



REPORT ORDINARY COUNCIL MEETING 23 MARCH 2020

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

ALSO IN ATTENDANCE:

The Chief Executive Officer, the Executive Manager Governance and Internal Control, the Governance Team Leader, the Administration Officer Governance, the Communications Partner, the Director Organisational Performance (M Green), the Chief Financial Officer, the Director Culture and Economy, the Director Infrastructure, the Director Development and Environment, the Manager Growth Planning, the Manager Resource Recovery and Efficiency, and the Director Liveability.

Councillor B Shields assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 5.33pm at the Dubbo Regional Theatre and Convention Centre, Macquarie Auditorium, with a prayer for Divine Guidance to the Council in its deliberations and activities. The acknowledgement of country was also read by Councillor S Lawrence.

CCL20/30 CONFIRMATION OF MINUTES (ID20/101)

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 24 February 2020.

Moved by Councillor S Lawrence and seconded by Councillor J Ryan

MOTION

That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council meeting held on 24 February 2020 comprising pages as attached as appendix 1 be taken as read, confirmed as correct minutes and signed by the Mayor and the Chief Executive Officer.

CARRIED

CCL20/30a LEAVE OF ABSENCE (ID20/82)

Requests for leave of absence were received from Councillors D Gumley and K Parker who were absent from the meeting due to the personal reasons.

Moved by Councillor A Jones and seconded by Councillor G Mohr

MOTION

That such requests for leave of absence be accepted and Councillors D Gumley and K Parker be granted leave of absence from this meeting.

CARRIED

CCL20/31 PUBLIC FORUM (ID20/102)

- Mr Michael Butcherine – regarding CCL20/42 Planning Proposal – R16-3 – Amendment to Dubbo LEP 2011 at 4L Camp Road Dubbo results of public exhibition
- Mr N Frank – regarding CCL20/38 Aboriginal Electoral Engagement Strategy
- Mr A White – regarding CCL20/32 Water Restrictions

MAYORAL MINUTES:

CCL20/32 WATER RESTRICTIONS (ID20/103)

The Council had before it the Mayoral Minute regarding Water Restrictions.

Moved by Councillor B Shields

MOTION

- 1. That Council reduce the water restrictions to Level 3.**
- 2. That this position be reviewed in July 2020.**

CARRIED

CCL20/32a COVID-19 UPDATE

The Council had before it the Mayoral Minute regarding an update to COVID-19.

Moved by Councillor B Shields

MOTION

- 1. That Council resolve to close down the following facilities in an effort to reduce risk to the community at 5pm Wednesday 25 March 2020:**
 - Dubbo and Wellington Aquatic Leisure Centres
 - Wellington Caves
 - Western Plains Cultural Centre
 - Old Dubbo Goal
 - Macquarie Regional Library and all associated branches

2. That Council offer subsidised landing fees at Dubbo Regional Airport until 30 June 2020.
3. That the Mayor, in consultation with the CEO, be authorised to close or make further restrictions to Council services between Council meetings.
4. That the Chief Executive Officer be authorised to investigate a direct service provision for library books and resources and local café and restaurant support of home delivery services.

CARRIED

INFORMATION ONLY MATTERS:

**CCL20/33 OBJECTION TO CHANGE IN ZONING OF CAMP ROAD DUBBO - PETITION
(ID20/104)**

The Council had before it the report dated 11 March 2020 from the Manager Governance Operations regarding Objection to Change in Zoning of Camp Road Dubbo - Petition.

Moved by Councillor V Etheridge and seconded by Councillor S Lawrence

MOTION

That the petition regarding the objection to the change in Zoning of Camp Road Dubbo be noted.

CARRIED

Councillor J Ryan 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 J Ryan owns land on Camp Road.

MATTERS CONSIDERED BY COMMITTEES:

**CCL20/34 REPORT OF THE DEVELOPMENT AND ENVIRONMENT COMMITTEE - MEETING
9 MARCH 2020 (ID20/105)**

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

Moved by Councillor G Mohr and seconded by Councillor J Ryan

MOTION

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

CARRIED

**CCL20/35 REPORT OF THE INFRASTRUCTURE AND LIVEABILITY COMMITTEE - MEETING 9
MARCH 2020 (ID20/106)**

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

Moved by Councillor G Mohr and seconded by Councillor J Diffey

MOTION

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

CARRIED

**CCL20/36 REPORT OF THE CULTURE, ECONOMY AND CORPORATE COMMITTEE -
MEETING 9 MARCH 2020 (ID20/107)**

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

Moved by Councillor A Jones and seconded by Councillor G Mohr

MOTION

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

CARRIED

NOTICES OF MOTION:

CCL20/37 DUBBO REGIONAL COUNCIL'S GROSS POLLUTANT TRAPS (ID20/108)

Council had before it a Notice of Motion dated 11 March 2020 from Councillor J Ryan regarding the Dubbo Regional Council's Gross Pollutant Traps as follows:

"That the Chief Executive Officer be requested to report back to council on possible ways to engage local not for profit community organisations to service Dubbo Regional Council's Gross Pollutant Traps."

