



REPORT ORDINARY COUNCIL MEETING 27 JUNE 2024

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

ALSO IN ATTENDANCE:

The Chief Executive Officer, the Director Organisational Performance, the Manager Corporate Governance, the Governance Team Leader, the Governance Officers, the Chief Finance Officer, the IT Infrastructure Specialist, the IT Support Officer, the Manager Dubbo Regional Livestock Markets, the Director Strategy, Partnerships and Engagement (S Jennings), the Executive Officer, the Communications Services Team Leader, the Communications Partner, the Corporate Strategy and Performance Coordinator, the Director Development and Environment, the Manager Growth Planning (T Howlett), the Manager Building and Development Services, the Senior Planner, the Environmental Systems Planner, the Director Infrastructure 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 Regional Theatre and Convention Centre, with a prayer for Divine Guidance to the Council in its deliberations and activities. The welcome to country was also delivered by Councillor L Burns.

CCL24/137 LEAVE OF ABSENCE (ID24/1132)

There were no requests for leave of absence.

CCL24/138 CONFLICTS OF INTEREST (ID24/1133)

The following conflicts of interested were declared:

Councillor M Wright – Item CCL24/146 (CSC24/28) – Pecuniary, Significant

Councillor J Black – CCL24/143 – Pecuniary, Significant

Councillor J Black - IPEC24/28 - Pecuniary, Significant

Councillor S Chowdhury – CCL24/154 – Non pecuniary, Significant

CCL24/139 PUBLIC FORUM (ID24/1134)

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

- Mr Owen Johns – regarding Scabbing Flat Bridge.
- Mr Christopher Botfield – regarding the Modified DA 4L Camp Road.
- Mr Anthony Scott – regarding the Dubbo Regional Livestock Markets.
- Mr Martin Simmons – regarding the Dubbo Regional Livestock Markets.
- Mr Robert Shanks – regarding the Dubbo Regional Livestock Markets.
- Mr Phillip Toynton – regarding the Dubbo Regional Livestock Markets.

CCL24/140 CONFIRMATION OF MINUTES (ID24/1135)

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 23 May 2024.

Moved by Councillor S Chowdhury and seconded by Councillor M Wright

MOTION

That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council meeting held on 23 May 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 Burns, S Chowdhury, M Dickerson, V Etheridge, J Gough, R Ivey, D Mahon, P Wells and M Wright.

Against: Nil.

INFORMATION ONLY MATTERS:

CCL24/141 MAYORAL APPOINTMENTS AND MEETINGS (ID24/1180)

The Council had before it the report dated 3 June 2024 from the Chief Executive Officer regarding Mayoral Appointments and Meetings.

Moved by Councillor R Ivey and seconded by Councillor M Wright

MOTION

That the information contained within 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.

CCL24/142 ORGANISATIONAL SUSTAINABILITY REVIEW AND IMPROVEMENT PLAN - RESULTS OF PUBLIC EXHIBITION (ID24/1202)

The Council had before it the report dated 6 June 2024 from the Director Strategy, Partnerships and Engagement regarding Organisational Sustainability Review and Improvement Plan - Results of Public Exhibition.

Moved by Councillor J Black and seconded by Councillor D Mahon

MOTION

- 1. That the draft Organisational Sustainability Review and Improvement Plan (Appendix 1), be adopted, and for implementation of the Plan to commence from 1 July 2024.**
- 2. That progress on improvements identified in the Organisational Sustainability Review and Improvement Plan be provided to Council and community bi-annually as part of progress reporting for the Delivery Program and Operational Plan.**

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.

CCL24/143 UPDATE REPORT - MODIFIED DEVELOPMENT APPLICATION D22-122 PART 3 - 33 LOT SUBDIVISION (TORRENS TITLE) - LOT 8 DP 1063425, 4L CAMP ROAD DUBBO (ID24/1296)

The Council had before it the report dated 20 June 2024 from the Senior Planner regarding Update Report - Modified Development Application D22-122 Part 3 - 33 Lot Subdivision (Torrens Title) - Lot 8 DP 1063425, 4L Camp Road Dubbo.

