



AGENDA

EXTRAORDINARY COUNCIL MEETING

12 SEPTEMBER 2019

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

The meeting is scheduled to commence at 5.30 pm.

PRAYER:

O God, Grant that by the knowledge of thy will, all we may resolve shall work together for good, we pray through Jesus Christ our Lord. Amen!

ACKNOWLEDGEMENT OF COUNTRY:

"I would like to acknowledge the Wiradjuri People who are the Traditional Custodians of the Land. I would also like to pay respect to the Elders both past and present of the Wiradjuri Nation and extend that respect to other Aboriginal peoples from other nations who are present".

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MATTERS CONSIDERED BY COMMITTEES:

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| CCL19/155 | ELECTION OF MAYOR, DEPUTY MAYOR, FORMATION OF STANDING AND OTHER COMMITTEES, PANELS, WORKING PARTIES AND OTHER GROUPS (ID19/1195) | 3 |
| | The Council had before it the report dated 27 August 2019 from the Chief Executive Officer regarding Election of Mayor, Deputy Mayor, Formation of Standing and Other Committees, Panels, Working Parties and Other Groups. | |
| CCL19/156 | METHOD OF VOTING (ID19/1179) | |
| CCL19/157 | ELECTION OF MAYOR FOR THE MAYORAL TERM (ID19/1170) | |
| CCL19/158 | LEAVE OF ABSENCE (ID19/1171) | |
| CCL19/159 | PUBLIC FORUM (ID19/1172) | |
| CCL19/160 | CREATION OF OFFICE OF DEPUTY MAYOR (ID19/1180) | |
| CCL19/161 | ELECTION OF DEPUTY MAYOR FOR THE MAYORAL TERM (ID19/1181) | |
| CCL19/162 | APPOINTMENT OF STANDING COMMITTEES (ID19/1174) | |

- CCL19/163 FORMATION OF OTHER COMMITTEES, PANELS, WORKING
PARTIES AND OTHER GROUPS (ID19/1205)**
- CCL19/164 DETERMINATION OF DATES AND TIMES OF MEETINGS
(ID19/1177)**



REPORT: Election of Mayor, Deputy Mayor, Formation of Standing and Other Committees, Panels, Working Parties and Other Groups

AUTHOR: Chief Executive Officer
REPORT DATE: 27 August 2019
TRIM REFERENCE: ID19/1195

METHOD OF VOTING AND ELECTION OF MAYOR FOR THE MAYORAL TERM

The Mayor of Dubbo Regional Council is elected by the Councillors from among their number in accordance with Section 282(2) of the Local Government Act 1993 (the Act). Section 230(1) of the Local Government Act states that where the Mayor is elected by the Councillors, he/she holds the office for two (2) year, subject to other provisions of the Local Government Act. It is noted that as the next Local Government Election will be held on 12 September 2020, this Mayoral term will be for one (1) year which will bring it back into line with all other NSW Councils following the 2020 election.

Section 230 (3) also states that:

"The Office of Mayor:

- a) commences on the day the person elected to the office is declared to be so elected; and*
- b) becomes vacant when the person's successor is declared to be elected to the office, or on the occurrence of a casual vacancy in the office."*

Schedule 7 of the Local Government (General) Regulation relating to the Election of Mayor by Councillors, provides:

1. Returning Officer

The Chief Executive Officer (or a person appointed by the Chief Executive Officer) is the returning officer.

2. Nomination

- (1) A councillor may be nominated without notice for election as mayor or deputy mayor.
- (2) The nomination is to be made in writing by two (2) or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- (3) The nomination is to be delivered or sent to the returning officer.

- (4) The returning officer is to announce the names of the nominees at the Council meeting at which the election is to be held.

3. Election

- (1) If only one councillor is nominated, that councillor is elected.
- (2) If more than one councillor is nominated, the Council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.
- (3) The election is to be held at the Council meeting at which the Council resolves on the method of voting.
- (4) In this clause:
 - "ballot" has its normal meaning of secret ballot; and
 - "open voting" means voting by a show of hands or similar means.

Nomination papers are appended and may be delivered or sent to the undersigned either prior to or at the Extraordinary meeting.

CREATION OF OFFICE OF DEPUTY MAYOR AND ELECTION OF DEPUTY MAYOR FOR THE MAYORAL TERM

Section 231 of the Act provides that:

1. The Councillors may elect a person from among their number to be the Deputy Mayor.
2. The person may be elected for the mayoral term or a shorter term.

