



# REPORT ORDINARY COUNCIL MEETING 4 MAY 2021

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**PRESENT:** Councillors J Diffey, V Etheridge, A Jones, S Lawrence, G Mohr, K Parker and J Ryan.

**ALSO IN ATTENDANCE:**

The Chief Executive Officer, the Executive Manager Governance and Internal Control, the Governance and Internal Control Manager, the Executive Manager People Culture and Safety, the Community Support Officer, the Communications Partner, the Director Organisational Performance, the Executive Officer Organisational Performance, the Director Culture and Economy, the Director Infrastructure, the Director Development and Environment and the Director Liveability.

Councillor S Lawrence 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 V Etheridge.

**CCL21/76 LEAVE OF ABSENCE (ID21/701)**

Requests for leave of absence were received from Councillors D Grant and D Gumley who were absent from the meeting due to personal reasons, whilst Councillor B Shields was previously granted leave of absence from this meeting by Council (refer Clause CCL21/53).

Moved by Councillor J Ryan and seconded by Councillor V Etheridge

**MOTION**

**That such requests for Leave of Absence be accepted and Councillors D Grant and D Gumley be granted leave of absence from this meeting, whilst Councillor B Shields was previously granted leave of absence from this meeting by Council (refer Clause CCL21/53).**

**CARRIED**

**CCL21/77 PUBLIC FORUM (ID21/702)**

The Council report having met with:

- Ms Karina McLachlain – regarding CW21/6 Request for Information
- Ms Jill Cross Antony – regarding Sandy Beach
- Ms Linda McCarthy – regarding the reputation of Council and the Dubbo Region

**CCL21/78 CONFIRMATION OF MINUTES (ID21/700)**

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 26 April 2021.

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 26 April 2021 comprising pages 4, 5, 6, 7, 8, 9, 10, 11 and 12 of the series be taken as read, confirmed as correct minutes and signed by the Mayor and the Chief Executive Officer.**

**CARRIED**

**NOTICES OF MOTION:**

**CCL21/79 HOUSING AVAILABILITY (ID21/675)**

Council had before it a Notice of Motion dated 27 April 2021 regarding Housing Availability.

Moved by Councillor S Lawrence and seconded by Councillor J Diffey

**MOTION**

1. **That the CEO be requested to provide a report to the July 2021 ordinary meeting of council advising councillors on:**
  - a. **The general state of the housing market in the Dubbo Local Government Area including an overview of activity of particular housing types and particularly shortages of certain housing types.**
  - b. **Whether council is and has been managing the strategic availability of residential land in the Dubbo Local Government Area and any steps that could be taken to assist further within existing processes.**
  - c. **Steps council could take to address any shortages of particular housing types including specific advice on other ways that council can work with other levels of government and the private sector to address any housing supply shortages identified, including whether there is a possible role for council in property development.**

2. That the CEO be requested to arrange a council led forum of relevant stakeholders prior to July to explore factors contributing to an undersupply of residential housing in the Dubbo Local Government Area and any possible policy and community responses.

CARRIED

**CCL21/80      ADVOCATING FOR RECOGNITION OF JAMES SAMUELS AT DUBBO HOSPITAL  
(ID21/699)**

Council had before it a Notice of Motion dated 27 April 2021 from Councillor J Ryan regarding the Advocating for Recognition of James Samuels at Dubbo Hospital as follows:

Moved by Councillor J Ryan and seconded by Councillor V Etheridge

**MOTION**

1. That Dubbo Regional Council advocates to the state government to name part of the new Dubbo Hospital redevelopment after James Samuels, who attended the first meeting to push for a hospital in 1866, served as treasurer on the hospital committee for more than 60 years, and who donated much of the land where Dubbo Hospital now stands, to the state government.
2. That the Mayor write a letter to Dubbo MP Dugald Saunders and asks him to advocate for this issue on Council's behalf.

CARRIED

**REPORTS FROM STAFF:**

**CCL21/81      POSSIBILITIES FOR THE REDUCTION OF POWERS, EXPENSES AND FACILITIES  
OF THE MAYOR (ID21/706)**

The Council had before it the report dated 29 April 2021 from the Chief Executive Officer regarding Possibilities for the Reduction of Powers, Expenses and Facilities of the Mayor.

Moved by Councillor V Etheridge and seconded by Councillor K Parker

**MOTION**

That the report of the Chief Executive Officer, dated 29 April 2021, be noted.

Moved by Councillor A Jones and seconded by Councillor K Parker

**AMENDMENT**

1. That the report of the Chief Executive Officer, dated 29 April 2021, be noted.
2. That the Deputy Mayor be paid 100% of the additional annual mayoral fee whilst acting in the role of the Mayor.

3. That:
- a) the Policy for the Payment of Expenses and Provision of Facilities for the Mayor and Councillors be amended to provide for the automatic transfer of the additional annual mayoral fee during any leave of absence of the Mayor, to the person acting in the role of Mayor.
  - b) this amendment does not require a public exhibition period in accordance with section 253(3) of the Local Government Act 1993 as 'council is of the opinion that the proposed amendment is not substantial'.