Moved by Councillor M Wright and seconded by Councillor J Gough

MOTION

That Council consider the updated information when considering the decision on the item IPEC24/38 as presented to the Infrastructure, Planning and Environment Committee meeting held 13 June 2024.

CARRIED

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

Against: Nil.

Councillor J Black declared a pecuniary, significant interest in CCL24/143 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 lives on Camp Road near the subject site owned by the Benders and left the meeting to remove any perception of an undeclared pecuniary conflict of interest.

MATTERS CONSIDERED BY COMMITTEES:

**CCL24/144 REPORT OF THE INFRASTRUCTURE, PLANNING AND ENVIRONMENT
COMMITTEE - MEETING 13 JUNE 2024 (ID24/1136)**

The Council had before it the report of the Infrastructure, Planning and Environment Committee meeting held 13 June 2024.

Moved by Councillor M Wright and seconded by Councillor S Chowdhury

MOTION

That the report of the Infrastructure, Planning and Environment Committee meeting held on 13 June 2024, be adopted, save and except item IPEC24/38 which will be dealt with separately.

CARRIED

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

Against: Nil

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

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

Applicant: SLR Consulting Australia Pty Ltd

Owner: Mrs L Bender.

Moved by Councillor M Wright and seconded by Councillor S Chowdhury

MOTION

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

LOST

For: Councillor R Ivey.

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

Moved by Councillor J Gough and seconded by Councillor S Chowdhury

MOTION

1. That Development Application D2022-122 Part 3 – 33 Lot Subdivision (Torrens Title), Lot 8 DP 1063425 4L Camp Road Dubbo, be approved and as such that Condition 5 be deleted.
2. That Council grant delegation to the Chief Executive Officer to sign the determination.

CARRIED

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

Against: Nil

Councillor J Black declared a pecuniary, significant interest in IPEC24/38 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 lives on Camp Road near the subject site owned by the Benders and left the meeting to remove any perception of an undeclared pecuniary conflict of interest.

CCL24/145 REPORT OF THE CULTURE AND COMMUNITY COMMITTEE - MEETING 13 JUNE 2024 (ID24/1137)

The Council had before it the report of the Culture and Community Committee meeting held 13 June 2024.

Moved by Councillor J Gough and seconded by Councillor V Etheridge

MOTION

That the report of the Culture and Community Committee meeting held on 13 June 2024, be adopted

CARRIED

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

Against: Nil

CCL24/146 REPORT OF THE CORPORATE SERVICES COMMITTEE - MEETING 13 JUNE 2024 (ID24/1138)

The Council had before it the report of the Corporate Services Committee meeting held 13 June 2024.

Moved by Councillor S Chowdhury and seconded by Councillor J Black

MOTION

That the report of the Corporate Services Committee meeting held on 13 June 2024, be adopted, save except Item CSC24/28 to be dealt with separately.

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.

CSC24/28 PROPOSED REVISION OF LOT PRICES AT KESWICK ESTATE (ID24/656)

The Committee had before it the report dated 8 April 2024 from the Manager Property and Land Development regarding Proposed revision of lot prices at Keswick Estate.

Moved by Councillor S Chowdhury and seconded by Councillor J Black

MOTION

1. That Council approve, in relation to the sale of lots within Stage 5, Release 2 of Keswick Estate (S5R2), as follows:
 - a. an exclusive agency agreement with one real estate agent is entered into for a period of 12 months for the sale of the lots within S5R2 after an appropriate public selection process noting that if the initial contact and sales process is conducted by Council that no commission would be payable to the agent;
 - b. no increase or other change be made to the current pricing strategy of the lots within S5R2 for a period of 6 months;
 - c. one buying entity, including any related entity, be limited to owning a maximum of five lots within S5R2 at any one time; and
 - d. a contract for the sale of a lot within S5R2 may be settled up to and including twelve months from the contract date.
2. That Council authorise the Chief Executive Officer to:
 - a. negotiate all contracts for the S5R2 lots, and execute such contracts, provided that the contract terms are in accordance with this recommendation; and
 - b. any documents that the Chief Executive Officer is unable to execute, be executed by Council under Common Seal.
3. That all matters contained within this report are kept confidential.

