



REPORT ORDINARY COUNCIL MEETING 27 JANUARY 2022

PRESENT: Councillors J Black, L Burns, S Chowdhury, M Dickerson, V Etheridge, J Gough, R Ivey, P Wells, D Mahon and M Wright.

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, the Chief Financial Officer, the Director Culture and Economy (J Angus), the Manager Dubbo Regional Theatre and Convention Centre, the Director Infrastructure (C Godfrey), the Statutory Planning Services Team Leader, the Director Development and Environment and the Director Liveability.

Councillor M Dickerson assumed the Chair of the meeting.

The proceedings of the meeting commenced at 5.30 pm at the Dubbo Civic Administration Building, Council Chamber, with a prayer for Divine Guidance to the Council in its deliberations and activities read by Councillor V Etheridge. The Welcome to Country was delivered by Councillor L Burns.

CCL22/1 LEAVE OF ABSENCE (ID22/29)

No requests for leave of absence were received.

CCL22/2 CONFLICTS OF INTEREST (ID22/30)

The following declarations of interest were made:

- Councillor M Wright declared a non-pecuniary, less than significant interest in item CCL22/7. The reason for such interest is that Councillor M Wright is a resident of Regand Park, however does not adjoin or overlook the land being discussed; such conflict will in no way influence his decision making.
- Councillor J Black declared a pecuniary interest in item CCL22/18. The reason for such interest is that Councillor J Black owns a house at 17 Macleay Street, which is close to the subject property.

CCL22/3 PUBLIC FORUM (ID22/31)

The Council reports having heard from the following persons during Public Forum:

- Mr James Panaretos – CCL22/18 – Development Application – D21-552 – Boarding House – Lot 1 DP596251, 47 Macleay Street Dubbo (via audio-visual link).
- Dr Emma Webster - CCL22/18 – Development Application – D21-552 – Boarding House – Lot 1 DP596251, 47 Macleay Street Dubbo.
- Mr Peter Duggan - CCL22/7 – Regand Park Masterplan 2012 Update and Sustainability Expo
- Ms Margaret McDonald – CCL22/7 – Regand Park Masterplan 2012 Update

CCL22/4 CONFIRMATION OF MINUTES (ID22/32)

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held 15 November 2021 and the Extraordinary Council meeting held 23 December 2021.

Moved by Councillor V Etheridge and seconded by Councillor S Chowdhury

MOTION

That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council meeting held on 15 November 2021 comprising pages 6, 7, 8, 9, 10 and 11 of the series; and the Extraordinary Council meeting held on 23 December 2021 comprising pages 12, 13, 14, 15 and 16 of the series be taken as read, confirmed as correct minutes and signed by the Mayor and the Chief Executive Officer.

CARRIED

INFORMATION ONLY MATTERS:

CCL22/5 INVESTMENT UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - NOVEMBER 2021 (ID22/27)

The Council had before it the report dated 13 January 2022 from the Chief Financial Officer regarding Investment Under Section 625 of the Local Government Act - November 2021.

Moved by Councillor V Etheridge and seconded by Councillor D Mahon

MOTION

That the information contained within the Investment under Section 625 of the Local Government Act report, dated 13 January 2022, be noted.

CARRIED

CCL22/6 INVESTMENT UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - DECEMBER 2021 (ID22/28)

The Council had before it the report dated 13 January 2022 from the Chief Financial Officer regarding Investment Under Section 625 of the Local Government Act - December 2021.

Moved by Councillor J Gough and seconded by Councillor L Burns

MOTION

That the information contained within the Investment under Section 625 of the Local Government Act report, dated 13 January 2022, be noted.

CARRIED

NOTICES OF MOTION:

CCL22/7 REGAND PARK MASTER PLAN 2012 STATUS (ID22/52)

Council had before it a Notice of Motion dated 18 January 2022 from Councillor J Black regarding the Regand Park Master Plan 2012 Status.

Moved by Councillor J Black and seconded by Councillor S Chowdhury

MOTION

- 1. That the Chief Executive Officer provide a staff report outlining the history and current status of formal plans in place for the development of the Regand Park area as public open space and advising on opportunities for the reinstatement of the Regand Park Master Plan, including the proposals for private sporting field development.**
- 2. That that the CEO provide a report updating council on the progress of master planning for Macquarie River corridor.**
- 3. That council notes the importance of public awareness and consultation in relation to proposed uses of public land.**

CARRIED

Councillor M Wright 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 M Wright is a resident of Regand Park, however does not adjoin or overlook the land being discussed and such conflict will in no way influence his decision making.

CCL22/8 ALLIANCES WITH OTHER COUNCILS (ID22/49)

Council had before it a Notice of Motion dated 19 January 2022 from Councillor L Burns regarding the Alliances with Other Councils.

Moved by Councillor L Burns and seconded by Councillor J Gough

MOTION

That the CEO provide a report to Council on the potential collaboration with regional or other council's, including any opportunities to enter formal relationships.

