



REPORT

ORDINARY COUNCIL MEETING

22 MARCH 2021

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

ALSO IN ATTENDANCE:

The Chief Executive Officer, the Executive Manager CEO, the Governance and Internal Control Manager, the Community Support Officer, the Communications Partner, the Director Organisational Performance, the Director Culture and Economy, the Director Infrastructure, the Director Development and Environment, the Manager Growth Planning 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 A Jones.

CCL21/30 LEAVE OF ABSENCE (ID21/370)

There were no requests for leave of absence.

CCL21/31 PUBLIC FORUM (ID21/371)

The Council reports having met with the following persons during Public Forum.

- Margret McDonald – Dubbo Environmental Group – CCL21/43 – Notice of Rescission – Focusing on the Beautification of the Macquarie River Corridor of the Dubbo Central Business District
- Tom Tramby – Development Application D2021-39

CCL21/32 CONFIRMATION OF MINUTES (ID21/338)

Confirmation of the minutes of the proceedings of the Ordinary Council Meeting held on 22 February 2021.

Moved Councillor G Mohr 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 22 February 2021 comprising pages 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17 of the series be taken as read, confirmed as correct minutes and signed by the Mayor and the Chief Executive Officer.

CARRIED

MAYORAL MINUTES:

CCL21/33 EXTENDED SEASON FOR DALC (ID21/436)

The Council had before it the Mayoral Minute regarding Extended Season for DALC.

Moved Councillor B Shields

MOTION

1. That the Mayoral Minute, dated 15 March 2021, be noted.
2. That Council consider the requests from Orana Aquatic Swimming Club and Dubbo City Swimtech, for determination.

Moved Councillor V Etheridge and Seconded Councillor S Lawrence

AMENDMENT

That Council advise the Swim Clubs that it is unable to extend the DALC season because of financial and operations requirements associated with the impact of COVID-19.

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 the Council's consideration of this matter. The reason for such interest is that Councillor J Diffey's children are paying members of Orana Aquatic Swimming Club and swim weekly with them.

Councillor D Gumley declared a non-pecuniary, but 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 Gumley's daughter participates in a swim squad at the Dubbo Aquatic Leisure Centre.

Councillor D Grant declared a non-pecuniary, but 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's daughter is a paying member of the Wellington Swimming Club.

**CCL21/34 EXPRESSIONS OF INTEREST FOR DUBBO CITY REGIONAL AIRPORT
COMMERCIAL ACCOMMODATION PROVISION (ID21/446)**

The Council had before it the Mayoral Minute regarding Expressions of Interest for Dubbo City Regional Airport Commercial Accommodation Provision.

Moved Councillor B Shields

MOTION

- 1. That the Mayoral Minute, dated 15 March 2021, be noted.**
- 2. That Council commence an Expression of Interest process for an accommodation provider for the Dubbo City Regional Airport by June 2021.**
- 3. That Council monitor for grant opportunities that may be suitable to align with private investment and support infrastructure within the commercial precinct.**

CARRIED

Councillor J Ryan declared a non-pecuniary, less than 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's brother and sister-in-law operate a motel in Dubbo.

CCL21/35 DUBBO INCLUSION IN SUBSIDISED AIRLINE FLIGHTS (ID21/453)

The Council had before it the Mayoral Minute regarding Dubbo Inclusion in Subsidised Airline Flights.

Moved Councillor B Shields

MOTION

1. That Council make urgent representations to our local Federal Members of Parliament Mark Coulton, Member for Parkes, and Andrew Gee, Member for Calare, urging that the Dubbo City Regional Airport be included on the list of subsidised routes.
2. That Council also make representation to Michael McCormack, Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development; and Dan Tehan MP, Minister for Trade, Tourism and Investment, urging that Dubbo City Regional Airport be included on the list of subsidised routes.

CARRIED

CCL21/36 LOCAL NEWS SERVICE FOR WESTERN NSW (ID21/457)

The Council had before it the Mayoral Minute regarding Local News Service for Western NSW.

Moved Councillor B Shields

MOTION

1. That the Mayoral Minute, dated 17 March 2021, be noted.
2. That Council write to the owners of WIN Television requesting that the re-establish a comprehensive Local News Service for Western NSW.

CARRIED

INFORMATION ONLY MATTERS:

**CCL21/37 AUDIT AND RISK MANAGEMENT COMMITTEE - MEETING MINUTES 20
NOVEMBER 2020 (ID20/1536)**

The Council had before it the report dated 23 November 2020 from the Administration Officer - Governance and Internal Control regarding Audit and Risk Management Committee - Meeting Minutes 20 November 2020.

