



# REPORT ORDINARY COUNCIL MEETING 10 DECEMBER 2024

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**PRESENT:** Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, A Ryan, P Toynton 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 Manager Dubbo Regional Livestock Markets, the Director Strategy, Partnerships and Engagement, the IT Infrastructure Specialist, the IT Support Officers, the Communications Services Team Leader, the Communications Leader, the Director Development and Environment, the Director Infrastructure, the Director Community, Culture and Places, the Manager Regional Events, the Manager Recreation and Open Space and the Cultural Development Coordinator.

Councillor J Black 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 delivered to the Council in its deliberations and activities delivered by Councillor L Butler. The Acknowledgement of Country was also read by Councillor A Ryan.

**CCL24/327 LEAVE OF ABSENCE (ID24/2231)**

A request for leave of absence was received from Councillor P Wells and Councillor K Richardson who were absent from the meeting due to personal reasons.

Moved by Councillor P Toynton and seconded by Councillor S Chowdhury.

**MOTION**

**That such request for Leave of Absence be accepted and Councillor P Wells and Councillor K Richardson be granted leave of absence from this meeting.**

**CARRIED**

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

Against: Nil

**CCL24/328 CONFLICTS OF INTEREST (ID24/2232)**

There were no conflicts of interest declared.

**CCL24/329 PUBLIC FORUM (ID24/2233)**

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

Mr James Eddy – Difficulties for Community Groups Operating in the Regional Theatre.

**CCL24/330 CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING - 26  
NOVEMBER 2024 (ID24/2235)**

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 26 November 2024.

Moved by Councillor A Ryan and seconded by Councillor L Butler.

**MOTION**

**That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council meeting held on 26 November 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, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, A Ryan, P Toynton and M Wright.

Against: Nil

**CCL24/331 PRESENTATION - SISTER CITY EXCHANGE STUDENTS (ID24/2241)**

Council reports having met with Kym Ireland, Kacey Ireland and Jake Spinks.

**INFORMATION ONLY MATTERS:**

**CCL24/332 MAYORAL APPOINTMENTS AND MEETINGS (ID24/2204)**

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

Moved by Councillor J Black and seconded by Councillor S Chowdhury.

**MOTION**

**That the information contained within the report be noted.**

**CARRIED**

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

Against: Nil

**CCL24/333 MAYORAL EXPENSES - NOVEMBER 2024 (ID24/2206)**

The Council had before it the report dated 25 November 2024 from the Chief Executive Officer regarding Mayoral Expenses - November 2024.

Moved by Councillor J Black and seconded by Councillor J Cowley.

**MOTION**

**That the information contained within the report be noted.**

**CARRIED**

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

Against: Nil

**CCL24/334 SMART AND COOL PLACES PROJECT (ID24/2227)**

The Council had before it the report dated 28 November 2024 from the Director Development and Environment regarding Smart and Cool Places Project.

Moved by Councillor M Wright and seconded by Councillor S Chowdhury.

**MOTION**

**That the information contained in the report be noted.**

**CARRIED**

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

Against: Nil

**CCL24/335 DEVELOPMENT ACTIVITY SUMMARY (ID24/2174)**

The Council had before it the report dated 29 November 2024 from the Manager Building and Development Services regarding Development Activity Summary.

Moved by Councillor M Wright and seconded by Councillor S Chowdhury.

**MOTION**

**That the report of the Manager Building and Development Services dated 29 November, 2024 be noted.**

**CARRIED**

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

Against: Nil

**CCL24/336 QUARTERLY REPORT ON COMPLAINT STATISTICS UNDER COUNCIL'S CODE OF CONDUCT - QUARTER 1 (ID24/2203)**

The Council had before it the report dated 1 December 2024 from the Manager Corporate Governance regarding Quarterly Report on Complaint Statistics Under Council's Code of Conduct - Quarter 1.

Moved by Councillor J Cowley and seconded by Councillor S Chowdhury.

**MOTION**

**That the information contained within the report of the Manager Corporate Governance, dated 1 December 2024, be noted.**

**CARRIED**

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

Against: Nil

**CCL24/337 INVESTMENT UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - NOVEMBER 2024 (ID24/2138)**

The Council had before it the report dated 2 December 2024 from the Revenue Accountant regarding Investment Under Section 625 of the Local Government Act - November 2024.

