



# AGENDA

## ORDINARY COUNCIL MEETING

### 27 SEPTEMBER 2021

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

The meeting is scheduled to commence at 5.30 pm.

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#### 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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**CCL21/202 LEAVE OF ABSENCE (ID21/1600)**

**CCL21/203 CONFLICTS OF INTEREST (ID21/1665)**

**CCL21/204 PUBLIC FORUM (ID21/1601)**

**CCL21/205 CONFIRMATION OF MINUTES (ID21/1602)**

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 23 August 2021 and the Extraordinary Council meeting held 6 September 2021.

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#### MAYORAL MINUTES:

**CCL21/206 MAYORAL APPOINTMENTS FOR SEPTEMBER 2021 (ID21/1510)**

The Council had before it the Mayoral Minute regarding Mayoral Appointments for September 2021

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- CCL21/206A ACKNOWLEDGEMENT OF ASSISTANT COMMISSIONER GEOFF MCKECHNIE APM NSW POLICE, COMMANDER OF THE WESTERN REGION NSW POLICE FORCE AND HIS SERVICE TO THE DUBBO LOCAL GOVERNMENT AREA (ID21/1664)** 20
- The Council had before it the Mayoral Minute regarding Acknowledgement of Assistant Commissioner Geoff McKechnie APM NSW Police, Commander of the Western Region NSW Police Force and his Service to the Dubbo Local Government Area

**MATTERS CONSIDERED BY COMMITTEES:**

- CCL21/207 REPORT OF THE DEVELOPMENT AND ENVIRONMENT COMMITTEE - MEETING 13 SEPTEMBER 2021 (ID21/1603)** 22
- The Council had before it the report of the Development and Environment Committee meeting held 13 September 2021.

- CCL21/208 REPORT OF THE CULTURE, ECONOMY AND CORPORATE COMMITTEE - MEETING 13 SEPTEMBER 2021 (ID21/1604)** 25
- The Council had before it the report of the Culture, Economy and Corporate Committee meeting held 13 September 2021.

**NOTICES OF MOTION:**

- CCL21/209 TREE PRESERVATION ORDER (ID21/1508)** 28
- Council had before it a Notice of Motion dated 30 August 2021 from Councillor J Ryan regarding the Tree Preservation Order.

- CCL21/210 VICTORIA PARK PLAYGROUND REDEVELOPMENT (ID21/1570)** 30
- Council had before it a Notice of Motion dated 6 September 2021 from Councillor J Diffey regarding the Victoria Park Playground Redevelopment.

- CCL21/211 COSTS OF RUNNING AQUATIC LEISURE FACILITIES (ID21/1605)** 32
- Council had before it a Notice of Motion dated 14 September 2021 from Councillor J Ryan regarding the Costs of Running Aquatic Leisure Facilities.

- CCL21/212 2021 LOCAL GOVERNMENT ELECTION - REFERENDUM (ID21/1624)** 34
- Council had before it a Notice of Motion dated 16 September 2021 from Councillor V Etheridge regarding the 2021 Local Government Election – Referendum.

**REPORTS FROM STAFF:**

- CCL21/213 DRAFT COUNCIL POLICY - COUNCILLOR AND STAFF INTERACTION - RESULTS OF PUBLIC EXHIBITION (ID21/1509)** 36  
The Council had before it the report dated 13 September 2021 from the Chief Executive Officer regarding Draft Council Policy - Councillor and Staff Interaction - Results of Public Exhibition.
- CCL21/214 DISCLOSURE OF INTEREST RETURNS (ID21/1568)** 50  
The Council had before it the report dated 20 September 2021 from the Executive Manager Governance and Internal Control regarding Disclosure of Interest Returns.
- CCL21/215 INDEPENDENT INVESTIGATION FINDINGS (ID21/1623)** 55  
The Council had before it the report dated 21 September 2021 from the Executive Manager Governance and Internal Control regarding Independent Investigation Findings.
- CCL21/216 LGNSW BOARD ELECTIONS AND ANNUAL CONFERENCE (ID21/1571)** 67  
The Council had before it the report dated 10 September 2021 from the Governance Team Leader regarding LGNSW Board Elections and Annual Conference.
- CCL21/217 RE-INSTATING THE COVID-19 RATES FINANCIAL ASSISTANCE POLICY (ID21/1580)** 93  
The Council had before it the report dated 3 September 2021 from the Chief Financial Officer regarding Re-Instating the COVID-19 Rates Financial Assistance Policy.
- CCL21/218 EVENT ASSISTANCE PROGRAM - 2021/2022 - ROUND 1 COMMUNITY EVENTS FUND AND EMERGING EVENTS FUND (ID21/1563)** 101  
The Council had before it the report dated 8 September 2021 from the Manager Regional Events regarding Event Assistance Program - 2021/2022 - Round 1 Community Events Fund and Emerging Events Fund.

- CCL21/219    PROPOSED ROAD CLOSURE - CAMPANIA ROAD RAWSONVILLE (ID21/1579)** 106  
The Council had before it the report dated 10 September 2021 from the Road Services Engineer regarding Proposed Road Closure - Campania Road Rawsonville.
- CCL21/220    PROPOSED CLOSURE OF UNFORMED ROAD - SECTION OF GOONOO STREET WONGARBON (ID21/1581)** 110  
The Council had before it the report dated 13 September 2021 from the Road Services Engineer regarding Proposed Closure of Unformed Road - Section of Goonoo Street Wongarbron.
- CCL21/221    COMMENTS AND MATTERS OF URGENCY (ID21/1606)**
- CCL21/222    COMMITTEE OF THE WHOLE (ID21/1637)**





DUBBO REGIONAL  
COUNCIL

## Confirmation of Minutes

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held on 23 August 2021 and the Extraordinary Council meeting held on 6 September 2021.

### RECOMMENDATION

**That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council meeting held on 23 August 2021 comprising pages 6, 7, 8, 9, 10, 11 and 12 of the series, and the Extraordinary Council meeting held on 6 September 2021 comprising pages 13, 14 and 15, be taken as read, confirmed as correct minutes and signed by the Mayor and the Chief Executive Officer.**

Appendices:

- 1 [↓](#) Minutes - Ordinary Council Meeting - 23/08/2021
- 2 [↓](#) Minutes - Extraordinary Council Meeting - 06/09/2021



# REPORT

## ORDINARY COUNCIL MEETING

### 23 AUGUST 2021

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**PRESENT:** Councillors J Diffey, D Grant, 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 Team Leader, the Administration Officer Governance, the Communications Partner, the Director Organisational Performance, the Business Systems Partner, 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 5.32 pm 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. This meeting was held by video conference with live web streaming.

**CCL21/182 LEAVE OF ABSENCE (ID21/1355)**

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

Moved by Councillor Diffey and seconded by Councillor Parker

**MOTION**

**That such request for Leave of Absence be accepted and Councillor V Etheridge be granted leave of absence from this meeting.**

**CARRIED**

**CCL21/183 PUBLIC FORUM (ID21/1356)**

There were no speakers during Public Forum.

**CCL21/184 CONFIRMATION OF MINUTES (ID21/1335)**

Confirmation of the minutes of the proceedings of the Ordinary Council meeting held 26 July 2021 and Extraordinary Council meeting held 10 August 2021.

Moved by Councillor A Jones and seconded by Councillor D Grant

**MOTION**

That the minutes of the proceedings of the Dubbo Regional Council at the Ordinary Council meeting held on 26 July 2021 comprising pages 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27 of the series, and the Extraordinary Council meeting held 10 August 2021 comprising pages 28, 29, 30, 31, 32 and 33 of the series, be taken as read, confirmed as correct minutes and signed by the Mayor and the Chief Executive Officer.

**CARRIED**

**MAYORAL MINUTES:****CCL21/185 MAYORAL MINUTE - MAYORAL APPOINTMENTS FOR AUGUST 2021 (ID21/1376)**

The Council had before it the Mayoral Minute regarding Mayoral Minute - Mayoral Appointments for August 2021.

Moved by Councillor S Lawrence and seconded by Councillor K Parker

**MOTION**

That the information contained in the Mayoral Minute be noted.

**CARRIED**

**CCL21/186 DUBBO REGION'S RESPONSE TO THE LATEST COVID-19 OUTBREAK (ID21/1462)**

The Council had before it the Mayoral Minute regarding Dubbo Region's Response to the Latest COVID-19 Outbreak.

Moved by Councillor S Lawrence and seconded by Councillor A Jones

**MOTION**

1. That Council acknowledge the exemplary community response to the COVID-19 outbreak.
2. That Council thank the health workers who are putting their own lives at risk to provide essential public health services to the Dubbo Region and surrounding areas.
3. That Council urges the community to keep going in the collective effort to comply with the public health order and stop the spread of COVID-19.

4. That Council notes the current public health messages and the work of staff in providing the necessary assistance in promoting these key messages to the community.
5. That Council notes the following assistance provided to respond to the outbreak:
  - Provision of facilities and staff to testing sites at the Showground and Pioneer Park. This includes working with Police to reconfigure traffic management and ensure safe and orderly flow of vehicles and administration support.
  - Providing vehicles and logistics support as requested.
  - Development and roll out of non-branded communication materials to be shared by community groups, agencies and individuals. This includes a significant focus on helping get messages to the harder to reach parts of our community.

**CARRIED**

**INFORMATION ONLY MATTERS:**

**CCL21/187 AUDIT AND RISK MANAGEMENT COMMITTEE - MEETING MINUTES 15 JUNE 2021 (ID21/1435)**

The Council had before it the report dated 9 August 2021 from the Administration Officer - Governance and Internal Control regarding Audit and Risk Management Committee - Meeting Minutes 15 June 2021.

Moved by Councillor A Jones and seconded by Councillor K Parker

**MOTION**

**That the report of the Audit and Risk Management Committee meeting held on 15 June 2021, be noted.**

**CARRIED**

**CCL21/188 DUBBO REGIONAL LIVESTOCK MARKETS TECHNICAL ADVISORY PANEL - MEETING MINUTES 3 AUGUST 2021 (ID21/1454)**

The Council had before it the report dated 13 August 2021 from the Administration Officer - Governance and Internal Control regarding Dubbo Regional Livestock markets Technical Advisory Panel - Meeting Minutes 3 August 2021.

Moved by Councillor J Diffey and seconded by Councillor K Parker

**MOTION**

**That the report of the Dubbo Regional Livestock Markets Technical Advisory Panel held on 3 August 2021, be noted.**

**CARRIED**

**REPORTS FROM STAFF:****CCL21/189 PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR THE MAYOR AND COUNCILLORS - RESULTS OF PUBLIC EXHIBITION (ID21/1378)**

The Council had before it the report dated 5 August 2021 from the Governance Team Leader regarding Payment of Expenses and Provision of Facilities for the Mayor and Councillors - Results of Public Exhibition.

Moved by Councillor J Diffey and seconded by Councillor K Parker

**MOTION**

1. That the *Policy for the Payment of Expenses and Provision of Facilities for the Mayor and Councillors* as attached as Appendix 1 to the report of the Governance Team Leader dated 5 August 2021, be adopted.
2. That those who made a submission be acknowledged and advised of Council's determination.

**CARRIED**

**CCL21/190 SMALL TOWNS PRIMARY HEALTH REFERENCE GROUP - CALL FOR EXPRESSIONS OF INTEREST (ID21/1458)**

The Council had before it the report dated 13 August 2021 from the Governance Team Leader regarding Small Towns Primary Health Reference Group - Call for Expressions of Interest.

Moved by Councillor J Ryan and seconded by Councillor J Diffey

**MOTION**

1. That the report of the Governance Team Leader, dated 13 August 2021, be noted.
2. That Council endorse a relevantly qualified member of staff to put forward an Expression of Interest for the Small Towns Primary Health Reference Group.
3. That Council endorse one councillor to put forward an Expression of Interest for the Small Towns Primary Health Reference Group.
4. That, should a councillor be chosen to sit on the panel and cease to be a councillor, an alternative councillor be nominated to replace them.
5. That point 3 and 4 above be explicitly referred to in any Expression of Interest put forward by the nominated councillor.

Moved by Councillor J Ryan and seconded by Councillor J Diffey

**AMENDMENT**

1. That the report of the Governance Team Leader, dated 13 August 2021, be noted.
2. That Council endorse the Director Liveability to put forward an Expression of Interest for the Small Towns Primary Health Reference Group.

3. That Council endorse Councillor D Grant to put forward an Expression of Interest for the Small Towns Primary Health Reference Group.
4. That Councillor A Jones be selected as a secondary Councillor representative, should it be required.
5. That, should a councillor be chosen to sit on the panel and cease to be a councillor, an alternative councillor be nominated to replace them.
6. That point 3, 4 and 5 above be explicitly referred to in any Expression of Interest put forward by the nominated councillor.

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**

**CCL21/191 INVESTMENTS UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT - JULY 2021 (ID21/1366)**

The Council had before it the report dated 4 August 2021 from the Acting Chief Financial Officer regarding Investments Under Section 625 of the Local Government Act - July 2021.

Moved by Councillor A Jones and seconded by Councillor J Diffey

**MOTION**

**That the information contained within the report of the Chief Financial Officer, dated 4 August 2021, be noted.**

**CARRIED**

*Councillor K Parker declared a non-pecuniary, less than 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 works for the bank of Queensland, with whom Council has investments.*

**CCL21/192 BUILDING SUMMARY - JULY 2021 (ID21/1363)**

The Council had before it the report dated 5 August 2021 from the Director Development and Environment regarding Building Summary - July 2021.

Moved by Councillor K Parker and seconded by Councillor D Grant

**MOTION**

**That the information contained within the report of the Director Development and Environment, dated 5 August 2021, be noted.**

**CARRIED**

**CCL21/193 NRL FIXTURE - 23 MAY 2021 (ID21/1375)**

The Council had before it the report dated 4 August 2021 from the Manager Regional Events regarding NRL Fixture - 23 May 2021.

Moved by Councillor K Parker and seconded by Councillor J Ryan

**MOTION**

**That the report of the Manager Regional Events, date 4 August 2021, be noted.**

**CARRIED**

**CCL21/194 AMENDMENT TO WELLINGTON AQUATIC LEISURE CENTRE 2021/2022 SEASON OPENING HOURS (ID21/1354)**

The Council had before it the report dated 30 July 2021 from the Manager Aquatic Leisure Centres regarding Amendment to Wellington Aquatic Leisure Centre 2021/2022 Season Opening Hours.

Moved by Councillor A Jones and seconded by Councillor J Diffey

**MOTION**

**1. That the following seasonal opening times for Wellington Aquatic Leisure Centre are:**

- **Season: Saturday, 4 September 2021 – Sunday, 27 March 2022 (29 weeks)**
- **September, October, November 2021**
  - **Monday-Thursday: 6.00am-6.30pm**
  - **Friday 6.00am-7.30pm**
  - **Saturday: 8.00am-6.30pm**
  - **Sunday: 10.00am-6.30pm**
- **December 2021 and January 2022**
  - **Monday-Thursday: 6.00am-7.00pm**
  - **Friday 6.00am-7.30pm**
  - **Saturday: 8.00am-7.00pm**
  - **Sunday: 10.00am-7.00pm**
- **February and March 2022**
  - **Monday-Thursday: 6.00am-6.30pm**
  - **Friday: 6.00am-7.30pm**
  - **Saturday: 8.00am-6.30pm**
  - **Sunday: 10.00am-6.30pm**

**CARRIED**

*Councillor D Grant declared a non-pecuniary, less than 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's daughter is a member of the Wellington Amateur Swim Club, who will benefit from the extended hours.*

**CCL21/195 COMMENTS AND MATTERS OF URGENCY (ID21/1357)**

There were no matters recorded under this clause.

The meeting closed at 5.55 pm.

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CHAIRMAN





# REPORT

## EXTRAORDINARY COUNCIL MEETING

### 6 SEPTEMBER 2021

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

**ALSO IN ATTENDANCE:**

The Chief Executive Officer, the Executive Manager Governance and Internal Control, the Governance Team Leader, the Administration Officer Governance, the Communications Partner, the Director Organisational Performance, the IT Support Officer, 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 5.31 pm 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. This meeting was held by video conference with live web streaming.

**CCL21/196 LEAVE OF ABSENCE (ID21/1440)**

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

Moved by Councillor A Jones and seconded by Councillor D Grant

**MOTION**

**That such requests for Leave of Absence be accepted and Councillor G Mohr be granted leave of absence from this meeting.**

**CARRIED**

**CCL21/197 PUBLIC FORUM (ID21/1441)**

There were no speakers during Public Forum.

In accordance with Schedule 7 Section 1 of the Local Government (General) Regulation 2005, the Chief Executive Officer acted as the returning officer to conduct this election.

**CCL21/198 ELECTION OF MAYOR AND DEPUTY MAYOR FOR THE REMAINDER OF THE COUNCIL TERM (ID20/1691)**

The Council had before it the report dated 1 September 2021 from the Chief Executive Officer regarding Election of Mayor and Deputy Mayor for the Remainder of the Council Term.

Moved by Councillor J Diffey and seconded by Councillor V Etheridge

**MOTION**

1. That the report of the Chief Executive Officer, dated 1 September 2021, be noted.
2. That the method of voting for the office of Mayor and Deputy Mayor be by Open Voting (show of hands).

**CARRIED**

**CCL21/199 ELECTION OF MAYOR FOR THE MAYORAL TERM (ID20/1692)**

At this stage, the Chief Executive Officer as Returning Officer invited nominations for the election of the office of Mayor for the remainder of the Council Term with the following written nomination received:

Councillor S Lawrence nominated by Councillor A Jones and Councillor K Parker

Councillor S Lawrence formally accepted his nomination.

The Chief Executive Officer as Returning Officer declared that as only one nomination was received for the position of the Mayor, Councillor S Lawrence is duly elected to the office of Mayor of Dubbo Regional Council for the remainder of the Council Term.

Councillor S Lawrence assumed Chairmanship of the meeting, the time being 5.36 pm.

**CCL21/200 CREATION OF OFFICE OF DEPUTY MAYOR (ID20/1695)**

The Council gave consideration to determining whether it would create the office of Deputy Mayor.

Moved by Councillor V Etheridge and seconded by Councillor J Diffey

**MOTION**

**That the office of Deputy Mayor be created and operate for the remainder of the Council Term.**

**CARRIED**

In accordance with Schedule 7 Section 1 of the Local Government (General) Regulation 2005, the Chief Executive Officer acted as the returning officer to conduct this election.

**CCL21/201 ELECTION OF DEPUTY MAYOR FOR THE MAYORAL TERM (ID20/1696)**

At this stage, the Chief Executive Officer as Returning Officer invited nominations for the election of the office of Deputy Mayor for the remainder of the Council Term with the following written nominations received:

Councillor A Jones nominated by Councillor K Parker and Councillor S Lawrence

Councillors A Jones formally accepted her nomination.

