



REPORT

ORDINARY COUNCIL MEETING

27 AUGUST 2018

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 (C Giffin), the Executive Manager Governance and Internal Control, the Governance Team Leader, the Community Support Officer, the Director Economic Development and Business, the Communications Coordinator, the Director Infrastructure and Operations (R Mills), the Director Planning and Environment, the Manager Strategic Planning Services, the Manager Environmental Control, the Trainee Planner and the Director Community and Recreation.

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.

CCL18/140 CONFIRMATION OF MINUTES (ID18/1290)

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 23 July 2018 and Extraordinary Council meeting held on 30 July 2018.

Moved by Councillor D Grant and seconded by Councillor G Mohr

MOTION

That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council meeting held on 23 July 2018 comprising pages 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21 of the series, Extraordinary Council meeting held on 30 July 2018 comprising pages 22, 23 and 24 of the series be taken as read, confirmed as correct minutes and signed by the Mayor and the Chief Executive Officer.

CARRIED

CCL18/141 LEAVE OF ABSENCE (ID18/1292)

There were no applications for leave of absence.

CCL18/142 PUBLIC FORUM (ID18/1293)

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

- Ms Helen Swan regarding Wellington Information and Neighbourhood Centre.
- Mr Jack Ayoub regarding item CCL/157 Coal Seam Gas Exploration and Development
- Ms Sally Forsstrom regarding item CCL/157 Coal Seam Gas Exploration and Development

MAYORAL MINUTES:

CCL18/143 TONY MCGRANE MEMORIAL SCHOLARSHIP FUND DINNER (ID18/1278)

The Council had before it the Mayoral Minute regarding Tony McGrane Memorial Scholarship Fund Dinner.

Moved by Councillor B Shields

MOTION

That Council purchase 10 tickets for the Tony McGrane Memorial Scholarship Fund Dinner for the attendance of available Councillors and Senior Staff to this event.

CARRIED

CCL18/144 NSW FUNDING FOR PUBLIC LIBRARIES (ID18/1257)

The Council had before it the Mayoral Minute regarding NSW Funding for Public Libraries.

This item lapsed due to the lack of a mover.

CCL18/145 OUTCOME OF COUNCIL'S APPROACH TO FISCAL RESPONSIBILITY (ID18/1191)

The Council had before it the Mayoral Minute regarding Outcome of Council's Approach to Fiscal Responsibility.

Moved by Councillor B Shields

MOTION

That the current Council's approach to fiscal responsibility be noted.

CARRIED

CCL18/146 SUPPORT FOR INSTALLATION OF AUTOMATED EXTERNAL DEFIBRILLATORS AROUND DUBBO (ID18/1302)

The Council had before it the Mayoral Minute regarding Support for Installation of Automated External Defibrillators around Dubbo.

Moved by Councillor B Shields

MOTION

1. That the CEO be requested to plan and budget for consideration during the preparation of the 2019/2020 draft budget further rollout for AED technology across all appropriate and secure Council sites.
2. That Mr George Chapman and the Australian Red Cross be formally thanked by Council for their tremendous efforts in making Dubbo a safer region with their rollout of AED machines.

CARRIED

INFORMATION ONLY MATTERS:

CCL18/147 INVESTMENTS UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - JULY 2018 (ID18/1279)

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

Moved by Councillor G Mohr and seconded by Councillor J Ryan

MOTION

That the information provided within the report of the Director Corporate Services, dated 10 August 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.

MATTERS CONSIDERED BY COMMITTEES:

**CCL18/148 REPORT OF THE PLANNING, DEVELOPMENT AND ENVIRONMENT COMMITTEE
- MEETING 13 AUGUST 2018 (ID18/1294)**

The Council had before it the report of the Planning, Development and Environment Committee meeting held 13 August 2018.

Moved by Councillor S Lawrence and seconded by Councillor A Jones

MOTION

That the report of the Planning, Development and Environment Committee meeting held on 13 August 2018, be noted.

CARRIED

**CCL18/149 REPORT OF THE INFRASTRUCTURE, COMMUNITY AND RECREATION
COMMITTEE - MEETING 13 AUGUST 2018 (ID18/1295)**

The Council had before it the report of the Infrastructure, Community and Recreation Committee meeting held 13 August 2018.

