



REPORT ORDINARY COUNCIL MEETING 7 DECEMBER 2020

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

ALSO IN ATTENDANCE:

The Chief Executive Officer, the Executive Manager CEO Services, the Governance and Internal Control Manager, the Administration Officer Mayor, the Administration Assistant Governance, the Community Support Officer, the Communications Partner, the Director Organisational Performance, the Director Culture and Economy, the Director Infrastructure, the Director Development and Environment (S Jennings) and the Director Liveability.

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.

Council observed a minute's silence to pay respects to the late Mr Anthony (Tony) Kelly.

CCL20/204 CONFIRMATION OF MINUTES (ID20/1545)

Confirmation of the minutes of the proceedings of the Ordinary Council Meeting held on 23 November 2020.

Moved by Councillor D Grant 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 23 November 2020 comprising pages 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 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

CCL20/205 LEAVE OF ABSENCE (ID20/1589)

Councillor A Jones was previously granted leave of absence from this meeting by Council (refer Clause CCL20/165b). There were no other applications for leave of absence received.

Moved by Councillor V Etheridge and seconded by Councillor J Diffey

MOTION

That it be noted that Councillor A Jones had been previously granted leave of absence from this meeting by Council.

CARRIED

CCL20/206 PUBLIC FORUM (ID20/1533)

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

- Ms Kate Washington, NSW Shadow Minister for Rural Health – Parliamentary Inquiry into Rural and Regional Health.

MAYORAL MINUTES:

CCL20/207 VALE - ANTHONY (TONY) GEORGE KELLY (ID20/1581)

The Council had before it the Mayoral Minute regarding Vale - Anthony (Tony) George Kelly.

Moved by Councillor B Shields

MOTION

1. **That the Mayoral Minute be noted.**
2. **That council resolve to take all necessary steps to name Victoria Park No. 1 Oval "Tony Kelly Oval" to acknowledge Mr Kelly's long-standing contributions to the Dubbo Region.**

CARRIED

CCL20/208 DUBBO AQUATIC LEISURE CENTRE MASTERPLAN (ID20/1585)

The Council had before it the Mayoral Minute regarding Dubbo Aquatic Leisure Centre Masterplan.

Moved by Councillor B Shields

MOTION

That a masterplan for the future Dubbo Aquatic Leisure Centre be prepared, with design concepts to be presented to Council in April 2021.

CARRIED

CCL20/209 REQUEST FOR GREATER POWERS FOR COUNCILS TO ENFORCE COMMERCIAL LAND CLEAN-UP (ID20/1582)

The Council had before it the Mayoral Minute regarding Request for Greater Powers for Councils to Enforce Commercial Land Clean-up.

Moved by Councillor B Shields

MOTION

That Council write to NSW Minister for Planning Rob Stokes and ask that he consider increasing the powers Councils have to clean up commercial properties.

CARRIED

CCL20/210 SHADE FOR RYGATE PARK MULTI-PURPOSE COURTS (ID20/1584)

The Council had before it the Mayoral Minute regarding Shade for Rygate Park Multi-Purpose Courts.

Moved by Councillor B Shields

MOTION

- 1. That the petition from Jessica Sutherland requesting more shade for Rygate Park be noted.**
- 2. That Council consider the matter as part of the 2021/2022 Operational Plan and Budget Review Process in May 2021.**

CARRIED

CCL20/210A SOUTH DUBBO BRIDGE OPTIONS

The Council had before it the Mayoral Minute regarding the South Dubbo Bridge Original Options.

Moved by Councillor B Shields

MOTION

1. That Council release the original four options for the South Dubbo Bridge, to go live on Council's website.
2. That a further report be provided to the March Council meeting.

CARRIED

As one or more Councillors voted against the motion, in accordance with Clause 11.5 of Council's Code of Meeting Practice, the following votes were recorded:

FOR	AGAINST
Councillor Etheridge	Councillor Gumley
Councillor Grant	
Councillor Lawrence	
Councillor Mohr	
Councillor Parker	
Councillor Ryan	
Councillor Shields	
Total (7)	Total (1)

Councillor J Diffey declared a non-pecuniary, but significant interest in the matter now before the Council and left the room and was out of sight during Council's consideration of this matter. The reason for such interest is that Councillor J Diffey is employed as a Senior Electorate Officer by the NSW Parliament for the State Member, Mr Dugald Saunders.

INFORMATION ONLY MATTERS:

CCL20/211 BUILDING SUMMARY - NOVEMBER 2020 (ID20/1498)

The Council had before it the report dated 26 November 2020 from the Director Development and Environment regarding Building Summary - November 2020.

Moved by Councillor K Parker and seconded by Councillor V Etheridge

MOTION

That the information contained within the report of the Director Development and Environment dated 26 November 2020, be noted.

