



# REPORT ORDINARY COUNCIL MEETING 10 DECEMBER 2018

---

**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 Community Support Officer, the Director Corporate Services, the Director Economic Development and Business, the Communications Coordinator, the Marketing, Events and Partnerships Team Leader, the Director Infrastructure and Operations, the Director Planning and Environment, the Senior Strategic Planner, the Director Community and Recreation and the Manager Macquarie Regional Library.

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 S Lawrence.

**CCL18/241 CONFIRMATION OF MINUTES (ID18/1809)**

The Council had before it the report of the Ordinary Council meeting held on 26 November 2018.

Moved by Councillor J Diffey and seconded by Councillor A Jones

**MOTION**

**That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council meeting held on 26 November 2018 comprising pages 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 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**

**CCL18/242 LEAVE OF ABSENCE (ID18/1810)**

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

Moved by Councillor D Grant and seconded by Councillor J Ryan

**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**

**CCL18/243 PUBLIC FORUM (ID18/1811)**

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

- Mrs Barbara Sutherland regarding Street Trees.

**INFORMATION ONLY MATTERS:**

**CCL18/244 QUARTERLY REPORT ON DOCUMENTS EXECUTED UNDER THE POWER OF ATTORNEY (ID18/1718)**

The Council had before it the report dated 1 December 2018 from the Executive Manager Governance and Internal Control regarding Quarterly Report on Documents Executed Under the Power of Attorney.

Moved by Councillor S Lawrence and seconded by Councillor D Grant

**MOTION**

**That the information contained within the report of the Executive Manager Governance and Internal Control dated 1 December 2018 be noted.**

**CARRIED**

**CCL18/245 BUILDING SUMMARY - NOVEMBER 2018 (ID18/1738)**

The Council had before it the report dated 30 November 2018 from the Director Planning and Environment regarding Building Summary - November 2018.

Moved by Councillor J Diffey and seconded by Councillor A Jones

**MOTION**

**That the information contained in this report of the Director Planning and Environment dated 30 November 2018 be noted.**

**CARRIED**

**CCL18/246 INVESTMENTS UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - NOVEMBER 2018 (ID18/1805)**

The Council had before it the report dated 30 November 2018 from the Director Corporate Services regarding Investments Under Section 625 of the Local Government Act - November 2018.

Moved by Councillor J Diffey and seconded by Councillor V Etheridge

**MOTION**

**That the information provided within the report of the Director Corporate Services, dated 3 December 2018 be noted.**

**CARRIED**

**NOTICE OF MOTION:**

**CCL18/247 NOTICE OF MOTION - WELLINGTON MASTERPLAN (ID18/1808)**

Council had before it a Notice of Motion dated 4 December 2018 from Councillor G Mohr regarding the Notice of Motion - Wellington Masterplan as follows:

*That the Chief Executive Officer be requested to develop a Masterplan for Wellington, following appropriate community consultation, incorporating town entrances, main routes through the town, shopfronts and streetscape of the Central Business District.*

Moved by Councillor G Mohr and seconded by Councillor J Ryan

**MOTION**

**That the Chief Executive Officer be requested to develop a Masterplan for Wellington, following appropriate community consultation, incorporating town entrances, main routes through the town, shopfronts and streetscape of the Central Business District.**

**CARRIED**

**REPORTS FROM STAFF:**

**CCL18/248 SECTION 356 DONATION TO THE DUBBO GREYHOUND RACING CLUB (ID18/1806)**

Item CCL18/248 was withdrawn from the agenda.

**CCL18/249 DRAFT KINTYRE HEIGHTS ESTATE DEVELOPMENT CONTROL PLAN (ID18/1725)**

The Council had before it the report dated 27 November 2018 from the Manager Strategic Planning Services regarding Draft Kintyre Heights Estate Development Control Plan.

