

REPORT

ORDINARY COUNCIL MEETING

29 OCTOBER 2018

PRESENT: Councillors J Diffey, V Etheridge, D Grant, D Gumley, A Jones, S Lawrence, G Mohr, K Parker, J Ryan and B Shields

ALSO IN ATTENDANCE:

The Chief Executive Officer, the Executive Manager Governance and Internal Control, the Team Leader Governance, the Community Support Officer, the Director Corporate Services, the Chief Financial Officer, the Director Economic Development and Business, the Manager Economic Development and Business, the Communications Coordinator, the Director Infrastructure and Operations, the Director Planning and Environment, the Manager Strategic Planning Services, the Manager Environmental Control, the Trainee Planner and the Director Community and Recreation (J Watts).

Councillor B Shields assumed chairmanship of the meeting.

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

CCL18/194 CONFIRMATION OF MINUTES (ID18/1588)

The Committee had before it the report of the Ordinary Council meeting held on 24 September 2018 and the Extraordinary Council meeting held on 8 October 2018.

Moved by Councillor J Diffey 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 September 2018 comprising pages 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17 of the series and Extraordinary Council meeting held on 8 October 2018 comprising pages 18 and 19 of the series be taken as read, confirmed as correct minutes and signed by the Mayor and the Chief Executive Officer.

CARRIED

CCL18/195 LEAVE OF ABSENCE (ID18/1589)

There were no requests for leave of absence.

CCL18/196 PUBLIC FORUM (ID18/1590)

There were no speakers during Public Forum.

MAYORAL MINUTES:

CCL18/197 DUBBO BASE HOSPITAL CAR PARKING (ID18/1580)

The Council had before it the Mayoral Minute regarding Dubbo Base Hospital Car Parking.

Moved by Councillor B Shields

MOTION

That Council undertake the necessary steps to facilitate the transfer of land, being part of Theresa Malipant Park, to NSW Health to enable the construction of additional free car parking at the Dubbo Base Hospital.

Moved by Councillor S Lawrence and seconded by Councillor A Jones

AMENDMENT

1. That Council make formal representations to the State Government that a multi storey car park providing free car parking be constructed on the grounds of Dubbo Base Hospital sufficient to meet car parking needs.
2. That Council, if unsuccessful in representations to the State Government for a multi storey car park providing free car parking on the grounds of Dubbo Base Hospital, undertake the necessary steps to facilitate the transfer of land, being part of Theresa Malipant Park, to NSW Health to enable the construction of additional free car parking at the Dubbo Base Hospital.

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

As one or more Councillors voted against the motion, in accordance with Clause (b)(iv)(2) of Council's Code of Meeting Practice, the following votes were recorded:

FOR	AGAINST
Councillor Diffey	Councillor Lawrence
Councillor Etheridge	
Councillor Grant	
Councillor Gumley	
Councillor Jones	
Councillor Mohr	
Councillor Parker	
Councillor Ryan	
Councillor Shields	
Total (9)	Total (1)

CCL18/198 SUPPORT FOR LIFELINE CENTRAL WEST'S YARNUP CONFIDENTIAL PROGRAM (ID18/1581)

The Council had before it the Mayoral Minute regarding Support for Lifeline Central West's YarnUp Confidential Program.

Moved by Councillor B Shields

MOTION

1. That Council formally recognise the work Lifeline Central West and its Executive Director, Mr Alex Ferguson are doing to reduce the rate of suicide and domestic violence across Dubbo Regional Council local government area and the wider region.
2. That a letter of support be provided to Lifeline Central West to assist in its search for funding for the Yarnup Confidential program.

CARRIED

CCL18/199 BELL RIVER PEDESTRIAN BRIDGE, WELLINGTON (ID18/1582)

The Council had before it the Mayoral Minute regarding Bell River Pedestrian Bridge, Wellington.

Moved by Councillor B Shields

MOTION

1. That the Chief Executive Officer be requested to prepare a masterplan for a walking track around the CBD/Bell River precinct in Wellington.
2. That such a masterplan includes the provision for the construction of a new pedestrian bridge that is accessible for people with limited mobility.