On the assumption that Councillors will wish to elect a Deputy Mayor, to coincide with the mayoral term, nomination papers for the office have been prepared and are made available herewith.

COUNCIL'S COMMITTEES

Regulation 260(1) of the Local Government (General) Regulation 2005 makes provision for a council to appoint or elect such committees as it considers necessary. Regulation 260(2) states that such a committee is to consist of the Mayor and such other councillors of the Council as the Council decides. Regulation 260(3) provides for the quorum for a meeting of a committee to be:

- (a) such number of members as the Council decides; or
- (b) if the Council has not decided a number - a majority of the members of the Committee.

Regulation 261 further provides that a Council must specify the functions of each of its committees when the committee is established, but may from time to time amend those functions.

Under the provisions of the Local Government Act 1993 a committee of Council is one that is comprised solely of Councillors. It is proposed to form several "committees", and in this context are referred to as "Standing Committees", that will consider items and forward recommendations directly to Council for determination that represent the major functions of Council. It is proposed that Council form the following standing committees.

- Development and Environment Committee
- Infrastructure and Liveability Committee
- Culture, Economy and Corporate Committee

Details of the functions of these Committees will be provided further within this report.

It will also be proposed that Council form appointed "groups" to perform specific functions and report to Council providing advice and recommendations on those functions. These "groups" are termed "other committees, working parties and other groups". Although these are not committees by definition (under the Act), they perform essential functions in their operation, advice and reporting mechanisms to the Council.

To create uniformity in the way Council conducts its meetings, it is advised that Council's adopted Code of Meeting Practice provide that all Council appointed committees, working parties, etc, operate within the parameters of such Practice and Procedure Documents.

It will be proposed that "Standing Committees" and the "other committees, working parties and other groups" be appointed for a one (1) year period, up until the 2020 Local Government Elections.

APPOINTMENT OF STANDING COMMITTEES

It is proposed to form the standing committees as below:

(a) Development and Environment Committee

To determine and make recommendations to Council, where appropriate, in relation to the following matters:

Development and Environment	Environmental Compliance Resource Recovery and Efficiency Building and Development Services Growth Planning Services
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comprising the Mayor and nine (9) Councillors with a quorum of four (4) members.

(b) Infrastructure and Liveability Committee

To determine and make recommendations to Council, where appropriate, in relation to the following matters:

Liveability	Operations Recreation and Open Space Aquatic Leisure Centres Community Services Macquarie Regional Library
Infrastructure	Infrastructure Delivery Infrastructure Strategy and Design Water Supply and Sewerage Fleet and Depot Services Transport and Emergency

comprising the Mayor and nine (9) Councillors with a quorum of four (4) members.

(c) Culture, Economy and Corporate Committee

To determine and make recommendations to Council, where appropriate, in relation to the following matters:

Culture and Economy	Airport Operations Saleyards and Showgrounds Economic Development and Marketing Regional Events Regional Experiences
Organisational Performance	Property Assets Financial Operations Information Services Customer Experience
Executive Services	Governance and Risk People, Culture and Safety Communications and Stakeholder Engagement

comprising the Mayor and nine (9) Councillors with a quorum of four (4) members.

ELECTION OF CHAIRPERSONS FOR COUNCIL'S STANDING COMMITTEES

The election of Chairperson for each of the standing committees is proposed to be determined as the first item of business in each of the standing committee meetings scheduled to occur in October 2019. The chairperson shall be elected for the corresponding Mayoral term.

FORMATION AND COMPOSITION OF OTHER COMMITTEES, WORKING PARTIES AND OTHER GROUPS

Council is required to establish the following committees due to legislative requirements or through other arrangements.

Audit and Risk Management Committee

To assist the Council to discharge its responsibilities relating to:

- (i) Financial reporting process
- (ii) Business ethics, policies and practices
- (iii) Management and internal controls
- (iv) Monitoring the integrity of the Council's financial reporting practices and finance and accounting compliance
- (v) Review internal controls, key corporate risks and all audit related matters
- (vi) Encouraging continuous improvement of Council's systems and practices
- (vii) Adoption of the Internal Audit Plan
- (viii) The Council's process for monitoring compliance with policies, laws and regulations and the Council code of conduct.

Comprising one (1) Councillor currently being Councillor A Jones with Councillor K Parker as an alternate, plus two independent representatives currently being Mr J Walkom (Chairperson) and Mr R Gillard.

