
- Clr M Dickerson – Non Pecuniary Less than Significant in Item CCL23/289

CCL23/244 PUBLIC FORUM (ID23/1088)
The Council reports having met with the following persons during Public Forum.

- Brett Anderson - regarding CCL23/256 – Draft North West Urban Release Area DCP – Results of Public Exhibition
- Mark Stacey - regarding CCL23/256 – Draft North West Urban Release Area DCP – Results of Public Exhibition
- Barbara Sutherland – regarding proposed tree preservation order on private property.

CCL23/245 CONFIRMATION OF MINUTES (ID23/1103)
Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 24 August 2023.

Moved by Councillor P Wells and seconded by Councillor V Etheridge

MOTION

That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council meeting held on 24 August 2023 comprising pages 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and 30 of the series be taken as read, confirmed as correct minutes and signed by the Mayor and the Chief Executive Officer.

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.

CCL23/246 FORMATION OF STANDING COMMITTEES AND DETERMINATION OF ALL MEETING DATES, TIMES AND LOCATION (ID23/2017)
The Council had before it the report dated 8 August 2023 from the Governance Team Leader regarding Formation of Standing Committees and Determination of All Meeting Dates, Times and Location.

Moved by Councillor M Wright and seconded by Councillor S Chowdhury

MOTION

1. **That Council adopts a meeting structure including three standing committees, with meetings to be held once per month; and an Ordinary Council meeting to be held once per month.**
2. **That the following Standing Committees be created:**
   a. **Infrastructure, Planning and Environment Committee, to deal with matters relating to Development and Environment and Infrastructure, as outlined in the report.**
   b. **Culture and Community Committee, to deal with matters relating to Culture**

and Economy and Liveability, as outlined in the report.

c. Corporate Services Committee, to deal with matters relating to Organisational Performance and Strategy Partnerships and Engagement, as outlined in the report.

3. That the Standing Committee meetings be held on the second Thursday of each month commencing at 5.30 pm with the Infrastructure, Planning and Environment Committee, immediately followed by the Culture and Community Committee and the Corporate Services Committee; with the exception of December, January and August where no Standing Committee meetings will be held.

4. That the dates and times of meetings of the Standing Committees be as follows:

a. Infrastructure, Development and Environment Committee on the second Thursday of each month, except January, February, March and December commencing at 5.30pm, as required;

b. Culture and Community Committee on the second Thursday of each month, except January, February, March and December immediately following the completion of the Infrastructure, Development and Environment Committee noting that if there is no requirement to conduct an Infrastructure, Development and Environment Committee it will be scheduled for 5.30pm on that day;

c. Corporate Services Committee on the second Thursday of each month, except January, February, March and December, immediately following the completion of the Culture and Community Committee;

d. Standing Committees meeting scheduled for Thursday 14 March 2024 to be held on 7 March 2024.

5. That the Standing Committee meetings be held in Dubbo on the dates as provided in the report.

6. That Ordinary Council meetings be held on the fourth Thursday of each month commencing at 5.30 pm, on the dates as provided in the report, with the exception of:

a. January where no meetings be held and one February Ordinary Council meeting be held being Thursday, 15 February 2024.

b. Ordinary Council Meeting scheduled for Thursday, 28 March 2024 to be held on Thursday, 21 March 2023.

7. That it be noted that, due to the Local Government Elections in September 2024, the Ordinary meeting of Council be held on 15 August 2024 as the Caretaker period as per the Local Government Regulations 2005 section 393B will commence from 16 August 2024 to 14 September 2024.

8. That the location of the Ordinary meeting of Council be Dubbo unless otherwise stated.

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.

CCL23/247 DETERMINATION OF COUNCILLOR REPRESENTATION ON MANDATED COMMITTEES (ID23/2018)

The Council had before it the report dated 8 August 2023 from the Manager Corporate Governance regarding Determination of Councillor Representation on Mandated Committees.

Moved by Councillor J Black and seconded by Councillor S Chowdhury

MOTION

1. **That Council determines one Councillor representative and one alternate Councillor representative for the Audit Risk and Improvement Committee.**
2. **That Council determines one Councillor representative and one alternate Councillor representative for the Local Traffic Committee.**
3. **That Council determines one Councillor representative and one alternate Councillor representative for the Floodplain Management Committee.**
4. **That the above representatives will serve on the committees for the duration of the Mayoral Term.**

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.