The Chief Executive Officer as Returning Officer declared that as only one nomination was received for the position of the Deputy Mayor, Councillor A Jones is duly elected to the office of Deputy Mayor of Dubbo Regional Council for the remainder of the Council Term.

Councillor S Lawrence assumed Chairmanship of the meeting, the time being 5.42 pm.

The meeting closed at 5.49 pm.

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CHAIRMAN



DUBBO REGIONAL  
COUNCIL

## MAYORAL MINUTE: Mayoral Appointments for September 2021

**AUTHOR:** Mayor  
**REPORT DATE:** 30 August 2021  
**TRIM REFERENCE:** ID21/1510

To the Council  
Ladies and Gentlemen

Office of the Mayor  
Civic Administration Building  
Church Street, Dubbo

For the information of Councillors I provide details of my Mayoral Appointments and attendances as follows:

### Tuesday 17 August 2021

- Media Interview – 2DU.
- Attended press conference along with Local Member for Dubbo, NSW Health and Police.
- Attended COVID-19 update with Western NSW Local Health District via video conference.
- Attended a meeting with the Governor-General and Mrs Hurley via video conference.

### Wednesday 18 August 2021

- Attended press conference along with Local Member for Dubbo, NSW Health and Police.

### Thursday 19 August 2021

- Attended a meeting with Deputy Commission Mick Willing APM.
- Attended press conference along with Local Member for Dubbo, NSW Health and Police.
- Attended a Councillor briefing by Council's CEO, Murray Wood.

### Friday 20 August 2021

- Attended press conference along with Local Member for Dubbo, NSW Health and Police.

### Saturday 21 August 2021

- Attended press conference along with Local Member for Dubbo, NSW Health and Police.

### Sunday 22 August 2021

- Attended along with Councillor John Ryan to help out at the Showground testing clinics.

Monday 23 August 2021

- Attended press conference along with Local Member for Dubbo, NSW Health and Police.
- Attended Council Briefing and Ordinary Council Meeting.

Tuesday 24 August 2021

- Media Interview – 2DU.
- Attended press conference along with Local Member for Dubbo, NSW Health and Police.

Wednesday 25 August 2021

- Media Interview – Triple M.
- Attended press conference along with Local Member for Dubbo, NSW Health and Police.

Thursday 26 August 2021

- Media Interview – DCFM.
- Media Interview – ABC Statewide Drive.
- Media Interview – The Briefing Podcast.
- Attended press conference along with Local Member for Dubbo, NSW Health and Police.

Friday 27 August 2021

- Media Interview – 2BS.
- Attended press conference along with Local Member for Dubbo, NSW Health and Police.
- Attended photo opportunity with Local Member for Dubbo and NSW Health at the new drive through vaccination clinic at the Showground.
- Participated in the Vinnies Community Sleep Out.

Monday 30 August 2021

- Media Interview – ABC News Radio.
- Media Interview – 2GB.
- Attended press conference along with Local Member for Dubbo, NSW Health and Police.
- Attended Councillor Workshop.

Tuesday 31 August 2021

- Media Interview – 2DU.
- Attended press conference along with Local Member for Dubbo, NSW Health and Police.

Wednesday 1 September 2021

- Attended press conference along with Local Member for Dubbo, NSW Health and Police.

Thursday 2 September 2021

- Media Interview – Zoo FM.
- Attended press conference along with Local Member for Dubbo, NSW Health and Police.

Friday 3 September 2021

- Attended press conference along with Local Member for Dubbo, NSW Health and Police.
- Attended Dubbo and Broken Hill Zoom Brief via video conference.

Monday 6 September 2021

- Media Interview - 2DU.
- Media Interview – ABC Western Plains.
- Attended press conference along with Local Member for Dubbo, NSW Health and Police.
- Attended Extraordinary Council Briefing and Meeting – Mayoral Election.

Tuesday 7 September 2021

- Media Interview – 2DU.
- Attended along with Council's CEO, Murray Wood, and Western NSW LHD CEO, Scott McLachlan a meeting with Minister for Health and Medical Research, the Honourable Brad Hazzard.
- Attended press conference along with Local Member for Dubbo, NSW Health and Police.

Wednesday 8 September 2021

- Attended press conference along with Local Member for Dubbo, NSW Health and Police.
- Attended LGNSW Board meeting via video conference.
- Attended Dubbo Korean Consortium Visit meeting via video conference.

Thursday 9 September 2021

- Attended press conference along with Local Member for Dubbo, NSW Health and Police.
- Attended Regional Sport Facility Fund Round 2 meeting via video conference.

Friday 10 September 2021

- Media Interview – 2BS.
- Attended along with Councillor Anne Jones and Councillor Jane Diffey a meeting regarding the Chief Executive Officer recruitment with Christian Morris LG NSW.
- Attended press conference along with Local Member for Dubbo, NSW Health and Police.

Monday 13 September 2021

- Media Interview – 2BS.
- Attended press conference along with Local Member for Dubbo, NSW Health and Police.
- Attended Development and Environment and Culture and Economy and Corporate Committee briefing and meetings.

Tuesday 14 September 2021

- Media Interview – 2DU.
- Attended press conference along with Local Member for Dubbo, NSW Health and Police.
- Attended LGNSW Meeting via video conference.

Wednesday 15 September 2021

- Attended press conference along with Local Member for Dubbo, NSW Health and Police.
- Attended Councillor Workshop via video conference.

Thursday 16 September 2021

- Attended press conference along with Local Member for Dubbo, NSW Health and Police.

Friday 17 September 2021

- Attended press conference along with Local Member for Dubbo, NSW Health and Police.
- Attended LGNSW meeting via video conference.

Monday 20 September 2021

- Media Interview – ABC.
- Media Interview – 2DU.
- Media Interview – A current Affair.
- Attended along with Councillor Anne Jones, Councillor Jane Diffey and Christian Morris LGNSW interviews for the Chief Executive Officer position.

**RECOMMENDATION**

**That the information contained in the Mayoral Minute be noted.**

*Councillor S Lawrence*  
Mayor



## **MAYORAL MINUTE: Acknowledgement of Assistant Commissioner Geoff McKechnie APM NSW Police, Commander of the Western Region NSW Police Force and his Service to the Dubbo Local Government Area**

**AUTHOR:** Mayor  
**REPORT DATE:** 24 September 2021  
**TRIM REFERENCE:** ID21/1664

To the Council  
Ladies and Gentlemen

Office of the Mayor  
Civic Administration Building  
Church Street, Dubbo

On behalf of Dubbo Regional Council I wish to acknowledge the service of Assistant Commissioner Geoff McKechnie APM, NSW Police, Commander of the Western Region NSW Police Force to communities in the Dubbo Local Government Area.

Assistant Commissioner McKechnie APM completed his last day as Commander of the Western Region NSW Police Force on 23 September 2021, following his retirement.

Geoff dedicated 33 years to serving the community, in protecting the people of NSW and in particular rural communities. He was a passionate leader who embedded himself in his community.

Geoff started and ended his career in rural NSW and one of his proudest achievements was the establishment of a world-class rural crime investigation team. He was instrumental in the formation of the Rural Crime Prevention Team and the expansion of rural crime investigation capabilities. This team now work across all of regional and remote NSW and are dedicated to preventing and responding to rural crime.

Geoff returned to Dubbo in 2012 when he was promoted to Assistant Commissioner as the Western Region Commander in 2012. During this time he led the restructuring of 11 Local Area Commands into seven Police Districts with an officer-in-charge model implemented, where each regional police station having a senior officer in charge of operations to work closely with and be part of the community.

Geoff has also been the Region Emergency Operation Controller (REOCON) for the Western Region for the last 10 years, where he was responsible for the emergency management of 70% of the NSW land mass.



In August 2021, as REOCON, he enacted the Regional Emergency Operational Centre in direct response to the Delta strain of COVID-19 hitting Western NSW.

Geoff's role also means he is the lead, as the REOCON, for the Western, Far West and New England Emergency Management Zones.

Geoff has been instrumental in the Emergency Management Response to the Wilcannia community, in particular bringing the NSW RFS Emergency Operation Centre to town. Working closely with the ADF to deploy personnel across his region including Dubbo, Wilcannia and Bourke.

As REOCON, Geoff implemented the West / Far West vaccination team within the Emergency Operation Centre, which comprised NSW Health, NSW Police Force, ADF, (Commonwealth) Health, AUSMAT, RFS, Aboriginal Affairs, Transport for NSW, and Resilience NSW. This team, under the leadership of AC McKechnie, has been responsible for vaccinating some of our most vulnerable communities and delivering high vaccination rates across western NSW.

I wish to offer my sincere thanks to Geoff for his exemplary service, most recent involvement in the COVID emergency and his innovative ideas and efforts in working with communities around NSW, and particularly with the rural communities of the Dubbo Regional Council Area.

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**RECOMMENDATION**

- 1. That Council acknowledge the service of Assistant Commissioner Geoff McKechnie APM, Commander of the Western Region NSW Police Force.**
- 2. That the Mayor write to Geoff to acknowledge his contribution to Policing and wish him well in his retirement.**

*Councillor S Lawrence*  
Mayor



**DUBBO REGIONAL  
COUNCIL**

## **Report of the Development and Environment Committee - meeting 13 September 2021**

**AUTHOR: Administration Officer - Governance and  
Internal Control**

**REPORT DATE: 14 September 2021**

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The Committee had before it the report of the Development and Environment Committee meeting held 13 September 2021.

### **RECOMMENDATION**

**That the report of the Development and Environment Committee meeting held on 13 September 2021, be noted.**



**REPORT  
DEVELOPMENT AND ENVIRONMENT  
COMMITTEE  
13 SEPTEMBER 2021**

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**PRESENT:** Councillors J Diffey, V Etheridge, D Grant, 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 Team Leader, the Administration Officer Governance, the Communications Partner, the Director Organisational Performance, the Director Culture and Economy, the Director Infrastructure, the Director Development and Environment and the Director Liveability.

Councillor K Parker assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 5.31 pm.

**DEC21/22 LEAVE OF ABSENCE (ID21/1503)**

No requests for leave of absence were received.

**DEC21/23 BUILDING SUMMARY - AUGUST 2021 (ID21/1564)**

The Committee had before it the report dated 31 August 2021 from the Director Development and Environment regarding Building Summary - August 2021.

Moved by Councillor S Lawrence and seconded by Councillor J Ryan

**MOTION**

**That the information contained within the report of the Director Development and Environment, dated 31 August 2021, be noted.**

**CARRIED**

**DEC21/24 S7.11 CONTRIBUTIONS PLAN - ROADS, TRAFFIC MANAGEMENT AND CAR PARKING - SERVICE STATIONS (BONDS) (ID21/1565)**

The Committee had before it the report dated 26 August 2021 from the Manager Building and Development Services regarding S7.11 Contributions Plan - Roads, Traffic Management and Car Parking - Service Stations (Bonds).

Moved by Councillor D Grant and seconded by Councillor A Jones

**MOTION**

1. That Council vary the S7.11 Contributions Plan – Roads, Traffic Management and Car Parking, to accept a ‘bond’ or ‘bank guarantee’ in lieu of payment with regard to *service station* approvals only.
2. That it be noted that this is to enable data to be collected in order for the proponent to demonstrate a reduced demand with regard to daily vehicle trips at the subject site and a subsequent modification of a condition relating to S7.11 Contributions – Urban Roads.
3. That the ‘bond’ or ‘bank guarantee’ be reduced to 50% of the calculated contribution under the S7.11 Contributions Plan – Roads, Traffic Management and Car Parking.
4. That following Council’s adoption of a new S7.11 Contributions Plan – Roads, Traffic Management and Car Parking, this variation cease to operate.

**CARRIED**

The meeting closed at 5.33 pm.

.....  
CHAIRMAN

**Report of the Culture, Economy and  
Corporate Committee - meeting 13  
September 2021**



**DUBBO REGIONAL  
COUNCIL**

**AUTHOR:**

**Administration Officer - Governance and  
Internal Control**

**REPORT DATE: 14 September 2021**

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The Committee had before it the report of the Culture, Economy and Corporate Committee meeting held 13 September 2021.

**RECOMMENDATION**

**That the report of the Culture, Economy and Corporate Committee meeting held on 13 September 2021, be noted.**



**REPORT  
CULTURE, ECONOMY AND CORPORATE  
COMMITTEE  
13 SEPTEMBER 2021**

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**PRESENT:** Councillors J Diffey, V Etheridge, D Grant, 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 Team Leader, the Administration Officer Governance, the Communications Partner, the Director Organisational Performance, the Director Culture and Economy, the Director Infrastructure, the Director Development and Environment and the Director Liveability.

Councillor J Diffey assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 5.34 pm.

**CEC21/27 LEAVE OF ABSENCE (ID21/1505)**

No requests for leave of absence were received.

**CEC21/28 QUARTERLY REPORT ON DOCUMENTS EXECUTED UNDER THE POWER OF ATTORNEY (ID21/1558)**

The Committee had before it the report dated 7 September 2021 from the Governance Team Leader regarding Quarterly Report on Documents Executed Under the Power of Attorney.

Moved by Councillor S Lawrence and seconded by Councillor D Grant

**MOTION**

**That the information contained within the report of the Governance Team Leader, dated 2 September 2021, be noted.**

**CARRIED**

**CEC21/29 INVESTMENTS UNDER SECTION 625 OF THE LOCAL GOVERNMENT ACT -  
AUGUST 2021 (ID21/1561)**

The Committee had before it the report dated 1 September 2021 from the Chief Financial Officer regarding Investments Under Section 625 of the Local Government Act - August 2021.

Moved by Councillor S Lawrence and seconded by Councillor D Grant

**MOTION**

**That the information contained within the report of the Chief Financial Officer, dated 1 September 2021 be noted.**

**CARRIED**

*Councillor K Parker declared a non-pecuniary, less than significant interest in the matter now before the Committee and left the room and was out of sight during the Committee's consideration of this matter. The reason for such interest is that Councillor K Parker works for the Bank of Queensland and Council has funds invested with the Bank of Queensland.*

**CEC21/30 DESTINATION DUBBO: INTERNATIONAL READY - QUARTERLY PROJECT  
UPDATED (ID21/1562)**

The Committee had before it the report dated 30 August 2021 from the Tourism Product Development Manager regarding Destination Dubbo: International Ready - Quarterly Project Updated.

Moved by Councillor G Mohr and seconded by Councillor J Ryan

**MOTION**

**That the report of the Tourism Product Development Manager, dated 30 August 2021, be noted.**

**CARRIED**

The meeting closed at 5.37 pm.

.....  
CHAIRMAN



DUBBO REGIONAL  
COUNCIL

## NOTICE OF MOTION: Tree Preservation Order

REPORT DATE: 30 August 2021

FILE: ID21/1508

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Council had before it a Notice of Motion dated 30 August 2021 from Councillor J Ryan regarding the Tree Preservation Order as follows:

I would like to place the following notice of motion on the agenda for the September 2021 Ordinary meeting of Council.

*That the CEO provide a report to the October 2021 Ordinary Council meeting on the options and indicative costs of the implementation of a Tree Preservation Order.*

### RECOMMENDATION

**That the CEO provide a report to October 2021 Ordinary Council meeting on the options and indicative costs of the implementation of a Tree Preservation Order.**

*Councillor J Ryan*  
Councillor

Appendices:

[1](#) Notice of Motion - Tree Preservation Order - Clr J Ryan



*Councillor John Ryan*  
PO Box 81  
DUBBO NSW 2830

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30 August 2021

The Chief Executive Officer  
Dubbo Regional Council  
PO Box 81  
DUBBO NSW 2830

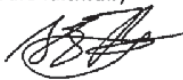
Dear Murray

**NOTICE OF MOTION – TREE PRESERVATION ORDER**

I would like to place the following notice of motion on the agenda for the September 2021 Ordinary meeting of Council.

*That the CEO provide a report to the October 2021 Ordinary Council meeting on the options and indicative costs of the implementation of a Tree Preservation Order.*

Yours faithfully



*John Ryan*  
Councillor



DUBBO REGIONAL  
COUNCIL

## NOTICE OF MOTION: Victoria Park Playground Redevelopment

REPORT DATE: 6 September 2021

FILE: ID21/1570

Council had before it a Notice of Motion dated 6 September 2021 from Councillor J Diffey regarding the Victoria Park Playground Redevelopment as follows:

*I would like to place the following notice of motion on the agenda for the September 2021 Ordinary meeting of Council.*

- 1. That prior to Council installing further infrastructure for a new Victoria Park playground, Council undertake a two week period of community consultation that allows community to put forward to Council the elements of the existing Livvi's Playground that they value.*
- 2. That a report be provided to the October 2021 Ordinary meeting of Council that provides the results of community consultation and possible design modifications, including costs, that meet the values of the community.*

### RECOMMENDATION

- 1. That prior to Council installing further infrastructure for a new Victoria Park playground, Council undertake a two week period of community consultation that allows community to put forward to Council the elements of the existing Livvi's Playground that they value.**
- 2. That a report be provided to the October 2021 Ordinary meeting of Council that provides the results of community consultation and possible design modifications, including costs, that meet the values of the community.**

*Councillor J Diffey*

Councillor

Appendices:

- [1](#) Notice of Motion - Victoria Park Playground Redevelopment - Clr J Diffey

*Councillor Jane Diffey*  
PO Box 81  
DUBBO NSW 2830

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6 September 2021

The Chief Executive Officer  
Dubbo Regional Council  
PO Box 81  
DUBBO NSW 2830

Dear Murray

**NOTICE OF MOTION – PLAYGROUND – VICTORIA PARK REDEVELOPMENT**

I would like to place the following notice of motion on the agenda for the September 2021 Ordinary meeting of Council.

- 1. That prior to Council installing further infrastructure for a new Victoria Park playground, Council undertaker a two week period of community consultation that allows community to put forward to Council the elements of the existing Livvi's Playground that they value.*
- 2. That a report be provided to the October 2021 Ordinary meeting of Council that provides the results of community consultation and possible design modifications, including costs, that meet the values of the community.*

Yours faithfully



*Jane Diffey*  
Councillor



DUBBO REGIONAL  
COUNCIL

## NOTICE OF MOTION: Costs of Running Aquatic Leisure Facilities

REPORT DATE: 14 September 2021

FILE: ID21/1605

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Council had before it a Notice of Motion dated 14 September 2021 from Councillor J Ryan regarding the Costs of Running Aquatic Leisure Facilities as follows:

*I would like to place the following notice of motion on the agenda for the September 2021 Ordinary meeting of Council.*

- 1. That the CEO provide a report to Council in October 2021 detailing the operational costs of running the Aquatic Leisure facilities from the 2016/2017 season to the 2020/2021 season.*
- 2. That the report details the costs of the Dubbo facility independently of other facilities.*

### RECOMMENDATION

- 1. That the CEO provide a report to Council in October 2021 detailing the operational costs of running the Aquatic Leisure facilities from the 2016/2017 season to the 2020/2021 season.**
- 2. That the report details the costs of the Dubbo facility independently of other facilities.**

*Councillor J Ryan*  
Councillor

Appendices:

- [1](#) Notice of Motion - Aquatic Leisure Facilities Costings - Clr J Ryan

*Councillor John Ryan*  
PO Box 81  
DUBBO NSW 2830

---

9 September 2021

The Chief Executive Officer  
Dubbo Regional Council  
PO Box 81  
DUBBO NSW 2830

Dear Murray

**NOTICE OF MOTION – AQUATIC LEISURE FACILITIES COSTINGS**

I would like to place the following notice of motion on the agenda for the September 2021 Ordinary meeting of Council.

