



# REPORT ORDINARY COUNCIL MEETING 23 SEPTEMBER 2019

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

**ALSO IN ATTENDANCE:**

The Chief Executive Officer, the Executive Manager Governance and Internal Control, the Manager Governance Operations, the Community Support Officer, the Communications Partner, the Director Organisational Performance, the Director Culture and Economy, the Director Infrastructure (S. Howlett), the Director Development and Environment, the Director Liveability, the DRTCC Manager, the DRTCC Functions Officer, Premise Contract (M Haege) and Devitt Consult (C Devitt).

Councillor B Shields assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 5.31pm 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 V Etheridge.

**CCL19/165 CONFIRMATION OF MINUTES (ID19/1295)**

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 26 August 2019, Extraordinary Council meeting held on 9 September 2019 and Extraordinary Council meeting held on 12 September 2019.

Moved by Councillor K Parker and seconded by Councillor J Diffey

**MOTION**

**That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council meeting held on 26 August 2019 comprising pages 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 of the series, Extraordinary Council meeting held on 9 September 2019 comprising pages 22, 23 and 24 of the series and Extraordinary Council meeting held on 12 September 2019 comprising pages 25, 26, 27, 28, 29 and 30 of the series be taken as read, confirmed as correct minutes and signed by the Mayor and the Chief Executive Officer.**

**CARRIED**

**CCL19/166 LEAVE OF ABSENCE (ID19/1296)**

A request for leave of absence was received from Councillor J Ryan who was absent from the meeting due to personal reasons.

Moved by Councillor V Etheridge and seconded by Councillor D Gumley

**MOTION**

**That such request for leave of absence be accepted and Councillor J Ryan be granted leave of absence from this meeting.**

**CARRIED**

**CCL19/167 PUBLIC FORUM (ID19/1297)**

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

- Ms Claire Booth regarding groundwater issues.
- Roger Fletcher regarding Fletcher position in the City of Dubbo.
- Stephen Chesworth representing Little Big Dairy Co. regarding groundwater issues.
- Peter Schuster regarding groundwater issues.

**MAYORAL MINUTES:**

**CCL19/168 WATER SECURITY STRATEGY (ID19/1354)**

The Council had before it the Mayoral Minute regarding Water Security Strategy.

Moved by Councillor B Shields

**MOTION**

1. That the report of the Chief Executive Officer dated 11 September 2019 and attached as Appendix 1 to this Mayoral Minute be noted.
2. That Council:
  - a. Amend its current drought plan triggers to commence level 2 water restrictions when the Macquarie River High Security Allocations are reduced to 70%.
  - b. Move to level 3 water restrictions effective 1 October 2019.
  - c. Implement further levels of water restrictions as determined by Council's Chief Executive Officer following consultation with Council's Drought Management Team, and based on projections of future reduced river flows as provided by Water NSW.
  - d. Provide additional resources to work with businesses, especially high water users, to help them develop Water Savings Action Plans and enable them to implement meaningful and long term actions which will result in more efficient water usage in both the short and long term.
  - e. Create a media and communications strategy to respond to our water crisis and improve our community engagement to bring about significant behavioural change to community use of water.

Moved by Councillor D Gumley and seconded by Councillor S Lawrence

**AMENDMENT**

1. That the report of the Chief Executive Officer dated 11 September 2019 and attached as Appendix 1 to this Mayoral Minute be noted.
2. That Council:
  - a. Amend its current drought plan triggers to commence level 2 water restrictions when the Macquarie River High Security Allocations are reduced to 70%.
  - b. Move to level 3 water restrictions effective 1 October 2019 and move to Level 4 water restrictions from 1 November 2019.
  - c. Implement further levels of water restrictions as determined by Council's Chief Executive Officer following consultation with Council's Drought Management Team, and based on projections of future reduced river flows as provided by Water NSW.
  - d. Provide additional resources to work with businesses, especially high water users, to help them develop Water Savings Action Plans and enable them to implement meaningful and long term actions which will result in more efficient water usage in both the short and long term.
  - e. Create a media and communications strategy to respond to our water crisis and improve our community engagement to bring about significant behavioural change to community use of water.