Moved by Councillor S Lawrence and seconded by Councillor J Diffey

MOTION

That the report of the Infrastructure, Community and Recreation Committee meeting held on 13 August 2018, be noted.

CARRIED

**CCL18/150 REPORT OF THE ECONOMIC DEVELOPMENT, BUSINESS AND CORPORATE
COMMITTEE - MEETING 13 AUGUST 2018 (ID18/1296)**

The Council had before it the report of the Economic Development, Business and Corporate Committee meeting held 13 August 2018.

Moved by Councillor G Mohr and seconded by Councillor J Diffey

MOTION

That the report of the Economic Development, Business and Corporate Committee meeting held on 13 August 2018, be noted.

CARRIED

CCL18/151 REPORT OF THE STREET TREE ADVISORY COMMITTEE - MEETING 7 AUGUST 2018 (ID18/1297)

The Council had before it the report of the Street Tree Advisory Committee meeting held 7 August 2018.

Moved by Councillor J Ryan and seconded by Councillor V Etheridge

MOTION

That the report of the Street Tree Advisory Committee meeting held on 7 August 2018, be noted.

CARRIED

NOTICES OF MOTION:

CCL18/152 CCTV CAMERAS IN NOMINATED NEIGHBOURHOOD SHOPPING AREAS (ID18/1300)

Council had before it a Notice of Motion dated 13 August 2018 from Councillor V Etheridge regarding the CCTV Cameras in Nominated Neighbourhood Shopping Areas as follows:

"That the Chief Executive Officer be requested to prepare a report for the September 2018 Ordinary meeting of Council with regard to the suitability of CCTV cameras in the following shopping precincts:

1. Victoria Street, Dubbo
2. Tamworth Street, Dubbo
3. Boundary Road, Dubbo"

Moved by Councillor V Etheridge and seconded by Councillor S Lawrence

MOTION

That the Chief Executive Officer be requested to prepare a report for the October 2018 Ordinary meeting of Council with regard to the suitability of CCTV cameras in all recognised neighbourhood shopping precincts.

CARRIED

CCL18/153 DUBBO REGIONAL COUNCIL - WEED SPRAYING (ID18/1320)

Council had before it a Notice of Motion dated 15 August 2018 from Councillor J Ryan regarding the Dubbo Regional Council - Weed Spraying as follows:

"That the Chief Executive Officer be requested to prepare a report to the October 2018 Ordinary meeting of Council that investigates alternatives to the use of Glyphosate (especially in urban areas) including new technologies such as using machines which emit steam for controlling weeds."

Moved by Councillor J Ryan and seconded by Councillor A Jones

MOTION

That the Chief Executive Officer be requested to prepare a report to the October 2018 Ordinary meeting of Council that investigates alternatives to the use of Glyphosate (especially in urban areas) including new technologies such as using machines which emit steam for controlling weeds.

CARRIED

CCL18/154 LIGHTING AUDIT OF DUBBO CBD CARPARKS (ID18/1321)

Council had before it a Notice of Motion dated 15 August 2018 from Councillor D Gumley regarding the Lighting Audit of Dubbo CBD Carparks as follows:

"That the Chief Executive Officer be requested to undertake an audit of the lighting of Dubbo CBD Carparks with a report to be prepared for the Ordinary meeting of Council in October 2018."

Moved by Councillor D Gumley and seconded by Councillor G Mohr

MOTION

That the Chief Executive Officer be requested to undertake an audit of the lighting of Dubbo CBD Carparks with a report to be prepared for the Ordinary meeting of Council in October 2018.

CARRIED

REPORTS FROM STAFF:

CCL18/155 ANNUAL AWARDS CEREMONY AND EVENTS (ID18/1272)

The Council had before it the report dated 8 August 2018 from the Chief Executive Officer regarding Annual Awards Ceremony and Events.

Moved by Councillor V Etheridge and seconded by Councillor G Mohr

MOTION

1. That the Dubbo Day awards ceremony remain in its current format and be conducted on 23 November.
2. That the annual Australia Day ceremony be conducted in Dubbo and Wellington each year in the same format as previous years and be facilitated by Council staff.
3. That applications be called from the Dubbo and Wellington communities to establish an award selection panel in each location for the selection of Australia Day award recipients.