1. *That the CEO provide a report to Council in October 2021 detailing the operational costs of running the Aquatic Leisure facilities from the 2016/2017 season to the 2020/2021 season.*
2. *That the report details the costs of the Dubbo facility independently of other facilities.*

Yours faithfully



*John Ryan*  
Councillor



DUBBO REGIONAL  
COUNCIL

## NOTICE OF MOTION: 2021 Local Government Election - Referendum

REPORT DATE: 16 September 2021

FILE: ID21/1624

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Council had before it a Notice of Motion dated 16 September 2021 from Councillor V Etheridge regarding the 2021 Local Government Election - Referendum as follows:

*I would like to place the following notice of motion on the agenda for the September 2021 Ordinary meeting of Council.*

- 1. That Council determines a referendum question to be put to the community at the 2021 Local Government Elections that abolishes the ward system.*
- 2. That the Chief Executive Officer be requested to take the necessary action to engage the NSW Electoral Commission to conduct a constitutional referendum on behalf of Council at the December 2021 Ordinary Local Government election addressing the above mentioned question.*

### RECOMMENDATION

- 1. That Council determines a referendum question to be put to the community at the 2021 Local Government Elections that abolishes the ward system.**
- 2. That the Chief Executive Officer be requested to take the necessary action to engage the NSW Electoral Commission to conduct a constitutional referendum on behalf of Council at the December 2021 Ordinary Local Government election addressing the above mentioned question.**

*Councillor V Etheridge*  
Councillor

Appendices:

- [1](#) Notice of Motion - Local Government Referendum 2021 - Clr V Etheridge

*Councillor V Etheridge*  
PO Box 81  
DUBBO NSW 2830

---

3 September 2021

The Chief Executive Officer  
Dubbo Regional Council  
PO Box 81  
DUBBO NSW 2830

Dear Murray

**NOTICE OF MOTION – REFERENDUM TO ABOLISH WARDS AND INCREASE COUNCILLOR  
NUMBERS AT DUBBO REGIONAL COUNCIL**

I would like to place the following notice of motion on the agenda for the September 2021  
Ordinary meeting of Council.

1. *That Council determines a referendum question to be put to the community at the 2021  
Local Government Elections that abolishes the ward system.*
2. *That the Chief Executive Officer be requested to take the necessary action to engage the  
NSW Electoral Commission to conduct a constitutional referendum on behalf of Council at  
the December 2021 Ordinary Local Government election addressing the above mentioned  
question.*

Yours faithfully

  
Councillor V Etheridge



## REPORT: Draft Council Policy - Councillor and Staff Interaction - Results of Public Exhibition

**AUTHOR:** Chief Executive Officer  
**REPORT DATE:** 13 September 2021  
**TRIM REFERENCE:** ID21/1509

### EXECUTIVE SUMMARY

On 29 June 2021, the Minister for Local Government, the Hon. Shelley Hancock MP, issued a Performance Improvement Order (PIO) upon Council pursuant to section 438A of the Local Government Act 1993, which requires Council to undertake specific actions within an allocated timeframe. Part of Schedule 2 of that Order requires the following action to be undertaken by Council by the end of July 2021:

*“5. Council must within one month of the commencement of this order ensure that the General Manager reviews (if one exists) or develops a councillor request system to manage email requests from councillors that incorporates rules about the use of the councillor request system with a focus on ensuring that communications are respectful, the number of requests are reasonable and include provisions permitting the General Manager to impose limitations where disrespectful or excessive use of the system occurs.”*

A councillor request system directly relates to the interaction between staff and the elected body of Council – the Councillors. Therefore, the existing Councillor and Staff interaction policy requires updating at the same time as a councillor request system is established.

Subsequently, at its meeting held 26 July 2021, Council resolved, in part:

- “2. That the draft Councillor and Staff Interaction Council Policy, attached as Appendix 1 to the report of the Chief Executive Officer, dated 13 July 2021, be placed on public exhibition for a period of 28 days inviting the public to make submissions...*
- 4. That a report be provided to the September 2021 Ordinary Meeting of Council recommending the adoption of Councillor and Staff Interaction Policy, addressing public submissions and responses from the Office of Local Government.”*

This report recommends the adoption of the Council Policy.



## STRATEGIC ALIGNMENT

The 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes five principal themes and a number of strategies and outcomes. This report is aligned to:

Theme:	4 Community Leadership
CSP Objective:	4.3 The resources of Council are appropriately managed
Delivery Program Strategy:	4.3.5 Council strives for transparency and is an organisation that values two way communication with stakeholders and the broader community

## FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

## POLICY IMPLICATIONS

If adopted, the Council Policy *Councillor and Staff Interaction* will replace the existing Council Policy *for the Provision of Information to and Interaction Between Councillors and Staff*. The policy is to be read in conjunction with the previously adopted Council Procedure *Councillor Requests*.

## RECOMMENDATION

- 1. That the report of the Chief Executive Officer, dated 13 September 2021, be noted.**
- 2. That the Council Policy Councillor and Staff interaction, as attached at Appendix 1, be adopted.**
- 3. That the Office of Local Government be informed of Council's decision in accordance with Council's final compliance report submitted under the Performance Improvement Order.**

*Murray Wood*  
Chief Executive Officer

## BACKGROUND

At its meeting held 26 July 2021, Council resolved, in part:

- “2. That the draft Councillor and Staff Interaction Council Policy, attached as Appendix 1 to the report of the Chief Executive Officer, dated 13 July 2021, be placed on public exhibition for a period of 28 days inviting the public to make submissions...*
- 4. That a report be provided to the September 2021 Ordinary Meeting of Council recommending the adoption of Councillor and Staff Interaction Policy, addressing public submissions and responses from the Office of Local Government.”*

## REPORT

The draft Councillor and Staff Interaction Policy (Appendix 1) was placed on Public Exhibition from 2 August 2021 to 27 August 2021. During this period, no public submissions were received.

As per Council’s previous resolution 4, above, the Office of Local Government was also informed of the policy. Council’s temporary advisor had been consulted during the development of the draft document, and the Office of Local Government was supportive of the Policy in its current form.

## SUMMARY

No public submissions were received during the Public Exhibition period, and the Office of Local Government were supportive of the Policy in its draft format. Therefore, no changes have been made to the draft policy as attached at **Appendix 1**.

Appendices:

- [1↓](#) Draft Council Policy - Councillor and Staff Interaction



## COUNCIL POLICY

### COUNCILLOR AND STAFF INTERACTION

<b>Date</b>	July 2021
<b>Council Resolution Date</b>	27 September 2021
<b>Clause Number</b>	
<b>Responsible Position</b>	Chief Executive Officer and Executive Manager Governance and Internal Control
<b>Branch</b>	Governance and Internal Control
<b>Division</b>	Executive Services
<b>Version</b>	3.0
<b>TRIM Reference Number</b>	ED21/145067
<b>Review Period</b>	2 years
<b>Next Review Date</b>	July 2023
<b>Consultation</b>	Not applicable

Document Revision History	
Description	Date
Adopted by Council	23 October 2017
Revised to include a new section 'Dual Role of Councillors'. Some formatting and terminology updated.	August 2020
Adopted by Council	9 November 2020
Adopted by Council	27 September 2021

# POLICY

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# Councillor and Staff Interaction Policy

## Part 1 – Introduction

- 1.1 *The Councillor and Staff Interaction Policy* (the Policy) provides a framework for Councillors when exercising their civic functions by specifically addressing their ability to interact with, and receive advice from, authorised staff.
- 1.2 The Policy complements and should be read in conjunction with Dubbo Regional Council's *Code of Conduct* (the Code of Conduct).
- 1.3 The aim of the Policy is to facilitate a positive working relationship between Councillors, as the community's elected representatives, and staff, who are employed to administer the operations of the Council. The Policy provides direction on interactions between Councillors and staff to assist both parties in carrying out their day-to-day duties professionally, ethically and respectfully.
- 1.4 It is important to have an effective working relationship that recognises the important but differing contribution both parties bring to their complementary roles.

## Part 2 – Application

- 2.1 This Policy applies to all Councillors and Council staff.
- 2.2 This Policy applies to all interactions between Councillors and staff, whether face-to-face, online (including social media and virtual meeting platforms), by phone, text message or in writing.
- 2.3 This Policy applies whenever interactions between Councillors and staff occur, including inside or outside of work hours, and at both Council and non-Council venues and events.
- 2.4 This Policy does not confer any delegated authority upon any person. All delegations to staff are made by the Chief Executive Officer.
- 2.5 Clause 3.1(b) of the Code of Conduct provides Council officials must not conduct themselves in a manner that is contrary to a Council's policies. A breach of this Policy will be a breach of the Code.

## **Part 3 – Policy Objectives**

3.1 The objectives of the Policy are to:

- a) Establish positive, effective and professional working relationships between Councillors and staff defined by mutual respect and courtesy.
- b) Enable Councillors and staff to work together appropriately and effectively to support each other in their respective roles.
- c) Ensure that Councillors receive advice in an orderly, courteous and appropriate manner to assist them in the performance of their civic duties.
- d) Ensure Councillors have adequate access to information to exercise their statutory roles.
- e) Provide direction on, and guide Councillor interaction with, staff for both obtaining information and in general situations.
- f) Maintain transparent decision making and good governance arrangements.
- g) Ensure the reputation of Council is enhanced by Councillors and staff interacting consistently, professionally and positively in their day-to-day duties.
- h) Provide a clear and consistent framework through which breaches of the Policy will be managed in accordance with the Code of Conduct.

## **Part 4 – Principles, Roles and Responsibilities**

4.1 Several factors contribute to a good relationship between Councillors and staff. These include goodwill, understanding of roles, communication, protocols, and a good understanding of legislative requirements.

4.2 The Council's governing body and its administration (being staff within the Organisation) must have a clear and sophisticated understanding of their different roles, and the fact that these operate within a hierarchy. The administration is accountable to the Chief Executive Officer, who in turn, is accountable to the Council's governing body.

4.3 Section 232 of the *Local Government Act 1993* (the LGA) states that the role of a Councillor is as follows:

- a) To be an active and contributing member of the governing body.
- b) To make considered and well-informed decisions as a member of the governing body.
- c) To participate in the development of the integrated planning and reporting framework.
- d) To represent the collective interests of residents, ratepayers and the local community.

- e) To facilitate communication between the local community and the governing body.
  - f) To uphold and represent accurately the policies and decisions of the governing body.
  - g) To make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a Councillor.
- 4.4 The administration’s role is to advise the governing body, implement Council’s decisions and to oversee service delivery.
- 4.5 It is beneficial if the administration recognises the complex political environments in which elected members operate and acknowledge that they work within a system that is based on democratic governance. Councillors similarly need to understand that it is a highly complex task to prepare information and provide quality advice on the very wide range of issues that Council operations cover.
- 4.6 Council commits to the following principles to guide interactions between Councillors and staff:

<b><u>Principle</u></b>	<b><u>Achieved by</u></b>
<b>Equitable and consistent</b>	Ensuring appropriate, consistent and equitable access to information for all Councillors within established service levels.
<b>Considerate and respectful</b>	Councillors and staff working supportively together in the interests of the whole community, based on mutual respect and consideration of their respective positions.
<b>Ethical, open and transparent</b>	Ensuring that interactions between Councillors and staff are ethical, open, transparent, honest and display the highest standards of professional conduct.
<b>Fit for purpose</b>	Ensuring that the provision of equipment and information to Councillors is done in a way that is suitable, practical and of an appropriate size, scale and cost for a client group of nine people.
<b>Accountable and measurable</b>	Providing support to Councillors in the performance of their role in a way that can be measured, reviewed and improved based on qualitative and quantitative data.

- 4.7 Councillors are members of the Council’s governing body, which is responsible for directing and controlling the affairs of the Council in accordance with the LGA. Councillors need to accept that:
- a) Responses to requests for information from Councillors may take time and consultation to prepare and be approved prior to responding.
  - b) Staff are not accountable to them individually.
  - c) They must not direct staff except by giving appropriate direction to the Chief Executive Officer by way of a Council or Committee resolution, or by the mayor exercising their functions under section 226 of the LGA.

- d) They must not, in any public or private forum, direct or influence, or attempt to direct or influence, a member of staff in the exercise of their functions.
  - e) They must not contact a member of staff on Council-related business unless in accordance with this Policy.
  - f) They must not use their position to attempt to receive favourable treatment for themselves or others.
- 4.8 The Chief Executive Officer is responsible for the efficient and effective day-to-day operation of the Council and for ensuring that the lawful decisions of the Council are implemented without undue delay. Council staff need to understand:
- a) They are not accountable to individual Councillors and do not take direction from them. They are accountable to the Chief Executive Officer, who in turn is accountable to the Council's governing body.
  - b) They should not provide advice to Councillors unless it has been approved by the Chief Executive Officer.
  - c) They must carry out reasonable and lawful directions given by any person having the authority to give such directions in an efficient and effective manner.
  - d) They must ensure that participation in political activities outside the service of the Council does not interfere with the performance of their official duties.
  - e) They must provide full and timely information to Councillors sufficient to enable them to exercise their civic functions in accordance with this Policy.

## **Part 5 – The Councillor Requests System**

- 5.1 Councillors have a right to request information provided it is relevant to Councillors' exercise of their civic functions. This right does not extend to matters about which a Councillor is merely curious.
- 5.2 Councillors do not have a right to request information about matters that they are prevented from participating in decision-making on because of a conflict of interest, unless the information is otherwise publicly available.
- 5.3 The Chief Executive Officer may identify Council support staff (the Councillor Support Officer) under this Policy for the management of requests from Councillors.
- 5.4 Councillors can use the Councillor requests system to:
- a) Request information or ask questions that relate to the strategic position, performance or operation of the Council.
  - b) Bring concerns that have been raised by members of the public to the attention of staff.



- c) Request ICT or other support from the Council administration.
- 5.5 Councillors must, to the best of their knowledge, be specific about what information they are requesting, and make their requests respectfully. Where a Councillor's request lacks specificity, the Chief Executive Officer or staff member authorised to manage the matter is entitled to ask the Councillor to clarify their request and the reason(s) why they are seeking the information.
- 5.6 Staff must make every reasonable effort to assist Councillors with their requests and do so in a respectful manner.
- 5.7 The Chief Executive Officer or the staff member authorised to manage a Councillor request will provide a response within five working days. Where a response cannot be provided within that timeframe, the Councillor will be advised, and the information will be provided as soon as practicable.
- 5.8 Councillors are required to treat all information provided by staff appropriately and to observe any confidentiality requirements.
- 5.9 Staff will inform Councillors of any confidentiality requirements for information they provide so Councillors can handle the information appropriately.
- 5.10 Where a Councillor is unsure of confidentiality requirements, they should contact the Chief Executive Officer, or the staff member authorised to manage their request.
- 5.11 Staff will send the written response to the Councillor. To ensure fair and equal provision of information, responses should be copied to all Councillors.
- 5.12 The Chief Executive Officer may refuse access to information requested by a Councillor if:
- a) The information is not necessary for the performance of the Councillor's civic functions; or
  - b) The Councillor has previously declared a conflict of interest in the matter and removed themselves from decision-making on it; or
  - c) The Chief Executive Officer is prevented by law from disclosing the information; or
  - d) If responding to the request would, in the Chief Executive Officer's opinion, result in an unreasonable diversion of staff time and resources.
- 5.13 Where the Chief Executive Officer refuses to provide information requested by a Councillor, they must act reasonably. The Chief Executive Officer must advise a Councillor in writing of their reasons for refusing access to the information requested.
- 5.14 Where a Councillor's request for information is refused by the Chief Executive Officer on the grounds referred to under paragraph c) of clause 5.12, the Councillor may instead request the information through a resolution of the Council by way of a notice of motion.
- 5.15 Council recognises as part of the Minister for Local Government's Performance Improvement Order (PIO) served on 29 June 2021, the Minister required Council to develop a Councillor request system to manage email requests from Councillors that incorporates rules about the use of the system with a focus on ensuring communications are respectful, the number of requests are

reasonable and include provisions permitting the Chief Executive Officer to impose limitations where disrespectful or excessive use of the system occurs.

- 5.16 Where there are issues regarding respect, the volume, duplication and reasonableness of request for information by individual Councillors, the Chief Executive Officer shall have responsibility for determining if the information can be supplied after assessing the impact the request will have on staff resources and other Council work. If the requests are deemed by the Chief Executive Officer to breach the requirements of the PIO, the principles of reasonableness or impact significantly on staff resources then the Chief Executive Officer may exercise the delegation granted 26 July 2021 to impose limitations on a Councillor where disrespectful or excessive use of the councillor request system occurs.
- 5.17 Prior to the imposition of such limitation the Chief Executive Officer will advise the Councillor of the intention to impose the limitation and seek a response from the Councillor.
- 5.18 A report will be provided to Councillors quarterly regarding the performance and efficiency of the Councillor requests system against established key performance indicators.
- 5.19 Types of requests are defined in the Councillor Requests Procedure (ED21/145057).

## **Part 6 – Access to Council Staff**

- 6.1 Councillors may directly contact members of staff that are listed at Schedule 1 of this Policy. The Chief Executive Officer may amend this list at any time and will advise Councillors promptly of any changes.
- 6.2 Councillors can contact staff listed at Schedule 1 about matters that relate to the staff member's area of responsibility.
- 6.3 Councillors should, as far as practicable, only contact staff during normal business hours.
- 6.4 If Councillors would like to contact a member of staff not listed on Schedule 1, they must receive permission from the Chief Executive Officer.
- 6.5 If a Councillor is unsure which authorised staff member can help with their enquiry, they can contact the Chief Executive Officer or the Councillor Support Officer (as identified in Schedule 1) who will provide advice about which authorised staff member to contact.
- 6.6 In some instances, the Chief Executive Officer or a member of the Council's executive leadership team will direct a Council staff member to contact Councillors to provide specific information or clarification relating to a specific matter.
- 6.7 A Councillor or member of staff must not take advantage of their official position to improperly influence other Councillors or members of staff in the performance of their civic or professional duties for the purposes of securing a private benefit for themselves or for another person.

