



REPORT

ORDINARY COUNCIL MEETING

25 FEBRUARY 2019

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

ALSO IN ATTENDANCE:

The Chief Executive Officer, the Executive Manager Governance and Internal Control, the Governance Team Leader, the Director Corporate Services, the Director Economic Development and Business, the Communications Coordinator, the Director Infrastructure and Operations (R Mills), the Director Planning and Environment, the Manager Strategic Planning Services, Senior Planner and the Director Community and Recreation.

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 J Diffey.

CCL19/4 CONFIRMATION OF MINUTES (ID19/69)

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 10 December 2018 and Extraordinary Council meeting held on 18 February 2019.

Moved by Councillor A Jones and seconded by Councillor K Parker

MOTION

That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council meeting held on 10 December 2018 comprising pages 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 of the series and Extraordinary Council meeting held on 18 February 2019 comprising pages 21 and 22 of the series be taken as read, confirmed as correct minutes and signed by the Mayor and the Chief Executive Officer.

CARRIED

CCL19/5 LEAVE OF ABSENCE (ID19/70)

Requests for leave of absence were received from Councillors V Etheridge and J Ryan who were absent from the meeting due to the personal reasons.

Moved by Councillor G Mohr and seconded by Councillor D Gumley

MOTION

That such requests for leave of absence be accepted and Councillors V Etheridge and J Ryan be granted leave of absence from this meeting.

CARRIED

CCL19/6 PUBLIC FORUM (ID19/71)

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

- Allan Moynihan - regarding item CCL19/18 - D2018-594 - Centre Based Child Care Facility.
- Michael Butcherine – regarding item CCL19/18 - D2018-594 - Centre Based Child Care Facility.
- Jose Monteiro – regarding item CCL19/18 - D2018-594 - Centre Based Child Care Facility.
- Bill Dickens – regarding item CCL19/10 - Lighting of Tracker Riley Cycleway Western Side of Macquarie River - Petition.
- Louise Hennessy – regarding community concerns regard proposed changes to the Elong Elong waste station.
- Kate Charlton – regarding alteration to hours of operation of the Ballimore Waste Transfer station.

MAYORAL MINUTES:

CCL19/7 30TH ANNIVERSARY OF SISTER CITY RELATIONSHIP BETWEEN DUBBO AND MINOKAMO (ID19/75)

The Council had before it the Mayoral Minute regarding 30th Anniversary of Sister City Relationship between Dubbo and Minokamo.

Moved by Councillor B Shields

MOTION

1. **That Council request expressions of interest from members of the public to be part of a Dubbo delegation to visit Minokamo and celebrate the 30 anniversary of sister city partnership on 19-20 October 2019.**
2. **That the Mayor, Chief Executive Officer and interested Councillors be authorised to attend on behalf of Council, noting as per Council policy that it is at their own expense.**

3. That members of the public selected by Council be authorised to attend on behalf of Council, noting as per Council policy that it is at their own expense.

CARRIED

CCL19/8 ROTARY YOUTH DRIVER AWARENESS PROGRAM 2019 (ID19/77)

The Council had before it the Mayoral Minute regarding Rotary Youth Driver Awareness Program 2019.

Moved by Councillor B Shields

MOTION

1. That Council note the success of the Rotary Youth Driver Awareness program over the last 15 years.
2. That Council provide funding to the Rotary Youth Driver Awareness program to the value equivalent of hiring the showground, each year for three years, starting in 2019 for the purpose of conducting the Rotary Youth Driver Awareness program for a three day event.

CARRIED

Councillor D Grant declared a non-pecuniary, less than significant interest in the matter now before the Council and remained in the room during the Council's consideration of this matter. The reason for such interest is that Councillor D Grant is a member of Wellington Rotary Club, who is not directly benefiting from this funding.

Councillor K Parker declared a non-pecuniary, less than significant interest in the matter now before the Council and remained in the room during the Council's consideration of this matter. The reason for such interest is that Councillor K Parker is a member of the Dubbo Macquarie Club, who is not directly benefiting from this funding.

CCL19/9 BEAUTIFICATION OF DUBBO CBD (ID19/138)

The Council had before it the Mayoral Minute regarding Beautification of Dubbo CBD.