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:

<b>FOR</b>	<b>AGAINST</b>
Councillor Diffey	Councillor Parker
Councillor Etheridge	
Councillor Grant	
Councillor Gumley	
Councillor Jones	
Councillor Lawrence	
Councillor Mohr	
Councillor Shields	
<b>Total (8)</b>	<b>Total (1)</b>

**MATTERS CONSIDERED BY COMMITTEES:**

**CCL19/169 REPORT OF THE PLANNING DEVELOPMENT ENVIRONMENT COMMITTEE - MEETING 9 SEPTEMBER 2019 (ID19/1298)**

The Council had before it the report of the Planning, Development and Environment Committee meeting held 9 September 2019.

Moved by Councillor S Lawrence and seconded by Councillor J Diffey

**MOTION**

**That the report of the Planning, Development and Environment Committee meeting held on 9 September 2019, be noted.**

**CARRIED**

**CCL19/170 REPORT OF THE INFRASTRUCTURE COMMUNITY AND RECREATION COMMITTEE - MEETING 9 SEPTEMBER 2019 (ID19/1299)**

The Council had before it the report of the Infrastructure, Community and Recreation Committee meeting held 9 September 2019.

Moved by Councillor S Lawrence and seconded by Councillor A Jones

**MOTION**

**That the report of the Infrastructure, Community and Recreation Committee meeting held on 9 September 2019, be noted.**

**CARRIED**

**CCL19/171 REPORT OF THE ECONOMIC DEVELOPMENT BUSINESS AND CORPORATE COMMITTEE - MEETING 9 SEPTEMBER 2019 (ID19/1300)**

The Council had before it the report of the Economic Development, Business and Corporate Committee meeting held 9 September 2019.

Moved by Councillor G Mohr and seconded by Councillor K Parker

**MOTION**

**That the report of the Economic Development, Business and Corporate Committee meeting held on 9 September 2019, be noted.**

**CARRIED**

**NOTICES OF MOTION:**

**CCL19/172 BURRENDONG DAM WATER SECURITY (ID19/1302)**

Council had before it a Notice of Motion dated 5 September 2019 from Councillor J Ryan regarding the Burrendong Dam Water Security.

**MOTION**

1. That Council make representations to the Minister of Water, Property and Housing, the Hon Melinda Pavey, MP to support and implement a policy regarding the release of water from Burrendong Dam, whereby upon the dam reaching a minimum threshold of 20 percent capacity, allocations to irrigators along the Macquarie river system be reduced to ensure access to water for the cities, towns and communities along the river may be maintained.
2. That Council publicly acknowledges that people have overwhelming priority over any other water use allocation, and that state policy needs to reflect that a far more comprehensive buffer needs to be in place so it is unlikely the Council's residents can ever again end up facing such an acute shortage of such a basic human right.

This notice of motion lapsed without a mover.

LAPSED

**REPORTS FROM STAFF:**

**CCL19/173 QUARTERLY REPORT ON DOCUMENTS EXECUTED UNDER THE POWER OF ATTORNEY (ID19/1271)**

The Council had before it the report dated 3 September 2019 from the Executive Manager Governance and Internal Control regarding Quarterly Report on Documents Executed Under the Power of Attorney.

Moved by Councillor V Etheridge and seconded by Councillor D Gumley

**MOTION**

**That the information contained within the report of the Executive Manager Governance and Internal Control dated 3 September 2019 be noted.**

**CARRIED**

**CCL19/174 DISCLOSURE OF INTEREST RETURNS (ID19/1290)**

The Council had before it the report dated 5 September 2019 from the Executive Manager Governance and Internal Control regarding Disclosure of Interest Returns.

Moved by Councillor A Jones and seconded by Councillor G Mohr

**MOTION**

**That the tabling of the Disclosure of Interest Returns as detailed in the report be noted and the Office of Local Government be advised accordingly.**

**CARRIED**

**CCL19/175 DUBBO REGIONAL COUNCIL REPRESENTATION TO THE TARONGA CONSERVATION SOCIETY AUSTRALIA BOARD (ID19/1353)**

The Council had before it the report dated 16 September 2019 from the Executive Manager Governance and Internal Control regarding Dubbo Regional Council Representation to the Taronga Conservation Society Australia Board.

Moved by Councillor S Lawrence and seconded by Councillor K Parker

**MOTION**

That Council nominate the Mayor, Councillor Ben Shields, and further proceed to determine one (1) alternate nominee for representation to the Board of the Taronga Conservation Society Australia.