## **Part 7 – Councillor Access to Council Buildings**

7.1 Councillors are entitled to have access to the Council chamber, committee room, mayor’s office (subject to availability), Councillors’ rooms, and public areas of Council’s buildings during normal business hours for meetings. Councillors needing access to these facilities at other times must obtain approval from the Chief Executive Officer.

7.2 Councillors must not enter staff-only areas of Council buildings without the approval of the Chief Executive Officer.

## **Part 8 – Appropriate and Inappropriate Interactions**

8.1 Examples of appropriate interactions between Councillors and staff include, but are not limited to, the following:

- a) Councillors and Council staff are courteous and display a positive and professional attitude towards one another.
- b) Council staff ensure that information necessary for Councillors to exercise their civic functions is made equally available to all Councillors, in accordance with this Policy and any other relevant Council policies.
- c) Council staff record the advice they give to Councillors in the same way they would if it was provided to members of the public.
- d) Council staff, including Council’s executive team members, document Councillor requests via the Councillor requests system.
- e) Council meetings and Councillor briefings are used to establish positive working relationships and help Councillors to gain an understanding of the complex issues related to their civic duties.
- f) Councillors and Council staff feel supported when seeking and providing clarification about Council related business.
- g) Councillors forward requests through the Councillor requests system and staff respond in accordance with the timeframes stipulated in this Policy.

8.2 Examples of inappropriate interactions between Councillors and staff include, but are not limited to, the following:

- a) Councillors and Council staff conducting themselves in a manner which:

- i) Is contrary to their duties under the *Work Health and Safety Act 2011* and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety.
  - ii) Constitutes harassment and/or bullying within the meaning of clauses 3.7 and 3.9 of the Code of Conduct, or is unlawfully discriminatory.
- b) Councillors approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy such as, but not limited to, organisational restructures or outsourcing decisions), grievances, workplace investigations and disciplinary matters.
- c) Staff approaching Councillors to discuss individual or operational staff matters (other than matters relating to broader workforce policy such as, but not limited to, organisational restructures or outsourcing decisions), grievances, workplace investigations and disciplinary matters.
- d) Subject to paragraph b) of clause 5.12, staff refusing to give information that is available to other Councillors to a particular Councillor.
- e) Councillors who have lodged an application with the Council, discussing the matter with staff in staff-only areas of the Council.
- f) Councillors being overbearing or threatening to staff.
- g) Staff being overbearing or threatening to Councillors.
- h) Councillors making personal attacks on staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of the Code of Conduct in public forums including social media.
- i) Councillors directing or pressuring staff in the performance of their work, or recommendations they should make.
- j) Staff providing ad hoc advice to Councillors without recording or documenting the interaction as they would if the advice was provided to a member of the community.
- 8.3 Where a Councillor engages in conduct that, in the opinion of the Chief Executive Officer, puts the health, safety or welfare of staff at risk, the Chief Executive Officer may restrict the Councillor's access to staff.
- 8.4 Any concerns relating to the conduct of staff under this Policy should be raised with the Chief Executive Officer.

## Schedule 1 – Authorised Staff Contacts for Councillors

1. Clause 6.1 of this Policy provides that Councillors may directly contact members of staff that are listed below. The Chief Executive Officer may amend this list at any time.
2. Councillors can contact staff listed below about matters that relate to the staff member’s area of responsibility.
3. Councillors should, as far as practicable, only contact staff during normal business hours.
  - a) An individual Councillor may only be able to send emails outside of normal business hours if they are in full or part-time employment. Staff responses and provision of information, unless during extraordinary circumstances, will be provided during normal business hours.
4. If Councillors would like to contact a member of staff not listed below, they must receive permission from the Chief Executive Officer.
5. If a Councillor is unsure which authorised staff member can help with their enquiry, they can contact the Chief Executive Officer or the Councillor Support Officer who will provide advice about which authorised staff member to contact.
6. In some instances, the Chief Executive Officer or a member of the Council’s executive leadership team will direct a Council staff member to contact Councillors to provide specific information or clarification relating to a specific matter.

<b>Authorised staff members name</b>	<b>Position</b>
Murray Wood	Chief Executive Officer
Natasha Comber	Director Culture and Economy
Julian Geddes	Director Infrastructure
Skye Price	Director Liveability
Dean Frost	Director Organisational Performance
Stephen Wallace	Director Development and Environment
Abbey Rouse	Executive Manager Governance and Internal Control
Susan Wade	Governance Team Leader
Sonia Fernando	Administration Officer - Mayor (Councillor Support Officer)
Lisa Grisinger	Administration Officer - CEO (Councillor Support Officer)



## REPORT: Disclosure of Interest Returns

**AUTHOR:** Executive Manager Governance and Internal Control  
**REPORT DATE:** 20 September 2021  
**TRIM REFERENCE:** ID21/1568

### EXECUTIVE SUMMARY

Council's Code of Conduct requires Councillors and designated persons to lodge Disclosure of Interest returns annually in accordance with clause 4.21(b).

Clause 4.24 and 4.25 requires that the Chief Executive Officer not only keep a register of the returns, but is to table the returns at the first meeting after the last date for their lodgement.

The Office of Local Government requests Council to advise of any failures to lodge by 30 September 2021. In this regard, at the time of writing this report, Council is awaiting completed forms to be returned from two staff members who are currently on leave. If such returns are not received by 30 September 2021, the Office will be notified of failure to lodge for those positions.

### STRATEGIC ALIGNMENT

The 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes five principal themes and a number of strategies and outcomes. This report is aligned to:

Theme: 4 Community Leadership  
CSP Objective: 4.4 Statutory requirements are met and services are provided to the organisation in a cost-effective and timely manner  
Delivery Program Strategy: 4.4.1 The organisation meets all statutory requirements

### FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

### POLICY IMPLICATIONS

This report is tabled as per Council's Code of Conduct.

**RECOMMENDATION**

**That the tabling of the Disclosure of Interest Returns, as detailed in the report of the Executive Manager Governance and Internal Control dated 20 September 2021, be noted and the Office of Local Government be advised accordingly.**

*Abbey Rouse*

Executive Manager Governance and Internal Control

## BACKGROUND

Council's Code of Conduct requires Councillors and designated persons to lodge Disclosure of Interest returns annually in accordance with clause 4.21(b). Clause 4.24 and 4.25 requires that the Chief Executive Officer not only keep a register of the returns, but is to table the returns at the first meeting after the last date for their lodgement.

## REPORT

The purpose of these Sections of the Code of Conduct is to enhance accountability and transparency of Local Government. It also ensures that breaches of the Code are brought to notice as soon as they occur. Additionally, it is to assist the Office of Local Government in its investigative role regarding breaches of the Disclosure of Interest provisions.

In respect of the Disclosure of Interest Returns for the 2020/2021 period, it is advised that these relate to the Councillors, Chief Executive Officer and designated staff.

A review of designated staff was undertaken for this return period, in accordance with the guidelines from the Office of Local Government and the Local Government Act. Accordingly, the following positions were identified as being designated staff:

Position	Division
Compliance and Risk Officer Saleyard and Showgrounds	Culture & Economy
Director Culture and Economy	Culture & Economy
Manager DRTCC	Culture & Economy
Manager Dubbo City Regional Airport	Culture & Economy
Manager Dubbo Regional Livestock Markets	Culture & Economy
Manager Economic Development and Marketing	Culture & Economy
Manager Regional Events	Culture & Economy
Manager Regional Experiences	Culture & Economy
Building and Development Certifier	Development & Environment
Building Services Team Leader	Development & Environment
Director Development and Environment	Development & Environment
Environment & Health Specialist	Development & Environment
Environment and Health Project Officer	Development & Environment
Environment and Health Services Team Leader	Development & Environment
Growth Planner	Development & Environment
Growth Planner	Development & Environment
Growth Planning Projects Leader-Digital Futures	Development & Environment
Manager Building and Development Services	Development & Environment
Manager Environmental Compliance	Development & Environment
Manager Growth Planning	Development & Environment
Manager Resource Recovery and Efficiency	Development & Environment



Parking Patrol Officer	Development & Environment
Parking Patrol Officer	Development & Environment
Planner	Development & Environment
Pool Compliance Officer	Development & Environment
Ranger	Development & Environment
Ranger	Development & Environment
Ranger	Development & Environment
Ranger	Development & Environment
Ranger Wellington	Development & Environment
Ranger Wellington	Development & Environment
Senior Building and Development Certifier	Development & Environment
Senior Building and Development Certifier	Development & Environment
Senior Building and Development Certifier	Development & Environment
Senior Growth Planner	Development & Environment
Senior Planner	Development & Environment
Senior Planner	Development & Environment
Statutory Planning Services Team Leader	Development & Environment
Team Leader Compliance	Development & Environment
Undergraduate Planner	Development & Environment
Chief Executive Officer	Dubbo Regional Council
Executive Manager Governance and Internal Control	Executive Services
Executive Manager People Culture and Safety	Executive Services
Internal Ombudsman	Executive Services
Manager Corporate Image and Communications	Executive Services
Capital Programs Coordinator	Infrastructure
Director Infrastructure	Infrastructure
Fleet Maintenance Coordinator	Infrastructure
Manager Fleet & Depot Services	Infrastructure
Manager Infrastructure Delivery	Infrastructure
Manager Infrastructure Strategy and Design	Infrastructure
Manager Major Projects	Infrastructure
Manager Water Supply and Sewerage	Infrastructure
Project Engineer	Infrastructure
Project Engineer	Infrastructure
Project Engineer	Infrastructure
Road Services Engineer	Infrastructure
Senior Design Engineer	Infrastructure
Senior Design Engineer	Infrastructure
Senior Development Engineer	Infrastructure
Senior Projects Engineer	Infrastructure
Senior Traffic Engineer	Infrastructure
Stores and Depot Coordinator	Infrastructure
Subdivision Engineer	Infrastructure
Subdivision/Development Engineer	Infrastructure
Director Liveability	Liveability

Manager Aquatic Leisure Centres	Liveability
Manager Community Services	Liveability
Manager Macquarie Regional Library	Liveability
Manager Operations	Liveability
Manager Recreation and Open Space	Liveability
Accounts Payable Team Leader	Organisational Performance
Accounts Receivable Team Leader	Organisational Performance
Chief Financial Officer	Organisational Performance
Chief Information Officer	Organisational Performance
Corporate Procurement Specialist	Organisational Performance
Director Organisational Performance	Organisational Performance
Management Accountant	Organisational Performance
Manager Building Assets	Organisational Performance
Manager Customer Experiences	Organisational Performance
Manager Property and Land Development	Organisational Performance
Property Development Officer	Organisational Performance
Property Services Officer	Organisational Performance
Property Specialist	Organisational Performance
Property Specialist	Organisational Performance
Revenue Accountant	Organisational Performance
Revenue Coordinator	Organisational Performance
Statutory Accountant	Organisational Performance
Executive Officer	Organisational Performance
Independent Member	Audit and Risk Management Committee
Independent Member	Audit and Risk Management Committee

A copy of the above positions will be available on Council's website. In addition, and due to the current COVID-19 environment, a physical register of returns will not be kept, however, an electronic register will be available to view upon making an appointment with Council's Executive Manager Governance and Internal Control.

The Office of Local Government requests Council to advise of any failures to lodge by 30 September 2021. In this regard, at the time of writing this report, Council is awaiting completed forms to be returned from two staff members who are currently on leave. If such returns are not received by 30 September 2021, the Office will be notified of failure to lodge for those positions.



DUBBO REGIONAL  
COUNCIL

## REPORT: Independent Investigation Findings

**AUTHOR:** Executive Manager Governance and  
Internal Control  
**REPORT DATE:** 21 September 2021  
**TRIM REFERENCE:** ID21/1623

### EXECUTIVE SUMMARY

At its meeting held 26 July 2021 with regards to the Independent Investigation report, Council resolved:

- “4. That Council notes its desire to publicly release the full independent investigator report and notes the strong public interest in the community understanding the rationale for the recommendations and the findings made.
5. That Council request further specialist legal advice be obtained in regard to making available to the public the Independent investigation report ensuring Council meets its procedural fairness and legislative obligations.
6. That a workshop of councillors be held once the specialist legal advice is obtained.
7. That a report to be brought to the September meeting of council addressing the question of whether the report can be made public.”

### STRATEGIC ALIGNMENT

The 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes five principal themes and a number of strategies and outcomes. This report is aligned to:

Theme: 4 Community Leadership  
CSP Objective: 4.3 The resources of Council are appropriately managed  
Delivery Program Strategy: 4.3.5 Council strives for transparency and is an organisation that values two way communication with stakeholders and the broader community

### FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

### POLICY IMPLICATIONS

There are no policy implications arising from this report.

**RECOMMENDATION**

- 1. That the information in the report of the Executive Manager Governance and Internal Control, dated 21 September 2021, be noted.**
- 2. That the matter be returned to a further meeting of council when a response is received from the Office of Local Government.**

*Abbey Rouse*

Executive Manager Governance and Internal Control

## BACKGROUND

On 24 May 2021, Council resolved to engage an independent investigator to audit past code of conduct complaints. The resolution states, in part:

- “1. That Council appoints under a contract for services a person, to be called ‘the independent investigator’ to be nominated by the CEO of Local Government NSW.*
- 2. That the independent investigator be tasked to audit past code of conduct complaints over the term of council to ascertain that the processes adopted complied with the relevant code of conduct processes.”*

On 15 June 2021, Council further resolved (in part) to appoint Pinnacle Integrity to undertake the Independent Inquiry Investigation with a focus on the systemic management of past code of conduct matters:

- “3. That Pinnacle Integrity be engaged to undertake the Independent Enquiry Investigation.”*

A completed investigation report was received from Pinnacle Integrity on 6 July 2021. The Councillors were briefed by the Pinnacle Investigators to the report on 26 July 2021, prior to the Ordinary Council meeting and Committee of the Whole on the same date.

## REPORT

This report provides an update on each of the items within the resolution from 26 July 2021, including the potential release of the Pinnacle report. The recommendation from 26 July reads:

- “1. That the information contained within the report of the Chief Executive Officer dated 26 July 2021, be noted.*
- 2. That the Chief Executive Officer implement the following recommendations of the Independent Investigator, that:*
  - a. Council adopts a checklist for the initial triage of Code of Conduct complaints.*
  - b. Council ensures Code of Conduct complaints are dealt with only by authorised persons.*
  - c. The role of the Internal Ombudsman is limited to that permitted by the Procedures.*
  - d. Council ensures that Preliminary Assessments and investigations are not carried out by any person directly employed by Council.*
  - e. Council undertakes additional training of Council staff as to the recording, triage, preliminary assessment, investigation and resolution stages of handling of Code of Conduct complaints.*
  - f. Council provides a structured process through which Council staff can make a Code of Conduct complaint, including anonymously.*

- g. Council reinforces the obligation of Councillors and Council staff not to engage in inappropriate interactions in relation to Council business (including complaint handling).*
- h. Where inappropriate interactions are reported, deal with those matters as alleged serious breaches of Council's Code of Conduct.*
- 3. That it be noted that the Chief Executive Officer is obliged to refer any findings of alleged misconduct relating to former Councillors and former staff to the Office of Local Government and other relevant agencies for their consideration.*
- 4. That Council notes its desire to publicly release the full independent investigator report and notes the strong public interest in the community understanding the rationale for the recommendations and the findings made.*
- 5. That Council request further specialist legal advice be obtained in regard to making available to the public the Independent investigation report ensuring Council meets its procedural fairness and legislative obligations.*
- 6. That a workshop of councillors be held once the specialist legal advice is obtained.*
- 7. That a report to be brought to the September meeting of council addressing the question of whether the report can be made public."*

Accordingly the following updates are provided:

#### **Recommendation 2**

- i. Council adopts a checklist for the initial triage of Code of Conduct complaints.*  
Pinnacle Integrity provided Council with an example of a triage system, which Council is finalising for use and will include in its code of conduct processes (**Appendix 1**).
- j. Council ensures Code of Conduct complaints are dealt with only by authorised persons.*  
Code of conduct complaints regarding Councillors are processed by the CEO and the Complaints Coordinator (Executive Manager Governance and Internal Control), in accordance with the Code of Conduct and the Procedure for the Administration of the Code of Conduct. Both officers regularly discuss and seek advice from the Office of Local Government, and each complaint suitable for investigation is referred to an external conduct reviewer.
- k. The role of the Internal Ombudsman is limited to that permitted by the Procedures.*  
The position of the Internal Ombudsman works within the Code of Conduct and the Procedures for the Administration of the Code of Conduct. The role reports to the Executive Manager Governance and internal Control, and has a direct avenue for reporting to the CEO.
- l. Council ensures that Preliminary Assessments and investigations are not carried out by any person directly employed by Council.*  
All preliminary assessments and investigations are carried out by external conduct reviewers. Prior to December 2020, Council had a tender panel of external conduct reviewers. Now Council utilises the pre-approved state government resource for Probity Services Personnel which lists approved conduct reviewers.

- m. *Council undertakes additional training of Council staff as to the recording, triage, preliminary assessment, investigation and resolution stages of handling of Code of Conduct complaints.*

Council has engaged Sinc Solutions, which is considered an industry leader in code of conduct investigations and training, to assist with a review of governance processes and delivery of training to senior staff. Training is expected to be delivered in November 2021.

- n. *Council provides a structured process through which Council staff can make a Code of Conduct complaint, including anonymously.*

As with the above item, Council has engaged a consultant to assist with the best approach on this recommendation.

- o. *Council reinforces the obligation of Councillors and Council staff not to engage in inappropriate interactions in relation to Council business (including complaint handling).*

Council reviewed its Councillor and Staff Interaction Policy in July this year, with the results of public exhibition being reported to this meeting also. The induction program for new staff includes a session on code of conduct, along with regular refresher training for staff.

- p. *Where inappropriate interactions are reported, deal with those matters as alleged serious breaches of Council's Code of Conduct.*

Allegations of inappropriate interactions are taken very seriously and the CEO has worked towards empowering staff to feel confident in reporting such conduct.

### **Recommendation 3**

The Chief Executive Officer is following his obligation to report matters of alleged misconduct regarding former Councillors to the Office of Local Government.

### **Recommendation 4**

The elected body continues its pursuit to release the investigation report by Pinnacle Integrity, which is currently pending the advice of the Office of Local Government (outlined below).

### **Recommendation 5**

Council sought further specialist legal advice in relation to the release of the Pinnacle report. Specifically, advice was sought from two separate legal practitioners, being one of Council's panel solicitors and one of Council's Insurers' panel solicitors. This was not a peer review scenario, rather two entirely separate advices which returned very similar guidance on a number of concerns. Initially the advice was to withhold the Pinnacle Integrity investigation report. However, both practitioners noted the concerns were reduced if the report was redacted.

### **Recommendation 6**

During a workshop with Councillors, and legal and insurance representatives, Councillors agreed to put a redacted version of the report to the OLG seeking its approval to release the redacted report and to ensure that Councillors met their obligations under the Code, associated Procedures and legalisation.