CARRIED

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

Against: Nil.

Councillor M Wright declared a pecuniary, significant interest in CCC24/28 before the Council and left the room during the Council's consideration of this matter. The reason for such interest is that Councillor M Wright owns a parcel of land in Keswick Estate Stage 5 Release 2.

NOTICES OF MOTION:

CCL24/147 MULTICULTURAL GARDEN PUBLIC CONSULTATION (ID24/1068)

Council had before it a Notice of Motion dated 20 May 2024 from Councillor S Chowdhury regarding the Multicultural Garden Public Consultation.

Moved by Councillor S Chowdhury and seconded by Councillor J Black

MOTION

That Council endorse placing the two concepts for the proposed Multicultural Garden be put to public consultation with the aim of helping Council settle upon a design and inform a future business case to source funding.

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.

CCL24/148 NOTICE OF MOTION - SCABBING FLAT BRIDGE (ID24/1250)

Council had before it a Notice of Motion dated 17 June 2024 from Councillor R Ivey regarding the Notice of Motion - Scabbing Flat Bridge.

Moved by Councillor R Ivey and seconded by Councillor J Gough

MOTION

That the CEO have staff prepare an initial assessment for the feasibility of a new bridge across the Macquarie River near Geurie and that this be shared with Transport for NSW. This initial assessment could include, but not necessarily limited to:

- i. The current state and suitability of the existing timber bridge.**
- ii. The “ownership” and responsibility for maintenance/replacement of the bridge.**
- iii. The historical significance of the existing bridge and the preservation benefits which would flow from early replacement of that bridge.**
- iv. The need for a replacement bridge capable of conveying B Double trucks. This need to be demonstrated and supported by relevant statistics including the value of agricultural production and the costs to the community of not having a reliable transport corridor.**
- v. The estimated costs of the replacement bridge.**

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:

CCL24/149 DETERMINATION OF THE OPERATIONAL MODEL FOR DUBBO REGIONAL LIVESTOCK MARKET (ID24/1243)

The Council had before it the report dated 12 June 2024 from the Director Organisational Performance regarding Determination of the Operational Model for Dubbo Regional Livestock Market.

Moved by Councillor J Gough and seconded by Councillor S Chowdhury

MOTION

1. That it be noted that the operating model of the Dubbo Regional Livestock Market is, at least in part, discordant with the current legislative environment including but not limited to the Public Private Partnerships provisions of the Local Government Act 1993 and associated regulations and matters concerning the Competition and Consumer Act 2002 (Cth).
2. That Council determine that the operating model for the Dubbo Regional Livestock Markets be a Council managed operating model that makes changes to the status quo that includes:
 - a. That the fees for throughput of animals be structured to realise an additional \$1,000,000 in additional revenue per annum in today's dollars;
 - i. That the per animal charge for cattle be \$16.00 (including GST) inclusive of yard dues and agent fees
 - ii. That the per animal charge for sheep be \$2.00 (including GST) inclusive of yard dues and agent fees
 - b. That Council has responsibility for the activities described in the report as Modified Status Quo that is consistent with the Forbes Shire Council livestock market operating model, noting this would take some existing responsibilities from the DSSA,
 - c. That the additional revenue shall be reserved in a restricted fund for asset renewal of the Dubbo Regional Livestock Markets.
 - d. that the New Agents Permit Fee (\$12,686.93) be removed from Miscellaneous Charges the Fees and Charges of Council and replaced with a \$200 annual fee.
3. That the Council and DSSA collaborate to deliver the modified status quo over a period of 6 months being the time for finalisation of arrangements.
4. That council develop and implement a Dubbo Regional Livestock Markets operational improvement plan in conjunction with stakeholders.
5. That it be noted that all operating models proposed, including changes to roles and responsibilities for the Council managed option, are consistent with legal advice obtained as part of the service review as to how Council can meet its current legislative and regulatory obligations.
6. That it be noted that under the Council operating model any greenfield development, within the footprint of the Dubbo Regional Livestock Markets parcel of land, shall be funded by borrowings offset by fees and charges at the Dubbo Regional Livestock Markets. Any grants would reduce the quantum of borrowings required.

