



REPORT ORDINARY COUNCIL MEETING 24 SEPTEMBER 2018

PRESENT: Mayor Councillor B Shields and Councillors J Diffey, V Etheridge, D Grant, D Gumley, A Jones, K Parker and J Ryan.

ALSO IN ATTENDANCE:

The Chief Executive Officer, the Executive Manager Governance and Internal Control (S Wade), the Administrative Officer Governance, the Community Support Officer, the Director Corporate Services, the Director Economic Development and Business, the Marketing, Partnerships and Events Team Leader, the Communications Coordinator, the Director Infrastructure and Operations (S Carter), the Director Planning and Environment, the Trainee Planner (B Allen), the Trainee Planner (A Sondyre) and the Director Community and Recreation.

Mayor 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 D Grant.

CCL18/167 CONFIRMATION OF MINUTES (ID18/1422)

The Committee had before it the report of the Ordinary Council meeting held on 27 August 2018.

Moved by Councillor A Jones 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 27 August 2018 comprising pages 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 of the series be taken as read, confirmed as correct minutes and signed by the Mayor and the Chief Executive Officer.

CARRIED

CCL18/168 LEAVE OF ABSENCE (ID18/1423)

Requests for leave of absence were received from Councillors G Mohr and S Lawrence who were absent from the meeting for personal reasons.

Moved by Councillor D Gumley and seconded by Councillor V Etheridge

MOTION

That such requests for leave of absence be accepted and Councillors G Mohr and S Lawrence granted leave of absence from this meeting.

CARRIED

CCL18/169 PUBLIC FORUM (ID18/1424)

There were no speakers during Public Forum.

MAYORAL MINUTES:

CCL18/169a A YEAR IN REVIEW

The Council had before it the Mayoral Minute regarding A Year in Review.

Moved by Councillor B Shields

MOTION

That the year in review speech be noted.

CARRIED

INFORMATION ONLY MATTERS:

CCL18/170 INVESTMENTS UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - AUGUST 2018 (ID18/1421)

The Council had before it the report dated 10 September 2018 from the Director Corporate Services regarding Investments Under Section 625 of the Local Government Act - August 2018.

Moved by Councillor J Ryan and seconded by Councillor A Jones

MOTION

That the information provided within the report of the Director Corporate Services, dated 10 September 2018 be noted.

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 an employee of the Dubbo Branch of the Bank of Queensland, a bank that Council has funds invested with.

CCL18/171 QUARTERLY REPORT ON DOCUMENTS EXECUTED UNDER THE POWER OF ATTORNEY (ID18/1333)

The Council had before it the report dated 10 September 2018 from the Executive Manager Governance and Internal Control regarding Quarterly Report on Documents Executed Under the Power of Attorney.

Moved by Councillor K Parker and seconded by Councillor D Grant

MOTION

That the information contained within the report of the Executive Manager Governance and Internal Control dated 10 September 2018 be noted.

CARRIED

MATTERS CONSIDERED BY COMMITTEES:

CCL18/172 REPORT OF THE PLANNING DEVELOPMENT AND ENVIRONMENT COMMITTEE - MEETING 10 SEPTEMBER 2018 (ID18/1425)

The Council had before it the report of the Planning, Development and Environment Committee meeting held 10 September 2018.

Moved by Councillor A Jones and seconded by Councillor D Grant

MOTION

That the report of the Planning, Development and Environment Committee meeting held on 10 September 2018, be noted.

CARRIED

CCL18/173 REPORT OF THE INFRASTRUCTURE COMMUNITY AND RECREATION COMMITTEE - MEETING 10 SEPTEMBER 2018 (ID18/1426)

The Council had before it the report of the Infrastructure, Community and Recreation Committee meeting held 10 September 2018.

Moved by Councillor A Jones and seconded by Councillor J Ryan

MOTION

That the report of the Infrastructure, Community and Recreation Committee meeting held on 10 September 2018, be noted.

CARRIED

CCL18/174 REPORT OF THE ECONOMIC DEVELOPMENT BUSINESS AND CORPORATE COMMITTEE - MEETING 10 SEPTEMBER 2018 (ID18/1429)

The Council had before it the report of the Economic Development, Business and Corporate Committee meeting held 10 September 2018.