Moved by Councillor B Shields

MOTION

1. That the Chief Executive Officer be requested to prepare a report to Council in March 2019 into increasing the number of street trees in the Dubbo Central Business District and other major streets including detailed locations, species and costs.
2. That such a report include investigations into planting centre median trees on Talbragar and Bultje Streets, planting trees around the perimeter of the car park along Wingewarra and Bligh Streets and planting mature trees in vacant spaces along Macquarie Street.

CARRIED

CCL19/9(a) POLICE TRAINING FACILITY

The Council had before it the Mayoral Minute regarding Police Training Facility.

Moved by Councillor B Shields

MOTION

That the information contained within the Mayoral Minute dated 25 February 2019 be noted.

CARRIED

CCL19/9(b) FUNDING AGREEMENT DEED

The Council had before it the Mayoral Minute regarding Funding Agreement Deed.

Moved by Councillor B Shields

MOTION

That due to the confidential nature this matter be referred to Committee of the Whole for determination.

CARRIED

INFORMATION ONLY MATTERS:

CCL19/10 LIGHTING OF TRACKER RILEY CYCLEWAY WESTERN SIDE OF MACQUARIE RIVER - PETITION (ID19/68)

The Council had before it the report dated 7 February 2019 from the Executive Manager Governance and Internal Control regarding Lighting of Tracker Riley Cycleway Western Side of Macquarie River - Petition.

Moved by Councillor K Parker and seconded by Councillor J Diffey

MOTION

That the petition regarding the objection to the Lighting of Tracker Riley Cycleway between Sir Roden Cutler Park and the LH Ford Bridge be noted.

CARRIED

MATTERS CONSIDERED BY COMMITTEES:

**CCL19/11 REPORT OF THE PLANNING DEVELOPMENT AND ENVIRONMENT COMMITTEE
- MEETING 11 FEBRUARY 2019 (ID19/80)**

The Council had before it the report of the Planning, Development and Environment Committee meeting held 11 February 2019.

Moved by Councillor S Lawrence and seconded by Councillor J Diffey

MOTION

That the report of the Planning, Development and Environment Committee meeting held on 11 February 2019, be noted.

CARRIED

**CCL19/12 REPORT OF THE INFRASTRUCTURE COMMUNITY AND RECREATION
COMMITTEE - MEETING 11 FEBRUARY 2019 (ID19/81)**

The Council had before it the report of the Infrastructure, Community and Recreation Committee meeting held 11 February 2019.

Moved by Councillor S Lawrence and seconded by Councillor J Diffey

MOTION

That the report of the Infrastructure, Community and Recreation Committee meeting held on 11 February 2019, be noted.

CARRIED

**CCL19/13 REPORT OF THE ECONOMIC DEVELOPMENT BUSINESS AND CORPORATE
COMMITTEE - MEETING 11 FEBRUARY 2019 (ID19/82)**

The Council had before it the report of the Economic Development, Business and Corporate Committee meeting held 11 February 2019.

Moved by Councillor G Mohr and seconded by Councillor D Grant

MOTION

That the report of the Economic Development, Business and Corporate Committee meeting held on 11 February 2019, be noted.

CARRIED

CCL19/14 REPORT OF THE AUDIT AND RISK MANAGEMENT COMMITTEE - MEETING 14 DECEMBER 2018 (ID19/122)

The Council had before it the report of the Audit and Risk Management Committee meeting held 14 December 2018.

Moved by Councillor A Jones and seconded by Councillor J Diffey

MOTION

That the report of the Audit and Risk Management Committee meeting held on 14 December 2018, be adopted.

CARRIED

CCL19/15 REPORT OF THE STREET TREE ADVISORY COMMITTEE - MEETING 5 FEBRUARY 2019 (ID19/130)

The Council had before it the report of the Street Tree Advisory Committee meeting held 5 February 2019.

Moved by Councillor G Mohr and seconded by Councillor D Grant

MOTION

That the report of the Street Tree Advisory Committee meeting held on 5 February 2019, be noted.