Moved by Councillor J Diffey and seconded by Councillor V Etheridge

**MOTION**

1. That the draft Kintyre Heights Estate Development Control Plan, as provided here in Appendix 1, be endorsed for the purposes of public exhibition only.
2. That the draft Kintyre Heights Estate Development Control Plan be placed on public exhibition for a period of not less than 28 days in accordance with the requirements of the Environmental Planning and Assessment Act, 1979.
3. That following completion of the public exhibition process, a further report be provided to Council for consideration.

**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:

<b>FOR</b>	<b>AGAINST</b>
Councillor Diffey	
Councillor Etheridge	
Councillor Grant	
Councillor Jones	
Councillor Lawrence	
Councillor Mohr	
Councillor Shields	
<b>Total (7)</b>	<b>Total (0)</b>

*Councillor J Ryan declared a non-pecuniary, less than significant interest in the matter now before the Council and remained in the room during the Council's consideration of this matter. The reason for such interest is that Councillor J Ryan and the proponents of this development investigated a joint venture on land Councillor Ryan owns approximately 13 years ago and that such interest would not impair his decision making on the matter.*

**CCL18/250 PLANNING PROPOSAL (R2018-2) - REZONING SP3 TOURIST TO B6 ENTERPRISE CORRIDOR (ID18/1701)**

The Council had before it the report dated 26 November 2018 from the Manager Strategic Planning Services regarding Planning Proposal (R2018-2) - Rezoning SP3 Tourist to B6 Enterprise Corridor.

Moved by Councillor G Mohr and seconded by Councillor V Etheridge

**MOTION**

1. That the Planning Proposal to amend the Dubbo Local Environmental Plan 2011 to rezone Lot 442 DP 708021, 74 Windsor Parade, Dubbo from SP3 Tourist to B6 Enterprise Corridor, be endorsed.
2. That Council request Parliamentary Counsel to prepare the draft amendment to the Dubbo Local Environmental Plan 2011 under Section 3.36 (2) of the Environmental Planning and Assessment Act, 1979.
3. That following receipt of an Opinion from Parliamentary Counsel that the Plan be made, that the Chief Executive Officer request gazettal of the Plan.

**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:

<b>FOR</b>	<b>AGAINST</b>
Councillor Diffey	
Councillor Etheridge	
Councillor Grant	
Councillor Jones	
Councillor Lawrence	
Councillor Mohr	
Councillor Ryan	
Councillor Shields	
<b>Total (8)</b>	<b>Total (0)</b>

**CCL18/251 DRAFT DUBBO AQUATIC CENTRE MASTER PLAN - RESULTS OF COMMUNITY AND STAKEHOLDER CONSULTATION (ID18/1675)**

The Council had before it the report dated 6 November 2018 from the Manager Recreation and Open Space regarding Draft Dubbo Aquatic Centre Master Plan - Results of Community and Stakeholder Consultation.

Moved by Councillor J Diffey and seconded by Councillor G Mohr

**MOTION**

1. That the Community Consultation, Dubbo Aquatic and Leisure Centre report prepared by Western Research Institute, dated October 2018 be noted.
2. That the Mayor, Chief Executive Officer, interested Councillors and staff undertake inspections of Regional and intercity Aquatic Centres to ensure that Masterplan options are the best available for the community.
3. That following the inspections a Councillor workshop be held to present the findings of alternative facilities and creative options for Aquatic Centres.
4. That the draft Masterplan incorporate the input from the community consultation already undertaken and those inspections undertaken by Council with a further report to Council.

**CARRIED**

**CCL18/252 DUBBO OPEN SPACE MASTER PLAN 2018 (ID18/1722)**

The Council had before it the report dated 22 November 2018 from the Manager Recreation and Open Space regarding Dubbo Open Space Master Plan 2018.

Moved by Councillor G Mohr and seconded by Councillor D Grant

**MOTION**

1. That the report of the Manager Recreation and Open Space, dated 30 October 2018, be noted.
2. That the Dubbo Open Space Master Plan 2018 be placed on public exhibition for a minimum of 28 days commencing late January 2019 and the community invited to make submissions on its content.
3. That following the end of the public exhibition period a further report to Council be submitted identifying any amendments to the draft document resulting from community feedback.