CARRIED

CCL18/156 COUNCIL AND COMMITTEE MEETING DATES 2018/2019 (ID18/1260)

The Council had before it the report dated 1 August 2018 from the Executive Manager Governance and Internal Control regarding Council and Committee Meeting Dates 2018/2019.

Moved by Councillor V Etheridge and seconded by Councillor G Mohr

MOTION

1. That the dates and locations of Ordinary Council meetings and Standing Committee meetings as detailed in the report of the Executive Manager Governance and Internal Control dated 1 August 2018 be adopted.
2. That the Wellington Town Assembly be tasked with organising a Community Forum with Councillors and Senior Staff to be held in Wellington three times per year in March, July and November where the public will be invited to meet with Councillors and Senior Staff to raise matters to be addressed by Council.

Moved by Councillor D Grant and seconded by Councillor A Jones

AMENDMENT

1. That the dates and locations of Ordinary Council meetings and Standing Committee meetings as detailed in the report of the Executive Manager Governance and Internal Control dated 1 August 2018 be adopted, noting that two Ordinary Council meetings be held in Wellington in March and July each year.
2. That the Wellington Town Assembly be tasked with organising a Community Forum with Councillors and Senior Staff to be held in Wellington three times per year in March, July and November where the public will be invited to meet with Councillors and Senior Staff to raise matters to be addressed by Council.

The amendment on being put to the meeting was lost. LOST

The motion on being put to the meeting was carried. 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 Etheridge	Councillor Diffey
Councillor Mohr	Councillor Grant
Councillor Parker	Councillor Gumley
Councillor Ryan	Councillor Jones
Councillor Shields	Councillor Lawrence
Total (5)	Total (5)

CCL18/157 COAL SEAM GAS EXPLORATION AND DEVELOPMENT (ID18/1029)

The Council had before it the report dated 14 August 2018 from the Manager Strategic Planning Services regarding Coal Seam Gas Exploration and Development.

Moved by Councillor S Lawrence and seconded by Councillor J Ryan

MOTION

1. That the report of the Manager Strategic Planning Services dated 14 August 2018 be noted.
2. That Dubbo Regional Council does not support the exploration and/or development of Coal Seam Gas production in the Dubbo Local Environmental Area on the following basis:
 - i. Coal Seam Gas production and development including 'fracking' has shown to have negative impacts on water supply to agriculture and the production capacity of rural lands.
 - ii. The exploration and production of Coal Seam Gas has not shown to provide any lasting positive economic impacts.
 - iii. The NSW Planning System does not provide satisfactory consideration of the environmental and economic costs to the community from Coal Seam Gas exploration and development.
 - iv. That further research and scientific analysis to be undertaken in respect to the Coal Seam Gas industry.
3. That the State Government Department of Planning and Environment and the State Government (Resources and Geoscience) be notified of Council's resolution.
4. That the people who made submissions be advised of the outcome of Council's considerations and thanked for their submission.

CARRIED

CCL18/158 DRAFT EDUCATION FOR SUSTAINABILITY STRATEGY AND ACTION PLAN 2018/2019 (ID18/1270)

The Council had before it the report dated 13 August 2018 from the Sustainability and Education Officer regarding Draft Education for Sustainability Strategy and Action Plan 2018/2019.

Moved by Councillor D Grant and seconded by Councillor G Mohr

MOTION

That the draft Education for Sustainability Strategy and Action Plan as attached as Appendix 1 of the report of the Sustainability Education Officer dated 13 August 2018 be adopted by Council.

CARRIED

**CCL18/159 RESIDENT PARKING PERMIT ZONES - CARRINGTON AVENUE, DUBBO
(ID18/1281)**

The Council had before it the report dated 13 August 2018 from the Senior Traffic Engineer regarding Resident Parking Permit Zones - Carrington Avenue, Dubbo.

Moved by Councillor G Mohr and seconded by Councillor S Lawrence

MOTION

That a Resident Parking Permit Zone be implemented on the western side of Carrington Avenue, immediately south of the Talbragar Street intersection for a distance of 87 m.