CARRIED

REPORTS FROM STAFF:

CCL19/16 DECEMBER 2018 QUARTERLY BUDGET REVIEW STATEMENTS (ID19/73)

The Council had before it the report dated 8 February 2019 from the Chief Executive Officer regarding December 2018 Quarterly Budget Review Statements.

Moved by Councillor A Jones and seconded by Councillor D Grant

MOTION

- 1. That the Quarterly Budget Review Statements as at 31 December 2018, as attached to the report of the Chief Executive Officer dated 8 February 2019, be adopted and such sums voted for such purpose.**
- 2. That the Statement of the Responsible Accounting Officer that Council is in a satisfactory financial position having regard to the changes herewith to the original budget, be noted.**

CARRIED

CCL19/17 LOCAL GOVERNMENT ELECTIONS (ID18/1874)

The Council had before it the report dated 17 December 2018 from the Executive Manager Governance and Internal Control regarding Local Government Elections.

Moved by Councillor G Mohr and seconded by Councillor D Gumley

MOTION

That subject to Council's approval of the estimate provided by the State Electoral Commissioner, Dubbo Regional Council ("the Council") resolves that:

1. Pursuant to sections 296(2) and (3) of the Local Government Act 1993 (NSW) ("the Act") and subject to confirmation of estimates as provided by the Electoral Commissioner that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.
2. Pursuant to sections 296(2) and (3) of the Act, as applied and modified by section 18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.
3. Pursuant to sections 296(2) and (3) of the Act, as applied and modified by section 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council, if required.

CARRIED

**CCL19/18 D2018-594 - CENTRE BASED CHILD CARE FACILITY
PROPERTY: 58 HENNESSY DRIVE, DUBBO
APPLICANT: PROJECT PLANNING AND DESIGN
DATE LODGED: 5 NOVEMBER 2018 (ID19/18)**

The Council had before it the report dated 31 January 2019 from the Senior Planner regarding D2018-594 - Centre Based Child Care Facility.

Moved by Councillor G Mohr and seconded by Councillor K Parker

MOTION

1. That Development Application D2018-594 for Centre Based Child Care Facility at 58 Hennessy Drive, Dubbo, be approved subject to the conditions of consent set out in Appendix 1 of the report of the Senior Planner dated 5 November 2018.
2. That those people making submissions be advised of Council's determination in this matter.

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 Grant	
Councillor Gumley	
Councillor Jones	
Councillor Lawrence	
Councillor Mohr	
Councillor Parker	
Councillor Shields	
Total (7)	Total (0)

Councillor J Diffey 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 J Diffey received a donation in her election campaign from an opponent's relative.

CCL19/19 OUTDOOR DINING POLICY (ID19/67)

The Council had before it the report dated 8 February 2019 from the Manager Strategic Planning Services regarding Outdoor Dining Policy.

Moved by Councillor D Grant and seconded by Councillor A Jones

MOTION

- 1. That the draft Outdoor Dining Policy as attached to the report of the Manager Strategic Planning Services as Appendix 1 be adopted for the purposes of public exhibition.**
- 2. That the draft Outdoor Dining Policy as attached to the report of the Manager Strategic Planning Services as Appendix 1 be placed on public display for a period of 28 days.**
- 3. That Council seek an assessment from a suitably qualified and experienced professional Valuer to provide an appropriate per square metre annual rental rate for Category A permanent outdoor dining locations in the Dubbo Central Business District.**
- 4. Following completion of the public exhibition period that a further report be provided to Council, including the results of public exhibition and a suitable annual rental rate for Category A permanent outdoor dining locations.**

CARRIED

CCL19/20 KINTYRE HEIGHTS ESTATE DRAFT DEVELOPMENT CONTROL PLAN - RESULTS OF PUBLIC EXHIBITION (ID18/1875)

The Council had before it the report dated 8 February 2019 from the Senior Strategic Planner regarding Kintyre Heights Estate Draft Development Control Plan - Results of Public Exhibition.

Moved by Councillor K Parker and seconded by Councillor D Grant

MOTION

1. That the Kintyre Heights Estate Development Control Plan, as provided here in Appendix 1, be adopted.
2. That an advertisement be placed in local print media specifying adoption of the Kintyre Heights Estate Development Control Plan.

