



REPORT

ORDINARY COUNCIL MEETING

18 DECEMBER 2017

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 General Manager, the Director Corporate Services (M Crisante), the Manager Governance and Risk (S Wade), the Administrative Officer Governance, the Director Economic Development and Business, the Communications Coordinator, the Director Infrastructure and Operations, the Manager Infrastructure Delivery, the Manager Transport and Emergency, the Manager Water Supply and Sewerage, the Manager Fleet Services, the Director Planning and Environment, the Manager Building and Development Services, the Statutory Planning Services Team Leader, the Manager Strategic Planning Services, the Strategic Planning Supervisor and the Director Community and Recreation.

Councillor B Shields assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 5.32pm with a prayer for Divine Guidance to the Council in its deliberations and activities. The acknowledgement of country was also read by Councillor B Shields.

CCL17/179 CONFIRMATION OF MINUTES (ID17/2203)

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 27 November 2017.

Moved by Councillor S Lawrence and seconded by Councillor G Mohr

MOTION

That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council meeting held on 27 November 2017 comprising pages 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and 30 of the series be taken as read, confirmed as correct minutes and signed by the Mayor and the General Manager.

CARRIED

CCL17/180 LEAVE OF ABSENCE (ID17/2204)

There were no requests for leave of absence recorded.

CCL17/181 PUBLIC FORUM (ID17/2205)

There were no speakers during Public Forum.

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

- Mr Neil Webster regarding CCL17/197 - Dubbo Regional Sports Council Consultation on the Victoria Park Redevelopment proposal.
- Mr Adam Wells regarding CCL17/197 - Dubbo Regional Sports Council Consultation on the Victoria Park Redevelopment proposal.
- Ms Barbara Sutherland regarding CCL17/194 - CCL17/194 Opportunities to Improve the Street Tree Canopy – Update.
- Mr Glen Shepherd - CCL17/197 - Dubbo Regional Sports Council Consultation on the Victoria Park Redevelopment proposal.
- Mr Wes Maas, regarding CCL17/189 - Planning Proposal (R16-5) - Southlakes Estate, Dubbo.

MAYORAL MINUTES:

CCL17/182 INTERNAL OMBUDSMAN FOR DUBBO REGIONAL COUNCIL (ID17/2226)

The Council had before it the Mayoral Minute regarding Internal Ombudsman for Dubbo Regional Council.

Moved by Councillor B Shields

MOTION

That Council add the role of Internal Ombudsman to the current staff establishment and provide funding for the position through adapting the current organisation structure.

CARRIED

CCL17/183 WEEKLY MIXED WASTE COLLECTION (ID17/2228)

The Council had before it the Mayoral Minute regarding Weekly Mixed Waste Collection.

Moved by Councillor B Shields

MOTION

That the Council show support for this initiative when it is considered later tonight.

CARRIED

MATTERS CONSIDERED BY COMMITTEES:

**CCL17/184 REPORT OF THE PLANNING, DEVELOPMENT AND ENVIRONMENT COMMITTEE
- MEETING 11 DECEMBER 2017 (ID17/2206)**

The Council had before it the report of the Planning, Development and Environment Committee meeting held 11 December 2017.

Moved by Councillor S Lawrence and seconded by Councillor D Gumley

MOTION

That the report of the Planning, Development and Environment Committee meeting held on 11 December 2017, be adopted, save and except clause PDEC17/14 with such matter being dealt with separately.

CARRIED

**PDEC17/14 PLANNING PROPOSAL - (R16-3) - AMENDMENT TO DUBBO LEP 2011
PROPERTY: 4L CAMP ROAD, DUBBO
APPLICANT: DOHERTY SMITH AND ASSOCIATES
OWNER: MRS L K BENDER (ID17/2083)**

The Council had before it the report dated 5 December 2017 from the Manager Strategic Planning Services regarding Planning Proposal - (R16-3) - Amendment to Dubbo LEP 2011.