3. That the existing pedestrian bridge across the Bell River be demolished.
4. That Council seek funding opportunities to offset the costs of construction of the facilities identified within the adopted masterplan.
5. That a further report be presented to Council in March 2019 consisting of the draft masterplan, project schedule and budget to meet the expected delivery date of July 2020.

CARRIED

INFORMATION ONLY MATTERS:

CCL18/200 INVESTMENTS UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - SEPTEMBER 2018 (ID18/1559)

The Council had before it the report dated 8 October 2018 from the Director Corporate Services regarding Investments Under Section 625 of the Local Government Act - September 2018.

Moved by Councillor G Mohr and seconded by Councillor J Diffey

MOTION

That the information provided within the report of the Director Corporate Services, dated 8 October 2018 be noted.

CARRIED

Councillor K Parker declared a pecuniary, significant interest in the matter now before the Council and left the room and was out of sight during the Council's consideration of this matter. The reason for such interest is that Councillor K Parker an employee of the Dubbo Branch of the Bank of Queensland, a bank that Council has funds invested with.

CCL18/201 RECOGNITION OF ECONOMIC DEVELOPMENT AUSTRALIA AWARDS TO DUBBO REGIONAL COUNCIL (ID18/1597)

The Council had before it the report dated 24 October 2018 from the Director Economic Development and Business regarding Recognition of Economic Development Australia Awards to Dubbo Regional Council.

Moved by Councillor D Gumley and seconded by Councillor D Grant

MOTION

1. That the information contained within the report of the Director Economic Development and Business dated 24 October 2018 be noted.
2. That Council Staff be congratulated on the awarding of the 2018 National Economic Development Awards for Excellence for the Ignite Program and Regional Platters.

CARRIED

At this juncture the meeting adjourned, the time being 5.57pm.
The meeting recommenced at 6.00pm.

MATTERS CONSIDERED BY COMMITTEES:

**CCL18/202 REPORT OF THE PLANNING, DEVELOPMENT AND ENVIRONMENT COMMITTEE
- MEETING 8 OCTOBER 2018 (ID18/1591)**

The Council had before it the report of the Planning, Development and Environment Committee meeting held 8 October 2018.

Moved by Councillor S Lawrence and seconded by Councillor A Jones

MOTION

That the report of the Planning, Development and Environment Committee meeting held on 8 October 2018, be noted.

CARRIED

**CCL18/203 REPORT OF THE INFRASTRUCTURE, COMMUNITY AND RECREATION
COMMITTEE - MEETING 8 OCTOBER 2018 (ID18/1592)**

The Council had before it the report of the Infrastructure, Community and Recreation Committee meeting held 8 October 2018.

Moved by Councillor S Lawrence and seconded by Councillor G Mohr

MOTION

That the report of the Infrastructure, Community and Recreation Committee meeting held on 8 October 2018, be noted.

CARRIED

**CCL18/204 REPORT OF THE ECONOMIC DEVELOPMENT, BUSINESS AND CORPORATE -
MEETING 8 OCTOBER 2018 (ID18/1593)**

The Council had before it the report of the Economic Development, Business and Corporate Committee meeting held 8 October 2018.

Moved by Councillor G Mohr and seconded by Councillor D Gumley

MOTION

That the report of the Economic Development, Business and Corporate Committee meeting held on 8 October 2018, be noted.

CARRIED

CCL18/205 REPORT OF THE STREET TREE ADVISORY COMMITTEE - MEETING 3 OCTOBER 2018 (ID18/1564)

The Council had before it the report of the Street Tree Advisory Committee meeting held 3 October 2018.

Moved by Councillor J Ryan and seconded by Councillor V Etheridge

MOTION

That the report of the Street Tree Advisory Committee meeting held on 3 October 2018, be noted.

CARRIED

REPORTS FROM STAFF:

CCL18/206 DUBBO REGIONAL COUNCIL REPRESENTATION TO THE TARONGA CONSERVATION SOCIETY AUSTRALIA BOARD (ID18/1583)

The Council had before it the report dated 19 October 2018 from the Governance Team Leader regarding Dubbo Regional Council Representation to the Taronga Conservation Society Australia Board.