CARRIED

CCL20/212 INVESTMENTS UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - NOVEMBER 2020 (ID20/1459)

The Council had before it the report dated 1 December 2020 from the Chief Financial Officer regarding Investments Under Section 625 of the Local Government Act - November 2020.

Moved by Councillor J Ryan and seconded by Councillor S Lawrence

MOTION

That the information contained within the report of the Chief Financial Officer dated 1 December 2020, 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 Council's consideration of this matter. The reason for such interest is that Councillor K Parker is an employee of the Bank of Queensland, Dubbo and Council has funds invested with BOQ.

CCL20/213 EVENT ASSISTANCE PROGRAM - 2020/2021 ROUND ONE (ID20/1586)

The Council had before it the report dated 1 December 2020 from the Events and Partnerships Team Leader regarding Event Assistance Program - 2020/2021 Round One.

Moved by Councillor Lawrence and seconded by Councillor J Ryan

MOTION

- 1. That the information within the report from the Events and Partnerships Team Leader dated 1 December 2020, be noted.**
- 2. That event funding applicants be advised on the outcome of their applications.**

CARRIED

MATTERS CONSIDERED BY COMMITTEES:

**CCL20/214 REPORT OF THE DUBBO REGIONAL COUNCIL AIRPORTS PANEL - MEETING 9
NOVEMBER 2020 (ID20/1537)**

The Council had before it the report of the Dubbo Regional Council Airports Panel meeting held 9 November 2020.

Moved by Councillor G Mohr and seconded by Councillor D Gumley

MOTION

That the report of the Dubbo Regional Council Airports Panel meeting held on 9 November 2020, be adopted.

CARRIED

REPORTS FROM STAFF:

CCL20/215 COUNCILLOR AND MAYORAL FEES (ID20/731)

The Council had before it the report dated 20 November 2020 from the Chief Executive Officer regarding Councillor and Mayoral Fees.

Moved by Councillor S Lawrence and seconded by Councillor D Grant

MOTION

That pursuant to the provisions of Section 248(2) of the Local Government Act 1993, the annual fee payable to Councillors for the period commencing 1 July 2020 be \$24,320.

CARRIED

At this juncture Councillor S Lawrence assumed the Chair of the meeting, the time being 6.20pm.

CCL20/215A COUNCILLOR AND MAYORAL FEES (ID20/731)

The Council had before it the report dated 20 November 2020 from the Chief Executive Officer regarding Councillor and Mayoral Fees.

Moved by Councillor V Etheridge and seconded by Councillor D Gumley

MOTION

That pursuant to the provisions of Section 249(3) of the Local Government Act 1993, the annual fee payable to the Mayor for the period commencing 1 July 2020 be \$60,080.

CARRIED

Councillor B Shields declared a pecuniary, significant interest in the matter now before the Council and left the room and was out of sight during Council's consideration of this matter. The reason for such interest is that Councillor B Shields is the Mayor of the Dubbo Region.

Councillor B Shields resumed the Chair of the meeting.

CCL20/216 QUARTERLY REPORT ON DOCUMENTS EXECUTED UNDER THE POWER OF ATTORNEY (ID20/1516)

The Council had before it the report dated 18 November 2020 from the Governance and Internal Control Manager regarding Quarterly Report on Documents Executed Under the Power of Attorney.

Moved by Councillor D Gumley and seconded by Councillor V Etheridge

MOTION

That the information contained within the report of the Governance and Internal Control Manager dated 18 November 2020, be noted.

CARRIED

CCL20/217 DRAFT CODE OF CONDUCT AND PROCEDURES FOR THE ADMINISTRATION OF THE CODE OF CONDUCT - FOLLOWING PUBLIC EXHIBITION (ID20/1538)

The Council had before it the report dated 23 November 2020 from the Internal Ombudsman regarding Draft Code of Conduct and Procedures for the Administration of the Code of Conduct - Following Public Exhibition.

Moved by Councillor K Parker and seconded by Councillor J Diffey

MOTION

That the draft Code of Conduct and the Procedures for the Administration of the Code of Conduct attached to the report of the Internal Ombudsman dated 23 November 2020, as Appendix 1 and 2, be adopted.

CARRIED

CCL20/218 PUBLIC INTEREST DISCLOSURES AND INTERNAL REPORTING POLICY - RESULTS OF PUBLIC EXHIBITION (ID20/1541)

The Council had before it the report dated 23 November 2020 from the Internal Ombudsman regarding Public Interest Disclosures and Internal Reporting Policy - Results of Public Exhibition.