**Recommendation 7**

The elected body followed the advice outlined in recommendations 5 and 6 above, and the redacted version of the report was referred to the Office of Local Government seeking its concurrence to release the redacted version. This is to ensure that Council and Councillors were not breaching their obligations under the Code of Conduct and the Procedures, as well as the Local Government Act and any other applicable parameters or guidelines.

At the time of publication of this business paper, the Office of Local Government advised that it required more time to provide a response on the matter given the level of complexity involved. Accordingly, a final position on the release of the Pinnacle Integrity report cannot be determined until the response from the OLG is received.

Appendices:

1 [↓](#) Complaint Triage Checklist





## Complaint Triage Checklist

Complaint no:

Date received:

Relative to:

Complainant:

Consideration	Yes/No	Comment
<b>Delegation</b>		
Do I have the appropriate authority/delegation to deal with this complaint?		
Is there a risk that a person who may become a respondent, deal with this complaint?		
<b>Whether a 'code of conduct' matter</b>		
Does the complaint amount to an allegation of a breach of the code of conduct?		<b>Note: At this stage assume the complaint is true – for triage purposes only.</b>
<b>Antecedents</b>		
Is the record of complaints against this person available?		<b>Note: A record of similar complaints may indicate that past actions of Council to resolve those complaints have not been effective. This may be a consideration for the triage of the current complaint.</b>
<b>Consideration of complaints handled by general manager/mayor.</b>		
Has the General Manager (CEO) or Mayor addressed the complaint assessment criteria outlined at clause 6.31 of the <i>Procedures</i> considered?		
<b>Declining a complaint at the outset</b>		

Has the assessment guideline for declining a complaint, as set out at clause 5.3 of the <i>Procedures</i> been addressed?		
<b>Complaints concerning staff members (other than the General Manager/CEO)</b>		
Does the complaint allege a breach of pecuniary interest (as per Part 4 of the Code of Conduct)?		<b>Note: If so, the complaint must be referred to the OLG in accordance with clause 5.5 of the <i>procedures</i>.</b>
Is this a matter where the CEO has determined to take no action in relation to the complaint? clause 5.7 of the <i>Procedures</i> ?		<b>Note: If so, the complainant must be provided reasons in writing in accordance with clause 5.7</b>
Has consideration of the relevant industrial agreements or employment contracts been considered when dealing with this complaint? (clause 5.8)		<b>Note: This is compulsory for complaints against staff. Provision must be made for procedural fairness, including the right of an employee to be represented by their union.</b>
What sanctions might be considered if this matter is investigated and found to be true. Are those sanctions proportionate and can they be determined in accordance with industrial agreements or employment contracts? (clause 5.9)		
<b>Complaints about delegates of council, council advisors, committee members</b>		
Does the complaint allege a breach of pecuniary interest (as per Part 4 of the Code of Conduct)?		<b>Note: If so, the matter must be referred to the OLG in accordance with clause 5.11.</b>
Has the general manager determined to take no action in relation to the complaint? (clause 5.12)		<b>Note: If so, the complainant must be advised of the reasons in writing in accordance with clause 5.13.</b>
Does the general manager seek to resolve the complaint by alternative means? (clause 5.14)		<b>Note: If so, the complainant must be advised in writing of the steps taken to resolve the complaint in accordance with clause 5.15.</b>
Is there a possibility that, if the complaint is proven to be true, a determination might be made to impose a sanction? (clause 5.16)		
If so, how will the person be provided proper procedural		

fairness prior to the sanction being implemented? (clause 5.17)		
<b>Complaints about administrators</b>		
Does the complaint relate to an administrator?		
If so, was the complaint referred to the OLG? (clause 5.18)		<b>Note: It is compulsory for all complaints about administrators to be referred to the OLG.</b>
If the complaint was notified to the OLG, was the complainant advised in writing? (clause 5.19)		
<b>Complaints about Councillors</b>		
Does the complaint relate to one that is the subject of special complaints management arrangements with the OLG? (clause 5.20(d))		
Does the complaint allege a code of conduct complaint of the type referred to at clause 5.20 of the <i>Procedures</i> ?		
If so, was the complaint notified to the OLG? (clause 5.20)		
If so, was the complainant advised in writing? (clause 5.1)		
Did the general manager determine to take no action in relation to the complaint? (clause 5.22)		
If so, was that determination reasonable and the reasons recorded?		
If so, was the complainant given reasons for their decision within 21 days of the receipt of the complaint? (clause 5.23)		
Did the general manager determine that the complaint should be dealt with by alternative means? (clause 5.24)		

If so, and the matter is resolved to the general manager's satisfaction, was the complainant advised in writing within 21 days of receipt of the complaint of the steps taken to deal with the matter? (clause 5.25)		
Was the complaint, if not dealt with in accordance with clause 5.20, finalised in accordance with clauses 5.23, or resolved in accordance with clause 5.24, referred to the complaints coordinator? (clause 5.26)		
<b>Code of conduct complaints about the General Manager</b>		
Was the complaint of a type referred in clause 5.27 of the <i>Procedures</i> ?		
If so, was the complaint referred to the OLG?		
If so, was the complainant notified of this action in writing? (clause 5.28)		
Did the mayor decide to take no further action, apart from the referral in accordance with clause 5.27? (clause 5.29)		
If 'yes', were the reasons properly recorded?		
If 'yes', was the complainant notified in writing of the reasons? (clause 5.30)		
Was the complaint resolved by alternative means? (clause 5.31)		
If so, was the complainant advised in writing of this action? (clause 5.32)		
Was the complaint, if not dealt with under clause 5.27, 5.30 or 5.31, referred to the complaints coordinator? (clause 5.33)		
<b>Code of conduct complaints about both the CEO and the Mayor</b>		

Was the complaint either: referred to another person (delegate/another member of staff of the Council/a person external to the organisation), or referred to the complaints coordinator in accordance with clause 5.26 or clause 5.33? (clause 5.34)		
<b>Referral of code of conduct complaint to an external agency</b>		
Was the complaint referred to an external agency? (clause 5.35)		
If so, were the reasons properly recorded?		
Were there reasonable grounds to suspect that the alleged conduct may have concerned corrupt conduct as described in section 8 of the ICAC Act (and not excluded by section 9)?		
If so, was the complaint referred to the ICAC? (clause 5.36)		
If the complaint was referred to an external agency, was the complainant informed or, if not, were the reasons for not informing the complainant proper and recorded? (clause 5.37)		
Was council advised by the referral agency that further work needed to be undertaken by Council in respect of the complaint? (clause 5.38)		
If so, was that work undertaken?		
<b>Disclosure of identity of complainants</b>		
Was the identity of the complainant disclosed?		
If so, was that disclosure in accordance with clause 5.39 or 5.40 of the <i>Procedures</i> ?		
Did a councillor (complainant) request, at the time of making the complaint, that their identity not		

be disclosed? (clause 5.41 & 5.42)		
If so, was that request considered? (clause 5.43)		
If the identity of the councillor was disclosed, was the intention to disclose notified to the councillor? (clause 5.44)		
<b>Code of conduct complaints made as public interest disclosures</b>		
Does the code of conduct complaint amount to a Public Interest Disclosure? (see Ombudsman Fact Sheet No. 2)		
If 'yes', and the complainant is a Councillor, before the matter is dealt with under the <i>Procedures</i> , was permission obtained from the complainant to disclose their identity? (clause 5.46)		
If the complainant Councillor has declined permission for their identity to be disclosed, was the matter referred to the OLG? (clause 5.47 and section 26 of the PID Act).		
<b>Other policies/procedures</b>		
Was there any other policy/procedure of Council which impacted upon the handling of this complaint?		
If so, was that policy/procedure properly addressed?		



DUBBO REGIONAL  
COUNCIL

## REPORT: LGNSW Board Elections and Annual Conference

**AUTHOR:** Governance Team Leader  
**REPORT DATE:** 10 September 2021  
**TRIM REFERENCE:** ID21/1571

### EXECUTIVE SUMMARY

The Australian Electoral Commission (AEC) has given formal notice that nominations for the Local Government NSW (LGNSW) Board Elections opened on 7 September 2021 and close at 12 noon on 5 October 2021. Council is required to advise LGNSW of its four voting delegates for Board Elections by this date.

LGNSW have moved the annual conference, now referred to as the Special Conference, to 28 February 2022 to 2 March 2022 due to the COVID-19 pandemic. An Annual Conference is still required in 2021 under the Fair Work (Registered Organisations) Act for the adoption of standing orders, along with reports from the President and Treasurer. This Annual Conference will now be a one hour, online event on 29 November 2021. Councils must also advise LGNSW of their four nominated voting delegates for the Annual Conference.

As the Special Conference will take place after the Local Government Elections, Council should note that subject to rule 34(b) of LGNSW rules, notification of a change to the name of an already nominated voting delegate, or substitute delegate, will be allowed by way of written notice signed by the Mayor or Chief Executive Officer, or their delegated representative.

### STRATEGIC ALIGNMENT

The 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes five principal themes and a number of strategies and outcomes. This report is aligned to:

Theme: 4 Community Leadership  
CSP Objective: 4.3 The resources of Council are appropriately managed  
Delivery Program Strategy: 4.3.5 Council strives for transparency and is an organisation that values two way communication with stakeholders and the broader community

### FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

**POLICY IMPLICATIONS**

There are no policy implications arising from this report.

**RECOMMENDATION**

- 1. That Council nominates four councillors as voting delegates for voting on Standing Orders and the Treasurer's Report at the 2021 LGNSW Annual Conference.**
- 2. That Council nominates four councillors as voting delegates for the LGNSW Board election.**

*Susan Wade*  
Governance Team Leader



## BACKGROUND

As an ordinary member of Local Government NSW (LGNSW), Dubbo Regional Council is required to provide the details of its nominated voting delegates for both the LGNSW Annual Conference and the LGNSW Board election by 12 noon on 5 October 2021.

## REPORT

Formal notice has been given that nominations for LGNSW Board elections opened on 7 September 2021 and close at 12 noon on 5 October 2021. A full Board election timetable is attached at **Appendix 1**.

Due to the COVID-19 pandemic, LGNSW's Annual Conference will now be a one hour, online event held at 9.30 am on 29 November 2021. This truncated Annual Conference will be limited to the adoptions of standing orders, along with reports from the president and Treasurer. A Special Conference will be held from 28 February 2022 to incorporate the debate and resolutions of motions and a range of keynote speakers.

As per the formula for calculating members' voting entitlements set out in rule 23 of the LGNSW rules, Dubbo Regional Council must nominate four voting delegates for both the Annual Conference and the Board elections.

Under rule 34(b) of the LGNSW rules, a substitute delegate may replace a nominated voting delegate for voting at the Annual Conference by way of written notice signed by either the Mayor or the CEO, or their delegated representative. As the Local Government Elections will be conducted prior to the Special Conference in 2022, Council will have the opportunity to notify a change of name of a nominated voting delegate under this provision should it be required.

Full details of the Annual Conference are given in the Letter of Invitation attached at **Appendix 2**.

LGNSW is also inviting submissions of motions to the Special Conference as early as practicable. A submissions guide is attached at **Appendix 3**, with submissions being made online: [2021 Annual Conference Home - Motions \(lgnsw.org.au\)](https://www.lgnsw.org.au/2021-annual-conference-home-motions).

### Appendices:

- 1 [↓](#) LGNSW Board Elections 2021 - Timetable
- 2 [↓](#) Letter of Invitation - LGNSW Annual Conference 2021
- 3 [↓](#) LGNSW Special Conference - Motions Submissions Guide



**Reference:** ANCFH 2021/2809

Mr Adam DANSIE  
 Senior Manager Workplace Relations  
 Local Government NSW  
 26 – 28 October 2021  
 Luna Park, Sydney

Dear Mr DANSIE

**Local Government NSW  
 Scheduled Election  
 E2021/98**

The Registered Organisations Commission has made arrangements with the Australian Electoral Commission (AEC) under Section 189 of the *Fair Work (Registered Organisations) Act 2009 (the Act)* to conduct the above election.

**Timetable**

The timetable for the election will be:

<b>Date</b>	<b>Occurrence</b>
31/08/2021	Close of Roll
01/09/2021	List of eligible members delivered to Returning Officer
07/09/2021	Returning Officer publishes Election Notice and Nomination Form via AEC website
07/09/2021	Organisation publishes Election Notice and Nomination Form via Organisation journal
07/09/2021	Nominations Open
05/10/2021	Nominations Close at 12:00pm (Australian Eastern Daylight Time (AEDT))
12/10/2021	Nomination withdrawal period closes at 12:00pm (Australian Eastern Daylight Time (AEDT))
12/10/2021	Organisation to provide details of the nominated voting delegates by 12:00 noon (Australian Eastern Daylight Time (AEDT))
12/10/2021	Member to submit the absentee voting form by 12:00 noon (Australian Eastern Daylight Time (AEDT)) to the Returning Officer.
27/10/2021	Postal Ballot Opens
24/11/2021	Postal Ballot Closes at 10:00am (Australian Eastern Daylight Time (AEDT))

### Notification to Members

The Association is required to have the Election Notice and Nomination Form published via their Journal from 7/09/2021 until 24/11/2021 and posted to each Ordinary member council. Please confirm with the Returning Officer when this action has been done.

The copy of the Election Notice and Nomination Form will be sent soon.

### Application of Section 193 Powers

The matters in which I have exercised the authority given to me by s.193 of the Act are:

- Due to Covid-19, the ballot cannot be conducted by attendance at the annual meeting of the federal council in accordance with the requirements of Schedule B of the rules of the Organisation. The Returning Officer will conduct the ballot by post in accordance with the requirements of the Schedule C of the rules of the Organisation.
- Rule in regard to the absentee voting according to Schedule C- 16 is not clear. To allow absentee voting, the Returning Officer will advise the members that if they are away from their current address and unable to receive ballot materials, they need to complete the Absentee application form with an alternate address and return it to the Returning Officer by email or AEC portal by a certain date.
- Rule 23 of Schedule C mentions to declare the result of the ballot within 3 days after the closing date of the voting. Due to Covid-19 and lockdown issue, the Returning Officer is not in a position to confirm the declaration period and will try to declare the result as soon as possible after the completion of the ballot counting.

### Request to supply Register of Members Information

The Roll of Voters for the above election will be those Ordinary members of the Organisation financial as at 31/08/2021 (the date the roll of voters closes) and as at 01/03/2021 (the "calculation date").

As the Returning Officer, I request you supply the following listing(s) of members of the Local Government NSW and their delegates by the dates that are specified:

Listing	Date Required
(a) Name and member information (identified below), of every member who was financial at 31/08/2021 (the date the roll of voters closes) and as at 01/03/2021 (the "calculation date") in accordance with the rules of the Organisation	01/09/2021
(b) Update(s) listing members who: <ul style="list-style-type: none"> <li>i. were inadvertently included on a listing</li> <li>ii. were inadvertently omitted from a listing who are eligible</li> <li>iii. have changed name, address or any other personal details</li> <li>iv. have changed electorate/s</li> </ul> <b>PLEASE NOTE:</b> any deletions [b (i)], additions [b (ii)] or electorate changes [b (iv)] must be updates to the roll as at 31/08/2021. Updates which occur after this date cannot be accepted and so, should not be provided, except where they are changes relating to b (iii) above.	06/10/2021

(c) The names of the voting delegates and Board of Directors related to membership names and council types (Metro/urban or Rural/Regional)	12/10/2021
(d) The names of members appearing on a listing who have ceased to be members by 27/10/2021.	26/10/2021

#### Electronic listings

Organisations are requested to submit data and documents electronically via the AEC Electoral Event Portal. A link to the portal can be found on the AEC website ([www.aec.gov.au](http://www.aec.gov.au)) under Elections, Industrial elections and ballots.

The List of Members is to be supplied as an Excel file.

Lists should not be emailed as Commonwealth Guidelines provide that classified information, including personal information, should not be transmitted by email.

#### Member Information

Name and member information (identified below) of every member, eligible to be included in the electorate/s for the election, who was financial at 31/08/2021 (the date the roll of voters closes) and as at 01/03/2021 (the "calculation date") in accordance with the rules of the Organisation.

A record for each eligible member/ voting delegate/ board of directors is to include the following information in separate fields as per the various dates in the above time table:

- Membership number,
- Voting delegates and Board of Directors surname,
- Voting delegates and Board of Directors (full) first name/s,
- Address line 1 (BUILDING NAME AND UNIT/FLAT/TOWNHOUSE NUMBER),
- Address line 2 (STREET ADDRESS OR PO BOX),
- Address line 3 (CITY/TOWN),
- STATE (Aust Post Abbrev),
- Postcode,
- COUNTRY (OUTSIDE AUST ONLY)
- Electorate Code (see below)
- "Incorrect last known address" code (see below)
- "Workplace Address" Code (see below)

#### Electorate code

For each member listed, include a field identifying the relevant Electorate and provide an explanatory table for the codes. As for example, electorate code for Metro/Urban as M/U and electorate code for Rural/Regional as R/R.

#### Incorrect last known address

Please include in the listing(s) a field for "Incorrect Last Known Address". If you have eligible members with a last known address thought to be incorrect, you should code those members as "Y" or "Yes" in this field.

#### Workplace addresses

Please include in the listing(s) a field for "Workplace Address". If you have eligible members with only a workplace address, you should code those members as "Y" or "Yes" in this field – otherwise, leave the field blank.

#### Certification of Lists

Each listing must be accompanied by a certificate signed by you in the following terms:

"I certify that the accompanying listing contains the (include appropriate details, as per the text in (a), (b), (c), or (d) above). I further declare that the register of members has been maintained as required by Section 230(2) of the Fair Work (Registered Organisations) Act 2009.

The total number of eligible members listed is [include number] at 31/08/2021."

The listings and certificates as described above must be supplied to me by NO LATER THAN 12:00pm on the date(s) specified.

#### Confidentiality of Information

Regulation 131 of the *Fair Work (Registered Organisations) Regulations 2009* (the Regulations) requires that the Returning Officer must make a copy of the roll available for inspection and copying by members, and other persons authorised by the Returning Officer. However, sub-regulation 6 provides:

*(6) If a copy of a roll, or a copy of part of a roll, is made or supplied under this regulation, a person must not use information in the roll for a purpose other than:*

- (a) a purpose in connection with the election; or*
- (b) to monitor the accuracy of the information contained in the roll.*

*Penalty: 10 penalty units.*

#### Other Legislative Provisions

I wish to draw your attention to the following:

- Regulation 145 of the Regulation which provides that, where an election or ballot is conducted by the AEC, no steps in the election may be taken by any person without the Returning Officer's authority or direction.
- Section 190 is an offence provision of the Act and a contravention of it constitutes an irregularity. Section 190 of the Act states:

*An organisation or branch commits an offence if it uses, or allows to be used, its property or resources to help a candidate against another candidate in an election under this Part for an office or other position.*

*Maximum penalty: 100 penalty units.*

If you have any queries or concerns regarding any of the above please do not hesitate to contact me on IEBevents@aec.gov.au or 02 9375 6331.