CARRIED

**CCL18/160 NO PARKING ZONE AT ST MARYS PRIMARY SCHOOL - MYALL STREET DUBBO
(ID18/1282)**

The Council had before it the report dated 13 August 2018 from the Senior Traffic Engineer regarding No Parking Zone at St Marys Primary School - Myall Street Dubbo.

Moved by Councillor A Jones and seconded by Councillor J Diffey

MOTION

That Council approval be granted for the implementation of a 'School Drop-off/Pick-up Zone' adjacent St Marys Primary School in Myall Street in accordance with Council's Plan TM 7217.

CARRIED

CCL18/161 2018 WELLINGTON SPRINGFEST PARADE (ID18/1283)

The Council had before it the report dated 13 August 2018 from the Senior Traffic Engineer regarding 2018 Wellington SpringFest Parade.

Moved by Councillor V Etheridge and seconded by Councillor J Ryan

MOTION

- 1. That Council approval be granted to the Rotary Club Of Wellington SpringFest Committee to undertake the annual street parade on Saturday 22 September 2018, and implement temporary road closures of the Mitchell Highway between Maughan Street and Gisborne Street and Gisborne Street between the Mitchell Highway to Market Square, Market Square between Gisborne Street and Soldier Lane, Percy Street between Maughan Street and Maxwell Street Wellington, from 8.00 am to approximately 11.30 am and the Mitchell Highway between Percy Street and Maughan Street Wellington from 8.00 am to 3.00 pm on the same day subject to Roads and Maritime Services approval and conditions set down by Dubbo Regional Council and NSW Police as considered necessary:**
 - a. The parade will be marshalled in Gisborne Street on the western side of Lee**

Street at 9.00 am. The parade will commence at 10.00 am and enter Lee Street, then south through the Wellington CBD adjacent to Cameron Park to the Maughan Street roundabout and return. The event is to be undertaken under police escort, in accordance with the requirements of NSW Police and approval documentation forwarded to Council for notation.

- b. The submission of Traffic Management and Traffic Control Plans to Council and NSW Police and Roads and Maritime Services 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 Roads and Maritime Service's 'Guide to Traffic Control at Worksites' and approved by an accredited person. Council's Traffic Control Plan TM 7218 will be implemented.
- c. 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, Roads and Maritime Services and NSW Police is indemnified against any possible action as a result of the parade.
- d. 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 Roads and Maritime Service certification.
- e. The applicant is responsible for all traffic control required for the event in accordance with the approved Traffic Control Plan.
- f. The applicant is to provide Council with a formal letter of acceptance of the conditions prior to final approval.
- g. The applicant is to ensure that the roadway is clear of any residue that might be deposited by the participants along the parade route.
- h. The applicant is to gain consent from the Roads and Maritime Service for the closure and detour of Showground Road and the Mitchell Highway and a Road Occupancy Licence with evidence provided to Council of such conditions as warranted.
- i. All costs associated with implementing the event are to be met by the event organiser.

CARRIED

Councillor D Grant declared a non-pecuniary, 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 D Grant is a voluntary member of Rotary Club of Wellington who are the organisers of the Springfest Parade but has no financial gain to himself and as such this will not affect his decision making in the matter.

CCL18/162 RIDE AGAINST CANCER - MUDGEES LIONS CLUB (ID18/1284)

The Council had before it the report dated 13 August 2018 from the Senior Traffic Engineer regarding Ride Against Cancer - Mudgees Lions Club.

Moved by Councillor G Mohr and seconded by Councillor D Gumley

MOTION

1. That approval be granted to the Mudgees Lions Club to conduct the Ride Against Cancer Charity Horse Ride along Council roads, as detailed in Event and Traffic Management and Risk Management Plan from 6 to 21 October 2018 subject to Council's standard consent conditions that apply to events of this type, and those of the NSW Police Force and Roads and Maritime Services.
2. That the Event and Traffic Management and Risk Management plans be updated to include up to 10 horses and to clarify how the extra riders join the convey and how those extra riders return to their starting point.

CARRIED

Councillor A Jones 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 A Jones is the treasurer of Geurie Lions Club who is catering for this event for the Mudgees Lions Club.