Moved by Councillor G Mohr and seconded by Councillor A Jones

MOTION

That Council proceed to determine one (1) nominee for representation to the Board of the Taronga Conservation Society Australia.

At this stage, Councillor J Ryan formally withdrew his nomination for the Board of the Taronga Conservation Society Australia, which left only one nominee being the Councillor B Shields. It was therefore determined that Councillor B Shields will be Council's nominee for representation to the Board of the Taronga Conservation Society Australia.

Moved by Councillor G Mohr and seconded by Councillor A Jones

MOTION

That the Councillor B Shields be Council's nominee for representation to the Board of the Taronga Conservation Society Australia.

CARRIED

As one or more Councillors voted against the motion, in accordance with Clause (b)(iv)(2) of Council's Code of Meeting Practice, the following votes were recorded:

FOR	AGAINST
Councillor Etheridge	Councillor Diffey
Councillor Grant	
Councillor Gumley	
Councillor Jones	
Councillor Lawrence	
Councillor Mohr	
Councillor Parker	
Councillor Ryan	
Councillor Shields	
Total (9)	Total (1)

CCL18/207 PRESENTATION OF COUNCIL'S 2017/2018 FINANCIAL STATEMENTS (ID18/1317)

The Council had before it the report dated 16 October 2018 from the Chief Financial Officer regarding Presentation of Council's 2017/2018 Financial Statements. The Council reports having met with Mr Marco Monarcho of the Audit Office of NSW, regarding this matter.

Moved by Councillor G Mohr and seconded by Councillor V Etheridge

MOTION

- 1. That the information provided in the report of the Chief Financial Officer regarding Council's 2018 Financial Statements, External Auditor's Report and Update be noted.**
- 2. That the financial statements for the year ended 30 June 2018 be accepted by the Council.**
- 3. That the Audit Reports for the General Purpose Financial Statements and the Audit Reports for the Special Purpose Financial Statements be tabled at the Ordinary Meeting of Council to be held on 29 October 2018.**

CARRIED

CCL18/208 PUBLIC SUBMISSION ON PROPOSED AMENDMENT TO FEES AND CHARGES OF THE 2018/2019 REVENUE POLICY (ID18/1548)

The Council had before it the report dated 4 October 2018 from the Chief Financial Officer regarding Public submission on Proposed Amendment to Fees and Charges of the 2018/2019 Revenue Policy.

Moved by Councillor K Parker and seconded by Councillor V Etheridge

MOTION

1. That the submissions received in respect of proposed amendment to Fees and Charges of the 2018/2019 Revenue Policy be noted.
2. That Council's 2018/2019 Revenue Policy be amended in accordance with the amended Fees and Charges as displayed and as attached to this report.
3. That those persons who have made a submission be thanked for their submission and advised of the outcome.

CARRIED

CCL18/209 APPLICATION PURSUANT TO SECTION 68 OF THE LOCAL GOVERNMENT ACT, 1993 FOR APPROVAL TO OPERATE A CARAVAN PARK - CUDGEGONG RIVER (ID18/1289)

The Council had before it the report dated 12 October 2018 from the Manager Environmental Control regarding Application Pursuant to Section 68 of the Local Government Act, 1993 for Approval to Operate a Caravan Park - Cudgegong River.

Moved by Councillor A Jones and seconded by Councillor J Diffey

MOTION

1. That approval to operate a caravan park/camping grounds at Cudgegong River Caravan Park pursuant to Section 68 of the Local Government Act, 1993 be granted subject to the conditions of consent included in Appendix 1, as attached to the report of the Manager Environmental Control dated 12 October 2018.
2. That Council support the objections pursuant to Section 82 of the Local Government Act, 1993 as included in Appendix 2 as attached to the report of the Manager Environmental Control dated 12 October 2018 and seek the concurrence of the Department of Planning and Environment to those objections.
3. That approval be granted for a period of five (5) years.
4. That subject to receipt of the concurrence of the Director General in accordance with 2 above, Council issue the approval.