CARRIED

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

Against: Councillors R Ivey and M Wright.

An adjournment was called at 7:16pm to allow members of the public gallery to exit the theatre.

The meeting resumed at 7:23pm.

CCL24/150 DRAFT 2024/2025 BUDGET, OPERATIONAL PLAN AND ASSOCIATED DOCUMENTS - RESULTS OF PUBLIC EXHIBITION (ID24/797)

The Council had before it the report dated 17 June 2024 from the Director Strategy, Partnerships and Engagement regarding Draft 2024/2025 Budget, Operational Plan and associated documents - Results of Public Exhibition.

Moved by Councillor M Wright and seconded by Councillor S Chowdhury

MOTION

1. That the submissions received by Council during the public exhibition period (attached as Appendix 7) be noted.
2. That a \$30,000 allocation for the Concept of a Dubbo Indoor Aquatic Centre be funded from operational savings.
3. That, in relation to CCL24/85, the funding allocation for a full-time community safety officer position be considered following the adoption of the Community Safety and Crime Prevention Plan.
4. That a new descriptive charge be included in the 2024/2025 Fees and Charges for water access and usage charges at North Yeoval to reflect the Cabonne Shire Council's adopted fees and charges.
5. That the following draft documents be adopted and commence operation on 1 July 2024:
 - Draft 2024/2025 Delivery Program and Operational Plan (Appendix 1).
 - Draft 2024/2025 Budget and Forward Forecasts for 2025/2026, 2026/2027 and 2027/2028 including Capital Expenditure (Appendix 2).
 - Draft 2024/2025 Fees and Charges (Appendix 3).
 - Draft 2024/2025 Statement of Revenue Policy (Appendix 4).
 - Draft 2024/2025 Resourcing Strategy (including the Long-Term Financial Plan, Workforce Management Strategy and Asset Management Strategy) (Appendix 5).
 - Draft 2024/2025 Macquarie Regional Library Operational Plan, Budget and Fees and Charges (Appendix 6).
6. That draft documents be amended to include the recommendations of Council, minor clarifications and correct typographical errors.
7. That those who made a submission be advised of Council's determination on this matter.
8. That as per the fee adjustment in report CCL24/149, the New Agents Permit Fee \$12,686.93 be changed to \$200 per annum and updated in the Miscellaneous Charges the Fees and Charges of Council.
9. That, in relation to CCL24/91 Cameron Park Toilets,
 - a. No determination on the funding options for Cameron Park Toilets be made.
 - b. A further report be brought to a future meeting of Council which includes the following:
 - i. Detailed drawings and detailed costings for alternative configurations to increase the number of toilets.

- ii. Alternate funding models for the Cameron Park toilets, including the Voluntary Planning Agreement for the Uungula Wind Farm.

