



REPORT ORDINARY COUNCIL MEETING 23 NOVEMBER 2020

PRESENT: Councillors J Diffey, V Etheridge, D Grant, D Gumley, S Lawrence, 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 (M Howlett), the Director Culture and Economy (J Howard), the Director Infrastructure, the Director Development and Environment, the Manager Resource Recovery and Efficiency and the Director Liveability (I McAlister).

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 K Parker.

CCL20/184 CONFIRMATION OF MINUTES (ID20/1406)

Confirmation of the minutes of the proceedings of the Ordinary Council Meeting held on 26 October 2020 and the Extraordinary Council Meeting held on 29 October 2020.

Moved by Councillor J Ryan 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 26 October 2020 comprising pages 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 of the series, and the Extraordinary Council Meeting held on 29 October 2020 comprising pages 17 and 18 of the series be taken as read, confirmed as correct minutes and signed by the Mayor and the Chief Executive Officer.

CARRIED

CCL20/185 LEAVE OF ABSENCE (ID20/1407)

A request for leave of absence was received from Councillor G Mohr who was absent from the meeting due to the personal reasons whilst Councillor A Jones was previously granted leave of absence from this meeting by Council (refer Clause CCL20/165b).

Moved by Councillor D Gumley and seconded by Councillor V Etheridge

MOTION

That such requests for leave of absence be accepted and Councillor G Mohr be granted leave of absence from this meeting and it be noted that Councillor A Jones had been previously granted leave of absence from this meeting by Council.

CARRIED

CCL20/186 PUBLIC FORUM (ID20/1408)

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

- Mr Matthew Gilbert – representing Dubbo Cycle Club, thanking Council for support over tenancy as president.

MAYORAL MINUTES:

CCL20/187 LACK OF HEALTH SERVICES AT WELLINGTON HOSPITAL (ID20/1506)

The Council had before it the Mayoral Minute regarding Lack of Health Services at Wellington Hospital.

Moved by Councillor B Shields

MOTION

1. That Council write to the NSW Health Minister Brad Hazzard, Premier Gladys Berejiklian, and Member for Dubbo Dugald Saunders outlining Council's concerns about Wellington's service provisions.
2. That wherever possible, Council advocate for better health services for Wellington as a matter of urgency.

Moved by Councillor S Lawrence and seconded by Councillor D Grant

AMMENDMENT

1. That Council write to the NSW Health Minister Brad Hazzard, Premier Gladys Berejiklian, and Member for Dubbo, Dugald Saunders, outlining Council's concerns about Wellington's service provisions.
2. That wherever possible, Council advocate for better health services for Wellington as a matter of urgency.
3. That Council provide a petition on the issue for members of the community to sign.

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

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 by the NSW Parliament and has a working relationship with the State Member for the Dubbo Electorate, Mr Dugald Saunders.

CCL20/187a WELLINGTON AQUATIC LEISURE CENTRE - REQUEST FROM WELLINGTON SWIM CLUB (ID20/1460)

The Council had before it the Mayoral Minute regarding Wellington Aquatic Leisure Centre - Request from Wellington Swim Club.

Moved by Councillor B Shields

MOTION

That the Council consider the request from the Wellington Swim Club for determination.

Moved by Councillor D Gumley and seconded by Councillor S Lawrence

AMENDMENT

1. That the Council consider the matter as part of the 2021/2022 fees and charges review in May 2021.
2. That Council write to Wellington Swim Club to advise Council's determination of this matter.

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 11.5 of Council's Code of Meeting Practice the following votes were recorded:

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

Councillor D Grant declared a non-pecuniary, less than significant interest in the matter now before the Council and remained in the room during Council's consideration of this matter. The reason for such interest is that Councillor D Grant's daughter is a current member of the Wellington Amateur Swimming Club.

MATTERS CONSIDERED BY COMMITTEES:

CCL20/188 REPORT OF THE DEVELOPMENT AND ENVIRONMENT COMMITTEE - MEETING 9 NOVEMBER 2020 (ID20/1409)

The Council had before it the report of the Development and Environment Committee meeting held 9 November 2020.

Moved by Councillor D Gumley and seconded by Councillor K Parker

MOTION

That the report of the Development and Environment Committee meeting held on 9 November 2020, be noted.

CARRIED

CCL20/189 REPORT OF THE INFRASTRUCTURE AND LIVEABILITY COMMITTEE - MEETING 9 NOVEMBER 2020 (ID20/1410)

The Council had before it the report of the Infrastructure and Liveability Committee meeting held 9 November 2020.

Moved by Councillor D Gumley and seconded by Councillor J Ryan

MOTION

That the report of the Infrastructure and Liveability Committee meeting held on 9 November 2020, be noted.

CARRIED

CCL20/190 REPORT OF THE CULTURE, ECONOMY AND CORPORATE COMMITTEE - MEETING 9 NOVEMBER 2020 (ID20/1411)

The Council had before it the report of the Culture, Economy and Corporate Committee meeting held 9 November 2020.