CARRIED

**CCL22/9 DEVELOPMENT OF A MULTICULTURAL PARK AT THE ELIZABETH PARK
(ID22/45)**

Council had before it a Notice of Motion dated 18 January 2022 from Councillor S Chowdhury regarding the Development of a Multicultural Park at the Elizabeth Park.

Moved by Councillor S Chowdhury and seconded by Councillor V Etheridge

MOTION

- 1. That the CEO provide a report to Council identifying the feasibility of incorporating a multicultural park element into the Dubbo Elizabeth Park, or an alternative site, to recognise and celebrate the multicultural diversity of the Dubbo region.**
- 2. That as part of the report the Elizabeth Park Master Plan 2011 be considered for review and updating to reflect the works completed and what is proposed**
- 3. That the mother language monument promotes the preservation and protection of all languages.**

CARRIED

CCL22/10 BEAUTIFICATION OF NEIGHBOURHOOD SHOPPING PRECINCTS (ID22/42)

Council had before it a Notice of Motion dated 18 January 2022 from Councillor V Etheridge regarding the Beautification of Neighbourhood Shopping Precincts.

Moved by Councillor V Etheridge and seconded by Councillor S Chowdhury

MOTION

- 1. That the Chief Executive Officer be requested to provide a report to the February 2022 Ordinary Council meeting regarding the progress of the Beautification of Boundary Road Neighbourhood Shopping Area.**
- 2. That the Chief Executive Officer provide a report to the relevant Council 2022/2023 budget development workshop detailing plans and associated costs, to beautify the neighbourhood shopping strip clusters including, Tamworth Street, Victoria Street and Myall Street.**

CARRIED

CCL22/11 INCREASED POLICING FOR WELLINGTON (ID22/43)

Council had before it a Notice of Motion dated 17 January 2022 from Councillor J Gough regarding the Increased Policing for Wellington.

Moved by Councillor J Gough and seconded by Councillor J Black

MOTION

1. That the CEO provide a report to Council on the potential opportunities to lobby the NSW State Government to increase the policing presence at Wellington to provide improved outcomes for the Wellington community, that may include 24 hour police presence.
2. That the report addresses the current policing arrangements for Wellington and identifying the concerns raised by the Wellington community of the existing arrangements and supported by relevant policing statistical evidence, including response time and criminal activity.
3. That Council lobby the state government for greater allocation of policing resources to the wellington community to address community concerns.

CARRIED

CCL22/12 REVIEW OF COMMITTEE STRUCTURE (ID22/41)

Council had before it a Notice of Motion dated 17 January 2022 from Councillor R Ivey regarding the Review of Committee Structure.

Moved by Councillor R Ivey and seconded by Councillor P Wells

MOTION

1. That the CEO arrange a workshop with Councillors to review the potential establishment of community based consultative committees for the remaining term of this council. Such potential committees to include the establishment of a Wellington and district based consultative body.
2. That once the workshop is held, a report be presented to the next available council meeting proposing the adoption of agreed terms of reference for, and the subsequent implementation of these committees for this term of Council.

CARRIED

CCL22/13 WATER SMART MESSAGING (ID22/50)

Council had before it a Notice of Motion dated 19 January 2022 from Councillor D Mahon regarding the Water Smart Messaging.

Moved by Councillor D Mahon and seconded by Councillor V Etheridge

MOTION

1. That the CEO provide arrange for the Water Restriction signage at the approaches to Dubbo and Wellington be removed.
2. That a communications strategy be developed that addresses the need to effectively promote “water smart” information to the community.

CARRIED

CCL22/14 PLAYGROUND STRATEGY FOR DUBBO (ID22/44)

Council had before it a Notice of Motion dated 18 January 2022 from Councillor P Wells regarding the Playground Strategy for Dubbo.

Moved by Councillor P Wells and seconded by Councillor S Chowdhury

MOTION

1. That the CEO provide a report to Council identifying the current playground strategy for Dubbo Regional Council.
2. That as inclusions in the report the current number, type (e.g. playgrounds and fitness equipment) distribution, age and level (Regional, District or Local) of these facilities be identified as well as any future playgrounds that are proposed.
3. That any funding strategies or initiatives that can be implemented to ensure a more equitable and accessible spread of playgrounds across the local government area be addressed in the body of the report.

CARRIED

CCL22/15 HOUSING (ID22/51)

Council had before it a Notice of Motion dated 17 January 2022 from Councillor M Wright regarding the Housing.

Moved by Councillor M Wright and seconded by Councillor S Chowdhury

MOTION

1. That Council acknowledges the significance of the continued supply of affordable residential housing to our Region and the issues facing the timely supply of housing.
2. That the CEO be requested to provide a report to the April 2022 ordinary meeting of council advising councillors on:
 - a. The actions and activities of the NSW State Government Housing Supply Taskforce.
 - b. The actions Council is currently undertaking to address the supply of housing in Dubbo.

- c. The general state of the housing market in the Dubbo Local Government Area including an overview of activity of particular housing types and particularly shortages of certain housing types.
 - d. The business strategy for the development and release of land at the Keswick Estate.
 - e. Any Council led initiatives that could address any shortages of particular housing types.
3. That staff coordinate a meeting with Councillors and stakeholders such as REINSW and the Builders Group.