Moved by Councillor J Black and seconded by Councillor L Burns

AMENDMENT

1. That the submissions received by Council during the public exhibition period (attached as Appendix 7) be noted.
2. That a \$30,000 allocation for the Concept of a Dubbo Indoor Aquatic Centre be funded from operational savings.
3. That, in relation to CCL24/85, the funding allocation for a full-time community safety officer position be considered following the adoption of the Community Safety and Crime Prevention Plan.
4. That a new descriptive charge be included in the 2024/2025 Fees and charges for water access and usage charges at North Yeoval to reflect the Cabonne Shire Council's adopted fees and charges.
5. That the following draft documents be adopted and commence operation on 1 July 2024:
 - Draft 2024/2025 Delivery Program and Operational Plan (Appendix 1).
 - Draft 2024/2025 Budget and Forward Forecasts for 2025/2026, 2026/2027 and 2027/2028 including Capital Expenditure (Appendix 2).
 - Draft 2024/2025 Fees and Charges (Appendix 3).
 - Draft 2024/2025 Statement of Revenue Policy (Appendix 4).
 - Draft 2024/2025 Resourcing Strategy (including the Long-Term Financial Plan, Workforce Management Strategy and Asset Management Strategy) (Appendix 5).
 - Draft 2024/2025 Macquarie Regional Library Operational Plan, Budget and Fees and Charges (Appendix 6).
6. That draft documents be amended to include the recommendations of Council, minor clarifications and correct typographical errors.
7. That those who made a submission be advised of Council's determination on this matter.
8. That as per the fee adjustment in report CCL24/149, the New Agents Permit Fee \$12,686.93 be changed to \$200 per annum and updated in the Miscellaneous Charges the Fees and Charges of Council.
9. That, in relation to CCL24/91 Cameron Park Toilets,
 - a. No determination on the funding options for Cameron Park Toilets be made.
 - b. A further report be brought to a future meeting of Council which includes the following:
 - i. Detailed drawings and detailed costings for alternative configurations to increase the number of toilets.
 - ii. Alternate funding models for the Cameron Park toilets, including the Voluntary Planning Agreement for the Uungula Wind Farm.
10. That the 4 years x \$100,000 sign update budget is reallocated to the urban roads renewal heavy patching program.

LOST

For: Councillors J Black, L Burns, V Etheridge and P Wells

Against: Councillors S Chowdhury, M Dickerson, J Gough, R Ivey, D Mahon, and M Wright.

Moved by Councillor P Wells and seconded by Councillor J Gough

AMENDMENT

1. That the submissions received by Council during the public exhibition period (attached as Appendix 7) be noted.
2. That a \$30,000 allocation for the Concept of a Dubbo Indoor Aquatic Centre be funded from operational savings.
3. That, in relation to CCL24/85, the funding allocation for a full-time community safety officer position be considered following the adoption of the Community Safety and Crime Prevention Plan.
4. That a new descriptive charge be included in the 2024/2025 fees and charged for water access and usage charges at North Yeoval to reflect the Cabonne Shire Council's adopted fees and charges.
5. That the following draft documents be adopted and commence operation on 1 July 2024:
 - Draft 2024/2025 Delivery Program and Operational Plan (Appendix 1).
 - Draft 2024/2025 Budget and Forward Forecasts for 2025/2026, 2026/2027 and 2027/2028 including Capital Expenditure (Appendix 2).
 - Draft 2024/2025 Fees and Charges (Appendix 3).
 - Draft 2024/2025 Statement of Revenue Policy (Appendix 4).
 - Draft 2024/2025 Resourcing Strategy (including the Long-Term Financial Plan, Workforce Management Strategy and Asset Management Strategy) (Appendix 5).
 - Draft 2024/2025 Macquarie Regional Library Operational Plan, Budget and Fees and Charges (Appendix 6).
6. That draft documents be amended to include the recommendations of Council, minor clarifications and correct typographical errors.
7. That those who made a submission be advised of Council's determination on this matter.
8. That as per the fee adjustment in report CCL24/149, the New Agents Permit Fee \$12,686.93 be changed to \$200 per annum and updated in the Miscellaneous Charges the Fees and Charges of Council.
9. That, in relation to CCL24/91 Cameron Park Toilets,
 - a. No determination on the funding options for Cameron Park Toilets be made.
 - b. A further report be brought to a future meeting of Council which includes the following:
 - i. Detailed drawings and detailed costings for alternative configurations to increase the number of toilets.
 - ii. Alternate funding models for the Cameron Park toilets, including the Voluntary Planning Agreement for the Uungula Wind Farm.