Moved by Councillor S Lawrence and seconded by Councillor G Mohr

**AMENDMENT**

**That Council nominate the Mayor, Councillor Ben Shields, and Councillor V Etheridge for representation to the Board of the Taronga Conservation Society Australia.**

**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**

**CCL19/176 COMMUNITY SERVICES FUND 2019/2020 - COMMUNITY BENEFIT FUNDING  
IN ACCORDANCE WITH SECTION 356 LOCAL GOVERNMENT ACT 1993  
(ID19/739)**

The Council had before it the report dated 19 August 2019 from the Director Liveability regarding Community Services Fund 2019/2020 - community benefit funding in accordance with Section 356 Local Government Act 1993.

Moved by Councillor A Jones and seconded by Councillor G Mohr

**MOTION**

1. That the report from the Director Liveability dated 19 August 2019 be noted.
2. That Council allocate the following funds, in accordance with Section 356 of The Local Government Act 1993:
  - a) Central West Leadership Academy \$500
  - b) Lifeline Central West Dubbo Centre \$15,000
  - c) Dubbo Legacy a Division of Orange Legacy \$3,000
  - d) Dubbo and District Pipe Band \$1,500
  - e) Onelife Community Church \$1,000
  - f) Western Region Academy of Sport Inc (WRAS) \$2,924
  - g) University of the Third Age – Dubbo Chapter \$3,000
  - h) Wellington Information and Neighbourhood Services Inc (WINS) \$30,000
  - i) Wellington Country Women’s Association (CWA) \$2,240
  - j) Wellington Connect Inc t/a Wellington Men’s Shed \$3,000
  - k) Burrendong Botanic Garden and Arboretum \$7,800
  - l) Girl Guides Association of NSW Dubbo \$2,229
  - m) Orana Early Childhood Intervention \$1,000
  - n) Dubbo Neighbourhood Centre t/a Connecting Community Services \$30,000
3. That all applicants be advised of their respective funding application outcome and unsuccessful applicants be advised of Council’s Grants Hub, as well as other funding opportunities.

**CARRIED**

*Councillor J Diffey declared a non-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 Diffey is currently chairperson of the board of Orana Early Childhood Intervention, an applicant for funding through community services fund.*

*Councillor D Grant declared a non-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 is the Council Representative on the board of the Dubbo Neighbourhood Centre t/a Connecting Community Services.*

**CCL19/177 2019/2010 FINANCIAL ASSISTANCE PROGRAM - ROUND ONE (ID19/1193)**

The Council had before it the report dated 13 September 2019 from the Director Liveability regarding 2019/2010 Financial Assistance Program - Round One.

Moved by Councillor A Jones and seconded by Councillor K Parker

**MOTION**

1. That the report from the Director Liveability dated 27 August 2019 be noted.
2. That funds from the 2019/2020 Financial Assistance Fund Round One be allocated as follows:

a) Ballimore Progress Association Inc.	\$4,000
b) St Brigid's Church 'wrap with love' craft group	\$ 500
c) Dubbo Legacy	\$ 500
d) Australian Decorative & Fine Arts Society Dubbo and Districts Inc	\$ 500
e) Wellington VIEW Club	\$ 300
f) Dubbo Rivercare Group Incorporated	\$ 500
g) Wellington Connect Inc – Wellington Men's Shed	\$ 500
h) Dubbo District Concert Band	\$ 500
i) Buninyong School as Community Centre	\$ 500
j) 1 <sup>st</sup> Dubbo Scout Group	\$ 500
k) Wellington Division of Orange Legacy	\$2,900
l) Dubbo Triathlon Club	\$1,000
m) Buninyong Preschool	\$2,000
n) Dubbo Filmmakers Incorporated	\$ 800
3. That all applicants be advised of funding application outcomes.
4. That the remainder of 2019/2020 Financial Assistance Fund budget allocation totalling \$15,000 be retained for the second round of Financial Assistance.
5. That 2019/2020 financial Assistance Program round two funding applications be determined during April 2020.

**CARRIED**



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**CCL19/178 SCHEDULE OF FEES FOR AQUATIC LEISURE CENTRES AND DUBBO REGIONAL BOTANIC GARDEN (ID19/1346)**

The Council had before it the report dated 12 September 2019 from the Aquatic Leisure Centres Manager regarding Schedule of Fees for Aquatic Leisure Centres and Dubbo Regional Botanic Garden.