Yours sincerely

Ishtiaq Ahmed  
Returning Officer  
Australian Electoral Commission  
12/08/2021



Our ref: Rxx/xxxx Out-  
10 August 2021  
**GMs and Mayors**

Dear Member,

## OFFICIAL NOTICE

### Local Government NSW Annual Conference: 29 Nov (online)

**Event:** LGNSW Annual Conference 2021

**Time & Date:** 0930, 29 November, 2021

**Venue:** Online

As a result of COVID constraints and the further postponement of local government elections, Local Government NSW (LGNSW) will this year truncate the Annual Conference to a one-hour, online event from 0930 on 29 November 2021, followed by a Special Conference from 28 February 2022.

While the Special Conference will incorporate the debate and resolution of motions and a range of keynote speakers, the Annual Conference online event will be limited to the adoption of standing orders, along with reports from the President and Treasurer.

The following letter contains important information to help you to plan ahead and participate fully in the Annual Conference online event.

#### Registration to attend the Conference

Registrations to the online Annual Conference is free, with attendees asked to register online on [the LGNSW website](#).

#### Voting Delegates: 2021 Annual Conference and Board election

Separate from Conference registration, members must advise LGNSW of the name(s) of their nominated voting delegates for both or the Annual Conference and LGNSW Board election by **5pm (AEDT) on Tuesday 5 October 2021**.

Details on how to advise LGNSW of the names of their voting delegates for the Special Conference will be emailed directly to members at a later date.

#### Voting entitlements

The formula for calculating members' voting entitlements is prescribed at rule 23 of the LGNSW rules. A copy of the LGNSW (Federal) rules may be found [here](#).

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The **number of voting delegates** that each member is entitled to send to the Annual Conference and for voting in the Board election is listed in **Appendix A**. Column A indicates the number of voters for voting at the Annual Conference and, where applicable, Column B indicates the number of voters for voting in the Board election.

In accordance with the LGNSW rules, only members that were financial on 1 March 2021 (the 'calculation date') have been allocated voting entitlements. To exercise voting rights, members also need to be financial on the date the 'roll of voters' closes (31 August 2021).

#### Nomination as a voting delegate

**Ordinary members** need to advise LGNSW of the name(s) of their nominated voting delegate(s) for voting on Standing Orders and the Treasurer's Report, as well as voting in the Board election.

**Associate members** need to advise LGNSW of the name(s) of their nominated voting delegate(s) for voting at the Annual Conference only.

Nominations received after **5pm (AEDT) on Tuesday 5 October 2021** cannot be accepted. However, a member may, subject to the LGNSW rules, notify LGNSW of a change to the name of an already nominated voting delegate for voting on motions (a substitute delegate - see below).

For further information on voting entitlements and processes, [email Adam Dansie](mailto:adam.dansie@lgnsw.org.au) or call (02) 9242 4140.

#### Substitution of nominated voting delegates for voting on motions

Subject to the LGNSW rules, Ordinary members and Associate members may notify a change to the name of a nominated voting delegate for voting at the Annual Conference under rule 34(b) of the LGNSW rules (a substitute delegate). This is achieved by giving notice in writing signed by either the Mayor/Chairperson (or Deputy Mayor/Deputy Chairperson with the Mayor/Chairperson's written delegated authority), or General Manager/Chief Executive Officer (or Acting General Manager/Acting Chief Executive Officer with the General Manager/Chief Executive Officer's written delegated authority).

Written notice should be sent to Andrew Olivares (LGNSW) at [andrew.olivares@lgnsw.org.au](mailto:andrew.olivares@lgnsw.org.au).

Further instructions on how to substitute voting delegates, and a link to a 'Substitute Delegate Form' will be provided in future Conference communications.

#### Business Papers

The Annual Conference Business Paper is expected to be available on the LGNSW website and forwarded to members (in electronic format) approximately two weeks prior to the Conference.



### Previously Booked Accommodation

Conference delegates who have booked accommodation directly through the previously-provided Conference booking link will have their rooms all automatically cancelled without penalty. Accommodation at the Hyatt Regency Sydney for the Special Conference (28 February to 2 March 2022) will need to be re-booked via this special link:

[Rebook Hyatt Regency Sydney for Special Conference](#)

Delegates who had already reserved accommodation for November 28 (with the Hyatt Regency Sydney or other hotels) through other means will need to cancel their original reservations via their original booking platform.

### Privacy Statement

LGNSW, which is regulated by the *Privacy Act 1988* (Cth), collects private information about registered attendees to the Conference such as names, addresses, telephone numbers, credit card information and email addresses. We use the private information you give us to process your registration and to send you information in relation to the Conference.

If you choose not to provide some or all of the private information that we have sought, LGNSW may be unable to process your registration, or it may result in you being unable to vote at the Conference. Further information about how LGNSW collects, holds and uses private information is contained in LGNSW's Privacy Policy which is available on the [LGNSW website](#).

### Further details

Further details about the Conference can be found on the [LGNSW website](#).

I look forward to seeing you online at the Conference in November.

Yours sincerely

Cr Linda Scott  
President

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## Appendix A

### Members' voting entitlements: 2021 Annual Conference and Board election

Member	Column A – Number of voters for voting on motions	Column B – Number of voters for voting in Board election
Albury (R/R)	4	4
Armidale Regional (R/R)	3	3
Ballina (R/R)	3	3
Balranald (R/R)	1	1
Bathurst Regional (R/R)	3	3
Bayside (M/U)	9	9
Bega Valley (R/R)	3	3
Bellingen (R/R)	2	2
Berrigan (R/R)	1	1
Blacktown (M/U)	11	11
Bland (R/R)	1	1
Blayney (R/R)	1	1
Blue Mountains (R/R)	4	4
Bogan (R/R)	1	1
Bourke (R/R)	1	1
Brewarrina (R/R)	1	1

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Broken Hill (R/R)	2	2
Burwood (M/U)	3	3
Byron (R/R)	3	3
Cabonne (R/R)	2	2
Camden (M/U)	6	6
Campbelltown (M/U)	9	9
Canada Bay (M/U)	5	5
Canterbury-Bankstown (M/U)	11	11
Carrathool (R/R)	1	1
Castlereagh-Macquarie County (R/R)	1	0
Central Coast (R/R)	7	7
Central Darling (R/R)	1	1
Central Tablelands Water County (R/R)	1	0
Cessnock (R/R)	4	4
Clarence Valley (R/R)	4	4
Cobar (R/R)	1	1
Coffs Harbour (R/R)	4	4
Coolamon (R/R)	1	1
Coonamble (R/R)	1	1
Cootamundra-Gundagai Regional (R/R)	2	2
Cowra (R/R)	2	2
Cumberland (M/U)	9	9
Dubbo Regional (R/R)	4	4
Dungog (R/R)	1	1

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Edward River (R/R)	1	1
Fairfield (M/U)	9	9
Far West Joint Organisation	1	0
Federation (R/R)	2	2
Forbes (R/R)	1	1
Georges River (M/U)	9	9
Gilgandra (R/R)	1	1
Glen Innes Severn (R/R)	1	1
Goldenfields Water County (R/R)	1	0
Greater Hume (R/R)	2	2
Griffith (R/R)	3	3
Gunnedah (R/R)	2	2
Gwydir (R/R)	1	1
Hawkesbury City (M/U)	5	5
Hawkesbury River County (M/U)	2	0
Hay (R/R)	1	1
Hilltops (R/R)	2	2
Hornsby (M/U)	9	8
Hunters Hill (M/U)	2	2
Inner West (M/U)	9	9
Inverell (R/R)	2	2
Junee (R/R)	1	1
Kempsey (R/R)	3	3
Kiama (R/R)	3	3

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Kimbriki Environmental Enterprises Pty Ltd (M/U)	1	0
Ku-ring-gai (M/U)	6	6
Kyogle (R/R)	1	1
Lachlan (R/R)	1	1
Lake Macquarie (R/R)	7	7
Lane Cove (M/U)	3	3
Leeton (R/R)	2	2
Lismore (R/R)	3	3
Lithgow (R/R)	3	3
Liverpool (M/U)	9	9
Liverpool Plains (R/R)	1	1
Lockhart (R/R)	1	1
Maitland (R/R)	4	4
Mid-Coast (R/R)	4	4
Moree Plains (R/R)	2	2
Mosman (M/U)	3	3
Murray River (R/R)	2	2
Murrumbidgee (R/R)	1	1
Muswellbrook (R/R)	2	2
Nambucca (R/R)	2	2
Narrabri (R/R)	2	2
Narrandera (R/R)	1	1
Narromine (R/R)	1	1
Newcastle (R/R)	7	7

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New England County (R/R)	1	0
Norfolk Island Regional Council (R/R)	1	0
North Sydney (M/U)	5	5
Northern Beaches (M/U)	10	10
Northern Sydney Regional Organisation of Councils (M/U)	1	0
Oberon (R/R)	1	1
Orange (R/R)	3	3
Parkes (R/R)	2	2
Parramatta, City of (M/U)	10	9
Penrith (M/U)	9	9
Port Macquarie-Hastings (R/R)	4	4
Port Stephens (R/R)	4	4
Queanbeyan-Palerang Regional (R/R)	4	4
Randwick (M/U)	9	9
Richmond Valley (R/R)	3	3
Riverina Water County (R/R)	1	0
Rous County (R/R)	1	0
Ryde (M/U)	6	6
Shellharbour (R/R)	4	4
Shoalhaven (R/R)	5	5
Singleton (R/R)	3	3
Snowy Monaro Regional (R/R)	3	3
Snowy Valleys (R/R)	2	2
Southern Sydney Regional Organisation of Councils	1	0

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(M/U)		
Strathfield (M/U)	3	3
Sutherland Shire (M/U)	9	9
Sydney, City of (M/U)	10	9
Tamworth Regional (R/R)	4	4
Temora (R/R)	1	1
Tenterfield (R/R)	1	1
The Hills Shire (M/U)	9	9
Tweed (R/R)	4	4
Upper Hunter (R/R)	2	2
Upper Lachlan (R/R)	1	1
Upper Macquarie County (R/R)	1	0
Uralla (R/R)	1	1
Wagga Wagga (R/R)	4	4
Walcha (R/R)	1	1
Walgett (R/R)	1	1
Warren (R/R)	1	1
Warrumbungle (R/R)	1	1
Waverley (M/U)	5	5
Weddin (R/R)	1	1
Wentworth (R/R)	1	1
Western Sydney Regional Organisation of Councils (M/U)	1	0
Willoughby (M/U)	5	5
Wingecaribee (R/R)	4	4

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Wollondilly (R/R)	4	4
Wollongong (R/R)	7	7
Woollahra (M/U)	5	5
Yass Valley (R/R)	2	2
LGNSW Board (M/U)	10	10
LGNSW Board (R/R)	8	8
<b>TOTAL:</b>	<b>476</b>	<b>458</b>

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## LGNSW Special Conference Motions Submission Guide

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## Motions Submission Guide

### 1. Introduction

Each year, member councils across NSW submit a range of motions to an Annual Conference conducted by Local Government NSW (LGNSW). These motions relate to strategic local government issues which affect members state-wide and introduce new or emerging policy issues and actions. They are debated and resolved by Conference delegates, with successful resolutions guiding LGNSW's advocacy priorities for the year ahead.

However, stay-at-home orders and the postponement of local government elections have forced a truncated Annual Conference in 2021, with insufficient time for proper motion debate. To ensure motions are properly debated and resolved by members, LGNSW will hold an additional Special Conference from 28 February to 2 March 2022.

All LGNSW member councils are invited to submit motions to this Special Conference, with the following Guide outlining the Motion development and submission process.

### 2. Deadlines

Members are encouraged to submit motions [online](#) as early as possible to allow assessment of the motions and distribution of the Business Paper before the Conference. Under LGNSW Rules, the latest date motions can be accepted for inclusion in the Business Paper is **12 midnight (AEDT) on Sunday 30 January 2022** (28 days prior to Conference).

### 3. Criteria for motion submission

The LGNSW Board has resolved that motions will be included in the Business Paper for the Conference only where they:

1. are consistent with the objects of LGNSW (see Rule 4 of the Association's [rules](#)),
2. relate to local government in NSW and/or across Australia,
3. concern or are likely to concern local government as a sector,
4. seek to advance the local government policy agenda of LGNSW and/or improve governance of the Association,
5. have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws),
6. are clearly worded and unambiguous in nature, and
7. do not express preference for one or several members over one or several other members.

Council members are encouraged to review [Action Reports](#) (on the member only pages of the LGNSW website) from previous Conferences and the [LGNSW Policy Platform](#) before submitting motions for this year's Special Conference to ensure the proposed motion wording reflects any recent developments and does not duplicate existing positions..

### 4. How to write a motion

Motions adopted at Conferences inform LGNSW's advocacy actions on behalf of the local government sector. LGNSW includes the exact wording of motions when writing to ministers, departments and agencies post-conference, so it is important that the wording of motions clearly outlines your council's policy intent or objective.

The format of motions, as much as possible, should call on a specific body (e.g. LGNSW, state government, federal government, a specific department or minister) and have a specific outcome that the motion is aiming to achieve. The wording should be unambiguous.

*Examples of clearly-worded Annual Conference motions:*

**Minister for Rural and Regional NSW**

That LGNSW lobbies the NSW State Government to appoint a Minister for Rural and Regional NSW with suitable resources to undertake meaningful representative activities.

**Natural Disaster Funding, Day Labour**

That LGNSW requests the Australian and NSW governments reinstate the claimable expense for the use of council staff during their normal working hours to attend to natural disaster relief and recovery funded works and reverse the present policy that effectively requires the mandatory use of contractors for recovery works.

**Companion Animal Act matters**

That LGNSW advocates that the NSW Government takes the following steps to improve the management of companion animals:

- establish an integrated on-line statewide registration process as an improved service to companion animal owners;
- resolve difficulties with the *Companion Animals Act 1998* definition of an "Authorised Officer", by using the definition contained in the *Impounding Act 1993* as the definition in both Acts, allowing councils choice in the business model for its area; and
- review the dismissal of charges under section 10 of the *Crimes (Sentencing Procedure) Act 1999* in relation to offences under the *Companion Animals Act 1998*.

For more examples see Business Papers from [past Conferences](#) on the LGNSW website.

## 5. Demonstrating evidence of council support for motion

The member submitting the motion must provide accompanying evidence of support for the motion. Such evidence may include an attachment note or extract from the minutes of the council meeting, at which the member council resolved to submit the motion for consideration by the Conference. In the absence of a council meeting, the evidence should be a letter signed by both the Mayor and General Manager.

## 6. How to submit a motion

LGNSW members are invited to submit motions through an [online portal](#) from 12 July 2021.

Each motion submission should include responses to the following fields:

1. **Council name**
2. **Contact details** of relevant officer
3. **Motion category** (e.g. *planning, economic, environment etc. This assists with assigning motions to the relevant policy staff and grouping related motions in the Conference Business Paper.*)
4. **Motion title** (a few words)
5. **Motion** (a sentence or two which includes the call to action)
6. **Background note** (a paragraph or two to explain the context and importance of the issue to the local government sector)
7. **Evidence of council support** for the motion (e.g. *extract of council meeting minutes*)

Once a motion has been submitted it cannot be edited without contacting LGNSW, so please review the content carefully before submission.

## 7. How LGNSW manages incoming motions

The LGNSW Board has established a committee and delegated the function of managing incoming motions for the Conference to this committee. The Chief Executive will refer motions to the committee and the committee will assess whether the motion meets or doesn't meet the criteria, or if

it is unclear whether it meets the criteria. This assessment forms the final decision on which motions are included in the Conference Business Paper.

Prior to the committee making a final decision, LGNSW may contact the council that submitted the motion to seek clarity on its intent or wording.

Incoming motions which seek to change any long-held Fundamental [Principles](#), will be highlighted in the Business Paper for members' information at time of voting.

Motions which are consistent with existing LGNSW positions or current LGNSW actions, or that are operational and can be actioned without a Conference resolution, may still be printed in the Business Paper but will not be debated at the Conference.

## 8. What happens to motions at the LGNSW Conference

Standing orders are outlined at the front of the Business Paper and adopted at the commencement of each Conference. They outline the manner in which the Conference deals with motions. The standing orders adopted at the 2019 Conference can be found in **Attachment A**.

During debate on motions at Conference, the standing orders generally permit councillor delegates to speak in support of or against each motion. Following a vote on a motion, the motion is either carried and becomes a resolution of the Conference, or it is defeated.

## 9. Post-conference: Updates to the LGNSW Policy Platform

LGNSW's [Policy Platform](#) consolidates the voices of councils across NSW, reflecting the collective positions of local government on issues of importance to the sector. Importantly, the Policy Platform guides LGNSW in its advocacy on behalf of the local government sector.

The Policy Platform consists of two parts: LGNSW's Fundamental Principles, and the more targeted Position Statements.

- **Fundamental Principles** are the enduring and overarching principles that direct LGNSW's response to broad matters of importance to the local government sector. These Fundamental Principles are endorsed (or amended) by LGNSW members at Annual Conferences (or this year, at the Special Conference).
- **Position Statements** contain LGNSW's more detailed positions on specific issues and guide LGNSW's work on, and response to, policy issues of the day. Position Statements are subordinate to LGNSW's Fundamental Principles but are more agile and are targeted at specific policy issues as they arise.

### ***Changing Fundamental Principles***

Where a motion conflicts or may conflict with a Fundamental Principle, this will be clearly highlighted for delegates in the Conference Business Paper. If the motion is adopted as a resolution at Conference, then the relevant Fundamental Principle will be changed.

It is expected that changes to the Fundamental Principles will be uncommon, given their broad focus and general acceptance among the local government sector.

### ***Changing Position Statements***

Following each Conference, LGNSW will review resolutions of that Conference to determine whether the intent of each resolution is adequately covered by existing Position Statements. Where the Position Statements do not adequately include the intent of a resolution, LGNSW will update an existing Position Statement or draft a new Position Statement, to be endorsed by the LGNSW Board as part of the LGNSW Policy Platform.

LGNSW members will be informed of updates to the LGNSW Policy Platform.

#### **10. Post-conference: Determining LGNSW Advocacy Priorities**

Following the LGNSW Special Conference, LGNSW will review the resolutions and identify key areas of focus to guide LGNSW's advocacy for the coming year. These areas of focus are also informed by member feedback, the LGNSW strategic plan, position statements, emerging issues, and Board input.

LGNSW's Advocacy Priorities for the following year are then submitted for endorsement by the LGNSW Board, and communication to members via email.

As LGNSW undertakes advocacy actions on each of the Conference resolutions throughout the year, these actions and their outcomes will be published in LGNSW's Action Report. ([Past Action reports](#) are available on the member only pages of the LGNSW website).