Moved by Councillor A Jones and seconded by Councillor J Diffey

MOTION

That the report of the Economic Development, Business and Corporate Committee meeting held on 10 September 2018, be noted.

CARRIED

NOTICES OF MOTION:

CCL18/175 DRAFT MAJOR SPORTING EVENT ATTRACTION PACKAGE (ID18/1430)

Council had before it a Notice of Motion dated 10 September 2018 from Councillor K Parker regarding the Draft Major Sporting Event Attraction Package as follows:

"That the Chief Executive Officer develop a draft major sporting event attraction package that:

1. Includes commercial and promotional partnerships that limit Council's financial investment.
2. Includes potential events to be targeted shall include:
 - a. competition rounds of national competitions such as W League, A league, NRL, AFLW, WBBL, women's NRL State of Origin, Super Rugby.
 - b. games involving national teams such as the Australian Womens Football Team (Matildas), Australian Women's Cricket Team, Australian Rugby team when versing smaller nations.
 - c. Championships that shall enable Council to take advantage of infrastructure that shall be completed by December 2020.
 - d. Competitions that take advantage of existing infrastructure such as Barden Park, Apex Oval, Lady Cutler Ovals precinct and Victoria Park Ovals precinct.
 - e. Competitions previously held in Dubbo such as the Athletics NSW Country Championships, Little Athletics NSW State Multi-event carnival, NSW under 13/14 Cricket State Cricket Championships.
3. Is available for review by Councillors in December 2018."

Moved by Councillor K Parker and seconded by Councillor J Ryan

MOTION

That the Chief Executive Officer develop a draft major sporting event attraction package that:

- 1. Includes commercial and promotional partnerships that limit Council's financial investment.**
- 2. Includes potential events to be targeted shall include:**
 - a. competition rounds of national competitions such as W League, A league, NRL, AFLW, WBBL, women's NRL State of Origin, Super Rugby.**
 - b. games involving national teams such as the Australian Womens Football Team (Matildas), Australian Women's Cricket Team, Australian Rugby team when versing smaller nations.**
 - c. Championships that shall enable Council to take advantage of infrastructure that shall be completed by December 2020.**
 - d. Competitions that take advantage of existing infrastructure such as Barden Park, Apex Oval, Lady Cutler Ovals precinct and Victoria Park Ovals precinct.**
 - e. Competitions previously held in Dubbo such as the Athletics NSW Country Championships, Little Athletics NSW State Multi-event carnival, NSW under 13/14 Cricket State Cricket Championships.**
- 3. Is available for review by Councillors in December 2018.**

CARRIED

CCL18/176 ASSISTANCE FOR FARMLAND RATE PAYERS (ID18/1431)

Council had before it a Notice of Motion dated 11 September 2018 from Councillor D Gumley regarding the Assistance for farmland rate payers as follows:

"That the Chief Executive Officer be requested to seek advice from both the Office of Local Government and Local Government NSW in relation to options available for Council to assist farmland categorised rate payers, for inclusion in a report to the October 2018 Ordinary meeting of Council."

Moved by Councillor D Gumley and seconded by Councillor A Jones

MOTION

That the Chief Executive Officer be requested to seek advice from both the Office of Local Government and Local Government NSW in relation to options available for Council to assist farmland categorised rate payers, for inclusion in a report to the November 2018 Ordinary meeting of Council.

CARRIED

CCL18/177 COMMUNITY SOLAR REVOLVING FUND (ID18/1473)

Council had before it a Notice of Motion dated 17 September 2018 from Councillor J Diffey regarding the Community Solar Revolving Fund as follows:

“That the Chief Executive Officer undertake an investigation into a community focused Solar Revolving Fund similar in framework to the City of Darebin and Adelaide City Councils with a report prepared for Council to consider as part of the development process for the draft 2019/2020 Operational Plan and Budget.”

Moved by Councillor J Diffey and seconded by Councillor D Grant

MOTION

That the Chief Executive Officer undertake an investigation into a community focused Solar Revolving Fund similar in framework to the City of Darebin and Adelaide City Councils with a report prepared for Council to consider as part of the development process for the draft 2019/2020 Operational Plan and Budget.

CARRIED

REPORTS FROM STAFF:

CCL18/178 FINANCIAL ASSISTANCE POLICY (ID18/1418)

The Council had before it the report dated 7 September 2018 from the Chief Executive Officer regarding Financial Assistance Policy.