Moved by Councillor D Gumley and seconded by Councillor K Parker

**MOTION**

1. That Learn to Swim costs (inclusive of GST) for all Dubbo Regional Council Aquatic Leisure Centres are set for the 2019/2020 season as:

Group classes - 10 lessons	\$120.00
Private classes - 10 lessons	\$300.00
Group Baby and Me classes - 10 lessons	\$120.00

This cost includes a NIL POOL ENTRY cost for the participant and the supervising patron accompanying the participant.
2. That the Aqua Aerobics or Fitness class costs (inclusive of GST) for all Dubbo Regional Council Aquatic Leisure Centres are set for the 2019/2020 season as:

Adult casual visit (includes pool entry cost)	\$13.00
Concession casual visit (includes pool entry cost)	\$9.00

Cost (inclusive of GST) if the patron holds a current membership or 10 visit pass which is used in conjunction with the Aqua Aerobic class entry:

Adult casual visit	\$8.50
Concession casual visit	\$5.50
3. That all MERCHANDISE is:
  - 3.1.1. Initially offered at recommended retail prices, and then
  - 3.1.2. Offered at a sales price recommended by the merchandise provider, and then
  - 3.1.3. Offered at a sales price of not less than cost price (to council) to promote end of season sales.
4. That all CAFÉ STOCK that comes with a recommended retail price is:
  - 4.1. Initially offered at recommended retail prices, and then
  - 4.2. Offered at a sales price recommended by the product provider, and then
  - 4.3. Offered at a sales price of not less than cost price (to council) for short dated products or to reduce stock levels at the end of the season.
5. That 'fresh' food options including any food items made entirely on site (e.g. fruit salad, sandwiches, rolls, wraps, salads, yoghurt cups) are priced at cost, plus 50% gross profit.
6. That 'Processed' food options including any food item which is processed and purchased partially cooked or formed (e.g. chips, scallops, burgers, egg and bacon rolls, hot dogs) and that require preparation on the spot that these items are priced at cost, plus 60% gross profit.
7. That Special Event food or promotions food is provided at cost, plus 20% mark-up.
8. That all other potential items/fees introduced during the season are presented for Director Liveability and CEO approval.
9. That all prices are reviewed at the conclusion of the 2019/2020 swim season.

**CARRIED**

At this Juncture DRTCC Manager, Linda Christof presented the Mayor with the 2019 Drover Award for Performing Arts Centre of the Year.

**CCL19/179 DUBBO REGIONAL THEATRE AND CONVENTION CENTRE - WINNER 2019 DROVER AWARD FOR PERFORMING ARTS CENTRE OF THE YEAR (ID19/1285)**

The Council had before it the report dated 5 September 2019 from the Director Culture and Economy regarding Dubbo Regional Theatre and Convention Centre - Winner 2019 Drover Award for Performing Arts Centre of the Year.

Moved by Councillor D Grant and seconded by Councillor J Diffey

**MOTION**

1. That the report from the Director Culture and Economy dated 5 September 2019 be noted.
2. That Council staff be congratulated on the awarding of the 2019 Drover Award for Performing Arts Centre of the Year.

**CARRIED**

**CCL19/180 ASSIGNING DEED OF CONSENT FOR SUB-LEASING EXTERNAL CAFE AREA ROYAL FLYING DOCTOR SERVICE BASE (ID19/1340)**

The Council had before it the report dated 10 September 2019 from the Manager Airport Precinct regarding Assigning Deed of Consent for Sub-leasing External Cafe Area Royal Flying Doctor Service Base.

Moved by Councillor D Gumley and seconded by Councillor G Mohr

**MOTION**

1. That Council approve the sub-leasing of part Lot 151 Dubbo City Regional Airport to BRSK Pty Ltd by the Royal Flying Doctor Service and the signing of the Deed of Consent.
2. That all documentation in relation to this matter be executed under Power of Attorney.

**CARRIED**

**CCL19/181 COMMENTS AND MATTERS OF URGENCY (ID19/1301)**

There were no matters recorded under this clause.

The meeting closed at 6.32 PM.

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CHAIRMAN