CARRIED

CCL19/21 INVESTIGATION INTO A COMMUNITY FOCUSED SOLAR REVOLVING FUND (ID19/16)

The Council had before it the report dated 12 February 2019 from the Sustainability and Education Officer regarding Investigation into a community focused Solar Revolving Fund.

Moved by Councillor J Diffey and seconded by Councillor A Jones

MOTION

1. That Council acknowledge the resourcing requirements of implementing and administering a community solar revolving fund (as defined in this report), and defer further investigation into such a Fund until permissive legislation is introduced.
2. That Council write to Local Government NSW to request that it “prioritise” lobbying the NSW Government for an amendment to the NSW *Local Government Act 1993* that will enable local councils to apply a voluntary Special Charge Scheme (opt in system) to council rates to fund environmental programs, such as the installation of solar photovoltaic (PV) systems on private land.

CARRIED

CCL19/22 WINDSOR PARADE POCKET PARK MASTER PLAN (ID19/74)

The Council had before it the report dated 10 February 2019 from the Manager Recreation and Open Space regarding Windsor Parade Pocket Park Master Plan.

Moved by Councillor D Grant and seconded by Councillor G Mohr

MOTION

1. That the report of the Manager Recreation and Open Space, dated 10 February 2019, be noted.
2. That the Windsor Parade Pocket Park/Mitchell Highway Street Trees master plan be placed on public exhibition for 28 days and a report detailing the outcomes of the public submissions received, be submitted back to the April 2019 Ordinary Council Meeting for further consideration and potential adoption.

CARRIED

CCL19/23 DUBBO REGIONAL COUNCIL REVIEW - SAFETY CAMERA NETWORK IN DUBBO AND WELLINGTON (ID19/27)

The Council had before it the report dated 25 January 2019 from the Manager Social Services regarding Dubbo Regional Council Review - Safety Camera Network in Dubbo and Wellington.

Moved by Councillor A Jones and seconded by Councillor D Gumley

MOTION

1. That the report from the Manager Social Services dated 25 January 2019 be noted.
2. That further consultation be undertaken with NSW Police, and Dubbo Regional Council staff to determine priorities in relation to the expansion and upgrade of both the Dubbo and Wellington safety camera systems.
3. That a tender is prepared for the supply and installation of CCTV hardware and software systems that meets the criteria outlined by NSW Police Orana Mid-Western Local Area command, with a view to have all works completed by November 2019.

CARRIED

CCL19/24 2018/2019 EVENT DEVELOPMENT FUND AND MAJOR EVENT SPONSOR PROGRAM [STREAM 2] (ID19/1)

The Council had before it the report dated 2 January 2019 from the Manager Economic Development and Marketing regarding 2018/2019 Event Development Fund and Major Event Sponsor Program [Stream 2].

Moved by Councillor D Gumley and seconded by Councillor K Parker

MOTION

- 1. That funding determined under Stream 2 of the Event Development Fund totalling \$33,200 be noted.**
- 2. That funding determined under Stream 2 of the Major Event Sponsor Program totalling \$43,000 be noted.**
- 3. That the unexpected funds of \$13,800 be quarantined under Council's Event Incentive Program and the allocation of funds determined in accordance with Council's Event Attraction, Support and Delivery Policy.**

CARRIED

CCL19/25 COMMENTS AND MATTERS OF URGENCY (ID19/72)

There were no matters recorded under this clause.

At this junction it was moved by Councillor S Lawrence and seconded by Councillor A Jones that the Council resolves into the Committee of the Whole Council, the time being 6.36pm.

The meeting resumed at 6.40pm.

CCL19/26 COMMITTEE OF THE WHOLE (ID19/83)

The Executive Manager Governance and Internal Control read to the meeting of the report of Committee of the Whole held on 25 February 2019.

Moved by Councillor S Lawrence and seconded by Councillor G Mohr

MOTION

That the report of the meeting of the Committee of the Whole held on 25 February 2019 be adopted.

CARRIED

The meeting closed at 6.44pm.

.....
CHAIRMAN