Moved by Councillor S Lawrence and seconded by Councillor G Mohr

MOTION

- 1. That Council endorse the amended Planning Proposal included as Appendix 2 and the further information included as Appendix 3 to the report of the Manager Strategic Planning Services dated 5 December 2017 for the following amendments to the Dubbo Local Environmental Plan 2011:**
 - That the RU6 Transition zone be inserted into the Dubbo Local Environmental Plan 2011, including the Land Use Table as included in this report;
 - That part of Lot 8 DP 1063425, 4L Camp Road, Dubbo be rezoned from SP3 Tourist to RU6 Transition;
 - That part of Lot 8 DP 1063425, 4L Camp Road, Dubbo be rezoned from SP3 Tourist to E3 Environmental Management;
 - That part of Lot 8 DP 1063425, 4L Camp Road, proposed to be zoned RU6 Transition be provided with a minimum allotment size for subdivision of two (2) hectares; and
 - That part of Lot 8 DP 1063425, 4L Camp Road, Dubbo proposed to be zoned E3 Environmental Management be provided with a minimum allotment size for subdivision of 100 hectares.
- 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 amendment to the Dubbo Local Environmental Plan 2011 as the State Government may issue a conditional Gateway Determination in respect of the Planning Proposal.
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 Shields	
Total (9)	Total (0)

Ms Melissa Watkins, Director Planning and Environment 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 Ms Watkins engaged the husband of the owner of the land (Matt Bender) to undertake demolition of her property 276 Brisbane Street, Dubbo (in July 2017). She has had no other dealings with Mr Bender or the subject Planning Proposal since this time.

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 J Ryan owns a 50 acre block of land on Camp Road.

CCL17/185 REPORT OF THE INFRASTRUCTURE, COMMUNITY AND RECREATION COMMITTEE - MEETING 11 DECEMBER 2017 (ID17/2207)

The Council had before it the report of the Infrastructure, Community and Recreation Committee meeting held 11 December 2017.

Moved by Councillor S Lawrence and seconded by Councillor A Jones

MOTION

That the report of the Infrastructure, Community and Recreation Committee meeting held on 11 December 2017, be adopted, save and except clause ICRC17/34 with such matter being dealt with separately.

CARRIED

ICRC17/34 DUBBO FAMILY DAY CARE SCHEME-PROPOSED INCREASE IN FEES AND THE PROPOSED INTRODUCTION OF A FEE TO LEASE THE LEARNING ENVIRONMENT UNIT IN THE COLLEEN MONTGOMERY COTTAGE VICTORIA PARK DUBBO (ID17/2155)

The Council had before it the report dated 30 November 2017 from the Manager Social Services regarding Dubbo Family Day Care Scheme-proposed increase in fees and the proposed introduction of a fee to lease the learning environment unit in the Colleen Montgomery Cottage Victoria Park Dubbo.

Moved by Councillor S Lawrence and seconded by Councillor D Grant

MOTION

- 1. That the information contained within the report of the Manager Social Services dated 30 November 2017 be noted.**
- 2. That the Dubbo Family Day Care Scheme increase the Parent Administration Levy from the current figure of \$1.00/hour to \$1.75/hour by 1 July 2019. Such increase will be undertaken in .25 cents/hour blocks from 1 March 2018 to 1 July 2019 as detailed in Appendix 1 attached to this report.**
- 3. That the proposed charges be placed on public exhibition for a period of 28 days and a report detailing the outcome of public exhibition be brought to the February 2018 Ordinary meeting of Council.**
- 4. That the Dubbo Family Day Care Scheme lease the learning environment facilities located within the Coordination Unit on an as needs basis at a cost of \$20 per session from 1 February 2018. Educational resources located within the facility to be leased at \$10 per session from 1 February 2018 as detailed in Appendix 1 of this report.**
- 5. That the necessary action be taken to publicise the proposed increase in fees and the proposed fee to lease the learning environment facilities located within the facility as an element of the public exhibition process.**
- 6. That the increase in fees and the introduction of new fees are monitored so that the Dubbo Family Day Care Scheme remains a viable cost effective option for child care in the community.**

CARRIED

Councillor J Diffey declared a pecuniary, less than 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's daughter is cared for by Dubbo Family Day care.