CCL23/247A DETERMINATION OF COUNCILLOR REPRESENTATION ON MANDATED COMMITTEES

The Council had before it the report dated 8 August 2023 from the Manager Corporate Governance regarding Determination of Councillor Representation on Mandated Committees.

Moved by Councillor M Wright and seconded by Councillor S Chowdhury

MOTION

That the Councillor representatives for the mandated committees remain the same for the remainder of the Mayoral Term.

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.

CCL23/248 DETERMINATION OF NUMBER OF COUNCILLORS FOR 2028-2032 TERM OF OFFICE (ID23/2321)

The Council had before it the report dated 20 September 2023 from the Governance Team Leader regarding Determination of Number of Councillors for 2028-2032 Term of Office.

Moved by Councillor M Wright and seconded by Councillor P Wells

MOTION

That in accordance with section 224(2) of the *Local Government Act, 1993* Council maintain 11 Councillors and the current process for Election of Mayor for the 2028-2032 term of office.

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.

INFORMATION ONLY MATTERS:

CCL23/249 MAYORAL APPOINTMENTS AND MEETINGS (ID23/2213)

The Council had before it the report dated 4 September 2023 from the Chief Executive Officer regarding Mayoral Appointments and Meetings.

Moved by Councillor J Gough and seconded by Councillor L Burns

MOTION

That the information contained in the report be noted.

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.

CCL23/250 MONTHLY REPORTING SNAPSHOT FOR COUNCILLORS - AUGUST 2023 (ID23/2241)

The Council had before it the report dated 11 September 2023 from the Director Strategy, Partnerships and Engagement regarding Monthly Reporting Snapshot for Councillors - August 2023.

Moved by Councillor S Chowdhury and seconded by Councillor V Etheridge

MOTION

That the information contained within the report of the Director Strategy, Partnerships and Engagement dated 11 September 2023, be noted.

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.

MATTERS CONSIDERED BY COMMITTEES:

CCL23/251 REPORT OF THE INFRASTRUCTURE, PLANNING AND ENVIRONMENT COMMITTEE - MEETING 14 SEPTEMBER 2023 (ID23/2336)

The Council had before it the report of the Infrastructure, Planning and Environment Committee meeting held 14 September 2023.

Moved by Councillor J Black and seconded by Councillor V Etheridge

MOTION

That the report of the Infrastructure, Planning and Environment Committee meeting held on 14 September 2023, 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.

CCL23/252 REPORT OF THE CULTURE AND COMMUNITY COMMITTEE - MEETING 14 SEPTEMBER 2023 (ID23/2337)

The Council had before it the report of the Culture and Community Committee meeting held 14 September 2023.

Moved by Councillor J Gough and seconded by Councillor S Chowdhury

MOTION

That the report of the Culture and Community Committee meeting held on 14 September 2023, 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.

CCL23/253 REPORT OF THE CORPORATE SERVICES COMMITTEE - MEETING 14 SEPTEMBER 2023 (ID23/2338)

The Council had before it the report of the Corporate Services Committee meeting held 14 September 2023.

Moved by Councillor D Mahon and seconded by Councillor L Burns

MOTION

That the report of the Corporate Services Committee meeting held on 14 September 2023, 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.

REPORTS FROM STAFF:

CCL23/254 CENTRAL WEST ORANA RENEWABLE ENERGY ZONE (CWO REZ) STEERING COMMITTEE (ID23/2288)

The Council had before it the report dated 18 September 2023 from the Chief Executive Officer regarding Central West Orana Renewable Energy Zone (CWO REZ) Steering Committee.

Moved by Councillor M Wright and seconded by Councillor V Etheridge

MOTION

1. **That the information contained within the report of the Chief Executive Officer dated 18 September 2023, be noted.**
2. **That the operational nature of the Steering Committee and associated Project Working Groups be noted, having a focus on enacting the policies of Council and driving action to deliver outcomes for the community.**

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.

CCL23/255 RESCISSION OF LAND SWAP - DUBBO RSL MEMORIAL CLUB LTD (ID23/2293)

The Council had before it the report dated 19 September 2023 from the Chief Executive Officer regarding Rescission of Land Swap - Dubbo RSL Memorial Club Ltd.