10. That funding allocated for the provision of toilet facilities at new Dubbo and Wellington lawn cemeteries be brought from year 2 and 3 to years 1 and 2 respectively.

The amendment 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.

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.

CCL24/151 MAKING OF THE RATES AND CHARGES (ID24/1060)

The Council had before it the report dated 10 June 2024 from the Revenue Accountant regarding Making of the Rates and Charges.

Moved by Councillor J Gough and seconded by Councillor V Etheridge

MOTION

1. **IT IS HEREBY RESOLVED** that Council make the following Rates and Annual Charges for the year 2024/2025, and that such Rates and Annual Charges be the amount specified hereunder subject to the minimum amount per assessment specified in the Ordinary Rates table.
2. **IT IS HEREBY RESOLVED** that Council make the User Charges for the year 2024/2025 as referred to in the report of the Revenue Accountant dated 10 June 2024.

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.

CCL24/152 DELEGATIONS TO CHIEF EXECUTIVE OFFICER DURING NON COUNCIL PERIOD (ID24/1248)

The Council had before it the report dated 17 June 2024 from the Manager Corporate Governance regarding Delegations to Chief Executive Officer During Non Council Period.

Moved by Councillor D Mahon and seconded by Councillor J Black

MOTION

1. That Council delegate the additional functions as outlined in the report for the period of 14 September to 2 October 2024, or until the declaration of the new councillors, whichever occurs first due to the local government elections.
2. That the use of any of these extended delegations be reported to the first full meeting of the new Council on 24 October 2024.
3. That Council delegate to the Chief Executive Officer, Murray Alexander Wood a Power of Attorney for the period of 14 September to 2 October 2024, or until the declaration of the new councillors, whichever occurs first due to the local government elections.
4. That Council authorise the Mayor and Deputy Mayor to execute the General Power of Attorney under the Common Seal of the Council.
5. That Council rescind the power of attorney granted to the Chief Executive Officer upon the newly elected body taking office.
6. That the Chief Executive Officer report to Council on all documents signed under the prescribed Power of Attorney, during this period.

CARRIED

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

Against: Councillor M Dickerson.

CCL24/153 PROPOSED AMENDMENTS TO THE DUBBO REGIONAL LOCAL ENVIRONMENTAL PLAN 2022 (ID24/1201)

The Council had before it the report dated 13 June 2024 from the Manager Growth Planning regarding Proposed Amendments to the Dubbo Regional Local Environmental Plan 2022.

Moved by Councillor M Wright and seconded by Councillor V Etheridge

MOTION

1. That Council support preparation of a Planning Proposal to amend the Dubbo Regional Local Environmental Plan 2022 to include the following:
 - (a) To permit Residential Accommodation in the E2 Commercial Centre zone; and
 - (b) To change the minimum lot size area for Lot 103 DP 1143590, 34L Pinedale Road, Dubbo from 8 Ha to 5 Ha.
2. That Council submit the Planning Proposal to the NSW Department of Planning and Environment for a Gateway Determination.
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 Burns, S Chowdhury, M Dickerson, V Etheridge, J Gough, R Ivey, D Mahon, P Wells and M Wright.

Against: Nil.