CCL17/186 REPORT OF THE ECONOMIC DEVELOPMENT, BUSINESS AND CORPORATE COMMITTEE - MEETING 11 DECEMBER 2017 (ID17/2208)

The Council had before it the report of the Economic Development, Business and Corporate Committee meeting held 11 December 2017.

Moved by Councillor G Mohr and seconded by Councillor J Diffey

MOTION

That the report of the Economic Development, Business and Corporate Committee meeting held on 11 December 2017, be adopted, save and except clauses EDBC17/22, EDBC17/23 and EDBC17/24 with such matters being dealt with separately.

CARRIED

EDBC17/22 INVESTMENTS UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT (ID17/2169)

The Council had before it the report dated 4 December 2017 from the Director Corporate Services regarding Investments Under Section 625 of the Local Government Act.

Moved by Councillor G Mohr and seconded by Councillor A Jones

MOTION

That the information provided within the report of the Director Corporate Services, dated 4 December 2017 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 is the Manager of the Dubbo Branch of the Bank of Queensland, a bank that Council has funds invested with.

EDBC17/23 INVESTMENT POLICY AND STRATEGY REVIEW (ID17/2159)

The Council had before it the report dated 4 December 2017 from the Manager Financial Operations regarding Investment Policy and Strategy Review.

Moved by Councillor G Mohr and seconded by Councillor D Gumley

MOTION

1. That the draft Investment Policy December 2017 and the Draft Investment Strategy December 2017 as Appendix 1 and Appendix 2 attached to this report of the Manager Financial Operations dated 4 December 2017 be adopted.
2. That Council's Investment Policy and Investment Strategy be again reviewed and submitted to Council for determination via Council's Economic Development, Business and Corporate Committee in June 2018.

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 is the Manager of the Dubbo Branch of the Bank of Queensland, a bank that Council has funds invested with.

EDBC17/24 RESULTS OF EXPRESSION OF INTEREST - COUNCIL'S COMMITTEES/WORKING PARTIES/GROUPS (ID17/2164)

The Council had before it the report dated 4 December 2017 from the Administration Officer - Governance regarding Results of Expression of Interest - Council's Committees/Working Parties/Groups.

Moved by Councillor G Mohr and seconded by Councillor A Jones

MOTION

1. That the community representatives for the following Committees, Working Parties and Other Groups be as follows:

Wellington Town Assembly

Five (5) community representatives, noting that these representatives are to be residents of the township of Wellington, including the nearby large lot residential estates and Nanima village being:

- **Danielle Griffiths**
- **Adam Peckham**
- **Matthew Pike**
- **Adam Ryan**
- **Leanne Stanley**

Dubbo Showground Advisory Committee

Two (2) representatives of the Dubbo community being:

- Robert Shanks
- Debra Bell

Dubbo Community Awards and Events Committee

Five (5) Dubbo Community Representatives being:

- Cynthia Foley
- Ronda Bramble
- William Greenwood
- Geoff Mann
- Geraldine McMahon

Wellington Community Awards and Events Committee

Five (5) Wellington Community Representatives being:

- Peter Sheridan
- Molly Griggs
- Marcus Hanney
- Mark Griggs
- Adam Peckham

Sister Cities Advisory Committee

Six (6) Community Representatives

- Phil Priest
- Bridget Mann
- Cynthia Foley
- Christine Bray
- Shilbli Chowdury
- Karen Hyland

Rural Consultative Working Party

One (1) Resident Representative and One (1) Alternate Resident Representative from Ballimore, Wongarbon, Toongi, Rawsonville, Eumungerie, Brocklehurst, Geurie, Elong Elong, Mumbil, Stuart Town, Euchareena, North Yeoval plus two (2) Community Representatives to represent rural residents being:

Ballimore	Kate Charlton
Ballimore (alternate)	John O'Leary
Stuart Town	Marcus Hanney
Elong Elong	Louise Hennessy
Wongarbon	Alan Comerford
Rawsonville	Lauraine Rose
Elong Elong	Jennifer Tunks
Rural Representative	Nigel Payne

Cultural Facilities Committee

Two (2) Community Representatives

- Dr J Benton
- Vicki Canalese

2. That a further expression of interest be called to fill the outstanding vacancies of these committees with a further report being presented to Council in due course.