Moved by Councillor D Mahon and seconded by Councillor V Etheridge

MOTION

That it be noted that the Dubbo RSL Memorial Club has exercised their right of rescission of the Land Swap Deed, further noting that this relates to the Dubbo RSL property that is the site of the former Dubbo City Bowling Club and a 3.3 hectare portion of Council's Keswick Estate.
Moved by Councillor J Black and seconded by Councillor D Mahon

MOTION

1. **That it be noted that the Dubbo RSL Memorial Club has exercised their right of rescission of the Land Swap Deed, further noting that this relates to the Dubbo RSL property that is the site of the former Dubbo City Bowling Club ad a 3.3 hectare portion of Council's Keswick Estate.**
2. **That the CEO provide a report to the October 2023 meeting of council that will provide a broad over view of the possible future strategic use of the former Dubbo City Bowling club site and any previous planning undertaken to date and possible options for purchase from Dubbo RSL Memorial Club.**

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.
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.

CCL23/256 DRAFT NORTH-WEST URBAN RELEASE AREA DEVELOPMENT CONTROL PLAN - RESULTS OF PUBLIC EXHIBITION (ID23/2040)

The Council had before it the report dated 14 September 2023 from the Manager Growth Planning regarding Draft North-West Urban Release Area Development Control Plan - Results of Public Exhibition.

Moved by Councillor S Chowdhury and seconded by Councillor D Mahon

MOTION

1. **That Council adopt the draft North-West Development Control Plan - Master Plan (attached in Appendix 1).**
2. **That Council adopt the draft North-West Urban Release Area - Development Control Plan – Stage 1 (attached in Appendix 2).**
3. **That the Development Control Plans come into effect on 2 October 2023.**
4. **That Council note the submissions received during the public exhibition period (attached in Appendix 3).**
5. **That Council note that the draft North-West Development Control Plan – Master Plan (Appendix 1) and the draft North-West Urban Release Area – Development Control Plan – Stage 1 (Appendix 2) have been suitably amended to remove the potential for direct vehicle access from the Precinct to Chifley Drive and to include the proposed Chifley Drive connection as a pedestrian and cyclist connection only.**

CARRIED

For: Councillors L Burns, M Dickerson, J Gough, R Ivey, D Mahon, P Wells and M Wright.
Against: Councillors J Black, P Wells and S Chowdhury.
Moved by Councillor J Black and seconded by Councillor P Wells

AMENDMENT
1. That Council adopt the draft North-West Development Control Plan - Master Plan

(attached in Appendix 1).
2. That Council adopt the draft North-West Urban Release Area - Development Control Plan – Stage 1 (attached in Appendix 2).
3. That the Development Control Plans come into effect on 2 October 2023.
4. That Council note the submissions received during the public exhibition period (attached in Appendix 3).
5. That Council note that the draft North-West Development Control Plan – Master Plan (Appendix 1) and the draft North-West Urban Release Area – Development Control Plan – Stage 1 (Appendix 2) have been suitably amended to remove the potential for direct vehicle access from the Precinct to Chifley Drive and to include the proposed Chifley Drive connection as a pedestrian and cyclist connection only.
6. That Appendices 1 and 2 be amended to remove the Chifley Drive walkway/cycleway and potential for direct vehicle access and be updated prior to the Draft North-West Development Control Plan – Master Plan coming into effect.

The amendment on being put to the meeting was lost. LOST
For: Councillors J Black, S Chowdhury, and P Wells.
Against: Councillors D Mahon, M Dickerson, M Wright, L Burns, R Ivey and J Gough.

Councillor V Etheridge declared a non-pecuniary, significant interest in the matter now before the Council and left the room during the Council's consideration of this matter. The reason for such interest is that Councillor V Etheridge resides in Chifley Drive.

CCL23/257 DRAFT BLUERIDGE PRECINCT DEVELOPMENT CONTROL PLAN (ID23/1781)
The Council had before it the report dated 13 September 2023 from the Team Leader Growth Planning Projects regarding Draft Blueridge Precinct Development Control Plan.

Moved by Councillor M Wright and seconded by Councillor S Chowdhury

MOTION

1. **That Council adopt the draft Blueridge Precinct Development Control Plan (attached in Appendix 1) for the purposes of public exhibition only.**
2. **That the draft Blueridge Precinct Development Control Plan be placed on public exhibition for a period of not less than 28 days in accordance with Environmental Planning and Assessment Act 1979 and for Council to consult with Precinct landowners.**
3. **That following the completion of the public exhibition period, a further report be presented to Council for consideration, including the results of the 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.