Moved by Councillor J Ryan and seconded by Councillor V Etheridge

MOTION

That the Chief Executive Officer be requested to report back to council on possible ways to engage local not for profit community organisations to service Dubbo Regional Council's Gross Pollutant Traps.

CARRIED

CCL20/38 ABORIGINAL ELECTORAL ENGAGEMENT STRATEGY (ID20/109)

Council had before it a Notice of Motion dated 11 March 2020 from Councillor S Lawrence regarding the Aboriginal Electoral Engagement Strategy as follows:

- “1. That Council note its respect for the region’s Aboriginal people and its rejection of racism in all its forms.*
- 2. That Council reiterates its commitment to social inclusion and social justice.*
- 3. That due to the comparatively low rate of Aboriginal people enrolled to vote and the current lack of Aboriginal councillors, the Chief Executive Officer prepare in consultation with the Aboriginal community and the Dubbo Aboriginal Community Working Party an ‘electoral engagement strategy’ to be presented at the April 2020 Council meeting, focusing on candidacy in the 2020 NSW Local Government elections and ensuring Aboriginal voter enrolment in the region is equal with the broader community.*
- 4. That the Chief Executive Officer report back at the April meeting on steps previously taken towards Dubbo Regional Council (and the previous Dubbo and Wellington Councils) developing an Aboriginal Employment Policy, a Reconciliation Action Plan and an Aboriginal Procurement Policy.”*

Moved by Councillor S Lawrence and seconded by Councillor J Ryan

MOTION

- 1. That Council note its respect for the region’s Aboriginal people and its rejection of racism in all its forms.**
- 2. That Council reiterates its commitment to social inclusion and social justice.**
- 3. That due to the comparatively low rate of Aboriginal people enrolled to vote and the current lack of Aboriginal councillors, the Chief Executive Officer prepare in consultation with the Aboriginal community and the Dubbo Aboriginal Community Working Party an ‘electoral engagement strategy’ to be presented at the April 2020 Council meeting, focusing on candidacy in the 2020 NSW Local Government elections and ensuring Aboriginal voter enrolment in the region is equal with the broader community.**
- 4. That the Chief Executive Officer report back at the April meeting on steps previously taken towards Dubbo Regional Council (and the previous Dubbo and Wellington Councils) developing an Aboriginal Employment Policy, a Reconciliation Action Plan and an Aboriginal Procurement Policy.**

CARRIED

REPORTS FROM STAFF:

CCL20/39 REQUEST FOR LEAVE OF ABSENCE - COUNCILLOR K PARKER (ID20/110)

The Council had before it the report dated 9 March 2020 from the Chief Executive Officer regarding Request for Leave of Absence - Councillor K Parker.

Moved by Councillor A Jones and seconded by Councillor S Lawrence

MOTION

That Councillor K Parkers' application for Leave of Absence from Monday 9 March 2020 to Thursday 9 April 2020 where Councillor Parker will be absent due to personal reasons be granted.

CARRIED

CCL20/40 INVESTMENT POLICY AND STRATEGY REVIEW - 2020 (ID20/111)

The Council had before it the report dated 9 March 2020 from the Chief Financial Officer regarding Investment Policy and Strategy Review - 2020.

Moved by Councillor G Mohr and seconded by Councillor J Ryan

MOTION

- 1. That the draft Investment Policy March 2020 and the draft Investment Strategy March 2020 attached to this report of the Chief Financial Officer dated 9 March 2020 as Appendix 1 and Appendix 2 be adopted.**
- 2. That Council's Investment Policy and Investment Strategy be again reviewed and submitted to Council for determination in March 2021.**

CARRIED

CCL20/41 REVIEW OF RATES STRUCTURE FOR 2020/2021 (ID20/112)

The Council had before it the report dated 6 March 2020 from the Revenue Accountant regarding Review of Rates Structure for 2020/2021.