CARRIED

CCL17/187 REPORT OF THE AIRPORT/AIRSTRIP WORKING PARTY - MEETING 11 DECEMBER 2017 (ID17/2202)

The Council had before it the report of the Airport/Airstrip Working Party meeting held 11 December 2017.

Moved by Councillor G Mohr and seconded by Councillor D Gumley

MOTION

That the report of the Airport/Airstrip Working Party meeting held on 11 December 2017, be adopted, save and except clause AWP17/8 with such matter being dealt with separately.

CARRIED

AWP17/8 DUBBO CITY REGIONAL AIRPORT CAFE LICENCE RECOMMENDATION (ID17/2187)

The Council had before it the report dated 7 December 2017 from the Manager Airport Operations regarding Dubbo City Regional Airport Cafe Licence Recommendation.

Moved by Councillor G Mohr and seconded by Councillor D Gumley

MOTION

That the matter be deferred to Committee of the Whole.

CARRIED

CCL17/188 REPORT OF THE AUDIT AND RISK MANAGEMENT COMMITTEE - MEETING 18 DECEMBER 2017 (ID17/2209)

The Council had before it the report dated 11 December 2017 from the Administration Officer - Governance regarding Report of the Audit and Risk Management Committee - meeting 18 December 2017.

Moved by Councillor A Jones and seconded by Councillor V Etheridge

MOTION

1. That it be noted that the meeting of the Audit and Risk Management Committee scheduled for 18 December 2017 did not proceed due to the lack of a quorum, further noting that the Mr J Walkom (Independent Member), Mr A Fletcher (Independent Member), Mr S Bassett (Community Representative), Mr J Shanks (Luka Group), the General Manager, the Director Corporate Services (M Crisante), the Manager Financial Operations, the Director Economic Development and Business, the Manager Business Services – Economic Development and Business, the Statutory Reporting Accountant, the Workplace Safety Advisor and Manager Visitor Experiences and Services were in attendance for the meeting.
2. That the items listed on the agenda for the meeting schedule 18 December 2017 be deferred to the next meeting of the Audit and Risk Management Committee, noting that this date is yet to be determined.

CARRIED

REPORTS FROM STAFF:

CCL17/189 PLANNING PROPOSAL (R16-5) - SOUTHLAKES ESTATE, DUBBO (ID17/2227)

The Council had before it the report dated 13 December 2017 from the Manager Strategic Planning Services regarding Planning Proposal (R16-5) - Southlakes Estate, Dubbo.

Moved by Councillor G Mohr and seconded by Councillor S Lawrence

MOTION

1. That the Planning Proposal, as exhibited, to undertake the following amendments to the Dubbo Local Environmental Plan 2011 be adopted by Council:
 - That part of the subject land be rezoned from R2 Low Density Residential to R1 General Residential, B1 Neighbour Centre and the existing RE1 Public Recreation zone be reconfigured;
 - That minimum lot sizes be changed from existing 600 m² and 4000 m² to a range of no minimum lot sizes, 450 m², 600 m², 800 m² and 2000 m²;
 - That land situated to the south of the indicative location of the Southern Distributor be zoned RU2 Rural Landscape;
 - That the area of land proposed to be zoned B1 Neighbourhood Centre be subject to a suitable provision in the Dubbo Local Environmental Plan 2011 that limits the total retail floor space of any centre to 5,000 m²; and

- That the additional use of Recreational Facility (Indoor) be permitted on the subject area of the land proposed to be zoned B1 Neighbourhood Centre under the provisions of the Dubbo Local Environmental Plan 2011.
- 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 General Manager request gazettal of the Plan.
- 4. That those who made a submission be thanked and advised of Council's determination in this matter.