**CARRIED**

**CCL18/253 WELLINGTON MEMORIAL POOL REDEVELOPMENT - REMOVAL OF CLARET ASH (ID18/1721)**

The Council had before it the report dated 21 November 2018 from the Manager Recreation and Open Space regarding Wellington Memorial Pool Redevelopment - Removal of Claret Ash.

Moved by Councillor G Mohr and seconded by Councillor J Diffey

**MOTION**

1. That the report from the Manager Recreation and Open Space dated 21 November 2018 be noted.
2. That based on the information provided by 2 separate independent arborists assessments of the Claret Ash located directly behind the heritage pavilion be removed, without seeking an amendment to the Development Application approval.
3. That, if approval is granted for the removal of the tree, it be replaced with an appropriate species at an advanced stage of development, and that appropriate root vault and barriers be installed to provide favourable growing conditions and to prevent future damage to buildings, pools and associated infrastructure.
4. That the Wellington community be notified of the removal of the Claret Ash and justification of the removal.

Moved by Councillor D Grant and seconded by Councillor J Ryan

**AMENDMENT**

**That the matter be deferred with a further report outlining the specific detail on the process required and how this will impact the timeframe for this project to be presented, to the Ordinary Meeting of Council in February 2019 for consideration.**

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**

**CCL18/254 FUNDING FOR PUBLIC LIBRARIES (ID18/1702)**

The Council had before it the report dated 16 November 2018 from the Manager Macquarie Regional Library regarding Funding for Public Libraries.

Moved by Councillor S Lawrence and seconded by Councillor J Ryan

**MOTION**

1. That the report of the Manager Macquarie Regional Library dated 16 November 2018, be noted.
2. That Council endorse the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative, *Renew Our Libraries*.
3. That announcement by the NSW Government on 24 August 2018 of their intention to provide a \$60m funding package for NSW public libraries for the quadrennial period 2019/2020 to 2022/2023 be noted.
4. That Council support the ongoing *Renew Our Libraries* initiative to secure the pledged funding, clarify the funding components and liaise with the government regarding the funding model.
5. That Council support *Renew Our Libraries* to work with the Government to develop a sustainable future funding model with a view guaranteeing an appropriate level of ongoing and indexed state funding.
6. That Council endorse the distribution of the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative information in Council libraries, as well as involvement in any actions arising from the initiative.
7. That Council formally advise the NSW Public Libraries Association and Local Government NSW that Council has endorsed the library funding advocacy initiative.

CARRIED

**CCL18/255 FUTURE USE OF THE OLD WELLINGTON POLICE STATION AND GAOL (ID18/1737)**

The Council had before it the report dated 28 November 2018 from the Manager Western Plains Cultural Centre regarding Future Use of the Old Wellington Police Station and Gaol.

Moved by Councillor G Mohr and seconded by Councillor D Grant

**MOTION**

1. That Council formally confirms its request to the Office of Local Government for an extension to the grant funding completion deadline from 31 December 2018 to 31 December 2019.
2. That an Expression of Interest be called from interested parties to submit detailed proposals on their use of the site, with such proposals to include expected community outcomes and the professional and economic capacity of the group to carry out the programme and to maintain the site.



3. That the successful applicant be granted a three year lease on the site.
4. That staff present a report to Council at its December 2019 Ordinary meeting that provides:
  - a) Outcomes to date of the lessee's programmes at the site.
  - b) A feasibility report on the appropriateness for the site to house a Justice Museum.

CARRIED

*Councillor J Diffey declared a non-pecuniary, less than significant interest in the matter now before the Council and remained in the room during the Council's consideration of this matter. The reason for such interest is that Councillor J Diffey participated in a brief consultation with mountain biking in the Wellington region and that such interest would not impair her decision making on the matter.*

#### **CCL18/256 BODANGORA COMMUNITY BENEFIT FUND ROUND 3 (ID18/1698)**

The Council had before it the report dated 15 November 2018 from the Administration Coordinator regarding Bodangora Community Benefit Fund Round 3.