Local Traffic Committee

To make recommendations to the Infrastructure and Liveability Committee on matters pertaining to traffic regulation and control within Council's area as a result of delegated authority by the Roads and Maritime Service of NSW.

Comprising one (1) Councillor (Chairman) currently being Councillor G Mohr with Councillor V Etheridge as an alternate, plus one (1) representative from each of the Roads and Maritime Service and the Dubbo Police Traffic Branch and the State Member for Dubbo or his/her nominee.

Floodplain Management Committee

To give advice and/or make recommendations on flood matters which may affect land or buildings the subject of a rezoning application, development application or construction certificate application.

Comprising the Mayor, two (2) Councillors currently being Councillors J Diffey and G Mohr, the Chief Executive Officer or his nominee, the Director Infrastructure or his/her nominee, the Director Development and Environment or his/her nominee, the Local Controller State Emergency Services or his/her nominee and District Manager, Department of Environment and Climate Change or his/her nominee.

Chief Executive Officer Performance Review Committee

To undertake an annual performance review of the Chief Executive Officer for recommendations to Council.

Comprising the Mayor, Deputy Mayor, Chairperson of the Development and Environment Committee and the Chairperson of the Culture, Economy and Corporate Committee.

A workshop with Councillors will be held on Wednesday 9 October 2019 to review the balance of Council's Other Committees, Panels, Working Parties and Other Groups, and Council's representation to other organisations. A further report will be referred to Council for consideration at its November 2019 meeting with a view to the formation of Other Committees, Working Parties and Other Groups and determination of Council's representation to other organisations, being effective November 2019 for the remainder of the Council term.

DETERMINATION OF DATES AND TIMES OF MEETINGS

It is proposed that ordinary meetings of the Council will be usually held at 5.30pm on the fourth Monday of each month, excepting as follows: In January where there is no meeting; where the Monday is a Public Holiday; where the Monday clashes with the Annual Conference of the Local Government NSW and in December due to Christmas.

In determining the dates for the Ordinary Council meetings over the ensuing period, it was proposed that the Ordinary meeting of Council be held at 5.30pm on the dates as follows:

Monday 4 November 2019	(Due to Minokamo Visit)
Monday 25 November 2019	
Monday 9 December 2019	(Due to Christmas)
No meeting in January 2020	
Monday 24 February 2020	
Monday 23 March 2020	
Monday 27 April 2020	
Monday 25 May 2020	
Monday 22 June 2020	
Monday 27 July 2020	
Monday 24 August 2020	

There will be no ordinary meeting of Council in September 2020 due to the Local Government Elections being held 12 September 2020.

The dates and times of meetings of Standing Committees are proposed to be as follows:

- (a) Development and Environment Committee on the second Monday each month at 5.30pm, as required;
- (b) Infrastructure and Liveability Committee on the second Monday each month commencing immediately following the completion of the Development and Environment Committee noting that if there is no requirement to conduct a Development and Environment Committee it will be scheduled for 5.30pm on that day;
- (c) Culture, Economy and Corporate Committee on the second Monday each month immediately following the completion of the Infrastructure and Liveability Committee.

It is noted that the dates and times of standing committees may be amended as required by Council.

Michael McMahon
Chief Executive Officer

Appendices:

- [1](#) Office of Mayor Nomination and Acceptance of Nomination 2019
- [2](#) Office of Deputy Mayor Nomination and Acceptance of Nomination 2019

DUBBO REGIONAL COUNCIL

DUBBO

Date.....

The Chief Executive Officer
Dubbo Regional Council
DUBBO

Dear Sir

OFFICE OF MAYOR - NOMINATION PAPER

I hereby nominate Councillor _____ for election to the Office of Mayor of Dubbo Regional Council for the ensuing term.

.....
COUNCILLOR

.....
COUNCILLOR

ACCEPTANCE OF NOMINATION

I hereby accept such nomination.

.....
COUNCILLOR

DUBBO REGIONAL COUNCIL

DUBBO

Date

The Chief Executive Officer
Dubbo Regional Council
DUBBO

Dear Sir

OFFICE OF DEPUTY MAYOR - NOMINATION PAPER

I hereby nominate Councillor _____ for election to the Office of Deputy
Mayor of Dubbo Regional Council for the ensuing term.

.....
COUNCILLOR

.....
COUNCILLOR

ACCEPTANCE OF NOMINATION

I hereby accept such nomination.

.....
COUNCILLOR