CARRIED

CCL18/210 PLANNING PROPOSAL - (R18-3) - SOUTHLAKES ESTATE, DUBBO (ID18/1188)

The Council had before it the report dated 16 October 2018 from the Senior Strategic Planner regarding Planning Proposal - (R18-3) - Southlakes Estate, Dubbo.

Moved by Councillor D Gumley and seconded by Councillor D Grant

MOTION

1. That Council endorse the Planning Proposal as provided by the Proponent and included as Appendix 1 to the report of the Senior Strategic Planner dated 16 October 2018.
2. That Council support a minimum 28 day public exhibition period for the Planning Proposal.
3. That Council not use its delegation under Section 59 of the Environmental Planning and Assessment Act, 1979 to draft the amendments to the Dubbo Local Environmental Plan 2011.
4. That following the completion of the public exhibition period, a further report be provided to Council detailing the results of the public exhibition and for further consideration of the Planning Proposal.

CARRIED

In accordance with s375A(2) of the Local Government Act 1993, a division was duly called, the following votes on the motion were recorded:

FOR	AGAINST
Councillor Diffey	
Councillor Etheridge	
Councillor Grant	
Councillor Gumley	
Councillor Jones	
Councillor Lawrence	
Councillor Mohr	
Councillor Parker	
Councillor Ryan	
Councillor Shields	
Total (10)	Total (0)

CCL18/211 PLANNING PROPOSAL - (R15-3) - PROPOSED ALTERATION TO MINIMUM LOT SIZES - LOT 172 DP 753233, 20R PEAK HILL ROAD, DUBBO (ID18/1322)

The Council had before it the report dated 15 October 2018 from the Manager Strategic Planning Services regarding Planning Proposal - (R15-3) - Proposed Alteration to Minimum Lot Sizes - Lot 172 DP 753233, 20R Peak Hill Road, Dubbo.

Moved by Councillor K Parker and seconded by Councillor J Diffey

MOTION

1. That the subject Planning Proposal to undertake amendments to the Dubbo Local Environmental Plan 2011, be endorsed in respect of Lot 172 DP 753233, 20R Peak Hill Road Dubbo.
2. That Council request the Department of Planning and Environment to prepare the draft amendment to the Dubbo Local Environmental Plan 2011 and provide Council with an Opinion that the Plan be made.
3. That following receipt of an Opinion from the Department that the Plan be made, that the Chief Executive Officer request gazettal of the Plan.
4. That the people who made a submission be advised of Council's determination in this matter.

CARRIED

Councillor J Ryan declared a non-pecuniary, significant interest in the matter now before the Council and left the room and was out of sight during the Council's consideration of this matter. The reason for such interest is that Councillor Ryan knows the proponent of this development through an interest in a joint venture with property Councillor J Ryan owns.

In accordance with s375A(2) of the Local Government Act 1993, a division was duly called, the following votes on the motion were recorded:

FOR	AGAINST
Councillor Diffey	
Councillor Etheridge	
Councillor Grant	
Councillor Gumley	
Councillor Jones	
Councillor Lawrence	
Councillor Mohr	
Councillor Parker	
Councillor Shields	
Total (9)	Total (0)

CCL18/212 DUBBO CBD PRECINCTS PLAN (ID18/1578)

The Council had before it the report dated 15 October 2018 from the Manager Strategic Planning Services regarding Dubbo CBD Precincts Plan.

Moved by Councillor G Mohr and seconded by Councillor V Etheridge

MOTION

1. That the Dubbo CBD Precincts Plan, as attached as Appendix 1 and the 50 “Bright Ideas” as attached as Appendix 2 to the report of Manager Strategic Planning Services dated 15 October 2018, be noted by Council.
2. That a review of the Dubbo CBD Precincts Plan commence, with the first stage being preparation of a detailed Issues Paper.
3. That the draft Issues Paper as referred to in (2) above, be presented to Council for consideration at the March 2019 meeting.
4. That preparation of a Wellington Town Centre Plan commence with preparation of a grant application to the Building Better Regions Fund, Community Investments Stream.
5. That a further report be provided to Council following the outcome of Council’s Grant Application.