Moved by Councillor D Gumley and seconded by Councillor V Etheridge

MOTION

That the report of the Culture, Economy and Corporate Committee meeting held on 9 November 2020, be noted.

CARRIED

**CCL20/191 REPORT OF THE DUBBO REGIONAL COUNCIL SOLAR AND WIND FARM
CONSULTATIVE COMMITTEE - MEETING 14 OCTOBER 2020 (ID20/1457)**

The Council had before it the report of the Dubbo Regional Council Solar and Wind Farm Consultative Committee meeting held 14 October 2020.

Moved by Councillor J Diffey and seconded by Councillor J Ryan

MOTION

1. That the report of the Dubbo Regional Council Solar and Wind Farm Consultative Committee meeting held on 14 October 2020, be adopted.
 2. That the successful applications as listed below be adopted:

• Rotary Club of Wellington Inc	\$7,500
• Wellington Touch Football Association	\$3,500
• Wellington Arts Centre Inc.	\$7,500
• Orana Toy Library	\$2,500
• Stuart Town Advancement Association	\$10,000
• Wellington PCYC	\$9,000
• Wellington Progress and Action Group Inc.	\$7,500
• Wellington Town Band	\$2,500
- 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 Lawrence	
Councillor Parker	
Councillor Ryan	
Councillor Shields	
Total (7)	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 Council's consideration of this matter. The reason for such interest is that Councillor D Grant is the Treasurer of the Rotary Club of Wellington.

REPORTS FROM STAFF:

CCL20/192 2019/2020 ANNUAL REPORT (INCLUDING STATUTORY REPORTING REQUIREMENTS) (ID20/1413)

The Council had before it the report dated 2 November 2020 from the Chief Executive Officer regarding 2019/2020 Annual Report (Including Statutory Reporting Requirements).

Moved by Councillor S Lawrence and seconded by Councillor K Parker

MOTION

1. That the 2019/2020 Annual Report, as attached Appendix 1 to the report of the Chief Executive Officer dated 2 November 2020, be adopted.
2. That the 2019/2020 Annual Report be published on Council's website.
3. That the 2019/2020 Annual Report be forwarded to the Office of Local Government.

CARRIED

CCL20/193 SEPTEMBER 2020 QUARTERLY BUDGET REVIEW STATEMENTS (ID20/1452)

The Council had before it the report dated 6 November 2020 from the Chief Executive Officer regarding September 2020 Quarterly Budget Review Statements.

Moved by Councillor J Diffey and seconded by Councillor V Etheridge

MOTION

1. That the Quarterly Budget Review Statements as at 30 September 2020, as attached to the report of the Chief Executive Officer dated 6 November 2020, 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 as at 30 September 2020 after utilising \$4.23M of the COVID-19 reserve, be noted.

CARRIED

CCL20/194 REPORT ON THE ACTIVITIES OF THE INTERNAL OMBUDSMAN (ID20/1454)

The Council had before it the report dated 9 November 2020 from the Chief Executive Officer regarding Report on the Activities of the Internal Ombudsman.

Moved by Councillor D Gumley and seconded by Councillor V Etheridge

MOTION

That the information contained in the report of the Chief Executive Officer dated 9 November 2020 be noted.

CARRIED

CCL20/195 ANNUAL REPORT ON COMPLAINT STATISTICS UNDER COUNCIL'S CODE OF CONDUCT (ID20/1467)

The Council had before it the report dated 12 November 2020 from the Internal Ombudsman regarding Annual report on Complaint Statistics Under Council's Code of Conduct.

Moved by Councillor V Etheridge and seconded by Councillor D Gumley

MOTION

That the information contained within the report of the Internal Ombudsman dated 12 November 2020 be noted.

CARRIED

CCL20/196 ACQUISITION AGREEMENT (ROAD DEDICATION) - 4L AND 5L BOOTHENBA ROAD, DUBBO - DRC AND HOPES BUS SERVICES (ID20/1414)

The Council had before it the report dated 2 November 2020 from the Property Development Officer regarding Acquisition Agreement (Road Dedication) - 4L and 5L Boothernba Road, Dubbo - DRC and Hopes Bus Services.

Moved by Councillor K Parker and seconded by Councillor V Etheridge

MOTION

- 1. That the agreement made with Mick Hope of Hopes Bus Services Pty Ltd for the dedication of land to the public for the purposes of public road (from Lot 126 DP 1187388 and lot 10 DP 576498), as detailed within this report of the Property Development Officer dated 2 November 2011, be adopted.**
- 2. That the Chief Executive Officer be authorised to finalise the dedication of the subject land for the purposes of public road.**
- 3. That all documentation in relation this matter be executed under Power of Attorney.**

CARRIED

**CCL20/197 PROPOSED TRANSFER OF CROWN ROAD AT TROY GULLY TO COUNCIL
(ID20/1453)**

The Council had before it the report dated 6 November 2020 from the Property Specialist regarding Proposed Transfer of Crown Road at Troy Gully to Council.