CARRIED

Moved by Councillor D Gumley and seconded by Councillor A Jones

AMENDMENT

That the matter be deferred to the Ordinary Council meeting in February 2018.

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

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 Etheridge	Councillor Diffey
Councillor Gumley	Councillor Grant
Councillor Jones	Councillor Lawrence
Councillor Mohr	Councillor Parker
Councillor Ryan	
Councillor Shields	
Total (6)	Total (4)

Councillor A Jones assumed chairmanship of the meeting for consideration of this matter.

CCL17/190 DEVELOPMENT APPLICATION D17-415 - REGISTERED CLUB (ALTERATIONS AND ADDITIONS)
PROPERTY: 82 WHYLANDRA STREET, DUBBO
APPLICANT: CLUB DUBBO
OWNER: WEST DUBBO BOWLING CLUB LTD (ID17/2199)

The Council had before it the report dated 13 December 2017 from the Senior Strategic Planner regarding Development Application D17-415 - Registered Club (Alterations and Additions).

Moved by Councillor J Ryan and seconded by Councillor V Etheridge

MOTION

- 1. That the report by the Senior Strategic Planner dated 14 November 2017 be noted.**
- 2. That the matter be deferred until such time as Council engages an independent Acoustic Consultant for the purposes of undertaking an additional Acoustic Report.**

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	
Total (9)	Total (0)

Councillor B Shields declared a non-pecuniary, significant interest in the matter now before the Committee and left the room and was out of sight during Committee's consideration. The reason for such interest is that Councillor B Shields is a former employee of Club Dubbo and was employed by Club Dubbo in the past 12 months.

Councillor B Shields resumed chairmanship of the meeting.

CCL17/191 ADDENDUM TO PDEC17/9 DEVELOPMENT APPLICATION D2017-462 - TWO (2) LOT SUBDIVISION, MULTI DWELLING HOUSING AND FOUR (4) LOT STRATA SUBDIVISION

PROPERTY: 197 WINGEWARRA STREET, DUBBO

APPLICANT: MR R STEVENSON

OWNER: RACEBAIL PTY LTD (ID17/2213)

The Council had before it the report dated 12 December 2017 from the Statutory Planning Services Team Leader regarding Addendum to PDEC17/9 Development Application D2017-462 - Two (2) Lot Subdivision, Multi Dwelling Housing and Four (4) Lot Strata Subdivision.

Moved by Councillor G Mohr and seconded by Councillor J Diffey

MOTION

1. That the information included in the report of the Statutory Planning Services Team Leader dated 12 December 2017 be noted.
2. That Development Application D2017-462 for a two (2) lot subdivision, multi dwelling housing (four (4) terrace dwellings) and four (4) lot strata subdivision at Lot 1 Sec 40 DP 758361, 197 Wingewarra Street, Dubbo, be refused for the following reasons:
 - a) The proposed development does not represent the orderly development of land. (Section 5(a) Environmental Planning and Assessment Act, 1979);
 - b) The proposed strata subdivision fails to meet the minimum lot size requirements as stated in Dubbo Local Environmental Plan 2011, Clause 4.1. The request to vary the development standard in Clause 4.6 cannot be supported due to the proposal's failure against subclauses (3) and (4) and a number of requirements in Dubbo Development Control Plan 2013, Chapter 2.1 Residential Development and Subdivision. (Section 79C(1)(a)(i) Environmental Planning and Assessment Act, 1979);
 - c) The subject development requires an exemption to the minimum lot size standard in accordance with Clause 4.6 (4) of the Dubbo Local Environmental Plan. The subject application is contrary to Clause 4.6 on the basis that Council is not satisfied the proposal meets the requirements of Clause 4.6. (Section 79C(1)(a)(i) Environmental Planning and Assessment Act, 1979);
 - d) The proposed driveways of terraces 1 and 2 are located within three (3) metres of the existing power pole, contrary to the requirements of Essential Energy. (Section 79C(1)(a)(i) Environmental Planning and Assessment Act, 1979);
 - e) Proposed Lot 12 (being 528 m² in area) is below the minimum lot size of 700 m² as required for multi dwelling housing development, in accordance with Dubbo Development Control Plan 2013. (Section 79C(1)(a)(iii) Environmental Planning and Assessment Act, 1979);
 - f) The private open space areas proposed for the four (4) terrace dwellings fail to achieve the minimum required hours of direct sunlight in accordance with Dubbo Development Control Plan 2013. (Section 79C(1)(a)(iii) Environmental Planning and Assessment Act, 1979);
 - g) The private open space areas of the existing dwelling, together with terraces 2 and 3 fail to meet the minimum area requirements specified in the Dubbo