**CCL24/154 DEVELOPMENT APPLICATION D23-500 - COMMERCIAL PREMISES (SHOPPING CENTRE)
LOT 101 DP 1302321, 2 STREAM AVENUE DUBBO
APPLICANT: THE TRUSTEE FOR MAAS COMMERCIAL SHOPPING CENTRE
SOUTHLAKES UNIT TRUST
OWNER: MAAS GROUP PROPERTIES SOUTHLAKES PTY LTD (ID24/1123)**

The Council had before it the report dated 14 June 2024 from the Senior Planner regarding Development Application D23-500 - Commercial Premises (Shopping Centre)
Lot 101 DP 1302321, 2 Stream Avenue Dubbo
Applicant: The Trustee for Maas Commercial Shopping Centre Southlakes Unit Trust
Owner: Maas Group Properties Southlakes Pty Ltd.

Moved by Councillor M Wright and seconded by Councillor V Etheridge

MOTION

- 1. That development application D23-500 for a Commercial Premises (Shopping Centre) at Lot 101 DP 1302321, 2 Stream Avenue 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, L Burns, M Dickerson, V Etheridge, J Gough, R Ivey, D Mahon, P Wells and M Wright.

Against: Nil.

Councillor S Chowdhury declared a non pecuniary, significant interest in CCL24/154 before the Council and left the room during the Council's consideration of this matter. The reason for such interest is that Councillor S Chowdhury lives in Southlakes area but has no relation with the MAAS group.

**CCL24/155 2024 WATER SUPPLY AND SEWERAGE CUSTOMER SURVEY RESULTS; AND
DRAFT 2024-2026 WATER SUPPLY AND SEWERAGE CUSTOMER SERVICE PLAN
(ID24/1155)**

The Council had before it the report dated 7 June 2024 from the Water and Sewer Compliance Officer regarding 2024 Water Supply and Sewerage Customer Survey Results; and Draft 2024-2026 Water Supply and Sewerage Customer Service Plan.

Moved by Councillor V Etheridge and seconded by Councillor P Wells

MOTION

- 1. That the 2024 Water Supply and Sewerage Services Customer Satisfaction Survey Results (Appendix 1) be noted.**

2. **That the Draft 2024-2026 Water Supply and Sewerage Services Customer Service Plan (Appendix 2) be endorsed for public exhibition for not less than 28 days and report back to Council following 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.

CCL24/156 QUESTION ON NOTICE - PEDESTRIAN ACCESS TO ORANA MALL ON MITCHELL HIGHWAY AND WHEELERS LANE (ID24/1070)

The Council had before it the report dated 21 May 2024 from the Councillor regarding Question on Notice - Pedestrian Access to Orana Mall on Mitchell Highway and Wheelers Lane.

Moved by Councillor S Chowdhury and seconded by Councillor V Etheridge

MOTION

That the information contained within 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.

CCL24/157 COMMENTS AND MATTERS OF URGENCY (ID24/1139)

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:

CCL24/158 – *Evaluation of the Dubbo Regional Livestock Markets Expressions of Interests* - (Section 10A(2)(d)(i)) - that the matter concerned information that would, if disclosed, prejudice the commercial position of the person who supplied it.

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

At this juncture it was moved by Councillor P Wells and seconded by Councillor S Chowdhury that the Council resolves into closed session, the time being 8:31 pm.

The open session resumed at 8:33pm.

The Resolutions of the Closed session of Council were read by Councillor M Dickerson.

CCL24/158 EVALUATION OF THE DUBBO REGIONAL LIVESTOCK MARKETS EXPRESSIONS OF INTERESTS (ID24/1072)

The Council had before it the report dated 22 May 2024 from the Chief Executive Officer regarding Evaluation of the Dubbo Regional Livestock Markets Expressions of Interests.

Moved by Councillor P Wells 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, prejudice the commercial position of the person who supplied it (Section 10A(2)(d)(i)).

Moved by Councillor V Etheridge and seconded by Councillor L Burns

MOTION

- 1. That Council consider the detail contained within this report when considering agenda item CCL24/149 'Determination of the Operational Model for Dubbo Regional Livestock Markets.'**
- 2. That the information contained within this report 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 meeting closed at 8:33pm.

.....
CHAIRPERSON