Moved by Councillor A Jones and seconded by Councillor V Etheridge

MOTION

- 1. That the Rates Structure to be included in the Revenue Policy as part of the 2020/2021 Operational Plan be based on the existing 2019/2020 rate structure.**
- 2. That the 2020/2021 rate structure incorporate a General Income Variation (the rate pegging limit) of 2.6% being the maximum permitted for the 2020/2021 rating year as determined by the Minister for Local Government.**

CARRIED

**CCL20/42 PLANNING PROPOSAL - R16-3 - AMENDMENT TO DUBBO LEP 2011 AT LOT 8
DP 1063425, 4L CAMP ROAD, DUBBO - RESULTS OF PUBLIC EXHIBITION
(ID20/113)**

The Council had before it the report dated 11 March 2020 from the Manager Growth Planning regarding Planning Proposal - R16-3 - Amendment to Dubbo LEP 2011 at Lot 8 DP 1063425, 4L Camp Road, Dubbo - Results of Public Exhibition.

Moved by Councillor G Mohr and seconded by Councillor D Grant

MOTION

1. That the Planning Proposal be modified to include the following additional light mitigation controls:
 - (a) No more than 940 lumens to be emitted from each light fitting (equivalent to 75 watts maximum for an incandescent light bulb or 10 watts for an LED light bulb); and
 - (b) Outdoor lights are to be shielded and directed downwards to prevent any upward or horizontal light.
2. That given the minor nature of the amendment to the Planning Proposal, that a further round of public consultation not be required as the proposed amendment is of a minor nature.
3. That the Modified Planning Proposal provided as Appendix 1, be adopted.
4. That Council request the Department of Planning, Industry and Environment to prepare the draft amendment to the Dubbo Local Environmental Plan 2011 and provide Council with an Opinion that the Plan can be made.
5. That those who made a submission be advised of Council's determination in this matter.
6. That Council request Parliamentary Counsel to prepare the draft Amendment to the Dubbo Local Environmental Plan 2011 under Section 3.36(1) of the Environmental Planning and Assessment Act, 1979.

CARRIED

Councillor J Ryan 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 J Ryan owns land on Camp Road.

CCL20/43 DRAFT LOCAL STRATEGIC PLANNING STATEMENT (ID20/114)

The Council had before it the report dated 9 March 2020 from the Manager Growth Planning regarding Draft Local Strategic Planning Statement.

Moved by Councillor J Ryan and seconded by Councillor V Etheridge

MOTION

1. That the report from the Manager Growth Planning dated 9 March 2020 be noted.
2. That the draft Local Strategic Planning Statement and Rural Issues Paper be placed on public display for a period of not less than 28 days.
3. That following conclusion of the public exhibition process, a further report detailing the results of public exhibition be prepared for the consideration of Council.
4. That the public exhibition period be conducted in alignment with the community engagement strategy contained within this report.

CARRIED

CCL20/44 TEMPORARY WORKERS ACCOMMODATION - WELLINGTON (ID20/115)

The Council had before it the report dated 9 March 2020 from the Manager Growth Planning regarding Temporary Workers Accommodation - Wellington.

Moved by Councillor D Grant and seconded by Councillor V Etheridge

MOTION

That Council notes the report provided by the Manager of Growth Planning.

CARRIED

CCL20/45 CITIES POWER PARTNERSHIP PROGRAM (ID20/116)

The Council had before it the report dated 4 March 2020 from the Organisational Sustainability Coordinator regarding Cities Power Partnership Program.

Moved by Councillor S Lawrence and seconded by Councillor V Etheridge

MOTION

1. That the report by the Organisational Sustainability Coordinator, dated 4 March 2020 be noted.
2. That Council determine whether it would like to become a member of the Cities Power Partnership Program.
3. That Council agree to the five key actions nominated within this report, should membership be supported, to form its Cities Power Partnership Program Pledge.

Moved by Councillor S Lawrence and seconded by Councillor V Etheridge

AMENDMENT

1. That the report by the Organisational Sustainability Coordinator, dated 4 March 2020 be noted.
2. That Council applies to become a Member of the Cities Power Partnership Program.
3. That Council agree to the five key actions nominated within this report, should membership be supported, to form its Cities Power Partnership Program Pledge.

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 Mohr |
| Councillor Etheridge | |
| Councillor Grant | |
| Councillor Jones | |
| Councillor Lawrence | |
| Councillor Ryan | |
| Councillor Shields | |
| Total (7) | Total (1) |

CCL20/46 PROPOSED CHANGES TO WASTE MANAGEMENT SERVICE CHARGE 2020/2021 FEES AND CHARGES AND STATEMENT OF REVENUE (ID20/117)

The Council had before it the report dated 9 March 2020 from the Resource Recovery Performance Coordinator regarding Proposed changes to Waste Management Service Charge 2020/2021 Fees and Charges and Statement of Revenue.

