



REPORT

EXTRAORDINARY COUNCIL MEETING

12 APRIL 2021

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 People Culture and Safety, the Executive Manager Governance and Internal Control, the Governance and Internal Control Manager, the Administration Officer Governance, the Community Support Officer, the Communications Partner, the Director Organisational Performance, the Executive Officer Organisational Performance, the Director Culture and Economy, the Director Infrastructure, the Director Development and Environment (D Quigley) and the Director Liveability.

Councillor S Lawrence assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 12.01pm at the Dubbo Civic Administration Building, Council Chamber, with a prayer for Divine Guidance to the Council in its deliberations and activities. The acknowledgement of country was also read by Councillor Diffey.

At this juncture a minute of silence was held in honour of Prince Philip Duke of Edinburgh.

CCL21/50 LEAVE OF ABSENCE (ID21/550)

A request for Leave of Absence was received from Councillor D Gumley who was absent from the meeting due to personal reasons.

Moved by Councillor G Mohr and seconded by Councillor V Etheridge

MOTION

That such request for Leave of Absence be accepted and Councillor D Gumley be granted leave of absence from this meeting.

CARRIED

Clause CCL21/53 was brought forward for consideration and was dealt with at this juncture.

REPORTS FROM STAFF:

CCL21/53 REQUEST FOR LEAVE OF ABSENCE - COUNCILLOR B SHIELDS (ID21/554)

The Council had before it the report dated 6 April 2021 from the Chief Executive Officer regarding Request for Leave of Absence - Councillor B Shields.

Moved by Councillor G Mohr and seconded by Councillor K Parker

MOTION

That Councillor B Shields' application for Leave of Absence from Wednesday 31 March 2021 to Wednesday 26 May 2021, where Councillor Shields will be absent due to personal reasons, be granted.

CARRIED

CCL21/51 PUBLIC FORUM (ID21/551)

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

- Mr Shields regarding support for Mayor Councillor Ben Shields.
- Donna Flack regarding support for Mayor Councillor Ben Shields.

MAYORAL MINUTES:

CCL21/52 THE REPUTATION OF COUNCIL AND THE PROTECTION OF THE COMMUNITY (ID21/565)

The Council had before it the Mayoral Minute regarding The Reputation of Council and the Protection of the Community.

Moved by Councillor S Lawrence and seconded by Councillor J Ryan

MOTION

1. **That Council condemns and will not tolerate abuse of power, bullying, harassment, threats and intimidation by any councillor or council staff member.**
2. **That Council is open to an independent investigator being appointed to examine any such complaints, suggestions and allegations of misconduct and the operation and integrity of council complaint processes over the term of the current council.**
3. **That Council's meeting schedule as previously resolved be amended so that there be additional Ordinary meetings of Council on 19 April 2021 and 3 May 2021.**
4. **That a confidential report be prepared for councillors for the 19 April 2021 Ordinary meeting of Council advising to the extent reasonably possible on;**
 - a) **any and all complaints, allegations and suggestions of misconduct on behalf of any councillor, that have at any stage of the term of council been brought to the attention of any council staff and not been the subject of a code of conduct**

- process, and
- b) code of conduct complaints against any councillor that have been withdrawn or dismissed without action.
5. That a report be prepared for the 3 May 2021 Ordinary meeting of Council that advises on council's bullying and harassment policies and any reforms needed in order for them to be best practise.
 6. That a report be prepared for the 3 May 2021 Ordinary meeting of Council (if the Mayor Ben Shields has not resigned from council within that period or his position otherwise become vacant), with the CEO to provide a report on;
 - a) what powers of the mayor in between council meetings can be lawfully removed or reduced,
 - b) whether the mayoral fees, expenses and facilities as provided for in the 'Policy for the Payment of Expenses and Provision of Facilities for the Mayor and Councillors' and determined annually by council resolution can be lawfully reduced or eliminated.
 7. That a report be prepared for the 3 May 2021 Ordinary meeting of Council advising on options for the appointment of an independent investigator.
 8. That Council calls upon the Mayor to resign from council as soon as reasonably practicable to allow council to move forward in the best interests of the community.

CARRIED

As one or more Councillors voted against the motion, in accordance with Clause 11.5 of Council's Code of Meeting Practice, the following votes were recorded:

FOR	AGAINST
Councillor Diffey	Councillor Grant
Councillor Etheridge	Councillor Mohr
Councillor Jones	
Councillor Lawrence	
Councillor Parker	
Councillor Ryan	
Total (6)	Total (2)

Moved by Councillor D Grant and seconded by Councillor G Mohr

AMENDMENT

That each point of the recommendation be dealt with separately.

The amendment on being put to the meeting was lost.

LOST

As one or more Councillors voted against the motion, in accordance with Clause 11.5 of Council's Code of Meeting Practice, the following votes were recorded:

FOR	AGAINST
Councillor Etheridge	Councillor Diffey
Councillor Grant	Councillor Jones
Councillor Mohr	Councillor Lawrence
	Councillor Parker
	Councillor Ryan
Total (3)	Total (5)

The meeting closed at 12.25pm.

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CHAIRMAN