Moved by Councillor K Parker and seconded by Councillor D Gumley

MOTION

That the draft Financial Assistance Policy be placed on exhibition and following conclusion of the exhibition period that the matter be returned to Council for further consideration.

CARRIED

CCL18/179 DISCLOSURE OF INTEREST RETURNS (ID18/1332)

The Council had before it the report dated 10 September 2018 from the Executive Manager Governance and Internal Control regarding Disclosure of Interest Returns.

Moved by Councillor A Jones and seconded by Councillor V Etheridge

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

**CCL18/180 UUNGULA WIND FARM PROJECT - COMMUNITY CONSULTATIVE COMMITTEE
- COUNCIL REPRESENTATIVE (ID18/1397)**

The Council had before it the report dated 31 August 2018 from the Governance Team Leader regarding Uungula Wind Farm Project - Community Consultative Committee - Council Representative.

Moved by Councillor D Grant and seconded by Councillor J Diffey

MOTION

That Council nominate the Director Community and Recreation for a position on the Uungula Wind Farm Project Community Consultative Committee.

CARRIED

**CCL18/181 AUDIT AND RISK MANAGEMENT COMMITTEE - INDEPENDENT
REPRESENTATIVES NOMINATIONS (ID18/1420)**

The Council had before it the report dated 10 September 2018 from the Governance Team Leader regarding Audit and Risk Management Committee - Independent Representatives Nominations.

Moved by Councillor V Etheridge and seconded by Councillor A Jones

MOTION

- 1. That Council authorise the Mayor and Chief Executive Officer to interview the three (3) nominees and be delegated to appoint the Chairperson and Independent members.**
- 2. That Council determine an alternative Councillor Representative to replace the Mayor on the Audit and Risk Management Committee.**
- 3. That the outgoing independent representatives and community representative be formally thanked for their contribution to the Audit and Risk Management Committee.**

At this stage, nominations were invited for an alternative Councillor Representative for the Audit and Risk Management Committee. The following nominations were received:

Councillor K Parker nominated by Councillor J Ryan and Councillor V Etheridge

Councillor K Parker accepted his nomination.

That Councillor K Parker be the alternative Councillor Representative for the Audit and Risk Management Committee.

CARRIED

CCL18/182 DUBBO REGIONAL COUNCIL REPRESENTATION TO THE TARONGA CONSERVATION SOCIETY AUSTRALIA BOARD (ID18/1411)

The Council had before it the report dated 5 September 2018 from the Governance Team Leader regarding Dubbo Regional Council Representation to the Taronga Conservation Society Australia Board.

Moved by Councillor D Grant and seconded by Councillor V Etheridge

MOTION

That the matter be deferred to October 2018 to enable Councillors to nominate for the position.

CARRIED

CCL18/183 DRAFT EMPLOYMENT LAND STRATEGY (ID18/1266)

The Council had before it the report dated 11 September 2018 from the Senior Strategic Planner regarding Draft Employment Land Strategy.

Moved by Councillor K Parker and seconded by Councillor D Grant

MOTION

- 1. That the draft Dubbo Employment Land Strategy as attached to the report of the Senior Strategic Planner dated 11 September 2018 be adopted for the purposes of public exhibition and stakeholder consultation.**
- 2. That the draft Dubbo Employment Land Strategy as attached to the report of the Senior Strategic Planner dated 11 September 2018 be placed on public exhibition for a period of not less than 28 days.**
- 3. That following completion of the public exhibition process, a further report be presented to Council for consideration addressing the outcomes of the public exhibition period and any submissions received.**

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.

CCL18/184 PLANNING AGREEMENT POLICY (NO VALUE CAPTURE) - RESULTS OF PUBLIC EXHIBITION (ID18/1414)

The Council had before it the report dated 4 September 2018 from the Senior Strategic Planner regarding Planning Agreement Policy (No Value Capture) - Results of Public Exhibition.

Moved by Councillor K Parker and seconded by Councillor V Etheridge

MOTION

1. That the draft Policy for Planning Agreements, included here in Appendix 1, be adopted.
2. That an advertisement be placed in the local print media advising of Council's adoption of the Planning Agreement Policy.
3. That the Planning Agreement Policy commence operation from the date it is advertised in local print media.
4. That relevant stakeholders be advised of the Planning Agreement Policy's adoption.