CARRIED

REPORTS FROM STAFF:

CCL22/16 SEPTEMBER 2021 QUARTERLY BUDGET REVIEW STATEMENTS (ID22/34)

The Council had before it the report dated 14 January 2022 from the Chief Executive Officer regarding September 2021 Quarterly Budget Review Statements.

Moved by Councillor R Ivey and seconded by Councillor D Mahon

MOTION

1. That the Quarterly Budget Review Statements as at 30 September 2021, as attached to the report of the Chief Executive Officer dated 14 January 2022, 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 having regard to the changes herewith to the original budget, be noted.

CARRIED

CCL22/17 COUNCIL DELEGATES FOR THE LOCAL GOVERNMENT NSW SPECIAL CONFERENCE (ID22/26)

The Council had before it the report dated 12 January 2022 from the Executive Manager Governance and Internal Control regarding Council Delegates for the Local Government NSW Special Conference.

Moved by Councillor M Wright and seconded by Councillor V Etheridge

MOTION

1. That councillors M Dickerson, L Burns, J Gough and V Etheridge act as voting delegates at the upcoming Local Government NSW Special Conference 2022.
2. That all available councillors attend the Local Government NSW Special Conference, with funds to be used from already budgeted members' expenses to pay for

registration, travel and subsistence.

3. That Council's nominated voting delegates put forward the motion resolved by Council on 28 October 2021, as outlined in the report.

CARRIED

CCL22/18 DEVELOPMENT APPLICATION - D21-552 - BOARDING HOUSE - LOT 1 DP596251, 47 MACLEAY STREET DUBBO (ID22/7)

The Council had before it the report dated 7 January 2022 from the Senior Planner regarding Development Application - D21-552 - Boarding House - Lot 1 DP596251, 47 Macleay Street Dubbo.

Moved by Councillor S Chowdhury and seconded by Councillor V Etheridge

MOTION

That Development Application D21-552 Part 1 for a Boarding House at Lot 1 DP 596251, 47 Macleay Street, Dubbo be approved subject to the conditional consent (Appendix 2).

Moved by Councillor P Wells and seconded by Councillor L Burns

AMENDMENT

That the matter be deferred to the February 2022 Ordinary Council meeting.

The amendment 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 Burns	Councillor Dickerson
Councillor Chowdhury	Councillor Etheridge
Councillor Gough	Councillor Ivey
Councillor Wells	
Councillor Mahon	
Councillor Wright	
Total (6)	Total (3)

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 Burns	Councillor Dickerson
Councillor Chowdhury	Councillor Etheridge
Councillor Gough	Councillor Ivey
Councillor Wells	
Councillor Mahon	
Councillor Wright	
Total (6)	Total (3)

Councillor J Black declared a pecuniary 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 Black owns a house at 17 Macleay Street, which is close to the subject property.

CCL22/19 SPECIAL DRTCC TICKET BOOKING FEE (ID21/2255)

The Council had before it the report dated 16 December 2021 from the Manager Dubbo Regional Theatre and Convention Centre regarding Special DRTCC Ticket Booking Fee.

Moved by Councillor M Wright and seconded by Councillor J Black

MOTION

That a special DRTCC ticket booking fee of \$1.00 be adopted and included in the Fees and Charges Policy for the City of Dubbo Eisteddfod session tickets priced at \$10.00 or less.

CARRIED

CCL22/20 COMMENTS AND MATTERS OF URGENCY (ID22/33)

There were no matters recorded under this clause.

In accordance with Section 9(2A) Local Government Act 1993, in the opinion of the Chief Executive Officer, the following business is of a kind as referred to in Section 10A(2) of the Act, and should be dealt with in a Confidential Session of the Council meeting closed to the press and public.

The items listed come within the following provisions of the Act:

- CCL22/21 – Construction of Footpath Boundary Road Stage 2
Section 10A(2)(c) – Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

There were no submissions as to whether the meeting should be closed for a particular item.

At this junction it was moved by Councillor D Mahon and seconded by Councillor M Wright that the Council resolves into Closed Session, the time being 6.59 pm.

The Open Session resumed at 7.06 pm.

The executive manager governance and internal control read out the following resolutions made in the closed session of council.

**CCL22/21 CONSTRUCTION OF FOOTPATH BOUNDARY ROAD STAGE 2 PROJECT
(ID21/2251)**

Moved by Councillor D Mahon and seconded by Councillor M Wright

MOTION

- 1. That in accordance with Clause 178 (1)(b) of the Local Government (General) Regulation 2021, Council decline to accept any tenders received for T21-034 Construction of Footpath Boundary Road Stage 2 Project.**
- 2. That Council not invite fresh tenders for the construction of footpath in in relation to the Boundary Road Stage 2 Project.**
- 3. That the proposed contract be carried out in-house by the Infrastructure Delivery Team.**
- 4. That all documentation in relation to this matter remain confidential to Council**

CARRIED

The meeting closed at 7.08 pm.

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CHAIRPERSON