



# REPORT INFRASTRUCTURE, PLANNING AND ENVIRONMENT COMMITTEE 8 APRIL 2025

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**PRESENT:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, A Ryan, P Toynton, P Wells and M Wright.

**ALSO IN ATTENDANCE:** The Chief Executive Officer, the Director Organisational Performance, the Manager Dubbo Regional Livestock Markets, the Governance Team Leader, the Governance Officer, the Director Strategy, Partnerships and Engagement, the Communications Partner, the Acting IT Support Team Leader, the IT Support Officer, the Director Development and Environment, the Manager Growth Planning, the Acting Team Leader Growth Planning Projects, the Director Infrastructure, the Manager Infrastructure Strategy and Design, the Director Community, Culture and Places, the Manager Greenspace Operations, the Manager Regional Experiences and the Cultural Development Coordinator.

Councillor L Butler assumed the chair of the meeting.

The proceedings of the meeting commenced at 5.30pm at the Dubbo Civic Administration Building, Council Chamber. The Acknowledgement of Country was read by Councillor A Ryan.

**IPEC25/20 LEAVE OF ABSENCE (ID24/2318)**

There were no requests for leave of absence.

**IPEC25/21 CONFLICTS OF INTEREST (ID25/433)**

The following conflicts of interest were declared:

- Councillor J Cowley - IPEC25/26 – Non-pecuniary, Significant

**IPEC25/22 DEVELOPMENT ACTIVITY SUMMARY (ID25/542)**

The Committee had before it the report dated 25 March 2025 from the Manager Building and Development Services regarding Development Activity Summary.

Moved by Councillor R Ivey and seconded by Councillor S Chowdhury

**MOTION**

**That the report of the Manager Building and Development Services dated 25 March 2025 be noted.**

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, A Ryan, P Toynton, P Wells and M Wright.

**Against:** Nil

**IPEC25/23 DAISY HILL ESTATE - REMOVAL OF RESTRICTIVE COVENANT (ID25/376)**

The Committee had before it the report dated 28 March 2025 from the Manager Building and Development Services regarding Daisy Hill Estate - Removal of Restrictive Covenant.

Moved by Councillor S Chowdhury and seconded by Councillor M Wright

**MOTION**

- 1. That Council consent to the removal of Clause 6.3 of the Section 88B Instrument for the Daisy Hill Estate Subdivision in respect of the use of paper filters for swimming pools.**
- 2. That Council consent to the undertaking of a dealing to remove Clause 6.3 of the Section 88B Instrument.**
- 3. That for any future subdivision of land at the Daisy Hill Estate paper filters not be required for any swimming pools.**

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, A Ryan, P Toynton, P Wells and M Wright.

**Against:** Nil

**IPEC25/24 RENEWABLE ENERGY PROJECTS UPDATE - APRIL 2025 (ID24/2442)**

The Committee had before it the report dated 20 March 2025 from the Manager Growth Planning regarding Renewable Energy Projects Update - April 2025.

Moved by Councillor R Ivey and seconded by Councillor J Cowley

**MOTION**

- 1. That the report of the Manager Growth Planning, dated 20 March 2025, be noted.**
- 2. That the status of Renewable Energy Projects and Planning Agreements (attached in Appendix 1), be noted.**

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, A Ryan, P Toynton, P Wells and M Wright.

**Against:** Nil

**IPEC25/25 DRAFT DEVELOPMENT CONTROL PLAN DCP24-001 - TIGER MOTH CIRCUIT - 38 HIGH STREET DUBBO - CONSIDERATION OF PUBLIC EXHIBITION RESULTS (ID25/346)**

The Committee had before it the report dated 24 March 2025 from the Manager Growth Planning regarding Draft Development Control Plan DCP24-001 - Tiger Moth Circuit - 38 High Street Dubbo - Consideration of Public Exhibition Results.