CARRIED

CCL18/213 VICTORIA PARK SPORTING PRECINCT - CLUBROOMS (ID18/1579)

The Council had before it the report dated 15 October 2018 from the Manager Recreation and Open Space regarding Victoria Park Sporting Precinct - Clubrooms.

Moved by Councillor J Diffey and seconded by Councillor D Grant

MOTION

1. That the report by the Manager Recreation and Open Space, dated the 15 October 2018, be noted.
2. That following the unanimous vote by the Victoria Park Redevelopment Committee to adopt the proposed design, that the Clubroom conceptual design now progresses to full detailed design to enable the Development Application to be submitted.
3. That following the approval of the Development Application that Council seeks formal tenders and that a meeting is held with the Victoria Park Redevelopment Advisory Committee prior to the acceptance of any of the tenders.

CARRIED

CCL18/214 DUBBO TRIATHLON RACES 2018/2019 (ID18/1584)

The Council had before it the report dated 19 October 2018 from the Senior Traffic Engineer regarding Dubbo Triathlon Races 2018/2019.

Moved by Councillor G Mohr and seconded by Councillor A Jones

MOTION

1. That the application of the Dubbo Triathlon Club be approved for the 2018/2019 season as conditioned by the NSW Police Service and the following conditions of Dubbo Regional Council.
2. Approval shall be for the use of Bligh Street from Ollie Robins Oval, south to Macquarie Street, Macquarie Street from Bligh Street to Hennessy Road, Old Dubbo Road from Hennessy Road south to the 4.5, 9 and 20 kilometres turnaround locations and return on the nominated days generally between 9.00 am to 11.00 am and at selected times for specific events in accordance with the Racing Schedule on 20 October 2018 as part of the River Festival and during the racing season from 4 November to 25 November 2018, 20 January 2019, 3 February 2019, 9 March 2019 and 31 March 2019.
3. Submission of a Traffic Management Plan to Council for approval to be submitted a minimum of three (3) weeks prior to the first event. All traffic control measures contained in the Plan are to be in accordance with Australian Standard AS 1742.3 and the Roads and Maritime Services and NSW Guidelines for Bicycle Road Races and the Guide to Traffic Control at Worksites, prepared by an accredited person.
4. All Traffic Control, including the placement and removal of barricades and/or regulation of traffic, is to be carried out by traffic controllers appropriately trained in accordance with the requirements of Australian Standard AS 1742.3 and the Roads and Maritime Services accreditation requirements for Traffic Control Planners or Controllers as required.
5. All competitors shall comply with the Australian Road Rules, for the cycle route.
6. All traffic advisory signs shall be placed in accordance with the approved Traffic Control Plan.
7. The NSW Police Force consent and conditions for bicycle races permit under the NSW Roads Transport Act 2013, Section 115.
8. Council's Executive Manager Governance and Internal Control must sight a copy of the Public Liability Insurance Policy for a minimum amount of \$20 million on which Dubbo Regional Council and NSW Police Service is specifically noted to be indemnified against any action resulting from the triathlon races.
9. The applicant is to submit to Council all the appropriate documentation required accepting the above terms and conditions before a final approval is granted.

CARRIED

CCL18/215 COMMENTS AND MATTERS OF URGENCY (ID18/1595)

There were no matters recorded under this clause.

At this juncture it was moved by Councillor K Parker and seconded by Councillor D Grant that the Council resolves into the Committee of the Whole Council, the time being 6.30pm.

the meeting resumed at 6.35pm.

CCL18/216 COMMITTEE OF THE WHOLE (ID18/1596)

The Executive Manager Governance and Internal Control read to the meeting of the Report of Committee of the Whole held on 29 October 2018.

Moved by Councillor G Mohr and seconded by Councillor V Etheridge

MOTION

That the report of the meeting of the Committee of the Whole held on 29 October 2018 be adopted.

CARRIED

The meeting closed at 6.38pm.

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CHAIRMAN