Moved by Councillor S Chowdhury and seconded by Councillor M Wright.

**MOTION**

**That the information contained within the Investment under Section 625 of the Local Government Act Report be noted.**

**CARRIED**

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

Against: Nil

**CCL24/338 MONTHLY REPORTING SNAPSHOT FOR COUNCILLORS (ID24/2251)**

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

Moved by Councillor S Chowdhury and seconded by Councillor M Wright.

## MOTION

**That the information contained within the report of the Corporate Strategy and Performance Coordinator, dated 2 December 2024, be noted.**

**CARRIED**

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

Against: Nil

## NOTICES OF MOTION:

### **CCL24/339 SHARE THE DIGNITY (ID24/2248)**

Council had before it a Notice of Motion dated 29 November 2024 from Councillor J Cowley regarding the Share the Dignity.

Moved by Councillor J Cowley and seconded by Councillor S Chowdhury.

## MOTION

**That Council staff work with Share the Dignity to find an appropriate space to house a vending machine for Share the Dignity and seek external funding for the \$26,000 inc. GST cost over 4 years for the vending machine and supplies.**

**CARRIED**

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

Against: Nil

### **CCL24/340 LOCAL PURCHASING POLICY (ID24/2249)**

Council had before it a Notice of Motion dated 29 November 2024 from Councillor M Dickerson regarding the Local Purchasing Policy.

Moved by Councillor M Dickerson and seconded by Councillor S Chowdhury.

## MOTION

**That Council:**

- 1. Requests the Chief Executive Officer to provide a report on the utilisation of local businesses in Council's procurement activities.**
- 2. The report is to include, at a minimum:**
  - An update on Council's current initiatives to support local businesses.**
  - A review of the definition of "local business" as outlined in the Procurement Policy, including its application and any recommendations for improvement.**
  - An assessment of the effectiveness of the nominal five percent price deduction applied to local businesses and local content in evaluating prices.**
  - Recommendations for enhancing local business outcomes through Council's Local**

**Procurement Policy Strategy and associated procedures, including any potential modifications to the current definition and nominal discount mechanism.**

**CARRIED**

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

Against: Nil

**CCL24/341 COUNCIL BUILDINGS (ID24/2252)**

Council had before it a Notice of Motion dated 29 November 2024 from Councillor S Chowdhury regarding the Council Buildings.

Moved by Councillor S Chowdhury and seconded by Councillor M Dickerson.

**MOTION**

**That the CEO provide a report to Council listing all underutilised buildings and parcels of serviced commercial land owned by Council, including a detailed overview of potential or planned future use.**

**CARRIED**

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

Against: Nil

**REPORTS FROM STAFF:**

**CCL24/342 PROPOSED RESTRICTED TRUCK ZONE - SHERATON ROAD (ID24/2254)**

The Council had before it the report dated 2 December 2024 from the Infrastructure Strategy Team Leader regarding Proposed Restricted Truck Zone - Sheraton Road.

Moved by Councillor S Chowdhury and seconded by Councillor P Toynton.

**MOTION**

**That Council endorse the installation of new signage on Sheraton Road during ordinary school operating times from 8.00am – 9.30am and 2.00pm – 4.00pm, being, Trucks Prohibited signage on Sheraton Road and Advanced Trucks Prohibited signage on all approach roads in accordance with Council's Plan TM 7634.**

**CARRIED**

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

Against: Nil

**CCL24/343 RENEWABLE ENERGY PROJECTS UPDATE (ID24/2223)**

The Council had before it the report dated 28 November 2024 from the Director Development and Environment regarding Renewable Energy Projects Update.

Moved by Councillor R Ivey and seconded by Councillor M Wright.

**MOTION**

**That the report of the Director Development and Environment dated 28 November 2024, be noted.**

**CARRIED**

For: Councillors J Black, S Chowdhury, J Cowley, M Dickerson, R Ivey, A Ryan, P Toynton and M Wright.

Against: Councillor L Butler.

**CCL24/344 DRAFT DEVELOPMENT CONTROL PLAN DCP24-001 - TIGER MOTH CIRCUIT - 38 HIGH STREET DUBBO (ID24/2007)**

The Council had before it the report dated 19 November 2024 from the Growth Planner regarding Draft Development Control Plan DCP24-001 - Tiger Moth Circuit - 38 High Street Dubbo.