Moved by Councillor A Jones and seconded by Councillor D Grant

#### **MOTION**

1. That the information contained within the report of the Community and Recreation Business Services Administration Coordinator dated 15 November 2018 be noted.
2. That the following projects be allocated funding from the Bodangora Wind Farm Community Benefit Fund:

• St Mary's Catholic School, Wellington	\$1,500
• Bodangora Reserve Trust	\$1,000
• Wellington Connect Incorporated t/as Wellington Men's Shed	\$2,500
• Wellington Girl Guides	\$5,000
• Wellington Cowboys Junior Rugby League	\$2,500
• Provision of Aged Persons Accommodation	\$2,500
• Wellington District Cricket Association	\$2,500
• Wellington Golf Club	\$2,170
• Wellington PCYC	\$2,830
• Parkrun Incorporated trading as parkrun Australia	\$2,500
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 4 of the Bodangora Community Benefit Fund call for submissions in May 2019 with the available pool being \$25,000 and the upper limit of grant applications being \$5,000.
5. That community members of the Bodangora Wind Farm Community Consultative Committee be invited to participate in the presentation to successful community groups.

CARRIED

**CCL18/257 GEURIE SWIMMING POOL - PROGRESS REPORT 2018/2019 ADMISSION (ID18/1708)**

The Council had before it the report dated 21 November 2018 from the Recreation Coordinator regarding Geurie Swimming Pool - Progress Report 2018/2019 Admission.

Moved by Councillor D Grant and seconded by Councillor A Jones

**MOTION**

1. That Council continue with the Wellington Memorial Swimming Pool Closure 2018/2019 Season Proposal as adopted by Council in September 2018.
2. That Recreation and Open Space staff continue to monitor and assess the usage of the Geurie Swimming Pool for the remainder of the season and changes made if required.
3. That the Recreation Coordinator continue to communicate with the Wellington community with regard to the Geurie Swimming Pool opening hours.

**CARRIED**

**CCL18/258 EVENT ATTRACTION, SUPPORT AND DELIVERY PROGRAM (INCORPORATING EVENT INCENTIVE PROGRAM) (ID18/1734)**

The Council had before it the report dated 27 November 2018 from the Director Economic Development and Business regarding Event Attraction, Support and Delivery Program (incorporating Event Incentive Program).

Moved by Councillor J Diffey and seconded by Councillor G Mohr

**MOTION**

1. That the Event Attraction, Support and Delivery Program as summarised in Appendix 1 of the report by the Director Economic Development and Business dated 27 November 2018, be noted.
2. That the Event Incentive Program Application Form and Guidelines be adopted.
3. That the Chief Executive Officer provide recommendations for funding requests over \$20,000 for consideration by Council.

**CARRIED**

**CCL18/259 2018 NSW ABORIGINAL RUGBY LEAGUE KNOCKOUT (ID18/1707)**

The Council had before it the report dated 20 November 2018 from the Director Economic Development and Business regarding 2018 NSW Aboriginal Rugby League Knockout.

Moved by Councillor J Diffey and seconded by Councillor S Lawrence

**MOTION**

1. That the information in the report of the Director Economic Development and Business dated 20 November 2018, be noted.
2. That subject to the adoption of the Event Support, Attraction and Delivery Program, Council seek opportunities for hosting the NSW Aboriginal Rugby League Knockout in the future.
3. That subject to the adoption of the Event Support, Attraction and Delivery Program Council consider any financial support for the event in line with the 'Major Event Incentive' process.

**CARRIED**

**CCL18/260 DEDICATION AS PUBLIC ROAD - KING STREET MONTEFIORES, WELLINGTON (ID18/1728)**

The Council had before it the report dated 25 November 2018 from the Property Development Officer regarding Dedication as Public Road - King Street Montefiores, Wellington.