The amendment 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 Mohr
Councillor Etheridge	
Councillor Jones	
Councillor Lawrence	
Councillor Parker	
Councillor Ryan	
<b>Total (6)</b>	<b>Total (1)</b>

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 Mohr
Councillor Etheridge	
Councillor Jones	
Councillor Lawrence	
Councillor Parker	
Councillor Ryan	
<b>Total (6)</b>	<b>Total (1)</b>

**CCL21/82      OPTIONS FOR THE APPOINTMENT OF AN INDEPENDENT INVESTIGATOR  
(ID21/707)**

The Council had before it the report dated 29 April 2021 from the Chief Executive Officer regarding Options for the Appointment of an Independent Investigator.

Moved by Councillor J Ryan and seconded by Councillor A Jones

**MOTION**

That the information contained within the report of the Chief Executive Officer, dated 29 April 2021, be noted.

Moved by Councillor J Diffey and seconded by Councillor V Etheridge

**AMENDMENT**

1. That Council notes the contents of the report by the Acting Chief Executive Officer titled "Options for the Appointment of an Independent Investigator", dated 29 April 2021.
2. That Council notes the correspondence from Mr Luke Walton, Acting Deputy Secretary, Office of Local Government, NSW Department of Local Government, Planning and Policy, dated 3 May 2021, concerning code of conduct complaints.
3. The Council notes the confidential draft advice from Local Government NSW, dated 4 May 2021, concerning code of conduct complaints.
4. The Council seeks urgent advice from Local Government NSW on options for an independent and pro-active approach to ensuring that alleged breaches of the Council's Code of Conduct are able to be made with confidence that they will be properly considered and managed in accordance with the Procedures for the Administration of the Model Code of Conduct.

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**

**CCL21/83      PREVENTION OF WORKPLACE BULLYING POLICY AND PROCEDURE (ID21/677)**

The Council had before it the report dated 27 April 2021 from the Executive Manager People Culture and Safety regarding Prevention of Workplace Bullying Policy and Procedure.

Moved by Councillor A Jones and seconded by Councillor K Parker

**MOTION**

1. That the report of the Executive Manager People Culture and Safety, dated 27 April 2021, be noted.

2. That the Prevention of Workplace Bullying Policy and Procedure be updated in line the recommendations provided by Sparke Helmore Lawyers.
3. That the updated Draft Prevention of Workplace Bullying Policy and Procedure be submitted to 15 June 2021 Culture Economy and Corporate Committee meeting for adoption.

CARRIED

**CCL21/84 DUBBO AQUATIC LEISURE CENTRE - INDOOR FACILITY CONCEPTS (ID21/644)**

The Council had before it the report dated 19 April 2021 from the Director Liveability regarding Dubbo Aquatic Leisure Centre - Indoor facility concepts.

Moved by Councillor K Parker and seconded by Councillor V Etheridge

**MOTION**

1. That the report from the Director Liveability, dated 19 April 2021, be noted.
2. That a suitable funding strategy for an indoor aquatic leisure centre be determined.

CARRIED

**CCL21/85 EXPRESSIONS OF INTEREST - WELLINGTON NEW YEAR'S EVE EVENT (ID21/653)**

The Council had before it the report dated 21 April 2021 from the Manager Regional Events regarding Expressions of Interest - Wellington New Year's Eve Event.

Moved by Councillor A Jones and seconded by Councillor J Ryan

**MOTION**

1. That the report of the Manager Regional Events, dated 21 April 2021, be noted.
2. That Council respond to submissions made, thank them for their interest and advise that the process did not produce any concepts or community group interest for delivery of a New Year's Eve event in Wellington.
3. That any community group interested in hosting a community New Year's Eve event in Wellington be directed to existing funding channels for potential financial or in-kind support from Council, and be connected with community members who expressed an interest in volunteering.

CARRIED

**CCL21/86 DESTINATION PARTNERSHIP PROGRAM, FEES AND CHARGES (ID21/656)**

The Council had before it the report dated 23 April 2021 from the Manager Economic Development and Marketing regarding Destination Partnership Program, Fees and Charges.

Moved by Councillor J Diffey and seconded by Councillor K Parker

**MOTION**

1. That the report of the Manager Economic Development and Market, dated 23 April 2021, be noted.
2. That the costs for businesses to collaborate in destination marketing activities as set out in the report be approved.

**CARRIED**

**CCL21/87 COMMENTS AND MATTERS OF URGENCY (ID21/703)**

There were no matters recorded under this clause.

At this junction it was moved by Councillor A Jones and seconded by Councillor V Etheridge that the Council resolves into the Committee of the Whole Council, the time being 6.12 pm.

The meeting resumed at 6.16 pm.

**CCL21/88 COMMITTEE OF THE WHOLE (ID21/714)**

The Director Organisational Performance read to the meeting the Report of the Committee of the Whole meeting held on 4 May 2021.

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 4 May 2021, be adopted.**

**CARRIED**

The meeting closed at 6.18 pm.

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CHAIRMAN