CCL18/163 ACQUISITION OF LAND FOR ROAD WIDENING - PORTION (V) ANNEXED FROM LOT 185 DP 756920 - 8149 BURRENDONG WAY, DRIPSTONE (ID18/1275)

The Council had before it the report dated 9 August 2018 from the Property Development Officer regarding Acquisition of Land for Road Widening - Portion (V) annexed from Lot 185 DP 756920 - 8149 Burrendong Way, Dripstone.

Moved by Councillor D Grant and seconded by Councillor J Diffey

MOTION

1. That Council pay compensation of \$10,615.00 to Mr James M Murray and Ms Dallas E Hyde, owners of Lot 185 DP 756920, for the acquisition of portion (V) of 878.2m² for road widening of Burrendong Way.
2. That the compensation be paid to Mr Murray and Ms Hyde on exchange of contracts for the land, noting that portion (V) has already been fenced into the road reserve.
3. That the Chief Executive Officer be authorised to complete any documentation under delegated "Power of Attorney".

CARRIED

**CCL18/164 RELEASE OF NO BUILDING RESTRICTIONS FROM LOT 15 DP 1031922
MERRILEA ROAD, DUBBO (ID18/1288)**

The Council had before it the report dated 13 August 2018 from the Property Development Officer regarding Release of No Building Restrictions from Lot 15 DP 1031922 Merrilea Road, Dubbo.

Moved by Councillor J Diffey and seconded by Councillor D Grant

MOTION

1. That Council resolve to release the restriction thirdly referred to in Deposited Plan 1031922 which specifies that 'no building of any description shall be erected on the lot burdened'.
2. That Council resolve to release the restriction fourthly referred to in Deposited Plan 849193 which specifies that 'no building of any description shall be erected within the land marked "M"'.
3. That the Chief Executive Officer be authorised to complete any documentation under delegated "Power of Attorney."

CARRIED

**CCL18/165 QUESTION ON NOTICE - CHARGING STATIONS FOR ELECTRIC CARS
(ID18/1334)**

The Council had before it the report dated 20 August 2018 from the Councillor regarding Question on Notice - Charging Stations for Electric Cars.

Council has received the following Question on Notice from Councillor D Gumley. The questions and associated replies are submitted below for the information of Councillors.

Councillor D Gumley:

"It is my understanding that at least one development application for an electric car charging station has recently been approved by Council. Could you please provide further details about this facility including the capacity, location and if a date is known when it will be in operation?"

Response:

The DA number D18-215 Victoria Park Charging Station (Tesla) was approved 13 June 2018.

The electric vehicle charging station includes 4 Tesla Superchargers. This will allow Tesla users to achieve a 50% battery charge in just 30 minutes. This Supercharger station is part of the regional Tesla rollout (they are also located in Bathurst and Gundagai). There are currently 20 Supercharger stations in Australia (mostly concentrated around the east coast) and another 18 proposed. The existing 20 allow Tesla vehicles to travel from Brisbane to Melbourne and Adelaide.

The 4 approved spaces are located in the carpark next the WPCC, parallel to and facing Wingewarra Street.

Economic development staff have been working with representatives from Tesla for an extended period to identify a suitable location for the charging station. The Development Approval brings this exciting project one step closer.

While Development Approval has been granted the Tesla Supercharger Station, it is understood that the project is still subject to approval from Essential Energy for an upgrade of the electrical transformer and finalisation.

There was no cost to Council for this development. A licence agreement between Dubbo Regional Council and Tesla has been signed. Meeting these requirements and planning for installation and operation of the charging station will be done in accordance with Tesla's business and operational plans. Tesla's indications to Council is that the site would be operational in 2019

Council staff are meeting with another supplier in the City this week, supporting a review of potential locations for another charging station. This supplier is looking to provide dual plug Fast chargers which are compatible with most makes and models of electric vehicles other than Tesla. This supplier has also indicated they are looking to be operational in 2019.

CCL18/166 COMMENTS AND MATTERS OF URGENCY (ID18/1298)

There were no matters recorded under this clause.

The meeting closed at 7.10pm.

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CHAIRMAN