Moved by Councillor S Chowdhury and seconded by Councillor J Cowley.

**MOTION**

- 1. That the draft Tiger Moth Circuit Development Control Plan (attached in Appendix 1) be adopted for the purposes of public exhibition.**
- 2. That the draft Tiger Moth Circuit Development Control Plan be placed on public exhibition for a period of not less than 28 days in accordance with the requirements of the Environmental Planning and Assessment Act, 1979.**
- 3. 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 Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, A Ryan, P Toynton and M Wright.

Against: Nil

**CCL24/345 AMENDMENTS TO THE RENEWABLE ENERGY BENEFIT FRAMEWORK (ID24/2146)**

The Council had before it the report dated 15 November 2024 from the Development Contributions Administrator regarding Amendments to the Renewable Energy Benefit Framework.

Moved by Councillor M Dickerson and seconded by Councillor R Ivey.

**MOTION**

1. That Council adopt the amended Renewable Energy Benefit Framework (attached in Appendix 1) that includes the following amendments:
  - a. Electricity Generating Works (includes solar energy farms, wind energy farms, pumped hydro, hydrogen energy developments and any other developments that meet the definition of Electricity Generating Works):
    - Funding received by Council is \$1,050 per megawatt per annum for wind energy development, with payment of funds as annual payments from the commencement of construction.
    - Funding received by Council is equivalent to \$850 per megawatt per annum for solar energy farms, with payment of funds as annual payments from the commencement of construction.
    - Funding received by Council is equivalent to \$850 per megawatt per annum for pumped hydro, hydrogen energy and any other development that meets the definition of Electricity Generating Works, with payment of funds as annual payments prior to the commencement of construction.
  - b. Battery Energy Storage Systems:
    - Funding received by Council is \$150 per megawatt hour per annum, with payment of funds as annual payments from the commencement of construction.
  - c. Funding be adjusted annually to the Consumer Price Index – Sydney All Groups.
2. That Council note the NSW Government Department of Planning, Housing and Infrastructure Benefit-Sharing Guideline (Appendix 2).

**CARRIED**

For: Councillors J Black, S Chowdhury, J Cowley, M Dickerson, R Ivey, A Ryan and M Wright.

Against: Councillors L Butler and P Toynton.

**CCL24/346 DUBBO REGIONAL SPORTS COUNCIL - PLAYING FIELD IMPROVEMENT FUND (ID24/2208)**

The Council had before it the report dated 25 November 2024 from the Recreation Coordinator regarding Dubbo Regional Sports Council - Playing Field Improvement Fund.

Moved by Councillor M Wright and seconded by Councillor J Cowley.

**MOTION**

**That in accordance with the Financial Assistance Policy, and consistent with the assessment of the Sports Council, Dubbo Regional Council award Dubbo District Football Association the sum of \$7,797 from the Sports Council Playing Field Improvement Fund as a 50% contribution toward the cost of renewing the Lady Cutler East small-sided fields goal posts.**

**CARRIED**

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

Against: Nil



**CCL24/347 2024 SISTER CITY STUDENT EXCHANGE VISIT BY DUBBO STUDENTS TO MINOKAMO (ID24/2216)**

The Council had before it the report dated 26 November 2024 from the Cultural Development Coordinator regarding 2024 Sister City Student Exchange visit by Dubbo Students to Minokamo.

Moved by Councillor M Wright and seconded by Councillor S Chowdhury.

**MOTION**

**That the report from the Sister City Officer be noted.**

**CARRIED**

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

Against: Nil

**CCL24/348 DETERMINATION OF ORDINARY COUNCIL MEETING TO BE HELD 21 JANUARY 2025 (ID24/2165)**

The Council had before it the report dated 18 November 2024 from the Director Organisational Performance regarding Determination of Ordinary Council Meeting to be held 21 January 2025.

Moved by Councillor R Ivey and seconded by Councillor S Chowdhury.

**MOTION**

**That an Ordinary Council meeting be held on Tuesday 21 January 2025 for the purposes of determining various tenders and development applications and associated matters.**

**CARRIED**

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

Against: Nil

**CCL24/349 MACQUARIE FORESHORE EVENTS PRECINCT AND OLD DUBBO GAOL HERITAGE PLAZA - ADDITIONAL FUNDING REQUIREMENTS (ID24/2253)**

The Council had before it the report dated 2 December 2024 from the Director Organisational Performance regarding Macquarie Foreshore Events Precinct and Old Dubbo Gaol Heritage Plaza - Additional Funding Requirements.