Moved by Councillor D Grant and seconded by Councillor D Gumley

MOTION

1. That Council make application to NSW Department of Planning, Industry and Environment for transfer of the Crown unformed road.
2. That the subject land be classified as Operational in accordance with the Local Government Act 1993.
3. That all documentation in relation to this matter be executed under Power of Attorney.

CARRIED

CCL20/198 RENEWAL OF FIRGROVE ESTATE STREET SIGNS (ID20/1355)

The Council had before it the report dated 26 October 2020 from the Director Infrastructure regarding Renewal of Firgrove Estate Street Signs.

Moved by Councillor V Etheridge and seconded by Councillor J Diffey

MOTION

1. That Council undertake maintenance works to restore the existing decorative timber street signs at Firgrove Estate, noting that regular maintenance will be required in the future.
2. That Council write to the Firgrove Residents Association to alter the community title Neighbourhood Management Statement to include ongoing future maintenance of the painted timber surface.

CARRIED

CCL20/199 PROPOSED ROAD CLOSURE OF UNFORMED ROAD - SECTION OF GOONOO STREET WONGARBON (ID20/1357)

The Council had before it the report dated 27 October 2020 from the Road Services Engineer regarding Proposed Road Closure of Unformed Road - Section of Goonoo Street Wongarbron.

Moved by Councillor J Diffey and seconded by Councillor V Etheridge

MOTION

1. That Council consent to the closure of this section of road as indicated in Appendix 1.
2. That Council undertake the Roads Act Council Road Closure Process: Closing of Council Public Roads by Councils - Part 4 Division 3 Roads Act 1993.
3. That a 100 mm water main easement be provided for Council maintenance.
4. That upon closure, the road be offered for sale to the adjacent landowner at a price determined from an independent valuation, plus recovery of costs incurred in the disposal of the land.
5. That all documentation in relation to this matter be executed under power of attorney.

CARRIED

CCL20/200 ADOPTION OF DRAFT WATER SUPPLY AND SEWERAGE CUSTOMER SERVICE STANDARDS 2020/2021 AND 2021/2022 - RESULTS OF PUBLIC EXHIBITION (ID20/1356)

The Council had before it the report dated 26 October 2020 from the Water Sewer Client Services Coordinator regarding Adoption of Draft Water Supply and Sewerage Customer Service Standards 2020/2021 and 2021/2022 - Results of Public Exhibition.

Moved by Councillor D Gumley and seconded by Councillor V Etheridge

MOTION

That Council adopt the Draft Customer Service Standards for Water Supply and Sewerage for 2020/2021 and 2021/2022.

CARRIED

CCL20/201 2020/2021 FINANCIAL ASSISTANCE PROGRAM - ROUND ONE (ID20/1456)

The Council had before it the report dated 9 November 2020 from the Director Liveability regarding 2020/2021 Financial Assistance Program - Round One.

Moved by Councillor J Diffey and seconded by Councillor D Grant

MOTION

1. That the report from the Director Liveability dated 9 November 2020, be noted.
2. That funds from the 2020/2021 Financial Assistance Fund round one be allocated as follows:
 - a) Wellington Division of Orange Legacy \$8,000
 - b) Ballimore Progress Association \$3,000
 - c) Cerebral Palsy Alliance Dubbo \$4,000
3. That all applicants be formally advised of funding application outcomes.

CARRIED

CCL20/202 COMMENTS AND MATTERS OF URGENCY (ID20/1412)

There were no matters recorded under this clause.

At this juncture, it was moved by Councillor D Gumley and seconded by Councillor D Grant the Council resolve into a Committee of the Whole Council, the time being 6.19pm.

The meeting resumed at 6.22pm.

CCL20/203 COMMITTEE OF THE WHOLE

The Executive Manager CEO read to the meeting of the Report of the Committee of the Whole meeting held on 23 November 2020.

Moved by Councillor V Etheridge and seconded by Councillor D Gumley

MOTION

That the report of the meeting of the Committee of the Whole held on 23 November 2020, be adopted save and except CW20/27, which will be dealt with separately.

CARRIED

CW20/27 WELLINGTON WASTE FACILITY - RECEIPT OF COMMERCIAL SKIP BIN, HOOKLIFT BIN AND GARBAGE TRUCK WASTE. (ID20/1271)

The Council had before it the report dated 2 October 2020 from the Manager Resource Recovery and Efficiency regarding Wellington Waste Facility - Receipt of Commercial Skip Bin, Hooklift Bin and Garbage Truck Waste..

Moved by Councillor J Diffey and seconded by Councillor J Ryan

MOTION

1. That the Wellington Waste Facility cease to accept commercial skip bin, hooklift bin and commercial garbage truck waste.
2. That correspondence from council be sent out to current commercial, skip bin, hooklift bin and garbage truck operators that the Wellington Facility will cease to accept their commercial waste providing one month notice from the date of the letter.
3. That a further report analysing the future operations of the Wellington Waste Facility be considered by Council.

CARRIED

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 Council's consideration of this matter. The reason for such interest is that Councillor D Grant has business dealings with the skip bin operator through Elders Insurance.

The meeting closed at 6.23pm

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CHAIRMAN