



# REPORT COMMITTEE OF THE WHOLE COUNCIL 28 SEPTEMBER 2020

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

**ALSO IN ATTENDANCE:**

The Chief Executive Officer, the Executive Manager CEO, the Manager Governance and Internal Control, the Community Support Officer, the Communications Partner, the Director Organisational Performance, the Director Culture and Economy, the Director Infrastructure (M Lewis), the Director Development and Environment (S Jennings) and the Director Liveability.

Councillor B Shields assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 6.27pm at the Dubbo Civic Administration Building, Council Chamber.

Please note that Councillor D Gumley was in attendance at this meeting via audio only, under the current COVID-19 provisions.

**CW20/23     NRL EVENT INVESTIGATIONS (ID20/1153)**

The Committee had before it the report dated 8 September 2020 from the Chief Executive Officer regarding NRL Event Investigations.

Moved by Councillor A Jones and seconded by Councillor J Ryan

**MOTION**

**That members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council (Section 10A(2)(d)(ii)).**

**CARRIED**

Moved by Councillor G Mohr and seconded by Councillor J Ryan

**MOTION**

**That the information contained within the report of the Chief Executive Officer dated 17 September 2020, be noted.**

**CARRIED**

*Councillor J Diffey declared a non-pecuniary, 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 J Diffey is employed by NSW Parliament as the Senior Electorate Officer for the State Member and Chair of the NSW Government NRL Regional Task Force, Mr D Saunders.*

**CW20/24 APPOINTMENTS TO THE AUDIT AND RISK MANAGEMENT COMMITTEE (ID20/1183)**

The Committee had before it the report dated 15 September 2020 from the Executive Manager Governance and Internal Control regarding Appointments to the Audit and Risk Management Committee.

Moved by Councillor A Jones and seconded by Councillor J Ryan

**MOTION**

**That members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned personnel matters concerning particular individuals (other than Councillors) (Section 10A(2)(a)).**

**CARRIED**

Moved by Councillor A Jones and seconded by Councillor V Etheridge

**MOTION**

- 1. That Council authorise the Mayor and Chief Executive Officer to interview the five (5) applicants and be delegated authority to appoint the Chairperson and Independent member.**
- 2. That the outgoing independent representatives be formally thanked for their contribution to the Audit and Risk Management Committee.**

**CARRIED**

**CW20/25 LAND SWAP WITH DUBBO RSL - KESWICK AND DUBBO CITY BOWLING CLUB  
(ID20/1184)**

The Committee had before it the report dated 15 September 2020 from the Manager Property Assets regarding Land Swap with Dubbo RSL - Keswick and Dubbo City Bowling Club.

Moved by Councillor A Jones and seconded by Councillor J Ryan

**MOTION**

**That members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council (Section 10A(2)(d)(ii)).**

**CARRIED**

Moved by Councillor J Ryan and seconded by Councillor G Mohr

**MOTION**

- 1. That Council proceed with the land swap with Dubbo RSL of the Council owned 3.3 ha vacant land parcel at Keswick Estate, for the RSL owned Dubbo City Bowling Club.**
- 2. That the land swap be undertaken by way of exchange of contracts for sale.**
- 3. That following contract settlement, Council permit Dubbo RSL to continue to operate the Dubbo Bowling Club under a licence agreement until the RSL have an alternative location in which to operate a bowling club, noting that the licence agreement would have a maximum term of two years.**
- 4. That the Dubbo City Bowling Club site is to be classified as operational land upon its acquisition by Council.**
- 5. That all documentation in relation to this matter be executed under Power of Attorney.**

**CARRIED**

**CW20/26 CODE OF CONDUCT MATTER**

The Committee had before it the report dated 28 September 2020 from the Chief Executive Officer regarding the Code of Conduct Matter.

Moved by Councillor A Jones and seconded by Councillor J Ryan

**MOTION**

**That members of the press and public be excluded from the meeting during consideration of this item, the reason being alleged contraventions of any code of conduct requirements applicable under (Section 10A(2)(i)).**

**CARRIED**

Moved by Councillor A Jones and seconded by Councillor J Ryan

**MOTION**

1. That the advice from the Office of Local Government dated 28 August 2020, be noted.
2. That this matter now be considered finalised.
3. That the documents and considerations with regard to this matter remain confidential to the Council.

**CARRIED**

*Councillor K Parker declared a non-pecuniary, 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 is the subject of this code of conduct matter.*

The meeting closed at 6.30pm.

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CHAIRMAN