Moved by Councillor D Grant and seconded by Councillor R Ryan

MOTION

That the Draft Public Interest Disclosures and Internal Reporting Policy attached to the report of the Internal Ombudsman dated 23 November 2020, as Appendix 1, be adopted.

CARRIED

CCL20/219 PROPOSED PLANNING POLICY FOR SOLAR AND WIND ENERGY FARMS (ID20/1544)

The Council had before it the report dated 25 November 2020 from the Senior Growth Planner regarding Proposed Planning Policy for Solar and Wind Energy Farms.

Moved by Councillor S Lawrence and seconded by Councillor J Ryan

MOTION

1. That the report from the Senior Growth Planner dated 25 November 2020 be noted.
2. That the draft amended draft Planning Agreement Policy as attached in Appendix 1 to the report of the Senior Growth Planner be adopted for the purposes of undertaking detailed community and stakeholder consultation.
3. That the draft Planning Agreement Policy for Solar and Wind Energy Farms be placed on public display for a period of no less than 28 days and in accordance with the provisions of the Environmental Planning and Assessment Act 1979.
4. That following completion of the public exhibition period a further report be provided to Council, including any submissions received during the public exhibition period.

CARRIED

CCL20/220 DRAFT MOBILE FOOD VENDOR POLICY (ID20/1474)

The Council had before it the report dated 17 November 2020 from the Compliance Officer Environment and Health regarding Draft Mobile Food Vendor Policy.

Moved by Councillor K Parker and seconded by Councillor V Etheridge

MOTION

That the draft Mobile Food Vendor Policy as attached to the report of the Compliance Officer Environment and Health as Appendix 1, be adopted.

CARRIED

**CCL20/221 WELLINGTON AERODROME AND RECREATION PARK OPERATIONS UPDATE
(ID20/1458)**

The Council had before it the report dated 10 November 2020 from the Director Culture and Economy regarding Wellington Aerodrome and Recreation Park Operations Update.

Moved by Councillor G Mohr and seconded by Councillor J Ryan

MOTION

- 1. That the information in the report from the Director Culture and Economy dated 10 November 2020, be noted.**
- 2. That strategic and operational risk mitigation measures be implemented.**
- 3. That a further 12 month review of Wellington Aerodrome and Recreation Park be undertaken with a report to November 2021 Council meeting.**

CARRIED

CCL20/222 DRTCC - COVID-19 RECOVERY OFFER EXTENSION (ID20/1519)

The Council had before it the report dated 18 November 2020 from the Manager Regional Events regarding DRTCC - COVID-19 Recovery Offer Extension.

Moved by Councillor J Diffey and seconded by Councillor D Gumley

MOTION

- 1. That the information contained within the report of the Manager Regional Events dated 20 November 2020, be noted.**
- 2. That the COVID-19 Recovery Offer be modified and extended to clients from 31 December 2020 to 31 March 2021, with the ability to extend to 30 September 2021 depending on the relaxing of Public Health Orders due to COVID-19.**
- 3. That the COVID-19 Recovery Offer consist of a percentage discount for the Dubbo Regional Theatre and Convention Centre including Wellington Civic Centre for professional/commercial, performing arts businesses, community/not-for-profit and**

schools/registered charity, noting that this does not include public holidays. All other fees and charges remain the same.

4. That any changes to the percentage discount in relation to changes in the NSW Health Order will be approved by the Director Culture and Economy.
5. That Council cease the COVID-19 Recovery Offer should full capacity of venues be allowed within four weeks of an event.

CARRIED

CCL20/223 WELLINGTON SHOWGROUND - INTERNAL REVIEW 2020 (ID20/1450)

The Council had before it the report dated 5 November 2020 from the Manager Regional Events regarding Wellington Showground - Internal Review 2020.

Moved by Councillor D Grant and seconded by Councillor J Ryan

MOTION

1. That the information in the report by the Manager Regional Events dated 5 November 2020, be noted.
2. That staff action the items listed in the report regarding current facility operations.
3. That consideration for a Wellington Showground strategic masterplan, be considered as part of the 2021/2022 forward budget.

CARRIED

CCL20/224 STRONGER COUNTRY COMMUNITIES FUND ROUND TWO GRANT PROGRAM AND TENDER PROCESS (ID20/1587)

The Council had before it the report dated 1 December 2020 from the Director Liveability regarding Stronger Country Communities Fund Round Two Grant Program and Tender Process.

Moved by Councillor J Ryan and seconded by Councillor G Mohr

MOTION

1. That the report of the Director Liveability dated 1 December 2020 be noted.
2. That Council, in accordance with clause 178(1)(b) of the Local Government (General) Regulation 2005 decline to accept any of the tenders.
3. That Council, in accordance with clause 178(3)(b) of the Local Government (General) Regulation 2005 invite new tender submissions with suitable amendments.