- Development Control Plan 2013. (Section 79C(1)(a)(iii) Environmental Planning and Assessment Act, 1979);
- h) The vehicle access arrangements for the four (4) terrace dwellings does not permit vehicles to enter and leave in a forward direction, nor is there any provision for the required visitor car parking space onsite, as required in Dubbo Development Control Plan 2013. (Section 79C(1)(a)(iii) Environmental Planning and Assessment Act, 1979);
 - i) The proposed four (4) terrace dwellings' driveways to Fitzroy Street are located such that they are deemed dangerous to the road network, the travelling public and the future occupants of the terraces, and in contravention of Dubbo Development Control Plan 2013 (Section 79C(1)(a)(iii) Environmental Planning and Assessment Act, 1979);
 - j) The existing dwelling's proposed driveway to Wingewarra Street is located such that it is deemed dangerous to the road network, the travelling public and the adjoining occupant at 199 Wingewarra Street, as required in Dubbo Development Control Plan 2013 (Section 79C(1)(a)(iii) Environmental Planning and Assessment Act, 1979);
 - k) The proposed development (Stages 2 and 3) is deemed unsuitable for the subject site based on the areas of non-compliance with the Development Control Plan identified as it constitutes an over-development of the site. (Section 79C(1)(c) Environmental Planning and Assessment Act, 1979); and
 - l) The proposed development is not deemed to be in the public interest, given the numerous non-compliances of the proposal together with the potential detrimental impacts on the road network and the property to the south (184 Fitzroy Street). (Section 79C(1)(e) Environmental Planning and Assessment Act, 1979).

CARRIED

Moved by Councillor G Mohr and seconded by Councillor J Diffey

AMENDMENT

That the matter be deferred to allow the applicant to provide further information.

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

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 Gumley	
Councillor Jones	
Councillor Lawrence	
Councillor Mohr	
Councillor Parker	
Councillor Ryan	
Councillor Shields	
Total (9)	Total (0)

Councillor D Grant 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 D Grant's employer has business dealings with the applicant and owner.

CCL17/192 DRAFT POLICY RELATING TO WATER CONNECTION, BACKFLOW PREVENTION AND PRICING POLICY - PUBLIC EXHIBITION (ID17/2216)

The Council had before it the report dated 12 December 2017 from the Director Infrastructure and Operations regarding Draft Policy Relating to Water Connection, Backflow Prevention and Pricing Policy - Public Exhibition.

Moved by Councillor D Gumley and seconded by Councillor D Grant

MOTION

- 1. That the information contained within the report of the Director Infrastructure and Operations dated 12 December 2017 be noted.**
- 2. That the Water Connection, Backflow Prevention and Pricing Policy attached to the report of the Director Infrastructure and Operations dated 12 December 2017, as Appendix 1, be adopted.**
- 3. That the people who made submissions be advised of the outcome of Council's considerations and thanked for their submission.**

CARRIED

CCL17/193 APPOINTMENT OF DUBBO STATE EMERGENCY SERVICE UNIT LOCAL CONTROLLER (ID17/2219)

The Council had before it the report dated 12 December 2017 from the Director Infrastructure and Operations regarding Appointment of Dubbo State Emergency Service Unit Local Controller.

Moved by Councillor D Grant and seconded by Councillor V Etheridge

MOTION

That pursuant to Section 17 of the State Emergency Service Act 1989, Council endorse the appointment of Ms Fiona Douglas to the position of Local Controller, Dubbo SES Unit for the ensuing two (2) years.