Councillor D Mahon declared a non-pecuniary, less than significant interest in the matter now before the Council and remained in the room during the Council's consideration of this matter.

The reason for such interest is that Councillor D Mahon owns property within the Blueridge Precinct.

CCL23/258 DRAFT CLEARMONT RISE DEVELOPMENT CONTROL PLAN - RESULTS OF PUBLIC EXHIBITION (ID23/1295)

The Council had before it the report dated 11 September 2023 from the Senior Growth Planner regarding Draft Clearmont Rise Development Control Plan - Results of Public Exhibition.

Moved by Councillor M Wright and seconded by Councillor V Etheridge

MOTION

1. **That Council adopt the updated draft Clearmont Rise Development Control Plan (attached in Appendix 1), and that it come into effect on 2 October 2023.**
2. **That Council note the submissions received during the public exhibition period (attached in Appendix 2).**
3. **That Council prepare a separate Planning Proposal to reclassify Bourke Hill, 1L Narromine Road, Dubbo (Lot 2 DP1183095) from Community Land to Operational Land to allow for the future provision of a public road only, which will ultimately allow for an additional legal access to the Central-West Urban Release Area.**

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.

CCL23/259 NAMING OF THOROUGHFARE ASSOCIATED WITH D2021/820 - 59 LOT RESIDENTIAL SUBDIVISION - LOT 10 DP1142232 JOIRA ROAD DUBBO (ID23/2245)

The Council had before it the report dated 12 September 2023 from the LIS and E-Services Coordinator regarding Naming of Thoroughfare Associated with D2021/820 - 59 Lot Residential Subdivision - Lot 10 DP1142232 Joira Road Dubbo.

Moved by Councillor S Chowdhury and seconded by Councillor V Etheridge

MOTION

1. **That the proposed public road name St Brigids Circuit be approved by Council as per the road layout plan.**
2. **That the proposed name be notified in the local newspaper and Government Authorities in accordance with Section 162 of the Road Act 1993 and Section 7 of the Roads Regulation 2018.**
3. **That the owner be advised accordingly once approval under the Roads Regulation 2018 has been given and the name gazetted.**

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.

Councillor M Dickerson declared a non-pecuniary, less than significant interest in the matter now before the Council and remained in the room during the Council's consideration of this matter. The reason for such interest is that Councillor M Dickerson sits on an advisory board for the Bathurst Diocese.

CCL23/260 SUBMISSION TO PARLIAMENTARY INQUIRY INTO ANIMAL POUNDS IN NSW (ID23/2171)

The Council had before it the report dated 12 September 2023 from the Manager Environmental Compliance regarding Submission to Parliamentary Inquiry into Animal Pounds in NSW.

Moved by Councillor J Black and seconded by Councillor P Wells

MOTION

That the report of the Manager Environmental Compliance, dated 12 September 2023, be noted.

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.

CCL23/261 EXISTING AND FUTURE REST AREAS FOR FREIGHT TRAFFIC IN THE DUBBO LOCAL GOVERNMENT AREA - RESPONSE TO NOTICE OF MOTION (ID23/2192)

The Council had before it the report dated 1 September 2023 from the Director Infrastructure regarding Existing and Future Rest Areas for Freight Traffic in the Dubbo Local Government Area - Response to Notice of Motion.

Moved by Councillor S Chowdhury and seconded by Councillor L Burns

MOTION

That the report provided by the Director Infrastructure be noted.

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.

CCL23/262 SAXA ROAD - COMOBELLA CROSSING, MITCHELL CREEK CAUSEWAY OPTIONS (ID23/2280)

The Council had before it the report dated 13 September 2023 from the Manager Infrastructure Delivery regarding Saxa Road - Comobella Crossing, Mitchell Creek Causeway Options.

Moved by Councillor L Burns and seconded by Councillor S Chowdhury

MOTION

1. **That Council note the resolution from August 2023 as below:**
   "1.That Council seek tenders for a design and construction of either a box culvert crossing or a bridge to replace the damaged Comobella crossing culvert in line with Options 2 and 3 outlined within the business paper IPEC23/34.
   2. That Council seek funding under the Bridge Replacement Program and Disaster Recovery Funding Arrangements program to supplement project costs.
   ***3. That Council write to the Minister for Roads advising of the importance of this crossing to secure the necessary funding for the replacement crossing*.**"
2. **That Council amend the resolution outlined in point one above to remove Option 2, the box culvert crossing, as further information obtained following the August 2023 resolution indicates that the additional engineering requirements and timeframes required by a Box Culvert solution means it is considered no longer suitable.**
3. **That the resolution now reads:**
   a. **That Council seek tenders for the design and construction of a bridge to replace the damaged Comobella crossing culvert.**
   b. **That Council seek funding under the Bridge Replacement Program and Disaster Recovery Funding Arrangements program to supplement project costs.**
   c. **That Council write to the Minister for Roads advising of the importance of this crossing to secure the necessary funding for the replacement crossing.**