Moved by Councillor P Toynton and seconded by Councillor L Butler.

**That we have had two speakers for and two speakers against this item, I move that the motion be put.**

**CARRIED**

For: Councillors J Black, L Butler, J Cowley, R Ivey, A Ryan, P Toynton and M Wright.

Against: Councillors S Chowdhury and M Dickerson.

Moved by Councillor S Chowdhury and seconded by Councillor M Dickerson.

**MOTION**

That Council allocate an additional \$2.30 million to the events precinct and \$1.24 million to the Heritage Plaza from Asset Renewal Reserves in order to complete both projects.

LOST

For: Councillors Cowley, S Chowdhury and M Dickerson.

Against: Councillors L Butler, M Wright, A Ryan, J Black, P Toynton and R Ivey.

Moved by Councillor L Butler and seconded by Councillor P Toynton.

**MOTION**

- 1. That Council submit a request to Infrastructure NSW for a scope change, transitioning the Events Precinct to a Tender-Ready Project.**
- 2. That Council seek approval from Infrastructure NSW for a budget reallocation of the Restart NSW Grant to fund the Heritage Plaza.**

**CARRIED**

For: Councillors J Black, L Butler, J Cowley, R Ivey, A Ryan, P Toynton and M Wright.

Against: Councillors M Dickerson and S Chowdhury.

**CCL24/350 LAND ACQUISITION - DUBBO REGIONAL LIVESTOCK MARKETS - LOT 1  
DEPOSITED PLAN 446390 (ID24/2078)**

The Council had before it the report dated 7 November 2024 from the Property and Land Officer regarding Land Acquisition - Dubbo Regional Livestock Markets - Lot 1 Deposited Plan 446390.

Moved by Councillor P Toynton and seconded by Councillor S Chowdhury.

**MOTION**

- 1. That Council proceed with the compulsory acquisition of the whole of Lot 1 Deposited Plan 446390 (Property) for the purposes as detailed in this Report.**
- 2. That the compulsory acquisition of the Property noted in Resolution No.1 (above) is acquired:**
  - a. pursuant to s.186 of the Local Government Act 1993 (NSW); and**
  - b. In accordance with the Land Acquisition (Just Terms Compensation) Act 1991.**
- 3. That upon acquisition, Council's interests are classified as operational in accordance with Chapter 6, Part 2 of the Local Government Act 1993.**
- 4. That Council make 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 the Property noted in Resolution no. 1 (above).**

5. **That Council make 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 the properties noted in resolution no. 1 (above).**
6. **That Council delegate to the Chief Executive Officer, the power to negotiate actual and reasonable costs subject to budget limitations.**
7. **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 Property.**
8. **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, A Ryan, P Toynton and M Wright.

Against: Nil

**CCL24/351 PROPOSED MASTERPLAN AND LODGEMENT OF PLANNING PROPOSAL  
APPLICATION FOR KESWICK ESTATE (ID24/1306)**

The Council had before it the report dated 25 June 2024 from the Property and Land Development Officer regarding Proposed Masterplan and Lodgement of Planning Proposal Application for Keswick Estate.

Moved by Councillor P Toynton and seconded by Councillor M Wright.

**MOTION**

1. **That Council endorse the proposed draft masterplan for the remaining stages of Keswick Estate, located on part of Lot 101 on DP1301426.**
2. **That Council notes the draft masterplan will undergo a final revision generally in accordance with the principles outlined in this report.**
3. **That Council notes a planning proposal application will be lodged over part of Lot 101 on DP1301426.**
4. **That the name for this development will be Ironbark Estate.**

**CARRIED**

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

Against: Nil

**CCL24/352 LOCAL GOVERNMENT REMUNERATION TRIBUNAL AND OTHER SUBMISSIONS BY COUNCIL (ID24/2124)**

The Council had before it the report dated 11 November 2024 from the Manager Corporate Governance regarding Local Government Remuneration Tribunal and Other Submissions by Council.

Moved by Councillor S Chowdhury and seconded by Councillor J Cowley.