CARRIED

CCL17/194 OPPORTUNITIES TO IMPROVE THE STREET TREE CANOPY - UPDATE (ID17/2193)

The Council had before it the report dated 9 December 2017 from the Director Community and Recreation regarding Opportunities to Improve the Street Tree Canopy - Update.

Moved by Councillor D Gumley and seconded by Councillor V Etheridge

MOTION

- 1. That Council form a Committee to review proposed removal and/or replacement of trees required to complete infrastructure projects comprising the Mayor, interested Councillors, the General Manager, the Director Community and Recreation or his nominee, the Director Infrastructure and Operations or his nominee, the Director Planning and Environment or her nominee, and four (4) community representatives.**
- 2. That after a publicly advertised process the community representative membership of the Dubbo Regional Council Street Tree Committee be considered at the February 2018 Ordinary Meeting of Council.**
- 3. That a draft Terms of Reference for the Dubbo Regional Council Street Tree Committee be put to the February 2018 Infrastructure, Community and Recreation Committee meeting for consideration.**
- 4. That the Committee undertake a review of Council's strategic master plan for the City's tree scape for the consideration of Council following a community consultation process.**
- 5. That the Director Community and Recreation be requested to develop a draft Council Policy for Urban Street Tree Removal for the review of the Committee and consideration of Council following a community consultation process.**
- 6. That all activities relevant to the Urban Street Tree Removal Policy be reported to the Committee and Council on a quarterly basis.**
- 7. That the proposed removal of and/or replacement of trees required as part of Council's infrastructure projects, apart from any projects which are well advanced and subject to contractual obligations, (being the Boundary Road Extension project, the**

Bultje Street - Dubbo CBD Heat Island Amelioration project and the Cobra/Fitzroy Street Signalisation Project and Erskine Street, west of Darling Street) be postponed until a community committee has been established to review such proposed tree removal and/or replacement with recommendations to Council's Infrastructure, Community and Recreation Committee.

CARRIED

**CCL17/195 BODANGORA WIND FARM COMMUNITY BENEFIT FUND ROUND 1
(ID17/2170)**

The Council had before it the report dated 5 December 2017 from the Director Community and Recreation regarding Bodangora Wind Farm Community Benefit Fund Round 1.

Moved by Councillor A Jones and seconded by Councillor V Etheridge

MOTION

1. That the information contained within the report of the Director Community and Recreation dated 5 December 2017 be noted.
2. That the following projects be allocated funding from the Bodangora Wind Farm Community Benefit Fund:
 - Wellington Touch Association \$2,621.72
 - Wellington Information and Neighbourhood Services Inc \$10,000
 - St John Ambulance - Wellington Division \$9,200
 - Wellington Senior Citizens Club Inc \$4,165.89
 - Wellington Historical Society Inc \$3,000
 - Mt Arthur Reserve Trust \$8,539
 - Wellington Connect Inc T/a Wellington Men's Shed \$6,773.39
 - Wellington District Cricket Association \$5,700
3. That all applicants be advised of the outcomes of their funding application and unsuccessful applicants be advised as to other opportunities to obtain funding.
4. That Round 2 of the Bodangora Community Benefit Fund call for submissions in July 2018 with the available pool being \$25,000 and the upper limit of grant applications being \$5,000.

CARRIED

Councillor D Grant 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 D Grant is the current treasurer of the Mt Arthur Trust Committee who are proposed to receive part of the monies being dispersed.

CCL17/196 CONTAINER DEPOSIT SCHEME (CDS): REVERSE VENDING MACHINE LOCATION ON COUNCIL LAND. (ID17/2194)

The Council had before it the report dated 9 December 2017 from the Director Community and Recreation regarding Container Deposit Scheme (CDS): Reverse Vending Machine Location on Council land.

Moved by Councillor G Mohr and seconded by Councillor J Diffey

MOTION

1. That the information contained within the report of the Director Community and Recreation dated 9 December 2017 be noted.
2. That the location of the first reverse vending machine in Dubbo adjacent to the skate park/Men's Shed area within Victoria Park be noted.