Moved Councillor A Jones and seconded by Councillor K Parker

MOTION

That the report of the Audit and Risk Management Committee meeting held on 20 November 2020, be noted.

CARRIED

MATTERS CONSIDERED BY COMMITTEES:

**CCL21/38 REPORT OF THE DEVELOPMENT AND ENVIRONMENT COMMITTEE - MEETING
8 MARCH 2021 (ID21/391)**

The Council had before it the report of the Development and Environment Committee meeting held 8 March 2021.

Moved Councillor G Mohr and seconded by Councillor J Ryan

MOTION

That the report of the Development and Environment Committee meeting held on 8 March 2021, be noted.

CARRIED

CCL21/39 REPORT OF THE INFRASTRUCTURE AND LIVEABILITY COMMITTEE - MEETING 8 MARCH 2021 (ID21/392)

The Council had before it the report of the Infrastructure and Liveability Committee meeting held 8 March 2021.

Moved Councillor G Mohr and seconded by Councillor K Parker

MOTION

That the report of the Infrastructure and Liveability Committee meeting held on 8 March 2021, be noted.

CARRIED

CCL21/40 REPORT OF THE CULTURE, ECONOMY AND CORPORATE COMMITTEE - MEETING 8 MARCH 2021 (ID21/393)

The Council had before it the report of the Culture, Economy and Corporate Committee meeting held 8 March 2021.

Moved Councillor D Gumley and seconded by Councillor J Ryan

MOTION

That the report of the Culture, Economy and Corporate Committee meeting held on 8 March 2021, be noted.

CARRIED

NOTICES OF MOTION:

CCL21/41 HOUSING AVAILABILITY (ID21/394)

Council had before it a Notice of Motion dated 10 March 2021 from Councillor S Lawrence regarding Housing Availability.

Moved Councillor S Lawrence and seconded by Councillor D Grant

MOTION

That the matter be deferred.

CARRIED

CCL21/42 APEX OVAL PARKING (ID21/396)

Council had before it a Notice of Motion dated 11 March 2021 from Councillor D Gumley regarding the Apex Oval Parking.

Moved Councillor D Gumley and seconded by Councillor J Ryan

MOTION

1. That the CEO be requested to prepare conceptual plans for the construction of sealed car parking around Kokoda Place on Council land, Wingewarra Street entrance to Apex Oval.
2. That once the conceptual plans are completed and approved, Council actively seeks grant funding for the construction.

CARRIED

NOTICES OF RESCISSION:

CCL21/43 FOCUSING ON THE BEAUTIFICATION OF THE MACQUARIE RIVER CORRIDOR OF THE DUBBO CENTRAL BUSINESS DISTRICT (ID21/448)

Council had before it a Notice of Motion of Rescission dated 11 March 2021 from Councillor's B Shield, G Mohr and K Parker.

Moved Councillor G Mohr and seconded by Councillor K Parker

MOTION

1. That Council determine this Notice of Motion of Rescission.
2. That the modified Regand Park Master plan of 2013 be withdrawn.

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 Jones
Councillor Etheridge	
Councillor Grant	
Councillor Gumley	
Councillor Lawrence	
Councillor Mohr	
Councillor Parker	
Councillor Ryan	
Councillor Shields	
Total (9)	Total (1)

CCL21/43a MATTER OF URGENCY - REVIEW OF THE REGAND PARK MASTER PLAN

Moved Councillor J Ryan and seconded Councillor S Lawrence

MOTION

That the Director Liveability provide a further report regarding the Review of the Regand Park Master Plan along with the River Corridor Masterplan for Dubbo and incorporate environmental related activities, sporting and leisure related activities.

CARRIED

REPORTS FROM STAFF:

CCL21/44 DRAFT PLANNING AGREEMENT - UUNGULA WIND FARM - RESULTS OF PUBLIC EXHIBITION (ID21/150)

The Council had before it the report dated 15 March 2021 from the Manager Growth Planning regarding Draft Planning Agreement - Uungula Wind Farm - Results of Public Exhibition.

Moved Councillor D Grant and seconded by Councillor J Ryan

MOTION

- 1. That the report of the Manager Growth Planning, dated 15 March 2021, be noted.**
- 2. That Council enter into a Planning Agreement with Uungula Wind Farm Pty Ltd, in accordance with the agreement attached in Appendix 1.**
- 3. That the Chief Executive Officer be authorised to enter into a Planning Agreement and complete any documentation under Power of Attorney.**
- 4. That those who made a submission be acknowledged and advised of Council's determination.**

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 Grant	
Councillor Gumley	
Councillor Jones	
Councillor Lawrence	
Councillor Mohr	
Councillor Parker	
Councillor Ryan	
Councillor Shields	
Total (10)	Total (0)

CCL21/45 POST EXHIBITION - PLANNING PROPOSAL 2R GILGANDRA ROAD AND 63 FITZROY STREET, DUBBO (ID21/232)

The Council had before it the report dated 3 March 2021 from the Growth Planning Projects Leader - Digital Futures regarding Post Exhibition - Planning Proposal 2R Gilgandra Road and 63 Fitzroy Street, Dubbo.