CARRIED

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

CCL23/263 2024 WELLINGTON VINTAGE FAIR STREET PARADE (ID23/2215)

The Council had before it the report dated 4 September 2023 from the Senior Traffic Engineer regarding 2024 Wellington Vintage Fair Street Parade.

Moved by Councillor J Gough and seconded by Councillor S Chowdhury

MOTION

That Council approval be granted to the Rotary Club of Wellington Vintage Fair Committee to undertake the 2024 Wellington Vintage Fair Street Parade on Saturday, 2 March 2024, and implement temporary road closures of the Mitchell Highway between Maughan and Lee Streets from 10.00 am to approximately 11.30 am and Percy Street between Maxwell and Maughan Streets from 8.30 am to 11.30 am on Saturday, 2 March 2024, subject to Transport for NSW (TfNSW) approval and conditions of Dubbo Regional Council and NSW

Police as considered necessary:

a. **The Parade will be marshalled on the western side of Percy Street between Maxwell and Maughan streets at 8.30 am. The Parade will commence at 10.00 am and enter Nanima Crescent, then north through the Wellington CBD adjacent to Cameron Park, to the Warne Street roundabout and return to Percy Street. The event is to be undertaken under Police escort, in accordance with the requirements of NSW Police and approval documentation forwarded to Council for notation. Event set-up time to commence at 8.30 am with pack-down finish time at 11.30 am – 12.00pm**
b. **The submission of a Traffic Management Plan and Traffic Control Plan to Council and NSW Police Service prior to the event date. All traffic control measures contained in the Plan are to be in accordance with the Australian Standard (AS 1742.3:2019) and TfNSW's 'Guide to Traffic Control at Worksites and approved by an accredited person. Council Traffic Control Plan TM 7241 is to be implemented for the event.**
c. **The organiser is to provide Council's relevant appointed officer with a copy of the Public Liability Insurance Policy for the amount of at least $20 million. Such policy is to note that Council, TfNSW and the NSW Police are indemnified against any possible action as a result of the Parade.**
d. **The implementation of the traffic management and traffic control is to be undertaken by an accredited traffic control company with personnel required to have current TfNSW certification.**
e. **The applicant is responsible for all traffic control required for the event in accordance with the approved Traffic Control Plan.**
f. **The applicant is to provide Council with a formal letter of acceptance of the conditions prior to final approval.**
g. **The traffic control company is to ensure that the roadway is clear of any residue that might be deposited by participants along the Parade route.**
h. **The traffic control company is to gain approval from TfNSW for the closure and detour of the Mitchell Highway and a Road Occupancy Licence with evidence provided to Council of such conditions as warranted.**
i. **All costs associated with implementing the event are to be met by the event organiser.**

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.

CCL23/264 CENTRAL WEST CYCLE TRAIL - PROPOSED DIRECTIONAL SIGNAGE (ID23/2216)
The Council had before it the report dated 4 September 2023 from the Senior Traffic Engineer regarding Central West Cycle Trail - Proposed Directional Signage.

Moved by Councillor J Gough and seconded by Councillor S Chowdhury

MOTION

That Council approval be granted to the Central West Cycle Trail Committee to undertake the installation of white on blue cycle trail directional signage (fingerboard) as submitted to

Council (Appendix 1) at the selected locations along the Central West Cycle Trail subject to:

a. Locations to be installed:
- **Dubbo, Corner of Myall St and Sheraton road x 2**
- **Dubbo, Corner of Old Dubbo Rd and Hennessy Road x 1**
- **Wongarbon, Corner of Railway Lane and Beni Street x 2**
- **Geurie, Corner of Mitchell HWY and Arthurville road x 2**
- **Wellington, Corner of Mitchell Hwy and Goolma road x 1**
- **Wellington, Corner of Mitchell Hwy and Showground road x 2**

b. The concurrence of TfNSW for the signs to be installed at the Mitchell Highway intersections.