**MOTION**

- 1. That Council note the submissions to the Office of Local Government and the Parliament of New South Wales.**
- 2. That Council endorse the draft submission to the Local Government Remuneration Tribunal as attached to this report at Appendix 4.**

**CARRIED**

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

Against: Nil

**CCL24/353 OUTSTANDING ACTIONS FROM COUNCIL AND COMMITTEES (ID24/2069)**

The Council had before it the report dated 5 November 2024 from the Governance Team Leader regarding Outstanding Actions from Council and Committees.

Moved by Councillor S Chowdhury and seconded by Councillor M Wright.

**MOTION**

- 1. That the report from the Governance Team Leader be noted.**
- 2. That the reporting of the outstanding resolutions be presented to Council quarterly.**

**CARRIED**

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

Against: Nil

**CCL24/354 CONTINUATION OF MEMBERSHIP OF ASSOCIATED LOCAL GOVERNMENT ORGANISATIONS (ID24/2209)**

The Council had before it the report dated 26 November 2024 from the Governance Team Leader regarding Continuation of Membership of Associated Local Government Organisations.

Moved by Councillor R Ivey and seconded by Councillor S Chowdhury.

**MOTION**

**That the information provided in this report be noted.**

**CARRIED**

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

Against: Nil

**CCL24/355 REQUEST FOR COUNCILLOR REPRESENTATION - DISTRICT LIAISON COMMITTEE (ID24/2220)**

The Council had before it the report dated 27 November 2024 from the Executive Assistant - Chief Executive Officer regarding Request for Councillor Representation - District Liaison Committee.

Moved by Councillor S Chowdhury and seconded by Councillor P Toynton.

**MOTION**

- 1. That the two Councillor members of the District Liaison Committee are the Deputy Mayor and Cllr S Chowdhury.**
- 2. That the two Councillor members and the Chief Executive Officer (or delegate) attend the District Liaison Committee meetings as per the Service Agreement with the Rural Fire Service.**

**CARRIED**

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

Against: Nil

**CCL24/356 COMMENTS AND MATTERS OF URGENCY (ID24/2236)**

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:

CCL24/357- *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)).

CCL24/358 – *Tender for the Dubbo Aquatic Leisure Centre – Refurbishment and Upgrade of 50 Metre Pool and Water Slide Plant Room* - 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)).

CCL24/359 – *Tender for the Cleaning of Public Amenities and BBQs* - 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)).

CCL24/360 – *Dubbo Regional Livestock Markets – Organisational Structure Update* - 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)).

CCL24/361 – *Tender – Macquarie Events Precinct* - 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)).

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

At this juncture it was moved by Councillor A Ryan and seconded by Councillor S Chowdhury that the Council resolves into closed session, the time being 7:35pm.

The open session resumed at 7:50pm.

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

**CCL24/357 SAXA ROAD/ COMOBELLA CROSSING REPLACEMENT PROJECT - LAND ACQUISITION (ID24/2167)**

The Council had before it the report dated 18 November 2024 from the Manager Infrastructure Delivery regarding Saxa Road/ Comobella Crossing Replacement Project - Land Acquisition.

Moved by Councillor A Ryan and seconded by Councillor S Chowdhury.

**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 S Chowdhury and seconded by Councillor R Ivey.

**MOTION**

1. That Council approve to enter into negotiations to acquire part of Lot 9 DP 754327 for the purposes as detailed in this report pursuant to s177 and s178 of the Roads Act 1993 (NSW) as described in the body of this report; and in accordance with the Land Acquisition (Just Terms Compensation) Act 1991.
2. That Council register an acquisition plan against the title to Lot 9 DP 754327.
3. That upon acquisition, Council's interests are classified as operational in accordance with Chapter 6, Part 2 of the *Local Government Act 1993* and the property be dedicated as public road reserve.
4. 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 the property noted in recommendation 1 (above).
5. That Council make 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 the property noted in recommendation 1 (above).
6. That Council delegate to the Chief Executive Officer, the power to negotiate actual and reasonable costs subject to budget limitations.
7. 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 Lot 9 DP 754327.
8. That any documents which may not be executed by the Chief Executive Officer under delegation be executed under the Common Seal of Council.
9. That all documentation in relation to this matter remain confidential to Council.