Moved Councillor V Etheridge and seconded by Councillor K Parker

MOTION

- 1. That the Report of the Growth Planning Projects Leader – Digital Futures, dated 3 March 2021, be noted.**
- 2. That Council approve the Planning Proposal for 63 Fitzroy Street and 2R Gilgandra Road, Dubbo, as shown at Appendix 2, to be made as an amendment to Dubbo Local Environmental Plan 2011 under Section 3.36 of the Environmental Planning and Assessment Act 1979.**
- 3. That Council delegates authority to the CEO to make minor amendments to the draft Planning Proposal to correct any minor errors or omissions prior to finalisation.**

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 Grant	
Councillor Gumley	
Councillor Jones	
Councillor Lawrence	
Councillor Mohr	
Councillor Parker	
Councillor Ryan	
Councillor Shields	
Total (10)	Total (0)

CCL21/46 PLANNING PROPOSAL KESWICK RSL (ID21/294)

The Council had before it the report dated 8 March 2021 from the Growth Planning Projects Leader - Digital Futures regarding Planning Proposal Keswick RSL.

Moved Councillor G Mohr and seconded by Councillor D Gumley

MOTION

1. That the report of the Growth Planning Projects Leader – Digital Futures, dated 8 March 2021, be noted.
2. That the Planning Proposal provided here in Appendix 1 and supporting information, be submitted to the NSW Department of Planning, Industry & Environment for a Gateway Determination, to identify registered clubs and outdoor recreation facilities as additional permitted uses on part Lot 500 DP 1260295 Boundary Road, Dubbo.
3. That Council seek authority from the Department of Planning Industry and Environment to exercise its Delegations in relation to the plan making functions under Section 3.36 of the *Environmental Planning & Assessment Act 1979*.
4. That subject to issue of a Gateway Determination, following the completion of the public exhibition period, a further report be provided to Council detailing the results of the public exhibition and for further consideration of the Planning Proposal.

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 Grant	
Councillor Gumley	
Councillor Jones	
Councillor Lawrence	
Councillor Mohr	
Councillor Parker	
Councillor Ryan	
Councillor Shields	
Total (10)	Total (0)

CCL21/47 DUBBO-BALLINA FLIGHT (ID21/283)

The Council had before it the report dated 25 February 2021 from the Manager Dubbo City Regional Airport regarding Dubbo-Ballina Flight.

Moved Councillor G Mohr and seconded by Councillor J Ryan

MOTION

- 1. That the report from the Manager Dubbo City Regional Airport, dated 25 February 2021, be noted.**
- 2. That the Mayor of the Dubbo Region, Councillor Ben Shields, provide a letter of thanks to the Mayor of Ballina Shire Council and Chief Executive Officer FlyPelican.**

CARRIED

CCL21/48 INVESTMENT POLICY AND STRATEGY REVIEW - 2021 (ID21/234)

The Council had before it the report dated 8 March 2021 from the Chief Financial Officer regarding Investment Policy and Strategy Review - 2021.

Moved Councillor J Diffey and seconded by Councillor V Etheridge

MOTION

- 1. That the draft Investment Policy March 2021 and the draft Investment Strategy March 2021 attached to this report of the Chief Financial Officer, dated 8 March 2021 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 2022.**

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 the Council's consideration of this matter. The reason for such interest is that Councillor K Parker is an employee of the Bank of Queensland and Council has investments with the Bank of Queensland, Dubbo.

CCL21/49 COMMENTS AND MATTERS OF URGENCY (ID21/372)

There were no matters recorded under this clause.

At this junction it was moved by Councillor V Etheridge and seconded by Councillor D Grant that the Council resolves into the Committee of the Whole Council, the time being 7.03 pm.

The meeting resumed at 7.05 pm.

CCL21/50 COMMITTEE OF THE WHOLE (ID21/373)

The Executive Manager CEO read to the meeting the Report of the Committee of the Whole meeting held on 22 March 2021.

Moved Councillor V Etheridge and seconded by Councillor D Grant

MOTION

That the report of the meeting of the Committee of the Whole held on 22 March 2021, be adopted.

CARRIED

The meeting closed at 7.07 pm.

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CHAIRMAN