c. The directional signs are to be installed in accordance with by Council's Directional Signs Policy, TfNSW guidelines and the Australian Standard – For Bicycle Trails

d. Council reserves the right to remove the signage

e. The Central West Cycle Trail Committee is responsible for all costs associated with the supply, installation and ongoing maintenance of the trail directional signage. If such signage is not maintained to the satisfaction of Council then the applicant is required to show cause as to why such signage should not be removed.

f. Council's Governance Team Leader must sight a current copy of the Public Liability Insurance Policy for a minimum amount of $20 million on which Dubbo Regional Council and TfNSW are specifically noted to be indemnified against any action resulting from the signage installation.

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.

CCL23/265 REGIONAL PRECINCTS AND PARTNERSHIPS PROGRAM (ID23/2285)

The Council had before it the report dated 18 September 2023 from the Executive Officer Strategy Partnerships and Engagement regarding Regional Precincts and Partnerships Program.

Moved by Councillor J Black and seconded by Councillor L Burns

MOTION

1. That the Chief Executive Officer submit an application for the Wellington CBD Precinct Plan for Stream 1 in the September/October 2023 round of the Regional Precincts and Partnerships Program.

2. That the Chief Executive Officer submit an application for Dubbo North West Precinct delivery for Stream 2 in the September/October 2023 round of the Regional Precincts and Partnerships Program.

3. That Councillors be advised as to the status of applications as the information becomes available.

4. That a further report be provided to Council in January 2024 with recommendations for the March/April 2024 funding round.

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.

CCL23/266 QUESTIONS ON NOTICE - COUNCILLOR JESS GOUGH (ID23/1810)

The Council had before it the report dated 19 July 2023 from the Councillor regarding Questions on Notice - Councillor Jess Gough.

Moved by Councillor J Gough and seconded by Councillor V Etheridge

MOTION

That the information contained in the report be noted.

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.

CCL23/267 COMMENTS AND MATTERS OF URGENCY (ID23/1153)

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:

- *CCL23/268 – Update on Proposed Acquisition for the Dubbo Northern Borefield Project* (Section 10A(2)(c)) - information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposed to conduct) business.

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 M Wright that the Council resolves into closed session, the time being 7.57 pm.

The open session resumed at 7.59 pm.

The Governance Team Leader read out the following resolutions made in the closed session in Council.

CCL23/268 UPDATE ON PROPOSED ACQUISITION FOR THE DUBBO NORTHERN BOREFIELD PROJECT (ID23/2287)

The Council had before it the report dated 18 September 2023 from the Manager Property and Land Development regarding Update on Proposed Acquisition for the Dubbo Northern Borefield Project.

Moved by Councillor S Chowdhury and seconded by Councillor M Wright

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)).

CARRIED

Moved by Councillor M Wright and seconded by Councillor J Gough

MOTION

1. **That Council approve and proceed with the acquisition of approximately 50ha from Lot 2 on DP820709 and Lot 1003 on DP1201712:**
   a. **pursuant to s186(1) of the *Local Government Act 1993*; and**
   b. **in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*, and upon acquisition, classify the land as operational land.**
2. **That Council register an acquisition plan against Lot 2 on DP820709 and Lot 1003 on DP1201712.**
3. **That Council approve the making of an application to the Minister for Local Government to issue a Proposed Acquisition Notice under the *Land Acquisition (Just Terms Compensation) Act 1991* for Council to compulsorily acquire part of Lot 2 on DP820709 and Lot 1003 on DP1201712.**
4. **That Council approve the making of an application to the Governor of NSW for the publication of an Acquisition Notice in the NSW Government Gazette under the *Land Acquisition (Just Terms Compensation) Act 1991* for Council to compulsorily acquire part of Lot 2 on DP820709 and Lot 1003 on DP1201712.**
5. **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 part of Lot 2 on DP820709 and Lot 1003 on DP1201712.**
6. **That any documents which may not be executed by the Chief Executive Officer under delegation be executed under the Common Seal of Council.**
7. **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, R Ivey, D Mahon, P Wells and M Wright.
Against: Nil.

The Director Organisational Performance declared a non-pecuniary, significant interest in the matter now before the Council and left the room during the Council's consideration of this matter. The reason for such interest is that the Director Organisational Performance is close friends with the company owners and there may be a perceived conflict.

The meeting closed at 8.02 pm.

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CHAIRPERSON