CARRIED

**CCL20/225 STREET TREE ADVISORY PANEL - CALL FOR EXPRESSIONS OF INTEREST
(ID20/1583)**

The Council had before it the report dated 1 December 2020 from the Director Liveability regarding Street Tree Advisory Panel - Call for Expressions of Interest.

Moved by Councillor J Ryan and seconded by Councillor G Mohr

MOTION

1. That Council write to the departing Panel member to thank them for their contributions.
2. That Council call for expressions of interest for the Street Tree Advisory Panel for one Community Representative.

CARRIED

CCL20/226 JOIRA ROAD PLAYSPACE - DRAFT PLAN (ID20/1405)

The Council had before it the report dated 28 October 2020 from the Open Space Coordinator regarding Joira Road Playspace - Draft Plan.

Moved by Councillor D Grant and seconded by Councillor V Etheridge

MOTION

1. That the report of the Open Space Coordinator, dated 7 December 2020, be noted.
2. That the draft Joira Oval Playspace – Draft Plan, be placed on public exhibition for 28 days, enabling community feedback and input.
3. That following the public exhibition period, a further report be submitted to Council for consideration.

CARRIED

**CCL20/227 SOUTH DUBBO TAVERN EXTENDED TRADING AUTHORISATION APPLICATION
(ID20/1521)**

The Council had before it the report dated 19 November 2020 from the Manager Community Services regarding South Dubbo Tavern Extended Trading Authorisation application.

Moved by Councillor S Lawrence and seconded by Councillor V Etheridge

MOTION

- 1. That the information contained within the report of the Manager Community Services dated 19 November 2020 be noted.**
- 2. That Council make a submission to object to the Independent Liquor and Gaming Authority in relation to the application for a new Extended Trading Authorisation by the South Dubbo Tavern.**

CARRIED

Councillor G Mohr declared a non-pecuniary but significant interest in the matter now before the Council and left the room and was out of sight during Council's consideration of this matter. The reason for such interest is that Councillor G Mohr's son is the Manager of the Western Star Hotel, which is in competition with the South Dubbo Tavern.

CCL20/228 COMMENTS AND MATTERS OF URGENCY (ID20/1534)

That the Mayor, as requested by Councillor G Mohr, write to Newtown RSL sub-Branch to thank them for their support of the Eumungerie/Coboco RSL sub-Branch, which has been instrumental in the longevity of the sub-Branch.

CCL20/228a MATTER OF URGENCY - EVENT ASSISTANCE PROGRAM - 2020/2021 ROUND ONE

In accordance with clause 8.7 of Council's Meeting Procedures, a motion was moved by Councillor J Ryan and seconded by Councillor G Mohr that, due to the lack of time between tonight's Council meeting and the next scheduled Council meeting in February 2021 not allowing adequate time for the Motor Cycle Bike Rally to plan activities ahead of the event in May 2021, they be provided with an additional \$2,500 to further extend marketing activities in consultation with Council's Regional Events branch, and that such marketing target intrastate travellers.

Moved by Councillor J Ryan and seconded by Councillor G Mohr

MOTION

That the CEO provide an additional \$2,500 to the Dubbo Motor Bike Rally to further extend marketing activities in consultation with Council's Regional Events branch, and that such marketing target intrastate travellers.

CARRIED

At this juncture, it was moved by Councillor D Grant and seconded by Councillor D Gumley that the Council resolve into a Committee of the Whole Council, the time being 6.42pm.

The meeting resumed at 6.46pm.

CCL20/229 COMMITTEE OF THE WHOLE (ID20/1588)

The Executive Manager CEO read to the meeting of the Report of the Committee of the Whole meeting held on 7 December 2020.

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 23 November 2020, be adopted, save and except CW20/28, which will be dealt with separately.

CARRIED

CW20/28 PROPOSED RIVER STREET BRIDGE (ID20/1577)

The Committee had before it the report dated 25 November 2020 from the Chief Executive Officer regarding Proposed River Street Bridge.

Moved by Councillor D Grant and seconded by Councillor D Gumley

MOTION

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)).

CARRIED

Moved by Councillor G Mohr and seconded by Councillor J Ryan

MOTION

That the council authorise the Chief Executive Officer to implement the decisions of the report CW20/28 in relation to seeking changes associated with the design of the new river street bridge.

CARRIED

Councillor J Diffey declared a non-pecuniary, but significant interest in the matter now before the Council and left the room and was out of sight during Council's consideration of this

matter. The reason for such interest is that Councillor J Diffey is employed as a senior Electorate Officer by NSW Parliament for the State Member, Mr Dugald Saunders.

The meeting closed at 6.51pm.

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CHAIRMAN