CARRIED

CCL18/185 COUNCIL ASSISTED CLEAN-UP AT NANIMA VILLAGE WELLINGTON (ID18/1329)

The Council had before it the report dated 21 August 2018 from the Manager Social Services regarding Council Assisted Clean-up at Nanima Village Wellington.

Moved by Councillor A Jones and seconded by Councillor D Grant

MOTION

1. That Council provide use of equipment and work crews in relation to the clean-up, provision of bollards and the waiving of tip dumping fees at Nanima Village noting that this is estimated to cost \$27,118.
2. That Council facilitate financial assistance from a provider of skip bins to offset any cost that may be incurred by Council. Estimated cost being \$3,000.
3. That Council provide advice and support in relation to the clean-up at Nanima Village.

CARRIED

As one or more Councillors voted against the motion, in accordance with Clause (b)(iv)(2) of Council's Code of Meeting Practice, the following votes were recorded:

FOR	AGAINST
Councillor Diffey	Councillor Gumley
Councillor Etheridge	
Councillor Grant	
Councillor Jones	
Councillor Parker	
Councillor Ryan	
Councillor Shields	
Total (7)	Total (1)

CCL18/186 INCREASE TO BANK GUARANTEE FACILITY LIMIT (ID18/1410)

The Council had before it the report dated 5 September 2018 from the Audit/Statutory Reporting Accountant regarding Increase to Bank Guarantee Facility Limit.

Moved by Councillor J Diffey and seconded by Councillor A Jones

MOTION

1. That Councils bank guarantee facility limit with the National Australia Bank be increased from \$10,000 to \$50,000.
2. That the Chief Executive Officer be authorised to complete any documentation under delegated "Power of Attorney".

CARRIED

CCL18/187 SALE OF COUNCIL LAND - LOT 24 DP 715331 (ID18/1402)

The Council had before it the report dated 3 September 2018 from the Manager Property Assets regarding Sale of Council land - Lot 24 DP 715331.

Moved by Councillor D Grant and seconded by Councillor J Diffey

MOTION

1. That Council owned Lot 24 DP 715331 be sold to the owner of adjoining Lot 201 DP 1210163 for \$13,000 exc. GST.
2. That each party are responsible for their own legal fees.
3. That the Chief Executive Officer be authorised to complete any documentation under delegated "Power of Attorney".

CARRIED

CCL18/188 PROPOSED ROAD CLOSURE - WALKWAY CONNECTING DAVIDSON DRIVE AND STURT CIRCLE - DISPOSAL TO ADJOINING OWNERS (ID18/1419)

The Council had before it the report dated 10 September 2018 from the Property Development Officer regarding Proposed Road Closure - Walkway connecting Davidson Drive and Sturt Circle - Disposal to adjoining owners.

Moved by Councillor J Diffey and seconded by Councillor D Gumley

MOTION

1. That Council undertake the road closure process required by the Roads Act 1993 to have the walkway between Sturt Circle and Davidson Drive closed.
2. That following the road closure process, a further report be made to Council to consider all submissions made and for Council to make a final decision on the closure.
3. That, subject to a final decision by Council, the portion adjoining 13 Sturt Circle be disposed of to adjoining owner Mr Michael Madden, for \$8,415 excluding GST.
4. That, subject to a final decision by Council, the portion adjoining 76 Davidson Drive be disposed of to adjoining owners, Mr Laurie and Mrs Sharna Boxall, for \$7,560 excluding GST.
5. That the Chief Executive Officer be authorised to complete any documentation under delegated "Power of Attorney".

CARRIED

CCL18/189 COMMENTS AND MATTERS OF URGENCY (ID18/1428)

There were no matters recorded under this clause.

At this junction it was moved by Councillor D Gumley and seconded by Councillor K Parker that the Council resolves into the Committee of the Whole Council, the time being 6.21pm.

the meeting resumed at 6.23pm.

CCL18/190 COMMITTEE OF THE WHOLE (ID18/1475)

The Director Corporate Services read to the meeting of the Report of Committee of the Whole held on 24 September 2018.

Moved by Councillor A Jones and seconded by Councillor V Etheridge

MOTION

That the report of the meeting of the Committee of the Whole held on 25 June 2018 be adopted.

CARRIED

The meeting closed at 6.27pm.

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CHAIRMAN