#### **11. Further information**

For further information on the motion submission process, please contact Beau Reid, Policy Officer at [beau.reid@lgnsw.org.au](mailto:beau.reid@lgnsw.org.au).

## Frequently Asked Questions

### How do I know if my proposed motion is consistent with existing LGNSW policy positions?

The subject matter expert within council is best placed to identify this (for example, if the motion relates to a planning matter, this question should be answered by the Planning Manager). Subject matter experts are encouraged to review LGNSW's [Policy Platform](#) to gain an understanding of LGNSW's position on a particular matter to help identify whether your proposed motion is consistent.

### What is the deadline for submitting motions?

Members are encouraged to submit motions [online](#) as soon as possible to allow assessment of the motions and distribution of the Business Paper before the Conference. However, in line with the LGNSW Rules, the latest date motions can be accepted for inclusion in the Conference Business Paper is **12 midnight AEST on Sunday 30 January 2022** (28 days prior to Conference).

LGNSW can receive more than 300 motions for an Annual Conference. Submitting motions as early as possible helps LGNSW to manage the large volume of motions received within a short period of time and allows LGNSW to seek clarification on any motions if required.

### I'm unsure which motion category or sub-category I should select in the online portal

If you are unsure, just select the category you think best fits. LGNSW can reallocate the motion if necessary.

### What if my council will not meet to consider motions for the LGNSW Special Conference until after the 30 January 2022 deadline?

LGNSW understands that some councils will not hold their first meeting of the new council term until after the 30 January 2022 deadline to submit motions for inclusion in the Business Paper.

The LGNSW Rules set the deadline of midnight on 30 January 2022 for motions to be submitted for potential inclusion in the Conference Business Paper. However, the LGNSW Rules do also allow for councils to submit motions with less than 28 days' notice and the LGNSW Board may allow these to be considered at Conference as **late items**.

If councils cannot meet the 30 January 2022 timeline, we encourage councils to submit motions as late items as soon as possible after the deadline.

### Who should be the council contact for motions?

We recommend the council contact is someone who is available during the months that motions are open, and able to respond promptly to communications between the subject matter expert, your council and LGNSW. Some councils have identified the General Manager and others have identified the Governance Officer – it is a decision for each council.

### Will the COVID-19 pandemic affect the motions process?

The LGNSW Conference motions process is an important policy setting process for the local government sector. The Conference will follow government guidelines on safe events and social distancing. In 2020, the LGNSW conference was held online due to COVID-19 health and safety orders and delegates had the opportunity to debate motions during the conference. However, member feedback indicated an in-person conference is preferable, and LGNSW is seeking to do this with the Special Conference from 28 February to 2 March 2022.

### How can I amend my council's motion that I've already submitted?

Once a motion has been submitted it cannot be edited without contacting LGNSW so please review the content carefully before submission. If you need to edit a submitted motion, please contact Beau Reid, Policy Officer at [beau.reid@lgnsw.org.au](mailto:beau.reid@lgnsw.org.au). You may need to provide evidence of support for the change (see section 5).



## **Attachment A – Excerpt of LGNSW 2019 Annual Conference Standing Orders**

*The 2020 Annual Conference was held wholly online and as such the standing orders differed substantially from past years. The 2019 standing orders are included below as a guide.*

### **Manner of dealing with Conference Business**

11. *Conference Business will be dealt with in any order at the discretion of the Chairperson.*
12. *Nothing in these Standing Orders shall prevent the Chairperson from dealing with motions concurrently.*

### **In the case of motions**

13. *The Chairperson, upon coming to a motion set out in the Business Paper, must ask whether there is any dissent to the proposed resolution the subject of the item and, if no dissent be signified, may at any time, declare the motion carried.*
14. *Where dissent is signified, the Chairperson shall require the motion to be moved and seconded.*
15. *If the motion is moved and seconded, the Chairperson may, at any time during debate, make such inquiries as to the nature of the dissent so as to confine any debate to the issues genuinely in dispute or to explore amendments to the proposed resolution which satisfactorily accommodate the moving and dissenting Delegates and Delegates generally.*
16. *Movers of motions shall be permitted two (2) minutes to introduce their proposed resolution into debate and one and a half (1.5) minutes in reply. All other speakers shall each be permitted to speak once for one and a half (1.5) minutes. The Conference may, on application by a speaker, permit that speaker to have one, but only one, further period of one and a half (1.5) minutes in which to speak.*
17. *A Delegate seconding a motion shall not be permitted to speak until at least one Delegate has spoken in dissent.*
18. *The Chairperson may, during the course of debate direct a speaker to confine his or her speech so as to:*
  - a. *limit repetition of matters addressed by other speakers;*
  - b. *limit debate about matters or issues not genuinely disputed.*
19. *Except as otherwise provided herein, it shall not be in order to move that any resolution be immediately put until at least two Delegates, in addition to the mover and the seconder, shall have had an opportunity to speak on the resolution then before the Conference.*
20. *A Delegate can, without notice, move to dissent from the ruling of the Chairperson on a point of order. If that happens, the Chairperson must suspend the business before the Conference until a decision is made on the motion of dissent;*
  - a. *If a motion of dissent is passed, the Chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been discharged as out of order, the Chairperson must restore the motion or business to the agenda and proceed with it in due course; and*
  - b. *Despite any clause to the contrary, only the mover of a motion of dissent and the Chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.*
21. *A Delegate may not substitute from the floor of the Conference a new motion for one listed in the Business Paper unless the new motion is substantially the same, and dealing with the same subject matter, as the original motion, and the new motion is accompanied by written evidence that it has the support of the member concerned.*
22. *When an amendment is before the Conference, no further amendment shall be discussed until that amendment has been dealt with.*

23. No more than one amendment upon any motion shall be considered unless notice of such further amendment is given before the amendment then under discussion has been dealt with.

24. The mover of an amendment which has been adopted as the motion shall (as in the case of the mover of an original motion) have the right of reply to any further amendments submitted.

**New motions from the floor of Conference**

25. At least 24 hours' notice shall be given before dealing with any new motions introduced during the Conference (Rule 28(d)).

26. Where a Member seeks to introduce a new motion during the Conference, they shall submit the motion and evidence that the motion has the support of the member concerned, to the Association's Chief Executive (or the Chief Executive's nominee), in writing.

27. The Chief Executive (or the Chief Executive's nominee), upon receiving a new motion submitted during the Conference, shall immediately record the time that they receive the motion and make arrangements for copies of the motion to be provided to Delegates.

**Motions that reflect existing LGNSW policy**

28. Motions submitted for inclusion in the Business Paper to the Conference which reflect existing LGNSW policy (Category 2 motions) shall remain existing LGNSW policy unless superseded or replaced by a subsequent Conference resolution.

**In the case of all other Conference Business**

29. All other Conference Business will be dealt with at the discretion of the Chairperson.

**Manner of voting**

30. Only Members' nominated voting Delegates and members of the Board may debate and vote on motions.

31. Except as hereinafter provided voting on any matter shall be on the show of cards.

32. The Chairperson may direct that voting on any matter be taken by show of voting cards or by use of electronic voting.

33. After a show of voting cards or on conclusion of an electronic vote the Chairperson may either:

- a. declare the question resolved in the affirmative or negative; or
- b. if voting cards have been used, call for a new vote using electronic voting.

34. A Division may be called following a vote on the show of cards by no less than 10 Delegates.

35. A Division will be taken by use of electronic voting.

**Suspending Standing Orders**

36. Standing Orders may be suspended by a majority of those present, provided the meeting is in quorum. A motion to this effect shall be open to debate.

**Outstanding business**

37. In the event that the Conference, having commenced in quorate, subsequently loses a quorum and is unable to consider any item(s) of business property put before the Conference, they shall be referred to the Association's Board for consideration.





DUBBO REGIONAL  
COUNCIL

## REPORT: Re-Instating the COVID-19 Rates Financial Assistance Policy

**AUTHOR:** Chief Financial Officer  
**REPORT DATE:** 3 September 2021  
**TRIM REFERENCE:** ID21/1580

### EXECUTIVE SUMMARY

A number of Councils ratepayers, residents and businesses are adversely affected by the COVID-19 pandemic and the associated Public Health Orders that have impacted normal business practices and patronage.

This report provides details regarding the reinstatement of the previous COVID-19 Rates Financial Assistance Policy that Council had endorsed to provide additional assistance for those Ratepayers that were financially impacted by COVID-19.

This report seeks the endorsement of an amended version of the previous COVID-19 Rates Financial Assistance Policy with the updating of eligibility requirements based on the current COVID-19 financial support offered by the Federal and NSW Governments.

Whilst this Policy deals specifically with rate payments only, all other financial assistance requests relating to other Accounts Receivable debts and Council Fees and Charges will still be assessed separately on a case by case basis.

Those Ratepayers who submit successful applications under the COVID-19 Rates Financial Assistance Policy will have access to the following:

- The deferral of payment of rate instalments due 30 November 2021 and 28 February 2022, until 30 June 2022 supported by an agreed payment arrangement where possible.
- No interest to be charged on overdue instalments that are due 30 November 2021 and 28 February 2022, from 1 December 2021 to 30 June 2022.
- Debt recovery to be placed on hold until 30 June 2022.

The amended COVID-19 Rates Financial Assistance Policy is attached to this report as **Appendix 1** and is recommended for adoption.

## STRATEGIC ALIGNMENT

The 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes five principal themes and a number of strategies and outcomes. This report is aligned to:

Theme:	4 Community Leadership
CSP Objective:	4.3 The resources of Council are appropriately managed
Delivery Program Strategy:	4.3.8 Council is financially sustainable and has the ability to maintain infrastructure and deliver services at the adopted service levels as agreed with the community

## FINANCIAL IMPLICATIONS

The immediate cost of reinstating the COVID-19 Rates Financial Assistance Policy is difficult to forecast, as it would be dependent upon the number of ratepayers that are granted this assistance, but would clearly have an impact on Council's cash flow. It is, however, estimated that if 20% of ratepayers were to make successful applications under this Policy then the cost would be in the vicinity of \$200,000 which would be funded from the COVID-19 reserve.

## POLICY IMPLICATIONS

The COVID-19 Rates Financial Assistance Policy will become a Policy of Council.

## RECOMMENDATION

- 1. That the information contained within the report of the Chief Financial Officer, dated 3 September 2021, be noted.**
- 2. That the amended COVID-19 Rates Financial Assistance Policy, as attached to the report of the Chief Financial Officer dated 3 September 2021 as Appendix 1, be adopted.**
- 3. That no interest be applied to outstanding Rates and Charges to Ratepayers who make a successful application under the COVID-19 Rates Financial Assistance Policy for the period 1 December 2021 to 30 June 2022.**

*Michael Howlett*  
Chief Financial Officer

## BACKGROUND

Rates income is a secure and reliable source of revenue that Council uses to deliver essential services to the community. In times of crisis, it is important to remember that Council still requires cash flow to deliver these services. It is, however, recognised that the COVID-19 Pandemic is still causing financial hardship for some members of the community and as a result, Council is providing assistance in certain circumstances.

## REPORT

A number of Councils ratepayers, residents and businesses are adversely affected by the COVID-19 pandemic and the associated Public Health Orders that have impacted them financially.

The amended version of the previous COVID-19 Rates Financial Assistance Policy, as attached at **Appendix 1**, updates the eligibility requirements based on the current COVID-19 financial support offered by the Federal and NSW Governments.

Whilst the COVID-19 Rates Financial Hardship Policy deals specifically with rate payments only, all other financial assistance requests relating to other Accounts Receivable debts and Council Fees will be assessed separately on a case by case basis. The amended Policy shall remain in force.

Eligible ratepayers requesting to access the COVID-19 Rates Financial Hardship Policy must submit an application, that is available on Council's website, no later than 1 December 2021 or if unable to access Council's website, by contacting Council's Customer Experience team for assistance.

The assistance available for Ratepayers who can demonstrate a financial impact from COVID-19 under the terms of this Policy are as follows:

- The deferral of payment of rate instalments due 30 November 2021 and 28 February 2022, until 30 June 2022 supported by an agreed payment arrangement where possible.
- No interest to be charged on overdue instalments that are due 30 November 2021 and 28 February 2022, from 1 December 2021 to 30 June 2022.
- Debt recovery to be placed on hold until 30 June 2022.

For those ratepayers who are experiencing longer term financial hardship Councils existing Debt Management and Financial Hardship Policy is available to provide further assistance.

Appendices:

- 1 [COVID-19 Rates Financial Assistance](#)



## COVID-19 Rates Financial Assistance

**Date** 3 September 2021

**Council Resolution Date**

**Clause Number**

**Responsible Position** Chief Financial Officer  
**Branch** Financial Operations  
**Division** Organisational Performance  
**Version** 3  
**TRIM Reference Number**  
**Review Period** 9 Months  
**Review Date** 30 June 2022  
**Consultation** Executive Leadership Team

Document Revision History	
Description	Date
COVID-19 Rates Financial Assistance Policy – ED20/62984	09 April 2020
COVID-19 Rates Financial Assistance Policy – ED20/206234	02 November 2020
<b>Notes</b>	

## TITLE AND DURATION

This Policy shall be known as the COVID-19 Rates Financial Assistance Policy and shall remain in force until Thursday 30 June 2022.

## PURPOSE

Council has a legislative responsibility to maintain effective financial control over its operations. Council must ensure that monies owed are collected in a timely, efficient and effective manner in order to provide services to the community.

The purpose of this COVID-19 Rates Financial Assistance Policy is to provide an adopted framework detailing the Rate payment options and assistance available to Ratepayers if they are currently experiencing financial hardship due to the ongoing COVID-19 pandemic.

This Policy provides assistance with Rate payments only and does not refer to any other debt or Fees/Charges payable to Council.

### Related Legislation

- Local Government Act, 1993
- Local Government (General Regulation) 2005
- Privacy and Personal Information Protection Act, 1998

### Related Documentation

- Council's Code of Conduct
- Council's Revenue Policy
- Council's Debt Management and Financial Hardship Policy
- Office of Local Government Debt Management and Hardship Guidelines, November 2018

## DEFINITIONS

To assist in interpretation, the following definitions apply:

Term	Definition
<b>Act</b>	Local Government Act 1993
<b>Application</b>	A submission made by a Ratepayer to be considered under the provisions of this Policy
<b>Council</b>	Dubbo Regional Council
<b>Deferral</b>	When payment in full will not be on the instalment due dates specified in the Local Government Act 1993 being 30 November 2021 and 28 February 2022
<b>Interest</b>	The fee charged by Council, expressed as a percentage, on Rates and Charges that remain unpaid after the due date
<b>Interest Rate</b>	Made in accordance with Section 566 of the Local Government Act 1993
<b>Payment Arrangement</b>	An agreement entered into by Council and a Ratepayer for the payment of outstanding Rates and Charges under the provisions of this Policy

<b>Rates and Charges</b>	Ordinary Rates and Annual Charges levied in accordance with the Local Government Act 1993
<b>Ratepayer</b>	The person liable for payment of Rates and Charges for the property in accordance with the Local Government Act, 1993

### SCOPE

This Policy aligns with Council's existing Debt Management and Financial Hardship Policy. All Ratepayers who are experiencing longer term financial hardship are encouraged to make application for assistance under the Debt Management and Financial Hardship Policy.

This Policy applies to all Ratepayers, Council staff, elected members of Council and contracted service providers.

This Policy does not confer any delegated authority upon any person. All delegations to staff are issued by the Chief Executive Officer in accordance with Section 378 of the Local Government Act 1993.

The specific provisions contained within the Local Government Act 1993 and associated Regulations must be adhered to when applying this Policy.

### All Other Debts Other Than Rates

Council will only consider debts relating to Rates and Charges under this Policy, all other COVID-19 Financial Hardship related requests will be considered separate to this Policy and on a case by case basis.

### OBJECTIVES

The total deferral of rate instalments due to an event like COVID-19 can cause a secondary bout of financial stress when the event has concluded and the deferred rate instalments become due and payable. Council's aim is to provide support to eligible Ratepayers with options for payment of rate instalments through the COVID-19 pandemic without creating additional financial stress when the pandemic has been resolved. This is assisted by an interest free period.

When undertaking an assessment of applications under this Policy, Council will be guided by the principles of:

- Equity – to ensure consistency, fairness, integrity and confidentiality of all proceedings for both Council and the Ratepayer.
- Engagement – Council is committed to engaging with Ratepayers.
- Transparency – ensuring obligations of Council's Ratepayers are clear in assisting them to meet their financial obligations.
- Financial Hardship – Council will assess COVID-19 Rates Financial Assistance applications on an individual basis and will be courteous and respectful.

## POLICY

### Eligibility to Make an Application Under the Policy

- A Ratepayer who is receiving regular COVID-19 related income support:
  - COVID-19 Disaster Payment
  - Business receiving Jobsaver or COVID-19 Micro Business Grant
- A landlord whose rental income has decreased by at least 30% from an existing tenancy agreement
- Any other Federal Government or NSW Government COVID-19 specific support payments as determined by the Chief Financial Officer as being appropriate for the application of this Policy.

Supporting documentation of receiving any of the above will be required as part of the application process and must be submitted at the time of the application.

## RATES, INTEREST CHARGES AND DEBT RECOVERY

### Rate Instalments Due 30 November 2021 and 28 February 2022

This Policy provides for eligible Ratepayers to defer payment of the rate instalments due on 30 November 2021 and 28 February 2022 until 30 June 2022.

Council will encourage eligible Ratepayers to set up a payment arrangement with Council that is tailored specifically to the eligible Ratepayers' needs. The aim of the payment arrangement is to have the debt relating to the two rate instalment payments that are due on 30 November 2021 and 28 February 2022 paid in full by 30 June 2022. This will help to ensure that further debt shock is not experienced when these two rate instalments become due and payable together with future rate instalments.

Payment of these rate instalments may also be deferred in full until 30 June 2022 where a payment arrangement cannot be entered into.

### Interest Charges on Overdue Rate Instalments 30 November 2021 and 28 February 2022

No interest will be charged on overdue amounts to eligible Ratepayers for the period 1 December 2021 until 30 June 2022.

Outstanding balances as at 1 July 2022 will under the current provisions of this Policy accrue interest at the prescribed rate.

## DEBT RECOVERY

For approved Ratepayer applicants under this Policy, debt recovery proceedings will be placed on hold from 1 December 2021 to 30 June 2022.

Council may make a reasonable attempt to contact a Ratepayer about an arrangement made under this Policy if required.

## APPLICATIONS

Eligible Ratepayers requesting to access the COVID-19 Rates Financial Hardship Policy must submit an application that is available through DRC &ME on Council's website or if unable to access Council's website by contacting Council's Customer Experience team for assistance. Ratepayers will be required to complete an application and provide supporting documentation to access the provisions of this Policy.