Moved by Councillor V Etheridge and seconded by Councillor J Ryan

**MOTION**

1. That pursuant to the Roads Act 1993, Clause 16, Council resolve to dedicate the subject area of land, being the north south alignment of King Street Montefiore's, as 'public road'.
2. That all documentation in relation to this matter be executed under Power of Attorney.

**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 the Council's consideration of this matter. The reason for such interest is that Councillor D Grant currently lives in the Montefiores Estate where this road is located.*

*Councillor A Jones 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 A Jones owns 2 blocks of land in the Montefiores Estate where this road is located.*

---

**CCL18/261 2019 WELLINGTON VINTAGE FAIR STREET PARADE (ID18/1804)**

The Council had before it the report dated 30 November 2018 from the Design and Traffic Engineer regarding 2019 Wellington Vintage Fair Street Parade.

Moved by Councillor D Grant and seconded by Councillor V Etheridge

**MOTION**

**That Council approval be granted to the Rotary Club of Wellington Vintage Fair Committee to undertake the 2019 Wellington Vintage Fair Street Parade on Saturday 2 March 2019, and implement temporary road closures of the Mitchell Highway, between Maxwell and Gisbourne streets from 9.00 am to approximately 11.00 am, subject to Roads and Maritime Services approval, and conditions of Dubbo Regional Council and NSW Police as considered necessary:**

- 1. The Parade will be marshalled on the western side of Percy Street between Maxwell and Maughan streets with a road closure commencing at 9.00 am. The Parade will commence at 10.00 am and enter Nanima Crescent, then north through the Wellington CBD adjacent to Cameron Park, to the Warne Street roundabout and return to Percy Street. The event is to be undertaken under police escort, in accordance with the requirements of NSW Police Service and approval documentation forwarded to Council for notation. Event setup time to commence at 9.00 am with pack-down finish time at 11.30 am.**
- 2. The submission of Traffic Management Plan and Traffic Control Plan to Council and NSW Police Service 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's 'Guide to Traffic Control at Worksites and approved by an accredited person. Council's Traffic Control Plan TM 7241 will be implemented.**
- 3. The organiser is to provide Council's relevant appointed officer with a copy of the Public Liability Insurance Policy for the amount of at least \$20 million. Such policy is to note that Council, RMS and the NSW Police Service is indemnified against any possible action as a result of the Parade.**
- 4. Dubbo Regional Council staff, Marshalls and SES personnel are to be provided at the nominated road closure points, and shall be specifically authorised for the event. Traffic controllers as required will have current RMS certification.**
- 5. The applicant is responsible for all traffic control required for the event in accordance with the approved Traffic Control Plan.**
- 6. The applicant is to provide Council with a formal letter of acceptance of the conditions prior to final approval.**
- 7. The applicant is to ensure that the roadway is clear of any residue that might be deposited by the participants along the Parade route.**
- 8. The applicant is to gain approval from the RMS for the closure and detour of the Mitchell Highway and a Road Occupancy Licence with evidence provided to Council of such conditions as warranted, including the concurrence of the Roads and Maritime Services for the traffic management within Showground road.**
- 9. All costs associated with implementing the event are to be met by the event organiser.**

**CARRIED**

**CCL18/262 COMMENTS AND MATTERS OF URGENCY (ID18/1812)**

There were no matters recorded under this clause.

At this juncture it was moved by Councillor A Jones and seconded by Councillor V Etheridge that the Council resolves into the Committee of the Whole Council, the time being 6.19pm.

The meeting resumed at 6.21pm.

**CCL18/263 COMMITTEE OF THE WHOLE (ID18/1813)**

The Executive Manager Governance and Internal Control read to the meeting of the Report of Committee of the Whole held on 10 December 2018.

Moved by Councillor J Diffey and seconded by Councillor V Etheridge

**MOTION**

**That the report of the meeting of the Committee of the Whole held on 10 December 2018 be adopted.**

**CARRIED**

The meeting closed at 6.22pm.

.....  
CHAIRMAN