Moved by Councillor G Mohr and seconded by Councillor J Diffey

MOTION

- 1. That the Waste Management Service Charge be removed from both the Fees and Charges and Statement of Revenue Policy for 2020/2021 and future years.**
- 2. That the Waste Management Service Charge be replaced with individual charges per each type of waste stream bin.**

CARRIED

CCL20/47 NEIGHBOURHOOD SHOPPING PRECINCT CCTV GRANT FUNDING TO INCLUDE WELLINGTON (ID20/118)

The Council had before it the report dated 11 March 2020 from the Social Justice Coordinator regarding Neighbourhood Shopping Precinct CCTV Grant Funding to include Wellington.

Moved by Councillor V Etheridge and seconded by Councillor A Jones

MOTION

1. That the report of the Social Justice Coordinator dated 29 January 2020, be noted.
2. That Council expand the Neighbourhood Shopping Precinct CCTV Grant Funding program to include businesses outside of the area covered by the Council CCTV system in the recognised shopping precinct in Wellington (the Mitchell Hwy from Goolma Road to the Roundabout on the Corner of Maughan and Arthur Streets with the inclusion of Swift Street).

CARRIED

CCL20/48 DUBBO REGIONAL SPORTS COUNCIL - PLAYING FIELD IMPROVEMENT FUND - DUBBO ATHLETICS CLUB (ID20/119)

The Council had before it the report dated 6 March 2020 from the Recreation Coordinator regarding Dubbo Regional Sports Council - Playing Field Improvement Fund - Dubbo Athletics Club.

Moved by Councillor D Grant and seconded by Councillor J Diffey

MOTION

1. That the report from Recreation Coordinator dated 6 March 2020 be noted.
2. That Dubbo Athletics Club, Dubbo Regional Sports Council Playing Field Improvement Fund application for \$10,465 be approved and the club be formally notified of the outcome of their application.

CARRIED

CCL20/49 2020 CLASSIC OUTBACK TRIAL – PROPOSED TEMPORARY ROAD CLOSURES (ID20/120)

The Council had before it the report dated 16 March 2020 from the Senior Traffic Engineer regarding 2020 Classic Outback Trial - Proposed Temporary Road Closures.

Moved by Councillor G Mohr and seconded by Councillor V Etheridge

MOTION

That approval be granted to the Classic Outback Trial for the temporary closure of Shepherds Creek Road on Tuesday 11 August 2020 (approx. 12.00 pm to 3.00 pm) and Kerrs Creek Road on Thursday 13 August 2020 (approx. 8.30 am to 12.00 pm) in accordance with the Event and Safety Management Plan and those conditions as imposed from Police Major

Events, Sport and Recreation and Forestry Corporation of NSW and the following conditions of Council:

- a. The event organiser is to undertake consultation with all residents within Shepherds Creek and Kerrs Creek roads with documentation provided to Council on the feedback and concurrence to the road closures.
- b. The submission of an Event, Traffic and Risk Management Plan and Traffic Control Plan to Council and NSW Police prior to the event date. All traffic control measures contained in the Plan are to be in accordance with the Australian Standard (AS 1742.3) and the RMS 'Guide to Traffic Control at Worksites' and approved by an accredited person.
- c. Traffic controllers and trained course marshals are to be provided at all road closure points and other locations as identified in the Event, Traffic and Risk Management Plan with restricted access only to emergency and authorised vehicles. All traffic controllers are to be specially authorised for the event with current Roads and Maritime Services certification.
- d. The event organiser is to undertake consultation with all residents within the closed roads and provide documentation to Council of their concurrence or otherwise including ongoing notification prior to the event.
- e. The event organiser is to install a public notice a minimum of two weeks prior to the event, to all the closed roads and subsequent roads that provide access to the competitive road closures, advising of the temporary road closure.
- f. 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 are specifically noted to be indemnified against any action resulting from the event.
- g. The event organiser is to notify all emergency services of the event, including the nearest public hospital.
- h. The event organiser is to undertake a condition assessment of the roads prior to the event and will be responsible for any damage and subsequent rectification that may occur to the satisfaction of Council.
- i. The event organiser is to forward a letter to Council one month prior to the event advising that conditions of approval have been complied with.

CARRIED

CCL20/50 COMMENTS AND MATTERS OF URGENCY (ID20/121)

There were no matters recorded under this clause.

At this junction it was moved by Councillor G Mohr and seconded by Councillor D Grant that the Council resolves into the Committee of the Whole Council, the time being 6.45pm.

The meeting resumed at 6.48pm.

CCL20/51 COMMITTEE OF THE WHOLE (ID20/123)

The Executive Manager Governance and Internal Control read to the meeting the report of Committee of the Whole held on 23 March 2020.

Moved by Councillor D Grant and seconded by Councillor J Diffey

MOTION

That the report of the Meeting of the Committee of the Whole held on the 23 March 2020 be adopted.

CARRIED

The meeting closed at 6.51pm.

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CHAIRMAN