Should Ratepayers meet the eligibility criteria as detailed within this Policy and the application is accepted by Council the eligible Ratepayer will be notified by return email.

All COVID-19 Rates Financial Hardship applications will be assessed by Council and recommendations to the Chief Financial Officer will be provided where required in accordance with this Policy.

Council's existing Debt Management and Financial Hardship Policy assists those Ratepayers who are experiencing financial hardship over a longer term at their primary residence. This Policy remains in place and should be accessed when Ratepayers are experiencing longer term financial hardship.

### Existing Debt Prior To COVID-19

Eligible Ratepayers with existing outstanding balances prior to 30 November 2021 may not be eligible for deferral or interest relief under these circumstances. Council will assess such applications on a case by case basis and the eligible Ratepayer will be contacted by Council to discuss suitable payment arrangements.

### Approval and Dispute Resolution

A determination under this Policy will be assessed against the supporting documentation provided by the applicant. Each application will be considered on a case by case basis. The Ratepayer will be informed of the Chief Financial Officer's decision via email and if the applicant is not satisfied with the outcome a request for a review by Council's Internal Ombudsman via Council's website can be made.

The Chief Executive Officer can exercise their discretion in regards to adherence of the operational procedures of this Policy.

The Chief Executive Officer has the authority to ultimately make any decision under this Policy and may take into account any other factors as deemed necessary to either approve and not approve any application made under this Policy.

Council reserves the right to amend this Policy from time to time.





## REPORT: Event Assistance Program - 2021/2022 - Round 1 Community Events Fund and Emerging Events Fund

**AUTHOR:** Manager Regional Events  
**REPORT DATE:** 8 September 2021  
**TRIM REFERENCE:** ID21/1563

### EXECUTIVE SUMMARY

Council, at its meeting held 22 June 2020, revised Council's Event Funding Program to include four funding channels. This report covers Council's 2021/2022 Event Assistance Program of the following two channels: the Emerging Events channel which considers new events; and the Community Events channel for community focussed events.

This report provides for the consideration of Council funding allocations under Round 1 of the Emerging Events and Community Events Fund. Funding is provided to support not-for-profit events arranged locally that deliver a mix of social and cultural benefits.

Council invited applications for funding under the channels of Emerging Events Fund and Community Events Fund with funding of \$22,500 available to applicants across the two channels. Applications opened on 5 July 2021 and closed 31 August 2021, which included an extension due to the recent Public Health Order lock-down and restrictions placed on the community. Council received seven applications under the Community Events Fund totalling \$17,950. No applications were received for funding under the Emerging Events Fund.

Total funding to be allocated are Emerging Event Fund (Nil) and Community Event Fund (\$12,100). The funding will support five events to be held in the Dubbo Local Government Area (LGA) in 2022 calendar year. Combined, these events are expected to inject approximately \$158,530 into the local economy.

The determination of funding has been made in accordance with the resolution of council dated 26 July 2021 meeting of Council whereby Council resolved (in part):

- "1. That the assessment criteria for applications to Destination, Emerging and Community Event funding programs include a weighting of 20% for any cancelled events from the 2020/2021 financial year."*

## STRATEGIC ALIGNMENT

The 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes five principal themes and a number of strategies and outcomes. This report is aligned to:

Theme:	3 Economy
CSP Objective:	3.1 Visitor economy growth is supported through product development, enhancement and strategic management
Delivery Program Strategy:	3.1.5 Events that provide for activities that foster cultural and recreational opportunities and community interaction are supported

## FINANCIAL IMPLICATIONS

Funding for the 2020/2021 Event Assistance Program is contained within the Regional Events operating budget.

## POLICY IMPLICATIONS

This report is provided in accordance with Council's Financial Assistance Policy dated 20 August 2020 whereby funding is determined by the Chief Executive Officer and reported to Council for information only.

## RECOMMENDATION

- 1. That the information within the report from the Manager Regional Events dated 14 September 2021, be noted.**
- 2. That event funding applicants be advised on the outcome of their applications.**
- 3. That funding be determined and conditional to each event supplying COVID-19 Safety Plans and meeting any conditions and restrictions in place under Public Health Orders.**
- 4. That should any funded events not proceed the funds be returned to Council, and applicants requested to reapply for future events, with no further assessment weightings be applied to such applications after 2021.**

*Kim Hague*  
Manager Regional Events

## BACKGROUND

In 2020/2021 Council, in response to needs expressed by industry, introduced a pathway for events to apply for staff assistance to help with planning, production or delivery of events. Staff resources are provided via application under the Emerging Events Fund or Community Events Fund. The Program was also streamlined and crafted to support events during the current COVID-19 pandemic enabling Council to determine funding conditional to future and unknown COVID-19 conditions. This report will recommend funding under the following channels, with funds released conditional to COVID-19 Safety Plans being in place or conditions/restrictions lifted to enable mass gatherings.

Council's 2021/2022 Event Assistance Program comprises of the following:

### Emerging Events Fund

To assist, support and grow local events and drive a mix of social, cultural and economic benefits to the region. Organisers must demonstrate that the events are attended or appeal to a broad section of the community. Alternatively, events provide specific cultural or social outcomes aligned with the 2040 Community Strategic Plan. Financial assistance as well as staff resources were open for application.

Two annual rounds – July and February. Applications are up to a maximum of \$2,000.

### Community Events Fund

To assist and support events that deliver social and cultural benefits to the Dubbo Region LGA. Organisers must demonstrate that the events are to be attended or appeal to a broad section of the community. Alternatively, events provide specific cultural or social outcomes aligned with the 2040 Community Strategic Plan. Financial assistance as well as staff resources were open for application.

Two annual rounds – July and February. Applications are up to a maximum of \$3,000.

On 26 July 2021, Council resolved (in part):

- "1. That the assessment criteria for applications to Destination, Emerging and Community Event funding programs include a weighting of 20% for any cancelled events from the 2020/2021 financial year."*

This report is in relation to the Emerging Events Fund and Community Events Fund which opened for application on 5 July 2021 and closed 31 August 2021. All applications were received online via the Smarty Grants Program.

## REPORT

Council invited applications for funding under Round 1 of the 2021/2022 Event Assistance Program – Emerging Events Fund and Community Events Fund on 5 July 2021. The deadline for submissions was extended from 16 July 2021 to 31 August 2021 due to the community lock-down and restrictions under the current Public Health Order.

Applications were open for eight weeks and the opportunity to apply was communicated as follows:

- Social media via Dubbo Regional Council channels
- Targeted emails to event owners (Dubbo Region Event Network)
- Broad communications via eBlast
- Advertising Dubbo Photo News

In accordance with Council's determination at its meeting on 26 July 2021, all event owners of events cancelled in 2020/2021 were invited to apply for funding. However, no applications were received from events cancelled in 2020/2021 due to Covid-19 and therefore the weighting of 20% was not applied.

Council received seven applications for funding under the Community Events Fund with one event being cancelled due to stay-at-home orders. No applications for funding were received under the Emerging Events Fund. In accordance with Council's Financial Assistance Policy, an assessment panel was convened comprising of Council's co-ordinators of cultural development, recreation and events and the assessment process was undertaken via the Smarty Grants program.

#### Emerging Event Fund

Total funding available: \$10,000  
Total funding amount applied for: Nil  
Total recommended funds: Nil

#### Community Events Fund

Total funding available: \$12,500  
Total funding amount applied for: \$17,950 (seven applications)  
Total recommended funds: \$12,100 (five applications)

Event	Date	Venue	Application		Recommendation	
			Resource assistance	Financial assistance	Resource assistance	Financial assistance
*Dubbo Sixes Soccer Tournament	9-10 Oct 2021	Apex Oval	5	\$2,850	Event cancelled	
** Wellington Vintage Fair and Swap Meet	5-6 Mar 2022	Wellington Showground	n/a	\$3,000		\$3,000
Under Western Skies Festival (SOMAD Inc)	12 Mar 2022	Dundullimal	n/a	\$3,000		\$3,000
Central West Interclub Triathlon Series	21 Mar 2022	Ollie Robbins	5	\$100	5	\$100
Man from Ironbark Festival	16 April 2022	Stuart Town	5	\$3,000	5	\$3,000
Wellington Show	20 - 21 May 2022	Wellington Showground	n/a	\$3,000		\$3,000
Dubbo Show	27-29 May 2022	Dubbo Showground	5	\$3,000	5	Nil
<b>TOTAL</b>				\$17,950		\$12,100

\* Dubbo Sixes Soccer Tournament was cancelled following submission of its funding application.

\*\*Wellington Vintage Fair and Swap Meet applied for \$7,500. The maximum amount that can be applied for under the Community Events Fund is \$3,000. The total amount of funding requested has been adjusted accordingly.

The financial element of Dubbo Show Society's application was not supported for the 2022 Dubbo Show as the organisation is already provided with \$35,000 of in-kind support from Council via their lease agreement with Council.

Staff resource assistance will be allocated as per each application following consultation and consideration of the capacity of the Events and Partnership team. Remaining funds will be allocated to Round 2 of Emerging and Community Funds which will be open in early 2022.

If any funded events do not proceed, the funds will be returned to Council, and applicants requested to reapply for future events. No further assessment weightings will be applied to such applications.

### **SUMMARY**

The negative impact and loss of confidence of the events industry resultant from the current COVID-19 outbreak is unquestionable. For the first time in the history of Council's event funding program, a channel of funding – Emerging Events Fund – did not receive any applications. There has also been a decrease of 44% in applications under the Community Events Fund compared to the previous round. Five of the seven applications have been funded for the Community Event Fund which will provide a security and confidence for community events to continue to operate in the current pandemic. The only applications that were not funded were those who were not proceeding or are already provided significant benefits from Council.

It is expected that as vaccinations increase and government restrictions are lifted, so will the confidence in the organising of events and mass gatherings. The first funded event for the Community Event Fund is expected in March 2022 and the return of event activity will continue to provide social and cultural benefits to drive economic activity across the Dubbo Region.



DUBBO REGIONAL  
COUNCIL

## REPORT: Proposed Road Closure - Campania Road Rawsonville

AUTHOR: Road Services Engineer  
REPORT DATE: 10 September 2021  
TRIM REFERENCE: ID21/1579

### EXECUTIVE SUMMARY

Council has received a request from Mr Tom Harvey and Mrs Cathy Harvey of Lot 1 DP 943178 Campania Road, Rawsonville to purchase the section of Campania Road adjacent to their property as indicated on the map attached (**Appendix 1**).

Campania Road is an unsealed Council public road that is fully formed for approximately 505 metres from the intersection with Terramungamine Road. Beyond this, the road is unformed and is not included in Council's list of roads programmed for annual maintenance and is therefore currently not maintained.

The adjoining landowners to the west and to the north of the Campania Road corridor have advised they have no objection to the request to close part of the road as indicated in **Appendix 1**.

Council at its meeting held 12 October 2020 resolved:

- "1. That Council consent to the closure of this section of road as indicated in Appendix 1.*
- 2. That Council undertake the Roads Act Council Road Closure Process: Closing of Council Public Roads by Councils - Part 4 Division 3 Roads Act 1993.*
- 3. That upon closure, the road be offered for sale to the adjacent landowner at a price determined from an independent valuation plus recovery of costs incurred in the disposal of the land.*
- 4. That all documentation in relation to this matter be executed under power of attorney."*

Council is now in the process of closing the above road corridors under the Part 4 Division 3 of the Roads Act 1993, as per resolution point 2 above.

Essential Energy has no objection to the proposal and has requested that a 45 metre wide easement be created for overhead power lines be extended to cover the section of road to be closed. Essential Energy is looking forward to receiving a draft section 88B Instrument and plan for approval.

The road will upon closure vest in Council where it will then be entitled to dispose the property to the adjoining landowner.

## STRATEGIC ALIGNMENT

The 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes five principal themes and a number of strategies and outcomes. This report is aligned to:

Theme:	2 Infrastructure
CSP Objective:	2.2 Our road transportation network is safe, convenient and efficient
Delivery Program Strategy:	2.2.3 Council's road network meets the transport needs of users in terms of traffic capacity, functionality and economic and social connectivity

## FINANCIAL IMPLICATIONS

All costs incurred by Council associated with the proposed road closure will be recovered through the road closure application fee of \$2,269.68, as specified in Council's Revenue Policy and be paid by the proponent. The road will vest in Council upon closure, and once in Council title, will be offered for sale at market value as determined by valuation, plus the recovery costs for the survey, development, legal expenses and other costs incurred in presenting the land for sale. Any net proceeds from the sale of land will become available to the Rural Roads Function.

## POLICY IMPLICATIONS

There are no policy implications arising from this report.

## RECOMMENDATION

1. That Council consent to the closure of this section of road as indicated in Appendix 1.
2. That Council undertake the Roads Act Council Road Closure Process: Closing of Council Public Roads by Councils, Part 4 Division 3 of the Roads Act 1993.
3. That Council provide appropriate easements for the Essential Energy overhead asset.
4. That all documentation in relation to this matter be executed under power of Attorney.

*Mano Manokaran*  
Road Services Engineer

## BACKGROUND

A request has been received from Mr Tom Harvey and Mrs Cathy Harvey of Lot 1 DP 943178 Campania Road, Rawsonville to purchase the section of Campania Road adjacent to their property as indicated on the map attached (**Appendix 1**).

## REPORT

Campania Road is a formed gravel Council public road for approximately 505 metres north of Terramungamine Road. Beyond this the road is unformed. There is no formed crossing of Medway Creek 505 metres north of Terramungamine Road and as a result there is very limited through traffic along the road corridor. The closure of this section of road is expected to have minimal impact on any current or future connectivity in the area. No property accesses will be adversely impacted by the closure of the section of road. The section of formed road does not currently form part of Council's annual road maintenance program.

The adjoining landowner of Lot 30 DP 8671, which has frontage to Campania Road on its western boundary, Mr Brian Robinson has advised that he has no objection to Mr Tom Harvey and Mrs Cathy Harvey's request to close part of Campania Road as indicated in **Appendix 1**.

The adjoining landowner of Lot 25 DP 8495, which has an established access on the northern section of Campania Road accessed via North Terramungamine Road, Mr J K Shanks has advised that he has no objection to Mr Tom Harvey and Mrs Cathy Harvey's request to close part of Campania Road as indicated in **Appendix 1**.

The road will upon closure vest in Council where it will then be entitled to dispose the property to the adjoining landowner.

## SUMMARY

It is recommended that Council support the request by the landowner adjacent to the section of Campania Road for Council to sell this section of road for the purpose of consolidation with the landowner's holding.

Appendices:

**1** [Campania Road Rawsonville - Site Map](#)





## APPENDIX-1



## REPORT: Proposed Closure of Unformed Road - Section of Goonoo Street Wongarbron

**AUTHOR:** Road Services Engineer  
**REPORT DATE:** 13 September 2021  
**TRIM REFERENCE:** ID21/1581

### EXECUTIVE SUMMARY

A request has been received from Mrs Ingrid Jackson of 56 Derribong Street Wongarbron (Lot 185 DP 754321) to purchase the section of Goonoo Street abutting her property, as indicated on the attached map (**Appendix 1**).

This road is owned by Dubbo Regional Council, is unformed and is not included in Council's list of roads programmed for annual maintenance and is therefore currently not maintained.

The adjoining landowners at 50 Derribong Street and 49 Burroway Street have no objection to the request to close part of Goonoo Street as indicated in **Appendix 1**.

Council at its meeting held 23 November 2020 resolved:

- "1. That Council consent to the closure of this section of road as indicated in Appendix 1.*
- 2. That Council undertake the Roads Act Council Road Closure Process: Closing of Council Public Roads by Councils - Part 4 Division 3 Roads ACT 1993.*
- 3. That a 100 mm water main easement be provided for Council maintenance.*
- 4. That upon closure, the road be offered for sale to the adjacent landowner at a price determined from independent valuation, plus recovery of costs incurred in the disposal of the land.*
- 5. That all documentation in relation to this matter be executed under power of attorney."*

Council is now in the process of closing the above road corridors under Part 4 Division 3 of the Roads Act 1993, as per resolution 2 above.

As per Section 38D (2) (a) of the Roads Act 1993 No 33, Council has notified to all authorities and adjacent property owners and there have no objection to the proposal.

The road will upon closure vest in Council where it will then be entitled to dispose the property to the adjoining landowner.

## STRATEGIC ALIGNMENT

The 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes five principal themes and a number of strategies and outcomes. This report is aligned to:

Theme:	2 Infrastructure
CSP Objective:	2.2 Our road transportation network is safe, convenient and efficient
Delivery Program Strategy:	2.2.2 Council provides traffic management facilities to enhance the safety and efficiency of the road transport network

## FINANCIAL IMPLICATIONS

All costs incurred by Council associated with the proposed road closure will be recovered through the road closure application fee of \$2,269.68, as specified in Council's Revenue Policy and be paid by the proponent. The road will vest in Council upon closure, and once in Council title, will be offered for sale at market value as determined by valuation, plus the recovery costs for the survey, development, legal expenses and other costs incurred in presenting the land for sale. Any net proceeds from the sale of land will become available to the Rural Roads Function.

## POLICY IMPLICATIONS

There are no policy implications arising from this report.

## RECOMMENDATION

1. That Council consent to the closure of this section of road as indicated in Appendix 1.
2. That Council undertake the Roads Act Council Road Closure Process: Closing of Council Public Roads by Councils - Part 4 Division 3 Roads Act 1993.
3. That a 100 mm water main easement be provided for Council maintenance.
4. That all documentation in relation to this matter be executed under power of attorney.

*Mano Manokaran*  
Road Services Engineer

## BACKGROUND

A request has been received from Mrs Ingrid Jackson of 56 Derribong Street Wongarbon (Lot 185 DP 754321) to purchase the section of Goonoo Street abutting to her property as indicated on the map attached (**Appendix 1**).

## REPORT

This road is an unformed road owned by Dubbo Regional Council. The road does not currently form part of Council's annual road maintenance program. Access can be provided to all current and future lots via Derribong Street, or the unformed section of Burroway Street. Goonoo Street has been previously closed to both the north and south of this location.

The closure of Goonoo Street would result in the unformed unnamed laneway becoming a 'No Through Road'. Council would have the opportunity to extend the laneway through to Tenandra Street should Lot 185 DP 754321 be subdivided.

Both adjoining landowners, Ms Xanthe Clark (50 Derribong Street) and Mr William and Mrs Shirley Fraser (49 Burroway Street) have no objection to the request to close part of Goonoo Street as indicated in **Appendix 1**.

The road will upon closure vest in Council where it will then be entitled to dispose the property to the adjoining landowner.

## SUMMARY

It is recommended that Council support a request by the owner of land adjacent to the section of Goonoo Street Wongarbon for Council to sell this section of road for the purpose of consolidation with the landowner's holding.

Appendices:

[1](#)  Goonoo Street Wongarbon - Site Map



# APPENDIX-1