CARRIED

Moved by Councillor G Mohr and seconded by Councillor K Parker

AMENDMENT

1. **That the information contained within the report of the Director Community and Recreation dated 9 December 2017 be noted.**
2. **That the location of the first reverse vending machine in Dubbo adjacent to the skate park/Men's Shed area within Victoria Park be noted.**
3. **That Council obtain a report from the State Government on the review of the success of the location of the container within six months of its installation.**

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

CCL17/197 DUBBO REGIONAL SPORTS COUNCIL CONSULTATION ON THE VICTORIA PARK REDEVELOPMENT PROPOSAL (ID17/2215)

The Council had before it the report dated 12 December 2017 from the Director Community and Recreation regarding Dubbo Regional Sports Council consultation on the Victoria Park Redevelopment Proposal.

Moved by Councillor V Etheridge and seconded by Councillor G Mohr

MOTION

1. That the report submitted by the Dubbo Regional Sports Council titled *“Victoria Park No.1 Redevelopment and Cycle Track relocation to CSU Regional Sports Hub site”*, as attached as Appendix 1 to this report be noted.
2. That Council consider the recommendation of the Dubbo Regional Sports Council in regards to determining the way forward for the Victoria Park Redevelopment grant funded project at the December 2017 Ordinary Meeting of Council.

Moved by Councillor V Etheridge and seconded by Councillor G Mohr

AMENDMENT

1. That the history of all sporting stakeholders at the Victoria Park Ovals precinct is acknowledged.
2. That Council proceed with the Stronger Communities grant funded project that is the Victoria Park redevelopment.
3. That a Cycling Facility Working Party be established that consists of the following membership
 - Mayor.
 - Interested Councillors.
 - Director Community and Recreation.
 - Manager Recreation and Open Space.
 - President Dubbo Cycle Club.
 - Vice President Dubbo Cycle Club.
 - Four members of the Dubbo Cycle Club Redevelopment Sub-committee.
 - Representative from Cycling NSW.
4. That the Cycling Facility Working Party provide advice and assistance to Council on the following matters:
 - a. An overall Master Plan for a new cycling facility to be developed in the short term
 - b. The priorities for expenditure on infrastructure at the new facility funded by the \$3.9 million Stronger Communities Grant in order that Council can meet the grant expenditure timelines.
 - c. Next phases of development and associated infrastructure at the cycling facility as defined by the Master Plan that should be targeted for funding.
 - d. How the new facility can recognise the long and successful history of cycling in Dubbo.

5. That the Victoria Park Redevelopment Advisory Committee membership be altered to recognise the formation of the Cycling Facility Working Party. The membership shall consist of:
- Mayor.
 - Two (2) Councillors.
 - General Manager.
 - Director Community and Recreation.
 - Manager Open Space and Recreation.
 - Sporting Assets Coordinator.
 - Recreation Coordinator.
 - President of the Dubbo Regional Sports Council.
 - Representative of Dubbo District Cricket Association.
 - Representative of Dubbo Rugby Union.
 - Representative of Dubbo Junior Rugby Union.
 - Representative of Cricket NSW.
 - Representative of Westside Rugby League Football Club.
 - Representative of Dubbo Cycle Club.

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

CCL17/198 COMMENTS AND MATTERS OF URGENCY (ID17/2210)

There were no matters recorded under this clause.

At this junction it was moved by Councillor A Jones and seconded by Councillor S Lawrence that the Council resolves into the Committee of the Whole Council, the time being 7.08pm.

The meeting resumed at 7.33pm.

CCL17/199 COMMITTEE OF THE WHOLE (ID17/2211)

The Director Corporate Services read to the meeting of the Report of Committee of the Whole held on 18 December 2017.

Moved by Councillor V Etheridge and seconded by Councillor G Mohr

MOTION

That the report of the meeting of the Committee of the Whole held on 18 December 2017 be adopted, be adopted.

CARRIED

The meeting closed at 7.38pm.

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CHAIRMAN