**CARRIED**

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

Against: Nil

**CCL24/358 TENDER FOR THE DUBBO AQUATIC LEISURE CENTRE - REFURBISHMENT AND UPGRADE OF 50 METRE POOL AND WATER SLIDE PLANT ROOM (ID24/2155)**

The Council had before it the report dated 15 November 2024 from the Manager Recreation and Open Spaces regarding Tender for the Dubbo Aquatic Leisure Centre - Refurbishment and upgrade of 50 metre Pool and Water Slide Plant Room.

Moved by Councillor A Ryan and seconded by Councillor S Chowdhury

**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 S Chowdhury and seconded by Councillor P Toynton.

**MOTION**

1. That Aquatic Project Pty Ltd be awarded the tender for the Refurbishment and Upgrade of the 50 metre Pool and Water Slide Plan Room for the tendered price of \$1,078,000 (incl GST) in accordance with Clause 178 (1) of the Local Government (General) Regulation 2021.
2. That the Aquatic Leisure Centre's 2025/2026 Capital Works budget be adjusted to reflect the tendered price, plus an allowance of \$38,500 (inc GST) for additional non-tendered works plus a 10% contingency (\$111,650 inc GST). Total \$1,228,150 (inc GST).
3. That Council delegate the Chief Executive Officer to approve the extension options for this contract if required.
4. That Council delegate the Chief Executive Officer to approve variations for this contract subject to budget limitations.
5. That all documentation in relation to this matter be signed under the Common Seal of Council.
6. That all documentation in relation to this matter remain confidential to Council.

**CARRIED**

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

Against: Nil

**CCL24/359 TENDER FOR THE CLEANING OF PUBLIC AMENITIES AND BBQS (ID24/2244)**

The Council had before it the report dated 29 November 2024 from the Manager Recreation and Open Spaces regarding Tender for the Cleaning of Public Amenities and BBQs.

Moved by Councillor A Ryan and seconded by Councillor S Chowdhury.

**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 P Toynton and seconded by Councillor M Wright.



**MOTION**

1. That TechniClean Dubbo Pty Ltd be awarded the Cleaning of Open Space Public Amenities for 12 months, with a 12-month option, for \$322,765 (including gst) in accordance with Clause 178 (1) of the Local Government (General) Regulation 2021.
2. That Serenity Landscapes be awarded the Cleaning of the BBQs, Shelters and Associated Furniture, for 12 months, with a 12-month option, for \$52,922 (including gst) in accordance with Clause 178 (1) of the Local Government (General) Regulation 2021.
3. That the budgets in Open Space and Recreation and Sporting be adjusted to reflect the tendered prices.
4. That all documentation in relation to this matter be signed under the Common Seal of Council.
5. That all documentation in relation to this matter remain confidential to Council.

**CARRIED**

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

Against: Nil

**CCL24/360 DUBBO REGIONAL LIVESTOCK MARKETS - ORGANISATIONAL STRUCTURE  
UPDATE (ID24/2243)**

The Council had before it the report dated 29 November 2024 from the Director Organisational Performance regarding Dubbo Regional Livestock Markets - Organisational Structure Update.

Moved by Councillor A Ryan and seconded by Councillor S Chowdhury.

**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 P Toynton and seconded by Councillor S Chowdhury.

**MOTION**

1. That the report of the Director Organisational Performance dated the 29 November 2024 be noted.
2. That the Council note that to ensure a smooth transition to the improved status quo that the transition will be completed by 30 June 2025.

**CARRIED**

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

Against: M Dickerson

**CCL24/361 TENDER MACQUARIE EVENTS PRECINCT (ID24/2240)**

The Council had before it the report dated 29 November 2024 from the Manager Building Assets regarding Tender Macquarie Events Precinct.

Moved by Councillor A Ryan and seconded by Councillor S Chowdhury.

**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)).**

**CARRIED**

Moved by Councillor S Chowdhury and seconded by Councillor P Toynton.

**MOTION**

- 1. That Council notify Stanaway Pty Ltd T/A David Payne Constructions that their Construction Tender for the Macquarie Foreshore Events Precinct was unsuccessful, due to budget shortfall.**
- 2. That all documentation in relation to this matter remain confidential to Council.**

**CARRIED**

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

Against: Councillor M Dickerson.

The meeting closed at 7:51.

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CHAIRPERSON