Moved by Councillor S Chowdhury and seconded by Councillor M Wright

**MOTION**

- 1. That Council adopt the draft Tiger Moth Circuit Development Control Plan as the amended attachment in Appendix 1 on the report.**
- 2. That the draft Tiger Moth Circuit Development Control Plan come into effect once the Section 60 application under the Heritage Act 1977 is granted by the Heritage Council of NSW and when such notice is published on Council's webpage.**
- 3. That Council note the submissions received during the public exhibition period as attached in Appendix 2 on the report.**

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, A Ryan, P Toynton, P Wells and M Wright.

**Against:** Nil

**IPEC25/26 DEVELOPMENT APPLICATION D2023-26 - 59 RESIDENTIAL LOT SUBDIVISION - PART LOT 10 DP 1119436, 2R OLD DUBBO ROAD DUBBO  
APPLICANT: BARKER RYAN STEWART PTY LTD  
OWNER: MAAS GROUP PROPERTIES MIRIAM PTY LTD (ID25/259)**

The Committee had before it the report dated 5 March 2025 from the Team Leader Growth Planning Projects regarding Development Application D2023-26 - 59 Residential Lot Subdivision - Part Lot 10 DP 1119436, 2R Old Dubbo Road Dubbo

Applicant: Barker Ryan Stewart Pty Ltd

Owner: Maas Group Properties Miriam Pty Ltd.

Moved by Councillor J Black and seconded by Councillor S Chowdhury

**MOTION**

- 1. That Council note the current status of the Miriam Hill Development Control Plan and Development Application 2023-26 as detailed in the report.**
- 2. That the Applicant be invited to withdraw Development Application D2023-26 by 2 May 2025.**
- 3. That if Development Application D2023-26 is not withdrawn by 2 May 2025 that the Development Application be refused for the following reasons:**
  - (i) Granting consent would contravene Section 4.47(4) of the Environmental Planning and Assessment Act, 1979.**

- (Section 4.15(1)(a)(i) Environmental Planning and Assessment Act, 1979)
- (ii) Granting consent would contravene Clause 6.3 of the Dubbo Regional Local Environmental Plan 2022 as a suitable Development Control Plan has not been prepared for the land.  
(Section 4.15(1)(a)(i) and (1)(a)(iii) Environmental Planning and Assessment Act, 1979)
- (iii) That the proposed development is not deemed to be in the public interest due to the outstanding matters detailed in correspondence dated 22 June 2023.  
(Section 4.15(1)(e) Environmental Planning and Assessment Act, 1979)
4. That Council grant delegation to the Chief Executive Officer to sign any determination (refusal).
5. That it be noted that the Proponent has the right to lodge a request for a review of any determination of refusal in accordance with Section 8.2 of the Environmental Planning and Assessment Act, 1979.

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, M Dickerson, R Ivey, K Richardson, A Ryan, P Toynton, P Wells and M Wright.

**Against:** Nil

*Councillor J Cowley declared a non-pecuniary, significant interest in the matter now before the Committee and left the room and was out of sight during the Committee's consideration of this matter. The reason for such interest is that Councillor J Cowley lives within 1 block of the proposed development and have discussed the development (previous to being elected) with friends who live adjacent.*

**IPEC25/27 DUBBO TRANSPORTATION MODEL - PROPOSED VARIATION TO CONTRACT (ID25/537)**

Moved by Councillor M Wright and seconded by Councillor K Richardson

**MOTION**

**That this item be deferred to be dealt with in confidential session at the conclusion of the Corporate Services Committee**

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, A Ryan, P Toynton, P Wells and M Wright.

**Against:** Nil

**IPEC25/27 DUBBO TRANSPORTATION MODEL - PROPOSED VARIATION TO CONTRACT (ID25/537)**

The Committee had before it the report dated 20 March 2025 from the Infrastructure Strategy Team Leader regarding Dubbo Transportation Model - Proposed Variation to Contract.

Moved by Councillor S Chowdhury and seconded by Councillor P Wells

**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, 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 Black

**MOTION**

- 1. That the contract for the preparation of a new transportation model for Dubbo be awarded to Stantec in the amount of \$266,200 (including 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 executed under Power of Attorney.**

**CARRIED**

**For:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, A Ryan, P Toynton, P Wells and M Wright.

**Against:** Nil

The meeting closed at 6:05pm

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CHAIRPERSON